

# AUBURN COUNCIL

To the Joint Regional Planning Panel

Director's Report  
Planning and Environment  
Department

**1 93 St Hilliers Road, AUBURN NSW 2144**

**DA-448/2015 GF:HP**

## SUMMARY

<b>Applicant</b>	Bunnings Properties Pty Ltd.
<b>Owner</b>	Perpetual Trustee Company Limited.
<b>Application No.</b>	DA 448/2015.
<b>Description of Land</b>	Lot 11 in DP 786590 being 93 St Hilliers Road Auburn.
<b>Proposed Development</b>	Alterations & additions to the existing commercial & industrial buildings including part demolition & construction of a new commercial building to be used for hardware & building supplies, use existing 2 storey offices, erect six free standing pylon signs and undertake a two (2) lot Torrens Title subdivision.
<b>Site Area</b>	34,953.7 Square metres.
<b>Zoning</b>	<b>Zone B6 - Enterprise Corridor.</b>
<b>Disclosure of political donations and gifts</b>	Nil disclosure.
<b>Issues</b>	<ul style="list-style-type: none"><li>• Road works required within St Hilliers Road.</li><li>• Setback of the building entrance from St Hilliers Road.</li><li>• Car parking for tenancies 79, 81, 83 and 85 on proposed Lot 2.</li><li>• Surrender of Development Consent 268/2005 for tenancies 81 and 83 and Development Consent 379/2013 for tenancy 85.</li><li>• Impact of the development upon Development Consent 686/2002 for Tenancy 79 until lease expiry late 2017.</li></ul>

## Recommendation

That Development Application number 448/2015 for alterations and additions to the existing commercial & industrial buildings including part demolition & construction of a new commercial building to be used for hardware & building supplies, use existing 2 storey offices, erect six free standing pylon signs and undertake a two (2) lot Torrens Title subdivision on land at 93 St Hilliers Road Auburn be approved subject to conditions as described in the schedule.

## Consultations

26 October 2015

A pre lodgement meeting is held at the Council offices between Council officers and the applicant. The following matters are raised that requires the attention of the applicant:-

- Integrated development due to proposed works within an arterial road including a proposed set of traffic lights along St Hilliers Road.
- Appearance of the building from Percy Street.
- Removal of trees along the St Hilliers Road frontage and Percy Street.

- Operations of the proposed café.
- Proposed Torrens Title subdivision.

During that meeting, the applicant was requested to prepare numerous reports including:-

- Arborist report.
- Traffic assessment report.
- Contamination audit.
- Preliminary Hazard Analysis (If relevant) as per the guidelines of State Environmental Planning Policy 33.
- Acoustic report.
- Quantity surveyors report.
- Flood study.
- State of environmental effects.

The pre lodgement notes were issued to the applicant on the third November 2015.

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## **History**

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### 8 December 2015

Development application 448/2015 is lodged to the Council for determination.

### 20 January to 3 February 2016

The development application is notified and one submission is received.

### 27 January 2016

A public meeting is held at the Council building however there are no attendees from interested parties.

### 8 February 2016

Correspondence is issued to the applicant specific to the following matters:-

- Car parking for Lot 2 requires revision. To assist the matter, previous consents issued for the tenancies Numbered 79, 81, 83 and 85 is provided to the applicant.
- Redundant slip lane on St Hilliers Road may require attention.
- A phase 2 contamination audit is required.
- Roads and Maritime Services have requested the raw SIDRA modelling files for further assessment.

### 10 February 2016

The applicant submits the Phase 2 contamination audit for Council assessment. The applicant also advised that the SIDRA files have already been lodged with the Roads and Maritime Services for their assessment.

### 16 February 2016

The Roads and Maritime Services and the applicant hold a joint meeting to discuss the application. From that meeting, the applicant is required to produce the following levels of information:-

- Crash history data.
- Impacts of the proposed signals on surrounding road networks.
- Modelling.
- Warrants.

The applicant submits the information directly to the Roads and Maritime Services on March 8 2016. The details and updated models are assessed and a final reply is issued on the 6 May 2016. The Roads and Maritime Services has reviewed all the information submitted and is prepared to provide concurrence to the development under Section 138 of the Roads Act 1993 and consent for the signalised intersection at Simpson Street / St Hilliers Road under Section 87 of the Roads Act 1993 subject to conditions. The conditions are required to be included into any determination that is issued.

### **Site and Locality Description**

The site is situated at the south east corner of the intersection of Parramatta Road with St Hilliers Road but has three road frontages as follows:-

- Parramatta Road along the northern side - (A classified road).
- St Hilliers Road along the western side - (A Classified road).
- Percy Street towards the east.

The southern side of the site adjoins a car park.

Notwithstanding some variations to the dimensions, the site is generally rectangular in shape.

The site occupies an area of 34,953.7 square metres and has the following dimensions:-

- Northern boundary - 76.99 metres.
- Southern boundary - 98.11 metres.
- Eastern boundary - 363.26 metres.
- Western boundary - 308.93 metres.

There are two large but separate multi tenanted office warehouse buildings with part basement and part at grade car parking situated across the site. The buildings are divided into eleven (11) tenancies with four (4) tenancies occupying the northern building and seven (7) tenancies occupying the southern building.

There is a two storey office building presented across the northern part of the northern building facing Parramatta Road and St Hilliers Road.

St Hilliers Road forms the main road frontage while Percy Street functions more as an access road to the various tenancies.

There are two vehicle access points to the site from St Hilliers Road and there are multiple vehicle crossovers and accesses to the site from Percy Street. Generally:-

- Motorists enter the site from St Hilliers Road.
- Loading and unloading is undertaken via the vehicle accesses from Percy Street.

The site is located within the established Parramatta Road business / commercial / retail corridor. There is a mixture of land uses within the locality as follows:-

- Residential along the western side of St Hilliers Road ranging from single dwelling houses to residential flat buildings.
- Mc Donald's site including a Krispy Cream Donut outlet at 116 Parramatta Road to the west.

- Industrial and warehouse buildings at 75 to 77 St Hilliers Road to the south and to the east such as 17 to 19 Percy Street which is known as Bev Chain.
- Red yard site at 100 Parramatta Road to the east which includes a cinema complex. Government services (Service New South Wales), food and drink premises and a small number of clothing outlets.
- Various, warehouse, car based land uses and bulky good retailers along Parramatta Road to the north.

The location of the site is shown below.



## Description of Proposed Development

Development application Number 448/2015 seeks consent for the demolition of part of the existing multi tenanted office / warehouse complex and the construction of a Bunnings Warehouse. The proposed works include:-

- Establishment of offices for the administration for Bunnings operations New South Wales.
- Retention of four existing warehouses.
- New signage including pylon signage.
- A two lot Torrens Title subdivision.
- Undercroft car parking.
- Use of the new building as a Bunnings warehouse.

The proposed Bunnings warehouse will comprise the main retail warehouse, goods receiving area, timber trade sales, an outdoor nursery and bagged goods area, a café, main entry, offices for the administration of the store and a large undercroft car park.

In particular, the two storey office building along the northern side of the building will be retained which will form part of the main head offices for Bunnings. The offices will incorporate room for:-

- Sales staff.
- Nineteen (19) meeting rooms.
- Office cubicles and rooms for staff and managers.

A separate office area is to be established for the day to day running of the store.

The works involve significant changes to vehicle access to and within the site as follows:-

- The northernmost vehicle access on St Hilliers Road will be closed and replaced with a new set of traffic signals and entry and exit to the main undercroft car park further south along St Hilliers Road but opposite Simpson Street. This would require significant changes to traffic flows along St Hilliers Road and assessment by Roads and Maritime Services.
- New access provision for vehicles and loading and unloading operations provided along Percy Street. This will ensure that all loading and unloading occurs from Percy Street.
- Construction of a significant undercroft car park to be situated underneath the main Bunnings store.

#### Demolition work

The two storey office building situated at the corner of Parramatta Road and St Hilliers Road will be retained but the attached warehouse will be demolished. Warehouses numbered 87 to 97 and 114 St Hilliers Road will also be demolished. The total area of the buildings to be demolished is 13,638.8 square metres. This will result in tenancies numbered as 79 to 85 being retained and their current uses continuing where leases have not expired.

#### Car park

The following car parking arrangements are to be provided:-

- A basement car park situated underneath the northern offices for 67 vehicles is retained.
- An undercroft / basement car park for 409 vehicles to be provided to support the main Bunnings store.
- Retention of 107 spaces to support the tenancies to be retained known as 79 to 85 St Hilliers Road.
- Retention of 6 car parking spaces external to the building at the north east portion of the site.

This will result in the Bunnings superstore being provided with 482 car parking spaces plus an additional 107 car parking spaces being provided to support the remaining tenancies. This will result in the site being provided with 589 car parking spaces.

#### Existing and proposed floor areas

The new Bunnings warehouse will have a total retail area including the warehouse, bagged goods and timber trade area of 16,359 square metres. When completed, the warehouse, administration headquarters and four office warehouse tenancies will occupy a floor area of 27,957.5 square metres. The breakdown of this is shown in the table:-

Description	Area (Square metres)	Totals (Square metres)
Site area	34,953.7 Square metres	
<b>Bunnings Warehouse Building</b>		
Amenities	178	
Bagged goods area	1,539	

Goods inwards	123	
Main entry	314	
Main warehouse	9,589	
Nursery entry	108	
Outdoor nursery	1,315	
Timber trade sales	3,195	
<b>Total floor area</b>		<b>16,361</b>
Bunnings offices		
Existing Offices (Ground)	1,429	
Existing offices (First floor)	1,626	
<b>Total floor area</b>		<b>3,055</b>
Units to be retained		
Unit 79	2,283.5	
Unit 81	2,157	
Unit 83	1,931	
Unit 85	2,172	
<b>Total floor area</b>		<b>8,543.50</b>
<b>Gross floor area</b>		<b>27,957.50</b>

### Building design materials and finishes

The Bunnings building comprises a part two storey / part three storey building depending on location within the site. In particular, this consists of an undercroft / basement parking area, two levels of office floor space facing Parramatta Road and a large retail warehouse level situated over the car park level. Due to the topography of the site, this presents as a two storey building along the Percy Street frontage.

The main frontage of the building faces St Hilliers Road which features a large glazed area and a distinct roof element.

The building has a maximum height of 9.83 metres at the northern elevation to 14 metres along Percy Street due to the topography of the land.

The plans show a main loading / unloading area at the rear of the building being the Percy Street frontage with vehicle access via a raised one way in / one way out ramp. There is also a secondary loading area to support the nursery that is situated at the north eastern side of the building.

The proposed nursery will be enclosed within a galvanised finger proof mesh fence whilst the undercroft parking area will be enclosed with a galvanised chain link mesh.

The main building will be finished in vertical reinforced concrete panels finished in green and white corporate colours. The dominant colour of the building will be Bunnings Green.

Many of the trees existing on site are retained and following conclusion of the works, additional planting of trees is proposed.

### Warehouse building

The proposed Bunnings Warehouse building will comprise a main customer retail area, nursery and bagged goods area, timber trade area, café and amenities.

### Timber trade sales area

The timber trade area is located at the southern section of the warehouse building and is serviced by a dedicated entry / exit to and from Percy Street.

### Nursery and bagged goods area

The nursery and bagged goods area is located in the northern section of the main warehouse building. The area will be screened by a 5 metre high steel mesh fence from Percy Street. The outdoor nursery area will be shaded by white shade sails supported by steel posts.

### Cafe use

The proposed café is not a full service area. Products sold will be pre prepared such as cakes, biscuits and pre - packaged sandwiches. Pies will be warmed up and tea and coffee will be made using a coffee machine. There is no cooking of food, no use of hotplates or fry pans and no production of grease or requirements for an exhaust system.

### Hours of operation

The proposed hours of operation are from 6 am to 10 pm Monday to Friday and 6 am to 7 pm on Saturday, Sunday and public holidays. Hence, the application seeks consent for operations on public holidays.

### Proposed Signage

The development application seeks consent for the erection of six (6) pylon signs as follows:-

### Bunnings

- Two main pylon signs up to 12 metres high with one to be located on the northernmost corner of St Hilliers Road / Parramatta Road intersection and the second one to be located at the southern entry on St Hilliers Road. The two signs are to be illuminated.

### Tenancies 79 to 85

- A tenancy directory sign is to be located at the southern entry on St Hilliers Road.

### Directional entry signs

There will be three directional entry signs for customers located at:-

- Southern entry on St Hilliers Road.
- Two on the Percy Street frontage.

Signage is also proposed on the St Hilliers Road and Percy Street elevations.

Details of the signage are shown in the table below.

Type / Description	Overall dimensions	Advertising panel area
Pylon sign	4.8 metres x 12 metres.	57.6 square metres per sign. For two signs 115.2 square metres.
Directional entry	1.2 metres x 2.6 metres.	3.12 square metres.
Directional entry	1.2 metres x 2.3 metres.	2.76 square metres. For two signs 5.52 square metres.
Dexus entry sign	2.2 metres x 5.2 metres.	11.44 square metres.
<b>St Hilliers Road Elevation</b>		
Bunnings Warehouse sign	4.6 metres x 14.5 metres.	66.7 square metres.
Lowest prices are just the beginning logo.	7.3 metres x 19.5 metres.	142.35 square metres.
<b>Percy Street Elevation</b>		
Bunnings Warehouse sign	3.1 metres x 9.8 metres.	30.38 square metres.



Lowest prices are just the beginning logo.	7.4 metres x 19.5 metres.	144.3 square metres.
<b>Total number of signs</b>		<b>10</b>
<b>Total area</b>		<b>519 square metres</b>

There are ten signs proposed but the area reaches 519 square metres.

#### Torrens Title subdivision

The development application makes provision for a Torrens Title subdivision to excise the Bunnings warehouse and offices from the remainder of the site.

<b>Proposed lot</b>	<b>Area</b>	<b>Floor space</b>	<b>Floor space ratio</b>	<b>Car parking</b>
<b>Lot 1 (Bunnings)</b>	23,870 square metres.	19,414 square metres.	0.813:1	482 car parking spaces.
<b>Lot 2 (Tenancies 79 to 85).</b>	10,930 square metres.	8,543.5 square metres.	0.782:1	107 car parking spaces.
<b>Road widening</b>	153.7 square metres.			
<b>Total</b>	34,953.7 square metres.			589 car parking spaces.

Whilst consent is sought for subdivision, the applicant has requested that it not be linked to the issue of an Occupation Certificate for the Bunnings Warehouse. In this regard, the applicant seeks the issue of the Subdivision certificate early to avoid delays created by construction work.

#### **Tenancies 79, 81, 83 and 85 on Proposed Lot 2**

Following review of Council correspondence dated 8 February 2016, the applicant has requested an amendment to the development application to allow for the use of Tenancy 79 "Fit out of warehouse for the design, display, sale and manufacturing associated with bathroom accessories" to continue.

It is found that the Bunnings development would have an impact on the development applications for the affected tenancies. It is now determined that Tenancies 81, 83 and 85 are vacant and the clients have agreed to have the development consents surrendered prior to the release of the construction certificate.

In relation to Tenancy 79 and Development Consent 686/2002, it is proposed to retain this land use however the tenants lease is due to expire in late 2017. There is a requirement to provide 55 car parking spaces under the consent.

The car parking layout for proposed Lot 2 (Tenancies 79 to 85) provides for 107 spaces in accordance with the Auburn Development Control Plan and it appears that the land use approved in 2002 and the associated car parking requirement can be incorporated into any approval for the present application. A request is made to surrender the consent upon the current tenant vacating the premises to ensure there are no inconsistencies with the approvals.

#### **Referrals**

##### **Internal Referrals**

##### **Development Engineer**



Conditions are provided to address outstanding engineering matters. Generally, there is no objection to the proposed development subject to conditions.

### **Building Surveyor**

The development application was referred to Council's Building Surveyor for comment who has raised no objections to the proposed development subject to conditions to be incorporated into any consent that may be issued.

### **Landscape Architect**

The development application was referred to Council's Landscape Architect for comment who has responded on the 23 December 2015. It is identified that:-

- The 60 trees to be removed is acceptable.
- All remaining trees on site should be protected in accordance with the Australian Standard 4970 Protection of Trees on development sites and as identified in the Arboricultural Assessment Report.
- The new trees to be planted along St Hilliers Road shall be equal to or greater than the proposed roofline. It is recommended that native species similar to those being removed be included along the frontage.
- The proposed landscape treatment and planting along Percy Street is satisfactory.
- The proposed landscape treatment and planting along Parramatta Road is satisfactory.

### **Environment and Health**

#### **Land Contamination Comments:**

A phase two contamination audit has been submitted and it identifies that the site is suitable to support the proposed development.

As per the memorandum dated 26 February 2016, the site is found to be suitable for the proposed use. Appropriate conditions are provided in relation to the audit undertaken.

#### **Food Comments:**

The statement of effects states that coffee and pre-packaged food including pies that will be heated on a pie warmer will be sold. There will be no cooking of food. The kitchen shown on the floor plans does not include any cooking equipment.

#### **Noise Comments:**

The following comments are provided:-

- Hours of operation are 6:00 am to 10:00 pm Monday to Friday and 6:00 am to 7:00 pm all other days with no deliveries before 7:00 am (from receiving area off Percy St).
- A site specific noise criteria of 63 dB(A) (LAeq Sunday morning background + 15dB(A)) was derived for the hours between 6am and 7am, because noise in this 'shoulder period' of the night is allowed under the Industrial Noise Policy as night-time noise criteria do not accurately represent human activity at this time.
- Noise modelling has predicted that noise received at the closest residence during operational hours would be between 45dB(A) and 50dB(A), which meets the derived noise criteria for early morning. The values also lie within the site specific noise criteria for all other times of day.
- The derived noise criterion has standard morning hours from 7.00 am every day and are not delayed to 8.00 am on Sundays and Public Holidays as they are Industrial Noise

Policy. Therefore, the same considerations made between 6:00am to 7:00am (ie no deliveries) should be made for between 7:00am to 8:00am on Sundays and Public Holidays.

#### Water Quality Comments:

Nutrient loads from large amounts of fertiliser and organic matter from nursery run-off will need to be reduced within guideline levels. Before being released to stormwater, it is proposed that water collected on site will pass through a treatment train of sediment and solid removal as well as nutrient polishing for phosphorus and nitrogen, to allow pollutant reduction targets to be met.

#### External Referrals

##### Roads and Maritime Services

The development application was referred to the Roads and Maritime Services on the 15 December 2015 for assessment as the development application falls under Schedule 3 of State Environmental Planning Policy "Infrastructure" 2007 on a number of grounds as follows:-

<b>Purpose of development</b>  <b>Note:</b> The development may be the erection of new premises or the enlargement or extension of existing premises.	<b>Size or capacity-site with access to any road</b>	<b>Size or capacity-site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)</b>
Commercial premises	10,000 square metres in area	2,500 square metres in area.
Area used exclusively for parking or any other development having ancillary parking accommodation.	200 or more motor vehicles.	50 or more motor vehicles.
Parking.	200 or more motor vehicles.	50 or more motor vehicles.

#### Comments

The development has all of the features of Column one "Purpose of the Development" and as the site is situated on Parramatta Road and St Hilliers Road which are Classified Roads, the development application effectively falls under the size criteria of each land use stated in Column Three. Formal referral to the Roads and Maritime Services for assessment is required.

Initially it was believed that the development application was integrated development being "Erect a structure, carry out works on a public road under the Roads Act 1993.

In this regard, the development application is proposing road works on St Hilliers Road including the road carriageway. The works involve altering lanes, the functioning of the intersection of Simpson Street with St Hilliers Road and the erection of a set of traffic signals at the intersection that will alter traffic flows within vicinity of the site. A detailed plan showing the road works is provided for assessment for Roads and Maritime Services (Plan Number 01534-205 and prepared by C and M Consulting Engineers).

**The Roads and Maritime Services has written back to Council confirming that the development application is not Integrated Development and the cheque for such assessment has been returned to the applicant.**

The development application still requires full assessment by Roads and Maritime Services.

Following assessment and meetings between the applicant and Roads and Maritime Services, correspondence has been issued advising that concurrence to the development will be granted subject to conditions.

## Flemington Police Command

The development application was referred to the Flemington Police Command for assessment on the 15 December 2015. This was undertaken because the application is requesting trading hours to 10 pm Monday to Friday. A response was provided on the 21/12/2015. A number of matters relating to business identification signs, safety and security, alarm systems and fire safety measures are raised but may be addressed as conditions.

### Additional comments

Bunnings has considered the matter of crime prevention in the design of its building as follows:-

- Providing clear sightlines between public and private places and using glazing along the main facade.
- Use of effective lighting of undercroft / basement car parking including street lighting.
- Installation of CCTV systems where appropriate.
- Premises being readily identifiable using appropriate signage.
- Use of a maintenance plan for its site.

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

### State Environmental Planning Policies

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

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

<b>Matter for Consideration</b>	<b>Yes/No</b>
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the development going to be used for a sensitive land use (eg: residential, educational, recreational, childcare or hospital)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, <b>engine works</b> , explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, <b>oil production and storage</b> , paint formulation and manufacture, pesticide manufacture, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Details of contamination investigations carried out at the site:-</b> Environmental Investigation Services have been engaged to undertake a phase 1 environmental site assessment for the proposed Bunnings Warehouse development. The records show that the current lot boundaries were established during 1989. The property was owned by SAS	

Matter for Consideration	Yes/No
<p>Trustee Corporation from 1989 to 1997 and by the Perpetual Trustee Company Limited from 1997 to date. The site or portions of the site were owned by the British General Electric Company from 1945 to 1971. The site or portions of the site were owned by the Sydney Meat Preserving Company from 1883 to 1945.</p> <p>The land title records indicate that the site may have been used for commercial meat preserving from the late 1800s until the 1940s. A commercial building was located at the north eastern section of the site until its demolition between 1943 and 1951. It appears the remainder of the site was divided into paddocks and used for grazing livestock.</p> <p>A review of the aerial photograph of 1943 appears to show much of the site dominated by paddocks although at the time the photograph was taken, no livestock can be identified in the image.</p> <p>There appears to be limited records available for the period 1951 to the early 1970s but it is known an industrial use occurred because an industrial building was constructed.</p> <p>The site was redeveloped between 1988 and 1991 to its current configuration.</p> <p>There is a concern for land contamination especially in relation to the fill used on site. The report is recommending that a Stage 2 audit be undertaken during or after demolition work is conducted to ensure access to soils is available for testing. The report is suggesting that the audit be undertaken once access to the base soil layer is available.</p> <p>A phase 2 report prepared by EIS (Environmental Investigation Services) which is dated 13 January 2016 has been submitted with the development application. The conclusion on Page 32 of the report identifies that:-</p> <ul style="list-style-type: none"> <li>Some level of environmental concern is identified but the risks are relatively low. It is determined that the site is suitable to support the proposed development. In this regard, concentrations of cadmium, nickel and zinc have been detected in groundwater samples from three on site wells. However the risk is low and will not require remediation.</li> <li>Significant elevated concentrations of heavy metals were not detected within the overlaying soil structure. A significant point source of heavy metals within the site is not detected.</li> <li>The site is located at least 350 metres from the nearest potential surface water receptor.</li> </ul> <p><u>Final comment</u></p> <p>Council's Environment Officer has reviewed the report and determines that the site is suitable to support such a development. As per the memorandum dated 26 February 2016, the site is found to be suitable for the intended use however it is recommended that work stop pending advice from an environmental consultant in the event that unexpected conditions are encountered during development. Conditions are provided to address environmental concerns.</p>	
<p>Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

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

### Road noise and road issues

The following provisions of State Environmental Planning Policy Infrastructure 2007 regarding proximity to a Classified Road are applicable to the development application.

#### **101 Development with frontage to classified road**

*(1) The objectives of this clause are:*

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
  - (i) the design of the vehicular access to the land, or*

- (ii) the emission of smoke or dust from the development, or  
(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and  
(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

#### Comment

The site fronts onto a Classified Road and as such the development application is referred to the Roads and Maritime Services for assessment. The development application seeks to relocate a vehicle access from one portion of St Hilliers Road to another portion and install a set of traffic signals to control traffic flows to and from the building.

The applicant suggests that the safety of St Hilliers Road is not compromised by the development.

The change to the St Hilliers Road traffic flow is supported with a traffic assessment report.

St Hilliers Road is an arterial road that has 3 lanes in both directions separated by a median strip. There are supplementary turning lanes at intersections including a right turn bay at Simpson Street.

There are traffic signals at the intersection of St Hilliers Road with Parramatta Road and another set at the intersection of St Hilliers Road with Hall Street.

St Hilliers is found to carry almost 37,000 vehicles per day.

Roads and Maritime Services have made a detailed assessment of the impact of the development on the St Hilliers Road traffic flows. The matter concerning the Roads and Maritime Services referral is addressed above under "External referrals". It is considered that Council has complied with Clause 101.

#### **102 Impact of road noise or vibration on non-road development**

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RTA) and that the consent authority considers is likely to be adversely affected by road noise or vibration:*

- a building for residential use,
- a place of public worship,
- a hospital,
- an educational establishment or child care centre.

*(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*

*(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*

- (a) in any bedroom in the building-35 dB(A) at any time between 10 pm and 7 am,*  
*(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)-40 dB(A) at any time.*

*(4) In this clause,*  
"freeway",  
"tollway" and

"transitway" have the same meanings as they have in the Roads Act 1993.

#### Comment

Generally, the clause will not apply to the development application because the proposed development is not sensitive as being:-

- a building for residential use,
- a place of public worship,
- a hospital,
- an educational establishment or child care centre.

#### **104 Traffic-generating development**

*(1) This clause applies to development specified in Column 1 of the Table to Schedule 3 that involves:*

- *new premises of the relevant size or capacity, or*
- *an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity.*

*(2) In this clause,*

*"relevant size or capacity" means:*

*(a) in relation to development on a site that has direct vehicular or pedestrian access to any road-the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3, or*

*(b) in relation to development on a site that has direct vehicular or pedestrian access to a classified road or to a road that connects to a classified road where the access (measured along the alignment of the connecting road) is within 90m of the connection-the size or capacity specified opposite that development in Column 3 of the Table to Schedule 3.*

*(3) Before determining a development application for development to which this clause applies, the consent authority must:*

*(a) give written notice of the application to the RTA within 7 days after the application is made, and*

*(b) take into consideration:*

*(i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*

*(ii) the accessibility of the site concerned, including:*

*(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*

*(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*

*(iii) any potential traffic safety, road congestion or parking implications of the development.*

*(4) The consent authority must give the RTA a copy of the determination of the application within 7 days after the determination is made.*

#### Comment

This is addressed under the heading "External Referrals" above. It is determined that the provisions of Clause 104 have been addressed in the assessment of the development application.

**(c) State Environmental Planning Policy 33 “Hazardous and Offensive Development”**

State Environmental Planning Policy 33 “Hazardous and Offensive Development” will apply to the development application.

The State Policy requires the applicant to first undertake a screening analysis to determine whether a preliminary hazard analysis is required or not.

The development application identifies that it is necessary to store and handle a number of dangerous goods. The dangerous goods to be stored are identified in the attached table:-

<b>Name of Dangerous goods</b>	<b>Class</b>	<b>Packaging Group</b>	<b>Expected maximum quantity in KG or litres</b>
Liquid petroleum gas (Exchange cylinders)	2	N/A	8,000
Insect sprays	2	N/A	450
Granular chlorine, chlorine tablets, spa tablets, stabilized chlorine	5	II	880
Spa Shock Sodium Persulphate	5	III	20
Liquid Chlorine, Salt Cell Cleaner	8	III	1,000
Matches	4.1	III	10
Citronella Oil	C1	N/A	900
Motor Oil and Lubricant Oil	C2	N/A	1,030
Aerosols and Spray paints	2	N/A	1,550
Methylated spirits and thinners	3	II	600
Turpentine and Kerosene	3	III	1,500
Manufactured product, Paint, Adhesives and Sealants	3	III	7,360
Paint stripper	6	III	80
Fibreglass catalyst	5	II	5
Linseed oil, Degreaser	C1	N/A	220
Ramset explosive cartridges	1	II	80
Hydrochloric acid, Caustic soda	8	II	1,080
Oxalic acid	8	III	100
Camphor, Nathalene	4.1	III	20
Adhesives	9	III	20

This adds to 24,905 kilograms of dangerous goods to be stored inside the building.

Screening thresholds

<b>Class</b>	<b>Quantity stored</b>	<b>SEPP 33 Threshold</b>	<b>Conclusion Determination</b>
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2.1 Flammable gases and aerosols excluding LP gas	2,000 KG	4,000	Not exceeded
2.1 LP gas	8,000 KG	10,000 KG	Not exceeded
Class 3 PG II and III including paints and thinners.	9,460	100,000	Not exceeded
Class 4.1 Flammable solids	30	5,000	Not exceeded
Class 5 Oxidizers	905	5,000	Not exceeded
Class 6	80	2,500	Not exceeded
Class 8 PG II	2,280	25,000	Not exceeded
Class 9 PG III	20	No limit	Not exceeded
C1 and C2 combustible liquids	2,150	No limit	Not exceeded

The quantities have been reviewed against the tables provided within the Guidelines. It is determined that a preliminary hazard analysis is not required because the thresholds are not breached for any category.

#### Vehicle movements

It is expected that there will be 362 vehicle movements per year where dangerous goods are carried into the site as shown in the table below.

Product description	Typical products	Proposed vehicle movements	NSW Threshold	Conclusion
Class 2.1 LP Gas	Gas refill bottles	50	500	Deliveries made weekly or fortnightly as required.
Class 2.1 flammable gases such as acetylene / aerosols	MAPGAS for plumbing supplies and aerosol paints.	50	500	Deliveries made weekly or fortnightly as required.
Class 3 PGII or III includes X55 methanol, kerosene or turpentine	Flammable liquids such as kerosene, methylated spirits, solvent based paints, Class 3 PG II or III	50	750 to 1,000	Deliveries made weekly or fortnightly as required.
Class 4 flammable solids	Matches and similar items (Flammable solids)	12	200	Deliveries made weekly or fortnightly as required.
Class 5.1 and 5.2 Organic peroxides	Pool chlorine (Dry powder or liquid)	50	500	Deliveries made weekly or fortnightly as required.
Class 8 PG II includes mild caustic washes in drums	Acid solutions, caustic cleaners and cleaning products	50	500	Deliveries made weekly or fortnightly as required.
Class 9 miscellaneous	Waste oil or waste products	50	1,000	Waste collections are weekly. No liquid wastes to be collected.
Class C1 and C2 combustible oils but not hazardous.	Cooking oils, olive oils, motor oils.	50	N/A	
<b>Total deliveries.</b>		362		

Most dangerous goods are expected to be delivered via utilities or flatbed trucks and are generally packaged or manufactured goods in small containers or pails being 20 litres or less.

The number is well below the thresholds for truck movements and as such, it is determined that the proposed use is not dangerous. It is concluded that no further assessment using the planning instrument is required.

**(d) State Environmental Planning Policy No. 64 - Advertising and Signage**

The development application includes the erection of a number of signs as shown in the table.

Type / Description	Overall dimensions	Advertising panel area
Pylon sign	4.8 metres x 12 metres.	57.6 square metres per sign. For two signs 115.2 square metres.
Directional entry	1.2 metres x 2.6 metres.	3.12 square metres.
Directional entry	1.2 metres x 2.3 metres.	2.76 square metres. For two signs 5.52 square metres.
Dexus entry sign	2.2 metres x 5.2 metres.	11.44 square metres.
<b>St Hilliers Road</b>		
Bunnings Warehouse	4.6 metres x 14.5 metres.	66.7 square metres.
Lowest prices are just the beginning.	7.3 metres x 19.5 metres.	142.35 square metres.
<b>Percy Street</b>		
Bunnings Warehouse	3.1 metres x 9.8 metres.	30.38 square metres.
Lowest prices are just the beginning.	7.4 metres x 19.5 metres.	144.3 square metres.
<b>Total number of signs</b>		<b>10</b>
<b>Total area</b>		<b>519 square metres</b>

The assessment of the various signs is provided at Appendix A.

**(e) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005**

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

**(f) Local Environmental Plans**

Auburn Local Environmental Plan 2010

The provisions of the Auburn Local Environmental Plan are applicable to the development proposal. The development achieves compliance with the core statutory requirements of the Auburn Local Environmental Plan 2010 and the objectives of the B6 Enterprise Corridor zoning.

The development application is for the establishment of a new Bunnings superstore on the site. The Bunnings Superstore is capable of fitting any of the following uses:-

- 1 - Garden centre.
- 2 - Hardware and Building Supplies.
- 3 - Plant nursery.
- 4 - Landscaping material supplies.
- 5 - Timber yard.
- 6 - Office premises (For the office component).

All the nominated uses are permissible with consent within the zone.

Offices are not identified as being prohibited within the zone and therefore such a use is permitted with consent. Notwithstanding this, it is identified that the offices are ancillary to the Bunnings development rather than being a standalone development or use.

A more comprehensive assessment using the planning instrument is attached as Appendix A.

- Clause 4.1 - Minimum allotment size

The minimum allotment size is 1,500 square metres. The lot sizes proposed under the development application is shown in the table below.

<b>Proposed lot</b>	<b>Area</b>
Lot 1 (Bunnings).	23,870 square metres.
Lot 2 (Tenancies 79 to 85).	10,930 square metres.

Compliance is achieved for both allotments to be created.

- Clause 4.3 - Height of buildings

A maximum height is not specified for developments except for office premises and hotel or motel accommodation. Given that the development is not an office development or hotel or motel development, it is considered that the height limit for such development is not required to be considered.

The building has a maximum height of 9.83 metres at the northern elevation to 14 metres along Percy Street due to the topography of the land. The height of the building is considered as being acceptable.

- Clause 4.4 - Floor space ratio

Generally, a floor space ratio of 1:1 applies unless the provisions of subclause (2B) or (2D) applies. The site is located within the Commercial precinct which is edged in green. As such, a higher floor space ratio of 1.5:1 may apply.

A Torrens Title subdivision of the site is proposed in which two lots will be created. The floor space ratios of both lots are shown in the table below.

<b>Proposed lot</b>	<b>Area</b>	<b>Floor space</b>	<b>Floor space ratio</b>
Lot 1 (Bunnings)	23,870 square metres.	19,414 square metres.	0.813:1
Lot 2 (Tenancies 79 to 85).	10,930 square metres.	8,543.5 square metres.	0.782:1

The floor space ratios of both allotments would be compliant with the provisions of Clause 4.4 (2D).

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

There are no draft planning instruments that will apply to the development application.

#### **The provisions of any Development Control Plans (EP& A Act s79C(1)(a)(iii))**

##### **Auburn Development Control Plan 2010**

##### **a) Industrial areas**

The relevant objectives and requirements of the Auburn Development Control Plan 2010 - Industrial Areas have been considered in the assessment of the development application. There is a variation to Part 3.2 Subpart D1 specific to the front setback from St Hilliers Road and Part 4.0 (Subpart D6) specific to the provision of landscaping across the site.

A comprehensive assessment using the planning instrument are described in the relevant chapter at Appendix A.

There are two variations presented which are discussed below.

### **Part 3.2 Front setback from St Hilliers Road (Subpart D1)**

#### **The front setback should be 4.5 metres.**

The applicant is requesting the front setback to be retained as shown on the plans on the following grounds.

- The actual boundary siting of the entry foyer is distorted by an indent for a redundant slip lane which is approximately 3.75 metres off where it would otherwise be in the absence of a slip lane.
- There is a varied setback of up to 12.6 metres along the St Hilliers Road frontage with the only portion of the development less than 4.5 metres being the entry icon element.
- The average building setback is 7.02 metres which is 56% greater than the permitted setback of 4.5 metres. An otherwise compliant development will lead to a lesser landscaped area compared to the current proposal.
- The development retains almost all of the mature Eucalypt trees that form a distinctive part of the St Hilliers Road and Parramatta Road frontages of the site.
- Bunnings retail layouts include a fixed building depth which is a function of standard racking bays. Shrinking the building is not an option. Alternatives to push the building back towards Percy Street will have an adverse impact upon that street and its existing trees and the operational needs for ramps that run along the rear of the building.
- The dark green finish of the proposed building is a recessive building colour that further mitigates the impact of the building upon the street.
- The development proposes the reinvigoration and restoration of the landscaping along St Hilliers Road.
- The development provides for substantial job creation and an active use being returned to the prominent gateway to Auburn. The Bunnings development will attract thousands of customers to the new retail hub within the precinct leading to improved exposure and commercial interest and value in the surrounding land.
- Bunnings Warehouse with its state support office function will be a high profile and landmark commercial tenant within the Parramatta Road commercial precinct.
- The high quality office front to Parramatta Road and St Hilliers Road has been a development opportunity for redevelopment for some time. The offices will be re occupied by office uses which will ensure its continued role as a positive urban design element within the gateway location.

#### **Comment**

The variation is limited to the entrance being the entry statement and associated travelators which is located on that part of the site where the front property alignment is altered due to a slip lane that will become redundant.

The variation may be supported as this provides relief to the front façade facing St Hilliers Road. The variation is considered to be reasonable given that it is limited in extent.

#### **Part 4 Landscaping (Subpart D6)**

**A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site.**

The site occupies an area of 34,983 square metres and therefore 5,247.45 square metres of landscaping would be required to achieve the 15% requirement. The development application proposes 3,733.9 square metres of landscaping which is 10.67% of the site. There is a deficit of 4.33 percentage points.

The applicant has calculated the amount of landscaping across the site at the present time as being 11.79% or 4,104.78 square metres.

There is a loss of 370 square metres of landscaping to facilitate the development.

The applicant is requesting a variation on the following grounds:-

##### **Applicant's response**

An integrated landscaping solution is proposed that will embellish the soft landscaped areas and revitalise the vegetation around the perimeter of the site. Given the scale of the development, the loss of 370 square metres of soft landscaping is negligible and more than compensated by the quality of the replacement planting.

##### **Comment**

The applicant is arguing the variation on grounds of quality of finish rather than quantity of landscaping.

The landscaping across the northern portion of the site is retained and the grove of Eucalyptus trees are to be retained. A majority of the landscaping along the western side of the building is retained but upgraded to a high standard.

The quality of landscaping along Percy Street will be upgraded and significantly improved upon conclusion of works. On merit, the level of landscaping is much improved and a high standard of finish is shown in the landscaped plans.

The loss of 370 square metres is not considered as being significant. When compared to what is current on site, the finished appearance of the site is much improved. The applicants request could be supported.

##### **b) Parking and Loading**

The relevant requirements and objectives of Auburn Development Control Plan 2010 2010 - Parking and Loading have been considered in the assessment of the development application. In terms of car parking provision the following is required:-

- Warehouse - 1 space per 300 square metres gross floor area.
- Industrial use - 1.3 spaces per 100 square metres gross floor area.
- Offices - 1 space per 40 square metres.
- Bulky goods - Comparisons should be made with similar style developments.

##### **Bunnings store**

A comprehensive traffic assessment provided with the development application identifies that 1 space per 50 to 57 square metres would be applicable to the existing Auburn store. Based on a store with a floor area of 16,359 square metres, a total of 287 to 327 spaces would be required to support the store.

There is also an office area facing Parramatta Road occupying 3,055 square metres that is retained. This would require 76.4 car parking spaces.

A new upstairs office to support the day to day running of the store will occupy an area of 156.3 square metres and as such, this component will require 4 spaces.

The entire site will require 367.3 to 407.3 spaces. There are 482 car parking spaces supplied to support the new building. The number of spaces is at the higher end but considered reasonable to support the expected intensity of use of the site.

#### Front office

The front office and its associated basement car park area beneath that part of the building will be retained in its current form. In this regard, there are 67 spaces available to support the office area. There is a shortfall of 9.4 spaces for this component of the building but it has prior approval and no change is occurring.

#### Final traffic comments

There is no objection to the car parking numbers provided on site to support the Bunnings Superstore. Generally the proposed number of spaces proposed is supported. The traffic study that derives the car parking numbers is also supported.

#### Car parking for Lot 2 - Tenancies 79 to 85

The plans identify the following:-

- Warehouse use 8,543 square metres which would require 28.47 car parking spaces.
- Office use 3,055 which would require 76.37 car parking spaces.

It is suggested that 105 car parking spaces would be adequate to support the remaining four tenancies. The applicant identifies that 107 car parking spaces are provided.

Council records have been reviewed and the following car parking allocations are identified:-

- Tenancy 79 Development consent 686/2002 appears to allocate 33 car parking spaces to the tenancy.
- Tenancy 81 and 83 - Development consent 268/2005 allocated 47 car parking spaces to support the use although only 27 spaces were required.
- Tenancy 85 Development consent 379/2013 allocated 45 spaces which is consistent with an earlier consent issued being 559/1999.

As specified earlier in the report, to avoid inconsistencies with the new development, the applicant and client are agreeable to the surrender of the affected development consents and conditions are requested.

The applicant seeks the continued use of Tenancy 79 until the lease expires in late 2017 after which the applicant seeks the surrender of the development consent issued. This is considered as being reasonable to avoid any conflict the new development may have onto the tenancies that are retained.

#### Loading and unloading

There is one main loading area to support the store which is accessed via a raised ramp from Percy Street. This is a one way in / one way out structure that will allow vehicles to be driven in and out in forward direction.

The building should be provided with as many as eighteen (18) loading bays but this is considered to be excessive and unreasonable for the store that is proposed. The applicant has justified the number of loading bays in writing as follows.

*Bunnings do not have loading bays. Only one truck is unloaded at a time and should an additional truck arrive during this time, it will wait on the approach ramp. There is adequate length for at least 2 semi trailers to queue on the ramp.*

c) Stormwater drainage

The relevant requirements and objectives of the Auburn Development Control Plan 2010 - Stormwater Drainage have been considered in the assessment of the development application. Council's Development Engineer has raised no objections subject to the imposition of conditions to any consent that may be issued.

d) Access and Mobility

The relevant requirements and objectives of Auburn Development Control Plan 2010 - Access and Mobility have been considered in the assessment of the development application. The following provisions are made:-

- Ten (10) car parking spaces for people with disabilities situated close to a travelator.
- Use of a travelator from the undercroft / basement car park to the main retail floor area.
- Retention of the lift within the main office area.
- Use of lifts connecting the undercroft / basement car park with the main retail floor level.
- Appropriate amenities for customers.

e) Waste

The relevant requirements and objectives of Auburn Development Control Plan 2010 - Waste has been considered in the assessment of the development application and are detailed in the report. A satisfactory waste management plan has been submitted for the demolition and construction phase and on-going occupation of the development. The plans identify the following companies to use for waste removal:-

- Veolia Waste Management Services for sorting masonry, timber, steel materials and plasterboard.
- Copper, steel and aluminium to be taken to Sims Metals at St Marys.

Should the application be approved, a condition of consent will be imposed requiring compliance with the submitted waste management plan.

f) Tree Preservation

The relevant requirements and objectives of Auburn Development Control Plan 2010 - Tree Preservation has been considered in the assessment of the development application.

An Arboricultural Assessment report has been prepared by Rain Tree Consulting. The report assesses 109 trees and it is identified that up to 60 trees within the site require or are recommended for removal to accommodate the development. Of the trees to be removed:-

- Five (5) are located on the St Hilliers Road frontage.
- Sixteen (16) are within the Percy Street frontage.
- The remaining thirty nine (39) are affected by construction works within the site.

There are twenty (20) trees that have been accorded a low retention value.



The tree species to be removed include:-

- Eucalyptus Sideroxylon (Red Ironbark).
- Corymba Maculata (Spotted gum).
- Eucalyptus Microcorys (Tallowood).
- Casuarina Glauca (She Oak).
- Melaleuca Quinquenervia (Paperbark). Most of the trees to be removed are the Melaleucas along the Percy Street frontage being 51 of the 60 to be removed.

The important grove of Eucalyptus trees at the corner of Parramatta Road with St Hilliers Road are to be retained.

New trees are to be planted upon the conclusion of the work.

The report makes the following conclusions:-

- The majority of trees along the Percy Street frontage should be removed. The trees Numbered 58 to 70 are found to interfere with the proposed ramps and associated infrastructure. Trees numbered 40 to 57 should also be removed because this will provide an opportunity for a replanting regime that is consistent. A new planting regime will provide an opportunity for an upgrade to the streetscape.
- The removal of trees numbered 30 to 35 is required to accommodate the new boundary alignment along St Hilliers Road.
- There are 60 trees to be removed to permit the development to proceed.
- The remaining trees to be retained are to be protected in accordance with the recommendations contained within the report.

A number of recommendations are made at Part 3 (Conclusions and Recommendations). As such, it is appropriate that the report be included into any consent that may be issued.

#### g) Advertising and Signage

The relevant requirements and objectives of Auburn Development Control Plan 2010 - Advertising and Signage have been considered in the assessment of the development application. The signage proposed for the building is considered to be acceptable and consistent with the corporate signage seen on other Bunnings stores. A comprehensive assessment is provided at Appendix A under State Environmental Planning Policy 64 "Advertising and Signage.

#### **Section 94 Contributions Plan**

A Section 94 Contribution is required to be paid for the purpose of this development. The contribution amount is calculated at \$270,000 based on a capital investment value of \$27,000,000 according to the quantity surveyors report.

#### **Disclosure of Political Donations and Gifts**

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

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

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

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

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

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It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

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

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

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

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Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of fourteen (14) days between Wednesday 20 January and Wednesday 3 February 2016. The notification period generated 1 objection as follows.

1 - Currently the traffic management, congestion and street blockages in Percy Street by heavy vehicles is a disaster and very dangerous. The approval of the Bunnings development would make the situation worse.

There will be a significant increase in light vehicle traffic in Percy Street travelling to and from the store.

Over the past several years since Bev Chain Ltd Distribution centre began operating, we have lodged numerous verbal and written complaints to the Council, the Police and the Rangers.

The safety hazards and blockages are caused by trucks, semi trailers and B Doubles from Bev Chain illegally parked along both sides of Percy Street. Despite the complaints, the truck drivers continue to park illegally for long periods of time. We can only assume no action has been taken by the Council or the Police against Bev Chain.

Comment

**Council records show 3 complaints for vehicles relating to Number 17 to 19 Percy Street within the 6 year period from early 2010 to late 2015.**

**Council records identify correspondence dated 7 April 2014 from Flemington Police concerning an incident on the 2 April 2014 in which a semi trailer collided with a power line and pole and live wires were brought down. This was caused by drivers performing u turns in driveways near the intersection of Percy Street with Parramatta Road.**

**The correspondence requests an integrated approach between Council and the Police to address the issue of drivers performing illegal u turns at the intersection.**

**It is also noted that the matter raised has no relationship with the Bunnings development.**

**There will be an increase in vehicles using Percy Street and the development application has been referred to the Roads and Maritime Services for assessment.**

**The impact of traffic flows, crash history data and the establishment of the new set of traffic lights has received rigorous assessment by Roads and Maritime Services.**

**The Roads and Maritime Services in their correspondence dated 6 May 2016 has advised that concurrence would be granted to the development. Numerous conditions are provided to address traffic matters raised by the Roads and Maritime Services.**

**Note:- Much of the submission concerns a complaint and as such, the matter has been referred to Council Rangers as a CRMS for review and appropriate action.**

2 - The illegal parking of trucks, semi trailers and B doubles minimises visibility from driveways and has previously been the direct cause of a motor vehicle accident in Percy Street. This accident was the result of two B Doubles illegally parked side by side opposite a driveway conjointly with another B Double illegally parked directly across the road which limited visibility and there was only one access lane in both directions. The illegal parking of vehicles is common and vehicles could be parked for long periods.

**Comment**

**This is noted however, this does not relate to the Bunnings development. This aspect is more of a complaint rather than an objection concerning the parking of semi trailers along Percy Street. The matter has been referred to Council's rangers to have the matter investigated and to take appropriate action.**

3 - Many trucks drivers are not familiar with Percy Street and may become trapped at the Parramatta Road end of Percy Street unable to turn left onto Parramatta Road due to the one way closure. Semi trailer drivers have been seen driving out of Percy Street over the one way traffic island onto Parramatta Road. Council has placed signage in the area but is considered to be inadequate for truck and semi trailer drivers.

**Comment**

**The plans show heavy vehicles entering and leaving the site along Percy Street which is considered more appropriate than having such movements along St Hilliers Road. Adequate turning room is provided to allow vehicles to leave the site and travel south.**

**The matter of vehicle movements within and external to the site is subjected to appropriate assessment and conditions.**

4 - Additional shops are under construction in the Red Yard complex on the corner of Percy Street and Parramatta Road in unison with the recent opening of the Service NSW building in Percy Street which will increase traffic flows and dangers in Percy Street.

**Comment**

**The development occurring at the Red Yard complex (100 Parramatta Road) is not related to the Bunnings development. All developments within the Red Yard site receive appropriate assessment and where necessary advice is sought from Roads and Maritime Services. It is determined that the local road network is capable of handling the development and upgrades that are occurring at the Red Yard complex.**

**The development occurring at 93 St Hilliers Road has received rigorous assessment by Council and the Roads and Maritime Services. It is concluded that the local road network is capable of handling the traffic loads based on modelling prepared by traffic consultants.**

5 - Traffic congestion is already a problem at the Hall Street traffic lights turning onto St Hilliers Road. If the Bunnings proposal was to proceed, the additional traffic would compound the problem. Trucks regularly block access to Hall Street and a gridlock intersection emerges.

Comment

**The development occurring at 93 St Hilliers Road has received rigorous assessment by Council and the Roads and Maritime Services. It is concluded that the local road network is capable of handling the traffic loads based on modelling prepared by traffic consultants.**

6 - Deliveries to the Bunnings store will be via Percy Street which would exacerbate the existing chaos from the high volume of outlaw truck drivers of heavy vehicles.

Comment

**It is appropriate that deliveries occur from the Percy Street side of the development and not elsewhere. This ensures minimal obstructions to traffic flows within an arterial road.**

**Traffic modelling prepared by the applicant and rigorously tested by Roads and Maritime Services demonstrates that the local road network is capable of handling the traffic loads produced by the development.**

**The impact of the traffic signals has been rigorously assessed by Roads and Maritime Services.**

7 - Many of the issues can be resolved as follows:-

- All trucks must enter Percy Street from the Parramatta Road end and exit only via Percy Street at the southern end. This means no entry or exit via Hall Street and for large trucks and heavy vehicles, Percy Street becomes a one way street.
- This would allow trucks that arrive too early to do a tour via Percy Street to park in other less crowded streets in the nearby industrial areas awaiting call up.
- Bev Chain must supply additional on site parking for their trucks with an improved call up system to accommodate trucks that arrive early.
- Removal of the heavy vehicle weight limit restriction from the Nyrang Street entry off Boorea Street. Nyrang Street can comfortably accommodate the parking of additional trucks.
- Compulsory truck driver education / induction program by Bev Chain for all drivers wishing to access their site including rules regarding entry and exit from Percy Street.
- Modification of the call up system that Bev Chain employs that takes into account the parking issues of the local streets as well as their own internal scheduling and loading.
- Improved policing of laws for the locality.

Comment

**The suggestions made by the objector relate more to Bev Chain rather than Bunnings. The suggestion that Percy Street become a one way thoroughfare is not appropriate and unnecessary given the land uses that exist in the locality.**

**The suggestions made are noted but have little relationship to the development at 93 St Hilliers Road.**

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

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

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**Operational Plan / Delivery Program**

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This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places - Attractive and Liveable theme, action “2a.1.1.3 Assess development applications, complying development and construction certificates”.

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**Conclusion**

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

The proposed development is appropriately located within the B6 Enterprise Corridor zone under the relevant provisions of Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. Minor non-compliances with Council’s controls have been discussed in the body of this report. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

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

## Appendix A

### A) State Environmental Planning Policy 64 “Advertising and Signage”

Requirement	Yes	No	N/A	Comment
<b>Part 1 - Preliminary</b>				
Clause 3(1)(a)(i) Aims, objectives <i>Signage is compatible with the desired amenity and visual character of an area.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The development application is proposing 10 signs occupying an area of 519 square metres. The signage comprises the following:-</p> <ul style="list-style-type: none"> <li>• Pylon signs (6 signs).</li> <li>• Bunnings warehouse signs (2) signs.</li> <li>• Lowest prices are just the beginning plus hammer logo (2 signs).</li> </ul> <p>The signage is determined as being compatible for the locality.</p> <p>The signage proposed including its size is consistent with signage and logos found and approved on other typical big box Bunnings stores over recent years.</p>
Clause 3(1)(a)(ii), Aims, objectives <i>Signage provides effective communication in suitable locations.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The signage is compliant with Clause in which an appropriate level of communication is provided to the viewer.
Clause 3(1)(a)(iii), Aims objectives <i>Signage is high quality design and finish.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	All the signs are compliant with the clause.
<b>Part 2 - Signage Generally</b>				
Clause 8 Granting of consent to signage <i>A consent authority must not grant consent to an application to display signage unless:</i> (a) <i>that signage is consistent with the objectives of the Policy at clause 3(1)(a)</i> (b) <i>(b) that the signage satisfies the assessment criteria specified in Schedule 1</i>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>	The assessment shows that the signage may be supported under Clause 8.
Part 4 - Definitions  The signage is considered to be business identification signs for the purpose of the assessment.				
<b>Part 3 - Advertisements</b> (this part does not apply to business identification signs, building identification signs, signage that, or the display of which, is exempt development under an EPI, signage on vehicles)				
<b>Schedule 1 - Assessment Criteria</b>				
<u>Character of the area</u>				
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Generally the development application and signage is supported.</p> <p>The Bunnings Logo and hammer insignia are large but in scale with the size of the building. They identify the proposed use as a hardware store consistent with other Bunnings stores.</p>
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are no themes for advertising within the locality. Generally, the concept for signage shown in the plans is appropriate for the locality.

Requirement	Yes	No	N/A	Comment
<b>Special areas</b>				
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The site is not located close to any environmentally sensitive areas, heritage areas, natural or other conservation areas.
<b>Views and vistas</b>				
<i>Does the proposal obscure or compromise important views?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There are no important views impacted by the proposed signage.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>There are two main pylon signs that are 12 metres high with one to be located on the northernmost corner of St Hilliers Road / Parramatta Road intersection and the second one to be located at the southern entry on St Hilliers Road.</p> <p>Council has approved similar pylon signs to a height of 12 metres along Parramatta Road for Bunnings under the following development consent:-</p> <ul style="list-style-type: none"> <li>DA 678/2000 at 311 to 315 Parramatta Road Auburn and dated 21 September 2001.</li> </ul> <p>Under Development Consent 3/2004 for Bunnings at 23 to 29 Parramatta Road Lidcombe, it was found that Bunnings used an existing pylon sign at the front to display the name of the company. That sign did not require further consent because the sign had been previously approved and erected. The pylon sign is 14.95 metres in height.</p> <p><u>New pylon signs</u></p> <p>The height of the new pylon signs are generally consistent with the height of the existing Bunnings pylon signs within the area in which case, it would be difficult to secure a reduced height.</p> <p>Given that the new pylon signs are consistent with the height of other Bunnings pylon signs close by, it is considered reasonable to support the height of the new pylon signs.</p>
<i>Does the proposal respect the viewing rights of other advertisers?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The viewing rights of other advertisers are not impacted by the proposed signage.
<b>Streetscape, setting or landscape</b>				
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Bunnings Logo and hammer insignia are large but in scale with the size of the building. They identify the proposed use as a hardware store consistent with other Bunnings stores.



Requirement	Yes	No	N/A	Comment
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This is more relevant to the Bunnings building rather than the Dexu site.</p> <p>The signs earmarked for the Bunnings building provides visual interest to the building and assists in providing relief to the expansive walls facing St Hilliers Road and Percy Street.</p> <p>The signage is consistent with other Bunnings stores.</p> <p>While some of the signs are large in area, it is identified that the signs are not excessive in scale when compared to the size of the building and streetscape elevations.</p>
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>There are 10 signs proposed occupying an area of 519 square metres.</p> <p>The signs do not create clutter for the site.</p>
<i>Does the proposal screen unsightliness?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	There is no unsightliness to screen.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The height of the new pylon signs are generally consistent with the height of the existing Bunnings pylon signs within the locality in which case, it would be difficult to secure a reduced height.</p> <p>Given that the new pylon signs are consistent with the height of other Bunnings pylon signs close by, it is considered reasonable to support the height of the new pylon signs at 12 metres.</p>
<i>Does the proposal require ongoing vegetation management?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<b>Site and building</b>				
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which proposed signage is to be located?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The signage proposed for the store is consistent with other Bunnings stores.</p> <p>While some of the signs are large in area, it is identified that the signs are not excessive in scale when compared to the size of the building and streetscape elevations.</p>
<i>Does the proposal respect important features of the site or building, or both?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Important features of the Bunnings building and the buildings across proposed Lot 2 are respected.
<i>Does the proposal show innovation and imagination in its relationship to the site or building or both?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The signage is typical for a Bunnings warehouse and a Dexu property. The signs are integrated into the building or site encompassing the logo and appropriate wording.
<b>Associated devices and logos with advertisements and advertising structures</b>				

Requirement	Yes	No	N/A	Comment
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is displayed?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The tall Bunnings pylon signs (Marked as Sign A on the plans) will be externally illuminated via overhead lighting within a pelmet or light box. The lighting will be directed downwards and towards the face of the signs.</p> <p>A logo is shown on some of the Bunnings signs being the image of the hammer. The logo appears on the pylon signs (Signs marked as A, B and C) and the eastern and western walls of the Bunnings building.</p> <p>The proposed Dexus pylon sign does not contain any logos.</p>
<b>Illumination</b>				
<i>Would illumination result in unacceptable glare?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Bunnings pylon signs will be externally illuminated via overhead lighting within a pelmet or light box. The lighting will be directed downwards and towards the face of the signs thus minimising excess glare when viewed from surrounding properties.</p> <p>The other signs are not illuminated.</p>
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The lighting for the tall Bunnings signs (Sign A) will be directed downwards and towards the face of the signs thus minimising excess glare when viewed from surrounding properties.</p>
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The closest residents are situated 45 metres to the west and it is considered that there is no adverse impact as the lighting will be directed downwards towards the face of the signs (The pylon signs).</p>
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The intensity of the illumination of the pylon signs can be adjusted by the operators. The lights can be programmed to be switched off once the day's trading ceases.</p>
<i>Is the illumination subject to a curfew?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The illumination is not subject to any curfew.</p>
<b>Safety</b>				
<i>Would the proposal reduce the safety for any public road?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The proposed signage illuminated or other signage does not incorporate flashing lights or distracting images or reduce the safety of the local road network.</p>
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The signage is contained within the property and not within pedestrian paths. The safety of pedestrians and cyclists is not reduced.</p>
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sight lines from public areas?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<p>The signage is not expected to reduce the safety for pedestrians and children by obscuring sight lines.</p>

## B) Auburn Local Environmental Plan 2010

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

	Yes	No	N/A	Comment
<b>Part 1 Preliminary</b>				
<b>1.1 Name of Plan</b>  This Plan is <i>Auburn Local Environmental Plan 2010</i> .	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>1.1 AA Commencement</b>  This Plan commences on the day on which it is published on the NSW legislation website.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The plan was gazetted on 29 October 2010.
<b>1.3 Land to which Plan applies</b>  This Plan applies to the land identified on the Land Application Map.  <b>Note.</b> Part 23 of Schedule 3 to the <i>State Environmental Planning Policy (Major Development) 2005</i> applies to certain land identified on the Land Application Map. Despite subclause (1), this Plan does not apply to the land identified on the Land Application Map as "Deferred matter".	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	The plan will apply to the site.
<b>1.6 Consent authority</b>  The consent authority for the purposes of this Plan is (subject to the Act) the Council.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	The Joint Regional Planning Panel is the consent authority for this development. In this regard, the cost of construction of the development is \$27 million as the capital investment value.  Including GST and professional costs, the cost of the project in the development application is quoted as being \$31,460,000. Council cannot determine the application.
<b>1.9 Application of SEPPs and REPs</b>  This Plan is subject to the provisions of any State environmental planning policy and any regional environmental plan that prevail over this Plan as provided by section 36 of the Act.  The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:  State Environmental Planning Policy No 1—Development Standards  Sydney Regional Environmental Plan No 24—Homebush Bay Area	<input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	There are a number of State Environmental Planning Policies that will apply to the development application. These are addressed earlier in the report.  The state policy and regional environmental plan stated will not be relevant to this application.
<b>1.9A Suspension of covenants, agreements and instruments</b>  For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a development consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.  This clause does not apply:  (a) to a covenant imposed by the Council or that the Council requires to be imposed, or (b) to any prescribed instrument within the meaning of section 183A of the <i>Crown Lands Act 1989</i> , or (c) to any conservation agreement within	<input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input checked="" type="checkbox"/>	Based on the survey plan provided, there are four known easements situated across the site. They are identified as:-  P - Substation premises 6868 (Ground floor) Name:- St Hilliers PAR.  C - Right of way and easement for electricity purposes 6 wide and variable width.  E - Easement for electricity purposes 2 wide.  R - Right of way 6 wide and variable width.

	Yes	No	N/A	Comment
<p>the meaning of the <i>National Parks and Wildlife Act 1974</i>, or</p> <p>(d) to any Trust agreement within the meaning of the <i>Nature Conservation Trust Act 2001</i>, or</p> <p>(e) to any property vegetation plan within the meaning of the <i>Native Vegetation Act 2003</i>, or</p> <p>(f) to any biobanking agreement within the meaning of Part 7A of the <i>Threatened Species Conservation Act 1995</i>, or</p> <p>(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.</p> <p>This clause does not affect the rights or interests of any public authority under any registered instrument.</p> <p>Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).</p>				<p>The right of ways will be impacted by the proposed development. The easements would need to be extinguished due to the changes being made on site.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<u>Subclause 2 3 and 4</u>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Subclause (2), (3) and (4) will not need to apply to the development application.
<b>Part 2 Permitted or prohibited development</b>				
<b>2.1 Land use zones</b>				
<p>The land use zones under this Plan are as follows:</p> <p><b>Business Zones</b></p> <p>B1 Neighbourhood Centre</p> <p>B2 Local Centre</p> <p><b>B4 Mixed Use</b></p> <p><b>B6 Enterprise Corridor</b></p> <p>B7 Business Park</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is zone B6 Enterprise Corridor which permits the development. This is discussed in greater detail below under the land use table.</p>
<b>2.3 Zone objectives and land use table</b>				
<p>(1) The Table at the end of this Part specifies for each zone:</p> <p>(a) the objectives for development, and</p> <p>(b) development that may be carried out without consent, and</p> <p>(c) development that may be carried out only with consent, and</p> <p>(d) development that is prohibited.</p> <p>(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</p> <p>(3) In the Table at the end of this Part:</p> <p>(a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and</p> <p>(b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Table in relation to the same zone.</p> <p>(4) This clause is subject to the other provisions of</p> <p><b>Notes.</b></p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The objectives of the zone have been considered during the assessment of the development application.</p>
1 Schedule 1 sets out additional permitted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Yes	No	N/A	Comment						
uses for particular land. 2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act. 3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent). 4 Clause 2.6 requires consent for subdivision of land. 5 Part 5 contains other provisions which require consent for particular development. 6 Part 6 also contains other provisions which require consent for particular development.										
<b>2.4 Unzoned land</b>  (1) Development may be carried out on unzoned land only with consent.  (2) Before granting consent, the consent authority:  (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and  (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	The land is within the B6 Enterprise Corridor zone.						
<b>2.5 Additional permitted uses for particular land</b>  (1) Development on particular land that is described or referred to in Schedule 1 may be carried out:  (a) with consent, or  (b) if the Schedule so provides—without consent, in accordance with the conditions (if any) specified in that Schedule in relation to that development.  (2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	An additional permitted use is not proposed.						
<b>2.6 Subdivision—consent requirements</b>  (1) Land to which this Plan applies may be subdivided, but only with consent. <b>Notes.</b>  1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent. 2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development.  (2) Development consent must not be granted for the subdivision of land on which a	<div><input checked="" type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div>A land subdivision is proposed which will create Lot 1 containing the Bunnings Superstore and Lot 2 which will contain the four remaining industrial / warehouse tenancies.  The new allotments will have the following areas.<table><tr><th>Proposed lot</th><th>Area</th></tr><tr><td>Lot 1</td><td>23,870 sq m.</td></tr><tr><td>Lot 2</td><td>10,930 sq m.</td></tr></table></div>	Proposed lot	Area	Lot 1	23,870 sq m.	Lot 2	10,930 sq m.
Proposed lot	Area									
Lot 1	23,870 sq m.									
Lot 2	10,930 sq m.									

	Yes	No	N/A	Comment
secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.				
<b>2.7 Demolition requires consent</b>				
The demolition of a building or work may be carried out only with consent.  Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such as this plan or State State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 as exempt development, the Act enables it to be carried out without development consent.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The two storey office building situated at the corner of Parramatta Road and St Hilliers Road will be retained but the attached warehouse will be demolished.  Warehouses numbered 87 to 97 and 114 St Hilliers Road will also be demolished. The total area of the buildings to be demolished is 13,638.8 square metres. This will result in tenancies numbered as 79 to 85 being retained and their current uses continuing where applicable.  The demolition work is included as part of the development application.
<b>Land Use Table</b> <b>Note.</b> A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies:  <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i> (including provision for secondary dwellings). <i>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.</i> <b>State Environmental Planning Policy (Infrastructure) 2007 (relating to public facilities such as those for air transport, correction, education, electricity generation, health services, ports, railways, roads, waste management and water supply systems).</b> <i>State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007.</i> <i>State Environmental Planning Policy (Rural Lands) 2008.</i> <b>State Environmental Planning Policy No 33—Hazardous and Offensive Development.</b> <i>State Environmental Planning Policy No 50—Canal Estate Development.</i> <i>State Environmental Planning Policy No 62—Sustainable Aquaculture.</i> <b>State Environmental Planning Policy No 64—Advertising and Signage.</b>				
<b>Zone B6 Enterprise Corridor</b>				
<b>1 Objectives of zone</b>				
• To promote businesses along main roads and to encourage a mix of compatible uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The relevant objectives are complied with.
• To provide a range of employment uses (including business, office, retail and light industrial uses).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• To maintain the economic strength of centres by limiting retailing activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2 Permitted without consent</b>				
Nil	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>3 Permitted with consent</b>				
Building identification signs; Bulky goods premises; <b>Business identification signs;</b> Business premises; Community facilities; Food and drink premises; <b>Garden centres;</b> <b>Hardware and building supplies;</b> Hotel or motel accommodation; Kiosks; <b>Landscaping material supplies;</b> Light industries; Markets; Neighbourhood shops; Passenger transport facilities; <b>Plant nurseries;</b> Roads; <b>Timber</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The development application is for the establishment of a new Bunnings superstore on the site. The Bunnings Superstore is capable of fitting any of the following uses:-  1 - Garden centre. 2 - Hardware and Building Supplies. 3 - Plant nursery.

	Yes	No	N/A	Comment						
<p><b>yards;</b> Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.</p> <p><b>4 Prohibited</b></p> <p>Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Eco-tourist facilities; Electricity generating works; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Port facilities; Recreation facilities (major); Research stations; Residential accommodation; Restricted premises; Retail premises; Rural industries; Sewerage systems; Sex services premises; Signage; Tourist and visitor accommodation; Waste or resource management facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>4 - Landscaping material supplies. 5 - Timber yard. 6 - Office premises (For the office component).</p> <p>The following is identified:-</p> <p>All the nominated uses are permissible with consent within the zone.</p> <p>Offices are not identified as being prohibited within the zone and therefore such a use is permitted with consent.</p> <p>Given the above, it is determined that a Bunnings warehouse superstore with ancillary offices would be permissible with consent in the zone.</p> <p>In addition, the development application is proposing signage. The proposed signs are determined as being business identification signs and therefore they are considered as being permissible with consent.</p>						
<b>Part 4 Principal development standards</b>										
<b>4.1 Minimum subdivision lot size</b>										
<p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that lot sizes are able to accommodate development consistent with relevant development controls, and</p> <p>(b) to ensure that subdivision of land is capable of supporting a range of development types.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A land subdivision is proposed which will create Lot 1 containing the Bunnings Superstore and Lot 2 which will contain the four remaining industrial / warehouse tenancies.</p> <p>The new allotments will have the following areas.</p> <table><tr><th>Proposed lot</th><th>Area</th></tr><tr><td>Lot 1</td><td>23,870 square metres.</td></tr><tr><td>Lot 2</td><td>10,930 square metres.</td></tr></table>	Proposed lot	Area	Lot 1	23,870 square metres.	Lot 2	10,930 square metres.
Proposed lot	Area									
Lot 1	23,870 square metres.									
Lot 2	10,930 square metres.									
<p>(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
<p>(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
<p>(3A) Despite subclause (3), the minimum lot size for dwelling houses is 450 square metres.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
<p>(3B) Despite subclause (3), if a lot is a battle-axe lot or other lot with an access handle and is on land in Zone R2 Low Density Residential, Zone R3 Medium Density Residential, Zone B6 Enterprise Corridor, Zone B7 Business Park, Zone IN1 General Industrial and Zone IN2 Light Industrial, the minimum lot size excludes the area of the access handle.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
<p>(3C) Despite subclauses (3)–(3B), the minimum lot size for development on land within the Former Lidcombe Hospital Site, as shown edged blue on the Lot Size Map, is as follows in relation to development for the purpose of:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>The two lots are well above the minimum size requirement for allotments being 1,500 square metres in area. The allotments are compliant with the minimum allotment size.</p>						



[illegible]

	Yes	No	N/A	Comment
greater but less than 1,800 square metres—0.80:1,  (c) for sites that are 1,800 square metres or greater—0.85:1.  (2B) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Parramatta Road Precinct, as shown edged orange on the Floor Space Ratio Map, is as follows:  (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and  (b) 3:1 for office premises and hotel or motel accommodation.  (2C) Despite subclause (2), the maximum floor space ratio for the following development on land in Zone B6 Enterprise Corridor within the Silverwater Road Precinct, as shown edged light purple on the Floor Space Ratio Map, is as follows:  (a) 1.5:1 for bulky goods premises, entertainment facilities, function centres and registered clubs, and  (b) 2:1 for office premises and hotel or motel accommodation.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(2D) Despite subclause (2), the maximum floor space ratio for retail premises on land in Zone B6 Enterprise Corridor within the Commercial Precinct, as shown edged green on the Floor Space Ratio Map is 1.5:1.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.5 Calculation of floor space ratio and site area</b>  <b>(1) Objectives</b>  The objectives of this clause are as follows:  (a) to define <i>floor space ratio</i> ,  (b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:  (i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and  (ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and  (iii) requires community land and public places to be dealt with separately.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>(2) Definition of “floor space ratio”</b>  The <b><i>floor space ratio</i></b> of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>(3) Site area</b>  In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	N/A	Comment
<p>(a) if the proposed development is to be carried out on only one lot, the area of that lot, or</p> <p>(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.</p> <p>In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.</p>				
<p><b>(4) Exclusions from site area</b></p> <p>The following land must be excluded from the site area:</p> <p>(a) land on which the proposed development is prohibited, whether under this Plan or any other law,</p> <p>(b) community land or a public place (except as provided by subclause (7)).</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(5) Strata subdivisions</b></p> <p>The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Strata subdivision of the development is not proposed.
<p><b>(6) Only significant development to be included</b></p> <p>The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The floor space ratio is calculated using the new allotment pattern provided by the applicant that forms part of the development application.
<p><b>(7) Certain public land to be separately considered</b></p> <p>For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<p><b>(8) Existing buildings</b></p> <p>The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>(9) Covenants to prevent “double dipping”</b></p> <p>When consent is granted to development on a</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	N/A	Comment
<p>site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.</p> <p><b>(10) Covenants affect consolidated sites</b></p> <p>If:</p> <p>(a) a covenant of the kind referred to in subclause (9) applies to any land (<b>affected land</b>), and</p> <p>(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,</p> <p>the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.</p> <p><b>(11) Definition</b></p> <p>In this clause, <b>public place</b> has the same meaning as it has in the <i>Local Government Act 1993</i>.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<p><b>4.6 Exceptions to development standards</b></p> <p>(1) The objectives of this clause are:</p> <p>(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development, and</p> <p>(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.</p> <p>(2) Consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.</p> <p>(3) Consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:</p> <p>(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and</p> <p>(b) that there are sufficient environmental planning grounds to justify contravening the development standard.</p> <p>(4) Consent must not be granted for development that contravenes a development standard unless:</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>Clause 4.6 does not need to apply to the development application because no variations are proposed.</p>

	Yes	No	N/A	Comment
(a) the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and				
(ii)the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and				
(b) the concurrence of the Director-General has been obtained.				
(5) In deciding whether to grant concurrence, the Director-General must consider:				
(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the public benefit of maintaining the development standard, and				
(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.				
(6) Development consent must not be granted under this clause for a subdivision of land in Zone RUI Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) The subdivision will result will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or				
(b) The subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.				
(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(8) This clause does not allow consent to be granted for development that would contravene any of the following:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) a development standard for complying development,				
(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> applies or for the land on which such a building is				

	Yes	No	N/A	Comment
situated, (c) clause 5.4.				
<b>Part 5 Miscellaneous provisions</b>				
<b>5.6 Architectural roof features</b>				
(1) The objectives of this clause are:				
(a) To ensure that any decorative roof element does not detract from the architectural design of the building, and	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	An architectural roof feature is not proposed in this development.
(b) To ensure that prominent architectural roof features are contained within the height limit.				
(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(3) Development consent must not be granted to any such development unless the consent authority is satisfied that:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) the architectural roof feature:				
(i) comprises a decorative element on the uppermost portion of a building, and				
(ii) is not an advertising structure, and				
(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and				
(iv) will cause minimal overshadowing, and				
(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.				
<b>5.9 Preservation of trees or vegetation</b>				
(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	An Arboricultural Assessment report has been prepared by Rain Tree Consulting. The report assesses 109 trees and it is identified that sixty (60) trees within the site require or are recommended for removal to accommodate the development. Of the trees to be removed:-  <ul style="list-style-type: none"> <li>• Five (5) are located on the St Hilliers Road frontage.</li> <li>• Sixteen (16) are within the Percy Street frontage.</li> <li>• The remaining thirty nine (39) are affected by construction works within the site.</li> </ul>
(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>Note.</b> A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.				
(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There are twenty (20) trees that have been accorded a low retention value.  The tree species to be removed include:-
(a) development consent, or (b) a permit granted by the Council.				
(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Eucalyptus Sideroxylon (Red Ironbark).</li> <li>• Corymba Maculata (Spotted</li> </ul>

	Yes	No	N/A	Comment
purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.				gum). <ul style="list-style-type: none"> <li>Eucalyptus Microcorys (Tallowood).</li> <li>Casuarina Glauca (She Oak).</li> <li>Melaleuca Quinquenervia (Paperbark). Most of the trees to be removed are the Melaleucas along the Percy Street frontage.</li> </ul>
(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The important grove of Eucalyptus trees at the corner of Parramatta Road with St Hilliers Road are to be retained.  New trees are to be planted upon the conclusion of the work.
(a) that is or forms part of a heritage item, or that is within a heritage conservation area, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The report recommends that the majority of trees along the Percy Street frontage be removed. A new planting regime will provide an opportunity for an upgrade to the streetscape.
(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, unless the Council is satisfied that the proposed activity:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area,	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The removal of trees numbered 30 to 35 is required to accommodate the new boundary alignment along St Hilliers Road.
(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The remaining trees to be retained are to be protected in accordance with the recommendations contained within the report.
<b>Note.</b> As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A number of recommendations are made at Part 3 (Conclusions and Recommendations). As such, it is appropriate that the report be included into any consent that may be issued.
(8) This clause does not apply to or in respect of:				
(a) the clearing of native vegetation:				
(i) that is authorised by a development consent or property vegetation plan under the <i>Native Vegetation Act 2003</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the <i>Native Vegetation Act 2003</i> ) that is authorised by a development consent under the provisions of the <i>Native Vegetation Conservation Act 1997</i> as continued in force by that clause, or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the <i>Forestry Act 1916</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(d) action required or authorised to be done by or under the <i>Electricity Supply Act 1995</i> , the <i>Roads Act 1993</i> or the <i>Surveying and Spatial Information Act 2002</i> , or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	N/A	Comment
(e) plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i> .  <b>Note.</b> Permissibility may be a matter that is determined by or under any of these Acts.  (g) Not adopted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.10 Heritage conservation</b>  <b>Note.</b> Heritage items, if any are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.  <b>(1) Objectives</b>  The objectives of this clause are as follows:  (a) to conserve the environmental heritage of Auburn,  (b) to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views,  (c) to conserve archaeological sites,  (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.  <b>(2) Requirement for consent</b>  Development consent is required for any of the following:  (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):  (i) a heritage item,  (ii) an Aboriginal object,  (iii) a building, work, relic or tree within a heritage conservation area,  (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,  (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,  (d) disturbing or excavating an Aboriginal place of heritage significance,  (e) erecting a building on land:  (i) on which a heritage item is located or that is	<input type="checkbox"/>                    	<input type="checkbox"/>                    	<input checked="" type="checkbox"/>                    	<p>The site is not listed in the Auburn Local Environmental Plan 2010 as containing items of heritage. The provisions of the clause will not apply to the development application.</p> <p>There is a heritage listed item situated at 93 Parramatta Road (Item I1790) which is diagonally opposite the site on the north west corner of the intersection of Parramatta Road with Silverwater Road. The item identified is an electricity substation. The redevelopment of 93 St Hilliers Road will have no known impact onto the electricity substation.</p>



	Yes	No	N/A	Comment
within a heritage conservation area, or  (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,  (f) subdividing land:  (i) on which a heritage item is located or that is within a heritage conservation area, or  (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(3) When consent not required</b>  However, development consent under this clause is not required if:  (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:  (i) is of a minor nature, or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site, or a building, work, relic, tree or place within the heritage conservation area, and  (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or  (b) the development is in a cemetery or burial ground and the proposed development:  (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and  (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or  (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or  (d) the development is exempt development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(4) Effect of proposed development on heritage significance</b>  The consent authority must, before granting consent under this clause, in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	N/A	Comment
management plan is submitted under subclause (6).				
<b>(5) Heritage assessment</b>				
The consent authority may, before granting consent to any development:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A heritage statement is not required and such a statement was never requested in the pre lodgement notes provided to the applicant.
(a) on land on which a heritage item is located, or				
(b) on land that is within a heritage conservation area, or				
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),				
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.				
<b>(6) Heritage conservation management plans</b>				
The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>(7) Archaeological sites</b>				
The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) notify the Heritage Council of its intention to grant consent, and				
(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.				
<b>(8) Aboriginal places of heritage significance</b>				
The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance: 2010 No 616 Auburn Local Environmental Plan 2010 Clause 5.11 Miscellaneous provisions Part 5 Page 47	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and				
(b) notify the local Aboriginal communities, in writing or in such other manner as may be				

	Yes	No	N/A	Comment						
appropriate about the application and take into consideration any response received within 28 days after the notice is sent.										
<p>(9) <b>Demolition of nominated State heritage items</b></p> <p>The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
<p>(10) <b>Conservation incentives</b></p> <p>The consent authority may grant consent to development for any purpose of a building that is a heritage item, or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>							
<b>Part 6 Additional local provisions</b>										
<p><b>6.1 Acid sulfate soils</b></p> <p>(1) The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.</p> <p>(2) Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The land is given a Class 5 rating but situated within 100 metres of land given a Class 2 rating for acid sulphate soils.</p> <p>Excavation will be undertaken to portions of the site adjacent to the St Hilliers Road carriageway.</p> <p>The exact amount of excavation cannot be calculated but it is known that the amount of excavation will not exceed 8.90 metres AHD which is the level of the site along the Percv Street frontage.</p>						
<table><tr><th>Class</th><th>Works of Land</th></tr><tr><td>1</td><td>Any works.</td></tr><tr><td>2</td><td>Works below the natural ground</td></tr></table>	Class	Works of Land	1	Any works.	2	Works below the natural ground				
Class	Works of Land									
1	Any works.									
2	Works below the natural ground									

		Yes	No	N/A	Comment
	surface. Works by which the water table is likely to be lowered.				Given how excavation will be occurring, it is expected that acid sulphate soils will not be encountered.
3	Works more than 1 metre below the natural ground surface. Works by which the watertable is likely to be lowered more than 1 metre below the natural ground surface.				
4	Works more than 2 metres below the natural ground surface. Works by which the watertable is likely to be lowered more than 2 metres below the natural ground surface.				
5	<b>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum by which the watertable is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</b>				
(3) Development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual and has been provided to the consent authority.		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(4) Despite subclause (2) Development consent is not required under this clause for the carrying out of works if:		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) a preliminary assessment of the proposed works prepared in accordance with the Acid Sulfate Soils Manual indicates that an acid sulfate soils management plan is not required for the works, and					
(b) the preliminary assessment has been provided to the consent authority and the consent authority has confirmed the assessment by notice in writing to the person proposing to carry out the works.					
(1) Despite subclause (2), development consent is not required under this clause for the carrying out of any of the following works by a public authority (including ancillary work such as excavation, construction of access ways or the supply of power):		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
(a) emergency work, being the repair or replacement of the works of the public authority required to be carried out urgently because the works have been damaged, have ceased to function or pose a risk to the environment or to public health and safety,					
(b) routine management work, being the periodic inspection, cleaning, repair or replacement of the works of the public authority (other than work that involves the disturbance of more than 1 tonne of soil),					
(c) minor work, being work that costs less than \$20,000 (other than drainage work).					
(2) Despite subclause (2), development		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	Yes	No	N/A	Comment
<p>consent is not required under this clause to carry out any works if:</p> <p>(a) the works involve the disturbance of more than 1 tonne of soil, such as occurs in carrying out agriculture, the construction or maintenance of drains, extractive industries, dredging, the construction of artificial water bodies (including canals, dams and detention basins) or foundations, or flood mitigation works, or</p> <p>(b) the works are likely to lower the watertable.</p>				
<p><b>6.2 Earthworks</b></p> <p>(1) The objectives of this clause are as follows:</p> <p>(a) to ensure that earthworks for which a development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses or heritage items and features of the surrounding land,</p> <p>(b) to allow earthworks of a minor nature without separate development consent.</p> <p>(2) Development consent is required for earthworks, unless:</p> <p>(a) the work does not alter the ground level (existing) by more than 600 millimetres, or</p> <p>(b) the work is exempt development under this Plan or another applicable environmental planning instrument, or</p> <p>(c) the work is ancillary to other development for which development consent has been given.</p> <p>(3) Before granting development consent for earthworks, the consent authority must consider the following matters:</p> <p>(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,</p> <p>(b) the effect of the proposed development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or of the soil to be excavated, or both,</p> <p>(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,</p> <p>(e) the source of any fill material and the destination of any excavated material,</p> <p>(f) the likelihood of disturbing relics,</p> <p>(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.</p> <p><b>Note.</b> The <i>National Parks and Wildlife Act 1974</i>, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>Excavation work will be undertaken along the western part of the site to ensure a level site to support the undercroft / basement and driveway access.</p> <p>The exact amount of excavation cannot be calculated but it is known that the amount of excavation will not exceed 8.90 metres AHD which is the level of the site along the Percy Street frontage.</p> <p>The limited earthworks form a crucial part of the development proposed and the nature of the site will be altered. In addition:-</p> <ul style="list-style-type: none"> <li>• The works form part of the proposed development and the undercroft / basement is an essential component of the development.</li> <li>• A phase 2 contamination audit has been submitted with the information package which identifies that the site is suitable to support a development of this nature.</li> <li>• Excavation works are taking place close to the property boundaries. A dilapidation report would be required to ensure adjoining building or road assets are not adversely impacted by the proposed works.</li> <li>• The waste management plan identifies that the excavated material will be taken to Veolia at Banksmeadow for appropriate disposal.</li> <li>• The site is not identified as having archaeological features in the Auburn Local Environmental Plan 2010.</li> <li>• The works are not occurring</li> </ul>

	Yes	No	N/A	Comment
				within or close to any formal water course or drinking water catchment.
<b>6.3 Flood planning</b>				
(1) The objectives of this clause are:				The southern part of the site is prone to moderate flooding during a 1 in 100 year flood event. The northern part of the site is not affected by any flooding during a flood event.  A flood report prepared by C and M Consulting Engineers identifies the following:-
(a) to minimise the flood risk to life and property associated with the use of land,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,				
(c) to avoid significant adverse impacts on flood behaviour and the environment.				
(2) This clause applies to:				
(a) land that is shown as "Flood planning area" on the Flood Planning Map, and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(b) other land at or below the flood planning level.				
(3) Development consent must not be granted for development on land to which this clause applies unless the consent authority is satisfied that the development:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(a) is compatible with the flood hazard of the land, and				
(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectionation of other development or properties, and				
(c) incorporates appropriate measures to manage risk to life from flood, and				
(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and				
(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.				
(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's Floodplain Development Manual published in 2005, unless it is otherwise defined in this clause.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
(5) In this clause:  <b>flood planning level</b> means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.  <b>Flood Planning Map</b> means the Auburn Local Environmental Plan 2010 Flood Planning Map.				
<b>6.5 Essential Services</b>				
(1) Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the proposed development are available or that adequate arrangements have been made to make them available when required:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Services are available to the site or capable of being made available.  There is an electricity substation servicing the site for power needs which is situated on the Percy Street frontage.
(a) the supply of water,				

	Yes	No	N/A	Comment
(b) the supply of electricity, (c) the disposal and management of sewage. (d) stormwater drainage or on-site conservation, (e) suitable road access.  (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any essential service referred to in this clause.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>6.9 Development in the Commercial Precinct</b>  (1) This clause applies to the land known as the Commercial Precinct, as shown edged dark blue and marked "Commercial Precinct" on the key sites map. (2) Despite any other provision of this Plan, retail premises are permissible with development consent on land to which this clause applies in Zone B6 Enterprise Corridor.	<input checked="" type="checkbox"/>    <input type="checkbox"/>	<input type="checkbox"/>    <input type="checkbox"/>	<input type="checkbox"/>    <input checked="" type="checkbox"/>	          A retail premise as suggested by Clause 6.9(2) is not proposed.
<b>Schedule 1 Additional permitted uses "Nil"</b>				

### C) Auburn Development Control Plan 2010

#### Industrial Areas

Requirement	Yes	No	N/A	Comments
<b>1.0 Introduction</b>				
<b>1.1 Development to which this Part applies</b>  This Part applies to land zoned: <ul style="list-style-type: none"> <li>• IN1 General Industrial,</li> <li>• IN2 Light Industrial,</li> <li>• <b>B6 Enterprise Corridor and</b></li> <li>• B7 Business Park</li> </ul> under the <i>Auburn LEP 2010</i> . In the case of the Carter Street Precinct, only Sections 8.0 and 9.0 apply.	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	          The land is within the B6 Enterprise Corridor zone.
<b>2.0 Built Form</b>				
<b>Development controls</b>  <b>D1</b> Buildings shall be designed to: <ul style="list-style-type: none"> <li>• introduce variations in unit design within building groups.</li> <li>• introduce solid surfaces, preferably masonry, incorporate horizontal and vertical modulation including windows in appropriate proportions and configurations.</li> <li>• include an appropriate variety of materials and façade treatments so as to create visual interest on a high quality design outcome.</li> </ul> <b>D2</b> On corner sites, the building reinforces the corner by massing and facade orientation.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	          The large office building situated at the northern end of the site is retained. The two storey offices will be used for the head office functions.  The main Bunnings warehouse is to be constructed using concrete panels that are coloured Bunnings Green.  The main front entrance is delineated with a large hip roof element.  The building is modelled on similar Bunnings buildings which are typical "big box" like structures. The floor
<b>D3</b> Number of storeys - B6 Enterprise				

<p>Corridor</p> <p>Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Silverwater Road shall be a maximum of three (3) storeys.</p> <p>Development for hotel and motel accommodation and office premises on land zoned B6 Enterprise Corridor on Parramatta Road shall be a maximum of six (6) storeys.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>area of the superstore is 16,359 square metres making the building one of the larger stores to be operated by the company.</p> <p>The Bunnings warehouse building consists of a continuous elevation with little articulation and design treatment except for the entrance area. The applicant will be relying on landscaping to soften the appearance of the building including the car park level. Bunnings have a consistent design plan that is incorporated into all stores across Australia which is generally a corporate design.</p> <p>The entrance to the building is facing St Hilliers Road while the loading areas and associated raised access ramp, roller shutter doors and heavy vehicle access are situated at the rear of the store being the Percy Street frontage.</p> <p>The whole car park required to support the building is situated below the retail floor area and lifts and travelators are to be used to link both floor levels.</p> <p>The colours to be used are standard corporate colours being Bunnings Green, white and orange.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>3.0 Streetscape and Urban Character</b>				
<b>3.1 Streetscape</b>				
<b>Development controls</b>				
<b>D1</b> Fencing along street boundaries with a height greater than 1m shall be located at a minimum setback applicable to buildings (refer to setback controls overleaf) and with landscaping in the area available between the fence and the property boundary.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	A fence envisaged by Part D1 is not proposed.
<b>D2</b> Facades of new industrial buildings shall adopt a contemporary appearance.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	This is not an industrial building but the provisions of Subpart D2 would still apply to the building.
<b>D3</b> Facades of proposed infill development located in established industrial areas shall reflect the style and architecture of adjoining buildings.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	The Bunnings warehouse building consists of a continuous elevation with little articulation and design treatment except for the entrance area. The applicant will be upgrading the landscaping to soften the appearance of the building. Bunnings have a consistent design plan that is incorporated into all stores across Australia which is generally a corporate design.
<b>D4</b> Architectural features shall be included in the design of new buildings to provide for more visually interesting industrial areas, including:				
• elements which punctuate the skyline;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
• distinctive parapets or roof forms;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• visually interesting facades;	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• architectural emphasis on the built form; and	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• a variety of window patterns.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The entrance to the building is facing St Hilliers Road which provides relief to the expansive wall facing west and St Hilliers Road. Further relief is provided via the retention of the offices across the northern part of the site. With two such features across the northern



				<p>and western elevation, it can be argued that the appearance of the building is acceptable and compliant with the relevant provisions of the development control plan.</p> <p>When viewed from Parramatta Road, the Bunnings warehouse is barely visible because the office building will dominate the view line.</p> <p>The loading areas, roller shutter doors and heavy vehicle access are situated at the rear of the store.</p> <p><u>Appearance of the Undercroft / basement level</u></p> <p>The plans show a chain wire mesh structure facing Percy Street. Hence the car park will be visible from Percy Street but slightly obscured by a chain wire mesh structure. Percy Street is the secondary street that services other industrial / warehouse premises. The use of such a structure along the eastern side of the building would not raise significant design issues.</p> <p>The landscape plan shows new tree planting along the eastern elevation of the building in the form of Melaleuca Quinquenervia (Broad leaved Paperbarks). The use of such trees will assist in providing some degree of screening the car park level and chain wire fencing from Percy Street.</p> <p>The important Parramatta Road and St Hillier Road elevations do not feature significant sections of chain wire fence structures.</p> <p>There is minor use of chain wire fencing along part of the western elevation (Car park level) but the landscape plan shows substantial screening from St Hilliers Road using Acmena Red Tips (Camelia Sasanqua), Callistemons (White Anzac) and (Wildfire) and (Lagerstroemia Indica Tonto (Crepe Myrtle)). The use of landscaping as shown is expected to provide an effective screen of the chain wire fence from St Hilliers Road.</p> <p><u>Percy Street frontage raised access ramp</u></p> <p>The Percy Street elevation is showing a ramp being a one way in / one way out structure to support the main loading bay. The ramp rises to as much as 6.8 metres high from the finished level of the road surface and is a prominent structure along the eastern elevation of the building.</p> <p>Landscaping as shown in the</p>
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				landscape plan (Plan Number 2220 LP-02 will be critical to partial screening of the structure. It is considered more appropriate to have the structure facing Percy Street which services other industrial properties rather than having the structure facing St Hilliers Road.
<b>3.2 Front setbacks</b>				
<p><b>D1</b> New buildings within industrial areas shall have a minimum front setback of:</p> <ul style="list-style-type: none"> <li>• <b>4.5m from other roads, and</b></li> <li>• 0m from laneways.</li> </ul> <p>In the case of a corner allotment, the setback to the secondary road shall be 3m.</p>	<input type="checkbox"/>  <input type="checkbox"/> <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>  <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/>  <input checked="" type="checkbox"/> <input type="checkbox"/>	<p>The main part of the building is setback an appropriate distance from St Hilliers Road however the entrance to the building is setback no more than 350 mm from the property boundary (Western boundary). This is considered as being close to St Hilliers Road.</p> <p>The plans show the St Hilliers Road frontage property boundary as being varied due to variations to the road carriageway. The main entrance to the building is placed at an area that promotes maximum pedestrian exposure. The entrance consists of a large glazed panel area facing west.</p> <p>The applicant is seeking a variation which is described at the end of this table.</p> <p>The car park level is wholly below the building and associated service structures. The front setback area consists mainly of landscaping and pedestrian access including travelators linking the car park below with the main retail floor area of the building.</p> <p><u>Percy Street setback</u></p> <p>The building observes a setback of 3 metres from Percy Street which is supported.</p>
<p><b>D2</b> Front setback areas shall not be used for car parking, storage or display of goods.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3.3 Side and rear setbacks</b>				
<b>Development controls</b>				
<p><b>D1</b> Buildings may be built on a nil side or rear setback except where a setback is required to screen buildings from:</p> <ul style="list-style-type: none"> <li>• public places;</li> <li>• adjoining residential properties;</li> <li>• other sensitive land uses;</li> <li>• where rear access is required; or</li> <li>• where land adjoins the M4 Motorway.</li> </ul> <p>In such circumstances a 4.5m landscape setback is required.</p>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	<p>Generally Part 3.3 will not apply to the development application due to the allotment pattern of the locality. The site does not adjoin:-</p> <ul style="list-style-type: none"> <li>• A public place where screening is required.</li> <li>• A residential area.</li> <li>• Sensitive areas.</li> <li>• Where rear access is required.</li> <li>• The M4 Motorway.</li> </ul>
<p><b>D2</b> Where a site adjoins a residential zone,</p>				There are residential areas situated

side and rear setbacks of 3m shall be required.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	on the western side of St Hilliers Road but the matters identified at Subpart D1 do not require detailed assessment.
<b>D3</b> Development adjacent to Duck River shall provide a 5m easement for public access within the foreshore building line area along Duck River. This easement shall be established under a Section 88B instrument and shall be registered with the NSW Land and Property Management Authority.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>4.0 Landscaping</b>				
<b>Development controls</b>				
<b>D1</b> All areas not built-upon shall be landscaped to soften the impact of buildings and car parking areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The storage areas provided to support the store are to be situated at the rear of the building with all vehicle access associated with loading and unloading contained from Percy Street.
<b>D2</b> Storage areas and other potentially unsightly areas shall be screened from adjacent properties.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D3</b> Landscaping within setback areas shall be of a similar scale to buildings. All landscaped areas shall be separated from vehicular areas by means of a kerb or other effective physical barriers.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D4</b> Car parking areas, particularly large areas shall be landscaped so as to break up large expanses of paving. Landscaping shall be required around the perimeter and within large carparks.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Car parking is within the undercroft / basement car park.
<b>D5</b> In open parking areas, 1 shade tree per 10 spaces shall be planted within the parking area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	This is not applicable to the development application.
<b>D6</b> A minimum of 15% of the site shall be provided and maintained as soft landscaping, with lawns, trees, shrubs, for aesthetic purposes and the enjoyment of workers of the site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landscaping is proposed to occupy 3,733.9 square metres or 10.67% of the site. The applicant is seeking a variation to the control which is described at the end of the table.
<b>D7</b> Fencing shall be integrated as part of the landscaping theme so as to minimise visual impacts and to provide associated site security.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Formal fencing as suggested by Subpart D7 is not proposed.
<b>D8</b> Landscaping shall promote safety and surveillance of the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<u>Note:</u> Applicants shall refer to Council's Policy on Crime Prevention Through Environmental Design (CPTED).				
<b>D9</b> Landscaping shall allow sufficient line of sight for pedestrians, cyclist and vehicles.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>D10</b> Paving and other hard surfaces shall be consistent with architectural elements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>5.0 Access and Car Parking</b>				
<b>5.1 Access and car parking requirements</b>				
Applicants shall refer to the Parking and Loading Part for parking and access requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A detailed assessment of the car parking provision provided to support the Bunnings site and the site known as Lot 2 are described above under the Auburn Development Control Plan 2010 "Parking and Loading".

				<p>It is determined by Council engineer that the level of car parking provided is satisfactory to support the development.</p> <p><u>Loading and unloading</u></p> <p>There is one main loading area to support the store which is accessed via a raised ramp from Percy Street. This is a one way in / one way out structure that will allow vehicles to be driven in and out in forward direction.</p> <p>The ramp rises to as much as 6.8 metres high from the finished level of the road surface and is a prominent structure along the eastern elevation of the building. It is considered more appropriate to have the structure facing Percy Street which services other industrial properties rather than having the structure facing St Hilliers Road.</p> <p>There is also a secondary loading and unloading area to service the nursery. The loading area is situated at the north eastern corner of the building adjacent to the nursery.</p> <p>The loading area is much smaller in area and primarily services the nursery. Loading and unloading would be limited to soil, plants and outdoor garden furniture.</p>
<p><b>5.2 Service areas</b></p> <p><b>Development controls</b></p> <p><b>D2</b> In the design of industrial developments, consideration shall be given to the design of garbage storage areas, and other waste provisions held in the Waste Part of this DCP.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>A waste storage area is provided within the development however Bunnings is to take a proactive approach in addressing waste generated at the store. This includes the following:-</p> <p>1 - No plastic bags to be supplied to customers.</p> <p>2 - Balers are to be installed within the store to compact its main waste streams of cardboard and plastic which in turn minimises land fill requirements.</p> <p>Bunnings expects to achieve a 60% waste diversion rate which should increase to an overall goal of 95% within a few years.</p> <p>There is a strong focus on recycling which in turn limits waste.</p> <p>The plans show the balers situated within an appropriate area of the loading bay but not interfering with loading and unloading operations.</p>

6.0 Stormwater Drainage				
Applicants shall consult the Stormwater Drainage Part of this DCP for stormwater drainage requirements.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Stormwater drainage is determined as being satisfactory by the engineer as previously identified. Conditions are provided to address outstanding engineering matters.
7.0 Energy Efficiency and Water Conservation				
7.1 General requirements				
<b>Development controls</b>				
<b>D1</b> Buildings shall be oriented towards the north so that they make best use of solar access to lower heating and cooling costs.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Bunnings store is projected to incorporated the following energy efficient and water saving schemes:-
<b>D2</b> Building elevation treatments shall control solar access into the building by the use of appropriate shading devices and methods.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 - Water is being saved via the use of rainwater tanks and hand watering within the nurseries.
<b>D3</b> The amount of exposed glazing to the eastern and western facades of buildings shall be minimised.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	There is provision for one 50,000 litre rainwater tank within the development with dimensions of 7 metres x 7 metres x 1.5 metres. The tank is large to permit enough water to be stored for reuse within the nursery for watering plants, use in toilets and non potable uses.
<b>D4</b> Building design shall minimise reliance on existing energy supplies through the use of renewable energy sources including incorporation of photovoltaic cells, wind turbines, battery storage and solar hot water wherever practicable.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2 - A nursery effluent capture, treatment and reuse system will also be installed to create a closed cycle system as much as possible.
<b>D5</b> Lighter reflective colours shall be used on external walls of the building to reduce heat gain in summer especially for building facades facing east, west and north.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3 - Use of triple AAA rated water limiters at potable water outlets.
<b>D6</b> High thermal mass materials shall be used wherever possible.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4 - Use of energy efficient tri level lighting which automatically dim in response to ambient light.
<b>D7</b> Roofs and walls shall be well insulated in office components of buildings to reduce winter heat loss and summer heat gain.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	5 - A solar hot water system to be installed.
<b>D8</b> Low energy lighting shall be used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	6 - Use of translucent roof sheeting to allow natural light into the building.
<b>D9</b> Energy efficient appliances, fittings and fixtures shall be used.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	7 - While not proposed on this site, a Bunnings store at Belconnen is being trialled via the use of solar panels. Should the trials be successful, then this could be rolled out to other stores including this store in future.
<b>D10</b> Any hot water heaters to be installed, as far as practicable, shall be solar, and to the extent where this is not practicable, shall be greenhouse gas friendly systems that achieve a minimum 3.5 Hot Water Greenhouse Score.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8 - Use of efficient radiant gas heaters for localised heating options. 9 - Store construction comprising high thermal mass components. 10 - Use of insulated roofing to limit heat gain and heat loss. 11 - It is likely that the store will use electricity base load reports to compare the electricity use of the same two week period against the previous year which identifies when

				<p>electricity is still being used within the store while it is closed. This is reviewed by complex managers and green teams to identify energy savings opportunities.</p> <p>12 - Use of passive ventilation in the warehouse for customer comfort as opposed to reliance on air conditioners.</p> <p>The above forms part of the stores future sustainability program to reduce waste and to achieve leadership in sustainability and energy efficiency.</p> <p>In addition to an educational program for communities which is highlighted at Part 6.1.4 of the statement of environmental effects, the actions of Bunnings to achieve a sustainable building will readily comply with Part 7.1.</p>
<b>7.2 Ventilation</b>  <b>Development controls</b>  <b>D1</b> Where applicable, cross ventilation shall be maximised by use of high-level ventilators. Where practical or appropriate sky lights and/or wind powered ventilators shall be installed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This is achieved as specified in Part 7.1 above.</p>
<b>7.3 Water conservation</b>  <b>Development controls</b>  <b>D1</b> New buildings shall provide water efficient fixtures to reduce the demand for (mains) water and wastewater discharge.  <b>D2</b> New developments shall connect to recycled water if serviced by a dual reticulation system for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.  <b>D3</b> Where a property is not serviced by a dual reticulation system, development shall include an onsite rainwater harvesting system or an onsite reusable water resource for permitted non potable uses such as toilet flushing, irrigation, car washing, fire fighting and other suitable industrial purposes.  <b>D4</b> Development shall install all water using fixtures to meet the WELS (Water Efficiency Labelling Scheme) rated industry standards.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>This is achieved as specified in Part 7.1 above.</p> <p>In particular, additional water conservation is to be achieved via the following:-</p> <p>Installation of dual flush (6/3) cisterns in water closets.</p> <p>Triple AA rated water limiters at potable water outlets. This store will incorporate rainwater harvesting for reuse within the plant nursery, toilet and non potable uses much like other stores constructed post 2007.</p>
<b>7.4 Rainwater tanks</b>  <b>Development controls</b>  <b>D1</b> Rainwater tanks installed above ground or underground shall meet the relevant Australian Standards.  <b>D2</b> Above ground rainwater tanks shall be constructed, treated or finished in a non-	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>Bunnings appear to be taking a proactive approach to water conservation. As such, water is being saved via the use of rainwater tanks and hand watering within the nurseries.</p>
	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

	reflective material that blends in with the overall tones and colours of the subject site and surrounding developments.				
D3	Above ground rainwater tanks installed shall not be visible from a primary road frontage and shall not be visually dominant.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<p>There is provision for one 50,000 litre rainwater tank within the development with dimensions of 7 metres x 7 metres x 1.5 metres. The tank is situated below the car park level. The tank is large to permit enough water to be stored for reuse within the nursery for watering plants, use in toilets and non potable uses.</p> <p>A nursery effluent capture, treatment and reuse system will also be installed to create a closed cycle system as much as possible.</p>
D4	The overflow from industrial rainwater tanks shall discharge to the site stormwater disposal system. For details refer to the Stormwater Drainage Part of this DCP.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>8.0 Operational restrictions</b>					
<b>8.1 Hours of operation</b>					
<b>Development controls</b>					
D1	<p>Where an industrial site is located adjacent to or within 200m of a residential zoned area or where in the opinion of Council truck movements associated with the industry will intrude on residential streets, hours of operation shall generally be restricted to 7:00am to 6:00pm Monday to Saturday.</p> <p><b>Note:</b> Where an extension to these hours is required due to the nature of the activities to be undertaken, a detailed submission shall be lodged with Council demonstrating how environmental impacts can be minimised to acceptable levels if the extended hours of operation are approved.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The proposed hours of operation are from:-</p> <ul style="list-style-type: none"> <li>6 am to 10 pm Monday to Friday.</li> <li>6 am to 7 pm on Saturday, Sunday and public holidays.</li> </ul> <p>An acoustic report prepared by Wilkinson Murray identifies that the proposed hours of operation are satisfactory in terms of noise generation.</p>
		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
<b>8.2 Noise</b>					
<b>Development controls</b>					
D1	<p>All development applications for potential noise generating industries adjacent to residential zoned land shall be accompanied by relevant documentation from a qualified acoustic engineer. The documentation shall also comply with the relevant Acts, Regulations, Australian Standards and guidelines by the NSW Department of Environment, Climate Change and Water (DECCW) below, as applicable for noise, vibration and quality assurance.</p> <ul style="list-style-type: none"> <li>NSW Industrial Noise Policy</li> <li>Interim Construction Noise Guideline</li> <li>Noise from Rail Infrastructure Projects</li> <li>Environmental Criteria for Road Traffic Noise.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>An acoustic report has been prepared by Wilkinson Murray. The report has assessed the existing and predicted noise conditions affecting the existing residential properties to the west of St Hilliers Road. The report includes the following:-</p> <ul style="list-style-type: none"> <li>Traffic noise.</li> <li>Proposed store operations.</li> <li>Noise from fixed mechanical plant.</li> <li>Patrons using the building.</li> <li>Loading and unloading between 7 am and 10 pm.</li> <li>Night filling activities.</li> <li>Sleep disturbance to the nearest residential receivers.</li> </ul> <p>The report has concluded that:-</p> <ul style="list-style-type: none"> <li>Compliance will be established for all residential receivers.</li> <li>Sleep disturbance criteria is acceptable.</li> <li>The traffic noise criteria are satisfactory at all nearby residents.</li> </ul>

				There are no recommendations provided in the report due to compliance being achieved.
<b>8.3 Storage yards</b>  <b>Development controls</b>  <b>D1</b> Storage yards, junk yards or waste depots shall be screened by suitable fencing to a height of 2.5m and setback 4.5m from any street alignment and will require: <ul style="list-style-type: none"> <li>• suitable site sealing;</li> <li>• runoff and silt trap controls; and</li> <li>• dense screen landscaping between the street alignment and the fence.</li> </ul>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	A storage yard is not proposed and it is considered that Part 8.3 will not apply to the development application.
<b>8.4 Air pollution</b>  <b>Development controls</b>  <b>D1</b> Details of any equipment, processes and air pollution control or monitoring equipment shall be submitted to Council with a development application.  <b>D2</b> All spray painting shall be carried out in a spray booth constructed and ventilated in accordance with the relevant Australian Standards.	<input type="checkbox"/>   <input type="checkbox"/>	<input type="checkbox"/>   <input type="checkbox"/>	<input checked="" type="checkbox"/>   <input checked="" type="checkbox"/>	Part 8.4 will not apply to the development application.
<b>8.5 Water pollution</b>  <b>Development controls</b>  <b>D1</b> For industrial developments such as mechanical repair workshops and garages, pollution control monitoring equipment, e.g. retention pits, traps, or bunding shall be used to the satisfaction of Council to control the discharge of pollutants into the stormwater system.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Part 8.5 will not apply to the development application because a mechanical repair workshop or garage is not proposed..
<b>8.6 Dangerous goods and hazardous materials</b>  <b>Development controls</b>  <b>D1</b> For development proposals which can potentially pose a risk to the locality or discharge pollutants, applicants shall demonstrate that consideration has been given to: <ul style="list-style-type: none"> <li>• application guidelines published by the Department of Planning relating to hazardous and offensive development; and</li> <li>• whether any public authority should be consulted concerning any environmental and land use safety requirement.</li> </ul> <b>D2</b> Any premises with storage tanks for oil or dangerous goods outside the building shall submit an emergency spill contingency plan to Council. The DECCW and Work Cover Authority may need to be consulted.	<input checked="" type="checkbox"/>  <input checked="" type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/>  <input type="checkbox"/>  <input checked="" type="checkbox"/>	State Environmental Planning Policy 33 "Hazardous and Offensive Development" has been considered as part of the assessment of the development application.  A detailed screening analysis has been undertaken to determine whether a preliminary hazard analysis is required or not.  The quantities have been reviewed against the tables provided within the Guidelines and it is determined that a preliminary hazard analysis is not required because the thresholds are not breached for any category of goods to be stored within the building.
<b>9.0 Subdivision</b>				
<b>9.1 Lot sizes and access</b>				
<b>Development controls</b>				



<div>D1</div> <div>The minimum average width shall be 30m.</div> <div>Direct access onto state roads shall not be granted unless presently provided or if an alternative vehicular access point is unavailable.</div>	<div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div>A land subdivision is proposed which will create Lot 1 containing the Bunnings Superstore and Lot 2 which will contain the four remaining industrial / warehouse tenancies.</div> <div>The new allotments will have the following areas.</div> <table><tr><th>Proposed lot</th><th>Area</th></tr><tr><td>Lot 1</td><td>23,870 square metres.</td></tr><tr><td>Lot 2</td><td>10,930 square metres.</td></tr></table> <div>The two lots are well above the minimum size requirement for allotments being 1,500 square metres in area.</div> <div>Both lots will have minimum dimensions exceeding 30 metres.</div> <div>There will be one major vehicle access point off St Hilliers Road to service the Bunnings Superstore.</div> <div>The development application was initially treated as integrated development however Roads and Maritime Services have informed Council that this is not the case.</div> <div>Nevertheless, the development application has received detailed assessment by the Roads and Maritime Services because the works involve the alteration to an intersection as well as traffic signals to control traffic flows.</div> <div>Vehicle access to service the remaining industrial / warehouse tenancies on the future southern allotment will not be changing.</div>	Proposed lot	Area	Lot 1	23,870 square metres.	Lot 2	10,930 square metres.
Proposed lot	Area									
Lot 1	23,870 square metres.									
Lot 2	10,930 square metres.									
<div>D2</div> <div>New lots shall remove or reduce vehicular driveways and access points to main or arterial roads where alternatives are available.</div>	<div><input checked="" type="checkbox"/></div>	<div><input type="checkbox"/></div>	<div><input type="checkbox"/></div>							
<div>9.2 Utility services</div> <div>Development controls</div> <div>D1</div> <div>Any application for strata subdivision shall demonstrate that each lot is serviced for parking and loading and shall not exceed the requirements of the Parking and Loading Part of this DCP.</div> <div>Note: The applicant shall demonstrate that each proposed lot can be connected to appropriate utility services including water, sewerage, power and telecommunications (and where available gas). This may include advice from the relevant service authority or a suitably qualified consultant.</div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input type="checkbox"/></div> <div><input type="checkbox"/></div>	<div><input checked="" type="checkbox"/></div> <div><input checked="" type="checkbox"/></div>	<div>Strata subdivision is not proposed.</div> <div>Full utility services are provided to each lot being water, electricity, sewer and appropriate vehicle access.</div>						
<div>10.0 Newington Business Park provisions - This is not applicable and hence Part 10 is not reproduced.</div>										