

SYDNEY WEST CENTRAL PLANNING PANEL

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| JRPP No | 2016SYW116 |
| DA Number | DA 2016/171 |
| Local Government Area | Cumberland |
| Proposed Development | Part demolition of existing structures; bulk earthworks; construction and use of a hardware and building supplies store (Bunnings) with associated plant nursery and landscape supplies; signage; new road and Torrens subdivision of land into 2 lots. |
| Street Address | 1-15 Sturt Street, Smithfield |
| Applicant/Owner | Bunnings Group LTD |
| Number of Submissions | NIL |
| Regional Development Criteria (Schedule 4A of the Act) | Capital Investment Value \$29,370,000 (>\$20 million) |
| List of All Relevant s79C(1)(a) Matters | <ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 64 – Advertising and Signage • Greater Metropolitan Regional Environmental Plan No 2— Georges River Catchment • Holroyd Local Environmental Plan 2013 (HLEP 2013) • Holroyd Development Control Plan 2013 (HDCP 2013) • Section 92 of the EP&A Regulation |
| Recommendation | Approval |
| Report by | Ashleigh Matta, Senior Development Planner, Cumberland Council |
| Meeting date | 16 February 2017 |



Figure 1 Perspective from Sturt Street and Pavesi Street intersection (John R. Brogan & Associates)

ASSESSMENT REPORT

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ATTACHMENTS

Attachment 1 – Development Application Plans

Attachment 2 – Proposed Conditions of Consent

Attachment 3 – Assessment of compliance with SEPP No. 64 – Advertising and Signage

Attachment 4 – Assessment of compliance with Holroyd LEP 2013

Attachment 5 – Assessment of compliance with Holroyd DCP 2013

Attachment 6 – RMS Aerial “X”

1 Executive Summary

1.1 Council is in receipt of a Development Application (DA) from Bunnings Group Limited for construction and use of a hardware and building supplies store (Bunnings) at 1-15 Sturt Street, Smithfield. The DA seeks approval for part demolition of existing structures; bulk earthworks; construction and use of a hardware and building supplies store (Bunnings) with associated plant nursery and landscape supplies; signage; new road (deceleration lane) and Torrens subdivision of land into 2 lots. A copy of the proposed DA plans is provided at Attachment 1.

1.2 The proposed development constitutes 'regional development' requiring referral to the Sydney West Central Planning Panel (the Panel), as it has a capital investment value of \$29,370,000. While Council is responsible for the assessment of the DA, the Panel is the consent authority.

1.3 The site is zoned IN1 General Industrial pursuant to Holroyd Local Environmental Plan (HLEP) 2013. Hardware and Building Supplies is defined as:

'hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas'.

'Hardware and Building Supplies' is permissible with development consent and consistent with the objectives of the zone.

1.4 The development complies with the development standards contained within HLEP 2013.

1.5 The Height of Buildings Map does not specify a maximum height for the site.

1.6 The Floor Space Ratio Map does not specify a maximum FSR for the site.

1.7 The development is generally consistent with the requirements of the DCP with the exception of the front setback control.

1.8 The DA was referred to Roads and Maritime Services (RMS) who have provided concurrence subject to conditions, to the proposed deceleration lane and access from Cumberland Highway under Section 138 of the Roads Act 1993 and Section 87 consent

to the modification of the traffic signals at Cumberland Highway / Sturt Street. RMS have provided concurrence subject to conditions.

- 1.9 The application was referred to Council's Development Engineering Section, Landscaping and Tree Management Section, Traffic Section, Access, Environmental Health Unit, Waste Management Section. All issues raised by the internal specialists have been satisfactorily resolved and no further objections have been raised, subject to the implementation of conditions.
- 1.10 The DA was notified to surrounding property owners and occupiers and advertised in the local newspaper between 25 May and 8 June 2016. No objections were received.
- 1.11 Amended plans were submitted on 27 September 2016. Amendments included the deletion of the proposed roundabout, changes to the stormwater plans, changes to the landscape plan, retention of more trees on the road reserve and changes to the vehicular entry/exit. The application did not require re notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.
- 1.12 The proposed development is considered satisfactory with regard to key issues such as siting and design, bulk and scale, access, traffic impacts, parking, site contamination, stormwater drainage, social and economic impacts. The proposed development has been assessed against the relevant matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act 1979, including suitability of the site and the public interest, and is considered satisfactory subject to the imposition of suitable conditions of consent to satisfactorily control the development.
- 1.13 In light of the above, it is recommended that the Panel approve the DA subject to the imposition of suitable conditions of consent, including deferred commencement conditions relating to contamination. Recommended conditions are provided at **Attachment 2** to this Report.

2 Location

- 2.1 The subject site is located on the corner of Cumberland Highway (Warren Road) and Sturt Street, within the Smithfield Industrial Area.



3 Site Description

3.1 The subject land is known as Lot 12 DP 1004594, 1-15 Sturt Street, Smithfield. The land is a trapezium corner lot and has a frontage of 126.985m to Cumberland Highway (Warren Road) and 307.525m to Sturt Street. The site has an area of 2.952ha.

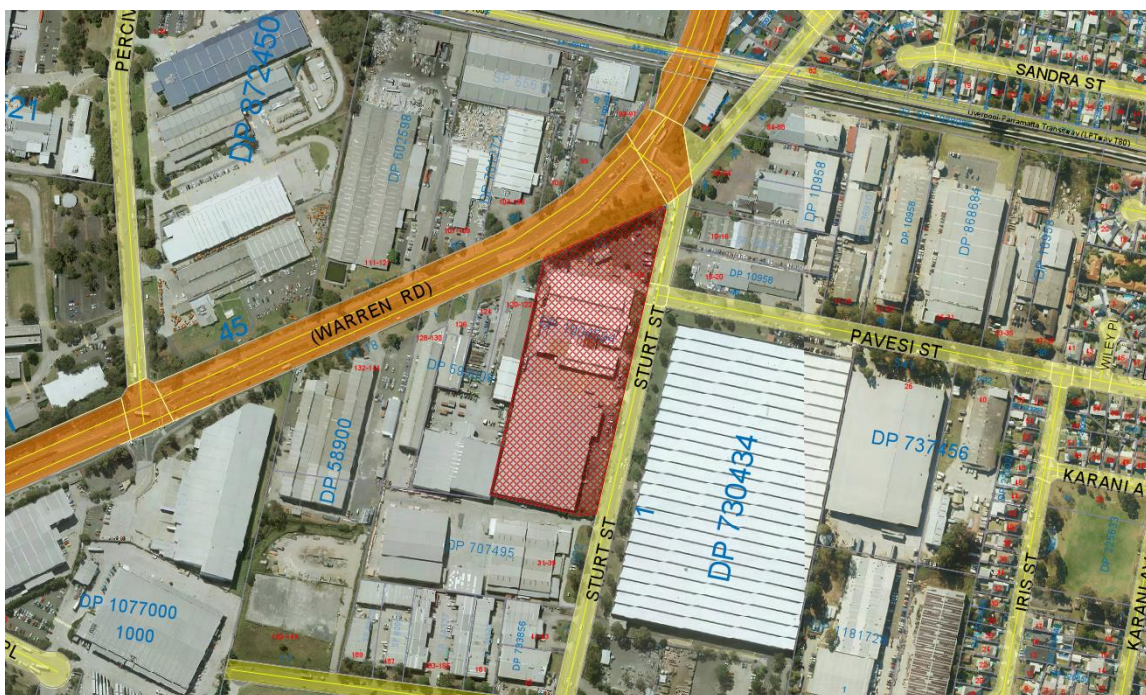


Figure 3. Aerial Photo of Site and Surrounds (Source: IFM)

4 Background

- 4.1 In 2016 NSW Government amended the LEP standard template to permit 'Hardware and Building Supplies' in the IN1 General Industrial zone.
- 4.2 On 18 January 2017 the Applicant lodged a Class 1 Appeal with the Land and Environment Court. Appeal against the deemed refusal of Development Application No. 2016/171/1 lodged by the Applicant on 9 May 2016 seeking development consent for part demolition of existing structures, bulk earthworks, construction and use of hardware and building supplies store with associated plant nursery and landscape supplies, signage, new road and Torrens subdivision of land into 2 lots at 1 – 15 Sturt Street, Smithfield. Case Number 2017/00017494. The first direction hearing is listed at 9am on 16 February 2017.

5 The Proposal

- 5.1 The proposal is for the part demolition of existing structures; bulk earthworks; construction and use of a hardware and building supplies store (Bunnings) with associated plant nursery and landscape supplies; signage; new road and Torrens subdivision of land into 2 lots.
- 5.2 The application proposes staged construction works as follows:

- Stage 1:** Early works – remediation / demolition.
- Stage 2:** Excavation/earthworks; in-ground services; foundation work, Building structure – whole of building envelope with roof.
- Stage 3:** Road reserve works including diversion of public infrastructure, re landscaping of park in front of site.
- Stage 4:** Building complete – including internal store fitout and food premises fitout, signage, mechanical & electrical services; fit-out; car parks; internal roadways; landscaping.
- Stage 5:** Subdivision.

A condition is recommended to be included in the consent stating that nothing prevents the issuing of a Construction Certificate for each Stage.

5.3 Specific details of the proposed development are as follows:

Subdivision

Torrens subdivision of land into 2 lots:

- Proposed Lot 1 will have an area of 24,720m²
- Proposed Lot 2 will have an area of 4,650m²

Proposed Lot 1

- The demolition of all structures on the site, tree removal, earthworks and remediation of the site.
- Construction of a hardware and building supplies centre (Bunnings Warehouse) encompassing a warehouse, covered outdoor nursery, bagged goods store, building materials and landscape yard, timber trade sales area, amenities, café and playground. A mezzanine level is proposed to contain administration facilities including offices, training rooms, lunch room, amenities and comms room.

| | |
|--------------------------|----------------------------|
| Warehouse | 9,800m ² |
| Timber Trade Sales | 2,884m ² |
| Nursery and Bagged goods | 3,004m ² |
| <u>Total Retail Area</u> | <u>15,688m²</u> |

| | |
|--------------------------------|----------------------------|
| Entry and Office | 640m ² |
| Building Materials & Landscape | 1,250m ² |
| <u>TOTAL</u> | <u>17,578m²</u> |

| | |
|-------------------|---------------------|
| Residual Building | 3,460m ² |
|-------------------|---------------------|

- 10 signs including 9 x Bunning's business identification wall signs and a 12 metre high pylon sign.
- Proposed hours of operation are 6.00am to 10.00pm Monday to Friday and 6.00am to 7.00pm Saturdays, Sundays and Public Holidays.

- Undercroft car parking is provided for 425 car parking spaces (including 8 accessible spaces). Service road/ramps and loading areas are also proposed.
- A combined ingress/egress for the carpark on Sturt Street opposite Pavesi Street.
- An ingress on the Cumberland Highway frontage for the carpark and delivery vehicles.
- A combined ingress/egress for the Timber Trade Sales, carpark and delivery vehicles egress on Sturt Street.

Proposed Lot 2

- Alterations to the existing building to remedy the building demolition works undertaken on Lot A and provision of hardstand parking and associated vehicular access from Sturt Street.

Road Widening

- Provision of a deceleration access lane in Cumberland Highway and Street lighting. Dedication of 159 square metres to Council to facilitate Sturt Street road widening at the intersection of Cumberland Highway (Warren Road).
- Widening of Sturt Street.

Tree removal

- Removal of 68 trees located within the subject site.
- Removal of 7 trees located on the road reserve fronting Cumberland Highway.

Signage

Pylon sign (located to the north-west of the site)

- 12m x 4.8m 'Bunnings Warehouse' & 'Hammer' logo.

North

- 7.9m x 2.5m 'Bunnings Warehouse'.
- 7.9m x 2.5m 'Bunnings Warehouse'.
- 6.5m x 2.59m 'Hammer' logo – 'lowest prices are just the beginning'.

East

- 18.192m x 5.75 'Bunnings Warehouse'.

- 18.425m x 7.2m 'Hammer' logo – 'lowest prices are just the beginning'.

South

- 11.863m x 3.75m 'Bunnings Warehouse'.
- 9.38m x 3.25m 'Hammer' logo – 'lowest prices are just the beginning'.

West

- 18.192m x 5.75m 'Bunnings Warehouse'.
- 18.425m x 7.2m 'Hammer' logo – 'lowest prices are just the beginning'.

6 Planning Controls

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

a. State Environmental Planning Policy (State and Regional Development) 2011

SEPP (State and Regional Development) 2011 confers development listed in Schedule 4A of the Environmental Planning and Assessment Act 1979 as 'regional development', requiring referral to a Sydney Planning Panel for determination. The proposed development constitutes 'Regional Development' as it has a Capital Investment Value of more than \$20M. While Council is responsible for the assessment of the DA, determination of the Application will be made by the Sydney West Central Planning Panel.

b. State Environmental Planning Policy (Infrastructure) 2007

SEPP (Infrastructure) 2007 ensures that the RMS is given the opportunity to comment on development nominated as 'traffic generating development' under Schedule 3 of the SEPP. Schedule 3 identifies development involving industry with an area of 5,000m² or parking involving 50 or more vehicles as traffic generating development. The DA was referred to the RMS for comment in accordance with the Infrastructure SEPP. The RMS's comments are outlined in **Section 8** of this Report. In addition, a copy of any determination will be forwarded to the RMS in accordance with Clause 104(4) of the SEPP.

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

SEPP 55 aims to provide a state wide planning approach to the remediation of contaminated land. Where contamination is, or may be present, the SEPP requires a proponent to investigate the site and provide the consent authority with the information to carry out its planning functions.

Preliminary waste classification & environmental site assessment prepared by Environmental Investigation Services (EIS) (ref: E28497Krpt) dated 15 July 2015 was submitted with the application.

The report identified asbestos containing materials at the surface and within fill material at the site. A number of soil samples contained concentrations above the Ecological Assessment Criteria for zinc, nickel and B(a)P.

The report identified a series of conclusion, which require additional investigations; a Section B Site Audit Statement/Site Audit Report is required to determine that the site can be made suitable for the following land use of "Commercial/Industrial".

A deferred commencement condition is recommended to be included in the consent requiring a copy of the Section B Site Audit Statement/Report.

d. State Environmental Planning Policy No. 64 – Advertising and Signage

SEPP 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

The proposed signage is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations is of high quality design and finish, and is therefore consistent with the aims and objectives of Clause 3 of SEPP 64.

The table in **Attachment 3** outlines the manner in which the proposed signage satisfies the assessment criteria of SEPP64.

e. Greater Metropolitan Regional Environmental Plan No 2—Georges River Catchment

The site is located within the Georges River Catchment. The SEPP aims to maintain and improve water quality of Georges River and protect and enhance the environmental quality of the Catchment. The proposal is satisfactory in regards to the planning principles and planning requirements under the SEPP. The proposed use is not listed Planning Control Table within Part 3 - Planning Requirements of the SEPP. Council's Development Engineer has raised no objection to the proposed stormwater system.

f. Holroyd Local Environmental Plan (HLEP) 2013

The site is zoned IN1 General Industrial pursuant to Holroyd Local Environmental Plan (HLEP) 2013. 'Hardware and building supplies' is defined as a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas'. The proposal is considered to be consistent with the relevant objectives of the zone as it will provide for a range of warehouse land uses and encouraging employment opportunities

The development complies with the development standards contained within HLEP 2013.

g. Holroyd Development Control Plan (HDCP) 2013

HDCP 2013 applies to the site. **Attachment 5** provides a table that outlines the proposal's compliance with HDCP. The development is generally consistent with the requirements of the DCP with the exception of the front setback control. The variation is discussed in further detail in **Section 7** of this Report.

7 Key Issues

7.1 Variations to HDCP 2013 development controls

As noted above, **Attachment 5** provides a table that outlines the proposal's compliance with HDCP. The development is generally consistent with the requirements of the DCP with the exception of the front setback.

Section 2.5 Setbacks of Part D - *Industrial Controls* requires a setback of 15m to both primary and secondary street frontages.

A varying front setback of between 7.5m and 16.8m is provided to Sturt Street and a varying front setback of between 5m to 34m is provided to Cumberland Highway.

The Applicant has provided the following justification to the variation:

- *The northern façade of the building (fronting Cumberland Highway (Warren Road) is articulated and provided with a lower building height comparative to the main warehouse building. Only a portion of the northern façade is located within the 15 metre setback area, with the eastern most portion provided with a compliant setback.*
- *The setbacks from Cumberland Highway (Warren Road) and Sturt Street are proposed to be extensively landscaped which will contribute to the quality of the street presence of the development. Refer to the Landscape Plan prepared by John Lock & Associates that accompanies the application for further detail.*
- *A variable width landscaped strip is provided along the Cumberland Highway (Warren Road) frontage. Screen planting is provided within the landscape strip.*
- *A landscaped strip increasing in width from 7.5 to 16.8 metres is provided along the Sturt Street frontage. This is in excess of the 6m landscape strip requirement to the secondary frontage pursuant to the DCP. Whilst the proposed development does not provide the required 15 metre setback to this frontage, the setback provided is sufficient to ensure the building is appropriately sited within a landscaped setting.*
- *The proposed development will have a positive contribution to the street and is compatible in scale and character with the context of the site and will create a pleasant visual amenity within and external to the site.*
- *No storage or display of goods, excessive signage, loading/unloading or carparking is proposed in the front setback areas.*
- *The proposed development will have no detrimental impact on the surrounding area.*
- *The setbacks provided are sufficient to ensure appropriate fire safety.*

The variation can be supported in this instance given the building is articulated in plan and elevation, reducing the appearance of building bulk and the entire front setback, with the exception of the entrance path and driveways, is landscaped.

7.2 Environmental Management

a. Waste

A Waste Management Plan (WMP) has been prepared and submitted as a part of the Application. Waste generated during construction and operation of the proposed development will be satisfactorily managed in accordance with Council's requirements. Council's Waste Management Section has reviewed the proposal and raised no objections to the development. Therefore, a condition of consent will be included within the consent requiring compliance with the submitted WMP.

b. Contamination

Preliminary waste classification & environmental site assessment prepared by Environmental Investigation Services (EIS) (ref: E28497Krpt) dated 15 July 2015 was submitted with the application. A deferred commencement condition is recommended to be included in the consent requiring a Section B Site Audit Statement/Report. The Section B Site Audit Statement will need to determine if the site can be made suitable for the proposed use.

c. Arboricultural Impact

An Arboricultural Assessment & Development Impact Report, prepared by Raintree Consulting, was submitted to Council for consideration. A total of ninety two (92) trees or groups have been assessed under this development proposal. Of the ninety two (92) trees, seventy six (76) trees are associated with the main building construction foot print and sixteen (16) trees are located within the council verge of Warren Road Reserve.

As a result of the proposed development, sixty eight (68) trees are proposed for removal within the subject site and 7 trees are proposed for removal within the road reserve fronting Cumberland Highway.

Suitable street tree planting will be provided as a part of the development. Council's Landscape Officer and Landscape Architect raises no objection to the tree removal and to the replacement trees proposed as part of the landscaping documentation.

7.3 Traffic and Transport

An Assessment of Traffic and Parking Implications, prepared by Transport and Traffic Planning Associates was submitted with the application and an addendum to the report dated 22 November 2016 prepared by Transport and Traffic Planning Associates was submitted.

The reports assessed the impacts of the proposed new access road on the traffic operation on Sturt Street and the existing or potential safety issues relating to the development.

The proposed changes that affect traffic signs, linemarking or traffic devices on any public road are subject to the approval through the Traffic Committee. A condition to that effect is recommended to be included in the development consent.

8 External Referrals

8.1 The subject Development Application was referred to Roads and Maritime Services.

The RMS originally raised the following concerns (1 July 2016):

1. Roads and Maritime would provide in principle support for the proposed deceleration lane on Cumberland Highway and access into the site for customer vehicles only. All Service vehicles are to access the site Via Sturt Street. In this regard, Roads and Maritime requires amended plans to demonstrate this separation.
2. The proposed deceleration lane or access (entry only) into the site via Cumberland Highway shall be within the property boundary. This should be reflected in amended plans.
3. Additional work will be required to extend the merging lane on Sturt Street all the way to Pavesi Street to ensure both right turn lanes from Cumberland Highway into Sturt Street are both satisfactory utilised. This is to address the under-utilisation issues with the dual right turn from Cumberland Highway onto Sturt Street.
4. There are concerns with regards to the proposed single lane roundabout and the potential impact on the queuing on Cumberland highway due to the close proximity to the traffic signal control at the intersection of Cumberland Highway and Sturt Street. In this regard, modelling files are required for review.

Following receipt of additional information, concurrence was provided subject to the following conditions (9 December 2016):

1. Roads and Maritime has previously vested a strip of land as road along the Cumberland Highway frontage of the subject property as shown by grey colour on the attached Aerial - "X" Therefore all buildings and structures together with any improvements integral to the future use of the site are to be erected clear of the land required for road unlimited in height or depth. Furthermore the building footprint facing Cumberland Highway shall be setback a minimum 5 metres from the property boundary as shown on the submitted plan (Project Number 1385 - Drawing Number 030 - Amendment B - OCT 13)
2. The design and construction of the deceleration lane and access from Cumberland Highway (entry only) shall be in accordance Roads and Maritime requirements. Details of these requirements should be obtained from Roads and Maritime Services, Manager Developer Works, Statewide Delivery, Parramatta (telephone 9598 7798). Detailed design plans of the proposed kerb and gutter are to be submitted to Roads and Maritime for approval prior to the issue of a Construction Certificate and commencement of any road works. A plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by Roads and Maritime.
3. The proposed traffic control light modification at the intersection of Cumberland Highway/SturtStreet shall be designed to meet Roads and Maritime requirements. The Traffic Control Signal (TCS) plans shall be drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on www.rms.nsw.gov.au). The certified copies of the civil design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of a Construction Certificate and commencement of road works. Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works. The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.
4. All vehicles are to enter and exit the site in a forward direction.

5. All vehicles are to be wholly contained on site before being required to stop.
6. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.

Details should be forwarded to:

The Sydney Asset Management

Roads and Maritime Services

PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued. With regard to the Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

7. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will not be permitted on Cumberland Highway.
8. A Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Cumberland Highway during construction Activities.
9. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by Roads and Maritime. The report and any enquiries should be forwarded to:

Project Engineer, External Works

Sydney Asset Management

Roads and Maritime Services

PO Box 973 Parramatta CBD 2124.

Telephone 8849 2114

Fax 8849 2766

10. If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

9 Internal Referrals

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

| | |
|---------------------------------|-------------------------------------|
| Development Engineering Section | No objection, subject to conditions |
| Traffic Section | No objection, subject to conditions |
| Landscaping Section | No objection, subject to conditions |
| Landscape Architect | No objection, subject to conditions |
| Environmental Health Unit | No objection, subject to conditions |
| Waste Management Section | No objection, subject to conditions |
| Community Services - Access | No objection, subject to conditions |
| Rates | No objection, subject to conditions |

10 Public Comment

- 10.1 The application as initially lodged with Council, was placed on public exhibition for a period of 14 days. Letters were sent to adjoining and surrounding owners and occupiers, an advertisement was placed in the local paper and a notice was placed on site. In response, no submissions were received.
- 10.2 The application was subsequently amended to its current proposal. The application did not require re notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact. Amendments included the deletion of the proposed roundabout, changes to the stormwater plans, changes to the landscape plan, retention of additional trees on the road reserve and changes to the vehicular entry/exit.

11 Section 79C Consideration

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

| Head of Consideration | Comment | Complies |
|---|---|----------|
| a. the provisions of: (i) any environmental planning instrument (EPI) (ii) any draft environmental planning instrument (EPI) (iii) any development control plan (iiia) any planning agreement (iv) the regulations | The provisions of relevant EPIs and DCPs relating to the proposed development are summarised in Section 6 of this Report and have been satisfactorily addressed in Section 7 . | Yes |
| b. the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality | An assessment of key issues relating to the proposed development is provided in Section 7 of this Report and it is considered that the likely impacts of the development, including traffic, parking and access, bulk and scale, stormwater quality, waste management, soil and groundwater quality and the like have been satisfactorily addressed. | Yes |
| c. the suitability of the site for the development | The subject site is identified as IN1 General Industrial land pursuant to Holroyd LEP 2013. Further, matters relating to site contamination, | Yes |

| | | |
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| | salinity, stormwater drainage and access have been satisfactorily addressed as a part of the DA, rendering the site suitable for the proposed development. | |
| d. any submissions made in accordance with this Act or the regulations | The DA was notified to adjoining and neighbouring owners and advertised in the local newspapers for a period of 14 days. No submissions have been received. | Yes |
| e. the public interest | The proposed development is for the purpose of Hardware and Building Supplies on land identified as IN1 General Industrial under Holroyd LEP and, accordingly, it is considered that the proposal is in the public interest. | Yes |

12 Conclusion

- 12.1 The proposed development has been assessed against the matters for consideration listed in Section 79C of the Environmental Planning & Assessment Act 1979 and is considered to be satisfactory. In this regard it is considered that likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. Further, the subject site is considered suitable for the proposed development.
- 12.2 The proposal is consistent with the objectives of Holroyd LEP 2013 and the IN1 General Industrial zone and is permissible in the zone with development consent. The proposal also complies with the Holroyd DCP 2013, with the exception of the front setback along Sturt Street and Cumberland Highway, and is considered satisfactory with regard to relevant matters such as Built Form, Access, Traffic Impact, Stormwater Drainage, Site Contamination, Salinity, Social and Economic Impacts and the like subject to the imposition of suitable conditions of consent to satisfactorily control the development.

13 Recommendation

- a) The Development Application be approved by the Sydney West Central Planning Panel subject to the conditions held at Attachment 2.
- b) The applicant be advised of the Sydney West Central Planning Panel's decision.

Ashleigh Matta
Senior Development Planner

Karl Okorn
Manager Development Assessment

Adan Davis
Group Manager Planning