

ADDENDUM REPORT
SYDNEY WEST CENTRAL PLANNING PANEL

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 No. 55 – Remediation of Land
Recommendation	Approval
Report by	Ashleigh Matta, Senior Development Planner, Cumberland Council
Meeting date	Electronic Determination (Date TBA)

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ATTACHMENTS

Attachment 1 – Proposed Conditions of Consent

Attachment 2 – Additional information

1. Executive Summary

- 1.1 The Application is referred back to the Sydney West Central Planning Panel for determination following the submission of additional information addressing issues relating to contamination.
- 1.2 The proposed development is considered satisfactory with regard to site contamination and 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.
- 1.3 It is recommended that the Panel approve the DA subject to the imposition of suitable conditions of consent, provided at **Attachment 1** to this Report.

2. Background

- 2.1 The application was originally referred to the Sydney West Central Planning Panel for determination on 16 February 2017. At the meeting the application was deferred as follows:

"The Panel unanimously determines that the application should be deferred to enable completion of the work recommended on Page 27 of the EIS Report dated 17 July 2015. Following this, that a report confirming the tests specified in Clause 7(41) of SEPP 55 are fully complied with is provided to the Panel."

- 2.2 The following additional information was submitted to Council on 20 March 2017:

- Stage 2 Environmental Site Assessment, Remedial Action Plan and Asbestos Management Plan, dated 14 March 2017, ref: E28497Krpt2 and prepared by Environmental Investigation Services.
- Hazardous Building Materials Assessment, dated 17 March 2017, ref: E27497Krpt-HAZ.rev1 and prepared by Environmental Investigation Services.
- Environmental Management Plan (EMP), dated 13 March 2017, ref: E28497K EMP and prepared by Environmental Investigation Services.

3. Planning Controls

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

A Stage 2 Environmental Site Assessment, Remedial Action Plan and Asbestos Management Plan, Hazardous Building Materials Assessment and a Environmental Management Plan (EMP) was submitted to Council on 20 March 2017. An assessment of the additional information is provided below:

Contamination: The additional information includes a detailed contamination assessment and Remedial Action Plan (RAP) which generally meets the NSW EPA requirements. The detailed investigation identified asbestos in 3 of the 40 sample location and provides a RAP for the site. The RAP recommends offsite disposal of soil for the excavated materials (for the footing etc.) as well as capping of the site. The report provides for ongoing management of the capped material through the submitted Environmental Management Plan (EMP).

Hazardous Materials Audit: The submitted Hazardous Materials Audit identified Asbestos containing materials however lead and lead dust were not identified. It is identified that all works associated with the handling and removal of Asbestos must be undertaken by a licenced contractor and that it must be undertaken in accordance with an Asbestos Management Plan. It is also noted that a clearance inspection must be undertaken at the completion of any removal works prior to the commencement of any other construction activities.

Following a review of the additional information, the site is considered suitable for the proposed use.

4. Internal Referrals

- 4.1 The additional information submitted to Council on 20 March 2017 was reviewed by Council's Team Leader of Environmental Health and found to be satisfactory subject to standard conditions.

5. Conclusion

- 5.1 From the review of the information provided, Council is satisfied that the Applicant has addressed the deferral items raised by the Sydney West Central Planning Panel at its meeting of 16 February 2017. The site is considered suitable for the proposed use as a hardware and building supplies store (Bunnings).

6. Recommendation

- 6.1 The following changes are made to the *'Proposed Conditions of Consent'* at **Attachment 1** to this Report:

- a. The deferred commencement conditions are deleted.
- b. Condition no. 2 is modified to include the following documents in the table of endorsed plans:
 - Stage 2 Environmental Site Assessment, Remedial Action Plan and Asbestos Management Plan, dated 14 March 2017, ref: E28497Krpt2 and prepared by Environmental Investigation Services.
 - Hazardous Building Materials Assessment, dated 17 March 2017, ref: E27497Krpt-HAZ.rev1 and prepared by Environmental Investigation Services.
 - Environmental Management Plan (EMP), dated 13 March 2017, ref: E28497K EMP and prepared by Environmental Investigation Services.
- c. Condition no. 106 is modified as follows:

106. Any new information which comes to light during remediation / demolition / construction works which has the potential to alter previous conclusions about site contamination, shall be notified to Council immediately.
- d. Additional condition no. 106A is included under 'During Construction / Demolition':

106A. Remediation and validation works shall be carried out in accordance with Stage 2 Environmental Site Assessment, Remedial Action Plan and Asbestos Management Plan, dated 14 March 2017, ref: E28497Krpt-HAZ and prepared by Environmental Investigation Services. The applicant shall inform Council in writing of any proposed variation to the remediation works which are to be approved by Council in writing.

- 6.2 The Development Application be approved by the Sydney West Central Planning Panel subject to the conditions held at Attachment 1.

6.3 The applicant be advised of the Sydney West Central Planning Panel's decision.



Ashleigh Matta

SENIOR DEVELOPMENT PLANNER



William Attard

SENIOR DEVELOPMENT PLANNER



Karl Okorn

MANAGER DEVELOPMENT ASSESSMENT