URBIS

STATEMENT OF ENVIRONMENTAL EFFECTS

MERCEDES BENZ, CROYDON

June 2017

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Project Code	SA6608
Report Number	SA6608_Statement of Environmental Effects_Final

TABLE OF CONTENTS

FIGURES:

TABLES:

1. INTRODUCTION

1.1. PURPOSE OF THIS REPORT

This Statement of Environmental Effects (SEE) accompanies a Development Application (DA) to Burwood Council (the Council) for the redevelopment of a 6348.8m^2 site at 178,194 and 204 Parramatta Road, Croydon (commonly referred to as 180 Parramatta Road). The application has been prepared on behalf of Star Auto Properties, the owners of the site. The proposed development comprises the construction of a Mercedes Benz Showroom Facility with ancillary vehicle maintenance and office uses.

A separate Development Application (DA) known as the 'Early Works DA' for demolition and site establishment works has been submitted concurrently with this subject DA. It is intended that the 'Early Works' DA will be assessed concurrently and approved ahead of the subject 'Main Works' DA.

This SEE describes the background of the proposal to date, the site and its context, the proposed development, assesses the proposal against the relevant planning instruments and policies and evaluates the proposal with references to the matters for consideration pursuant to Section 79C(1) of the *Environmental Planning and Assessment Act 1979*.

1.2. COST OF WORKS AND PLANNING FRAMEWORK

The 'cost of works' for the purpose of determining the DA fee for the proposed development is calculated in accordance with clause 255 (1) of the EP&A Regulation at $50,550,000 including GST. This is detailed in the Quantity Surveyors Cost Assessment prepared by Turner and Townsend Pty Ltd and submitted under separate cover.

The cost of works is more than $20 million and is identified under Section 91 of the EP&A Act as 'Integrated Development' with the NSW Department of Primary Industries. Therefore, the DA will be assessed by Burwood Council and determined by the Sydney Planning Panel subject to concurrence from the NSW Department of Primary Industries.

1.3. SUPPORTING DOCUMENTATION

The following technical and design documents have been prepared to accompany this DA and are provided as appendices to this SEE.

Table 1 – Supporting Documentation

Document	Consultant	Reference
Architectural Plans	Turner	**Appendix A**
Site Survey Plan	Linker Surveying	**Appendix B**
Landscape Plan & Public Domain Improvements Plan	Site Image Landscape Architects	**Appendix C**
Stormwater Drainage Concept	SCP Consulting	**Appendix D**
Geotechnical Report	Douglas Partners	**Appendix E**
Contamination Report	Douglas Partners	**Appendix F**
Transport, Traffic and Parking Impact Report and Management Plan	Parking and Traffic Consultants	**Appendix G**
Energy Efficiency Report	WSP	**Appendix H**
BCA and DDA Compliance Statement	Blackett, Maguire + Goldsmith	**Appendix I**

Document	Consultant	Reference
Fire Safety Report	Wood & Grieve Engineers	**Appendix J**
Waste Management Plan	Waste Audit	**Appendix K**
Construction Management Plan Guideline	AECOM	**Appendix L**
Acoustic Report	Wood & Grieve Engineers	**Appendix M**
Reflectivity Analysis Report	Wind Tech	**Appendix N**
Building Engineering Services Report	Wood & Grieve Engineers	**Appendix O**

1.4. REPORT STRUCTURE

This report provides the following:

- Section 2 – Description of the site and locality
- Section 3 – Provides a background to the proposal
- Section 4 – Provides a detailed description of the proposed development
- Section 5 – Provides an assessment of relevant matters under Section 79C of the EP&A Act 1979
- Section 6 – Provides a summary and conclusion.

2. SITE AND LOCALITY

2.1. THE SUBJECT SITE

The site is known as 178, 194 and 204 Parramatta Road, Croydon, and is located within the Burwood Local Government Area (LGA). The site is currently legally described by series of lots and deposited plans and is detailed in **Table 2**.

Table 2 – Site identification

Address	Legal Description
178 Parramatta Road	Lot 1, Deposited Plan 86033; Lot 100, Deposited Plan 850953; Lot 101, Deposited Plan 850953
194 Parramatta Road	Lot A, Deposited Plan 84812; Lot B, Deposited Plan 84812; Lot C, Deposited Plan 84812
204 Parramatta Road	Lot 1, Deposited Plan 86926

The existing irregular shaped site is approximately 6348.8m^2 in area. The site has a primary frontage to Parramatta Road to the north and a secondary frontage to Lucas Road to the west and has a maximum depth of around 81m extending from Paramatta Road to its rear southern boundary.

The site is shown outlined in 'blue' in the aerial image at **Figure 1**. A Site Survey Plan has been prepared by Linker Surveying and is submitted at **Appendix B**.

Figure 1 – Aerial Photograph

The site is currently occupied by a Nissan and Suzuki car dealership and it is understood that these uses have occupied the site for some time. Overtime, a series of Development Applications (DA's) have been approved on the site. The most recent application was approved in June 2006 (DA-316/2005) for alterations and extensions to the existing workshop, office and customer services areas and an extended awning to the rear. It is understood that that some or all of these works were not carried out.

Key characterises of the subject site include:

- The site falls approximately from the east to west along Parramatta Road, with a fall of approximately 3 metres.
- Development on the site is characterised by several built structures comprising showrooms, reception and office area, and a used car component.
- At grade parking occupies a large proportion of the site, and is in the form of external display vehicles, vehicle storage and customer and staff parking. At-grade car parking is also currently located on the adjoining site at 1-1A Cheltenham Road.
- Vehicular access to the site is currently available from Parramatta Road and Lucas Road.
- The site is generally clear of vegetation and trees. Limited trees are located in the public domain along Lucas Road and some trees are scattered along the southern site boundary.
- A Sydney Water sewer main traverses through the site on an east- west alignment and Ausgrid infrastructure is located within the confines of the site along Lucas Road.

Figure 2 – Photographs of the subject site

Picture 1 – The subject site, from opposite side of Parramatta Road

Picture 2 – The subject site, from Lucas Road

Picture 3 – Vehicular access to the site, from Lucas Road

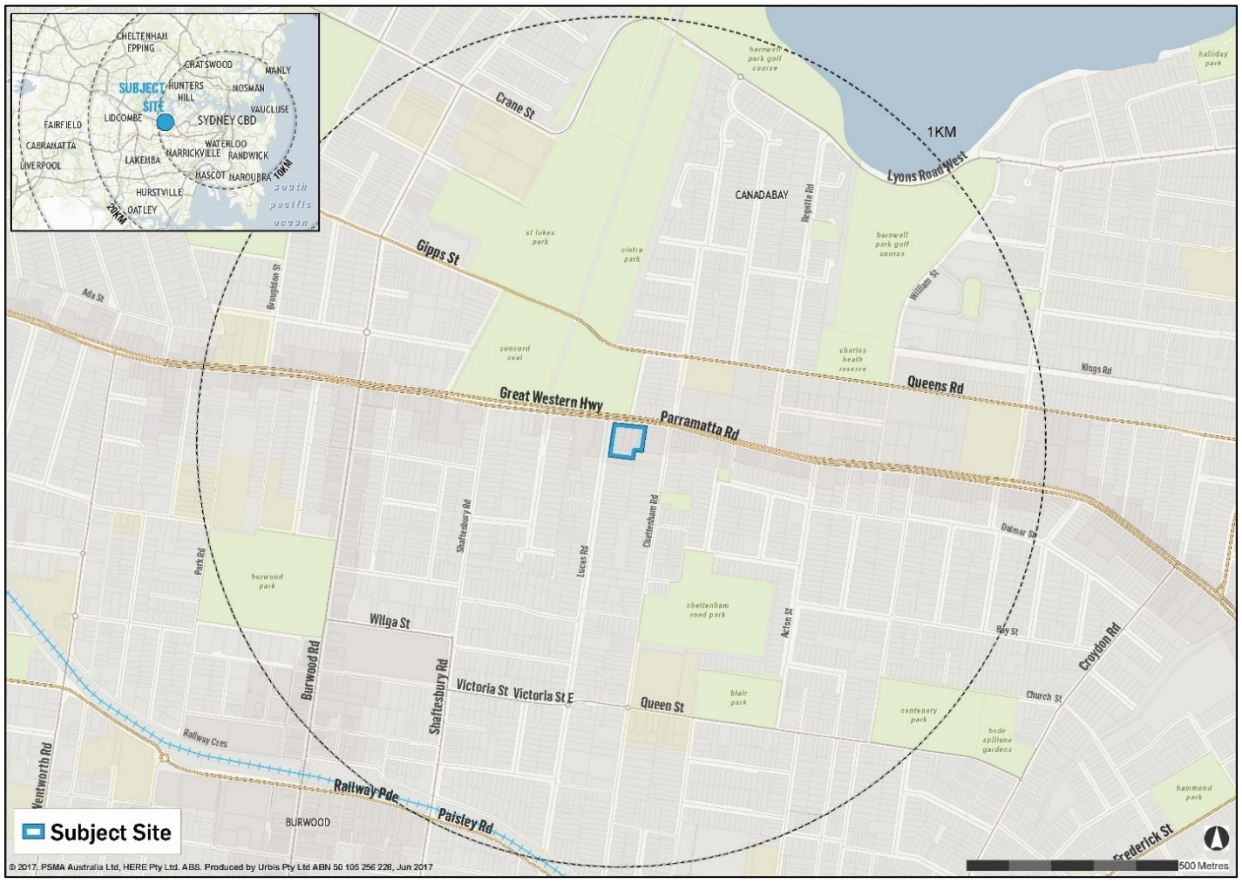
Picture 4 – Parramatta Road streetscape view

2.2. SITE LOCATION

The site is located approximately 10km west of the Sydney CBD.

It is located within the Burwood Enterprise corridor, stretching along Parramatta Road. Development along the corridor is characterised by commercial and light industrial developments on large scale lots. The north and south of the corridor is characterised by predominately residential land uses, with a green network connecting to the Parramatta River. The location of the site in a regional context is indicated at **Figure 3.**

Figure 3 – Site Location



2.3. SURROUNDING DEVELOPMENT

Development within the immediate vicinity of the site comprises:

- **North:** Directly north of the site on the opposite side of Parramatta Road is a car hire and sales centre. This is comprised of a 2-storey building surrounded by at-grade vehicular parking. Adjacent to this to the west is a commercial complex including a chemist, Officeworks, fast food premises, service station and at grade parking. Further north comprises mid-low density residential dwellings. Concord Oval, St Luke's Park and other associated recreational facilities are located to the north west.
- **East:** Immediately east of the site on the adjacent lot is a Salvation Army store, a warehouse commercial building which wraps around the Cheltenham Road corner. The remaining portion of the site which shares a common building is occupied by a single storey residence, currently vacant and utilised by the Nissan dealership for overflow parking.
- **South:** To the immediate south of the site is a group of townhouses that share the common lot boundary. Primary access is from Lucas Road, and the townhouses are oriented to the west. An area of vegetation boarders the site boundary. Further south of the site is low-density residences. Wangal Park is an area of large open space located to the south-east of the subject site.
- **West:** Across Lucas Road to the west is a construction tools hire warehouse facility, with a 2-storey warehouse and at grade parking and storage area.

Photos of the subject site and surrounds are included at **Figure 4**.

Figure 4 – Surrounding development

Picture 5 – Salvation Army building to the east of the site, from Parramatta Road

Picture 6 – Salvation Army building to the east of the site, from Cheltenham Road

Picture 7 – Low density residences to the south of the site, from Cheltenham Road

Picture 8 – Commercial land use to the west of the site, from Parramatta Road

Picture 9 – Kennards hire warehouse facility to the west of the site, from Lucas Road

Picture 10 – Vehicular access to the site, from Lucas Road

2.4. PUBLIC TRANSPORT AND SURROUNDING ROAD NETWORK

The subject site fronts Parramatta Road to the north and Lucas Road to the west. According to the RMS Schedule of Classified Roads, Parramatta Road is a state road (RMS managed) and provides convenient access to Sydney's Western Suburbs and Inner City Suburbs. Lucas Road is identified as a local road. Access to Burwood, being the most proximate major centre, is most readily achieved via the local road network serving the site.

Public transport options within easy access of the subject site include:

- Local and regional bus routes operate throughout the area within many within 800m of the site along Parramatta Road, Queen Road and Queens Street.
  - Route 493, 460 & L39 – located along Queens Road, north of Paramatta Road.
  - Route 407, 415 & 461 – located along Paramatta Road on the opposite side of the subject site.
  - Route 490 & 492 – located along Queens Street, south of the subject site.
- Trains at Croydon Railway Station on the Inner West and South Line are located 2.4km from the site and provide regular and frequent service to the Sydney CBD and Parramatta.
- Pedestrian and cycleway networks are also located within the immediate locality providing connections to key surrounding land uses.

3. BACKGROUND TO THE PROPOSAL

3.1. PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY

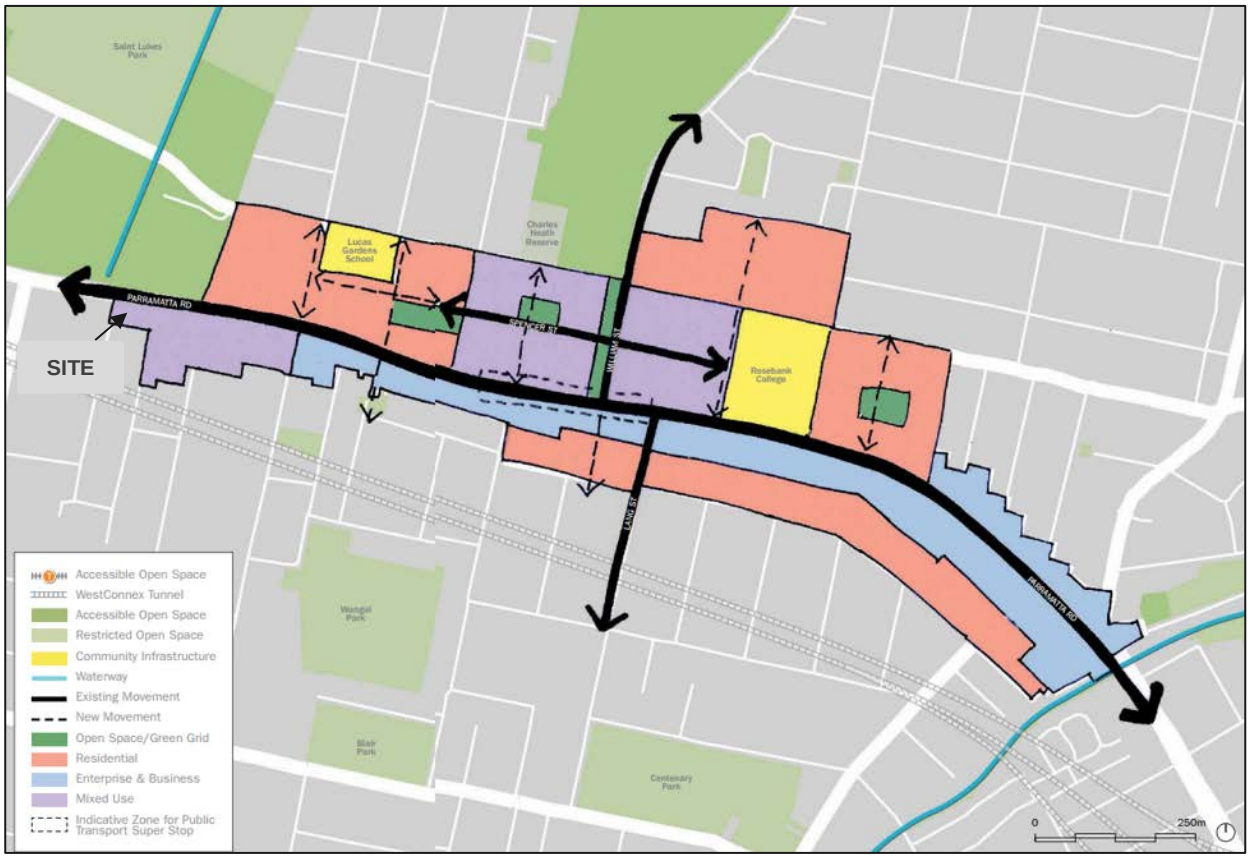
The Parramatta Road Urban Transformation Strategy was released by Urban Growth NSW in November 2016, and sets out the vision, land use and transport principles to stimulate growth and change in the Corridor over the next 30 years. The Corridor is a priority area for the long-term growth and improvement of Sydney.

The strategy aims to transform The Corridor into a high-quality, multi-use corridor with improved transport, better amenity and balanced growth of housing and jobs. The division of the Corridor into 8 key precincts allows the strategy to focus on the key constraints and opportunities of each area to better manage growth and development. The site falls within the Kings Bay Precinct, and is identified under the strategy to be rezoned to B4 Mixed Use with increase building height and FSR development standards of 21m and 1.8:1 respectively (refer **Figure 5**).

The Implementation Plan 2016-2032 dictates the execution of the plan over a series of stages. The action areas of the Kings Bay Precinct are concentrated to the north of Parramatta Road, with development in the precinct contributing to community facilities, increasing employment generating land uses and implementing a rapid bus solution along Parramatta Road.

It is noted implementation of the strategy to the south of the Kings Bay precinct, incorporating the subject site, will occur in later stages after 2032.

Figure 5 – Kings Bay Precinct Area



3.2. PRE-DA CONSULTATION

3.2.1. Permissibility of Adjoining Site – 1-1A Cheltenham Road

The project team met with the Manager of Strategic Planning and Manager of Development Assessment of Burwood Council on Friday 17 March 2017. The purpose of the meeting was to discuss the permissibility of 1-1A Cheltenham Road which is subject to an R3 Medium Density Zone, a different zone to the remainder of the site. The outcome of the meeting was that despite being currently used for ancillary purposes to the car dealership operation, use of the site for the purposes of a car showroom is prohibited in the R3 zone. The case for Existing Use Rights is not clear and would need to examined closely if pursued.

Having regard to this advice, it is the Applicant's intention in the near future to submit a Planning Proposal to Burwood Council to rezone 1-1A Cheltenham Road from R3 Medium Density Residential to B6 Enterprise Corridor. It is intended that 1-1A Cheltenham Road would be used as a secondary vehicular access point and vehicular storage. However, the details are subject to further design development and will be submitted as part of a separate application to Burwood Council following rezoning.

3.2.2. Subject Development Application

A subsequent informal pre-DA meeting was held with Burwood Council on 31 May 2017 to discuss detailed matters pertaining to the proposed development prior to lodgement. The feedback received from this meeting has been considered in the design development of the proposal and issues raised have been addressed in the application, as deemed necessary and relevant.

4. PROPOSED DEVELOPMENT

4.1. OVERVIEW

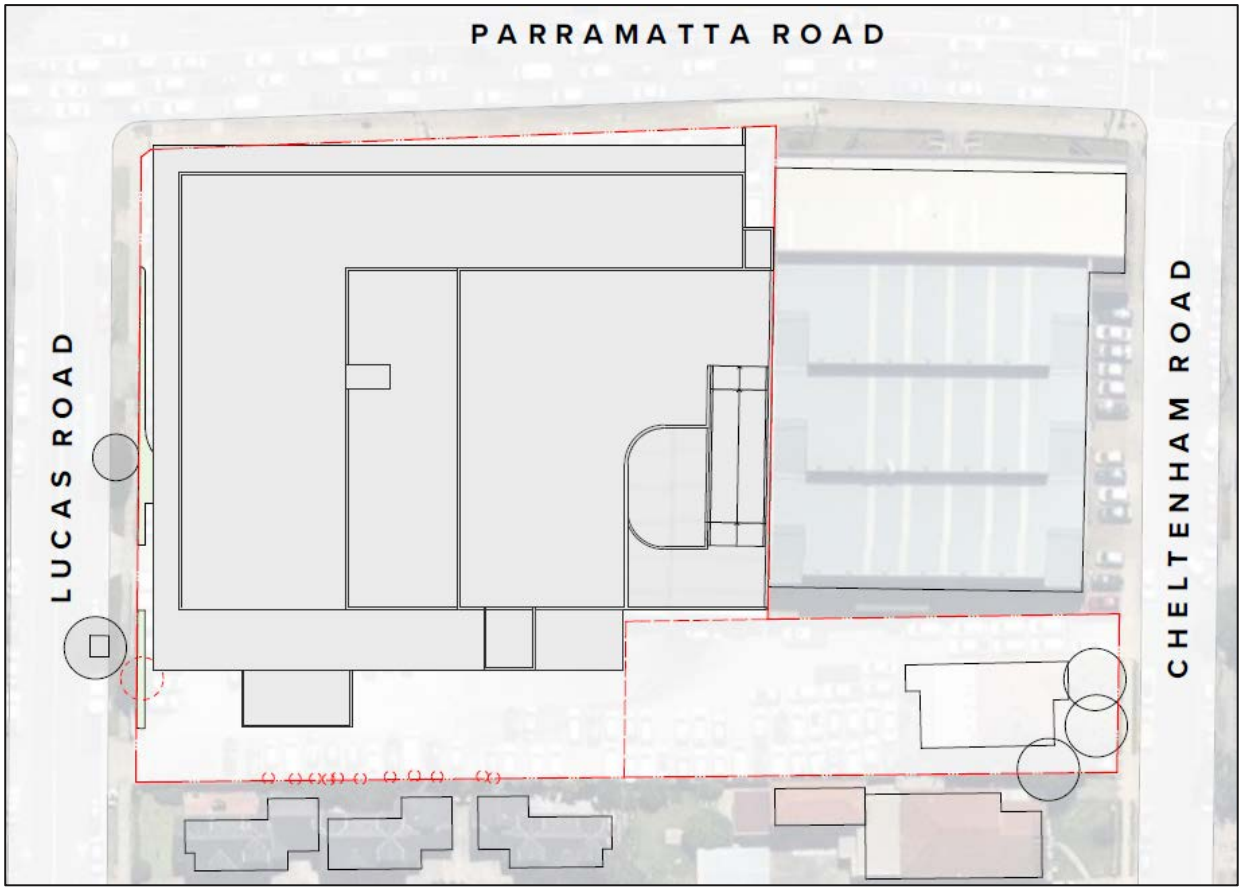
This Development Application seeks approval for the following works:

- Construction of a four storey (reaching a maximum height of 16.5m) car showroom facility comprising ancillary workshop and office uses.
- Vehicular access from three cross overs along Lucas Road and on-site car parking for 260 vehicles including 160- maintenance vehicles, 25- customer spaces and 75- staff spaces.
- Removal of 12 existing trees along the southern boundary of the site and new landscaping throughout the site including along the Parramatta Road and Lucas Road street frontages.
- Installation of four (4) business identification signs and four (4) wayfinding signs.

A separate Development Application known as the 'Early Works DA' has been submitted concurrently with this DA and seeks consent for demolition and site preparation works (including piling only, excavation forms part of the subject DA).

The extent of the proposed works sought is illustrated in the Architectural Plans submitted at **Appendix A**. Further details of the proposed development are described in the following sections of this report.

Figure 6 – Site Plan



4.2. NUMERICAL OVERVIEW

The key numerical details of the proposal are outlined in **Table 3**.

Table 3 – Key numerical details

Development Element	Proposed
Site Area	6348.8m^2
Building Use (GFA)	Showroom – 6,128m^2 Vehicle maintenance – 4,424m^2 (comprising 36 work bays with hoists).
Car Parking	Vehicle maintenance – 160 spaces Showroom (customer) – 25 spaces Staff – 75 spaces **Total** – 260 spaces *(including 28 stock storage spaces)*
Bicycle Parking	Staff – 25 spaces Visitors – 5 spaces
Total GFA	10,552m^2
Total FSR	1.66:1
Maximum Height (m/storeys)	16.5m/ 4 storeys
Operating Hours	Showroom Monday – Wednesday, Friday- Sunday: 7am-7pm Thursday: 7am-9pm Vehicle Maintenance Area (Work Bays) Monday – Friday – 7am – 7pm Saturday & Sunday – Closed.

4.3. BUILT FORM

The proposed built form is characterised as a predominately 4-storey building envelope. More specifically, the proposal comprises two levels of basement associated with the vehicle maintenance component of the development, three levels of commercial showroom area including ancillary office space and car parking, a level 3 car park and an open rooftop car park.

At ground floor level the proposal generally presents as a 2/3 storey built form along Parramatta Road having regard to the slope of the site and 3 storeys along Lucas Road and to the southern rear boundary.

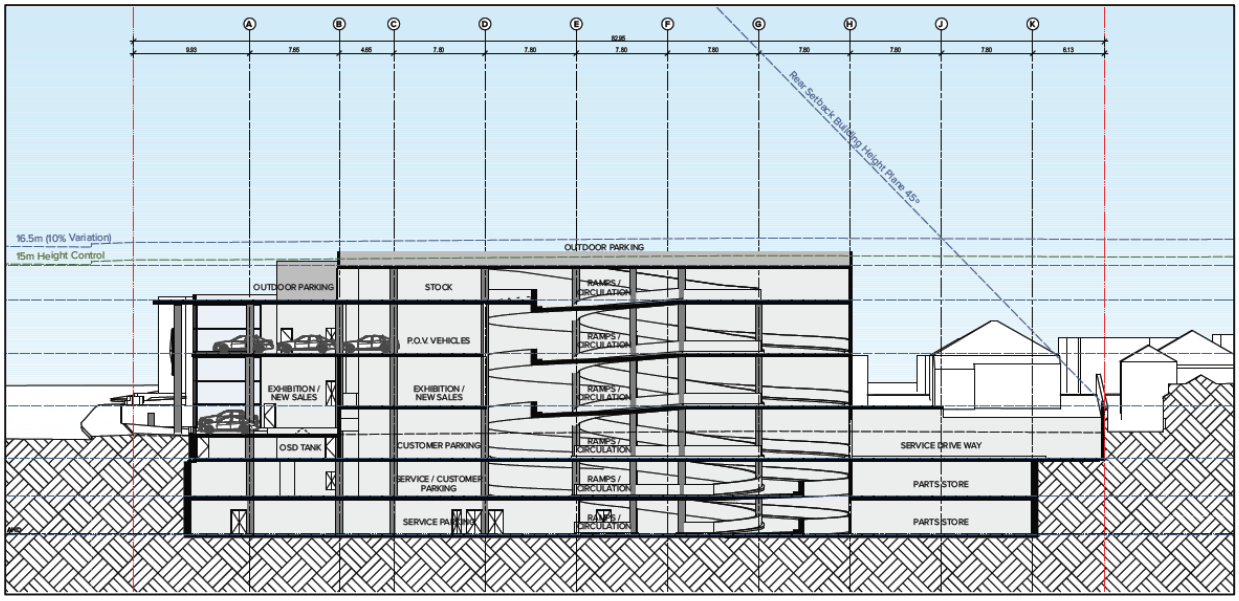
The level 3 car park and roof top car parking structure above is setback as follows from the relevant site boundaries and is concentrated in the centre of the site toward the eastern boundary (refer Section Diagram at **Figure 7**):

- Parramatta Road – 18.2 metres;
- Lucas Road – 27 metres; and
- Southern (rear) boundary – 22 metres.

The proposal includes a series of ground level setbacks provided in accordance with the provisions of the Burwood DCP 2012, including:

- 5 metres to the Parramatta Road street frontage;
- 3 metres to the Lucas Road street frontage;
- Immediately abuts the eastern side boundary to the adjoining development at 176 Parramatta Road; and
- Setback on a 45-degree height plane commencing at 1.8m to the southern rear boundary.

Figure 7 – North/ South Section Drawing



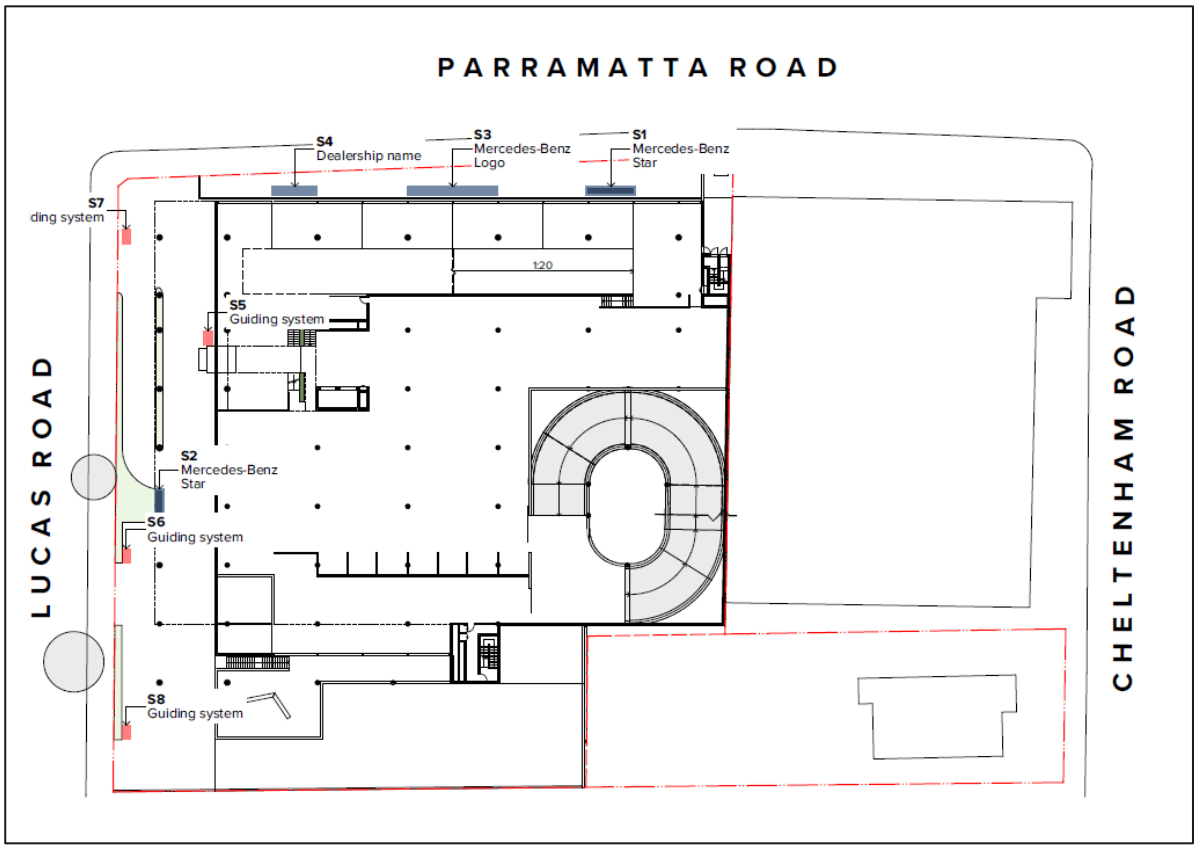
4.4. SIGNAGE

This development application also seeks consent for the installation of four (4) individual business identification signs and four (4) wayfinding signs. The proposed signs are to be located across the southern and western elevations of the building fronting Parramatta Road and Lucas Road and within the facility to identify the Mercedes Benz brand, including:

- Sign 1 – Mercedes Benz Star affixed to the southern elevation of the façade fronting Parramatta Road – 10.9m in height and 6m in width.
- Sign 2 – Mercedes Benz Star affixed to the western elevation of the façade fronting Lucas Road – 8.7m in height and 4.15m in width.
- Sign 3 – Mercedes Benz logo name “Mercedes Benz” affixed to the western elevation glazing fronting Parramatta Road – 1.2m in height and 11m in width.
- Sign 4 – The Dealership name “Croydon” affixed to the western elevation glazing fronting Parramatta Road – 1.55m in height and 6m in width.
- Sign 5 – Wayfinding sign located at the building entry along Lucas Road – 2m in height and 1.2m in width.
- Sign 6 – Wayfinding sign located at the main customer driveway along Lucas Road – 2m in height and 1.2m in width.
- Sign 7 – Wayfinding sign located at the northernmost vehicular driveway along Lucas Road – 2.10m in height and 1.20m in width.
- Sign 8 – Wayfinding sign located at the southernmost service vehicle driveway along Lucas Road – 2.10m in height and 1.20m in width.

The locations of the proposed signs are illustrated in **Figure 8**. All signs are proposed to be illuminated from dusk until 1am.

Figure 8 – Signage Plan



4.5. PUBLIC DOMAIN AND LANDSCAPING

A Landscaping Strategy has been prepared by Site Image and is submitted at **Appendix C**.

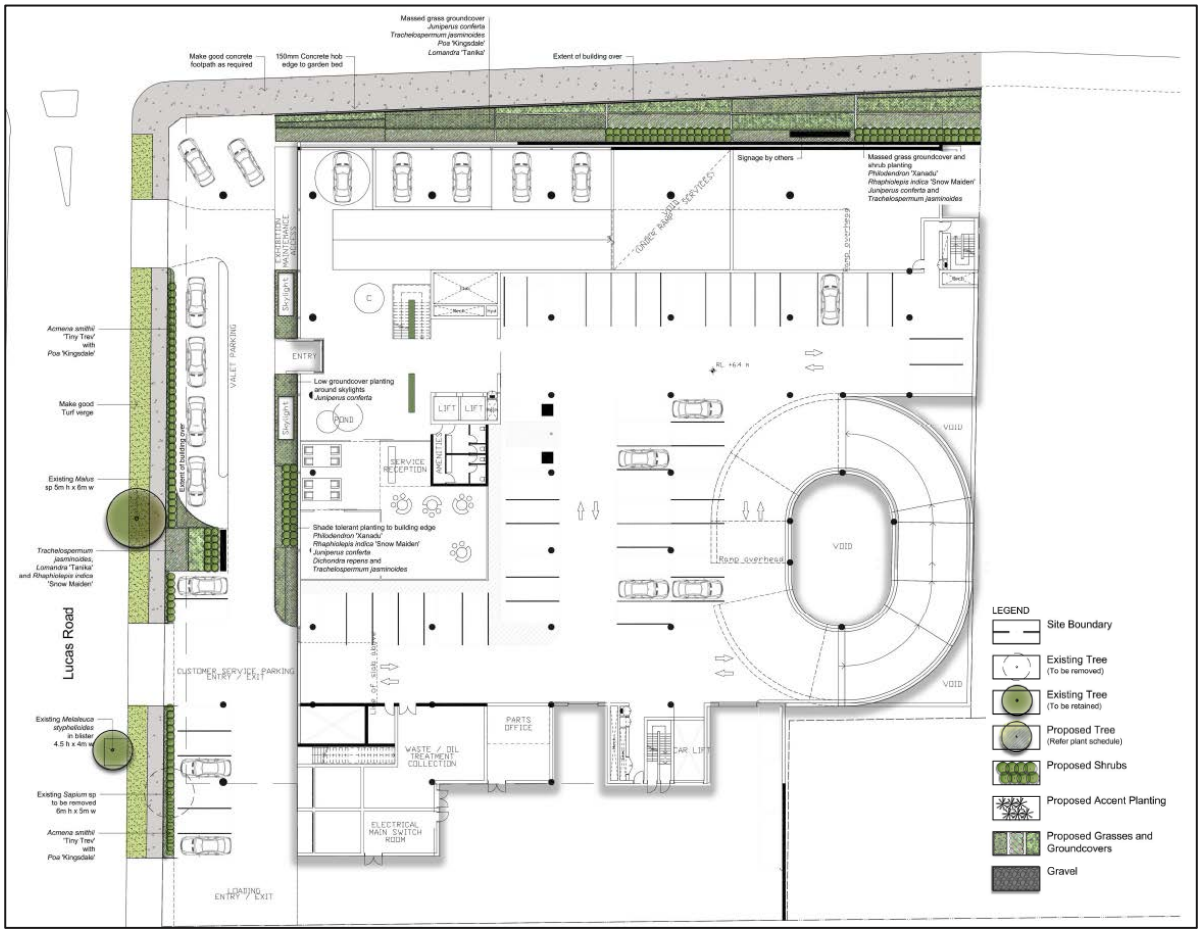
The proposed Landscaping Strategy supports the new development by creating a relationship with the proposed development and the street front through shrubbery planting along the ground floor public domain and terraces.

The design includes the following key landscape elements:

- Low planting along the Parramatta Road frontage to maintain visual sightlines to car display area and signage;
- Public domain treatment along Lucas Road including low shrubbery and grasses;
- A green wall to the western portion of the ground floor screening lift services from main pedestrian entry;
- Landscaped breakout area including bamboo plantings and staff seating on the Basement level with skylight above to allow for natural light penetration;
- Raised planter bed with a mixture of native and exotic grasses and shrubs on Levels 1 and 2 terraces.

The vegetation proposed includes small shrubbery and grasses and groundcovers, as they are low maintenance plants and will create building articulation to reduce the scale of the built form. An indication of the proposed landscaping design is provided below in **Figure 9** and further detail is provided in the attached Landscape Plans.

Figure 9 – Indicative Landscape Concept



4.6. FAÇADE DESIGN AND MATERIALS

The proposed façade design and material selection is detailed in the Architectural Plans submitted at Appendix A.

The Mercedes Benz Showroom is characterised by clear glazing with exterior aluminium fixed cladding in black, white and anthracite. A silver steel screen will clad the carpark entrance on Lucas Road. An excerpt from the Architectural Design Report describes the materials and finishes schedule as follows:

> *The major element presented to the street is the curtain wall divided into a horizontal rectangular grid system. The distinctive roof cantilevers over the entry area and provides shading to the north and western façade. Signage is integrated into the façade, clearly identifying the building without being overly dominant in the street context.*

Figure 10 illustrates a perspective of the proposal from the corner of Parramatta Road and Lucas Road.

Figure 10 – Perspective – Corner of Parramatta Road and Lucas Road

4.7. ACCESS AND PARKING

A Transport, Traffic and Parking Impact Report has been prepared in relation to the proposed development and is provided at **Appendix G**. The report includes details of the pedestrian and vehicular access onto the property.

4.7.1. Vehicular and Loading Access

Vehicular access to the site is provided from three cross overs along Lucas Road.

The cross over closest to the Parramatta Road/ Lucas Road intersection will be used to access the valet parking area and for staff to access/ manoeuvre vehicles around the site. A second vehicle access point is located further south and will be the main customer and service parking driveway. A third is proposed toward the southern boundary and will be confined to loading and service vehicles to access the outdoor loading area adjacent.

Appropriate wayfinding signage will be erected along the Lucas Road frontage to clearly identify the different vehicle entry/ exit points. These signs form part of the proposed development and is discussed in **Section 4.4** of this report.

4.7.2. Pedestrian Access

Pedestrian access to the site is provided at several locations along the Lucas Road frontage. It is however

A dedicated entry/ lobby area is proposed along Lucas Road and will provide customers with a greeting area prior to accessing the showroom display.

4.7.3. Car Parking

The proposal accommodates a total of 260 spaces comprising 160 vehicle maintenance spaces, 25 visitor spaces and 75 staff spaces.

Of the total spaces, up to 28 spaces will be used for stock storage. Any other vehicle stock required by the facility will be fully catered for by the Applicant in an offsite storage facility and transported to the site as required.

The proposed spaces are generally distributed throughout all levels within the building. Vehicle maintenance storage car parking is generally co- located within the vehicle maintenance area at basement level and basement mezzanine level and the upper levels of the building. Customer parking is conveniently located at ground floor level.

A dedicated loading area is proposed in the southern portion of the site. The loading area will be used for the delivery of cars, parts and refuse collection and will be used by vehicles up to a Medium Rigid Vehicle with a custom trailer (3 car carrier).

30 bicycle spaces are provided within the development including 25 staff spaces and 5 visitor spaces. The bicycle parking spaces are provided in accordance with the relevant Australian Standards and Cycling Aspects of Austroads Guides.

4.8. WASTE MANAGEMENT

A Waste Management Plan has been prepared by Waste Audit for the operational stages of the Mercedes Benz Showroom development. The Waste Management Plan is submitted at **Appendix K**, and proposes the following waste management strategy:

- The total estimated waste generation for the development is 44,612L/ week.
- Based on the waste estimates, a 34sqm waste and recycling storage area is required on the ground floor of the development to respond to waste generated by the offices, showroom, ancillary spaces and vehicle maintenance area.
- Appropriate signage and colour coding to Australian Standards will be utilised to ensure safe and efficient storage of waste. Ongoing management and compliance by staff and cleaners will ensure the effective operation of the Waste Management Plan.

A separate Waste Management Plan has been prepared for the demolition phase and is submitted with the ‘Early Works DA’.

5. SECTION 79C(1) ASSESSMENT

The following assessment has been structured in accordance with Section 79C(1) of the *Environmental Planning & Assessment Act 1979* (EP&A Act). Under the Act, the consent authority is required to consider the relevant provisions of any environmental planning instrument, draft instrument or development control plan in the assessment of a DA.

The following legislation is considered relevant to the proposed development:

- *Environmental Planning and Assessment Act 1979* (EP&A Act);
- Relevant State Environmental Planning Policies (SEPPs);
- *Water Management Act 2000*
- *Burwood Local Environmental Plan 2012* (BLEP 2012);
- Burwood Development Control Plan 2012 (SDCP 2012).

5.1. WATER MANAGEMENT ACT 2000

A Geotechnical Report has been prepared by Douglas Partners and is submitted at **Appendix E**.

The Geotechnical Report identifies that groundwater was encountered at varying depths within the bedrock profile across the site in the standpipe monitoring wells, which suggests the presence of temporary 'perched' groundwater tables, rather than a regional groundwater table. Based on the depths at which groundwater was measured and the site elevation, it is considered likely that there will be some groundwater seepage into the excavation along the soil/rock interface and through defects in the rock mass.

Based on the results of the in-situ permeability tests, however, seepage volumes would be expected to be relatively low and should be readily handled using normal 'sump-and-pump' methods for seepage removal.

Therefore, in accordance with Clause 91 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the proposed development is integrated development under the *Water Management Act 2000* and may require a 'controlled activity approval'.

Based on the above, it is considered that the proposed development will be referred to the Department of Primary Industries – Water for concurrence and their 'standard terms of approval' will form part of the development consent, if they deem it necessary based on the findings contained in the Geotechnical Report.

5.2. STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP 2007) was gazetted on 21 December 2007. The aim of the SEPP is to facilitate the effective delivery of infrastructure across the State by identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, such as classified roads, and providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing.

Clause 101 Development with frontage to a classified road is applicable as the site contains a frontage to Parramatta Road, which is identified by the RMS as a classified road. The proposed development seeks to remove the existing cross over along Parramatta Road, with all vehicular access via Lucas Road, a local road. It is understood that this proposal will be referred to the RMS for comment. Any advice received from RMS during the assessment of the DA will be considered by the Applicant.

Clause 104 Traffic generating development is applicable as the proposed development has the capacity for 200 or more vehicles. A Parking and Traffic Report has been prepared by Parking and Traffic Consultants (see **Appendix G**) and identifies that the proposal results in a net increase of 53 daily trips. The analysis of development associated traffic activity confirms that this can be accommodated within the existing road network and Lucas Road will remain within a Level of Service (LoS) A category with the introduction of the proposed trips.

5.3. STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55) provides a state-wide planning approach for the remediation of land and aims to promote the remediation of contaminated land to reduce the risk of harm to human health or the environment. Clause 7(1) requires the consent authority to consider whether land is contaminated prior to the consent of a development application.

A preliminary site investigation conducted by Douglas & Partners has been prepared and is submitted at **Appendix F**. The report documents the results of sampling and observations of the groundwater and subsurface levels and concludes that the subject to the implementation of a series of recommendations, it is considered the site can be made suitable for the proposed car showroom development.

In summary, Douglas Partners recommends the following be undertaken prior to demolition and construction:

- The well network be resampled after an extended period of recharge (approx. 3 months) to provide further information on groundwater management and disposal options during project development.
- Confirmation of the requirements for groundwater disposal from Council (or other relevant authorities) is sought.
- A HAZMAT survey of existing buildings is completed prior to demolition (note: demolition forms part of the 'Early Works DA' and any relevant consent conditions should be imposed on that consent).
- A construction site management plan and protocols, including a management process to minimise the potential for exposure to odours by site workers and at adjacent sites is prepared.
- Waste classification of the soils (including testing) to confirm classification prior to off-site disposal of materials in accordance with the NSW EPA *Waste Classification Guidelines 2014*.
- An unexpected finds protocol is prepared and implemented during site works (e.g. to address any odorous identified during works, asbestos etc.).

5.4. STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

State Environmental Planning Policy No. 64 (SEPP 64) aims to ensure that advertising and signage is compatible with the desired amenity and visual character of an area and provides effective communication in suitable locations and is of high quality design and finish. It does not regulate the content of signs and advertisements.

An assessment of the proposed signage against Schedule 1 of the SEPP is included at **Table 4.**

Table 4 – SEPP 64 Assessment

Provision	Comment	Compliance
1. Character of the Area		
Is the proposal compatible with the character of the area or locality in which it is proposed to be located?	The proposal is compatible with the level of signage currently located on the site as well as the surrounding area which comprises several commercial developments along the Parramatta Road Enterprise Corridor.	Yes

Provision	Comment	Compliance
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed external signage is consistent or to a lesser extent to the type of signage currently located on the site associated with the Nissan and Suzuki Dealership. The proposed signage is consistent with the level of type of advertising associated with car showroom developments, which is evident by the signage located on the other dealerships along Paramatta Road in the immediate vicinity of the site.	Yes
2. Special Areas		
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 landscape or residential areas?	The proposed signage is confined to the external façade of the proposed building, and does not detract from any environmentally sensitive areas, including the medium density residential area to the rear of the site along Lucas Road. None of the signs are proposed to front he southern elevation of the site. The site is not a heritage item nor is it located in a heritage conservation area. The site is also not identified as a natural area, open space area, waterway, or rural landscape and therefore has no effect on any special areas.	Yes
3. Views and Vistas		
Does the proposal obscure or compromise important views?	The proposed signage has been designed to integrate with the proposed building and as a result, does not obscure or compromise any important views from surrounding properties.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage does not protrude above or beyond the proposed building and as a result does not dominate the skyline or reduce the quality of vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposed signage is confined to the existing site boundaries, is minimalistic in design and presentation and as a result does not impact the viewing rights of other advertisers.	Yes

Provision	Comment	Compliance
4. Streetscape, Setting or Landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed scale, proportion and form of the proposed signage has been generally designed to match existing signage located on the site and is appropriate for the surrounding streetscape.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The size and scale of the proposed signage is consistent with existing signage located on the site, and has been designed to ensure it is of a high design quality that is well integrated with the existing built form and context whilst providing visual interest to the public domain.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage has been limited to a total of four (4) business identifications signs and four (4) wayfinding signs that are generally located at ground floor level. The proposal reduces clutter by locating the proposed external signage in appropriate locations that are spread throughout the site along the Parramatta Road and Lucas Road frontages and avoids locating signs in consolidated areas that result in visual clutter.	Yes
Does the proposal screen unsightliness?	The proposed signage will aid in providing visual interest through an architecturally designed building. The signage has been well integrated within the proposed built form.	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage will be located on the external facade of the proposed building. The signage sits within the proposed envelope, and does not protrude above the proposed building at any point.	Yes
Does the proposal require ongoing vegetation management?	The proposal does not require any ongoing vegetation management.	Yes
5. Site and Building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed building has been designed simultaneously with the proposed signage to ensure consistency in scale, proportion and design across the site.	Yes
Does the proposal respect important features of the site or building, or both?	The proposal respects important features of the existing buildings by locating signage in appropriate locations.	Yes

Provision	Comment	Compliance
	The proposed signage has been designed and located in a way which respects the adjacent residential area by ensuring no signs front the southern rear interface.	
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage relates to the proposed use of the site as a Mercedes Benz car showroom. The proposed signage will replace and update the existing signage located on the site with a more modern and aesthetic design that responds to the proposed redevelopment of the site.	Yes
6. Associated Devices and Logos with Advertisements and Advertising Structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No safety devices, platforms or lighting devices are proposed as part of the proposal. The Mercedes Benz logo is present on two (2) signs affixed to the Parramatta Road and Lucas Road frontages as a way of identifying the building and business to which the site relates.	Yes
7. Illumination		
Would illumination result in unacceptable glare?	All eight (8) signs located along the Parramatta Road and Lucas Road elevations are proposed to contain illumination. The proposed external signage will be designed in accordance with the relevant Australian Standards (AS 4282-1997 Control of the obtrusive effects of outdoor lighting). None of the signs are proposed to front the residential area adjoining the site to the south, resulting in negligible unacceptable glare.	Yes
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed illumination of the external signage will not have an adverse impact on the safety for pedestrians, vehicles or aircraft as the illumination of the sign will be diffused and partially concealed by the signage itself.	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed illumination will not detract from the amenity of any other residence or other form of accommodation, including the residential area adjoining the site to the south.	Yes

Provision	Comment	Compliance
	None of the signs are proposed to front the residential area. .	
Can the intensity of the illumination be adjusted, if necessary?	A control panel will allow lighting levels and illumination to be adjusted, if necessary.	Yes
Is the illumination subject to a curfew?	All eight (8) signs are proposed to be illuminated from dusk until 1am.	Yes
8. Safety		
Would the proposal reduce the safety for any public road?	The proposed signage has been well integrated into the design of the buildings, and will not reduce the safety for any public road. Signage has been specifically located to aid decision making and wayfinding by drivers of motor vehicles in a safe and appropriate manner. The level of safety for public roads has been a key consideration of this application.	Yes
Would the proposal reduce the safety for pedestrians or bicyclists?	The signage will not have any effect on the level of safety for pedestrians or bicyclists, as this signage is contained wholly within the site and generally erected on the building façade. Wayfinding signage will improve the safety for pedestrians and bicyclist, by identifying the building's entry points.	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not inhibit the level of safety for pedestrians and children, and will not obscure sightlines from public areas. The proposed signage will continue to allow clear paths of travel for pedestrians and maintain existing sightlines from public areas	Yes

5.5. BURWOOD LOCAL ENVIRONMENTAL PLAN 2012 (BLEP 2012)

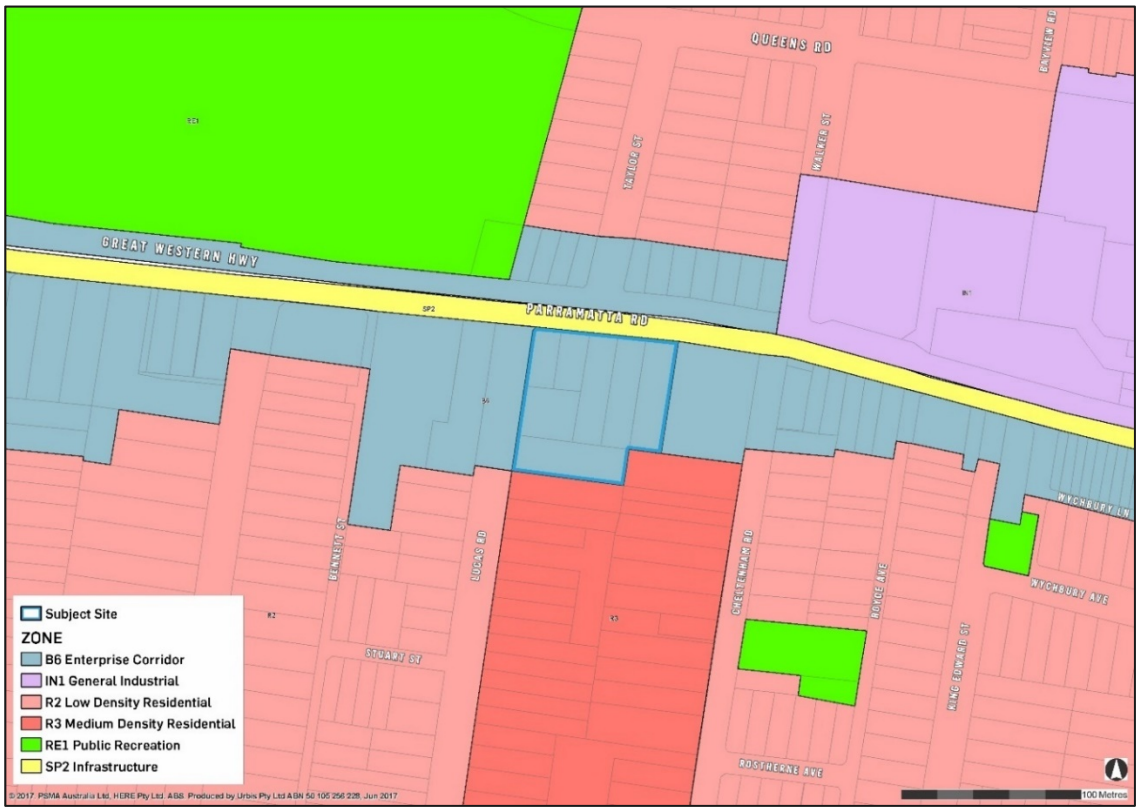
The Burwood Local Environmental Plan 2012 (BLEP 2012) is the key environmental planning instrument applying to the site. An assessment against the key compliance considerations of the BLEP 2012 is provided in the following sections.

5.5.1. Zoning and Permissibility

The site is zoned B6 Enterprise Corridor under the 2012 LEP (see **Figure 11**). The relevant objectives of the B6 Zone are:

- *To promote businesses along main roads and to encourage a mix of compatible uses*
- *To provide a range of employment uses (including business, office, retail and light industrial uses)*
- *To maintain the economic strength of centres by limiting retailing activity.*
- *To provide for residential uses, but only as part of a mixed-use development.*

Figure 11 – Burwood LEP 2012 Zoning Map



The proposed land use is defined as a '*vehicle sales and hire premises'*, *'vehicle body repair workshop', 'vehicle repair station'* and *'office premises'*. All land uses are permissible with development consent as innominate uses. The proposed development is consistent with the B6 zone objectives for the following reasons:

- The proposed use includes a range of components, including offices, car display areas, sales of spare parts and vehicle maintenance areas. This use reflects a continuation of the existing use onsite, and is considered acceptable in the mixed-use context of the area.
- The showroom and vehicle maintenance components will provide several employment opportunities (expected up to 80-100 staff), which will continue to strengthen the business enterprise corridor.
- The site is in a highly accessible location in close proximity to public transport. Seven (7) bus routes run along Parramatta Road and the site is located approximately 1.9km from Burwood station on the T1 and T2 lines.
- Redevelopment of the site will contribute to the overall renewal of the Parramatta Road Corridor, in line with the urban renewal vision led by Urban Growth NSW.

5.5.2. Building Height

Clause 4.3 of the Sydney LEP 2012 states that the height of a building on any land is not to exceed the maximum shown in the Height of Buildings Map. The maximum height of buildings permitted on the site is 15m (see **Figure 12**).

The maximum height of the proposed building is 16.5m. Notwithstanding, the majority of the proposed building is within the 15m height control, with only a portion in the centre of the building projecting 1.5m beyond the height plane.

A Clause 4.6 request to vary the height of buildings standard has been prepared for the additional 1.5m building height and is included at **Section 5.5.6**.

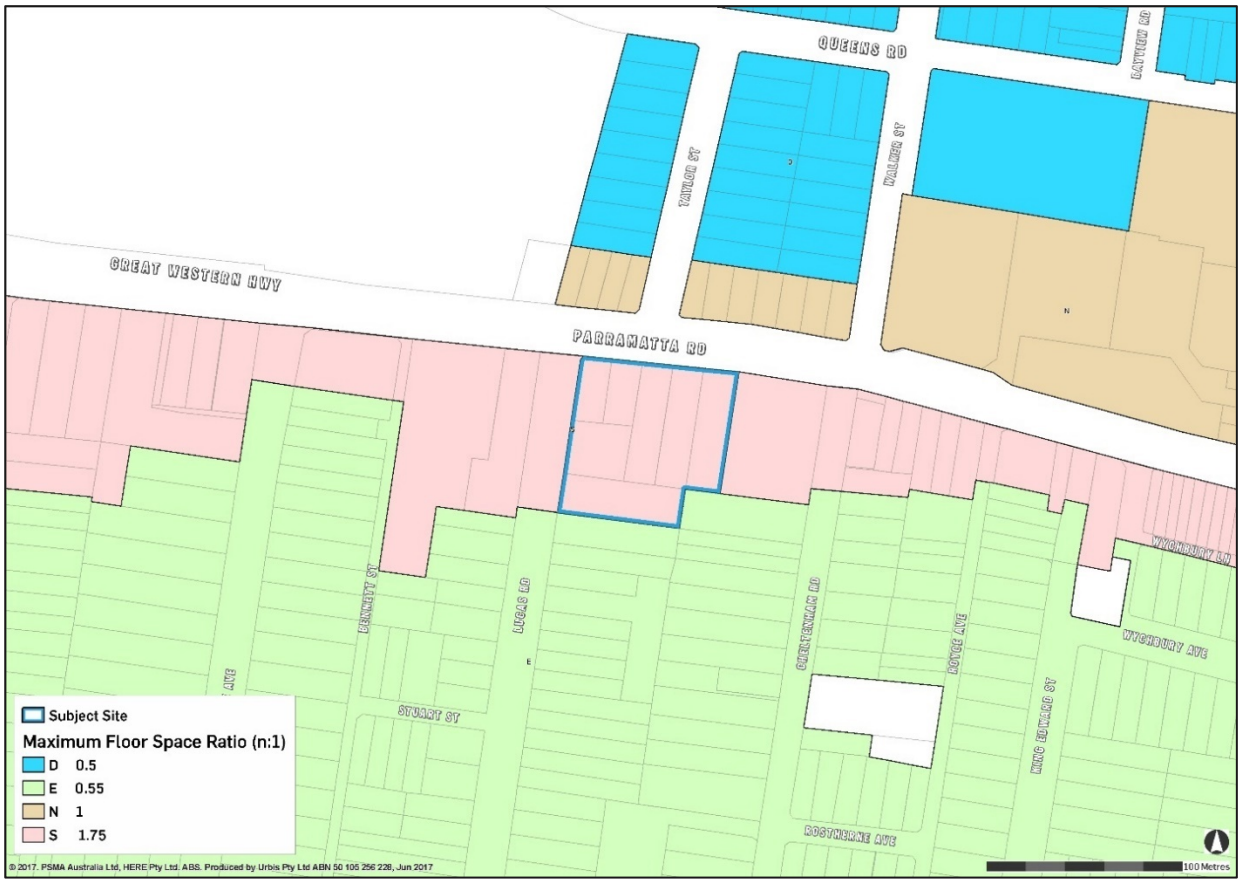
Figure 12 – Height of Buildings Map

5.5.3. Floor Space Ratio

Clause 4.4 of the Sydney LEP 2012 states that maximum floor space ratio (FSR) for a building is not to exceed the FSR shown for the land on the Floor Space Ratio Map. The maximum FSR permitted on the site is 1.75:1 (see **Figure 13)**.

According to the GFA diagrams submitted at Appendix A, the proposal has a gross floor area (GFA) of 10,552m^2 and a corresponding FSR of 1.66:1. The proposal therefore complies with the maximum FSR standard.

Figure 13 – Floor Space Ratio Map



5.5.4. Tree Removal

Clause 5.9 aims to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation. The proposed development includes the removal of 12 existing trees along the southern boundary of the site. These trees are identified in the Architectural Plans submitted at **Appendix A**.

The new landscaping will contribute to the overall design concept of the site. The landscaping will have several positive impacts including buffer planting along the Parramatta Road and Lucas Road frontages and integration of landscaping within the building and external terraces to provide privacy, buffer noise and improve the aesthetic quality of the façade.

5.5.5. Acid Sulfate Soils

Clause 6.1 states consent is required for the carrying out of works described in the table consistent with the class shown on the Acid Sulfate Soils Map.

The site is located within a Class 5 Acid Sulfate Soils area. However, the Acid Sulphate Soil Rise Map published by the former Department of Land and Water Conservation indicate there is no known occurrence of acid sulfate soils onsite. Furthermore, the sites elevation and geology are not conducive to acid sulphate soils.

As such, an Acid Sulfate Soils Management Plan is not considered necessary for the proposed development. This is further discussed in the Geotechnical Report prepared by Douglas Partners and submitted at **Appendix E**.

5.5.6. Clause 4.6 Variation

Clause 4.6 provides flexibility in the application of planning provisions by allowing the Consent Authority to approve a development application that does not comply with certain development standards, where it can be shown that flexibility in the particular circumstances of the case would achieve better outcomes for and from the development.

In determining whether to grant consent for development that contravenes a development standard Clause 4.6 requires that the Consent Authority consider a written request from the applicant, which demonstrates that:

- *Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- *There are sufficient environmental planning grounds to justify contravening the development standard.*

Furthermore, the Consent Authority must be satisfied that 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, and the concurrence of the Secretary has been obtained. In deciding whether to grant concurrence, subclause (5) requires that the Secretary consider:

1. *Whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and*

2. *The public benefit of maintaining the development standard, and*

3. *Any other matters required to be taken into consideration by the Secretary before granting concurrence.*

The following addresses the local provisions of Clause 4.6 of the Burwood LEP 2012 together with principles of Winten v North Sydney Council as expanded by the five (5) part test established by Wehbe V Pittwater [2007] NSW LEC 827.

Proposed Variation

The proposed development seeks a maximum building height of up to 16.5m.

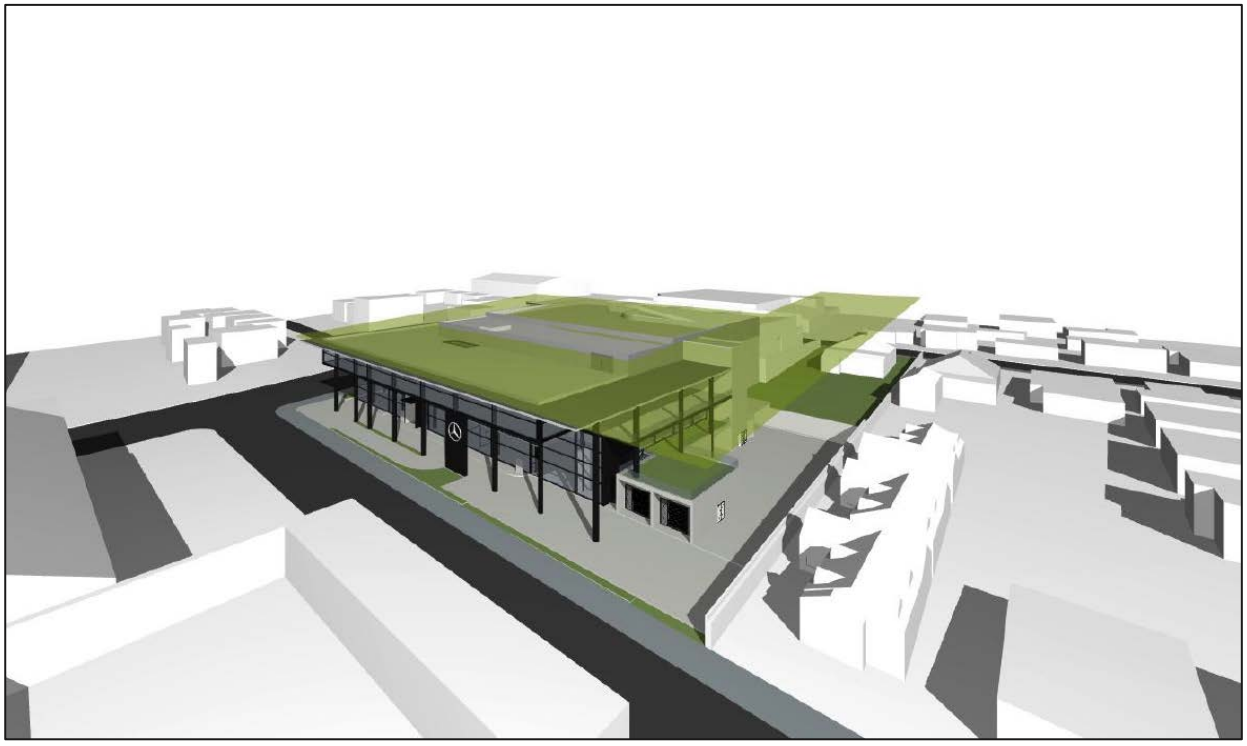
The proposal therefore exceeds the maximum building height control for the site prescribed by Clause 4.3(2) by up to 1.5m. Therefore this request seeks a variation to the maximum building height development standard contained in Clause 4.4(3) of the BLEP 2012, which states:

> *(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.*

The Height of Buildings Map provided as part of BLEP 2012 prescribes a 15m building height for the site.

The proposed additional building height, beyond the 15m height control, is only realised at certain locations across the site which is generally confined to the centre of the building and setback from the respective street frontages and shared boundaries to adjoining development. **Figure 14** illustrates the portions across the building that protrude above the maximum building height development standard, depicted in the green shaded height plane.

Figure 14 – Building Height Overlay Diagram (15m building height control shown in green)

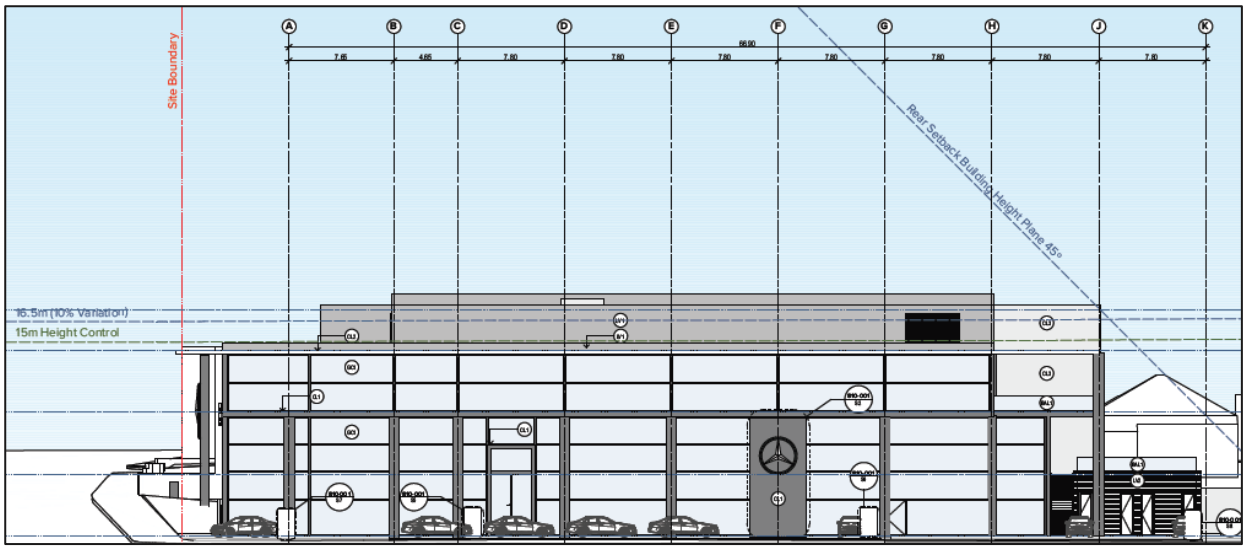


The proposed building has been designed to respond to the built form controls established for the Parramatta Road Enterprise Corridor under the Burwood DCP 2012.

The proposed building is 4 storeys in height and is commensurate with the differing buildings heights established along the Parramatta Road corridor. Lower building heights are proposed at the sensitive elevations including to the Parramatta Road frontage (main visual catchment) and southern rear boundary (adjoining residential development). In particular, the proposal presents as a 2-storey built form along Parramatta Road, matching the roof line of the adjoining Salvation Army Store to the east of the site and 3-storeys to the southern rear boundary. Reductions in building bulk and height are provided at these locations to respond to the existing medium density scale of the residential buildings to the south and to ensure some form of continuity in building height along Parramatta Road.

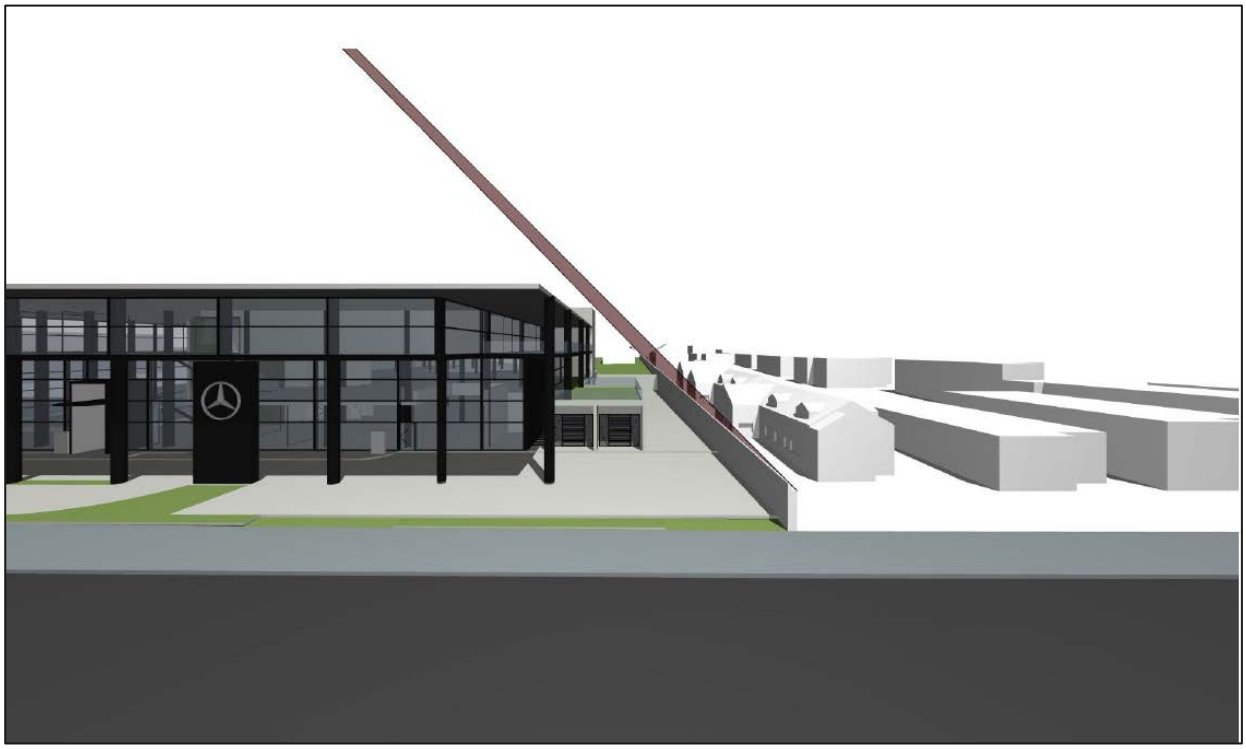
Figure 15 illustrates the lower building bulk and height at the southern and northern elevations of the site.

Figure 15 – Western Elevation



At the ground floor level the proposal is setback 5m and 3m respectively to the Parramatta Road and Lucas Road street frontages in order to take advantage of the main road location and contribute toward activation along these frontages. To the southern rear boundary, the proposal is setback greater than the setbacks envisaged by the Burwood DCP 2012, being a 45-degree height plane above a height of 1.8m (refer to **Figure 16**).

Figure 16 – 45-Degree Rear Southern Boundary Setback



Above street frontage height, the proposal is setback from the levels below with the additional level (Level 3) sited in the centre of the building toward the eastern site boundary. Specifically, the upper level is setback up to 18.2m to Parramatta Road, 27m to Lucas Road and 22m to the southern rear boundary. Thus, reducing the perceived bulk and scale of the building when viewed from street level.

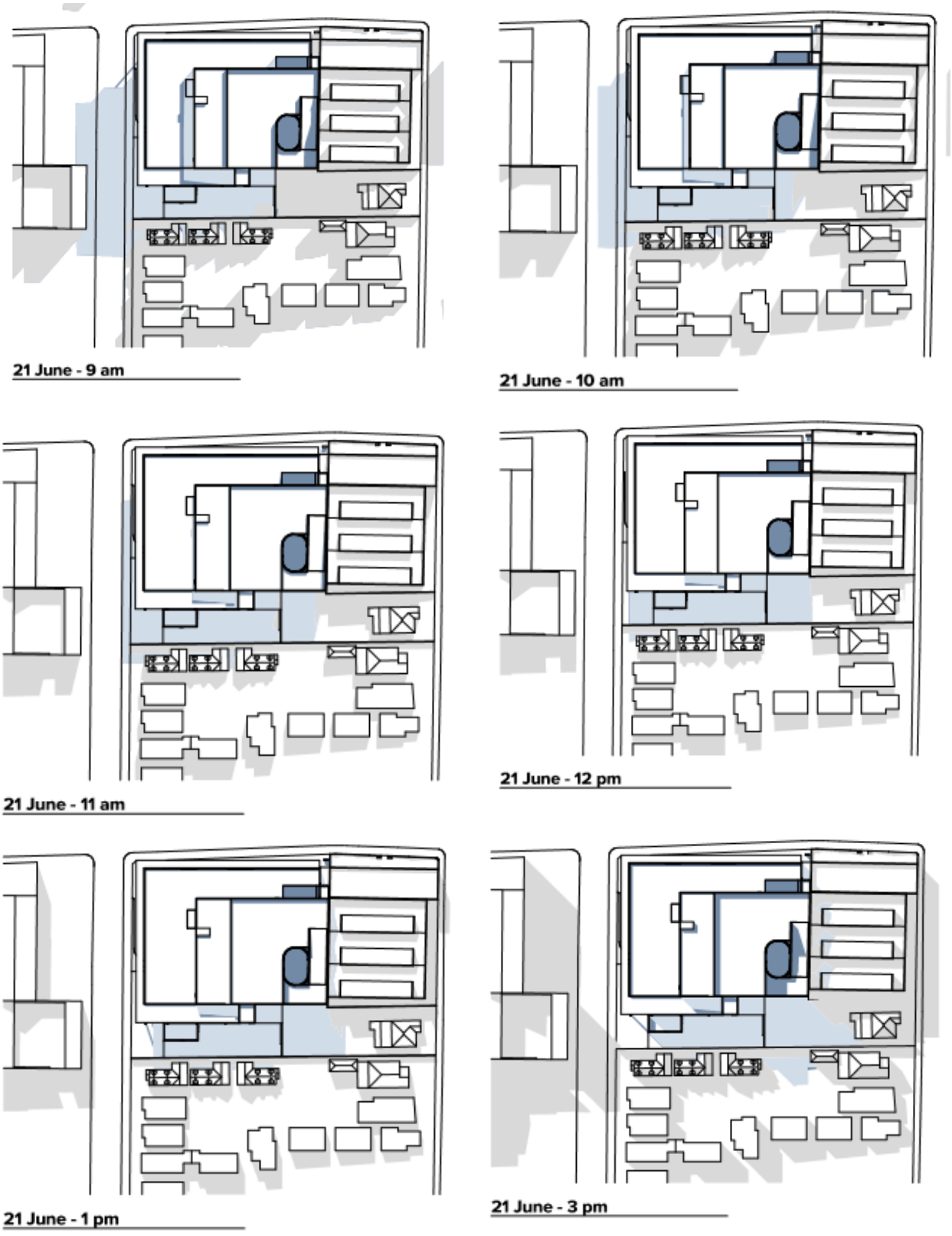
As demonstrated in **Figure 15**, the proposed height variation does not relate to an entire commercial floor level and is confined to less than 50% of the floor plate of the third level as well as a 1.4m high balustrade at roof level above. These levels are proposed to accommodate car parking to service the proposed facility, as determined by the rates contained in the Burwood DCP 2012 as well as from a comparable Mercedes Benz facility.

Furthermore, the proposed floor-to-floor heights of the building are generally 4.2m, being 0.7m-1.2m higher than a typical commercial floor. Consequently, the proposed height variation is also a result of employing higher floor to ceiling heights typical of car showroom developments.

Overshadowing analysis during the winter solstice period has been undertaken by Turner and is provided at **Figure 17**. The analysis compares the shadow cast by the existing development, a compliant 15m building envelope, and the proposed building envelope.

The analysis demonstrates that the proposed additional building shadow beyond the 15m height control is generally confined to the subject site. Very minor excerpts of shadow are cast over the roof of the residential development at 12 Lucas Road to the south of the site at 9am and the backyard of 3 Cheltenham Road at 3pm. This shadow is not anticipated to give rise to any discernible environmental impacts.

Figure 17 – Overshadowing Analysis at June 21



Objectives of the Zone and the Standard

Clause 4.6 (4)(a)(ii) states that a request for exemption from a development standard must establish that the proposed contravention is consistent with both the objectives of the standard and the zone.

Objectives of Clause 4.3 Height of Building

The objectives of Clause 4.3 are set out in **Table 5** and an assessment of the proposed development's consistency with each objective is provided. The assessment confirms that despite the non-compliance with the numerical control, the proposal is consistent with the objectives of the maximum height of buildings development standard.

Table 5 – Consistency with the Height of Building Objectives

Objective	Assessment
(a) to establish the maximum height of buildings to encourage medium density development in specified areas and maintain Burwood's low density character in other areas,	The scale of the development proposed on the site is complementary to and compatible with the existing and planned future development for the Parramatta Road Enterprise Corridor. The existing built form character along Paramatta Road is characterised by differing building heights. This is a result of the primarily commercial land use nature and sloping streetscape. The proposed development is considered to retain the medium density character of the locality. The proposed building presents as two-storeys to Parramatta Road, generally matching the roofline of the adjoining Salvation Army building to the east at 166-176 Parramatta Road and 3-storeys to the southern rear boundary, but setback on a 45-degree height plane to minimise impacts to the medium density residential zone to the south. The additional building height is sited in the centre of the building, is setback from the respective site boundary and thus is not readily perceived from the public domain. The additional building height is primarily attributed to greater floor to floor heights at 4.2m and the ability of the development to contain the required car parking provision, leading to the construction of a high-quality car showroom facility. This is consistent with the 'desired future character' of the Parramatta Road Enterprise Corridor. The proposal also responds to the objectives of the Parramatta Road Corridor Urban Transformation Strategy. The proposal results in an improved urban outcome for the site and broader Parramatta Road corridor, replacing a series of derelict structures and at-grade car dominant business with a high quality architectural designed car showroom facility. The proposed built form is also more commensurate with the additional height and density planned for the immediately surrounding 'Kings Bay Precinct' under the Strategy.

Objective	Assessment
(b) to control the potentially adverse impacts of building height on adjoining areas.	The proposed variation was informed by a detailed site context analysis and design assessment. The proposal represents a site-specific design solution that has identified, on balance, the most appropriate development response to accommodating the required car parking provision and larger floor to ceiling heights while minimising environmental impacts to adjoining residential development. The proposed buildings have been designed to limit overshadowing to adjacent properties, primarily to the residential properties located to the south of the site. As illustrated in **Figure 17**, shadow from the additional building height is primarily contained within the site itself. Very minor excerpts of shadow are cast over the roof of the residential development at 12 Lucas Road to the south of the site at 9am and the backyard of 3 Cheltenham Road at 3pm. This shadow is not anticipated to give rise to any discernible environmental impacts. As discussed, the additional building is setback from the building edges and is not readily apparent from the public domain. While it may be visible from certain viewpoints, it won't be a dominant element as its recessed from the building edge and will read in the view to become an acceptable minor visual element in the public domain. Adequate separation distances are provided beyond the minimum requirements that further mitigate the potential for overlooking and loss of privacy. In addition, a 2.2m high acoustic barrier is proposed to be installed along the southern boundary, adjacent to the neighbouring residential land use in order to reduce noise transmission from the facility.

Objectives of the B6 Enterprise Corridor Zone

The objectives of the B6 Enterprise Corridor zone are set out in **Table 6** and an assessment of the proposed development's consistency with each objective is provided. The assessment confirms that despite the non-compliance with the numerical control, the proposal is consistent with the objectives of the zone in which development is proposed to be carried out.

Table 6 – Consistency with the objectives of the B6 Enterprise Corridor zone

Objectives	Assessment
To promote businesses along main roads and to encourage a mix of compatible uses.	The proposed development is sited along the Parramatta Road Enterprise Corridor. The proposed land use including a '*vehicular sales and hire premises*' and ancillary uses are consistent with the desired future character of the locality. In particular, the proposal will continue the evolution of Burwood's section of the Parramatta Road corridor towards "larger scale land uses that take advantage of the main road location". In addition, the proposed land use sought by the proposal is consistent with the higher quality and larger scale "replacement activities" nominated in the Desired Future Character statement.
To provide a range of employment uses (including business, office, retail and light industrial uses).	The proposed development will contribute toward employment generation. The facility is anticipated to generate between 80-100 jobs once occupied which constitutes substantial employment increase from the current operation on-site.
To maintain the economic strength of centres by limiting retailing activity.	The proposed development is characterised as a '*vehicular sales and hire premises*' with an ancillary '*office*', '*vehicle body repair workshop'* and *'vehicle repair station'* component. The proposed land uses are consistent with the existing land uses occupying the site, all of which are permissible with development consent in the B6 zone. While a '*vehicular sales and hire premises*' is defined under the umbrella term as a '*retail premises'*, it is a unique land use that will not compete with retail uses more commonly associated with retail centres including '*shops*', '*food and drink premises*' and the like. Therefore, the proposed development is not likely to impact the strength of any nearby retail centres including the Burwood Town Centre.
To provide for residential uses, but only as part of a mixed use development.	Not applicable. No residential uses are proposed as part of the subject proposal.

The development standard is unreasonable and unnecessary in the circumstances of the case

Clause 4.6 (3)(a) of the Burwood LEP 2012 states that a proposed variation to the development standard must demonstrate that compliance with the development standard is *'unreasonable and unnecessary in the circumstances of the case'*

In ***Wehbe V Pittwater Council (2007) NSWLEC 827*** Preston CJ set-out five ways of establishing that compliance with a development standard is unreasonable or unnecessary in support of justifying a variation. These are:

1) *The objectives of the standard are achieved notwithstanding non-compliances with the standard;*

2) *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary.*

3) *The underlying objective of purpose would be defeated or thwarted if compliance was required and therefore compliance is unnecessary*

4) *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.*

5) *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. This is, the particular parcel of land should not have been included in the particular zone.*

As outlined in the above section of this variation, the proposed development is consistent with the underlying objectives of the Height of Building standard. Compliance with the height of building development standard is considered unreasonable and unnecessary in the circumstance of the application based on the following:

- The proposal is consistent with the objectives of the development standard as provided in clause 4.3 of the LEP.

- The proposed variation to the maximum height of buildings development standard does not hinder the proposals ability to satisfy the objectives of the B6 Enterprise Corridor zone.

- The proposal includes additional building height above that permitted in a carefully considered consolidated location in the centre of the site, positioned away from the building edges.

- The additional building height does not reflect a full floor level. Instead the building height non-compliance is attributed to larger than typical (4.2m) floor-to-floor heights having regard to the use of the site as a high-quality car showroom.

- The proposal is compatible with the desired future character of the site and will contribute toward the broader Parramatta Road Enterprise Corridor provided by the Parramatta Road Corridor Urban Transformation Strategy.

- The potential impacts of the development, including the building height variation proposed, have been documented and detailed in this Report. The assessment confirms the proposal will not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.

Taking into account the above, the particular circumstances of this application warrant a variation of the development standard to facilitate a superior outcome than that which would result from a compliant scheme. As such it is considered that a complying development is neither reasonable nor necessary in circumstances of the case.

There are sufficient environmental planning grounds to justify contravening the development standard

Clause 4.6 (3)(b) of the Burwood LEP 2012 states that a proposed variation to a development standard must demonstrate that there are *sufficient environmental planning grounds to justify contravening the development standard.*

There are sufficient environmental planning grounds to justify contravening the height of building development standard in this instance. These include:

- The additional building height is concentrated in the centre of the building and is offset by lower heights at the northern and southern elevations than that envisaged through the LEP and DCP controls.

- The proposal is well within the maximum 1.75:1 FSR development standard prescribed for the site under clause 4.4 of the Burwood LEP 2012. Full compliance with the height standard would represent a gross underutilisation of this strategic site. In our view this is an undesirable outcome for a site of such strategic importance.

- The scale of development is considered appropriate given the significance of the site, located within the Kings Bay Precinct under the Parramatta Road Urban Transformation Strategy where the desired future character envisages greater building height and FSR development standards of 21m and 1.8:1 for the site and surrounding area.

- The variation does not result in unreasonable adverse environmental (social, economic or biophysical) impacts. Specifically, the building has been setback on a 45-degree height plane from the southern rear boundary due to the location of adjacent medium density residnetial dwellings. The building has been designed to limit overshadowing to the south through upper level setbacks and articulation.

- Compliance in this circumstance would result in an inferior outcome. The proposed height, bulk and scale of the development is commensurate to the objectives of the Parramatta Road Enterprise Corridor. The proposed non-compliance is confined to level 3 and roof level containing car parking to support the proposed use of the development. Strict compliance with the height control would reduce the overall scale of the building below the minimum area requirements and desired floor to ceiling height requirements of a commercially viable vehicle showroom resulting in a 'do nothing' approach to the existing site.

  Further, compliance has the potential to create a development that is less responsive to the surrounding area. The additional building height has been strategically located in the centre of the building away from the site boundaries, thereby reducing any additional impacts on the amenity of surrounding residents compared to a compliant scheme. Additional height, in accordance with the controls could be located closer to the sensitive southern boundary however would result in additional overshadowing compared to the proposed scheme.

- The variation does not diminish the development potential of adjacent land.

The proposed development will be in the public interest being consistent with the particular standard and zone objectives

As detailed above, the proposed development will be in the public interest because it is consistent with the objectives of Clause 4.3, as well as the objectives for development within the B6 Enterprise Corridor zone.

Any matter of significance for State or regional environmental planning

The non-compliance will not raise any matter of State or Regional Significance.

The public benefit of maintaining the development standard

As described, the primary driver for the proposed variation to the height of building development standard is supporting the public interest. Accordingly, there can be no quantifiable or perceived public benefit in maintaining the standard.

Under Clause 4.6 (5)(b) of the Burwood LEP 2012 the consent authority must consider if there is public benefit associated with maintaining the development standard. Given the nature of the proposed variation

and the justification of the impacts provided within this report, there would be no public benefit in applying it strictly. Appropriate built form design elements, visual analysis and consistency with the broader Parramatta Road Enterprise Corridor supports this.

Given proposal is consistent with the prevailing street height along Parramatta Road (which is varied in character), Council should acknowledge that the 15-metre form can be exceeded if an appropriate design response is provided. Strict compliance with this standard is not necessarily in the public's best interest, particularly given that the public benefit of maintaining the development standard is not eroded via the proposal.

As previously stated, strict compliance would lead to an inferior outcome, and therefore the proposed massing solution is regarded as an appropriate contextual response to the character of the site.

Conclusion

Considering the significance of the site, its context, and the vision for the locality, strict compliance with the numerical standard in this instance is both unreasonable and unnecessary for the following reasons:

- As described, the built form has been developed in response to accommodating a high-quality car showroom facility. The 'Desired Future Character' contained in the Burwood DCP 2012 envisages larger scale and high quality uses such as vehicle sales premises that take advantage of the main road location. This has been achieved through the replacement of an existing derelict car showroom business and proposed construction a high-quality Mercedes Benz car showroom facility that addresses the Parramatta Road and Lucas Road frontages and incorporates sufficient setbacks to the southern rear sensitive boundary interface.

- The proposed building presents as 2-storeys to the Parramatta Road street frontage, matching the roof line of the adjoining Salvation Army Store to the east at 166-176 Parramatta Road and 3-storeys to the southern rear boundary, but setback on a 45-degree height plane to minimise impacts to the medium density residential area to the south. The additional building height is sited in the centre of the building and is not considered to be readily perceived from the public domain. The additional building height contributes toward the realisation of a high-quality facility through the ability to accommodate larger floor -to-ceiling heights and the required car parking provision deemed necessary to service the facility.

- The additional height will not result in any detrimental amenity impacts (overshadowing, views or privacy) to surrounding development when compared to a complying design. Nor will the extent of the non-compliance result in any adverse visual impact on the locality.

- The proposed built form and height is consistent with the desired future character of the Parramatta Road Enterprise Corridor, as envisaged by the Burwood DCP 2012. Furthermore, the proposal responds to the broader objectives of the Parramatta Road Corridor Urban Transformation Strategy.

- The non-compliance will not hinder the development's ability to satisfy the objectives of the B6 Enterprise Corridor Zone.

Based on the reasons outlined, it is concluded the request is well founded and the particular circumstances of the case warrant flexibility in the application of the maximum height of building development standard.

5.6. BURWOOD DEVELOPMENT CONTROL PLAN 2012

A detailed assessment of the proposal against the relevant sections of the Burwood DCP 2012 is undertaken in the following **Table 7**.

Table 7 – Assessment of Compliance with BLEP 2012

Provision	Comment	Compliance
Section 3 – Development in Centres and Corridors *3.2 General Building Design Controls*		
Section 3.2.2 Materials and finishes • Building exteriors must be designed with regards to design criteria in DCP • Entrances must be visible • Walls of development must be articulated and designed to provide visual interest when viewed from the street	The external building materials and finishes are of a high quality consistent with Mercedes Benz developments across the Globe and Australia. A glass façade along both Parramatta Road and Lucas Road frontages creates visual interest and building articulation as the showroom is visible from the street front. A materials and finishes schedule is provided in the Architectural Plans submitted at **Appendix A**.	Yes
Section 3.2.4 Street front activities and building access • Security measures must form an integral part of building design • Ground level development must promote quality non-residential activities, minimise number of service doors, encourage visual interest, provide access points to and from the public domain, provide at-grade access at entry points, incorporate visually interesting streetscape frontages at ground level • Separate entrances must be provided from the street for pedestrians and cars • Commercial components must have a clear street address	The proposal has been designed to positively address the street, and is active along all elevations through the utilisation of a glass façade. This generates passive surveillance and creates a relationship between the development and the public domain. The building entrance on the corner of Parramatta and Lucas Road takes advantage of the corner site, and provides a highly visible pedestrian entrance. Loading and vehicular access on the south-western corner of the site from Lucas Road maintains a high level of pedestrian safety.	Yes
Section 3.2.11 Ceiling height • Ground level of all development: 3.3m floor to ceiling • Non-residential above ground: 3m floor to ceiling	The following ceiling heights are adopted: • Ground level: 4.5m • Above ground: 4.5m	Yes
Section 3.2.14 Visual and acoustic privacy • Development must maximise visual privacy between development and adjacent development by providing adequate setbacks and utilising building layout to enhance separation	The proposal maximises visual and acoustic privacy through building layout, orientation and setbacks. The proposed building has been designed to orientate and address the Parramatta Road and Lucas Road frontages. Greater	Yes

Provision	Comment	Compliance
	setbacks than those envisaged by the Burwood DCP 2012 are employed to the southern rear boundary. A loading dock is proposed along the southern portion of the site. To ameliorate any potential acoustic impacts, an Acoustic Report has been prepared (see **Appendix M)** which recommends a 2.2m high acoustic barrier is installed along the southern boundary, adjacent to the neighbouring residential land use in order to reduce noise transmission from the facility.	
Section 3.2.19 Access and mobility • Main entry must be designed for use by persons with a mobility impairment • Safe and convenient access must be provided • Tactile indicators must be provided	An assessment of the proposal against the DDA has been prepared and is submitted at **Appendix I**. The statement confirms access for people with disabilities will be available to and within the building from the main points of a pedestrian entry at the allotment boundary and accessible car spaces in accordance with BCA Clause D3.1.	Yes
Section 3 – Development in Centres and Corridors *3.6 Area Based Controls – Parramatta Road Enterprise Corridor*		
Section 3.6.4 Parramatta Road Street Front Setbacks • Maximum setback of 5m • Part of the building may be built to the street front boundary for a maximum 50% of the site width • Setback areas must include landscaping • Front setback area may be used for display of vehicles provided high quality fencing, vehicular access and parking are included • Buildings on corner sites are to be articulated to address each street frontage	The proposed building is setback a maximum of 5m along the Parramatta Road street frontage. The setback area is proposed to contain landscaping treatment and is illustrated in the Landscape Plans submitted at **Appendix C**. The proposed building includes high levels of articulation through the use of a range of building materials and façade elements. This is illustrated in the Architectural Plans submitted at **Appendix A**.	Yes
Section 3.6.5 Parramatta Road Secondary Setbacks • Where the building exceeds 9m in height the part of the building above 9m must be setback a minimum of 3m from the street front	The proposed building presents as a 2-storey building along Parramatta Road. Above this street frontage height, the proposal is setback 5.8m to Level 2 and	Yes

Provision	Comment	Compliance
	16.4m to Level 3 (measured from the site boundary). These setbacks are illustrated in the Architectural Plans submitted at **Appendix A**.	
Section 3.6.6 Side Street Setbacks • No minimum setback to a side street. Part of the building may be built to the street front boundary for a maximum of 50% to the frontage to the side street. • Where a building exceeds 8m in height on a side street frontage, that part of the building above 8m must have a secondary setback of a minimum of 3m from the side street boundary.	The proposed building presents as a 3-storey building along Lucas Road. The proposed building is setback 3m to the Lucas Road street frontage. Above street frontage height, the proposal is setback up to 27m from the site boundary.	Yes
Section 3.6.7 Side and Rear Boundary Setbacks • Buildings may be erected to the side boundary and must be erected to the side or rear boundary of a site that adjoins a residential zone, subject to P2 below. • For side and rear setbacks on boundaries adjoining a Residential zone, buildings are not to exceed a 45-degree height plane projected over the site and commencing 1.8m above the relevant site boundary.	The proposed building is proposed to be erected to the eastern side boundary, adjoining the Salvation Army building. The site adjoins a medium density residential zone to the southern rear boundary. At this interface the proposal is setback greater than the required 45-degree height plane in order to further ameliorate potential environmental impacts on the site. It is acknowledged that the proposal is built to the rear property boundary of 1-1A Cheltenham Road. However, this is considered appropriate having regard to the following: • It is understood this site is currently used for ancillary purposes to the remainder of the site. • The proposed building only abuts a portion of the rear boundary of the site. • The dwelling house is sited toward the Cheltenham Road frontage, significantly distanced from the proposed development. • The portion of the building abutting the boundary contains the vehicular ramp. This boundary interface is proposed to treated by a blank wall to ameliorate any potential for overlooking and the like.	Yes

Provision	Comment	Compliance
Section 3 – Development in Centres and Corridors *3.7 Transport and Parking in Centres and Corridors*		
Section 3.7.6 General Requirements in All Centres and Corridors – B1, B2, B4 and B6 Zones • Parking to be compliant with Australian Standards • Onsite parking, loading and servicing must be provided on site and contribute to enhancement of quality of streetscape • Must provide sufficient space for a 9m rigid vehicle to queue off the street • Vehicular access must have a nominal width of 2.7m • Vehicle hire or sales premises: 1 space per 50sqm. • Vehicle repair stations: 6 spaces per work bay.	Traffic and Parking matters are addressed in the Traffic and Parking Report submitted at **Appendix G** and summarised in **Section 5.7.3** of this report.	Partial
Section 5 – Other Development Provisions		
Section 5.6.4 Signage by zone type • No more than 3 signs per frontage to the ground level façade and no more than one sign per frontage to the upper level façade for buildings on street frontage • Where a building is setback, no more than 3 signs per frontage.	The proposal comprises 3 x signs affixed to the façade of the building along Parramatta Road and 1 x sign affixed to the façade of the building along Lucas Road. An additional 4 x wayfinding signs are proposed at ground floor level along Lucas Road. These signs are considered acceptable having regard to the following: • The site has an extensive frontage to Lucas Road. • The proposed signs are to assist with wayfinding in order to guide customers in/ out and throughout the site. • One sign is proposed at the entry to each of the three driveways and to the main building entry. • The proposed signs are intended to front the street and will not have any impacts to adjacent residential properties.	Yes

Provision	Comment	Compliance
Section 6 – Environmental Management *6.2 Waste Management*		
Section 6.2.5.3 Design of Waste Management Facilities in Commercial Development, Public Buildings and Industrial Development • Must include designated waste storage area • WMF must be enclosed, covered and maintained to prevent polluted wastewater runoff from entering the stormwater system • Waste Management Plan must be provided	A Waste Management Plan prepared by Waste Audit and Consultancy Services is attached at **Appendix K.** The Report outlines the operational plan and waste storage facilities to control waste onsite efficiently and safely.	Yes
Section 6 – Environmental Management *6.3 Acid Sulphate Soils*		
Section 6.3 • Acid Sulphate Soils Plan must be prepared	There is no indication of the presence of acid sulphate soils on the site. The Geotechnical Report attached at **Appendix E** addresses this matter. As such, an Acid Sulphate Soils Plan is not necessary.	Yes

5.7. ENVIRONMENTAL IMPACTS

Our assessment of the potential impacts of the proposed development upon the natural and built environment are addressed under separate headings below.

5.7.1. Built Form, Height, Bulk and Scale

The proposed built form is commensurate with the built form along the Parramatta Road corridor. The proposed development is generally consistent with the built form controls provided by Burwood Council, apart from the 1.5m height deviation as explained in **Section 5.5.6** of this report.

The proposed building presents as a 2-storey building along Parramatta Road and 3-storeys along Lucas Road and when viewed from the southern rear boundary. The upper levels of the building have been setback from the building edges to ensure they are not discernible from street level.

The proposal is orientated to address the Parramatta and Lucas Road frontages with compliant setbacks and landscaping integration to contribute toward activation. The proposal is setback on a 45-degree height plane to the southern rear boundary to the adjoining medium density residential zone.

Overall, the bulk and scale of the development is considered appropriate for the context of the site and does not result in any significant environmental impacts as discussed in the following sections.

5.7.2. Overshadowing

Shadow diagrams have been prepared to assess the impact on solar access to neighbouring properties between 9am and 3pm for the Winter Solstice (June 21) and are submitted at **Appendix A**. Overall, the proposed development has been designed to minimise overshadowing of adjacent properties as far as possible. Specifically:

- Between 9 am – 11am – The shadow is generally concentrated over Lucas Road and confined within the site boundaries including the site at 1-1A Cheltenham Road. Small portions of additional shadow, compared to the existing shadow, is cast over the residential dwellings to the south of the site at 12 Lucas Road. However, this shadow is largely attributed to the compliant building height.
- Between 12pm – 1pm – The shadow is primarily confined to the subject site along the southern boundary. Minor additional shadow resulting from the compliant height is cast to the northern elevation of the residential dwellings at 12 Lucas Road.
- Between 2pm – 3pm – The shadow is primarily cast to the south east and effects 1-A Cheltenham Road and the rear of 3 Cheltenham Road at 3pm. Again, this shadow is a result of a compliant building envelope.

As described in **Section 5.5.6** of this report, when compared to a compliant building envelope, the proposed building does not result in any additional shadow that is considered discernible. The proposed shadow is commensurate with what Burwood Council and neighbouring residential developments would expect from a compliant built form.

5.7.3. Access, Car Parking and Traffic Generation

A Traffic Impact Review has been prepared by Parking and Traffic Consultants and is included at **Appendix G**. The Review provides an assessment of the proposed development. A summary of the key considerations and findings is provided as follows:

Traffic Generation

To quantify the existing traffic conditions, intersection surveys were undertaken at Parramatta Road/ Cheltenham Road/ Walker Road (signalised intersection) and Parramatta Road/ Lucas Road (give-way/yield intersection) on the 4 April 2017 (weekday) during 7am-9am (morning peak) and 4pm-6pm (afternoon peak).

The results indicate that both intersections experience 14-15% greater traffic volumes during the afternoon peak compared to the morning peak. This is a result of the light-industrial business character of the locality which is anticipated to generate greater business activity in the evening period.

Using SIDRA modelling software, the results indicate both intersections currently operate with an average Level of Service (LoS) of A, except for the Parramatta Road/ Walker Street/ Cheltenham Road intersection with operates at a LOS B during the afternoon peak.

The traffic generation for the proposed development has been established with reference to the RMS Guide to Traffic Generating Developments and the RMS Technical Direction and supplemented by an investigation of a similar motor showroom in Alexandra.

Figure 18 details the forecasted trips generated by the proposal during the PM peak, using a combination of the RMS trip rates and comparable developments. The results indicate that the proposal is expected to generate a total of 89 vehicle trips per hour in the afternoon peak being a net increase of 45 trips per hour compared to the existing situation.

To identify the intersection operation of Lucas Road and Parramatta Road a SIDRA model has been developed to include the net increase in morning trip generations. The modelling results indicate the proposed traffic is readily accommodated by the Lucas Road/ Parramatta Road intersection without creating any notable adverse impacts to traffic operations and continue to operate at a LOS A.

Figure 18 – Trip Generation Summary, Typical Weekday

Period	Weekday Peak Hour Trips (PM)	Arrival:Departure Ratio	Vehicle Class
Whole Site			
Staff	35	*0 : 100*	**Light Vehicle**
Vehicle Maintenance			
Customers (inc. loan cars)	38	*43 : 57*	**Light Vehicles**
Sales			
Customers	16	*50 : 50*	**Light Vehicles**
TOTAL Traffic Generation	**89**	*27 : 73*	*trips/hour (pm)*
NET Increase[2]	**45**		*trips/hour (pm)*

Parking

In total, the proposal will provide 260 parking spaces. This includes 160 spaces associated with the vehicle maintenance component of the proposal, 25 spaces associated with customer sales and 75 spaces for staff. Of the total spaces, 28 spaces may be used as stock storage.

The provision of parking has been determined based on the rates identified in the Burwood DCP 2012 and a comparable Mercedes Benz showroom and vehicle maintenance facility in Alexandria. A comparison of the proposed parking provision against the DCP requirement and demand assessment is summarised in the following **Figure 19**.

Figure 19 – Parking Provision Summary

Component	DCP Requirement	Demand Assessment	Proposed
Vehicle Maintenance	216	108 30 (loan cars)	**160**
Sales	100	20	**25**
Staff		70	**75**
TOTAL:	**316**	**228**	**260***

* 288 spaces are indicated on the architectural drawings, which includes 28 stock storage spaces.

The proposed car parking provision is lower than the rates identified in the Burwood DCP 2012. This reduction is considered appropriate as the proposed parking provision more accurately satisfies the expected peak demands of several components (staff, sales customers, loan cars and vehicle maintenance etc.). Consequently, the site is assessed to provide adequate on-site parking facilities, and is not anticipated to generate any negative impacts to the local on-street parking environment.

Car Park Layout

All vehicular components of the development have been reviewed against the requirements of AS2890.1:2004, including bay and aisle width, adjacent structures, sight lines to pedestrians on exit, ramps and grades, access driveway, and car park circulation swept paths.

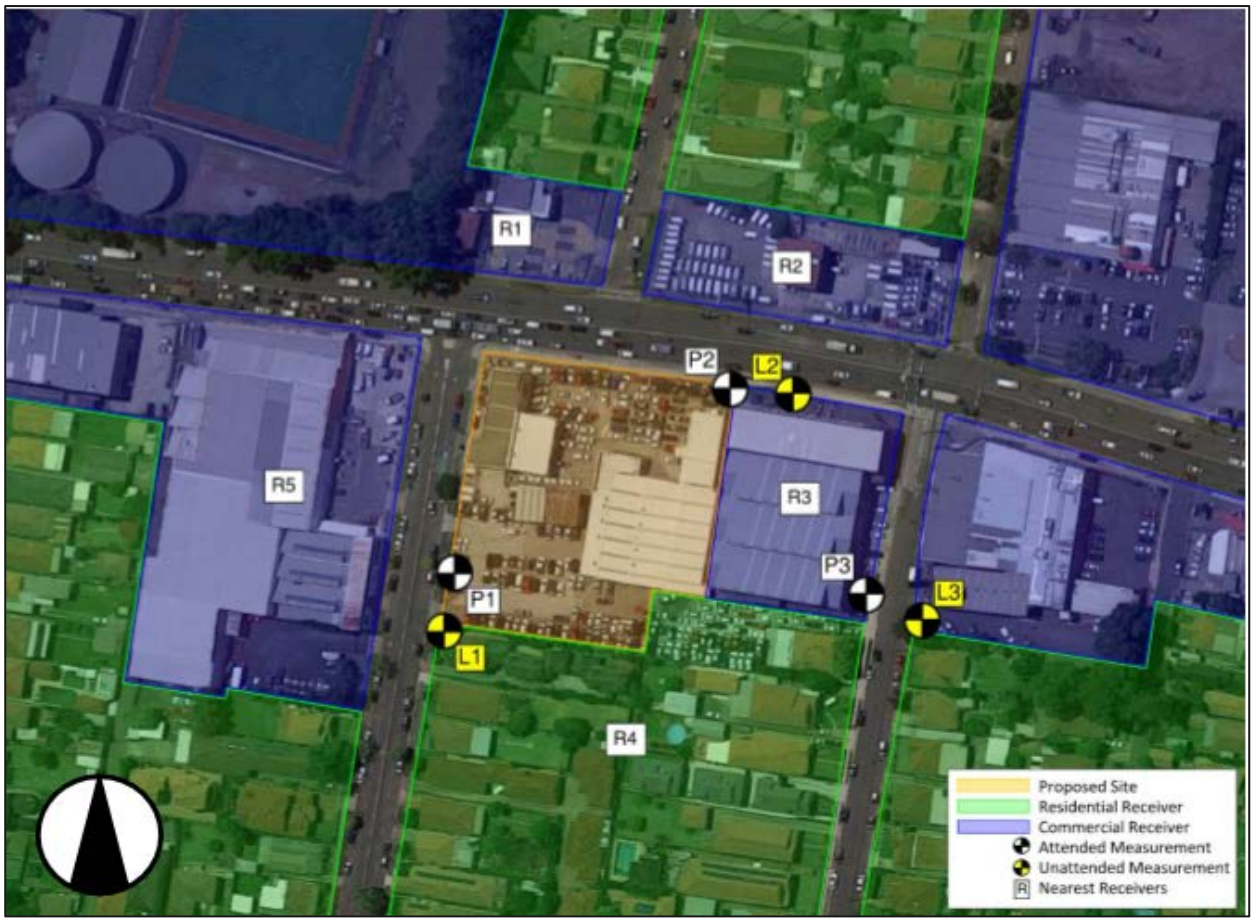
The review indicates that the proposed car parking layouts are expected to operate satisfactorily. The car park dimensions, aisle widths and ramp grades have generally been designed in accordance with AS2890.1:2004, AS2890.2:2004 and AS2890.6:2009. Swept path analysis demonstrating the car park circulation has been carried out on the proposed car parking layout in accordance with the AS290.1:2004.

5.7.4. Acoustic

An Acoustic Report has been prepared by Wood & Grieve Engineers and is attached at **Appendix M**. The report discusses the likely noise impact from the development on the nearest noise receivers, including residential dwellings located to the south of the site and commercial developments along Parramatta Road.

Noise monitoring was installed in April 2017 involving three noise loggers placed at position L1, L2 and L3 shown in **Figure 20** to measure the background and ambient noise that is representative of the surrounding commercial and residential receives.

Figure 20 – Site and Measurement Locations



The noise monitoring found that the local noise environment is dominated by light and heavy traffic throughout the majority of the day and evening periods. In regards to the proposal:

- The traffic noise generated from Parramatta Road places the most acoustic demand on the development facades. To achieve internal noise levels in accordance with Australian Standards, glazing is required along the glass façade to ameliorate the acoustic impact.
- An acoustic barrier surrounding the condenser units on Levels 3 and 4 is required.
- The design of the mechanical services in the interior of the building will be further developed in the design stage. Mitigation of the acoustic impact of the mechanical services may be required to meet the external noise levels.
- The Carwash and Car Lift area located at basement level complies with the requirements provided a 2.2m acoustic barrier is installed along the southern boundary, adjacent to the neighbouring residential land use. This barrier has been accommodated within the design of the proposal and is illustrated in the Architectural Plans submitted at **Appendix A**.
- The predicted noise level from generated peak hour vehicle movements into Lucas Road is not expected to exceed the requirements.

Overall, noise emissions from the development for operational and mechanical services are predicted to comply provided the recommended noise mitigation measures are implemented.

5.7.5. BCA and DDA Compliance

A Building Code of Australia (BCA) and Disability Discrimination Compliance Statement has been prepared by Concise Certification and is attached at **Appendix I.** The report provides an assessment of the proposed design against the requirements of the Building Code of Australia (BCA) and Disability (Access to Premises-Buildings) Standards 2010.

The report concludes:

> *"Arising from our review, it is considered that the proposed development can readily achieve compliance with the relevant provisions of the BCA and Access to Premises Standards."*

This report is supplemented by a Fire Safety Statement prepared by Wood and Grieve Engineers and submitted at **Appendix J**. The Statement confirms that the proposal will generally satisfy the Performance Requirements of the BCA by complying with the Deemed-to-Satisfy Provisions. However, some aspects of the design are to be refined through performance based fire engineering o achieve compliance with the relevant Performance Requirements.

5.7.6. Geotechnical

A Geotechnical Report has been prepared by Douglas and Partners submitted at **Appendix E**. The report details the results of a geotechnical investigation to gain an understanding of the site.

The report documents the results of a geotechnical assessment undertaken on the site over a five-day period in February and March 2017. The investigation comprised the drilling of six (6) boreholes, collection of soil and rock samples, the installation of three standpipe wells and laboratory testing of selected samples.

The investigation concluded that out of the six (6) boreholes undertaken on the site, each to a depth below the depth of the basement, only boreholes BH3 and BH6 at a depth between 0.5m-0.8m encountered poorly compacted silty clay filling, underlain by stiff residual clay over an Ashfield Shale bedrock. Groundwater was encountered at varying depths within the bedrock profile across the site. As a result, low levels of groundwater seepage is considered likely to occur.

Based on the findings, the Report recommends the building should be supported by anchored shoring walls or retaining walls with outward rotation.

5.7.7. Stormwater Management

A Stormwater Management Report has been prepared by SCP Consulting and is submitted at **Appendix D**.

The report discusses that the ground floor level of the proposed development is set at the PMF level of 6.4m to respond to the proximity of the site to a nearby stormwater channel. Although the southern aspect of the

site may experience minor flooding in the event of a peak flood, it corresponds with the proposed driveway access and as such will not affect the proposed built form.

The proposed OSD tank provides sufficient storage to respond to the higher proportion of impervious surfaces of the proposed development. This will reduce runoff on site and is compliant with the Burwood Council Stormwater Management Code. Further details of the capacity and sufficiency of the OSD tank is provided in the Report.

5.7.8. Environmentally Sustainable Development

An Energy Efficiency Report has been prepared by WSP and is attached at **Appendix H**. The report recommends a series of sustainability initiatives be incorporated into the design of the facility.

In summary, the report outlines the following strategies for enhancing sustainability features of the building:

- **Passive Design:** Initiatives such as skylights, insulation to reduce solar heat gain and decrease heat loss in winter, and natural ventilation to the car parking areas where possible will minimise energy consumption. Suspended upper floors will provide solar shading to lower floors, and the large horizontal overhang on the roof will provide the benefit of solar shading to the façade.
- **Water Strategy**: A built in water cleansing system in the car wash system and use of efficient fixtures in the building will reduce water demand. Implementation of a 7000L rainwater tank will further contribute to the sustainability of the proposal.
- **Energy efficiency:** Use of efficient lighting, efficient HVAC selection, mixed mode control on HVAC and efficient hot water systems will reduce energy demand in the development.

5.7.9. Building Services

A Building Engineering Services Report has been prepared by Wood and Grieve and is submitted at **Appendix O**.

The report provides an outline of the mechanical, electrical, hydraulic and fire systems and connections to the site, including:

Mechanical Services

The vehicle maintenance area at basement level within the building will comprise a mechanical ventilation system to meet the Australian Standards. The remaining above ground car parking levels will be naturally ventilated via openings along the perimeter wall.

The showroom component of the proposal will be air conditioned and ventilated via roof mounted units. The office and meeting room areas will also be air conditioned via a variable refrigerant flow system.

Electrical Services

Two existing Ausgrid overhead supplies from Lucas Road provide power to the site, but are proposed to be removed. A new substation will be required to accommodate the maximum demand of 2000A and is proposed to be located along Lucas Road toward the southern boundary.

Communication supply to the building will be through an existing pit system on Parramatta Road.

Internal and external lighting will be provided throughout the site, will minimise light spill and will be integrated within the landscape design.

Hydraulic and Fire Services

The development will require connection into the existing sewer, cold water, gas and fire services located in Lucas Road.

5.7.10. Construction Management

A preliminary Construction Management Plan Guideline has been prepared by AECOM and is submitted at **Appendix L**. This Plan describes the management of construction, materials handling, ingress and egress and access maintenance.

The preliminary CMP will be amended by the Contractor in accordance with the conditions of consent and the further development of the construction documentation and processes.

The CMP is supplemented by a Sediment and Erosion Control Plan submitted at **Appendix D**.

5.7.11. Reflectivity

A Reflectivity Analysis Report has been prepared by WindTech and is attached at **Appendix N**. The report identifies the potential solar glare created from the development and its impact on motorists, pedestrians and surrounding residential occupants.

A series of critical glazed aspects were determined for the development along with solar charts for each of the critical glazed aspects which were used to derive the check zones. The check zones highlight the areas that are potentially affected by solar reflections from each critical glazed aspect. The location of these zones relevant to the proposed development is shown in **Figure 21**.

Figure 21 – Check Zones and Study Point Locations

A site survey and analysis of the critical sightlines on the surrounding street network permits was undertaken to gain an understanding of the possible impact of the proposed glass façade. The Report recommends use of the following glazing to ameliorate the reflectivity of the development:

- Northern façade: A maximum normal specular reflectance of visible light of 13%
- Western façade: A maximum normal specular reflectance of visible light of 16%
- All other glazing: A maximum normal specular reflectance of visible light of 20%

Subject to implementation of these mitigation measures, the reflectivity of the development is considered acceptable and will not cause adverse solar glare.

5.8. SOCIAL AND ECONOMIC IMPACTS

It is considered that the following economic benefits will be realised during both the construction and occupation stages, because of the proposed development:

- The contribution to the local economy will be achieved through the provision of many new employees (circa 80-100 staff) who will occupy various roles in the workshop, office/ back of house and sales components provided by the proposed development.
- The contribution to the local and broader economy will be achieved by the construction workforce.
- The proposal's proximity to public transport infrastructure will have direct positive impacts on the walkable retail catchment.
- The proposal will support the economic growth of the Parramatta Road Corridor and Burwood LGA.

It is considered that the following key social benefits will arise with the proposed development:

- The proposal replaces the existing Nissan and Suzuki dealerships with a more suitable purpose built facility.
- The proposal contributes to the revitalisation and redevelopment of the Parramatta Road Corridor by enhancing the appearance and functionality of the site.

The proposal is considered to have positive social and economic impacts on the locality.

5.9. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

A further key consideration in relation to the social impacts of commercial developments of this scale is to minimise opportunities for anti-social behaviour and crime through good planning and design. The Crime Prevention Through Environmental Design (CPTED) guidelines provide a clear approach to crime prevention and focus on the 'planning, design and structure of cities and neighbourhoods'.

The proposed development has been designed to meet the four key CPTED principles being surveillance, access control, territorial reinforcement and space management and is considered to result in a high level of safety and security, where:

- The location of an active showroom use along both street frontages allows for constant activation of the public domain generated by both pedestrian and vehicular movements.
- The orientation of the building provides natural surveillance of the road frontages.
- The proposed landscaping design and plant species is not likely to obstruct surveillance within the public accessible areas or along the road frontages.
- Well maintained planters, gardens and pavers will indicate the development is well-used and cared for to reduce criminal activity.
- The building setbacks, high quality materials, varied façade treatments and landscaping along boundaries will assist in discouraging vandalism and graffiti.
- Security measures will be employed to ensure safe and secure pedestrian entries to the building.

The proposal will maintain a high level of security and the building's design elements will deter criminal behaviour. The proposal is therefore consistent with CPTED principles.

5.10. SITE SUITABILITY

The site is well suited to accommodate the proposed development for the following reasons:

- The site is within a well-established area, and as such electricity, telephone, water and sewerage services are readily available.
- The proposed development is consistent with the use and function of the existing development located on the site.
- The existing and proposed land uses are permissible in the Burwood LEP 2012 and are in keeping with the surrounding commercial built form.

5.11. THE PUBLIC INTEREST

The proposed development is in the public interest and is considered appropriate for approval. The proposed will provide an improved aesthetic and functional Mercedes Benz Showroom that is in keeping with the scale and land uses of surrounding built form. Furthermore, the proposal will create a significant amount of jobs during the construction phases, as well as an ongoing office, workshop and back of house jobs.

All submissions received during the formal public exhibition period will be considered and adequately responded to where necessary.

6. CONCLUSION

The purpose of this SEE has been to present the proposed development for the Mercedes Benz Croydon site located at 178,194 and 204 Parramatta Road, Croydon, and to assess its potential impacts having regards to Section 79C (1) of the EP&A Act.

The proposed showroom development has been designed to be consistent with the relevant state and local planning controls identified in SEPPs, Burwood LEP 2012 and Burwood DCP 2012.

It is concluded the proposal is appropriate for the site and surrounds and warrants development consent, having regards to the following matters:

- The proposal is permissible with consent under the Burwood LEP 2012 and meets the various objectives within the LEP, as well as the various objectives and controls identified under the Burwood LEP 2012.
- The proposal is generally consistent with the development standards in the Burwood LEP 2012 and the built form controls identified in the Burwood DCP 2012. A Clause 4.6 assessment has also been prepared to demonstrate the variation in height standard is minimal and has no adverse environmental impact.
- The proposal improves the current aesthetic design and functional components of the existing car showroom onsite, and contributes to the urban renewal of the Parramatta Road Corridor.
- The proposal locates active showroom uses along the primary street frontages of Parramatta Road and Lucas Road, and ameliorates the impact to the adjacent residential uses through building orientation and integration of landscaping.
- The proposal will not give rise to any unreasonable environmental, economic or social impacts, and is considered in the public interest.

In view of the considerable merit, and our assessment of the potential impacts of the proposal, we have no hesitation in recommending the granting of development consent subject to Council's standard conditions.

DISCLAIMER

This report is dated 30 May 2017 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Star Auto Properties (**Instructing Party**) for the purpose of Town Planning Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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