

## SYDNEY SOUTH WEST PLANNING PANEL SUPPLEMENTARY REPORT

SSWPP No	2017SSW031
DA Number	DA-594/2013/B
Local Government Area	Liverpool City Council
Proposed Development	<p>Modification Application lodged pursuant to Section 96(2) of the Environmental Planning and Assessment Act 1979. The application seeks to modify development consent no. DA-594/2013 which granted approval for -</p> <p><i>Industrial Development in Two Stages</i></p> <p><i>Stage 1: Concept Masterplan for the industrial estate</i></p> <p><i>Stage 2: Construction industrial warehouse building, car parking, landscaping, driveway and road</i></p> <p>The application seeks the following modifications to Stage 2 of the consent:</p> <ul style="list-style-type: none"> <li>- Modification to the built form and layout of Warehouse 1 in Precinct A, including the construction of an additional basement car park for 44 parking spaces.</li> <li>- Modification to car-parking and landscaping in front of Warehouse 1</li> </ul>
Street Address	Lot 204 Beech Road, Casula LOT 204 DP 1090110
Applicant/Owner	AMP Capital Funds Management Ltd
Number of Submissions	Nil
Regional Development Criteria (Schedule 4A of the Act)	The proposal seeks to modify a consent previously determined by the Sydney West Joint Regional Planning Panel, which has a capital investment value of over \$20 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> <li>• <i>List all of the relevant environmental planning instruments: s79C(1)(a)(i)</i> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy No.55 – Remediation of Land.</li> <li>• State Environmental Planning Policy (Infrastructure) 2007.</li> <li>• Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment.</li> <li>• Liverpool Local Environmental Plan 2008.</li> </ul> </li> <li>• <i>List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii)</i> <ul style="list-style-type: none"> <li>• No draft Environmental Planning Instruments apply to the site.</li> </ul> </li> <li>• <i>List any relevant development control plan: s79C(1)(a)(iii)</i></li> </ul>

	<ul style="list-style-type: none"> <li>• Liverpool Development Control Plan 2008. <ul style="list-style-type: none"> <li>- Part 1 – General Controls for all Development.</li> <li>- Part – Development in Industrial Areas</li> </ul> </li> <li>• <i>List any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: s79C(1)(a)(iv)</i></li> <li>• No planning agreement relates to the site or proposed development.</li> <li>• <i>List any coastal zone management plan: s79C(1)(a)(v)</i></li> <li>• The subject site is not within any coastal zone management plan.</li> <li>• List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</li> </ul> <p>Consideration of the provisions of the Building Code of Australia.</p>
Does the DA require Special Infrastructure Contributions conditions (s94EF)?	Not applicable
List all documents submitted with this report for the panel's consideration	<ol style="list-style-type: none"> <li>1. Revised Recommended Conditions of Consent</li> <li>2. Superseded SSWPP Attachment 1 - Recommended Conditions of Consent</li> </ol>
Recommendation	Approval
Report by	Ivan Kokotovic – Senior Development Planner
Report date	25 July 2017

## **1. EXECUTIVE SUMMARY**

On 31 July 2017 the Sydney South West Planning Panel (SSWPP) will consider an assessment report relating to modifications to an Industrial Development at Lot 204 Beech Road, Casula. The assessment report submitted to the SSWPP for the meeting discussed a slight reduction in car park numbers to increase the width of the landscaping at the front of the property. The applicant has raised concerns with the recommended condition requiring a reduction in car parking as outlined below.

## **2. HISTORY/BACKGROUND**

### Original Assessment

The assessment report noted the applicants intention to reduce the complying and approved width of the landscape buffer from 10m to 5m, resulting in a variation of 5m along that frontage.

The assessment also identified that 180 car-spaces had been proposed and 171 are required given the modified floor space. This is a surplus of 9 car-spaces. It was recommended that a condition of consent be applied (Condition 24a) which reduced car-parking by 9 spaces, thereby providing an additional 2.5m to the landscape buffer, resulting in a 7.5m landscape strip along Beech Road.

### Applicant Request

Due to the timing of the report to achieve the 31 July SSWPP meeting, the applicant was unable to review the recommended conditions of consent in full.

Upon reviewing the draft conditions of consent, the applicant raised no major concern with the conditions except for conditions 24a. The applicant requested condition 24a be amended for the following reasons:

- Despite the proposed plan indicating 180 car-spaces in text, there are actually only 176 allocated car-spaces shown on the design. As such, the deletion of 9 car-spaces would result in a deficiency to the required 171 car-spaces.
- The applicant has provided additional detail ensuring an embellishment of the proposed 5m wide landscape buffer by upgrading the specifications and increasing the pot size of all shrub planting and native feature trees, as well as providing greater density of groundcover and grass planting.
- The applicant has entered into a contract with the future tenant Electrolux, and the entire design was dependant on the delivery of the 176 car-spaces which are an operational requirement of the future tenant.

### Subsequent Council Assessment

It is considered that due to these circumstances and justifications, that an amendment to recommended Condition 24a is a reasonable outcome. It is recommended that condition 24a

require additional embellishment of the proposed landscaping along the Beech Road frontage.

Further, Council's Traffic Engineers assessed the proposed modification and originally requested no additional conditions of consent. However, after the report was forwarded to the panel, Council's Traffic Engineer reviewed their original comments and were of the opinion that conditions of consent were required to be added and updated. As such additional traffic conditions have been imposed on the revised conditions of consent attached. The applicant has reviewed the revised conditions of consent and has raised no concern. The additional traffic conditions are detailed below in part 3 and identified as conditions 23, 23a-23c, 24, 74a, 90a-90e, 123c, 127, 130a and 141f-141i.

The originally proposed and amended condition of consent (24a) is shown below, as are the additional Traffic conditions of consent.

### **3. AMENDED AND ADDED CONDITIONS OF CONSENT**

#### **Landscaping Condition 24a**

##### ***Original Condition***

*24a. The 9 car spaces for Warehouse 1 (as marked in red on the approved plans) shall be deleted, and the car-park layout amended to include an additional 2.5m width to the landscape strip between the carpark and the Beech Road frontage. This additional area is to be planted with dense landscaping. Amended architectural and landscape plans reflecting these amendments shall be submitted to and approved by the Manager of Development Assessment of Liverpool City Council, prior to the issue of a Construction Certificate.*

##### ***Amended Condition***

*24a. The Landscaped area identified as 'Planting Precinct 3' in the approved Landscape Plans (along the Beech Road frontage) is to be embellished by an upgrade to the specification of the landscaping as follows;*

- i. The pot size of all shrub planting is to be increased from 150/200mm to 300mm.*
- ii. All native trees are to be upsized from 75L to 100L.*
- iii. Groundcover and grass planting is to be 150mm pot size with minimum plant densities of 6 per metre squared for groundcover plants and 5 per metre squared for grass plantings.*

## **New Traffic Conditions of Consent**

23. Detailed design plans for the access driveways and car park including swept path analysis, line markings and sign posting in accordance with the DCP and AS2890 is to be submitted to Council Traffic and Transport Section for review. Any structure adjacent to the driveway exit eg letterbox shall not be greater than 1.2 m in height, to allow sight distance for motorists exiting the property.

23a. A Construction Traffic Management Plan (CTMP) prepared by a qualified traffic and transport practitioner detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval prior to the issue of a Construction Certificate.

23b. A road occupancy permit is to be submitted to Council Traffic and Transport Section for any works within the public road reserve.

23c. The design of street lighting at 'V5' Category in accordance with Council's and Endeavour Energy specifications along all the roads fronting the development site should be submitted to Council Traffic and Transport Section for review, if required.

24. A signage and linemarking plan along the roads fronting subject site should be submitted to Council Traffic and Transport Section for approval.

74a. Prior to commencement of any works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Maritime Services publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Maritime Services Traffic Controller, and submitted to Council and the PCA for approval.

Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times.

Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.

90a. All works within the road reserve are to be at the applicant's cost and all signage is to be in accordance with the RMS Traffic Control at Worksites Manual and the RMS Delineation Guideline.

90b. If a works zone is required, an application must be made to Council's Traffic and Transport Section. The application is to indicate the exact location required and the applicable fee is to be included. If parking restrictions are in place, an application to have the restrictions moved, will need to be made.

90c. Notice must be given to Council's Traffic and Transport Section of any interruption to pedestrian or vehicular traffic within the road reserve, caused by the construction of this development. A Traffic Control Plan, prepared by an accredited practitioner must be submitted for approval, 48 hours prior to implementation. This includes temporary closures for delivery of materials, concrete pours etc.

90d. Applications must be made to Council's Traffic and Transport Section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified

person, which is to include the date and times of closures and any other relevant information.

90e. All redundant vehicular crossings shall be removed and replaced with Council's standard kerb and gutter at no cost to Council. The removal and replacement of a driveway with standard integral kerb and gutter shall be the subject of a driveway application to Council and works supervised by that driveway inspection process.

123c. Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Liverpool City Council.

127. All roadworks, signposting and street lighting are to be completed to Liverpool Council requirements, at no expense to Liverpool Council or Roads and Maritime Services.

130a. Council's on-street assets such as footpath should be protected at all times. Any damages should be rectified to Council satisfaction.

141f. A total of 176 off-street car parking spaces including two (2) of disable spaces are to be retained. All the signage and linemarking are to be maintained to Council's satisfaction.

141g. All parking areas shown on the approved plans must be used solely for the intended purpose.

141h. All loading and unloading must take place from the designated loading dock. Goods and/or waste or extraneous material must not be stored in the vehicular manoeuvrings and parking areas. Those areas must be kept clear at all times for the free movement of vehicles.

141i. The operator of the development must not permit the reversing of vehicles onto or away from the road reserve. All vehicles must be driven forward onto and away from the development and adequate space must be provided and maintained on the land to permit all vehicles to turn in accordance with AS 2890.

#### **4. CONCLUSION**

In conclusion, the following is noted:

- The conditions of consent have been updated to factor in the amendment requested by the applicant and the additional conditions of consent recommended by Council's Traffic Engineers.
- The application is still considered satisfactory and is recommended for approval.

#### **5. ATTACHMENTS**

1. Revised Conditions of Consent
2. Superseded Conditions of Consent