

Report to Sydney Central City Planning Panel

Panel reference	2017SWC032
DA number	SPP-17-00002
Proposed development	Warehouse or distribution centre
Street address	36 Huntingwood Drive, Huntingwood
Applicant	Charter Hall
Landowner	Beiersdorf Australia Ltd
Date of DA lodgement	2 February 2017
Number of submissions	One (but not an objection)
Regional development criteria (Schedule 4A of the EP&A Act)	Capital investment value (CIV) over \$20 million (DA has CIV of \$21.8 million)
All relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 64 – Advertising & Signage • Blacktown Local Environmental Plan 2015 • Blacktown Development Control Plan 2015 • Draft West Central District Plan
Report prepared by	Blacktown City Council
Report date	1 November 2017
Recommendation	Approval subject to conditions

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? Not applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s94EF)? Not applicable

Conditions

Have draft conditions been provided to the applicant for comment? Yes

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ATTACHMENTS

Attachment 1	–	Location map
Attachment 2	–	Aerial image
Attachment 3	–	Zoning extract
Attachment 4	–	Detailed information about proposal and DA submission material
Attachment 5	–	Development application plans
Attachment 6	–	Assessment against planning controls
Attachment 7	–	Draft conditions of consent

1 Executive summary

- 1.1 This report considers a Development Application (DA) proposing the demolition of existing structures, removal of all trees, construction and occupation of a warehouse or distribution centre containing 2 units with a total floor area of 32,805 sqm, 235 car parking spaces and associated access including a circulation ring road, loading facilities, signage, stormwater works and landscaping at 36 Huntingwood Drive, Huntingwood.
- 1.2 The proposal constitutes 'Integrated Development' under Section 91(1) of the Environmental Planning and Assessment Act 1979 as the DA seeks to carry out works within 40 m of a watercourse. The Department of Primary Industries – Water has provided its concurrence under the Water Management Act 2000.
- 1.3 Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.4 The application is therefore satisfactory when evaluated against Section 79C of the Environmental Planning and Assessment Act 1979.
- 1.5 This report recommends that the Panel approve the application subject to the recommended conditions.

2 Key issues list

- 2.1 The key issues that need to be considered by the Panel in respect of this application are:

- a. **Building street setbacks** (Section 8.1) – A minor portion of the building encroaches into the 10 m setback to Huntingwood Drive by up to 882 mm. A sprinkler tank and associated screening also encroach into the 10 m street setback by up to 5 m. This approach is considered acceptable given these structures are incorporated into the design of the building façade and will be shielded from view by a metal screen with climbing plants to create a ‘green wall’ effect and general landscaping.
- b. **Multi-tenanted industrial development** (Section 8.2) – The proposal is for one stand-alone building with no intended end user at this stage. It will be capable of being occupied as one single tenancy or 2 separate tenancies. The opportunity to provide up to 2 tenancies on this site is considered acceptable given the substantial size of this site which ensures that each warehouse is capable of functioning independently, and provides a layout and design which presents as one tenancy/warehouse as viewed from each street frontage.
- c. **Matter raised by the general public** (Section 9) – One submission was received from the adjoining property to the east at 34 Huntingwood Drive, Huntingwood, requesting assurance that their building and property will not be subject to overland stormwater flows and associated impacts as a result of this proposal. The proposal includes stormwater management works, which utilise the existing below ground stormwater pipe which transverses the adjoining site to the east and connects to Council’s existing stormwater basin. Therefore, this issue is considered to be suitably addressed by the Applicant to Council’s engineering requirements, and this issue is considered to be properly addressed by conditions of consent.
- d. **Car parking** (Section 11) - The application provides 235 car parking spaces (comprising 176 formal parking spaces and 59 overflow spaces) and seeks a merit assessment under BDCP 2015, as 356 car parking spaces are technically required, being a shortfall of 121 spaces. Council’s Access and Traffic Management Section (ATMS) advises that subject to the 59 overflow car parking spaces being formal car parking spaces at all times, this variation is accepted in this instance.

3 Location

- 3.1 The site is located within the Huntingwood Industrial Estate as identified by BLEP 2015 and as shown in Attachments 1 and 2.
- 3.2 The majority of the site and surrounding land is zoned IN2 Light Industrial. A minor portion of the site to the north is zoned SP2 Classified Road, as is the Great Western Highway which adjoins the site to the north. The land on the northern side of the Great Western Highway is zoned IN1 General Industrial. The land further to the east is zoned SP2 Drainage. The zoning of the site and surrounds is shown in Attachment 3.
- 3.3 The site is located between Huntingwood Drive to the south, being a collector road which provides vehicular access to the site, and the Great Western Highway to the north, being a classified access denied road. Surrounding buildings include light industrial and warehouse uses of varying scale, with existing industrial sites ranging from 4,000 sqm to over 4 ha. Bungaribee Creek is located further to the east of the site. The site is approximately 1 km from Prospect Reservoir.
- 3.4 The existing locality is characterised by established and new industrial development, both within the Huntingwood Industrial Estate and the nearby Huntingwood Precinct, Huntingwood West Precinct and Raceway Precincts as shown in Figure 1 below. The area is well serviced by the surrounding regional road network of the Great Western Highway, M4 and M7 motorways.

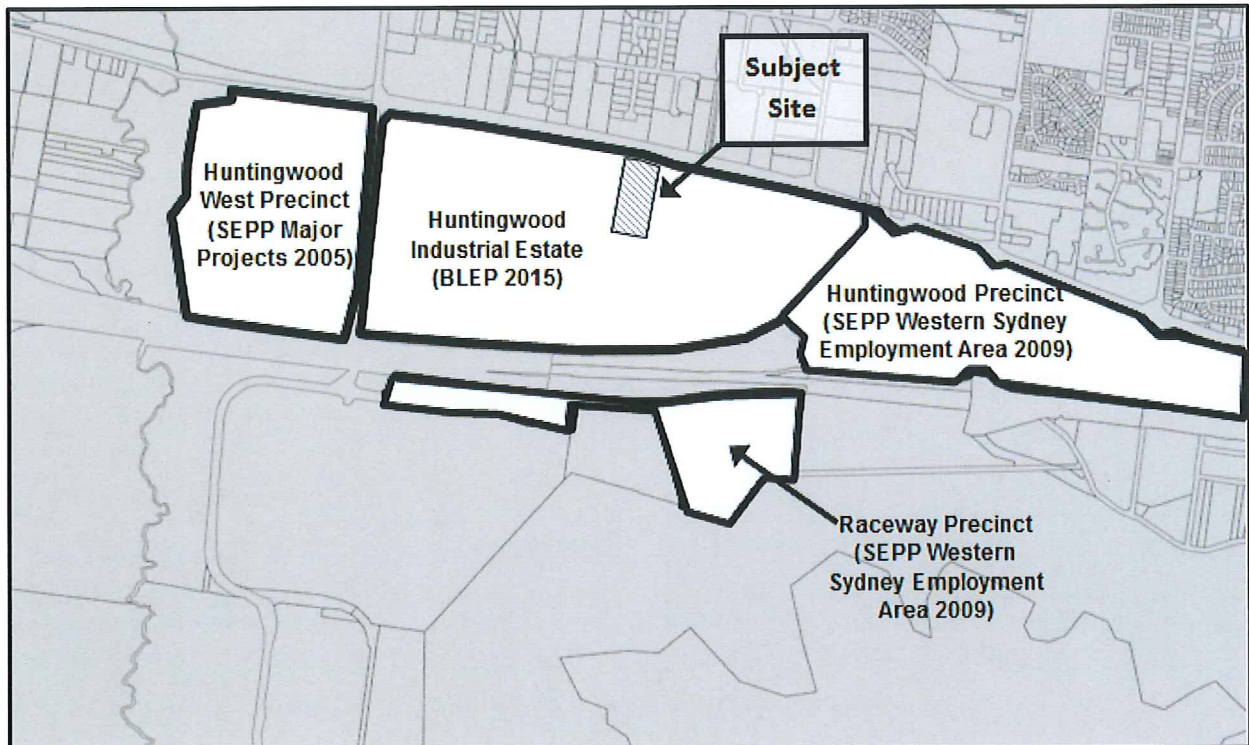


Figure 1. Map showing the subject site, Huntingwood Industrial Estate and surrounding industrial estates (Source: Blacktown Council, 2015)

4 Site description

- 4.1 The current registered land is Lot 1 DP 825318 and the total site area is 5.664 ha.
- 4.2 The site is generally rectangular in shape with a road frontage to Huntingwood Drive to the south. Access is not available to the Great Western Highway to the north.
- 4.3 The site currently contains a vehicular access driveway at the south-eastern corner of the site, a hardstand car parking area and foundations associated with the previously demolished warehouse at the southern portion of the site. There are some existing trees and vegetation within the front and side setback areas.
- 4.4 The site benefits from an existing stormwater pipe under the driveway of the adjoining property to the east, 34 Huntingwood Drive, Huntingwood. This pipe is located approximately 115 m from the southern site boundary and discharges into the Council owned drainage reserve further to the east.
- 4.5 An aerial image of the site, surrounding area and location of the stormwater pipe is at Attachment 2.

5 Background

- 5.1 The southern portion of the site was previously occupied by an industrial warehouse, which has since been demolished due to storm damage. The northern portion of the site is vacant.
- 5.2 On 5 January 2017, a Pre Application Meeting for the proposed warehouse was held with Council officers.
- 5.3 On 2 February 2017, this application was lodged with Council.

6 The proposal

- 6.1 The Development Application (DA) seeks approval for the demolition of the existing structures, construction and occupation of a warehouse or distribution centre containing 2 units and a total floor area of 32,805 sqm, 235 car parking spaces and associated access including a circulation ring road, loading facilities, signage, stormwater works and landscaping, at 36 Huntingwood Drive, Huntingwood.
- 6.2 The Applicant has indicated that the tenant/s or occupier/s of each warehouse facility is not known at this stage. Therefore, this proposal is for general warehousing and logistical activities. The proposed hours of operation are 24 hours a day, 7 days a week.
- 6.3 Other details about the proposal are at Attachment 4 and a copy of the development plans is included at Attachment 5.

7 Assessment against planning controls

- 7.1 A full assessment of the DA against relevant planning controls is provided in Attachment 6, including:
 - a. Environmental Planning and Assessment Act 1979
 - b. State Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
 - c. State Environmental Planning Policy (State and Regional Development) 2011
 - d. State Environmental Planning Policy (Infrastructure) 2007
 - e. State Environmental Planning Policy No. 55 – Remediation of Land
 - f. State Environmental Planning Policy No. 64 – Advertising and Signage
 - g. Blacktown Local Environmental Plan 2015
 - h. Blacktown Development Control Plan 2015
 - i. Draft West Central District Plan.

8 Key planning issues assessment

8.1 Building street setbacks

- a. A minor portion of the building encroaches into the 10 m setback to Huntingwood Drive by up to 882 mm. A sprinkler tank and associated screening also encroach into the 10 m street setback by up to 5 m. The location of these variations to the building setback control are shown in Figure 2 below.

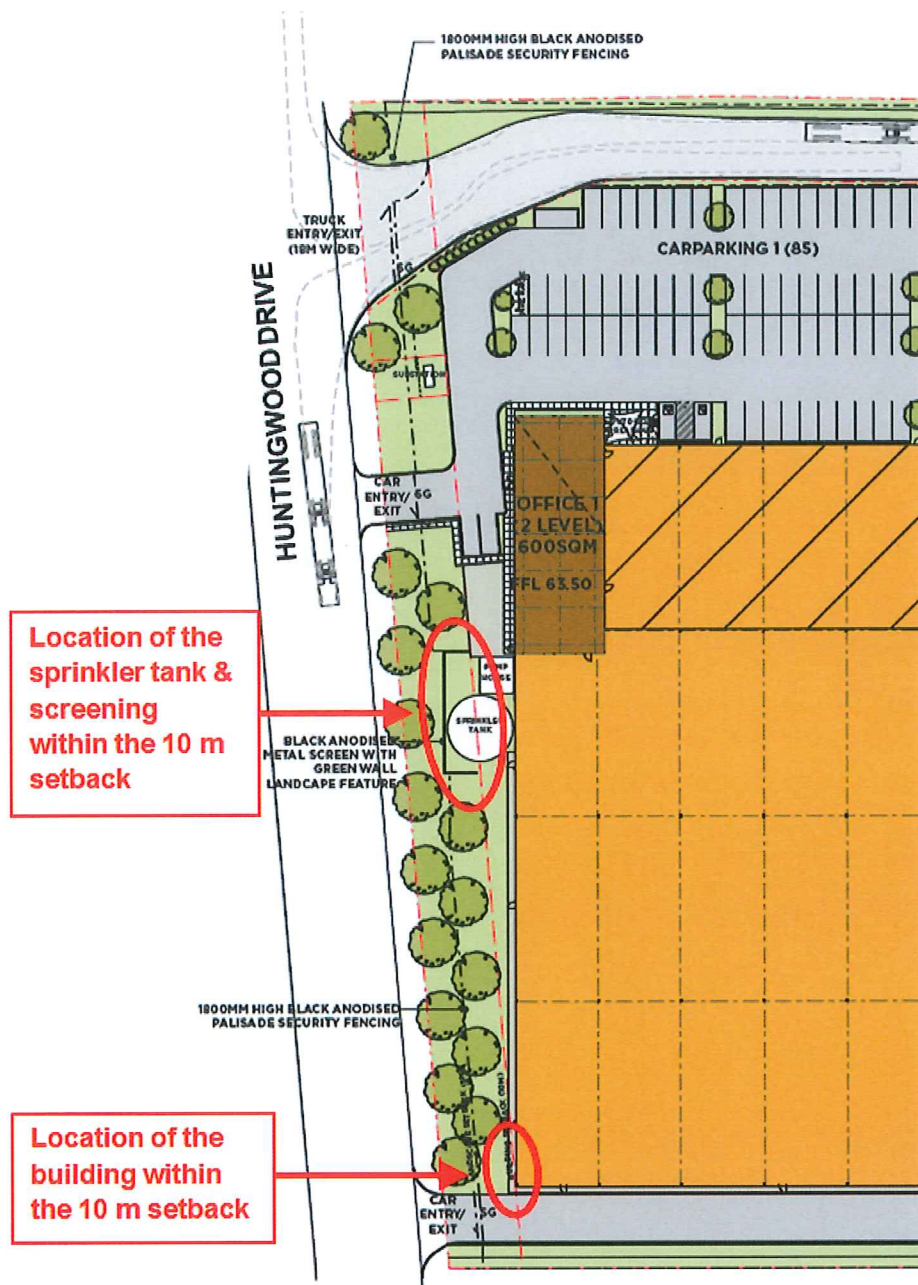


Figure 2. Marked up extract of the Building 1 Site Plan (Plan reference AA04) identifying the location of the encroachments into the 10 m street setback

- b. This approach is considered acceptable given these structures are incorporated into the design of the building façade and will be screened by landscaping. In particular, the sprinkler tank will be screened by a black anodised metal screen to the full height of the tank, with climbing plants attached which will create a green wall effect on the metal screen and general landscaping. The 'green wall' is to consist of suitable climbing plants and all landscaping will be irrigated and managed as part of a monthly maintenance program to ensure its viability. Refer to Figure 3 below.

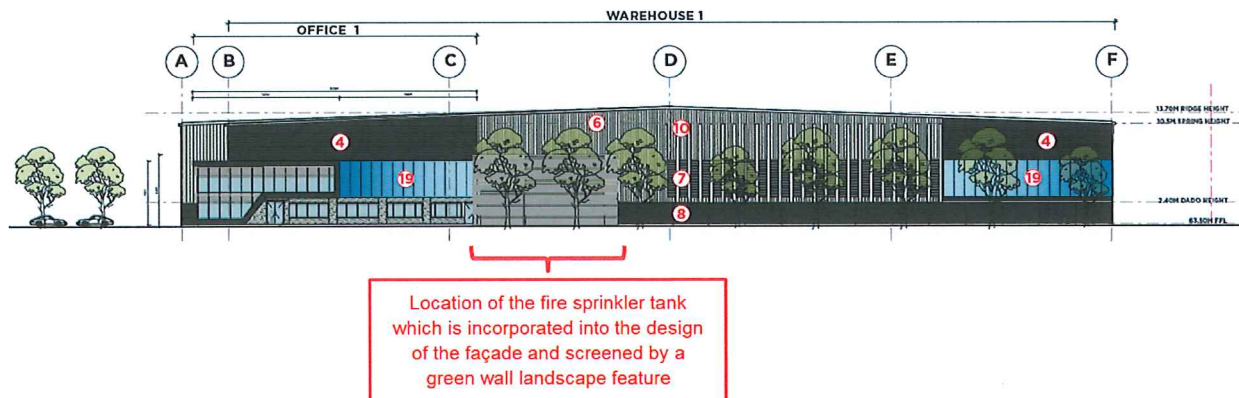


Figure 3. Marked up extract of the South Elevation Plan identifying the location of the encroachments into the 10 m street setback, which are incorporated into the design of the façade and are screened by landscaping

- c. As shown in Figure 2, the alignment of the proposed building is offset with the property boundary. Although a minor portion of the building, the sprinkler tank and its associated screening structures encroach into the setback area, this is offset by the western portion of the setback area which has an increased building setback of up to 19 m, and a large open area which accommodates 2 driveways and a car parking area. Overall this approach provides a high quality and interesting design as viewed from the public domain. So the encroachments into the 10 m setback are considered to be acceptable in this instance, in view of the 9 m offsets provided.

8.2 Multi-tenanted industrial development

- a. Clause 5.3 'Multi-tenanted industrial development' of the DCP states the following:

"Council does not support the establishment of multi-tenanted industrial developments within the Huntingwood Industrial Estate."

Multi-tenanted industrial development means a building or buildings in which 2 or more industrial uses are carried out and situated on the same land.

This definition does not preclude 2 or more differing industrial processes associated with the same development occurring on a single site. However, Council will not support DAs for factory units or warehouse units in Huntingwood unless the units are of a high visual appearance compatible with existing development in the estate, and unless appropriate end uses for the units are specified in the DA.

In determining what constitutes an 'appropriate' end use for multi-tenanted industrial developments, Council will consider the objectives of the Design Guidelines outlined in Section 5.4 below and the IN2 Light Industrial zone objectives contained in Part 2 of Blacktown LEP 2015."

- b. The proposal is for one stand-alone building which is capable of being occupied as one single tenancy or 2 separate tenancies. Although the Applicant has not identified an end user for either unit, they will both be operated as a 'warehouse or distribution centre' with ancillary offices.
- c. The Applicant has provided the following justification:

"The proposed warehouse will be divided by a single tenancy wall but will present as a single warehouse development. This is considered appropriate given the size of the site and will allow for flexibility for the warehouse to be operated by a single tenant if market demands identify the need for a single tenant using both Warehouses 1 and 2."

The design of the facility is of a high visual appearance consistent with the overall Huntingwood Industrial Estate."

- d. In terms of the development's visual appearance, it presents as one tenancy/warehouse as viewed from each street frontage and the units are capable of functioning independently of each other.

9 Issues raised by the public

- 9.1 The proposed development was notified to property owners and occupiers within the locality between 17 March and 5 April 2017. The DA was also advertised in the local newspapers and a sign was erected on the site.
- 9.2 During the notification period, 1 submission was received from the adjoining property to the east at 34 Huntingwood Drive, Huntingwood, however they did not formally object to the application. The comment explains that the building at 34 Huntingwood Drive has a setback to the common boundary of only 1.5 m and will be below the level of the proposed development. Therefore, they have requested assurance that their building and property will not be subject to overland stormwater flows and associated impacts as a result of this proposal.
- 9.3 The proposal includes stormwater management works which utilise the existing below ground 1,200 mm diameter stormwater pipe which traverses under the driveway of 34 Huntingwood Drive, the adjoining site to the east, and connects to Council's existing stormwater basin further to the east, the location of which is shown on the aerial image at Attachment 2. This arrangement is supported by Council's Development Services Engineering and Drainage Sections, with conditions of consent recommended to be imposed to manage the stormwater management works, as provided in Attachment 7. Therefore this issue is considered to be suitably mitigated by the Applicant and conditions, and so the issue has been satisfactorily addressed.

10 External referrals

- 10.1 The DA was referred to the following external authorities for comment:

Section	Comments
Department of Primary Industries (DPI) - Water	Acceptable. For the purposes of the <i>Water Management Act 2000</i> , a controlled activity approval is not required and no further assessment by DPI Water is necessary.
Roads and Maritime Services (RMS)	Acceptable subject to conditions.

11 Internal referrals

- 11.1 Council's Access and Traffic Management Section (ATMS) has advised that the current Blacktown Development Control Plan (DCP) 2015 car parking rates require 356 on-site car parking spaces to be provided for the proposed warehouse and office spaces. 176 formal parking spaces are proposed, which is a shortfall of 180 spaces or 51 %.
- 11.2 If the proposed 59 overflow parking spaces are included, the total number of car parking spaces is increased to 235 spaces, which is still a shortfall of 121 spaces or 34 %.
- 11.3 It is noted that the car parking rate under the RMS Guide to Traffic Generating Development for a warehouse and office is 1 space per 300 sqm, being a minimum car

parking requirement of 85 spaces for this application. The proposed 235 spaces more than satisfies the requirements of the RMS Guide.

- 11.4 Although a variation of 34 % is a significant departure from the DCP car parking requirement, this variation is acceptable in this instance on the basis that it meets the RMS Guide and that all 235 parking spaces must be provided as formal parking spaces.
- 11.5 The Applicant has also recently advised that the future warehouse occupant is anticipated to create a demand for 196 car parking spaces for the use of staff and visitors. Therefore, there will be a surplus of 39 available car parking spaces at all times.
- 11.6 The DA was referred to the internal sections of Council and is considered acceptable subject to conditions.

12 Conclusion

- 12.1 The proposed development has been assessed against all matters for consideration and is considered to be satisfactory. It is considered that the likely impacts of the development have been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to conditions.

13 Recommendation

- 13.1 The Development Application be approved by the Sydney Central City Planning Panel subject to the conditions held at Attachment 7.



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