

TO: Sydney Central City Planning Panel

SUBJECT: 13 - 21 Parramatta Road Lidcombe.

APPLICATION No: DA2021/0273

Application lodged	Tuesday 1 June 2021.
Applicant	Costco Wholesale Australia Pty Ltd.
Owner	Costco Wholesale Australia Pty Ltd.
Application No.	DA2021/0273.
Description of Land	13 to 21 Parramatta Road Lidcombe being Lot 1 in DP 574894, Lot 26 in DP 586063 and Lot 2 in DP 1167437.
Proposed Development	Staged construction and operation of a mixed-use development comprising a service station and commercial offices including associated alterations to the adjoining Costco site, landscaping and civil works.
Site Area	13 to 15 - Parramatta Road 9,384 Square metres. 17 to 21 - Parramatta Road (Existing Costco store) Approximate Area - 24,867 square metres.
Zoning	Enterprise Corridor B6 Zone.
Disclosure of political donations and gifts	Nil disclosure.
Heritage	No heritage listed item on site.
Principal Development Standards	<p><u>Height of Buildings</u></p> <p>Permissible:- 27 Metres for office buildings. Proposed:- 18.8 metres.</p> <p><u>Floor Space Ratio</u></p> <p>Permissible:- 3.0:1. Proposed:- 0.66:1.</p>
Issues	Vehicle access to and from the site.

SUMMARY

1. Development Application 2021/0273 was received on Tuesday 1 June 2021 for the staged construction and operation of a mixed-use development comprising a service station and commercial offices including associated alterations to the adjoining Costco site, landscaping and civil works.
2. The application was publicly notified to occupants and owners of the adjoining properties for a period of twenty eight (28) days between Wednesday 9 June and Wednesday 7 July 2021. During the notification period, there were no submissions received by Council.

3. There are no variations to the applicable planning controls.
4. The development application is referred to the Panel as the development is identified as being Regionally Significant Development with a capital investment value of greater than \$30 million.
5. The application is recommended for deferred commencement consent subject to conditions.

REPORT

SUBJECT SITE AND SURROUNDING AREA

Number 13 to 15 Parramatta Road Lidcombe

The development site is located at 13 to 15 Parramatta Road Lidcombe which has a frontage of 83 metres to Parramatta Road and occupies an area of 9,384 square metres. The site has an irregular shape, is bounded by Parramatta Road to the south and a landscape strip and the M4 Tollway / Motorway to the north.

The existing Costco supermarket building is situated on land at 17 to 21 Parramatta Road to the west and land to the east at 11 Parramatta Road is used as commercial / warehouse outlets including SMS Diesel Spares truck centre and a workshop.

There is a two storey showroom building situated on the site which comprises a showroom and office space at ground level and level 1 and storage and undercroft car parking below ground.

A concrete hardstand area is located to the north of the showroom building and within the central part of the site which was previously used as a loading and unloading area and receiving area.

There is warehouse space adjoining the showroom building which occupies the western side and northern part of the site.

There is a demountable building and a vacant workshop shed situated within Lot 26 of DP 586063.

A car park is provided along the Parramatta Road frontage and within areas surrounding the demountable building.

There is an underground Sydney Water sewer main traversing the eastern side of the site in a north to south direction which passes underneath existing buildings on site. The main built form of the new development will avoid the easement which is an improvement to what currently exists on site.

The land is impacted by Class 2 acid sulphate soils which acts as a site constraint for the carrying out of extensive and deep excavation works on site.

Part of the site (eastern side) is subject to flooding although such flooding is relatively minor in extent and not considered to be a hindrance to the development works sought.

17 to 21 Parramatta Road

The Costco site is situated on land at 17 to 21 Parramatta Road which comprises the Costco supermarket, car parking situated on the northern part of the site and underneath the building (Undercroft car parking) and direct vehicle access to Parramatta Road.

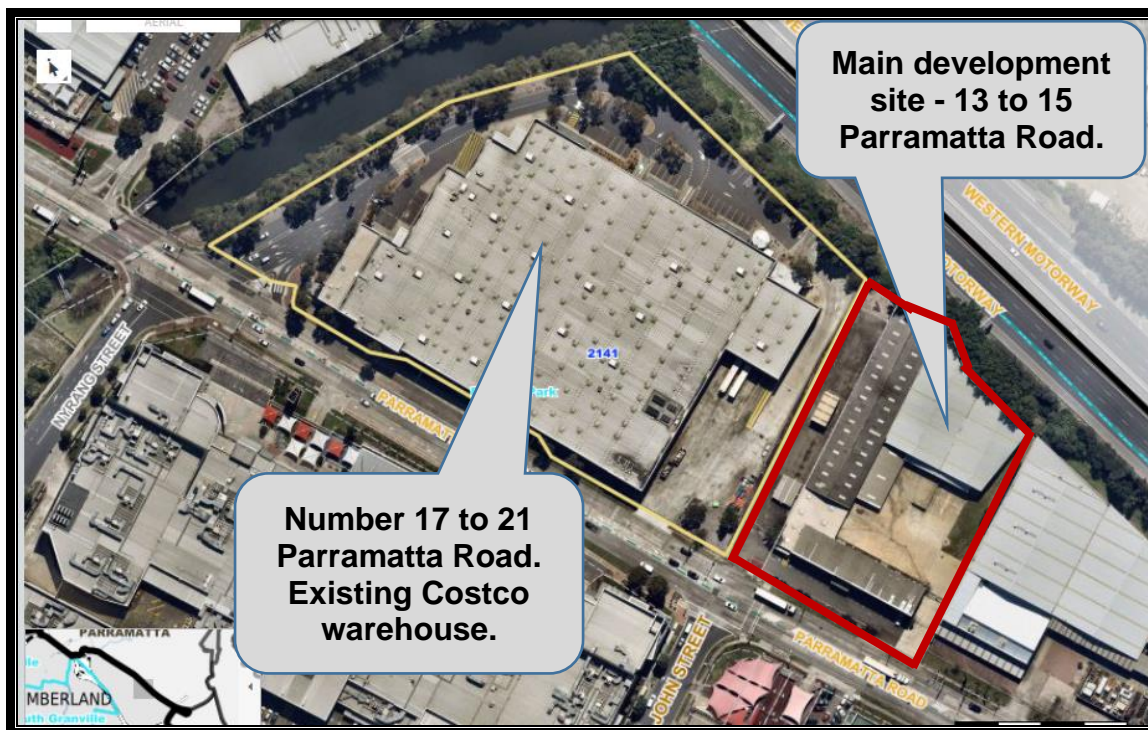
The site occupies an area of approximately 24,867 square metres. Haslams Creek adjoins the site to the immediate west and the M4 Tollway / Motorway lies to the north.

Surrounding development

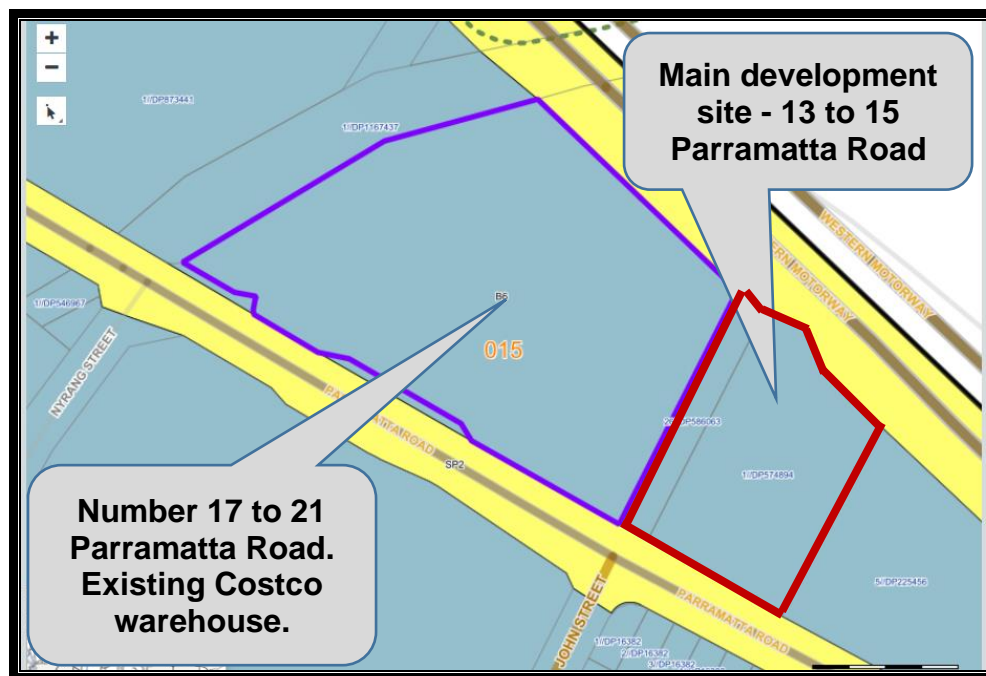
Excluding the presence of the M4 Tollway / Motorway to the north, the locality features a mixture of land uses including:-

- A Bunnings superstore situated on the western side of Haslams Creek at nearby 23 to 29 Parramatta Road.
- Phil Gilbert Toyota at nearby 80 Parramatta Road to the south east.
- Mix of warehousing / bulky goods close by including a Salvos Store at 82 Parramatta Road to the south (Southern side of Parramatta Road).
- A car wash situated on the southern side of Parramatta Road at 90 Parramatta Road.
- Lidcombe Shopping Centre to the south at 92 Parramatta Road with supporting car parking at the rear and underneath the building.

The location of the site is shown below.



The land use zoning map is provided below.



Photos of the site taken during the site inspection of Tuesday 8 June 2021 are provided below.



DESCRIPTION OF THE PROPOSED DEVELOPMENT

Development application 2021/0273 is seeking the approval for the staged construction and operation of a mixed use development comprising a service station and commercial offices at 13 to 15 Parramatta Road Lidcombe and associated amendments to the existing Costco development at the adjoining 17 to 21 Parramatta Road Lidcombe. A detailed description of the development is provided below.

Demolition work

All buildings across 13 to 15 Parramatta Road will be demolished including all hardstand areas and landscaping.

In addition, a small area of the existing surface level Costco car parking area located to the north of the Costco warehouse building will be subjected to site works including the removal of existing line marking and appropriate works to facilitate construction of a roundabout.

Excavation and bulk earthworks

Bulk earthworks will be undertaken across 13 to 15 Parramatta Road and cut and fill works will be undertaken to a depth of up to 4 to 5 metres below the existing ground level so that a level site is achieved. This will result in a site that will have different finish levels compared to what presently exists and will ensure suitable gradients between 13 and 15 and 17 and 21 Parramatta Road are achieved. The works have been assessed as not penetrating deep enough to create adverse issues of acid sulphate soils.

Building work - Office

A two storey undercroft car park for parking 161 vehicles plus a two storey office building will be constructed on site. Hence when complete, this will be a four storey building. The office building will occupy an area of 6,175 square metres and will operate as Costco's office headquarters for Australia.

The office building will be situated within the northern part of the site and is irregular in shape to make efficient use of the shape of the land. The office building features open plan office area for staff, amenities, a conference room shown on both levels, storerooms, meeting rooms, lift access and an internal balcony that is open to the sky.

Building work - Service station

A service station will be constructed on site in front of the Costco office building. The service station will feature a 5.895 metre high roof canopy, 12 fuel pumps, 2 high flow dispensers and a prefabricated pre finished data hut controller enclosure and WC. Underground storage tanks will need to be installed for the storage of fuel.

The service station will not generally be manned in the conventional sense as customers will be required to swipe their membership cards to be able to obtain and pay for fuel using a "pay at pump" system.

The applicant has provided evidence that such a service station is operational at Casula and this arrangement will be the same as that station.

Hours of operation

The office will be used by Costco staff and will generally operate between 8 am and 6 pm Monday to Friday and at peak capacity, up to 500 staff could work on site following the conclusion of Stage 2 works.

The service station will operate between 6 am and 10 pm daily including public holidays.

Fuel deliveries are expected to occur at any time but more likely outside the retailing business hours of the Costco Retail Warehouse such as early mornings or late evenings.

Electricity substations

A substation will be installed on site to provide adequate power supply to the Stage 1 works. A second substation will also be required at a later stage to accommodate the Stage 2 works. The substations will each generate electricity supply of 600 KVA to service the development.

Car parking work at 17 to 21 Parramatta Road Lidcombe

The site access provisions to the existing Costco site will be altered to allow for adequate vehicle access to and from the office building.

A round about will be constructed on the northern side of the Costco site to facilitate adequate vehicle movements within and between the two sites.

Vehicle access

The applicant is seeking to undertake a number of works within the site which reduces vehicle access to and from Parramatta Rad as advised by Transport for New South Wales. The plans are showing:-

- One vehicle access point from Parramatta Road that will only be used for fuel trucks as per the recommendation from Transport for New South Wales.
- Remaining vehicle access to and from the site via the rear of the existing Costco supermarket traffic signals at the intersection of Nyrang Street and Parramatta Road.

Proposed signage

The proposed signage is outlined in the table below.

Type of signs	Location and wording	Dimensions and area
Four Type D Costco Warehouse signs.	Southern, eastern and western sides of roof canopy of service station. "Costco Wholesale".	3.15 metres x 0.715 metres and each occupying 2.25square metres. Total - 9 square metres.
Fuel price signage board.	Service station and read "Costco Wholesale" with details of pricing.	2.8 metres x 2 metres. Total - 5.6 square metres. Double sided structure.
Total - 5 Signs.		Total area - 20.2 square metres.

Other works

Other works include landscaping, stormwater drainage and utilities to service the development.

Staging of the construction works

The applicant is wishing to Stage the development into Stage 1 and Stage 2 as follows.

Stage 1

Stage 1 of the works will comprise the construction of the two storey undercroft car park and one storey of the office building, the service station, a substation, road works and ancillary landscaping, physical infrastructure, stormwater drainage and utility works. Stage 1 will include construction of an interim roof over the new office space.

Stage 2

Construction of a second storey of the office space and provision of a second substation. Approval is also sought for staged construction certificates and staged occupation certificates.

HISTORY

A teleconference pre lodgement meeting was held with the applicant on Friday 23 October 2020 to discuss the proposal. Matters of design, car parking, flooding, site contamination, acid sulphate soils and submission requirements were addressed during that meeting. The pre lodgement notes were issued on Wednesday 4 November 2020.

The development application for the site was lodged with the Council for determination on Tuesday 1 June 2021.

The development application was notified for a period of twenty eight (28) days between Wednesday 9 June and Wednesday 7 July 2021. During the notification period, Council received no submissions.

The applicant has worked with Council officers during the assessment phase and the report being presented is based on the plans submitted Friday 5 November 2021.

APPLICANTS SUPPORTING STATEMENT

The applicant has provided a Statement of Environmental Effects prepared by Ethos Urban which is dated Wednesday 26 May 2021.

CONTACT WITH RELEVANT PARTIES

The assessing officer has undertaken a site inspection of the subject site and surrounding properties and has been in regular contact with the applicant throughout the assessment process.

INTERNAL REFERRALS

Development Engineer

The development application was referred to Council's Development Engineer for comment who has advised that the development proposal is supported subject to conditions. There are conditions addressing stormwater drainage, protection of the Sydney Water easement and traffic conditions across the site.

Council engineers have also determined that the development is acceptable notwithstanding the minor flood risk that exists across part of the site.

Building Surveyor

The development application was referred to Council's Building Surveyor for comment who has advised that the development proposal is satisfactory subject to conditions.

Environment and Health

The development application was referred to Council's Environment and Health Officer for comment who has advised that the development proposal is satisfactory. Conditions are

provided addressing land contamination / acid sulphate soils, demolition and construction activities and operations of the service station.

Landscape Architect/Officer

The development application was referred to Council's Landscape Architect/Officer for comment who has raised no objection to the development application. Conditions have been provided for any consent issued.

Waste Management

The development application was referred to Council's Waste Management Officer for comment who has advised that the waste management system proposed is satisfactory for approval. No conditions are provided for any consent that may be issued.

EXTERNAL REFERRALS

The development application has been referred to the following external Government Departments for assessment.

Natural Resources Access Regulator (NRAR) - (Clause 91 of the Water Management Act Integrated Development)

The development application was treated as an integrated development matter given the proximity of a drainage channel to the site however as per correspondence of Friday 16 July 2021, a controlled activity approval is not required under the Water Management Act 2000. The conclusion is reached because all works are occurring greater than 40 metres from the top bank of the watercourse. As such, no further action is required.

Transport for New South Wales

The development application has been referred to Transport for New South Wales who have advised that a deferred commencement consent will be granted subject to conditions. The deferred commencement consent conditions requires the applicant to provide:-

- Updated plans showing how the traffic signals of Parramatta Road with Nyrang Street will work in accordance with Transport for New South Wales requirements.
- Updated SIDRA modelling for review and verification.

Ausgrid

As per the comments provided, there are no objections to the proposed development. General comments are provided addressing work close to powerlines and underground electrical cables. The matters raised are addressed at proposed condition 90 attached to the condition set provided.

New South Wales Fire and Rescue Service

The development application was referred to the New South Wales Fire and Rescue Service. The New South Wales Fire and Rescue Service has advised by telephone that no such referral is required.

New South Wales Police (Auburn Police Area Command)

The New South Wales Police (Auburn Police Area Command) have provided comments. Generally, there are no objections to the development although conditions are provided for any consent that may be issued.

PLANNING COMMENTS

The provisions of any Environmental Planning Instruments (EP&A Act s4.15 (1)(a)(i))

State Environmental Planning Policies

The proposed development is affected by the following State Environmental Planning Policies:

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

Development of a type that is listed in Schedule 7 of SEPP (State and Regional Development) 2011 is defined as 'regional significant development'. Such applications require a referral to a Sydney District Panel for determination as constituted by Part 3 of Schedule 2 under the Environmental Planning and Assessment Act 1979. The proposed development constitutes "Regionally Significant Development" as it has a Capital Investment Value (CIV) of more than \$30 million. As such, the Sydney Central City Planning Panel is the consent authority for the development sought.

(b) State Environmental Planning Policy No 19 - Bushland in Urban Areas

There is no bushland affected by the proposed works however there is a strip of land within the M4 Tollway / Motorway reserve situated between the development site and the road carriageway that comprises a landscape strip and a row of mature trees. The trees are situated on land managed by Transport for New South Wales. The proposed works are not expected to have any adverse impact onto the row of trees situated at the rear of the site.

Transport for New South Wales have reviewed the development application and has not raised any concerns in relation to the proximity of the development to the row of trees situated on State owned land.

(c) State Environmental Planning Policy 33 "Hazardous and Offensive Development"

State Environmental Planning Policy 33 "Hazardous and Offensive Development" is relevant to the construction of a service station on site. The Costco Service Station will feature the following:-

- 12 fuel pumps.
- 2 high flow dispensers.
- A pre fabricated pre finished data hut controller.
- A roof canopy.

There will be seven underground storage tanks installed on site as identified in the table below.

Location	Fuel type	Storage type	Class	Maximum Quantity
Fuel station forecourt. Tank 1.	Diesel.	Underground tank.	C1(2)	110,000 litres.
Fuel station forecourt. Tank 2.	Diesel.	Underground tank.	C1	110,000 litres.
Fuel station forecourt. Tank 3.	Unleaded Petrol (ULP).	Underground tank.	3	110,000 litres.
Fuel station forecourt. Tank 4.	Premium unleaded petrol. (PULP).	Storage vessel underground tank.	3	80,000 litres.
Fuel station. Tank 5.	Premium unleaded petrol. (PULP).	Storage vessel underground tank.	3	70,000 litres.
Fuel station forecourt. Tank 6.	Petrol Additive.	Storage vessel underground tank.	3	9,000 litres.
Fuel station forecourt. Tank 7.	Diesel additive.	Storage vessel underground tank.	9	6,000 litres.
Total Quantity of fuel storage.				495,000 litres.

A State Environmental Planning Policy 33 risk screening report prepared by ACOR Consultants and dated 27/1/2021 has demonstrated that:-

- There are no other hazardous material stored on other nearby sites within the fuel station area.
- All the materials to be stored are classified as Class 3 packaging group (PG)II.
- The volume of fuel amounts to 79 tonnes.
- The risk screening distance for 79 tonnes of Class 3 PGII fuel is 9 metres from the site boundaries.
- All the underground tanks are situated between 10.92 and 23.31 metres from a boundary and as such is complying with the separation distances of the risk screening method.
- The development is not located within close proximity of any residential or sensitive land uses.

The risk screening method identifies that the service station is not a potentially hazardous industry based on storage locations of Table 1 and Figure 9 of the “Applying SEPP 33” document.

Risk screening method for transport of fuel

The expected fuel throughput is calculated at 60 megalitres per annum. The proposed development will be supplied by B double fuel tankers that will be carrying 56,000 litres of fuel per delivery. This will equate to approximately 1,072 bulk fuel deliveries per year or 21 deliveries per week or 3 deliveries per day.

Table 2 of the Applying “SEPP 33” document is used to determine the threshold for the transport of fuel. For 3PGII, the risk screening threshold for the transport of fuel is 750 movements per year.

The estimated weekly load of 21 deliveries is below the weekly limit of 45 vehicle movements but the yearly threshold exceeds the yearly threshold limit of 750 vehicle movements.

Therefore, the proposed traffic movements would mean that the Costco fuel station would be considered a potentially hazardous industry. As such, a preliminary hazard analysis is required in this instance.

Preliminary Hazard Analysis

A State Environmental Planning Policy 33 “Preliminary Hazard Analysis” prepared by ACOR Consultants and dated 24/5/2021 has stated at Part 1.2 that the fatality risks posed by the fuel station transportation component are below the New South Wales Road fatality rates and fixed installation land use criteria. As a result, the risks associated with the service station are tolerable.

According to the Preliminary Hazard Analysis, the station will be supplied by fuel from the nearby Silverwater Terminal and fuel will be transported along arterial roads or divided roads and not residential streets. In this regard, Holker Street, Silverwater Road, Parramatta Road and Hill Road will be used, all of which comprise 2 or more lanes in each direction. Fuel will be transported through industrial and business zoned land and not residential zoned land.

The Preliminary Hazard Analysis identifies that the environmental risk posed by the fuel station is consistent with the existing environmental risk profile associated with roads and zoned areas which form the transport route. The transport of fuel does not pose an unacceptable risk to the locality and the transport of fuel is acceptable.

The following recommendations are made to ensure that the risks are minimised:-

- Approved dangerous goods transport carriers be trained and all necessary documents are to be used.
- Emergency plans be prepared to handle any emergency and training be conducted.
- The facility is to be constructed, operated and maintained in accordance with the legislation, Australian Standards, industry best practise and within design limits.
- Any changes to the site, design, operations, transport route, delivery or the introduction of new risks should be assessed, the PHA be reviewed and suitably controlled.

Given the above, the development is determined as being acceptable for the location.

(d) State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)

Clause 7 of SEPP 55 requires Council to be satisfied that the site is suitable or can be made suitable to accommodate the proposed development. The matters listed within Clause 7 have been considered in the assessment of the development application.

Matter for Consideration	Yes/No
Does the application involve re-development of the site or a change of land use?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the development going to be used for a sensitive land use (e.g residential, educational, recreational, childcare or hospital)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Matter for Consideration	Yes/No
Does information available to you indicate that an activity listed below has ever been approved, or occurred at the site? acid/alkali plant and formulation, agricultural/horticultural activities, airports, asbestos production and disposal, chemicals manufacture and formulation, defence works, drum re-conditioning works, dry cleaning establishments, electrical manufacturing (transformers), electroplating and heat treatment premises, engine works, explosive industry, gas works, iron and steel works, landfill sites, metal treatment, mining and extractive industries, oil production and storage , paint formulation and manufacture, pesticide manufacture and formulation, power stations, railway yards, scrap yards, service stations, sheep and cattle dips, smelting and refining, tanning and associated trades, waste storage and treatment, wood preservation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the site listed on Council's Contaminated Land database?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the site subject to EPA clean-up order or other EPA restrictions?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has the site been the subject of known pollution incidents or illegal dumping?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the site adjoin any contaminated land/previously contaminated land?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Has the appropriate level of investigation been carried out in respect of contamination matters for Council to be satisfied that the site is suitable to accommodate the proposed development or can be made suitable to accommodate the proposed development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Details of contamination investigations carried out at the site: A detailed site investigation report prepared by Alliance Geotechnical and dated Thursday 27 February 2020 has been submitted to the Council for assessment. The report concludes that the site is suitable for the proposed use. As per the Environment and Health referral of Thursday 11 November 2021, all matters concerning land contamination and acid sulphate soils have been addressed and are capable of being addressed through standard conditions of consent.	

(e) State Environmental Planning Policy 64 "Advertising and Signage"

State Environmental Planning Policy 64 "Advertising and Signage" is applicable to the development application and business identification signs to be erected. An assessment which is provided at Appendix A demonstrates that the erection of five signs is acceptable in the location. It is determined that full compliance is achieved under the relevant provisions of the State Policy.

(f) State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy Infrastructure is relevant to the development application and the following clauses are relevant to the development application.

Clause 45 - Development likely to affect an electricity transmission or distribution network.

An electricity substation will be installed on site to provide adequate power supply to the Stage 1 works. A second substation will also be required to accommodate the Stage 2 works

offices. The substations will each generate electricity supply of 600 KVA to service the development.

The development application has been referred to Ausgrid who has raised no objection to the development. General comments are provided addressing work close to powerlines and underground electrical cables. The matters raised are addressed at condition 89 attached to the condition set provided.

Clause 101- Frontage to classified road

The application is subject to clause 101 as the site has a frontage to Parramatta Road which is a Classified Road carrying more than 40,000 vehicles per day. The development application has been referred to Transport for New South Wales for assessment which has previously been addressed.

Clause 104 and Schedule 3 - Traffic Generating Developments

The application is subject to clause 104 as the proposal triggers the requirements for traffic generating developments listed in Schedule 3 of the State Policy. The development has been assessed by Transport for New South Wales who have advised in writing that the development is supported subject to deferred commencement consent.

(g) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The development application includes the removal of disused landscaping strips and a small number of shrubs and or insignificant trees. There is no objection raised in relation to the removal of such vegetation to facilitate the works. It is concluded that the proposal does not exceed the biodiversity offsets scheme threshold.

Regional Environmental Plans

The proposed development is affected by the following Regional Environmental Plans:

(a) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The subject site is identified as being located within the area affected by the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005. The proposed development raises no issues as no impact on the catchment is envisaged.

The subject site is not identified in the relevant map as 'land within the 'Foreshores and Waterways Area' or 'Wetland Protection zone', is not a 'Strategic Foreshore Site' and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development.

Local Environmental Plans

The Cumberland Local Environmental Plan 2021 (CLEP) has been gazetted on the NSW Legislation website and commenced on Friday 5 November 2021. The CLEP 2021 is prepared to provide a single planning framework for the future planning of Cumberland City. The CLEP 2021 harmonises and repeals the three LEPs previously applicable to the Cumberland local government area, those being:

- Holroyd Local Environmental Plan 2013.
- Parramatta Local Environmental Plan 2011.
- Auburn Local Environmental Plan 2010.

However, as the subject application was lodged prior to the gazettal of the Cumberland LEP 2021, in accordance with Clause 1.8A - Savings provision relating to development applications, the application is assessed under the provisions of the Auburn LEP 2010. As the Cumberland LEP was an exhibited draft at the lodgement of the subject application, the provisions of the Cumberland LEP are also considered in the assessment of the application and are considered to be satisfactory.

The provisions of the Auburn Local Environmental Plan 2010 are applicable to the development application. It is identified that the development achieves compliance with the key statutory requirements of the Auburn Local Environmental Plan 2010 and the objectives of the B6 Enterprise Corridor zone.

(a) Permissibility:-

The proposed development is defined as the following:-

- Office premises
- Service station.
- Business identification signage.

1 - Office premises is defined as *“a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used”*.

Note—

“Office premises are a type of commercial premises - see the definition of that term in this Dictionary”.

2 - A service station is defined as *“a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:-*

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,*
- (b) the cleaning of motor vehicles,*
- (c) installation of accessories,*
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),*
- (e) the ancillary retail selling or hiring of general merchandise or services or both”*.

3 - A business identification sign is defined as a sign:-

“(a) that indicates:-

- (i) the name of the person or business, and*
- (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and*

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note—

“Business identification signs are a type of signage - see the definition of that term in this Dictionary”.

Office premises, a service station and business identification signage are permissible developments and land uses within the B6 Enterprise Corridor zone subject to consent.

Proposed works at 17 to 21 Parramatta Road

The proposed roadworks including car park works and a new roundabout are considered as being alterations to a car park that forms part of the existing Costco site. Alterations to the existing supermarket site being alterations to a retail premises is permissible with consent courtesy of Clause 6.9 of the Auburn Local Environmental Plan 2010.

The relevant matters to be considered under the Auburn Local Environmental Plan 2010 and the applicable clauses for the proposed development are summarised below. A comprehensive LEP assessment is contained in Appendix B.

Auburn Local Environmental Plan 2010 Compliance Table

DEVELOPMENT STANDARD	COMPLIANCE	DISCUSSION
4.3 Height of Buildings - 27 metres for office premises.	Yes	The office premises once complete (Stage 2) will have a maximum height of 18.8 metres.
4.4 Floor Space Ratio 3.0:1.	Yes	The development has a floor area of 6,192.7 square metres and a floor space ratio of 0.66:1.

The provisions of any proposed instrument that is or has been the subject (EP&A Act s4.15 (1)(a)(ii))

There are no draft planning instruments that applies to the development application.

The provisions of any Development Control Plans (EP&A Act s4.15 (1)(a)(iii))

The Cumberland DCP 2021 is in force as of 5 November 2021. However, as the subject application was lodged prior to the Cumberland DCP coming into force, in accordance with Clause 1.1.4 - Savings provision of Part A - Introduction, the application is assessed under the provisions of the Auburn DCP 2010. As the Cumberland DCP 2021 was adopted by Council at the lodgement of the subject application, the provisions of the Cumberland DCP are also considered in the assessment of the application and are considered to be satisfactory.

Auburn Development Control Plan 2010

The Auburn Development Control Plan 2010 provides guidance for the design and operation of development to achieve the aims and objectives of the Auburn Local Environmental Plan 2010.

The development application is compliant with all the relevant provisions applicable to the development. A comprehensive assessment of the development using the “Industrial Areas” chapter is provided at Appendix C.

The provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4 (EP&A Act s4.15(1)(a)(iia))

There is no draft planning agreement associated with the subject development application.

The provisions of the Regulations (EP&A Act s4.15 (1)(a)(iv))

The proposed development raises no concerns as to the relevant matters arising from the *Environmental Planning and Assessment Regulations 2000* (EP&A Reg).

The Likely Environmental, Social or Economic Impacts (EP&A Act s4.15 (1)(b))

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

The suitability of the site for the development (EP&A Act s4.15 (1)(c))

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, it is considered that the development is suitable in the context of the site and surrounding locality.

Submissions made in accordance with the Act or Regulation (EP&A Act s4.15 (1)(d))

Council website ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification requirements contained within the Auburn Development Control Plan 2010, the development application was publicly notified to occupants and owners of the adjoining properties for a period of twenty eight (28) days between Wednesday 9 June and Wednesday 7 July 2021. During the notification period, Council received no submissions in respect to the development that is proposed.

The public interest (EP&A Act s4.15(1)(e))

In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

CUMBERLAND LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2020

The development would require the payment of contributions in accordance with the Cumberland Local Infrastructure Contributions Plan 2020. In accordance with the Contribution Plan, a contribution of \$316,270 is payable prior to the issue of a Construction Certificate. Condition 30 is attached to the consent addressing the contribution that is payable.

DISCLOSURE OF POLITICAL DONATIONS AND GIFTS

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

Conclusion

The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979 and the following State Environmental Planning Policies:-

- (a) State Environmental Planning Policy (State and Regional Development) 2011.
- (b) Statement Environmental Planning Policy No 19 - Bushland in Urban Areas.
- (c) State Environmental Planning Policy 33 "Hazardous and Offensive Development".
- (d) State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55).
- (e) State Environmental Planning Policy 64 "Advertising and Signage".
- (f) State Environmental Planning Policy (Infrastructure) 2007.
- (g) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.
- (h) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.
- (i) Auburn Local Environmental Plan 2010.
- (j) Cumberland Local Environmental Plan 2021.
- (k) Auburn Development Control Plan 2010.

The development is considered to be satisfactory.

The proposed development is appropriately located within the B6 Enterprise Corridor zone under the provisions of the Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and the development may be approved as a deferred commencement consent subject to conditions.

RECOMMENDATION

1. **That Development Application No. DA2021/0273 for Staged construction and operation of a mixed-use development comprising a service station and commercial offices including associated alterations to the adjoining Costco site,**

landscaping and civil works on land at 13 to 21 Parramatta Road Lidcombe be approved as a deferred commencement consent subject to conditions.

ATTACHMENTS

1. Draft Notice of Determination -
2. Architectural and landscape plans
3. Appendix A - State Environmental Planning Policy 64 Assessment -
4. Appendix B - Auburn Local Environmental Plan 2010 Assessment -
5. Appendix C - Auburn Development Control Plan 2010 - Industrial Areas Assessment