

Appendix A
Assessment Table Cumberland Local Environmental Plan 2021

Clauses	Comment
<p><u>Clause 1.2</u> Is the development consistent with the aims of the LEP?</p>	<p>The development application is consistent with the following aims at Clause 1.2:</p> <ul style="list-style-type: none"> • <i>2(b) to provide for a range of land uses and development in appropriate locations to meet community needs.</i> • <i>2(C) to facilitate economic growth and employment opportunities within Cumberland.</i> • <i>2(f) to promote development that is environmentally sustainable.</i> <p>The development is supported as it is part of a complete redevelopment of the site consistent with the planning controls that apply.</p>
<p><u>Land Use Table</u> Is the development consistent with the Zone objectives?</p>	<p>The objectives of the E4 General Industrial zone are:</p> <ul style="list-style-type: none"> • <i>To provide a range of industrial, warehouse, logistics and related land uses.</i> • <i>To ensure the efficient and viable use of land for industrial uses.</i> • <i>To minimise any adverse effect of industry on other land uses.</i> • <i>To encourage employment opportunities.</i> • <i>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</i> <p>The proposed development comprises 10 warehouse tenancies of varying size across the site. It will also be possible to use certain tenancies for general industrial purposes.</p> <p>The first to the fourth of the stated and relevant objectives are complied with. Employment land uses are being established within an established industrial area.</p>
<p><u>Land Use Table</u> Permissibility.</p>	<p>The proposed development is defined as a “warehouse or distribution centre” defined by the Cumberland Local Environmental Plan 2021 as:</p> <p><i>“A building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made and includes local distribution premises”</i></p> <p>A warehouse or distribution centre is a permissible land use within the E4 General Industrial zone.</p>

	<p>While not stated within the statement of environmental effects, tenancies could also be used for “General Industry” defined as:</p> <p><i>“A building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity”</i></p> <p>Such a use would also be permitted with consent within the zone.</p>
<p><u>Clause 4.3</u> Height of buildings “Nil”.</p>	<p>The maximum height of the warehouse buildings do not exceed 18.1 metres. Given location, there are no concerns in relation to building height.</p> <p>It should be noted that most of the development is lower in height at between 13 and 14.6 metres.</p>
<p><u>Clause 4.4</u> Floor space ratio “Nil”.</p>	<p>The floor space ratio of the development is calculated and tested at 0.517:1.</p> <p>This is acceptable for the site and no concerns are raised in relation to the size of the development across the site.</p>
<p><u>Clause 4.6</u> Exceptions to development standards.</p>	<p>This will not be required for the development application as no variations are identified.</p>
<p><u>Clause 5.10</u> Heritage conservation.</p>	<p>The site is not listed as a heritage item within the Cumberland Local Environmental Plan 2021.</p> <p>There are no heritage listed sites adjoining to or adjacent to the site.</p>
<p><u>Clause 5.12</u> Flood planning.</p>	<p>The site is identified as flood prone land. However, Council engineers have advised that the proposal is considered suitable to the site subject to the provision of amended flood impact report and the FFL of the proposed development to be amended to match the outcome of the amended flood impact report.</p> <p>In this regard, a condition is recommended in the consent to amend the flood impact report prior to the issue of the operational consent.</p>
<p><u>Clause 6.1</u> Acid sulphate works.</p>	<p>The Cumberland Local Environmental Plan 2021 mapping does not delineate acid sulphate soils for the soil or to adjoining site.</p> <p>Notwithstanding this statement, the site is currently being excavated and cleared of contaminants. This</p>

	<p>includes new infilling works, dewatering where required and removal of impacted soils.</p> <p>A benefit is occurring as Development Application 2022/0085 incorporated relevant documents addressing possible acid sulphate soils. It was found that acid sulphate was not an issue for site.</p> <p>As such and with the amount of work already occurring, it can be safely determined that the development is satisfactory under the heading.</p>
<p><u>Clause 6.2</u> Earthworks.</p>	<p>The site is currently being excavated and cleared of contaminants as part of the Category 1 decontamination works. This includes new infilling works, dewatering where required and removal of impacted soils.</p> <p>The work is ongoing as per development consent 2022/0085.</p> <p>The work associated with this development application will require excavation work but through clean soil profiles.</p> <p>The applicant has calculated that 22,281 cubic metres of soil will need to be excavated to construct the basement car parks and 49,595 cubic metres of fill will need to be moved across the site to achieve the appropriate flood levels.</p> <p>Extensive earthworks will be required to achieve the appropriate levels.</p> <p>Stormwater will be discharged through to the east and west of the site connecting into existing systems and relevant easements.</p> <p>The works are not shown to have adverse impacts to the parklands and watercourse to the south of the site.</p>
<p><u>Clause 6.4</u> Essential services.</p>	<p>The site is provided with essential services, however as part of the demolition works approved under a recent complying development certificate, the services have been capped or dismantled.</p> <p>New services will need to be re - established across the site to support the whole development.</p> <p>Appropriate conditions are provided addressing such matters for Panel consideration.</p>
<p><u>Clause 6.5</u> Biodiversity.</p>	<p>As part of the development application, at least 127 trees will need to be removed. Out of this figure:</p>

	<ul style="list-style-type: none"> • 1 has high retention value. • 75 have moderate retention value. • 51 have low retention value. <p>A further 9 trees are recommended for removal due to poor health and or structure.</p> <p>The extent of tree removal equates to 4,353 square metres of native vegetation which activates the requirements of the Biodiversity Offset Scheme.</p> <p>At least 4 ecosystem credits relating to the Cumberland River Flat Forest Plant Community are required to be purchased.</p> <p>The site does not provide any habitat for any threatened flora or fauna species and the proposal does not incur any species credit offset obligations.</p> <p>The native vegetation within the site does not meet the thresholds for assessment under the Environmental Protection and Biodiversity Conservation Act 1999 as amended.</p> <p>The development will include appropriate landscaping treatments across the site occupying at least 10,800 square metres or 15%. At least 14 trees will be replanted as part of the landscape response.</p> <p>Council's Tree Management Officer has assessed the relevant components of the development application and advises that the development is supported subject to conditions.</p>
<u>Clause 6.6</u> Riparian land and watercourses.	The site including the southern portion close to the southern fence line is not within a riparian zone.
<u>Clause 6.7</u> Stormwater management.	Council development engineers have advised the proposed stormwater concept design is considered acceptable subject to conditions.
<u>Clause 6.9</u> Salinity.	<p>A geotechnical report prepared by PSM and dated Monday 12 December 2022 identifies the presence of low levels of saline water mainly within the water table impacting the site.</p> <p>As per Part 3.7 of the report on Page 8, a preliminary salinity assessment has been undertaken and several recommendations are made addressing salinity:</p>

	<p><u>Gardens and landscaped areas</u></p> <ul style="list-style-type: none"> • Established vegetation should be retained. • Plant species to consider the soil conditions and profiles. • Suitable use of topsoils that are rich in nutrients. • Waterlogging of the soil profile be avoided by adopting appropriate plant species. • Establishment of perennial and deep rooted plants on site. <p><u>Stormwater drainage</u></p> <ul style="list-style-type: none"> • The disturbance of natural drainage systems should be avoided wherever possible. • Stormwater and surface water be managed to restrict infiltration. • Leakage of stormwater pipes are to be avoided. • All guttering and downpipes to be connected and maintained. <p><u>Construction</u></p> <ul style="list-style-type: none"> • The foundations of building to be constructed in accordance with the requirements of AS2159:2009 and AS3600:2009. • Any soil imported into the soil would need assessment. <p>The report will need to be incorporated into any consent issued as recommendations are made addressing salinity occurrences across the site.</p>
<p><u>Clause 6.12</u> Urban Heat.</p>	<p>The development application includes a material schedule which shows an extensive use of whites, greys and brown coloured materials. Light colours are selected on the grounds to reduce the intensity of heat being absorbed into the materials during summer.</p> <p>The consultants SLR have prepared a Sustainability Management Plan and dated Friday 9 December 2022 which addresses various sustainability matters including:</p> <ul style="list-style-type: none"> • Water consumption. • Energy consumption. • National Construction Codes 2019. • Sustainability measures.

	<p>A key to this is the use of solar panels to the roof area of each building. While no specific details are supplied, the plans indicate that each roof area of each building will be capable of supporting a solar panel system to generate power instead of relying on the existing grid network.</p> <p>The report indicates a maximum capacity of 950 kw for the entire site. In addition:</p> <ul style="list-style-type: none"> • A rainwater tank harvesting system will be installed across the site with the system having a capacity of 60,000 litres. • Installing 4 Star rated toilets, urinals and taps. • Appropriate wall insulation to be used for all air conditioned offices. • 5% of car spaces to be dedicated for electric vehicles with charging stations included <p>The development is committed to achieve a 4 Star NABERS Energy Certification rating.</p> <p>The report should be included into any consent that may be issued by the Panel due to the recommendations made.</p>
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