

634-726 & 728-750 Princes Highway, Tempe

Statement of Environmental Effects

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634-726 & 728-750 PRINCES HIGHWAY, TEMPE

Partial Demolition and Adaptive Reuse of Existing Building,
Construction of a new Hardware and Building Supplies
Warehouse including Car Parking, Landscaping and
Signage, and road widening of the Princes Highway and
Smith Street

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Prepared under instructions from
[Bunnings Properties Pty Ltd](#)

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared in support of a Development Application made under Part 4 of the Environmental Planning and Assessment Act 1979 for the partial demolition and adaptive reuse of an existing heritage item, construction of adjoining two storey warehouse building with one level of basement car parking, use of the site as a 'Bunnings Warehouse', associated signage and boundary adjustments to provide for road widening to achieve a dedicated right turn lane from the Princes Highway into the site as well as a slip lane from the Princes Highway to Smith Street at 728-750 Princes Highway, Tempe.

The proposed works are detailed on architectural plans prepared by John R Brogan & Associates Pty Ltd. The application is also accompanied by the following:

- Survey: Craig & Rhodes, ESO Surveyors and Cardno
- Traffic Report: Transport & Traffic Planning Associates
- Civil Engineer: C & M Consulting Engineers
- Stormwater Management Plan: C & M Consulting Engineers
- Geotechnical Report: JK Geotechnics
- Contamination Assessment: EIS
- Flora and Fauna Assessment: Abel Ecology
- Landscape Plans: John Lock & Associates
- Accessibility Report: Philip Chun
- Waste Management Plan: Bunnings and SITA Environmental Solutions
- Acoustic Report: Wilkinson Murray
- Heritage Impact Assessment: GML
- BCA: Steve Watson and Partners
- Energy Efficiency: KPMG SGA
- Hazardous Materials Risk Assessment: Greencap
- Quantity Survey: WT Partnership
- Road Design: AT&L
- Social Impact Statement: Urban Advisers

This Statement has been prepared pursuant to section 78A of the Environmental Planning and Assessment Act 1979 and clause 50 of the Environmental Planning and Assessment Regulation 2000. The Statement provides an assessment of the development proposal having regard to the relevant legislative context, social, economic and environmental impacts, potential amenity impacts of the development on the surrounding locality and the measures proposed within the application to mitigate such impacts.

The Statement details the proposed development's compliance against applicable environmental planning instruments and development control plans including:

- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No. 64 - Advertising and Signage
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- Marrickville Local Environmental Plan 2011
- Marrickville Development Control Plan 2011

Having regard to the applicable legislative framework, it is considered that the proposed development is consistent with the aims and objectives of the relevant environmental planning instruments and development control plan whilst being compatible with the character of the locality and minimising any potential impacts on the amenity of the adjoining properties.

The proposal will result in a positive outcome for the Inner West Local Government Area. In addition, the proposed Bunnings warehouse is a significant generator of employment opportunities and will result in 650 jobs during the construction process and more than 200 (full-time and part-time) ongoing operations jobs once the new building is complete.

2.0 SITE DESCRIPTION AND LOCATION

2.1 Locality Description

The primary site is known as 728-750 Princes Highway, Tempe and is bounded by the Princes Highway to the north-west and Smith Street to the south-west. The proposal also includes some minor road widening for a small portion of the adjacent Ikea site at 634-726 Princes Highway. Tempe resides within the Inner West Local Government Area.

The section of the Princes Highway within which the site is situated is a classified road under the *Roads Act 1993* (NSW). The site is less than 700 metres north-west of the Sydney Airport, as well as approximately 525 metres north-west of the Alexandra Canal and 680 metres north-east of the Cooks River.

Tempe is characterised by an eclectic mix of residential, business, recreational and industrial uses.

The location of the site is illustrated in Figure 1 below.

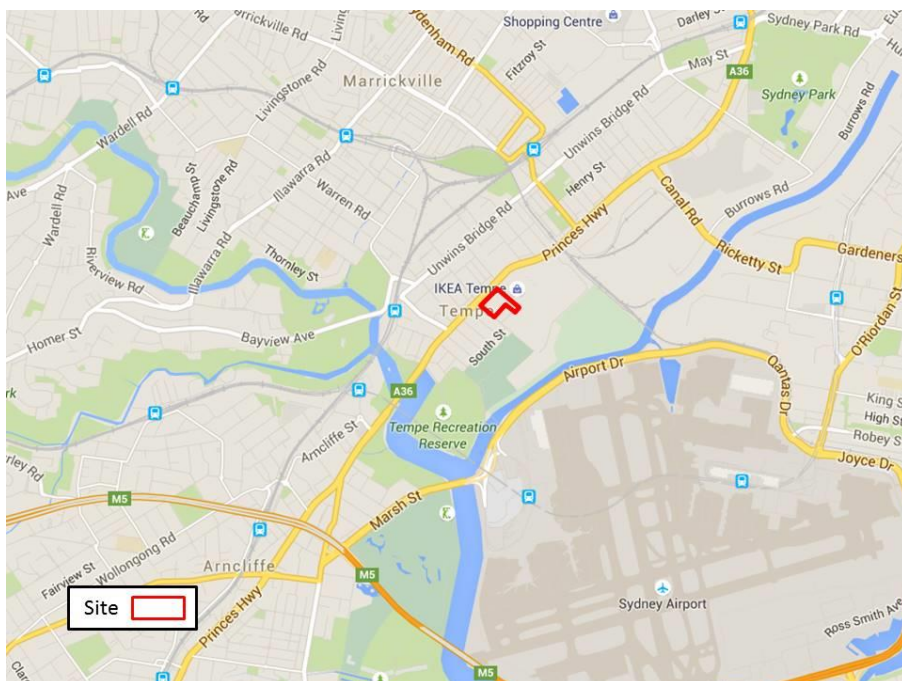


Figure 1:

Site Location:
(Source:
Google Maps
2015)

2.2 Site Description

The primary site is known as 728-750 Princes Highway, Tempe and is legally described as lot 2, DP803493. The site is bounded by the Princes Highway to the north-west and Smith Street to the south-west. The primary area of the site is generally rectangular in shape with a small handle to the south-eastern corner and has an area of approximately 20,358 square metres. An aerial picture of the site is shown at Figure 2.

The proposal also includes some minor road widening for a small portion of the adjacent Ikea site at 634-726 Princes Highway.

Tempe is characterised by residential, business, recreational and industrial uses. The site is adjoined to the north-east by the Ikea (Tempe) bulky goods retail store.

The site currently contains a part one (1) part two (2) storey industrial building with ancillary office spaces and is listed as the Westpac Stores, jointly with the former Penfolds Building (now IKEA) as heritage item I299 in the

Marrickville Local Environmental Plan 2011. The site has also been identified under Marrickville Local Environmental Plan 2011 as an archaeological site.

The Princes Highway facade is broken by deep set, sunscreened windows with strong vertical lines. To the rear of the Princes Highway façade is an open plan rendered brick warehouse, divided into bays with external piers and steel trusses supporting the saw toothed roof structure above.

The Smith Street elevation of the building includes the same brick façade as the Princes Highway for the first 30 metres with windows at ground and first floors, with the remaining 55 metres portion consisting of pre-cast concrete panels.

Vehicle access is currently provided to site via both the Princes Highway at the north-eastern corner of the site and Smith Street at the south-western corner of the site.



Figure 2:

Site (Source:
Six Maps,
Department of
Lands 2015)

Photograph 1:

Site as viewed facing
north-east from the
corner of the Princes
Hwy and Smith St





Photograph 2:

Western-most corner
of site and existing
pylon sign

Photograph 3:

Northern-most corner of
site



Photograph 4:

Smith Street vehicular
access to site



Photograph 5:

North-east facing from within site, parking spaces and awning visible

Photograph 6:

Vehicular access to the site from the Princes Highway (northern-most corner of site)



Photograph 7:

Front façade and setback including landscaping

2.3 Surrounding Development

The site is adjoined to the north-east by the Ikea (Tempe) bulky goods retail store. Further to the north of the Ikea (Tempe) store is the Salvos bulky goods retail store.

The north-western side of the Princes Highway, opposite the subject site is largely characterised by small and medium scale businesses including vehicle repair stations with a low density residential neighbourhood immediately to the north-west of those businesses.

The area immediately adjacent to the site on the south-western side of Smith Street is characterised by low density residential dwellings. Immediately adjoining the site to the south-east also on Smith Street is a Light Industrial use, occupied by Hard Rock Enterprises.



Photograph 8:

Adjoining site to the north, Ikea. Heritage Item "Penfolds Building" is visible

Photograph 9:

Light Industrial building immediately to the south-east of the site on Smith Street





Photograph 10:

Examples of residential dwellings opposite the site on Smith Street

Photograph 11:

Vehicle repair centres and businesses opposite the site on the Princes Highway



3.0 BACKGROUND

3.1 Development Application 201200528

On 21 August 2013, the Sydney East Joint Regional Planning Panel determined to grant development consent to Development Application No. 201200528 to partially demolish the rear of the existing building for two levels of bulky goods tenancies with off street car parking for up to 301 cars, erect signage, subdivide the land to provide a slip lane from the Princes Highway into Smith Street and widening Smith Street on the northern side for the subject site.

In relation to the heritage implications of the approved development, Council's Heritage and Urban Design Advisor provided the following commentary (emphasis added):

Façade: Whilst acknowledging the demolition of the first floor former canteen space (noted in the HIS as having high significance) and other office rooms adjacent to the inside of the façade, the scale of demolition is supported by the GML Heritage Impact Statement. The rear warehouse has been altered and is of only moderate significance. The façade is indicated on the Heritage map, not the whole building, and upon assessment by GML, is the most significant part of the building.

Landscaping/new site boundary: The front garden wall, railing and lawn are also noted as having high significance. The boundary wall is proposed to be demolished for the slip lane, accessible ramp stairs and fire egress

Due to the status of the property as an archaeological site under the Marrickville Local Environmental Plan 2011, the development application was also referred to the Heritage Council of New South Wales who provided the following commentary:

- Before any works commence on site the Applicant will need to apply to the Heritage Council for a Section 140 Heritage Act Approval and comply with any and all conditions such approval, if granted. This application will need to be accompanied by an appropriate Archaeological Assessment and Archaeological Research Design and Methodology.
- Given the site's long and varied history, the Applicant must allow for and present opportunities for interpretation within the proposed development at 728-750 Princes Highway of the historical development of the site within the Tempe and larger Marrickville LGA area. This interpretation should also help the sites users understand the history and significance of the study area.
- The Applicant must ensure that if warranted, the results of the archaeological programme are interpreted within the completed redevelopment of the site.
- The Applicant must ensure that an experienced heritage interpretation practitioner prepares an Interpretation Plan in accordance with the Heritage Council's "Interpreting Heritage Places and Items Guidelines" (2005).

The approved development included the following variations to the planning controls:

- A 12.8% variation to the FSR control of 0.95:1 with an approved FSR of 1.072:1. It is noted that 0.25:1 of the variation as a result of 520.26 square metres of excess internal car parking being included as GFA.
- The DCP required 214 car spaces however the proposal achieved consent for 301 car parking spaces on the basis that the specific nature of the use for bulky goods retailing required additional car parking. The Council assessment report noted that Marrickville Council's parking rates for bulky goods premises are the lowest out of the adjoining Local Government Areas and also when compared with the recommendations made by the Roads and Maritime Services and the Bulky Goods Retail Association.

The approved development comprised the following numerical elements:

Element	Proposed
Site Area	20,400 square metres
Gross Floor Area	21,356 square metres
Floor Space Ratio	1.072:1
Height	RL 29.75 (plant equipment or ancillary structures)
Floors	Two levels of bulky goods tenancies
Car Parking	300
Hours of Operation	Mondays – Saturdays (excluding Thursdays): 9.00am to 6.00pm Thursdays: 9.00am to 9.00pm Sundays and Public Holidays: 10.00am to 6.00pm

3.2 Development Application DA 2015/385

Development Application DA 2015/385 was lodged in July 2015 for a very similar Bunnings Warehouse proposal to that which is the subject of this development application, for partial demolition and adaptive reuse of existing building, construction of a new hardware and building supplies warehouse including outdoor nursery, timber trade area, car parking and signage.

However, during the assessment of that development application, the RMS raised significant concerns in relation to the potential adverse impact on traffic flows for northbound traffic on the Princes Highway as a result of vehicles queuing to turn right into Smith Street to access the new Bunnings. The development application was subsequently withdrawn in September 2016 to allow further negotiations to occur with regard to the access strategy which balances efficient operation of the Highway with amenity issues faced by residents in adjoining streets. A number of meetings were held with Council officers and the RMS in late 2016 and early 2017 which has led to changes that have now been incorporated into the revised documentation and the subject development application. The new proposal now provides for Bunnings northbound customers to by-pass Smith Street and to access the site via a dedicated right turn lane from the Princes Highway to the north-western corner of the subject site adjacent to the Ikea boundary. This revised access strategy will to reduce traffic movements in Smith Street and at the same time to avoid traffic congestion on the Highway.

4.0 DEVELOPMENT PROPOSAL

4.1 General Description

The subject application seeks consent for the following development:

- Demolition of part of the existing heritage building and retention of the existing heritage façade and office building along the front of the building facing Princes Highway, and the façade returns on the northern and southern elevations. Lighting for the retained heritage façade is proposed.
- Retention and adaptive reuse of significant internal spaces and fabric within the office building including the office building entry and two level vestibule and gallery space, ground floor and first floor former office amenities areas, and the northern stairwell.
- Construction of a two level hardware and building supplies centre (Bunnings Warehouse) attached to the retained façade of office area, encompassing a two storey warehouse, covered outdoor nursery on Level 2, bagged goods store on Level 2, timber trade sales area on Level 1, café on Level 2, office, amenities, service road/ramps and loading areas at the eastern side of the warehouse.
- A single level car park is located below the warehouse containing 424 car parking spaces.
- A building materials and landscape yard is proposed within the eastern 'handle' of the site.
- Business identification signs x 9, a 12 metre high pylon sign and a roof sign.
- Road widening to provide a slip lane and a new right turn lane from the Princes Highway to the site.
- New landscaping works including reconstruction of front boundary wall.
- Proposed hours of operation are 6.00am to 10.00pm Monday to Friday and 6.00am to 7.00pm Saturdays, Sundays and Public Holidays. Internal activities outside of these hours, such as restocking are proposed.

The proposed ground floor plan and site layout is shown in Figure 3 below:



Figure 3:

Proposed ground level

4.2 Detailed Description

Undercroft Parking Level

This is a semi-basement level (undercroft) car park which is located under the footprint of the warehouse building above. It is accessed via Smith Street and also the Princes Highway.

Level 1

This is the primary level of the “Bunnings Warehouse” store with the main pedestrian entrance into the store on the western side from the existing entries in the heritage façade of the building. The existing heritage façade and landscaping at the front of the site are to be largely retained and extended around to Smith Street. Administration offices are accommodated within the retained component of the heritage building. A separate travelator located centrally within the store provides access up to Level 2.

This level also contains the timber trade sales area along the northern side and the goods receiving area at the eastern side. The customer vehicle entry and exit will be to and from Smith Street as well as the Princes Highway. Goods deliveries to the site is via the same entry from Smith Street but diverges from the customer vehicular circulation space on site to a service road. The exit for goods delivery vehicles is from the north-western side of the site onto the Princes Highway.

Level 2

Level 2 contains a second warehouse level setback from Smith Street with a large void area over the Level 1 warehouse at the western end. This level is also occupied by the outdoor nursery and bagged goods area at the northern end of the floor adjacent to the café, playground and other staff amenities. Existing amenities, meeting rooms and office areas are to be retained in the heritage component.

Eastern ‘Handle’

A building materials and landscape yard is proposed within the eastern ‘handle’ of the site. This yard is not for members of the public and is intended to be used by industry trades.

4.3 Civil Works

The following civil works are proposed as part of the development:

- Shoring and Bulk Earthworks to provide a basement and building platform for the proposed warehouse and to provide accessible roads, car parks, pedestrian links and landscaped areas throughout the site
- A stormwater collection and conveyance system, which will include an onsite stormwater detention system and stormwater quality improvement devices
- Rainwater harvesting system that collects rainwater from the main warehouse roof and stores the rainwater in an underground holding tank to provide an irrigation system for the proposed outdoor nursery area, and landscaped areas utilising harvested rainwater

The proposed civil engineering works will be designed and constructed in accordance with Council and the relevant Service Authorities standards and requirements, Building Code of Australia and the relevant Australian Standards.

4.4 Road Works

The proposal will include the following road and associated works:

- Boundary adjustments to allow for an additional extent of road widening along Princes Highway frontage and Smith Street.
- Construction of a dedicated right hand turn lane to provide storage for northbound customer vehicles wishing to turn into the Bunnings complex.
- Installation of signalised traffic control to facilitate a safe turn as above.
- New customer entry driveway along northern boundary and access to carpark.
- Re-construction of dwarf walls and hedges along highway boundary to accommodate road widening.
- Construction of road widening in Smith Street to accommodate additional lane width approaching the Highway intersection.
- Truck deliveries to be limited to south bound approach using left hand slip lane from Princes Highway into Smith Street.

4.5 Tree Removal

There are 25 trees located within the site and 7 trees immediately adjacent to the site. The proposal requires the removal of the 25 trees. An Arborist Report prepared by Abel Ecology accompanies this application which confirms that there are no trees on the site which warrant special protection or need to be retained for particular ecological reasons. The proposal is accompanied by a landscape plan prepared by John Lock & Associates which illustrates a comprehensive and generous landscaping treatment along Smith Street and a more modest landscape treatment along the Princes Highway to ensure the heritage façade is not obscured.

4.6 Lighting of Façade

The proposal includes the uplighting of the heritage façade by LED lights located within the landscaped area in front of the façade. The lights will produce a subtle wash appearance rather than a harsh glare which will accentuate the appearance of this building element and reduce any adverse impacts upon surrounding properties or road users. The LED design also permits an energy efficient alternative to more traditional forms of building lighting.

4.7 Signage

The proposal seeks consent for 9 wall signs as follows:

Wall	Signs
North	7.9m x 2.5m 'Bunnings Warehouse' 9.38m x 3.25m 'Hammer and position statement' 11.9m x 3.75m 'Bunnings Warehouse' 6m x 13.5m 'Hammer and position statement'
East	18.192m x 5.75m 'Bunnings Warehouse' 18.425m x 7.2m 'Hammer and position statement'
South	11.863m x 3.75m 'Bunnings Warehouse'

Wall	Signs
	18.425m x 7.2m 'Hammer and position statement'
West	7.907m x 2.5m 'Bunnings Warehouse'
Front setback	12m x 4.8m pylon sign, showing 'Bunnings Warehouse' and hammer logo

The proposal also includes a roof top sign which will not be visible from the public domain and is intended to be viewed from the air, similar to the adjacent 'Ikea' rooftop sign.

4.8 Numerical Overview

Element	Proposed
Site Area	20,358 square metres
Road Dedication	1,000 square metres
Residual Site Area	19,358 square metres
Gross Floor Area	17,865 square metres
Floor Space Ratio	0.877:1
Height	2 storeys (max 35.85 m AHD)
Floors	Two above ground, plus one undercroft/basement parking level
Car Parking	424
Bicycle spaces	8
Landscaped area	1,146 square metres
Setbacks	As existing

5.0 STATUTORY PLANNING FRAMEWORK

5.1 Environmental Planning Instruments

5.1.1 State Environmental Planning Policy No.55 – Remediation of Land

State Environmental Planning Policy No. 55 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land.

Clause 7 of SEPP 55 requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land and if the land is contaminated, it is satisfied that the land is suitable in its current state or will be suitable after remediation for the purpose for which the development is proposed to be carried out.

Coffey Environments prepared a Detailed Site Investigation (17/06/2013) for the site based on a previous Preliminary Site Investigation (PSI) which was undertaken by Coffey in 2012. The Detailed Site Investigation concluded that the site is suitable for the proposed development (at the time being bulky good retail), subject to the appropriate removal of underground storage tanks and the surrounding subsurface validated in accordance with the Guidelines for Assessing Service Station Sites (NSW EPA, 1994). In approving the recent development consent for a bulky goods centre on the site, Council concluded the following:

Subject to the imposition of conditions requiring the appropriate removal of the USTs and undertaking additional investigations to confirm the presence or absence of ASS in accordance with the conclusion and recommendations contained within the Detail Site Investigation report, dated 17 June 2013, before the release of any Construction Certificate, the application is considered acceptable in this regard.

Bunnings have subsequently engaged Environmental Investigations Services (EIS) to review the Coffey Environments Detailed Site Investigation including a site inspection to identify Areas of Environmental Concern and to prepare a Preliminary Environmental Site Assessment, which accompanies this application.

This assessment by EIS concludes that the site can be made suitable for the proposed development provided that the following recommendations are implemented to address the data gaps and to minimise/better manage/characterise the risks:

Undertake further assessment of the potential asbestos issue identified in BH4. This will enable a decision to be made on any management procedure that may need to be implemented during or after earthworks.

Undertake a Hazardous Materials Assessment (Hazmat) for the existing buildings prior to the commencement of demolition works; and In the event unexpected conditions are encountered during development work or between sampling locations that may pose a contamination risk, all works should stop and an environmental consultant should be engaged to inspect the site and address the issue.

Based on the above, it is considered that Council can therefore again be satisfied based on existing and past information and investigations that the site is suitable for the proposed development and

conditions of consent can be imposed to ensure that the appropriate measures are undertaken during construction and Clause 7 of SEPP 55 is therefore satisfied.

5.1.2 State Environmental Planning Policy (Infrastructure) 2007

The subject site has a frontage to the Princes Highway which is a classified road under the *Schedule of Classified Roads and Unclassified Regional Roads* as required under the *Roads Act 1993*. Clause 101(2) of the State and Environmental Planning Policy (Infrastructure) 2007 states:

The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

It is acknowledged that, with regard to Clause 104(2)(a), access to the site for all vehicles is provided by a road other than the classified road. However, for reasons of practicality there is no 'right turn out' option possible at the Princes Highway, thus (in part) requiring an additional access point to and from Smith Street. The proposed vehicular access to the land has been designed to produce a functional and safe pattern of access and egress to and from the site which balances the need of the developer and broader community interests. The development is not of a type that is sensitive to traffic noise or vehicle emissions.

Clause 104 of SEPP (Infrastructure) requires that before granting consent to a development for a commercial premises (the proposal is for 'hardware and building supplies' which is a type of 'retail premises' which falls under the definition of 'commercial premises' in the Standard Instrument) which is 10,000 square metres or above, Councils must refer the application to the Roads and Maritime Services for comment and must consider the accessibility of the site, including:

- the efficiency of movement of people to and from the site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and
- any potential traffic safety, road congestion or parking implications of the development.

The application is accompanied by a Traffic Report prepared by TTPA which address the relevant traffic issues associated with the proposal. The submission of the application to Council and the Roads and Maritime Services will result in a number of conditions relating specifically to the site and allowing for the efficient management of the vehicular activity of the site.

5.1.3 State Environmental Planning Policy No. 64 - Advertising and Signage

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

SEPP 64 applies to all signage that can be displayed with or without development consent and is visible from any public place or public reserve.

The proposal includes 9 wall signs, 1 pylon sign and 1 roof sign which are characterised as ‘business identification signs’ pursuant to clause 4 of SEPP 64. Accordingly, Part 3 of the SEPP does not apply to the proposed signs and there is no requirement for referral to the RMS (formerly RTA) for the proposed signs.

Pursuant to clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied that the signage is consistent with the objectives of the SEPP and that the signage satisfies the assessment criteria specified in Schedule 1 of the SEPP. An assessment of the proposed signage against the assessment criteria specified in Schedule 1 of the SEPP is provided below.

Character of the area

The proposed signage is consistent with the character of the adjoining IKEA premises to the north of the site, being visible to passing motorists and of a high quality finish. To ensure compliance with SEPP 64 the proposed signs have been designed to be of a scale which is in proportion with the size of the existing heritage building and the proposed warehouse building. The signs are directly associated with the proposed development and will serve to provide business identification and public wayfinding. The proposed signs are considered to be appropriate having regard to the context of the site and are consistent with character of each façade of the building.

The proposed roof top sign will not be visible from any public place other than from aircraft, similar to the adjacent ‘Ikea’ rooftop sign and therefore has no impact to the character of the area.

Special areas

The proposed signs are for an existing heritage building and a proposed warehouse building which is located within an area comprised of many different land uses. Whilst there are residential dwellings located on the opposite side of Smith Street to the south, their interface is with industrial and commercial lands immediately to the north and the proposed development and signs are consistent with the character expected within this context. Having regard to the context of the site, the proposed signs will not therefore unreasonably detract from the amenity or visual quality of any environmentally sensitive areas, open space areas, waterways, rural landscapes or residential areas.

Views and vistas

The proposed signs are either to be placed upon the walls of the proposed warehouse or in a similar location to the existing pylon sign and will have no impact upon views or vistas in the vicinity of the site. The proposed roof top sign will not be visible from any public place other than from aircraft, similar to the adjacent 'Ikea' rooftop sign and therefore has no impact on views or vistas.

Streetscape, setting and landscape

When considered in the context of the overall redevelopment of the site which is located within a commercial and industrial area and will maintain a landscaped setting around the existing heritage building, the proposed business identification signage is an acceptable addition to the site, setting and landscaping. The proposed roof top sign will not be visible from any public place other than from aircraft, similar to the adjacent 'Ikea' rooftop sign and therefore has no impact in relation to streetscape, setting and landscape.

Site and building

The proposed signs have been designed to be an integrated element with the architecture of the building and are important elements which introduce visual interest to the proposed warehouse facades while respecting the existing heritage façade along the Princes Highway. The sizes of the signs are appropriate with respect to the scale of the building and incorporate a colour and theme consistent with the overall proposed development of the site for a Bunnings Warehouse. The proposed roof top sign will not be visible from any public place other than from aircraft. The proposed signs are acceptable having regard to the location, the scale of the site and building, local context, and generous setbacks of the proposed building.

Associated devices and logos with advertising and advertising structures

The proposed wall signs are to be affixed to the building facades and the proposed pylon sign will be engineered appropriately for structural stability and safety. External lighting is proposed though no related platform is required to be fixed to the sign.

Illumination

The proposed signs will involve small downlights on adjustable fittings which are mounted to the top of the signs pointed down. The downward direction and intensity of the lighting is adjustable if required and as such, the proposed lighting will not result in any unacceptable glare.

The application seeks approval for lighting between the limited hours of 6.00am and 10.00pm seven days. Given that the proposed down lights are simply to illuminate the signs and are fixed downward, the safety of pedestrians, vehicles and aircraft is not impacted upon.

The nearest residential accommodation is located opposite the site on Smith Street. However given the limited hours of illumination and the downward direction of the lighting, the existing amenity of local residents will not be unreasonably impacted upon.

Safety

The proposed signs will assist in public safety by clearly identifying the site which will assist in smooth traffic flow into the site from the surrounding streets. The proposed signs will not reduce the safety for

vehicles, pedestrians or bicyclists and does not obscure views along the road, footpath or to any public area or safety zone.

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

SEPP (State and Regional Development) 2011 confers development listed in Schedule 4A of the Environmental Planning and Assessment Act 1979 as 'regional development', requiring referral to a Sydney Planning Panel for determination. The proposed development constitutes 'Regional Development' as it has a Capital Investment Value of more than \$20M. While Council is responsible for the assessment of the DA, determination of the Application will be made by the relevant Sydney Planning Panel.

5.1.5 Marrickville Local Environmental Plan 2011

Zoning and Permissibility

The land is identified by MLEP 2011 as being within the B6 Enterprise Corridor zone as shown below in Figure 7.

The use would be most appropriately defined as 'hardware and building supplies' which is defined as follows:

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

The use of the building for hardware and building supplies is permitted with consent in the B6 zone.

In accordance with the LEP practice note (PN11-003) ancillary uses are not separately included in the land use table of an LEP prepared in accordance with the Standard Instrument. The use of the term 'principal purpose' in the definition of 'hardware and building supplies' adds flexibility to what may be considered to be for the purposes of 'hardware and building supplies.'

Accordingly, the bulky goods premises and nursery components of the development could be considered ancillary to the principal purpose of 'hardware and building supplies' in order to allow their use in the event that they were prohibited uses in the zone. However, both 'garden centres' and 'bulky goods premises' (by virtue of inclusion as an additional permitted use for the site under Schedule 1 to the MLEP) are permitted with consent in the zone in any event.

Clause 2.3(2) of the MLEP 2011 provides that the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the B6 Enterprise Corridor zone are:

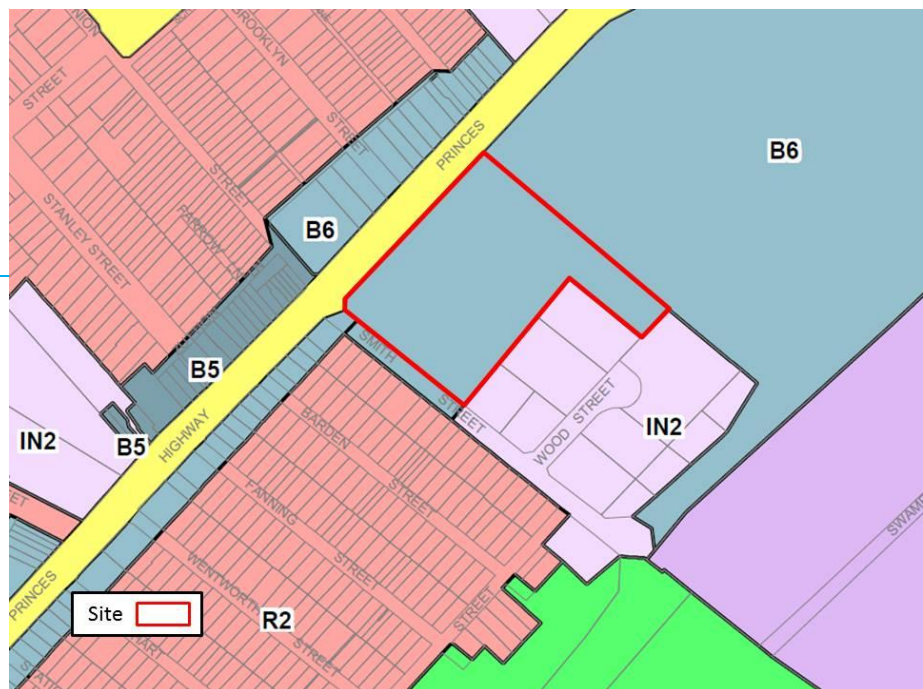
- To promote businesses along main roads and to encourage a mix of compatible uses.

- 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 development.
- To enable a purpose built dwelling house to be used in certain circumstances as a dwelling house.

The proposed use is consistent with the zone objectives and the additional permitted use under Schedule 1 which specifically provides that development for the purpose of hardware and building supplies (a retail use) is permitted with consent. The proposal will further consolidate a diversity of compatible uses in the location and increase the potential for significant employment in locality. The proposal, by way of its scale, will not interfere with the economic strength of centres as it is unlikely that the proposal by way of its scale and specific nature of its use would be readily accommodated in a centre. For the reasons given the proposal is considered to be consistent with the objectives of the B6 zone.

Figure 4:

Zoning extract
from the
MLEP 2011



Subdivision

The application proposes to realign the western boundary adjacent to the Princes Highway in order to accommodate the creation of a slip lane from the Princes Highway to Smith Street as well as road widening of the Highway to create a dedicated right hand turn for northbound traffic. Clause 2.6 of MLEP 2011 states that land may be subdivided only with development consent, unless that subdivision is specified as exempt development under a planning instrument.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 Clause 2.75 identifies subdivision for the purpose of widening a public road (as is being proposed by the current

application) as being exempt development. Notwithstanding this, development approval was granted under Determination No. 201200528 (dated 21 August 2013) and included approval for subdivision to provide a slip lane from the Princes Highway into Smith Street. Given the road winding is integral to this development it is considered appropriate to include it in the scope of the subject development.

Demolition

Clause 2.7 of MLEP 2011 requires development consent to be granted for and prior to the demolition of a building or work. The application proposes the partial demolition of the rear of the existing heritage building to allow for the annexation of the proposed warehouse building to the existing heritage building. Development approval was granted under Determination No. 201200528 (dated 21 August 2013) and included approval to partially demolish the rear of the existing building for two levels of bulky goods tenancies.

The proposal includes demolition of the same components as those previously approved for the site, which is therefore considered to be capable of support and will facilitate the buildings continued use and an increase in the recognition of the building by members of the public. Similarly other less viable structures on site require demolition in order to allow the construction of the Bunnings Warehouse as proposed.

Height

In accordance with Clause 4.3 of the MLEP 2011 the maximum height on the site must be in accordance with that which is depicted in the height map. The height map does not identify a specific height for the site and accordingly there is no height limitation under the MLEP (as shown in Figure 8). Instead, Marrickville Development Control Plan 2011 contains a number of controls and objectives which aim to ensure that the heights of buildings within the industrial zone are consistent with the character of the surrounding area.

The proposed warehouse is consistent in height, number of storeys and scale with the adjoining Ikea store to the north of the site. Furthermore, the height of the proposed building and adjoining structures is within the allowed Limitations or Operations Surface of 23 metres as discussed below.

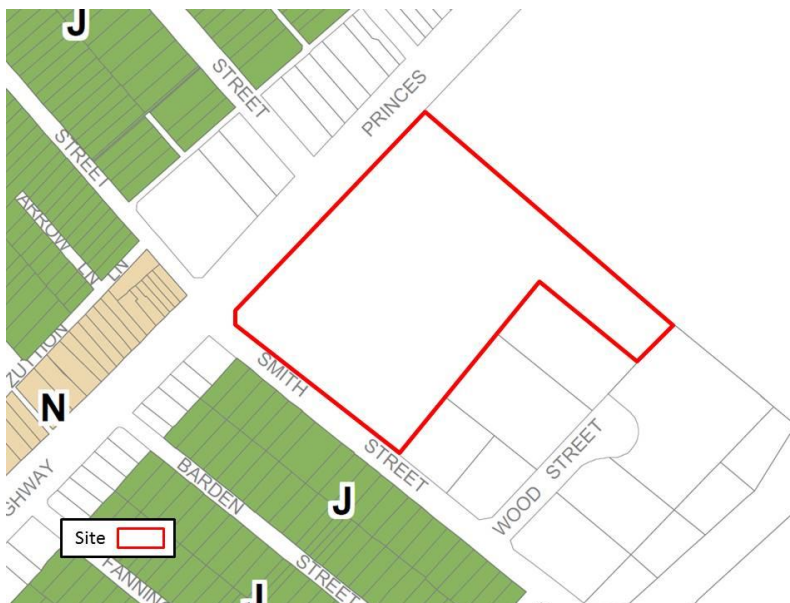


Figure 5:

Permissible Height extract
from MLEP 2011

Floor Space Ratio

Clause 4.4 of the MLEP provides that the maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map at Figure 9. The site is within area 'M' on the Floor Space Ratio Map and accordingly an FSR of 0.95:1 applies to the site (as shown below in Figure 9). The current application proposes a FSR of 0.877:1 which complies with the maximum permissible FSR.

Figure 6:

Extract from the MLEP 2011
FSR map



Preservation of Trees or Vegetation

Clause 5.9 of MLEP 2011 states that:

A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:

- (a) development consent, or
- (b) a permit granted by the Council.

There are 25 trees located within the site and 7 trees immediately adjacent to the site. The proposal requires the removal of the 25 trees. An Arborist Report prepared by Abel Ecology accompanies this application which confirms that there are no trees on the site which warrant special protection or need to be retained for particular ecological reasons. The proposal is accompanied by a landscape plan prepared by John Lock & Associates which illustrates a comprehensive and generous landscaping treatment along Smith Street and a more modest landscape treatment along the Princes Highway to ensure the heritage façade is not obscured.

Heritage Conservation

The site is identified as a heritage item in Schedule 5 of the MLEP 2011 (item number I299 being the Westpac Stores, jointly with the former Penfolds Building (now IKEA). The site has also been identified under MLEP as an archaeological site. Figure 10 shows an extract from MLEP 2011 identifying the site as a heritage item.

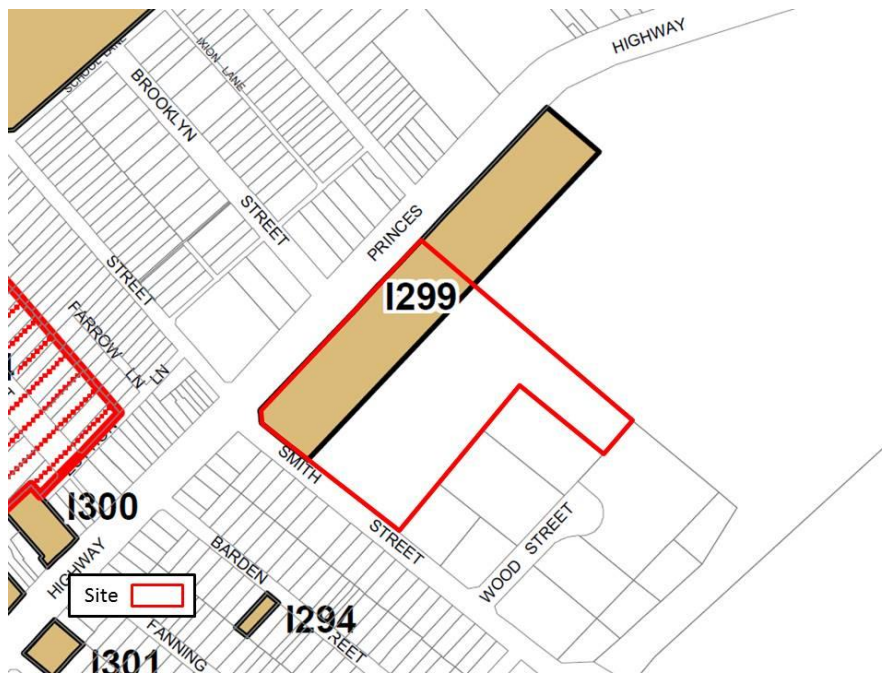


Figure 7:

Extract from the
MLEP 2011
Heritage map

In accordance with clause 5.10(2) of the MLEP development consent is required for alteration to a heritage item.

The proposed works to the heritage item include the retention of the landmark façade and stepped masonry returns on the northern and southern elevations and adaptive reuse of the significant internal spaces and fabric within the building including the office building entry and two level vestibule and gallery space, the ground floor and first floor former office amenities areas and the northern stairwell. The works are essential to allow the annexation of the proposed warehouse building to the existing heritage item. Approval of the works will allow the continued use of the heritage item and ensure that it is well maintained into the future.

A Heritage Impact Assessment prepared by GML accompanies the subject application and includes a detailed justification in relation to the heritage impact of the proposed works and concludes that:

the proposed new use is sympathetic to the site's historical office and warehouse function and will facilitate the long-term conservation of its significant elevations and spaces. Whilst some fabric and spaces will be changed or lost, the main Exceptional and High significance spaces and fabric will be retained and interpreted. The interpretation will offer public access to the site's heritage values in a manner not previously available.

Clause 5.10(7) of MLEP 2011 requires the consent authority to notify the Heritage Council of the proposal and take into consideration any response from them as the site is identified as an archaeological site. Development Application No. 201200528 21 August 2013 was referred to the Heritage Council and no objections were raised to the proposal subject to the imposition of conditions of consent and given that the subject proposal adopts a similar approach towards heritage conservation at the subject site it is also therefore considered to represent an acceptable heritage outcome. It is a development which satisfied the objectives for heritage conservation as set out at Clause 5.10(1) of the MLEP 2011.

Acid Sulfate Soils

The subject site is identified as land being affected by Class 5 acid sulfate soils on the MLEP 2011 Acid Sulfate Soils Map. Reports prepared as part of Development Application No. 201200528 21 August 2013 included a Detailed Site Investigation, prepared by Coffey Environments Australia Pty Ltd, dated 17 June 2013 which identified the site as potentially being affected by acid sulphate soils and recommended that additional assessment be carried out to confirm the presence or absence of Acid Sulphate Soils in locations on the site that will be subject to excavation as part of the proposed development.

Bunnings have subsequently engaged Environmental Investigations Services (EIS) to review the Coffey Environments Detailed Site Investigation including an assessment of the presence of acid sulfate soils. The EIS assessment included soil samples from 13 boreholes and groundwater samples from 3 monitoring wells and well as Hazardous Ground Gas Measurements (HGG) undertaken on two gas wells installed by EIS and two gas wells installed by Coffey Environments.

The assessment by EIS concludes that the risk of encountering acid sulfate soil at the site is considered to be very low. Development consent can be granted with conditions of consent requiring further investigation of potentially impacted soils and appropriate measures where affected soils are identified during excavation works.

Earthworks

Clause 6.2 of MLEP 2011 requires the consent authority to have regard to certain matters where earthworks require development consent. Those matters include the potential disruption to drainage patterns and soil stability, effects on the likely future use of the land, the quality of the fill or soil to be excavated, likely effects on adjoining properties, the likelihood of disturbing relics and the potential for adverse impacts on any watercourse or drinking water.

The development requires earthworks in the form of excavation for basement car parking at the site. The proposal is accompanied by a Geotechnical Report prepared by JK Geotechnics which details the soil conditions on the site and includes recommendations to ensure the long term successful performance of the floor slabs and pavement. Appropriate measures will be taken to ensure construction and excavation at the site will not impact negatively on neighbouring development. Waste from the site will be disposed of appropriately, clean fill will be used if required.

All reasonable measures will be taken to avoid, minimise or mitigate the impacts of the development. In addition to the above, a Waste Management Plan, Geotechnical Report and Civil Engineers Plans accompany this application.

Flood Planning

Clause 6.3 of the MLEP 2011 and associated maps do not identify the subject site as being flood affected.

Development in Areas Subject to Aircraft Noise

Clause 6.5 of the MLEP 2011 applies to the development which is (in part) in an ANEF contour of 20 or greater, and the consent authority considers is likely to be adversely affected by aircraft noise. The subject property is located within the 25-30 Australian Noise Exposure Forecast (2033) Contour.

An Acoustic report, prepared by Renzo Tonin & Associates accompanies the subject application and includes an assessment of the proposal having regard to aircraft noise. The assessment concludes that the acoustic environment of a Bunning Warehouse is most consistent with that of a Light Industrial classification whereby the warehouse is open to outside garden area and forklifts operate within the warehouse store environment. Therefore based on this category the site can be classified as "Acceptable" under the Standard without conditions.

Airspace Operations

The Obstacle Limitation Surface (OLS) at the subject site is 51 metres AHD and it is necessary to ensure that any proposed building on the site does not exceed this height. The proposal has a maximum height of 35.85 metres AHD and is therefore below the OLS. The Airfield Design Manager from Sydney Airport has been consulted in relation to the proposal and has confirmed via email on 1 May 2015 that Sydney Airport have no objection to the proposal.

5.2 Marrickville Development Control Plan 2011

The Marrickville Development Control Plan 2011 was adopted by Marrickville Council on 12 July 2011 and came into effect on 15 December 2011. MDCP 2011 is a comprehensive DCP that contains detailed provisions relating to all development types. The relevant provisions of MDCP have been addressed in the following sections of this report.

5.2.1 Urban Design

Part 2.1 of the MDCP 2011 contains a range of principles to guide the urban design of developments including matters relating to connectivity, accessibility, land use mix, density, urban form, legibility, activation, streetscape character, consistency and diversity, continuity and change and sensory pleasure.

Principle	Comment
2.1.1.1 Structure and connections	The proposal aims to organise the interface of the development in such a way as to connect the structure of the existing and proposed building forms with the public domain, improving both vehicular and pedestrian access to the site.
2.1.1.2 Accessibility	The proposal is capable of complying with all applicable requirements of the Disability Discrimination Act 1992, the Building Code of Australia and the requirements of MDCP 2011 in relation to access to and use of the proposed publically accessible retail spaces within the site. Parking will be available for people with mobility impairment and each retail floor will be accessible internally by lifts.
2.1.1.3 Complementary Mix of Uses and Types	The application essentially proposes co-location with Ikea which in terms of land use planning is an ideal outcome as it will reduce the number of car trips for people who are undertaking home improvements. The two land uses are complementary.
2.1.1.4 Appropriate density	The proposed density of the development complies with the maximum FSR for the site and is consistent both with the existing form and with the neighbouring developments to the north (IKEA and the Salvation Army

Principle	Comment
	store).
2.1.1.5 Urban Form	The existing heritage façade is to be maintained and the interface between the building form and the streetscape is to be improved with greater visibility to the facade and significantly improved public access to and use of the existing heritage building. The proposed development and stimulated activation of the site will greatly improve the urban form at this location.
2.1.1.6 Legibility	The visual cues for both pedestrians and drivers will be significantly improved, with business identification signage, way-finding signage and the new entry and exit paths to the new building from Smith Street being intuitively designed and all combining to ensure a legible and usable access to the site. Furthermore, the existing fenestration on the front façade of the building has a hierarchical form which clearly demonstrates the entry to the site.
2.1.1.7 Activation	The use of the site by the highly popular Bunnings Warehouse will significantly increase the street activation and vitality of this area, leading to a safer place with better passive surveillance.
2.1.1.8 Fit and adaptable public space	The use of the site is viable all year round and in all weather. The proposal is fit for purpose and it anticipates the behaviour and use of the Bunnings Warehouse customers.
2.1.1.9 Sense of place and character in streetscapes and townscapes	The proposal recognises and honours the heritage building through its adaptive reuse, allowing an increased sense of place and character in this location. The activation that the site will benefit from as a result of this proposal is substantial and will contribute positively to the wider locality.
2.1.1.10 Consistency and diversity	The annexation of the warehouse to the existing heritage façade creates a desirable juxtaposition of two architectural types which will integrate to form a cohesive building form.
2.1.1.11 Continuity and change	The proposal demonstrates the continued use of the building from the past combined with a contemporary building form which is born of its use. The proposal at once demonstrates continuity and change.
2.1.1.12 Sensory pleasure	The adaptive reuse of the existing heritage building will stimulate the appreciation of the heritage value of the site. Bunnings Warehouse is as a consumer venue a place that stimulates imagination and creativity as people actively seek to improve their everyday lives through changing their homes and gardens.

Control C1 requires:

All development applications involving substantial external changes that are visible from or effect public space or have significant land use implications must be consistent with the relevant aspects of the 12 urban design principles, which are to be addressed within the statement of environmental effects (SEE).

The 12 urban design principles referred to in Control C1 have been discussed in detail in the above table. The proposal satisfies these principles and will result in a much improved use and activation of the site.

5.2.2 Equity of Access and Mobility

Part 2.5 of the MDCP 2011 requires consideration to be given to the accessibility of the site prior to the granting of development consent. The following controls are relevant to this proposal:

- C1 i. The provision for ease of use and comfort through appropriate gradients, rest areas, circulation space and user friendly entrances;
- ii. Safety measures, including contrasting colours for points of danger, slip resistant travel surfaces and appropriate positioning of street furniture, public art installations, signage or any other obstacles, including those in the public domain;
- iii. Legible design and wayfinding features, such as signs and international symbols and indicators, to assist in determining the location of handrails, guard-rails and tactile indicators where relevant;
- iv. Opportunities for access through principal entrances of commercial buildings, public buildings and residential flat development;
- v. The retention or improvement of existing accessible features; and
- vi. The extent to which development may compromise or reduce the capacity for accessible features in future development.

The proposal has the capacity to comply with all of the above accessibility requirements. The application was accompanied by an Access Review report, prepared by Philip Chun which contains several recommendations to ensure that the proposal complies with the relevant provisions of Part 2.5 of MDCP 2011, the Australian Standards, Building Code of Australia and Disability Discrimination Act. Subject to the imposition of appropriate conditions requiring the recommendations within the report being incorporated into the construction of the development, the proposal is considered acceptable.

Despite the above, the requirements of MDCP 2011 are effectively superseded by the introduction of the new Premises Standards. The complete assessment of the relevant requirements of the Australian Standards and the new Premises Standards has not been undertaken as part of the Development Application stage as it is required at the Construction Certificate stage.

5.2.3 Acoustic and Visual Privacy

Part 2.6 of MDCP 2011 stipulates the objectives and controls for the acoustic and visual privacy of both existing and future occupants of the subject and neighbouring developments.

Aircraft Noise

Control C1 stipulates in relation to aircraft noise:

1. New development on land within an ANEF affected area must be designed and constructed in accordance with the relevant Australian Standard and other guidelines issued by relevant agencies and authorities; and
2. The introduction of acoustic measures to reduce aircraft noise must not unacceptably detract from the streetscape value of individual buildings.

An Acoustic report, prepared by Renzo Tonin & Associates accompanies the subject application and includes an assessment of the proposal having regard to aircraft noise. The assessment concludes that the acoustic environment of a Bunning Warehouse is most consistent with that of a Light Industrial classification whereby the warehouse is open to outside garden area and forklifts operate within the warehouse store environment. Therefore based on this category the site can be classified as "Acceptable" under the Standard without conditions.

Noise from Air Conditioners

The MDCP 2011 states:

Air-conditioning units must be installed to comply with the Protection of the Environment Operations Act 1997 and Protection of the Environment Operations (Noise Control) Regulation 2000.

The air-conditioner, associated plant and ancillary fittings must not give rise to "offensive noise" as defined under the provision of the Protection of the Environment Operations Act 1997. The sound level output must not exceed 5dB(A) above the ambient background level at the closest neighbour's boundary.

Standard conditions of consent can be imposed by the consent authority to ensure compliance with the noise attenuation requirements of the MDCP 2011.

Visual Privacy

There are no elevated active components of the use along the Smith Street interface with adjacent residential dwellings and as such the layout and design of the proposed development ensures that the visual and acoustic privacy currently enjoyed by residents of adjoining residential properties are suitably protected.

5.2.4 Solar Access and Overshadowing

Part 2.7 of the MDCP 2011 stipulates the solar access and overshadowing provisions for new developments.

Solar Access

Control C13 requires for commercial, industrial and other development that:

New buildings and additions must be sited and designed to maximise direct solar access to reduce reliance on artificial lighting and heating.

The solar access to the site will remain significant as the length of the existing building faces in a north-westerly direction and achieves direct solar access for most of the day, thereby reducing the reliance of the building occupants on artificial lighting and heating.

Overshadowing

The proposal will result in a reduction in shadow to the residential dwellings on Smith Street due to the large setback of the new building component from the Smith Street boundary of the site and lower form than that which currently exists on the site. Solar access will only be reduced to the adjoining industrial building to the south-east.

5.2.5 Social Impact Assessment

A Social Impact Assessment (SIA) was undertaken by Urban Advisors to provide a thorough and accurate assessment of the social impacts to arise from the proposed development and accompanies this development application. The SIA prepared was informed by a range of stakeholder consultation measures and concludes:

The site forms part of the Princes Highway Enterprise Corridor, which is identified in the Draft South Subregional Strategy as an arterial road which is suitable for contributing to additional employment lands. The proposed development will bring significant employment opportunities to the Marrickville LGA which is a significant positive outcome.

The proposed development will also significantly increase the range of hardware and home improvement goods on offer in the Marrickville LGA. The co-location of the proposed store with Ikea will provide convenient shopping for homemakers as a considerable range of goods will be on offer in a single location. The proposed development will encourage increased competition between retailers which is likely to benefit the consumer.

5.2.6 Crime Prevention Through Environmental Design (CPTED)

MDCP 2011 describes four core principles of CPTED and requires that Statements of Environmental Effects demonstrate consideration of these principles has been applied to the design of the proposed development.

Principle	Comment
2.9.3.1 Surveillance	The proposed development has been designed to provide clear sightlines between the street and the development where possible, having regard to the nature of the development as a warehouse. The proposal will increase activation of the site which will assist in increasing passive surveillance at the location. The public pedestrian entrances to the building are visible from the street and appropriate landscaping will be introduced to the site.
2.9.3.2 Access Control	Access and egress to and from the car park will be clearly visible, and adequate directions to lifts, stairs and travelators will be provided.
2.9.3.3 Territorial Reinforcement	The building and site will be clearly identifiable as a Bunnings Warehouse and the Bunnings brand is well-known. The site will be clearly visually demarcated.

Principle	Comment
2.9.3.4 Space Management and Maintenance	The site will be well maintained by the Bunnings Warehouse occupants.

Part 2.9.5 of MDCP 2011 provides controls relating to the achievement of community safety through design. The proposal is considered to satisfactorily meet the objectives of these controls for the following reasons:

- The proposal incorporates lighting for all entrances, the car park and pedestrian thoroughfares;
- The design of the development includes measures to secure various areas of the site from public access and the design avoids secluded areas;
- The building entrance will be readily visible from the street;
- The proposed landscaping has been design to minimise opportunities for entrapment or concealment of intruders; and
- The proposed Bunning use will generate in itself more opportunities for causal surveillance by customers.

5.2.7 Parking

In accordance with Part 2.10 of MDCP 2011, the subject property is located in Parking Area 3. The onsite car parking requirements in Table 1 to Section 2.10.5 of the MDCP does not include a specific provision for 'hardware and building supplies'. The DCP states that calculation of parking provision for uses not specified in Table 1 is to be undertaken on merit, guided by the RMS Guide to Traffic Generating Developments rates reduced by 60, 40 and 20% for Parking Areas 1, 2 & 3 respectively;

A Traffic and Parking Report prepared by TTPA accompanies the subject application which demonstrates that the car parking provision of 424 spaces equates to a rate of 1/42 square metres of gross floor area which is an appropriate quantum of car parking consistent with parking demand surveyed at other Bunnings warehouse stores. It is necessary to ensure that a sufficient amount of car parking is provided on the site to avoid any on-street overflow in seasonal peak periods.

The motorcycle parking rate in the DCP suggests that motor cycle parking provided at the rate of 5% of the total car parking requirement which would require the provision of 21 motorcycle spaces. The proposal provides 17 motorcycle parking spaces and whilst this represents a variation to the control, it is only minor and unlikely to result in adverse impact given the nature of the use as a hardware store which usually requires a larger vehicle by customers.

The bicycle parking rate in the DCP suggests that 1 bicycle space should be provided per 150 square metres of gross floor area for staff and 1 space per 1,000 square metres of gross floor area for customers for bulky goods premises, which would require the provision of 137 bicycle spaces. The proposal provides 8 bicycle spaces. Due to the nature of the proposal for hardware and building supplies where a significant proportion of the product range is bulky and requires the use of a car, it is considered impractical and therefore unlikely that customers will access the site via bicycle. Likewise, the percentage of staff who choose to cycle to work at Bunnings is also particularly low. Having regard to these factors, the provision of 8 bicycle parking spaces is considered sufficient in this instance to cater for staff and customers who choose to cycle to the warehouse and variation to the standard in the DCP is therefore warranted in this instance.

5.2.8 Signs and Advertising Structures

Part 2.12 of MDCP 2011 provides development controls for signs and advertising structures and specifically to buildings in commercial and industrial zones and also for those on heritage items.

The following details are provided in relation to the proposed Bunnings Warehouse signage:

Wall	Signs
North	7.9m x 2.5m 'Bunnings Warehouse' 9.38m x 3.25m 'Hammer' 11.9m x 3.75m 'Bunnings Warehouse' 6m x 13.5m 'Hammer'
East	18.192m x 5.75m 'Bunnings Warehouse' 18.425m x 7.2m 'Hammer'
South	11.863m x 3.75m 'Bunnings Warehouse' 18.425m x 7.2m 'Hammer'
West	7.907m x 2.5m 'Bunnings Warehouse'
Front setback	12m x 4.8m pylon sign

Based on the length of frontage of the site to Princes Highway and Smith Street, the DCP suggests that a maximum of 100sqm of signage is permitted for the Princes Highway façade and 58sqm for the Smith Street façade. However, the DCP also suggests a maximum sign area of 1.2m x 0.6m for sites which are opposite a residential area such as Smith Street, although the DCP notes that this may be varied depending upon the particular circumstances. Whilst the Princes Highway signage is less than that which is suggested by the DCP due to the length of this frontage, the Smith Street frontage exceeds the DCP maximum.

However, due to the scale of the building, the wall signage only occupies on average approximately 10% of the area of each facade of the building and is considered to be an appropriate response to the building which is proportional to the scale of the facades. Accordingly, the proposed non-compliance with the numerical requirement is considered acceptable in this instance as the proposed signage satisfies the objectives of the control.

All wall signage is located on the building facades and significant features of the warehouse and retained heritage item such as architectural detailing are not obscured by signage. The placement of signage will not impact upon the existing level of amenity attributed to neighbouring residential uses as the signage is integrated with the building to ensure coherence and reduce visual impact. Pedestrian level signage will be limited to information and wayfinding.

There is only one sign proposed to be affixed to the heritage façade which is in the location of the existing 'Pretty Girl' sign and is therefore appropriately located on the heritage item and of a compatible design and style with appropriate lettering.

Given the scale of the proposal, the proposed signage is minimal and respects the existing heritage façade. The signage is limited to business identification signage and does not constitute advertising in this context. It is reasonable and will not detract from the amenity of the surrounding locality.

5.2.9 Energy Efficiency

Part 2.16.3 of MDCP 2011 specifies the following requirements for new business premises, retail premises, office premises and industrial buildings (involving a gross floor area of greater than 1,000 square metres):

- The total anticipated energy consumption must be no greater than 450 MJ/am² (commercial) and 900MJ/am² (retail).
- New or replacement hot water systems of domestic/ residential scale must be 3.5 star greenhouse rated or more efficient.
- The design principles and controls in sections 2.16.6 to 2.16.8 (must be discussed in the statement of environmental effects (SEE).
- Where natural ventilation is not possible and new or replacement airconditioners (of domestic/ residential scale) are to be installed; they must be MEPS (minimum energy performance standards) rated. Minimum 4 star rating for cooling only, and minimum 4 star on one cycle and 3 star on the other cycle for reverse-cycle models.

This application is accompanied by an Energy Efficiency Performance Report prepared by KJPMG SGA which demonstrates that the proposed development will comply with the above provisions of Part 2.16.3 of MDCP 2011.

5.2.10 Water Sensitive Urban Design

Part 2.17 of MDCP 2011 contains the following requirements in relation to Water Sensitive Urban Design (WSUD) that commercial, retail, and industrial development with a total site area greater than 2,000sqm:

- Minimum WELS ratings are 4 star dual-flush toilets, 3 star showerheads, 4 star taps (for all taps other than bath outlets and garden taps) and 3 star urinals. Water efficient washing machines and dishwashers are to be used wherever possible.
- installation of rainwater tanks to meet all non-potable demands, including outdoor use, toilets, and laundry.
- where cooling towers are used, they are:
 - to be connected to a conductivity meter to ensure optimum circulation before discharge.
 - to include a water meter connected to a building energy and water metering system to monitor water usage.
 - to employ alternative water sources for cooling towers.
- Water use within common open space (for uses such as irrigation and water features) should be supplied from sources other than potable mains water (e.g. stormwater, greywater or wastewater) to meet 80% of the water use demand.

The application is accompanied by a Stormwater Management Report prepared by C&M Consulting Engineers which has been prepared having regard to the above DCP requirements and the Marrickville Council WSUD Reference Guide (2012). The report includes modelling undertaken in the Model for Urban Stormwater Improvement Conceptualisation (MUSIC), which demonstrates that the proposed development complies with the above provisions.

5.2.11 Landscaping and Open Spaces

Part 2.18 Control C26 of MDCP 2011 contains the following requirements in relation to landscaping for industrial development:

- A continuous minimum landscaped area 3m wide across the entire frontage of the property
- For corner sites, a continuous minimum landscaped area 1.5m wide across the entire secondary frontage of the property.

A landscape plan has been prepared by John Lock and Associates and accompanies the application which has considered the location, maturity and species selection for all plantings proposed to minimise negative impacts and maintenance issues and maximise amenity at the site. The proposal must maintain the existing building alignment to the Princes Highway and the front landscape area is variable and dictated by the road widening. The application proposes to landscape the front setback using plantings which will predominantly remain below 1 metre in height to ensure views of the heritage item are not obscured. The application also includes landscaping works along the Smith Street frontage in the setback area which exceeds 1.5 metres in depth.

The DCP also suggests that a minimum of 5% of the site area must be provided as communal open space to cater for staff recreation and informal social interaction. Whilst an outdoor area of 5% of the site has not been specifically provided as suggested by the DCP, a generous and well appointed staff lunch room with kitchen, seating and TV facilities are proposed on the ground floor in the heritage component of the building. This is considered an adequate facility for staff, some of whom choose to also enjoy the on-site cafe facilities during breaks. The staff area is not subject to excessive noise or fumes and has adequate seating

5.2.12 Tree Management

Part 2.20 of MDCP 2011 states that development approval must be obtained for the removal of trees where the trees form part of a heritage item or is within the curtilage of a heritage item.

There are 25 trees located within the site and 7 trees immediately adjacent to the site. The proposal requires the removal of the 25 trees. An Arborist Report prepared by Abel Ecology accompanies this application which confirms that there are no trees on the site which warrant special protection or need to be retained for particular ecological reasons. The proposal is accompanied by a landscape plan prepared by John Lock & Associates which illustrates a comprehensive and generous landscaping treatment along Smith Street and a more modest landscape treatment along the Princes Highway to ensure the heritage façade is not obscured.

5.2.13 Site Facilities and Waste Management

Part 2.21 of MDCP 2011 provides the provisions for site facilities and waste management.

Facility	Comment
2.21.3 Public Utilities	Discussions between the developer and the relevant public utility authority will ensure that utilities are provided to the site to an acceptable standard.

Facility	Comment
2.21.5 Building Identification and Numbering	The application proposes business identification signage as previously discussed.
2.21.8 Waste related information to be submitted with a development application	A Recycling and Waste Management Plan is provided with this development application.
2.21.12 Recycling and waste management facilities	The proposal provides recycling and waste management facilities on site adjacent to the goods receiving area.

5.2.14 Acid Sulfate Soils

The subject site is identified as land being affected by Class 5 acid sulfate soils on the MLEP 2011 Acid Sulfate Soils Map. Reports prepared as part of Development Application No. 201200528 21 August 2013 included a Detailed Site Investigation, prepared by Coffey Environments Australia Pty Ltd, dated 17 June 2013 which identified the site as potentially being affected by acid sulphate soils and recommended that additional assessment be carried out to confirm the presence or absence of Acid Sulphate Soils in locations on the site that will be subject to excavation as part of the proposed development.

Bunnings have subsequently engaged Environmental Investigations Services (EIS) to review the Coffey Environments Detailed Site Investigation including an assessment of the presence of acid sulfate soils. The EIS assessment included soil samples from 13 boreholes and groundwater samples from 3 monitoring wells and well as Hazardous Ground Gas Measurements (HGG) undertaken on two gas wells installed by EIS and two gas wells installed by Coffey Environments.

The assessment by EIS concludes that the risk of encountering acid sulfate soil at the site is considered to be very low. Development consent can be granted with conditions of consent requiring further investigation of potentially impacted soils and appropriate measures where affected soils are identified during excavation works.

5.2.15 Contaminated Land

This matter has been previous discussed in detail under the heading "State Environmental Planning Policy No. 55 – Remediation of Land".

5.2.16 Torrens Title Subdivision and Amalgamation

Part 3.2.1 of the MDCP 2011 provides the objectives and controls for boundary adjustments which is defined by the DCP as:

"the realignment of an existing Torrens lot boundary. While not creating an additional number of lots, it is considered subdivision for the purposes of assessment where a development application is required."

The application proposes a minor boundary adjustment to the subject site and adjacent Ikea site in order to facilitate the slip lane from the Princes Highway to Smith Street.

Control	Comment
C1 Site features to be retained	The proposed boundary readjustment will not compromise any of the existing significant site features.
C2 Consideration of important factors	The proposed boundary realignment is consistent with the site topography and natural and physical features of the site, the services to the site, vegetation (as previously discussed), easements, stormwater management and vehicular access to the roads.
C3 Splays	A splay is effectively provided.

5.2.17 Industrial Development

Part 6 of MDCP 2011 contains specific controls in relation to industrial development pertaining to such considerations as FSR, site frontage, height, built form and character, site layout and amenities, building height, building design and appearance, setbacks, site facilities, noise and vibration, environmental protection, and hours of operation. The relevant controls are discussed in the table below:

Control	Comment
C4 Floor Space Ratio	The proposed complies with the maximum FSR for the site.
C6 Minimum frontage	The site frontage exceeds the minimum 20 metres.
C10 Site Layout	The proposal contains all of the operational aspects of the use wholly within the site, improves the aesthetic of the site, respects the amenity of the adjoining neighbours and is compatible with adjoining building forms.
C11 Natural Light and Ventilation	The proposal retains the existing fenestration on the north-west facing façade which has ample direct solar access to generate an amenable amount of natural light and ventilation to the building.
C13 Staff Rooms	The application proposes the provision of staff rooms which will be sufficient for the number of shift staff present on site at any one time.
C14 Height Consistency	The height of the building is consistent with that of the adjoining IKEA building.
C15 Other DCP Controls	As demonstrated above, the proposal complies with other DCP controls relating to urban design, solar access, privacy and residential to industrial interface.
C16 Obstacles Limitation Surface	The proposal complies with the maximum OLS requirement.
C17 Overall height	The proposed building form is consistent with the adjoining IKEA building and thus the proposed building height is reasonable and should be approved.
C18 Rooftop and Exposed Structures	The setback of the proposed warehouse and its associated roof form from Smith Street will ensure that the services on the rooftop do not pose any amenity issues for nearby residents.

Control	Comment
C19 Heritage	Heritage is discussed below.
C20 Schedule of Finishes	A Schedule of Finishes and Colour Scheme has been provided with the application. The proposed colour scheme is the standard branding colours of the Bunnings Warehouses.
C23 Anti-graffiti	The external finish of the warehouse will be robust and graffiti resistant.
C24 Corner Sites to Address Both Street Frontages	The site has frontages to both the Princes Highway and Smith Street. The existing heritage façade fronts both streets and the new warehouse building will also front Smith Street and will be both well-articulated and well-activated having regard to the nature of the use. The proposal will improve on the existing interface between the building on the site and Smith Street and will reduce overshadowing across Smith Street.
C26 Non Reflective and Non Glare Finishes	The proposed building is to be constructed of predominantly masonry finish with minimal glazing and will not result in any additional glare beyond that associated with the existing building.
C30 No Visible Pipes	Service plumbing pipes and other downpipes for the conveyance of roof water and generally integrated with the design of the building and will not result in adverse visual impact.
C31 Setbacks	The proposal will retain the existing heritage item and therefore will maintain the existing front setbacks, which ranges between approximately 5 metres to 11 metres. The Smith Street setback will be approximately 2.5 metres after the completion of the proposed road widening and boundary adjustment. The proposal maintains the existing separation between the existing industrial building and the adjoining residential properties.
C41-43 Plan of Management	The submission of a Plan of Management can be imposed as a condition of any consent. This was a requirement on the previously approved bulky goods development for the site.
C44-C50 Noise	<p>An Acoustic Report prepared by Wilkinson Murray accompanies this application which has included the assessment of noise from fixed mechanical plant, patrons, aircraft and activities associated with the delivery of goods.</p> <p>Background noise monitoring from 2014 was used to establish the existing noise levels from which project specific noise criteria were derived. These criteria were developed using the EPA's Noise Guide for Local Government.</p> <p>The noise assessment has determined that noise from operations on the site will comply with established noise criteria at the closest residences on Smith Street.</p>
C56-C57 Hours of Operation	<p>The application proposes hours of operation of 6.00am to 10.00pm Monday to Friday and 6.00am to 7.00pm Saturdays, Sundays and Public Holidays. Internal activities outside of these hours, such as restocking are proposed.</p> <p>These hours are appropriate having regard to the location of the site, the</p>

Control	Comment
	needs for early hours for trades people and are consistent with the objectives of this part of the MDCP 2011 and are unlikely to result in significant adverse effects on surrounding residents.

5.2.18 Heritage

The proposed works to the heritage item include the retention of the landmark façade and stepped masonry returns on the northern and southern elevations and adaptive reuse of the significant internal spaces and fabric within the building including the office building entry and two level vestibule and gallery space, the ground floor and first floor former office amenities areas and the northern stairwell. The works are essential to allow the annexation of the proposed warehouse building to the existing heritage item. Approval of the works will allow the continued use of the heritage item and ensure that it is well maintained into the future.

A Heritage Impact Assessment prepared by GML accompanies the subject application and includes a detailed justification in relation to the heritage impact of the proposed works and concludes that:

the proposed new use is sympathetic to the site's historical office and warehouse function and will facilitate the long-term conservation of its significant elevations and spaces. Whilst some fabric and spaces will be changed or lost, the main Exceptional and High significance spaces and fabric will be retained and interpreted. The interpretation will offer public access to the site's heritage values in a manner not previously available.

The proposal adopts a similar approach to heritage preservation for the site as that which was recently supported by Council and the Heritage Council in relation to Development Application No. 201200528. Given that the subject proposal adopts a similar approach towards heritage conservation at the subject site it is also therefore considered to represent an acceptable heritage outcome.

5.2.19 Strategic Context

Part 9 of the MDCP 2011 identifies 47 planning precincts within the Marrickville Local Government Area. The planning precincts are identifiable by certain characteristics and the MDCP 2011 provides desired future characteristics for each precinct. The subject site is located within Precinct 33 Princes Highway. The planning controls have not yet been developed for this planning precinct.

6.0 SECTION 79C CONSIDERATIONS

The following matters are to be taken into consideration when assessing an application pursuant to section 79C of the Environmental Planning and Assessment Act 1979. Guidelines (in italics) to help identify the issues to be considered have been prepared by the Department of Urban Affairs and Planning. The relevant issues are:

6.1 *The provisions of any planning instrument, draft environmental planning instrument, development control plan or regulations*

The proposal is permissible pursuant to the Marrickville Local Environmental Plan 2011 and is generally in conformity with the envisaged scale of development provided under the LEP. The proposal is also generally compliant with the development controls contained within the Marrickville Development Control Plan 2011.

6.2 *The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality*

Context and Setting

What is the relationship to the region and local context in terms of:

the scenic qualities and features of the landscape?

the character and amenity of the locality and streetscape?

the scale, bulk, height, mass, form, character, density and design of development in the locality?

the previous and existing land uses and activities in the locality?

The proposal will improve the visual quality of the site and provide an improved contribution to the streetscape. The massing of the development is of an appropriate scale which is sympathetic to the character of the locality. The proposed development will not result in any significant impacts on the amenity of the adjoining properties.

What are the potential impacts on adjacent properties in terms of:

- relationship and compatibility of adjacent land uses?
- sunlight access (overshadowing)?
- visual and acoustic privacy?
- views and vistas?
- edge conditions such as boundary treatments and fencing?

The proposed development incorporates appropriate design elements to ameliorate potential amenity impacts to adjoining properties. These issues have been discussed in detail in the body of this report.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

travel demand?

dependency on motor vehicles?

traffic generation and the capacity of the local and arterial road network?

public transport availability and use (including freight rail where relevant)?

conflicts within and between transport modes?

traffic management schemes?

vehicular parking spaces?

The proposed development provides appropriately for car parking and will not result in any adverse impact on the capacity of the local road network.

Public domain

The property's presentation in a streetscape context will be enhanced as a consequence of the proposed development. The proposal responds to the built form characteristics of development within the site's visual catchment. Generous setbacks, deep soil zones and landscaping are provided.

Utilities

Existing utility services will adequately service the development.

Flora and fauna

Whilst the proposed development will require the removal of some flora on the site, it will provide a generously landscaped setting for the building which will enhance the landscaped quality of the surrounding streets.

Waste collection

Normal commercial waste collection applies to this development. A Recycling and Waste Management Plan accompanies the application which details how ongoing waste will be managed.

Natural hazards

The site is not affected by any known hazards.

Economic impact in the locality

The proposed Bunnings warehouse is a significant generator of employment opportunities and will result in 650 jobs during the construction process and a further 230 (full-time and part-time) ongoing operations jobs once the building is complete. The proposal will improve the economic viability of the site by allowing it to meet the ongoing needs of local workers and residents in the catchment. The development will contribute to the economic success of surrounding industrial and business activities. .

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

size, shape and design of allotments?

the proportion of site covered by buildings?

the position of buildings?

the size (bulk, height, mass), form, appearance and design of buildings?

the amount, location, design, use and management of private and communal open space?

landscaping?

The impact of the proposal with respect to design and site planning is positive. The scale of the development is appropriate given the context and adjoining property to the north and in particular the IKEA development.

How would the development affect the health and safety of the occupants in terms of:

lighting, ventilation and insulation?

building fire risk - prevention and suppression/

building materials and finishes?

a common wall structure and design?

access and facilities for the disabled?

likely compliance with the Building Code of Australia?

The proposed development will comply with the provisions of the Building Code of Australia as required by clause 98 of the Environmental Planning and Assessment Regulation 2000. There will be no detrimental effects on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

What would be the impacts of construction activities in terms of:

the environmental planning issues listed above?

site safety?

The development will be carried out in accordance with the provisions of the Protection of the Environment Operations Act 1997. Normal site safety measures and procedures will ensure that no site safety or environmental impacts will arise during construction.

6.3 The suitability of the site for the development

Does the proposal fit in the locality?

- are the constraints posed by adjacent developments prohibitive?
- would development lead to unmanageable transport demands and are there adequate transport facilities in the area?

- are utilities and services available to the site adequate for the development?

The adjacent development does not impose any insurmountable development constraints. There will be no excessive levels of transport demand created.

Are the site attributes conducive to development?

The site does not have any physical or engineering constraints which would prevent the proposed development from occurring.

6.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that any submissions made in relation to the proposed development will be appropriately assessed by Council.

6.5 The public interest

The proposed development will provide a positive contribution to the streetscape of both the Princes Highway and Smith Street through the delivery of a contemporary warehouse and the adaptive reuse of an existing heritage item within a landscaped setting. Traffic generation and management are acknowledged as key issues in the assessment of this proposal. Substantial work has been undertaken by the applicant, in consultation with RMS and Council officers to find an optimum solution that successfully balances interests of all stakeholders.

The development is compatible with the locality and will improve the safety and security of the public domain adjacent to the site by increasing passive surveillance, providing clear vehicle access sight lines and improved pedestrian wayfinding and cross overs. The development maximises the economic viability of the existing site and the proposal is also consistent with the objectives of the relevant planning provisions. For these reasons the approval of the development is considered to be in the public interest.

7.0 CONCLUSION

The relevant matters for consideration under section 79C of the Environmental Planning and Assessment Act 1979 have been addressed in this report and the proposed development has been found to be consistent with the objectives of all relevant planning provisions.

The proposal is permissible with Council's consent within the zone and meets the relevant objectives of the B6 Enterprise Corridor zone.

Careful consideration has been given to the location, size and design of the proposed development to ensure that a high quality outcome will be achieved which is consistent with the character of the area.

The proposed development complies with the intent of the applicable built form controls and responds positively to the particular site circumstances, and will achieve a significant improvement to the relationship of the building the surrounding streets without adverse impact to the amenity of adjoining development generally. The proposal also provides the opportunity to upgrade accessibility to the site, improve streetscape amenity and landscaping at the site and passive surveillance by providing increased activation to the street frontages.

For reasons outlined in this Statement of Environmental Effects the proposed building works and use at 728-750 Princes Highway, Tempe should be granted development consent.