

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	23 March 2023
DATE OF PANEL DECISION	23 March 2023
DATE OF PANEL MEETING	23 March 2023
PANEL MEMBERS	Carl Scully, Susan Budd, Michael Ryan, Sue Francis
APOLOGIES	Alice Spizzo, Amelia Thorpe, Fiona Prodromou
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 17 February 2023.

MATTER DETERMINED

PPSSEC-237 - DA2022.179 - Strathfield Council, 41 Roberts Road, Greenacre (Lot 1 DP 837211) 2 Mayvic Street, Greenacre (Lot 2 DP 837211) 27A Wentworth Street, Greenacre (Lot 3 DP 815309) 27B Wentworth Street, Greenacre (Lot 2 DP 815309), Demolition of existing structures and erection of a new warehouse or distribution centre and comprised of four buildings with 14 separate tenancies, installation of signage and consolidation of four lots into one (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Strathfield Local Environmental Plan 2012 (LEP), that has demonstrated that:

- compliance with cl. 4.3 Height of Buildings is unreasonable or unnecessary in the circumstances; and
- there are sufficient environmental planning grounds to justify contravening the development standard

The Panel is satisfied that:

- the Applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- the development is in the public interest because it is consistent with the objectives of cl. 4.3 Height of Buildings of the LEP and the objectives for development in the IN1-General Industrial zone; and
- the concurrence of the Secretary has been assumed.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The proposed development generally satisfies the provisions of Strathfield Local Environmental Plan 2012 and Consolidated DCP 2005.
- The proposed development is situated in an industrial zone adjacent to the Enfield intermodal terminal and surrounded by predominantly industrial uses with residential uses separated by a classified road and significant setbacks.

- The proposed development will contribute to the revitalisation of this industrial precinct by providing a contemporary warehouse facility of high quality and design with enhanced landscaping around the perimeters of the development.
- The proposed development is of a scale and character that does not conflict with the public interest.


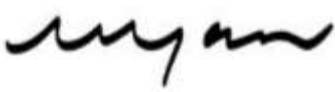


CONDITIONS

The Development Application was approved subject to the conditions in Council's assessment report with the following amendments.

- insert a new condition requiring a detailed site investigation addressing data gaps and potential groundwater contamination be undertaken as recommended by the preliminary site investigation report and all recommendations implemented. The report is to be completed and implemented to the satisfaction of Council's Manager of Environmental Services.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel noted no written submissions were made during public exhibition.

PANEL MEMBERS	
 Carl Scully	 Michael Ryan
 Susan Budd	 Sue Francis

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-237 - DA2022.179 - Strathfield
2	PROPOSED DEVELOPMENT	Demolition of existing structures and erection of a new warehouse or distribution centre and comprised of four buildings with 14 separate tenancies, installation of signage and consolidation of four lots into one.
3	STREET ADDRESS	41 Roberts Road, Greenacre (Lot 1 DP 837211) 2 Mayvic Street, Greenacre (Lot 2 DP 837211) 27A Wentworth Street, Greenacre (Lot 3 DP 815309) 27B Wentworth Street, Greenacre (Lot 2 DP 815309)
4	APPLICANT/OWNER	Goodman Ltd c/- Rory Pryor // Goodman Property Services Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 2 General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • SEPP (Planning Systems) 2021 • SEPP (Transport & Infrastructure) 2021 • SEPP (Resilience and Hazards) 2021 • SEPP (Biodiversity and Conservation) 2021 • Strathfield Local Environmental Plan 2012 • Strathfield Consolidated Development Control Plan 2005 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation</i>

		<p>2000: nil</p> <ul style="list-style-type: none"> • Coastal zone management plan: nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • EP&A Regulation 2021 - Section 61(1) • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council Assessment Report: 03 February 2023 • Applicant's revised clause 4.6 request to vary a Development Standard – clause 4.3 Height of Buildings dated 23 March 2023 • Council memorandum dated 23 March 2023 – response to applicant's revised clause 4.6 request • Combined Architectural Plans • Clause 4.6 Statement – Height of Buildings • Statement of Environmental Effects • Landscape Plan & Report • Construction Environmental Management Plan • Arboricultural Impact Assessment • Building Code of Australia Report • Geotechnical Investigations • Preliminary Site Investigation • Air Quality Impact Assessment • Traffic Impact Statement • Shadow Diagrams • Noise Assessment Report • Photomontages • Fire Safety Strategy • Civil Drawings • Landowner Consent • Site Photos (taken by the council Planner) • Assessment against the DCP • Strathfield Local Environmental Plan 2012 • Clause 4.3 Height of Buildings • Written submissions during public exhibition: 0 submission
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 23 March 2023 – Site inspection • 23 March 2023 - Final briefing to discuss council's recommendation:

		<ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully, Susan Budd, Michael Ryan, Sue Francis ○ <u>Council assessment staff</u>: Patrick Santos, Kandace Lindeberg, Joseph Gillies ○ <u>Applicant</u>: Rory Pryor
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report