

# COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSSWC-396
<b>DA Number</b>	1/2024/DA-I
<b>LGA</b>	Campbelltown
<b>Proposed Development</b>	Demolition of existing structures, construction of a warehouse and distribution facility comprising two separate buildings, each containing two warehouses (with each warehouse containing a mezzanine office level), two undercroft car parking areas, tree removal, civil works and landscaping
<b>Street Address</b>	50 Airds Road, Minto (Lot 5022 DP 1012382)
<b>Applicant/Owner</b>	ESR Investment Nominees 3 (Australia) Pty Ltd
<b>Date of DA lodgement</b>	6 February 2024
<b>Total number of Submissions</b>	0
<b>Recommendation</b>	Approval
<b>Regional Development Criteria (Schedule 6 of the Planning Systems SEPP)</b>	Development with a Capital Investment Value (CIV) of over \$30 million
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Planning Systems) 2021</li> <li>• State Environmental Planning Policy (Industry and Employment) 2021</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>• State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>• Campbelltown Local Environmental Plan 2015</li> <li>• Campbelltown (Sustainable City) Development Control Plan 2015</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>• Architectural Plans</li> <li>• Landscape Plans</li> <li>• Statement of Environmental Effects</li> <li>• Detailed Site Investigation report</li> </ul>
<b>Clause 4.6 requests</b>	None
<b>Report prepared by</b>	Luke Joseph – Senior Town Planner
<b>Report date</b>	5 July 2024

## Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

**Yes**

## Legislative clauses requiring consent authority satisfaction

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

**Yes**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

## Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

**Not applicable**

## Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

**No**

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

## Conditions

Have draft conditions been provided to the applicant for comment?

**Yes**

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

## **Executive Summary**

- Development with a Capital Investment Value (CIV) of over \$30 million is regionally significant development for which the Sydney Western City Planning Panel (the Panel) is the consent authority. As the proposed development has a CIV of \$59.5 million, the Panel is the consent authority for this development application.
- The application is compliant with all of the State Environmental Planning Policies that apply to the proposed development. In particular, the site is considered to be suitable for the proposed development pursuant to clause 4.6(1) of the Hazards and Resilience SEPP, subject to compliance with the recommendations of the Detailed Site Investigation report submitted with the application.
- The application is compliant with the provisions of the Campbelltown Local Environmental Plan 2015 (CLEP).
- The application is generally consistent with the relevant provisions of the Campbelltown Sustainable City Development Control Plan 2015 (CDCP). Some aspects of the proposed development do not strictly comply with the CDCP, however these do not prevent the approval of the application. Sufficient information has been provided to justify the non-compliances.
- Based on an assessment of the application against section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act), the application has been found to be satisfactory, and is therefore recommended for approval.

## Site and Locality

The subject site is located on the eastern side of Airds Road and has a site area of approximately 5.4 hectares. The site is regularly shaped with a frontage to its western boundary of 203 metres to Airds Road and a depth of 227.4 metres.

The subject site currently contains an industrial warehouse as well as a three-storey office and industrial building. Vegetation is located within landscaping strips along the eastern, southern, and western boundaries of the site. The eastern boundary of the site adjoins the rail corridor of the main south railway line, which operates commuter and freight train services. The subject site is located within an established industrial area, which contains a mixture of warehouses, factories and ancillary offices.

A 22.5 metre wide easement for electrical transmission and stormwater drainage runs along the eastern boundary of the subject site, adjacent to the rail corridor.



Locality plan showing the subject site highlighted

## Proposal

This application proposes the demolition of existing structures and construction of a warehouse and distribution facility. The proposed development contains two separate buildings, with each building containing two warehouses. Each warehouse would contain a mezzanine office level). two undercroft car parking areas are also proposed at the front of the site, as well as tree removal, civil works, signage and landscaping. A total of 25,469m<sup>2</sup> of gross floor area and 184 car parking spaces are proposed, as well as 33 loading docks and approximately 5,000m<sup>2</sup> of landscaping.

## Assessment

The development has been assessed in accordance with the heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and having regard to those matters the following issues have been identified for further consideration.

## **1. Planning Provisions**

### **1.1 State Environmental Planning Policy (Planning Systems) 2021**

#### State Significant Development

Section 2.6 of the Planning Systems SEPP establishes that development specified in Schedule 1 is declared to be State Significant Development (SSD) for the purposes of section 4.36 of the Environmental Planning and Assessment Act 1979. Clause 12 of Schedule 1 of the Planning Systems SEPP specifies the threshold for SSD in relation to a warehouse or distribution centre, as follows –

(1) Development that has a capital investment value of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.

(3) In this section—relevant amount means—

(a) for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—\$30 million, or

(b) for any other development—\$50 million.

The proposed development has a Cost Investment Value (CIV) of \$59,494,742 as identified in the Quantity Surveyors Report submitted with the application. The CIV does exceed the \$50 million cost threshold specified by clause 12 of Schedule 1 of the SEPP, however as the proposed development would be a multiple tenant/operator development, none of the proposed warehouses/distribution centres would exceed the \$50 million threshold on their own (the CIV of each proposed warehouse/distribution centre would be approximately \$15 million). This development, therefore, does not constitute SSD pursuant to clause 12 of Schedule 1 of the Planning Systems SEPP.

#### Regionally Significant Development

Section 2.19 of the Planning Systems SEPP establishes that development specified in Schedule 6 is declared to be Regionally Significant Development for the purposes of the Environmental Planning and Assessment Act 1979. Clause 2 of Schedule 6 of the Planning Systems SEPP specifies a minimum threshold of \$30 million for “general development”. As the proposed development has a CIV of \$59,494,742, the proposed development is Regionally Significant Development and accordingly, the consent authority for this application is the Sydney Western City Planning Panel.

### **1.2 State Environmental Planning Policy (Industry and Employment) 2021**

The proposed signage (consisting of numerous identification and directional signs) has been assessed against the provisions of Chapter 3 (Advertising and Signage) of the Industry and Employment SEPP, in particular the assessment criteria within Schedule 5 of the SEPP. The proposed signage is considered to be satisfactory with regard to the assessment criteria.

### 1.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

Various sections of the Infrastructure SEPP are applicable to the application, and these are discussed below:

#### Clause 2.48 – Development likely to affect an electricity transmission or distribution network – determination of development applications

This clause requires the consent authority to notify the electricity supply authority and consider any response received, for any of the following works:

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- (b) development carried out:
  - (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or
  - (ii) immediately adjacent to an electricity substation, or
  - (iii) within 5m of an exposed overhead electricity power line,
- (c) installation of a swimming pool any part of which is:
  - (i) within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or
  - (ii) within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
- (d) development involving or requiring the placement of power lines underground, unless an agreement with respect to the placement underground of power lines is in force between the electricity supply authority and the council for the land concerned.

In this regard, the proposed development would involve works described by subclauses (a) and (b). Accordingly, the application was referred to Endeavour Energy, who provided conditions that have been included within the recommended conditions of consent.

#### Clauses 2.97 and 2.98 – Development and excavation adjacent to rail corridors

These clauses require the consent authority to notify the rail authority and consider any response received, for any of the following works:

Development that:

- (a) is likely to have an adverse effect on rail safety, or
- (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or
- (c) involves the use of a crane in air space above any rail corridor.
- (d) is located within 5 metres of an exposed overhead electricity power line that is used for the purpose of railways or rail infrastructure facilities.

Development that involves the penetration of ground to a depth of at least 2 metres below ground level (existing) on land:

- (a) within, below or above a rail corridor, or
- (b) within 25m (measured horizontally) of a rail corridor, or
- (c) within 25m (measured horizontally) of the ground directly below a rail corridor, or
- (d) within 25m (measured horizontally) of the ground directly above an underground rail corridor.

The consent authority must not grant consent to development to which this section applies without the concurrence of the rail authority for the rail corridor to which the development application relates.

In this regard, the proposed development would involve works described above. Accordingly, the application was referred to both relevant rail authorities (Sydney Trains and the Australian Rail Track Corporation (ARTC)), who reviewed the application and issued their concurrence.

ARTC reviewed the application and requested the imposition of conditions of consent relating to fencing and safety, stormwater, excavation, and construction cranes. ARTC's requested conditions have been included within the recommended conditions of consent.

Sydney Trains reviewed the application and issued their concurrence and provided conditions that have been included within the recommended conditions of consent.

#### Clause 2.122 – Traffic Generating Development

Clause 2.122 sets out provisions relating to traffic generating development, as defined within Schedule 3 of the Transport and Infrastructure SEPP. Development for the purpose of warehouse or distribution centres with more than 8,000m<sup>2</sup> of gross floor area is defined as 'traffic generating development'. As the application proposes the construction of 23,411m<sup>2</sup> of warehouse floor area, the proposal was referred to Transport for NSW (TfNSW), who reviewed the proposal and provided their concurrence to it, noting that the proposed development will not have a detrimental impact to the surrounding classified road network. TfNSW further stipulated that as the site has access to Airlds Road, which is a local road under the care and control of Council, Council should be satisfied with the proposed access arrangements and civil works on Airlds Road. In this regard, Council is satisfied with the proposed access arrangements and civil works on Airlds Road.

### **1.4 State Environmental Planning Policy (Resilience and Hazards) 2021**

Clause 4.6(1) of the Resilience and Hazards SEPP requires that a consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

A Detailed Site Investigation report was submitted with the application, which concluded that the site is suitable for the proposed development and land use, provided that the recommendations of the report are undertaken. The recommendations of the DSI report have been included as conditions of consent.

## **1.5 State Environmental Planning Policy (Sustainable Buildings) 2022**

The provisions of the Sustainable Buildings SEPP apply to non-residential development that involves:

- (a) the erection of a new building, if the development has a capital investment value of \$5 million or more, or
- (b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of \$10 million or more.

The application proposes the construction of a new building with a capital investment value of \$59.5 million, and therefore the Sustainable Buildings SEPP applies to the application.

### **3.2 Development consent for non-residential development**

- (1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following—
  - (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,
  - (b) a reduction in peak demand for electricity, including through the use of energy efficient technology,
  - (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,
  - (d) the generation and storage of renewable energy,
  - (e) the metering and monitoring of energy consumption,
  - (f) the minimisation of the consumption of potable water.

As per the requirements of Clause 3.2(1), the proposed development would minimise waste via the reuse and recycling of building materials during the demolition and construction phases as shown in the Waste Management Plan submitted with the application. The proposal adopts the use of energy efficient technology with the future use of solar panels introducing renewable sources of energy whilst reducing the reliance on electricity, artificial lighting and mechanical heating by incorporating translucent roof sheeting to allow natural light and heat. The proposed development also incorporates 100,000 litres of rainwater tank capacity.

- (2) Development consent must not be granted to non-residential development unless the consent authority is satisfied the embodied emissions attributable to the development have been quantified.

In accordance with this clause, an Embodied Emissions Material Form which quantifies the embodied emissions attributable to the development has been submitted with the application. Therefore, the proposed development complies with the requirements of this clause.

## **1.6 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

### **Chapter 3: Koala Habitat Protection**

Under Chapter 3 of the Biodiversity and Conservation SEPP, *potential koala habitat* means areas of native vegetation where trees of the types listed in Schedule 1 of the SEPP constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.

In this regard, the koala feed trees proposed for removal under this application are below the 15% threshold, and therefore there is no compensation payable. In addition, the trees proposed for removal would be offset with the number of trees to be planted.

## Chapter 6: Water Catchments

Chapter 6 of the Biodiversity and Conservation SEPP regulates development situated in water catchments in and in proximity to the Greater Sydney Region. The subject land is mapped as being located within the Georges River Catchment, therefore Chapter 6 (Water catchments) of the SEPP applies. Chapter 6 requires that development within regulated catchments (including the Georges River catchment) consider whether proposed development will have neutral or beneficial impacts on the quality of water entering a waterway, whether any such development would increase stormwater runoffs and contribute to cumulative environmental impacts within the catchment, and other considerations in relation to water quality and quantity.

The subject site is located within the Georges River Catchment, and therefore Chapter 6, of the SEPP applies to the application. The civil engineering plans and report and associated MUSIC modelling submitted with the application provide confirmation of the water quality treatment measures to be implemented to ensure a neutral or beneficial impact on water quality. A summary of applicable provisions within Chapter 6 of the SEPP is contained within the Statement of Environmental Effects and is considered to be accurate.

### **1.7 Campbelltown Local Environmental Plan 2015**

#### Permissibility

The subject site is zoned E4 General Industrial under the provisions of Campbelltown Local Environmental Plan 2015. The proposed development is defined as a warehouse or distribution centre and is permissible with Council's development consent within the E4 zone.

#### Zone objectives

The proposal is consistent with the objectives of the E4 General Industrial zone, which are listed below:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To enable non-industrial land uses that are compatible with and do not detract from industrial and warehouse uses or impact on the viability of existing centres.
- To ensure that any commercial, retail or other non-industrial development is not likely to adversely affect employment generating activities or opportunities.
- To facilitate diverse and sustainable means of access and movement.
- To maximise public transport patronage and encourage walking and cycling.

#### Building height

The subject site has a maximum building height of 19 metres under the CLEP 2015. The proposed development has a height of 15.45 metres and therefore complies with this standard.

### 5.21 Flood planning

This clause states that development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

- (a) is compatible with the flood function and behaviour on the land, and
- (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- (c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- (d) incorporates appropriate measures to manage risk to life in the event of a flood, and
- (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters—

- (a) the impact of the development on projected changes to flood behaviour as a result of climate change,
- (b) the intended design and scale of buildings resulting from the development,
- (c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
- (d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.

In this regard, Council engaged an external flooding engineer to review the applicant's flood modelling and report. The main conclusions of this review were:

- The flood modelling submitted with the application is suitable.
- The impacts from the proposal in all events up to and including the 1% AEP design event are considered to be acceptable.
- The proposed mezzanine levels are a suitable PMF refuge, thus reducing risk to loss of life.

Accordingly, the application is considered to be satisfactory with regard to this clause.

## 7.1 Earthworks

In deciding whether to grant development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—

- (a) the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,
- (b) the effect of the development on the likely future use or redevelopment of the land,
- (c) the quality of the fill or the soil to be excavated, or both,
- (d) the effect of the development on the existing and likely amenity of adjoining properties,
- (e) the source of any fill material and the destination of any excavated material,
- (f) the likelihood of disturbing relics,
- (g) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,
- (h) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

The main concern associated with earthworks in relation to this application is the impact on flooding. In this regard, Council engaged an external flooding engineer to review the applicant's flood modelling and report, which were found to be satisfactory.

## 7.10 Essential Services

Pursuant to this clause, development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage,
- (d) stormwater drainage or on-site conservation,
- (e) suitable road and vehicular access,
- (f) telecommunication services,
- (g) the supply of natural gas.

In relation to points (a), (b), (c), (f) and (g), these services are available in Airds Road and the applicant would need to seek the approval of the relevant utility authorities to connect the proposed development to each relevant utility network. In relation to points (d) and (e), Council's assessment is that adequate stormwater drainage and road access arrangements are available to serve the proposed development.

## **1.8 Campbelltown (Sustainable City) Development Control Plan 2015**

### **Part 2 - Requirements Applying to All Types of Development**

The general provisions of Part 2 of the Plan apply to all types of development. Compliance with the relevant provisions of Part 2 of the Plan is discussed as follows:

**Sustainable building design** – 100,000 litres of rainwater tank capacity is required to be provided, based on the amount of roof area proposed, and the proposed development demonstrates compliance with this requirement. Translucent roof sheeting is also proposed to be provided to enable passive heating.

**Landscaping** – The landscape plan submitted makes provision for an adequate amount of landscaping within the front, side and rear setbacks of the development. The proposed landscaping incorporates a mixture of plants and trees. The majority of the species to be used have been selected from the Campbelltown Native Gardening Guide.

**Cut, fill and floor levels** – A Cut and Fill Management Plan was submitted with the application as required by Part 2 of the CDCP.

**Stormwater** – The application was referred to Council's Development Engineer to assess the stormwater management aspects of the proposed development. In this regard, the proposal was found to be satisfactory, and appropriate conditions of consent have been included within the recommended conditions of consent at Attachment 1.

### **Part 7 – Industrial development**

The application has been assessed against the relevant parts of Part 7 of Campbelltown Sustainable City DCP 2015, and an assessment table can be found in Attachment 1. The proposed development is generally compliant with the Campbelltown Sustainable City DCP 2015, however fails to comply in relation to car parking and building/landscaping setbacks to the main southern railway corridor, which are discussed further below.

### Car parking

Clause 7.3.1(b) and (c) of the SCDCP stipulate that parking for industrial development is to be provided at the rate of one space for every 100sqm of gross floor area for buildings up to 2000 square metres plus one space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area, and one space per 35sqm of gross floor area occupied by office areas, lunch rooms and any associated office storage areas. The application of these rates results in a car parking requirement for the proposed development of 200 car parking spaces, however only 184 car parking spaces are proposed.

However, despite the proposed 8% non-compliance with the development standard in question, the proposed provision of car parking is considered to be satisfactory for the following reasons:

- The RMS Guide to Traffic Generating Developments (2002) suggests a car parking rate of 1 space per 300sqm for warehouses, which would equate to a requirement of only 85 spaces for the proposed development. Whilst the use of this rate is not necessarily appropriate in the specific context of Minto or the Campbelltown LGA, the Guide suggests a vastly different car parking rate should apply to factories and warehouses, whereas Council's DCP uses a single rate for all industrial development.
- The applicant provided Council with the results of parking surveys of several recently completed warehouse developments at Eastern Creek, which found the warehouses' average overall parking supply to be between 1 space per 138sqm and 1 space per 258sqm of total combined warehouse and office GFA, with none of the warehouses reaching car parking demand levels that exceeded their supply. Applying these rates to the proposed development would indicate a range of peak demand between 107 and 199 spaces. The proposed car parking supply in this situation would be near the higher end of this range, despite the subject site being in close proximity to Minto train station and the sites that were the subject of the parking surveys not being close to a train station.
- Modern warehouses tend to involve greater use of automation and machinery, requiring fewer car parking spaces for warehouse workers, and incorporate rotating shifts for their workers. It is noteworthy is that the draft TfNSW Guide to Transport Impact Assessment (2023) identifies a new class of industrial land use – 'highly automated' industries accompanied by a very low car parking rate. Whilst it would be inappropriate to use this rate in this situation, it demonstrates the trend of lower car parking demand for certain types of industrial development.
- The proponent has committed to the preparation of an enforceable Green Travel Plan, to discourage the use of private vehicles among the workforce, given the site's proximity bus services and Minto Railway Station. A recommended condition of consent would enforce this commitment, which includes the provision of on-site storage facilities for 19 bicycles.

Given the above factors, the proposed provision of car parking is considered to be satisfactory and the proposed variation is considered to be worthy of support.

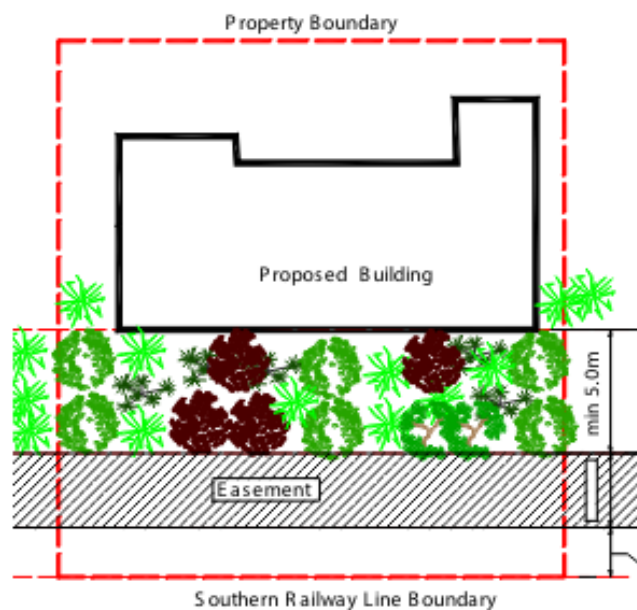
### Setback to the main southern railway corridor

Clause 7.2.2(a) of the SCDCP stipulates that industrial development shall be setback by 30 metres to the main southern railway corridor. The proposed development has a setback of 25 metres (the majority of the building has a 26.72 metre setback) and therefore fails to comply with this standard.

However, clause 7.2.2(b) of the SCDCP states that despite Clause 7.2.2(a), Council may consider a reduction of the rear setback from the southern railway corridor from 30 metres to 5 metres providing that:

- i) A vegetated screen/landscape area of a minimum width of 5 metres is constructed along the full width of the property between the railway corridor and the buildings;
- ii) The vegetated area is free of any easements or site constraints (refer to Figure 7.2.3 below);
- iii) The vegetated area is densely landscaped with trees and plants selected from the Campbelltown Native Gardening Guide.
- iv) Council is satisfied that the proposed vegetation is sufficient to screen the buildings from the southern railway corridor.
- v) All reduced setback proposals from the railway corridor shall be subject to the approval of the relevant public authorities.

The desired outcome in cases where an easement is located in close proximity to the railway corridor is shown diagrammatically below:



The proposed development fails to comply with subclause (ii) above as the required 5 metre wide vegetated area is proposed to be entirely within a 22.5m wide easement stormwater drainage and electricity transmission easement that traverses the eastern portion of the site.

However, despite the proposed non-compliance with the development standard in question, the proposed configuration of the development is considered to be satisfactory because concurrence has been received from Endeavour Energy in relation to the proposed development, and the proposed landscaping would not interfere with the flow of stormwater through the stormwater easement.

Accordingly, the proposed variation is considered to be worthy of support.

## **Part 16 Advertising and Signage**

The application has been assessed against the relevant parts of Part 16 of Campbelltown Sustainable City DCP 2015, and an assessment table can be found in Attachment 2. As the table in Appendix 2 shows, the application is compliant with Part 16 of the Campbelltown Sustainable City DCP 2015, subject to a recommended condition of consent requiring compliance with the maximum permissible height of signage.

### **2. Development Contributions**

A Section 7.12 development contribution is payable to Council in relation to the proposed development, and a Housing and Productivity Contribution is payable to the state government. Conditions requiring the payment of these contributions have been included within the recommended conditions of consent.

### **3. Public Participation**

Pursuant to the provisions of the Campbelltown Community Participation Plan, the application was not required to be publicly exhibited or notified to surrounding property owners.

### **4. Conclusion**

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the issues raised above, it is considered that the application is consistent with the relevant planning legislation.

### **Officer's Recommendation**

That 1/2024/DA-I, which proposes the demolition of existing structures, construction of a warehouse and distribution facility comprising two separate buildings, each containing two warehouses (with each warehouse containing a mezzanine office level), two undercroft car parking areas, tree removal, civil works and landscaping at 50 Airs Minto be approved subject to the recommended conditions of consent in Attachment 1.

**Appendix 1 – Assessment against Part 7 (Industrial Development) of the Campbelltown Sustainable City Development Control Plan 2015**

<b>Standard</b>	<b>Required</b>	<b>Proposed</b>	<b>Compliance</b>
<b>Height</b>	Predominantly single storey, excluding offices and mezzanines	Single storey warehouses with first floor office space are proposed.	Yes
<b>Building design</b>	Vertical/horizontal offsets in wall surfaces	Provided	Yes
	Articulate windows/doors/roof /entrances	Provided	Yes
	Articulate walls using texture, colour, materials	Provided	Yes
	Main entry identifiable from street	Complies	Yes
	Minimum 50% of front elevation to be masonry	Large warehouses are not expected to achieve full compliance with this standard, however a reasonable amount of articulation and materiality is proposed.	Satisfactory
<b>Mezzanines</b>	Mezzanines shall not comprise an area of more than 50% of the gross floor area of the ground floor of the respective building.	Mezzanines would comprise 8% of the gross floor area of the ground floor of the building.	Yes
	Offices shall not comprise more than 30% of the gross floor area of the respective building.	Offices would comprise 8% of the gross floor area of the ground floor of the building.	Yes
<b>Setbacks</b>	15 metres to Airs Road	15 metres	Yes
	30 metres to the main southern railway corridor	25 metres (the majority of the building has a 26.72 metre setback).	<b>No, however exceptions to this standard can be permitted (see below)</b>
	Despite the prescribed setbacks, Council may consider a reduction of the rear setback from the southern railway corridor from 30 metres to 5 metres providing that:  i) a vegetated screen/ landscape area of a minimum width of 5 metres is constructed along the full width of the property	A 5 metre wide vegetated screen/ landscape area is proposed to be constructed along the	Yes

	<p>between the railway corridor and the buildings;</p> <p>ii) the vegetated area is free of any easements or site constraints (refer to Figure 7.2.3;</p> <p>iii) the vegetated area is densely landscaped with trees and plants selected from the Campbelltown Native Gardening Guide</p> <p>iv) Council is satisfied that the proposed vegetation is sufficient to screen the buildings from the southern railway corridor.</p> <p>All reduced setback proposals from the railway corridor shall be subject to the approval of the relevant public authorities.</p>	<p>railway corridor boundary.</p> <p>The 5 metre vegetated area is entirely within a 22.5m wide easement stormwater drainage and electricity transmission easement.</p> <p>The vegetated area is proposed to be densely landscaped with native trees and plants.</p> <p>The landscaping would satisfactorily screen the proposed buildings (whilst not fully obscuring them from public view).</p> <p>Sydney Trains, ARTC and Endeavour Energy have all granted their concurrence to the proposal.</p>	<p><b>No</b></p> <p>Yes</p> <p>Satisfactory</p> <p>Yes</p>
<b>Car parking</b>	<p>One space for every 100sqm of gross floor area for buildings up to 2000 square metres (80 based on 8,000sqm); plus one space per 250sqm for that part of the building exceeding 2000 square metres in gross floor area (61.6 based on 15,411sqm)</p> <p>One space per 35sqm for any office area, lunch rooms, storage areas and the like (58.8 based on 2058sqm of office)</p> <p>Total = 200 spaces</p> <p>A minimum of 10% of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the building.</p>	<p>184 spaces</p> <p>More than 10% of the required car parking spaces, including disabled spaces, shall be located within close proximity to the main pedestrian entry to the building.</p>	<p>No</p> <p>Yes</p> <p>Yes</p>

	No car parking spaces shall be designed in a stacked configuration.	No stacked car parking spaces are proposed.	
<b>Loading and Manoeuvring</b>	Each industrial factory/unit shall be provided with a loading bay.	Each unit would have multiple loading bays.	Yes
	Provision shall be made for all loading and unloading to take place wholly within the designated loading area.	The numerous loading bays would be able to accommodate all loading and unloading.	Yes
	No loading or unloading shall be carried out across parking spaces, landscaped areas, pedestrian aisles or on roadways.	Loading and unloading would not interfere with parking, landscaping, pedestrian aisles or roadways.	Yes
	Each industrial building/unit having a gross floor area more than 1500 square metres shall provide a loading area to allow for a heavy rigid vehicle to manoeuvre on site.	All units have loading bays sufficient in size to accommodate semi-trailers.	Yes
	Car spaces / manoeuvring not to occupy more than 50% of required front setback.	Car spaces / manoeuvring would occupy less than 50% of the required front setback.	Yes
	Sufficient space shall be provided on site so that no vehicle shall be required to make more than a three-point movement to exit the site in a forward direction.	No vehicles would be required to make more than a three-point movement to exit the site in a forward direction.	Yes
<b>Landscaping</b>	Provided to min. 50% of each required setback area	Greater than 50% of the required front setback to Airds Road would be landscaped, and the full area of the required 5 metre setback to the railway line would be landscaped.	Yes
	Along the full width of street frontage, other than driveways	Complies	Yes
	First 3 metres of all required street front landscaped area shall be planted of advanced canopy trees that are:	A condition requiring compliance with this condition is recommended.	Yes

	<p>i) a minimum of two (2) metres in height with a minimum pot size of 400 litres at the time of planting;</p> <p>ii) of native species;</p> <p>iii) planted every 10 metres</p> <p>Side boundary landscaping of a minimum of one metre width shall be provided between the street boundary and the building line.</p>	Compliant side boundary landscaping is proposed.	Yes
<b>Fencing</b>	<p>Industrial fencing shall be a maximum 2.4 metres in height.</p> <p>All fencing in industrial developments shall be of recessive colours, palisade design, or plastic coated and framed chain wire</p> <p>All fencing in industrial developments shall be setback a minimum of 3.0 metres from property boundaries addressing a primary and/or secondary street.</p> <p>The use of sheet metal fencing is not permitted unless required as part of acoustic solution and is appropriately screened with landscaping.</p>	<p>2.1m high front fencing and 2.4m side fencing is proposed</p> <p>All proposed fencing would be black.</p> <p>The proposed fencing would be set back 3 metres from the front property boundary.</p> <p>Sheet metal fencing is not proposed</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>Waste Management</b>	<p>Industrial development shall make provision for an enclosed on site waste and recycling facility that has adequate storage area to accommodate the waste generated from the development.</p> <p>Adequate provision shall be made for the screening and storage of all industrial waste behind the front building setback.</p>	Space is available for a waste storage area in a screened area located behind the front building line.	Yes
<b>Industrial Units</b>	Each industrial unit proposed on land zoned E4 General Industrial under the CLEP shall have a minimum LFA of 400 square metres.	All of the proposed industrial units would have a LFA far in excess of 400 square metres.	Yes

**Appendix 2 - Assessment against Part 16 (Advertising and Signage) of the Campbelltown Sustainable City Development Control Plan 2015**

<b>Freestanding Pylon Sign</b>	<p>Freestanding pylon and directory board signs shall:</p> <p>i) not result in more than one such freestanding sign for each street frontage of the lot on which the development is located;</p> <p>ii) not exceed a height of 8 metres, above natural ground level to the highest point of the sign/ structure;</p> <p>iii) not have an area for the sign of more than 8sqm where the lot is occupied by one commercial tenant where the building is occupied by more than one tenant. The minimum area of 8sqm shall be increased by 1 additional square meter per additional occupancy to a maximum of 18sqm (so 12sqm);</p> <p>v) be only permitted where the building has a minimum 10 metre building setback from the primary road frontage.</p>	<p>Three freestanding directory board signs are proposed however the site is very large and would accommodate multiple tenancies.</p> <p>A condition requiring compliance with this standard is recommended.</p> <p>9sqm of signage is proposed for the freestanding directory board signs.</p> <p>The setbacks of the proposed building from the primary road frontage would be 15 metres.</p>	<p>Satisfactory</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
<b>Number of signs per premises</b>	Notwithstanding any other requirement of this part, the total number of signs installed on any building elevation facing a public space shall not exceed 6.	The number of signs installed on building elevations facing a Airds Road would be four and the number facing the railway line would be six.	Yes
<b>Business identification signs</b>	Corporate colour schemes associated with business identification shall only be permitted where the consent authority is satisfied that the colour scheme is compatible with the desired future	The proposed colour scheme of the building owner's logo is satisfactory in this regard.	Yes

	character of the area and will not detract from the appearance of the building and its surroundings.		
<b>Wall Signs</b>	Only one wall sign per building elevation shall be permitted.	Only one wall sign per building elevation is proposed.	Yes
	A wall sign shall:		
	i) not result in more than 4 business identification signs of this type for the building (which may refer to more than 1 business within the building);	Only four wall signs are proposed for the entire development (two per building).	Yes
	ii) be attached to the building in which the business identified in the sign is located;	All wall signs would be attached to the buildings to which the signs relate.	Yes
	iv) where located on land zoned for industrial zone or zone B5 under the CELP, not be more than 18sqm in area or 20% of the building elevation, whichever is the lesser;	Each wall sign would be 14.4sqm in size.	Yes
	v) not project beyond the parapet or eaves of the building to which it is attached; and	The proposed wall signs would not project beyond the buildings' parapets/eaves.	Yes
	vi) not cover any window, door or architectural feature	The proposed wall signs would not cover any window, door or architectural feature.	Yes