

Statement of Environmental Effects

STAGED DEMOLITION OF ALL EXISTING STRUCTURES AND THE CONSTRUCTION OF A MULTI-STOREY WAREHOUSE/INDUSTRIAL COMPLEX OVER TWO STAGES COMPRISING OF 8 WAREHOUSES AT 28 YARRUNGA STREET, PRESTONS



Prepared by: **Think Planners Pty Ltd**
Document Date: December 2019
Consent Authority: Liverpool City Council

QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects: Warehouse and Distribution Facility

ADDRESS: Lot 2 in DP 536915: 28 Yarrunga Street, Prestons

COUNCIL: Liverpool City Council

AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
December 2019	Draft Issue for Comment	Draft	SK/JW	JW
December 2019	DA Lodgement Issue	Final	SK/BD	JW

<i>Integrated Development (under S.4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?</i>	
<i>Fisheries Management Act 1994</i>	<i>No</i>
<i>Heritage Act 1977</i>	<i>No</i>
<i>Mine Subsidence Act 1992</i>	<i>No</i>
<i>Mining Act 1992</i>	<i>No</i>
<i>National Parks and Wildlife Act 1974</i>	<i>No</i>
<i>Petroleum (Onshore) Act 1991</i>	<i>No</i>
<i>Protection of the Environment Operations Act 1997</i>	<i>No</i>
<i>Roads Act 1993</i>	<i>No</i>
<i>Rural Fires Act 1997</i>	<i>No</i>
<i>Water Management Act 2000</i>	<i>No</i>
<i>Concurrence</i>	
<i>SEPP 1- Development Standards</i>	<i>No</i>
<i>SEPP 64- Advertising and Signage</i>	<i>No</i>
<i>SEPP Coastal Management 2018</i>	<i>No</i>
<i>SEPP (Infrastructure) 2007</i>	<i>No</i>
<i>SEPP (Major Development) 2005</i>	<i>No</i>
<i>SREP (Sydney Harbour Catchment) 2005</i>	<i>No</i>
<i>SREP 30- St Marys (NPWS)</i>	<i>No</i>

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Executive Summary

This Statement of Environmental Effects has been prepared in support of a Development Application for the demolition of all existing structures in-order to construct a large multi-storey warehouse/industrial complex over two stages comprise of 8 industrial units/warehouses at 28 Yarrunga Street, Prestons.

At the completion of the proposal, the development is to provide a total of 8 large warehouses over two levels with a total 57,478m² of warehouse floor space and 7,295m² in office floor space, predominantly within the mezzanine.

Staging

Due to the size and scale of the proposal, the development is to be undertaken in 2 distinct stages:

- Stage 1:
 - Demolition of identified structures
 - Construction of 4 large warehouse over two levels with 26,587m² of warehouse floor area and 4,061m² of office floor area, with the majority of the floor area within the mezzanine
 - Construction of related services
 - Upgrade works to Yarrunga Street
 - Existing warehouse to be retained and remain in operation during construction & operation of Stage 1
 - Construction of temporary offices and a total of 159 temporary vehicular parking spaces, 32 bicycle spaces and 9 motorcycle parking spaces
- Stage 2:
 - Demolition of identified structures including the existing warehouse
 - Construction of a basement level with a total of 397 vehicular parking spaces including 4 accessible car parking spaces, 20 motorbike parking spaces and 36 bicycle parking spaces. The basement level also includes store rooms, carpark exhaust risers, 2 x lobby area with a lift core and stairwells.
 - Construction of 4 large warehouse over two levels with 30,887m² of warehouse floor area and 3,234m² of office floor area, with the majority of the floor area within the mezzanine
 - Construction of related services.

Section 7.11 Contributions

Based on the project being completed in two distinct stages, and noting the significance in fees payable for 7.11 Contributions at each stage, it is requested that the conditions of consent reflect the payment of 7.11 Contributions in two stages, consistent with the development of the proposal in two stages.

Parking

A total of 159 temporary carparking spaces at-grade and a total of 397 carparking spaces within a basement level at the completion of the proposal.

Vehicle Access

Delivery vehicles generally comprise of semi-trailer delivery and distribution vehicles. For both stages, access to the development will be via Yarrunga Street from the south-western corner on the ground level.

Trucks will either gain access from the ground level industrial unit or the Level 1 industrial unit via the western up-ramp. From Level 1, the trucks will be able to access the first level industrial units before returning to ground level via the eastern down-ramp. Once unloaded, or loaded, the trucks will leave the proposed development from the south-eastern corner onto Yarrunga Street.

Operational Details

The current application is seeking Council consent for the use of the land to undertake warehouse and distribution centre activities and with the proposed building and associated structures with the operation of the industrial development including hours of operation and staff numbers to be undertaken via future DAs.

Signage

No signage is proposed at this state with signage to be subject to future DAs.

The subject site is located on the northern side of Yarrunga Street, approximately 500m west from the intersection of Bernera Road and Yarrunga Street, Prestons. The site is surrounded by a mix of industrial and warehouse buildings to its northern, western and eastern boundaries, with Yarrunga Street separating the site from a recently constructed/under construction large industrial development to the south.

The site itself can be best described as a large regular shaped north-south oriented mid-block land parcel with frontage to Yarrunga Street and a total site area of 46,839.7m². The site is relatively flat with grades of less than 5 percentage.

The subject site is zoned IN3 Heavy Industrial under the Liverpool Local Environmental Plan 2008. 'Warehouse or Distribution Centres' are permissible with consent within the IN3 Zone. The development proposal has been designed to align with the LEP controls and the provisions of the Liverpool DCP 2008. Controls were confirmed in a Pre DA meeting.

The development site resides within an emerging large industrial estate that is separated from a larger more established industrial estate via the Motorway. The industrial estate is

strategically located with Liverpool to the east and the Western Sydney Airport – Badgerys Creek Aerotropolis to the west and surrounded by emerging new estates including the suburbs of Prestons, Carnes Hill, Horningsea Park and Edmondson Park. The locality is also serviced by key road networks including the M7 motorway, South Western Motorway, the Hume Highway and Camden Valley Way.

The site planning and design of the building successfully creates a sense of place and identity through its planning and architectural expression that permits a strong visual connection to the public domain. The proposed built form reflects the intensity of use and activity within the building with the use of mixed materials such as glazed wall elements, will contribute to a sense of activity and flow of space throughout. The architectural expression skillfully modulates the façade, which is a combination of metal sheet colourbond cladding, glazing, mesh screen and louvers. The architectural expression, combined with landscape embellishment works along its frontage, strongly contributes towards enhancing the streetscape and the built form character within the industrial estate.

A Metropolis of Three Cities – The Greater Sydney Region Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, service and great places. With the population of Greater Sydney projected to grow to 8 million over the next 40 years, and with almost half of that population residing west of Parramatta, it is imperative to support the development of new industrial land uses within established and emerging industrial precincts in Greater Sydney, including Western Sydney.

The proposal will play a positive role in not only expanding and supporting the industrial precinct it resides in but also in providing vital job opportunities within the region.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and noting that the proposal represents an appropriate use of well located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

1. A Metropolis of Three Cities – The Greater Sydney Region Plan

A Metropolis of Three Cities – The Greater Sydney Region Plan is built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, service and great places.

The structural plan for Greater Sydney is illustrated by an aerial map extract.



Figure 1: Structural Plan for Greater Sydney (Source: The Greater Sydney Metropolitan Plan)

The plan sets a 40-year vision (to 2056) and establishes a 20-year plan to manage growth and change for Greater Sydney in the context of social, economic and environmental matters.

The Greater Sydney Region Plan has split the region into three distinct cities. This is illustrated by a map extract overleaf.

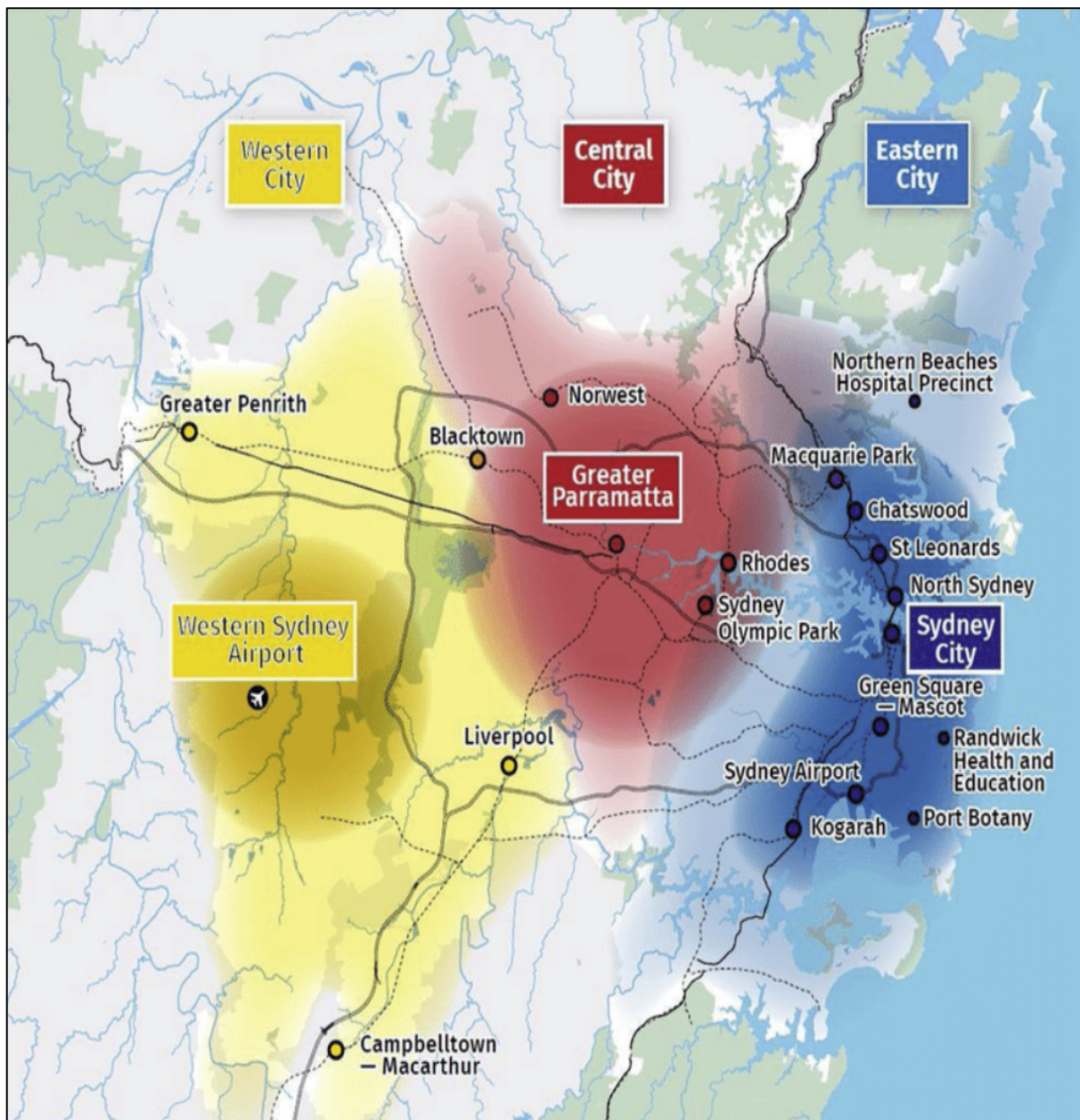


Figure 2: Three Cities (Source: The Greater Sydney Metropolitan Plan)

The development site resides within the Western City.

With the population of Greater Sydney projected to grow to 8 million over the next 40 years, and with almost half of that population residing west of Parramatta, it is imperative to support the development of new industrial land uses within established and emerging industrial precincts in Greater Sydney, including Western Sydney.

The plan also sets the planning framework for the five districts that make up the regions, as illustrated in the following page, noting that the development site resides within the Western City District.



Figure 3: Greater Sydney Region (Source: The Greater Sydney Metropolitan Plan)

2. Site and Locality

The subject site is legally described as Lot 2 in DP 536915 but commonly known as 28 Yarrunga Street, Prestons.

Site Analysis

The subject site is located on the northern side of Yarrunga Street, approximately 500m west from the intersection of Bernera Road and Yarrunga Street, Prestons.

The site is surrounded by a mix of industrial and warehouse buildings to its northern, western and eastern boundaries, with Yarrunga Street separating the site from a recently constructed/under construction large industrial development to the south. The site itself can be best described as a large regular shaped north-south oriented mid-block land parcel with frontage to Yarrunga Street and a total site area of 46,839.7m². The site is relatively flat with grades of less than 5 percentage.

At present the site is currently being used to construct cranes and contains a large warehouse in the centre with workshop and storage sheds. A single storey brick building in the southwest portion of the site is used as an administrative building. Photograph 1 below shows the site as viewed from Yarrunga Street, looking northwards.

Photograph 1 shows the subject site as viewed from Yarrunga Street, Prestons looking northwards



Situated within the northern edges of a large industrial precinct, the development site can be described as a large regular shaped land parcel bounded by a mix of industrial and warehouse buildings to its western, northern and eastern boundaries.

The aerial extract below provides context to the development site.



Figure 4: Aerial Map of Subject Site (Source: Six Maps)

Industrial Precinct

The development site resides within an emerging large industrial estate that is separated from a larger more established industrial estate via the Motorway.

This is illustrated by an aerial map extract provided in the following page.

The industrial estate is surrounded by emerging new estates including the suburbs of Prestons, Carnes Hill, Horningsea Park and Edmondson Park.

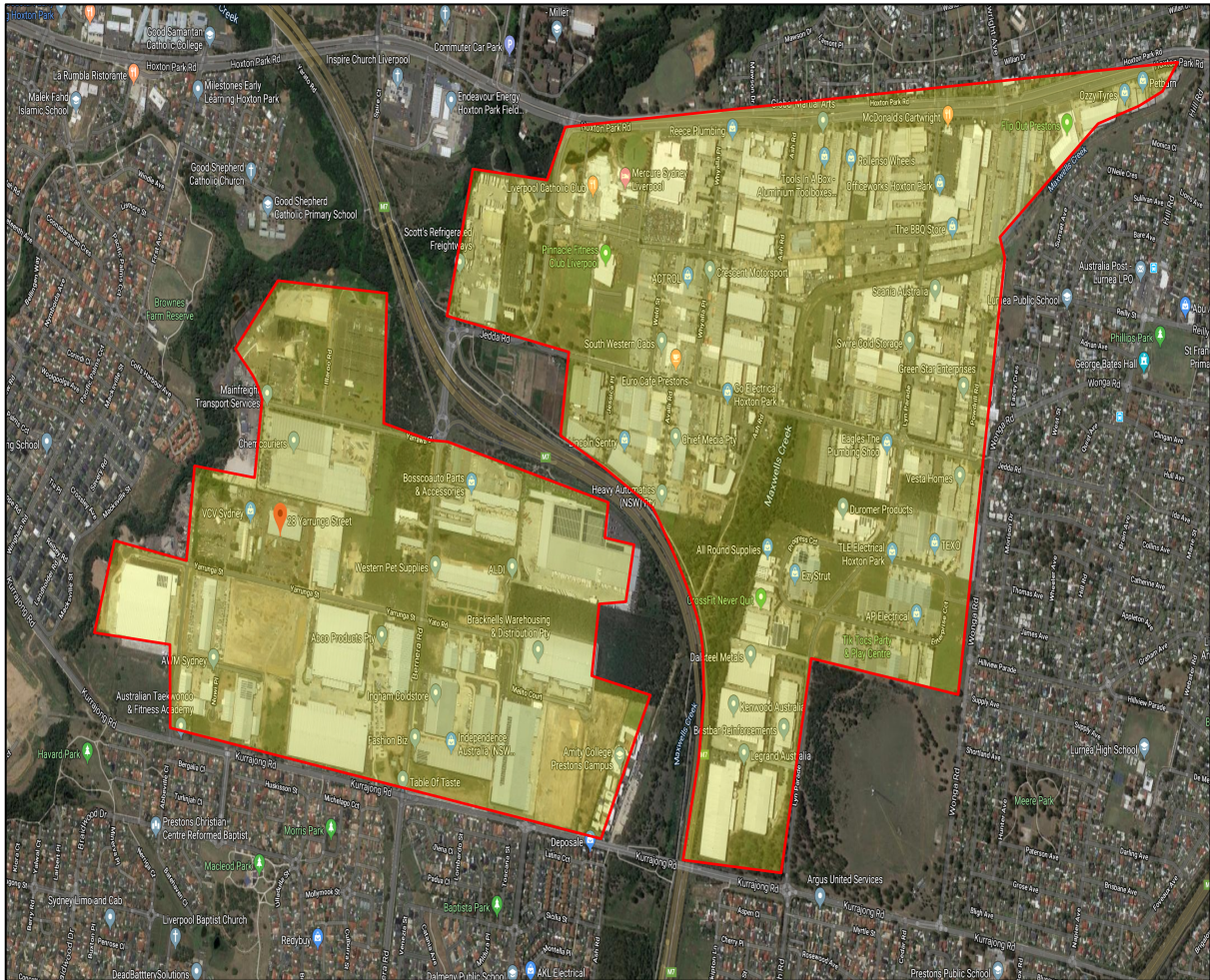


Figure 5: Aerial Map Extract of the Industrial Estates (Source: Google Maps)

The site planning and design of the building successfully creates a sense of place and identity through its planning and architectural expression that permits a strong visual connection to the public domain. The proposed built form reflects the intensity of use and activity within the building with the use of mixed materials such as glazed wall elements, will contribute to a sense of activity and flow of space throughout. The architectural expression skillfully modulates the façade, which is a combination of metal sheet colourbond cladding, glazing, mesh screen and louvers. The architectural expression, combined with landscape embellishment works along its frontage, strongly contributes towards enhancing the streetscape and the built form character within the industrial estate.

Broader Area Analysis

The development seeks to utilise the land in accordance with the zoning and operate a large scale warehouse operation within an emerging industrial precinct that is within close proximity to large centres and key road networks.

The development site resides within an emerging large industrial estate that is separated from a larger more established industrial estate via the Motorway. The industrial estate is

strategically located with Liverpool to the east and the Western Sydney Airport – Badgerys Creek Aerotropolis to the west. The locality is also serviced by key road networks including the M7 motorway, South Western Motorway, the Hume Highway and Camden Valley Way, as illustrated by the broader aerial map extract provided in the following page.

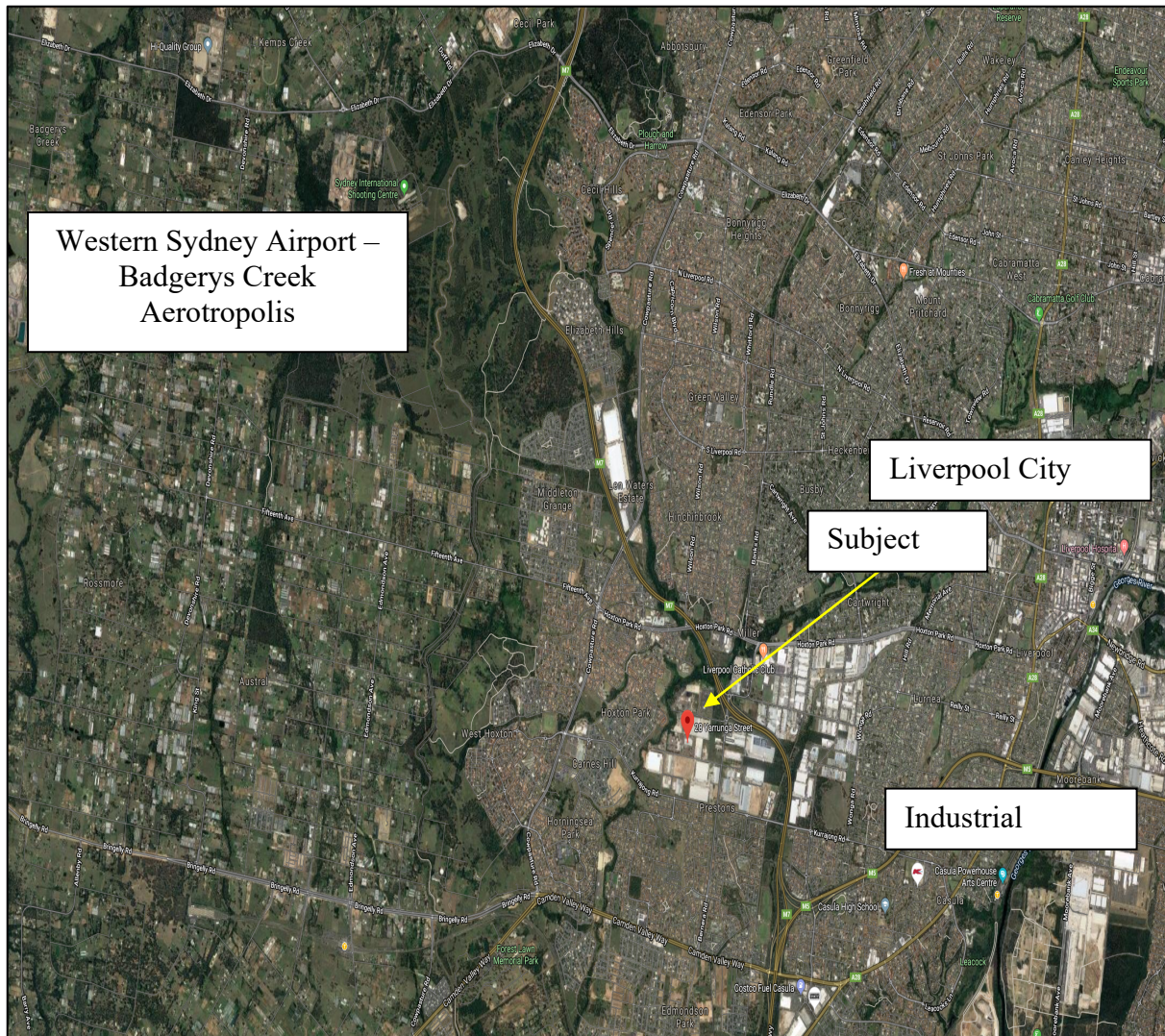


Figure 6: Broader Aerial Map of Subject Area (Source: Google Maps)

The proposal will play a positive role in not only expanding and supporting the industrial precinct it resides in but also in providing vital job opportunities to the surrounded by new establishing residential estates, and as such deliver vital new jobs within the locality.

Photographs are provided in the following page that give context to the locality and also the relationship of the development site with adjoining developments.

Photograph 2 shows the existing streetscape along Yarrunga Street. (google streetview)



Photograph 3 shows the existing streetscape along Yarrunga Street. (google streetview)



Zoning

The development site is zoned IN3 Heavy Industrial as illustrated by Council's Zoning Map extract below and is permitted a maximum building height limit of 30m under the provisions of the Liverpool Local Environmental Plan (LEP) 2008.

'Warehouse or Distribution Centres' are permissible with consent within the IN3 Zone.

The development proposal has been designed to align with the LEP controls and the provisions of the Liverpool DCP 2008.

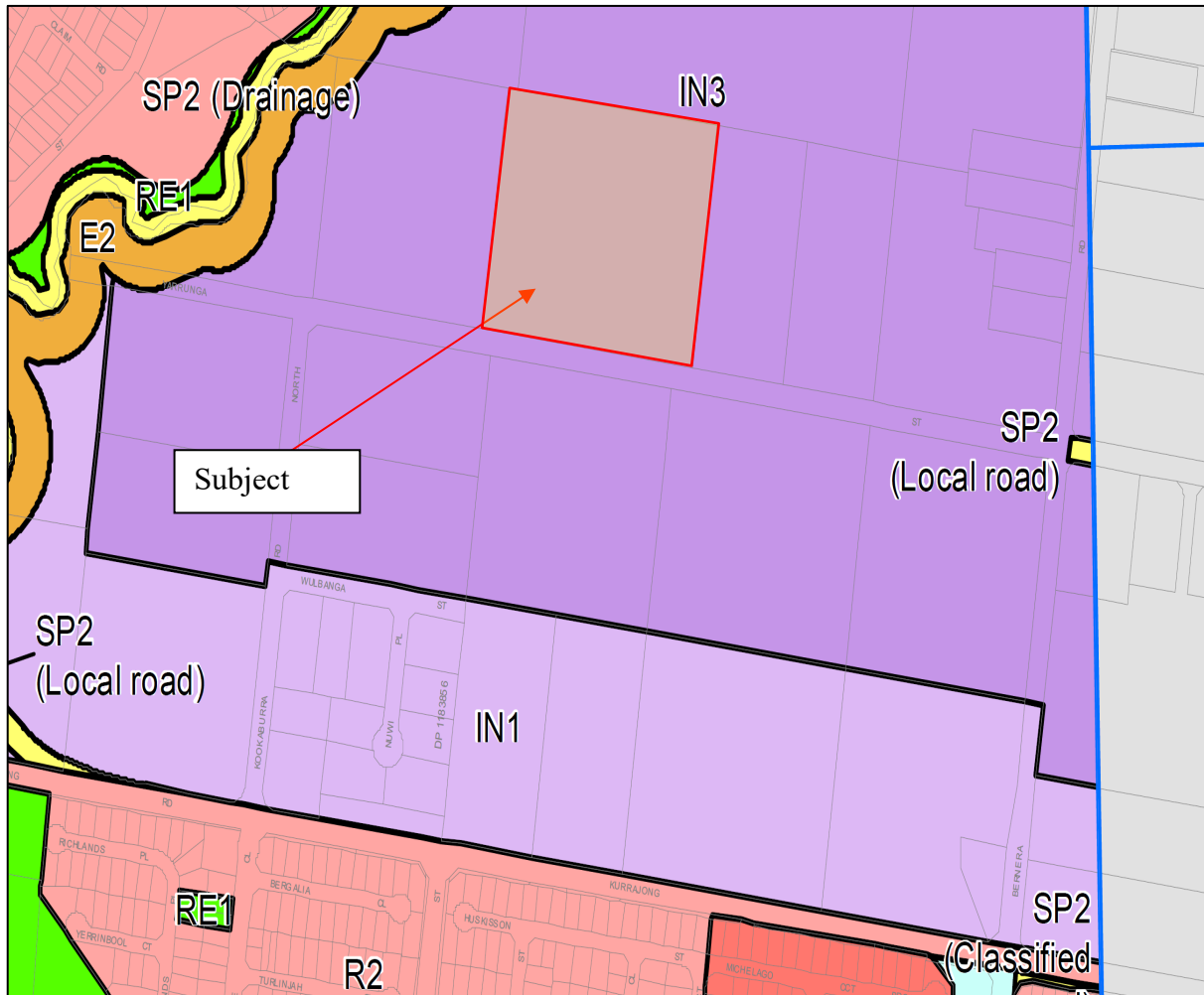


Figure 7: Zoning Map Sheet LZN_008 Extract (Source: Liverpool LEP 2008)

Maximum Height Control

The development site is subject to a maximum building height of 30m as illustrated by Council's Maximum Building Height Map extract below under the provisions of the Liverpool Local Environmental Plan (LLEP) 2008.

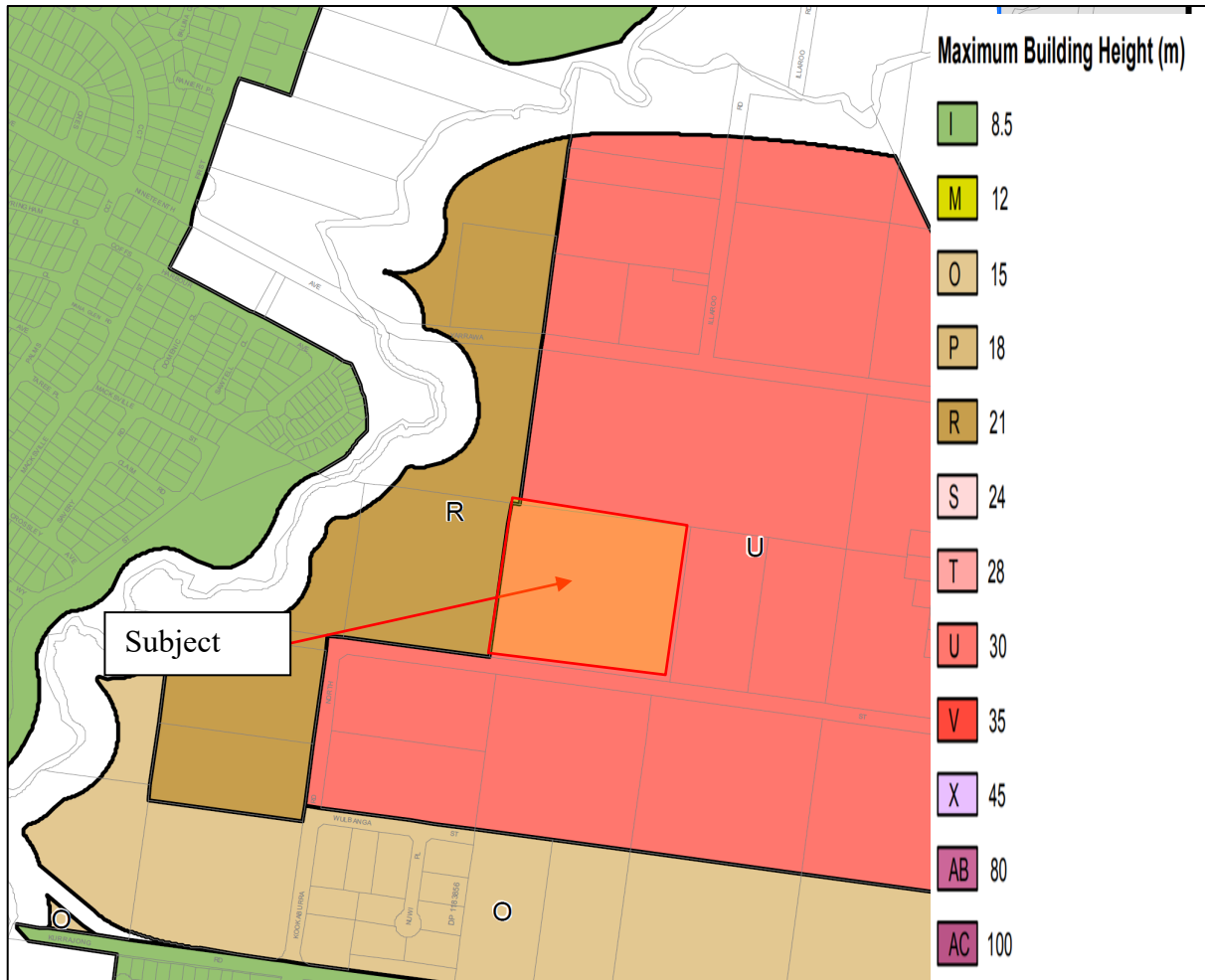


Figure 8: Height of Building Map Sheet HOB_008 Extract (Source: Liverpool LEP 2008)

Flooding

Council's Flood Planning Area Map extract below under the provisions of the Liverpool Local Environmental Plan (LLEP) 2008 indicates that the site is not identified as being subject to flooding.

As such no further investigation regarding flooding is required to be undertaken.

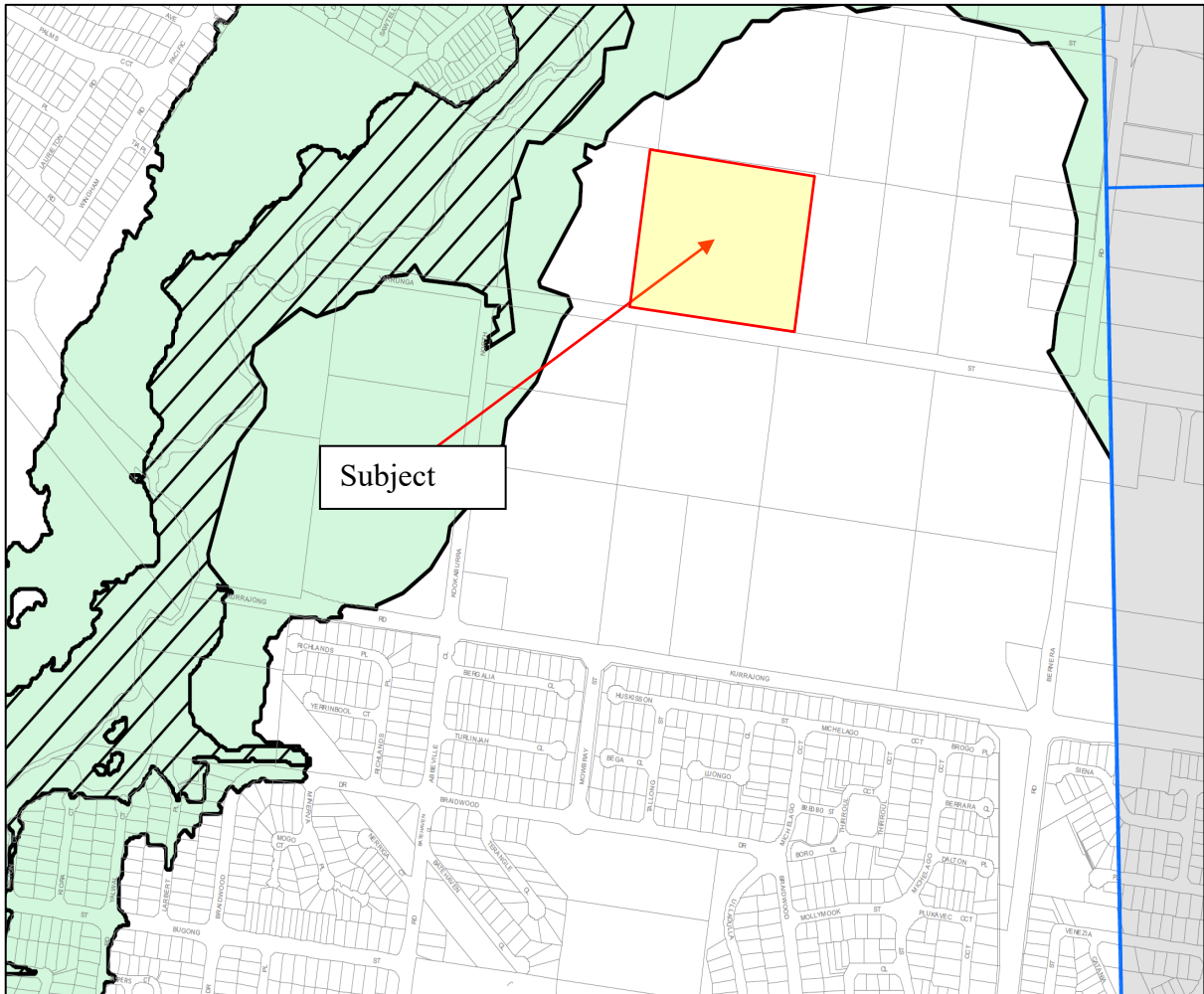


Figure 9: Flood Planning Area Map Sheet FLD_008 Extract (Source: Liverpool LEP 2008)

Airport Noise Map

Council's Airport Noise Map extract below under the provisions of the Liverpool Local Environmental Plan (LLEP) 2008 indicates that the site is not affected by airport noise.

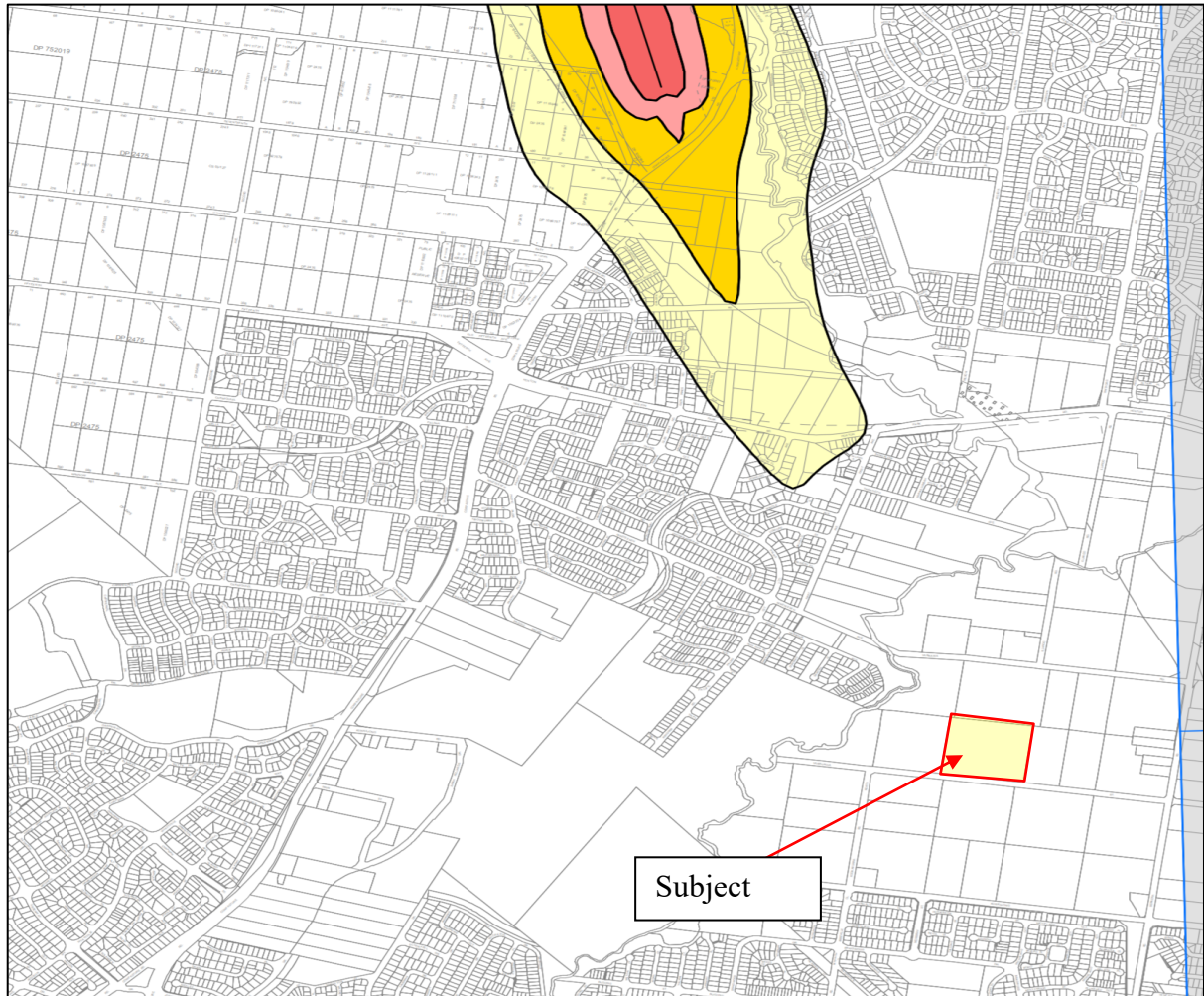


Figure 10: Airport Noise Map Sheet NEF_008 Extract (Source: Liverpool LEP 2008)

Heritage

The site is not identified as a heritage item, is not located within a heritage conservation area. However, a local heritage item (I59 – Remnants of former sandstone cottage) is located within close proximity to the development site as illustrated by the heritage extract map extract below.

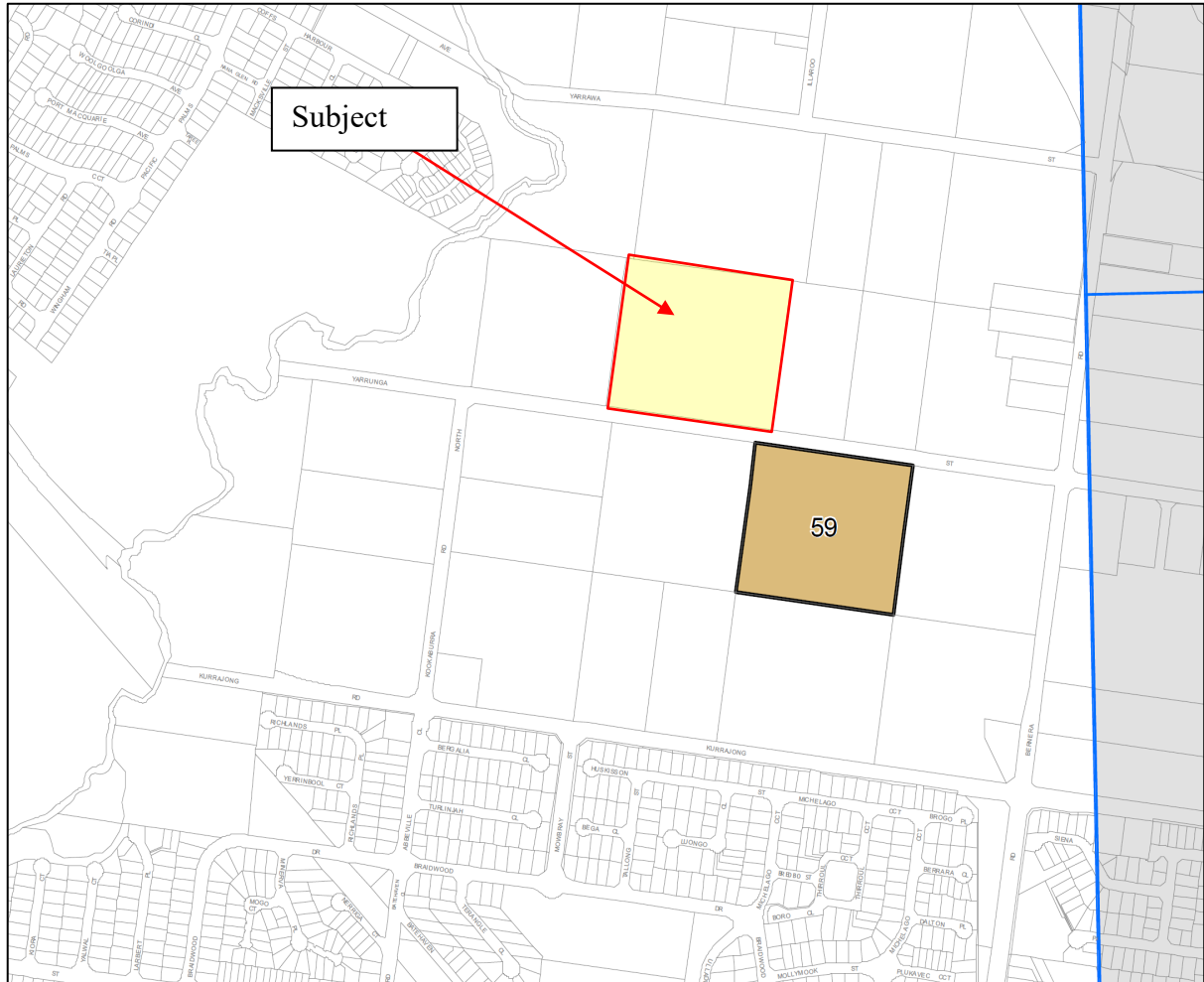


Figure 11: Heritage Map Sheet HER_008 Extract (Source: Liverpool LEP 2008)

Yarrunga Street provides sufficient separation between the development site and the local heritage item, noting the broader locality is currently undergoing a transformation towards industrial land uses.

As such no further heritage investigation is warranted.

3. Description of Proposal

This Development Application proposes to demolish all existing structures in-order to construct a large multi-storey warehouse/industrial complex over two stages comprise of 8 industrial units/warehouses at 28 Yarrunga Street, Prestons.

At the completion of the proposal, the development is to provide a total of 8 large warehouse over two levels with a total 57,478m² of warehouse floor space and 7,295m² in office floor space, predominantly within the mezzanine.

Stage Development

Due to the size and scale of the proposal, the development is to be undertaken in 2 distinct stages:

- Stage 1:
 - Demolition of identified structures
 - Construction of 4 large warehouse over two levels:
 - Warehouse 1: Situated on the ground floor and comprising of 6,469m² in size with 4 dock levellers and include a dock office with WC, waste storage room, lobby area and stairwells. Also an office suite including service cupboards with 646m² in area is within the mezzanine.
 - Warehouse 2: Situated on the ground floor and comprising of 6,624m² in size with 4 dock levellers and include a dock office with WC, waste storage room, lobby area and stairwells.
 - Warehouse 3: Situated within Level 01 and comprising of 6,725m² in size with 4 dock levellers and include lobby including a smoke lobby, a dock office with WC, waste storage room and stairwells. Also includes office suites including service cupboards with 728m² in area within Level 01 and 741m² in area within the mezzanine.
 - Warehouse 4: Situated within Level 01 and comprising of 6,769m² in size with 4 dock levellers and include lobby, a dock office with WC, waste storage room and stairwells. Also includes office suites including service cupboards with 328m² in area within Level 01 and 809m² in area within mezzanine 1 and 809m² in area within mezzanine 2.
 - 32 x bicycle parking spaces.
 - Construction of related services include the following:
 - Padmount Substation 1 & Padmount Substation 2 installed and commissioned
 - Pressured boosting pumps
 - Switch room
 - Comms room
 - Fire control centre
 - Fire sprinkler valve room and fire hydrant/sprinkler pump room
 - Fire hydrant tank and 2 x 336,500 and 1 x 272,580 sprinkler hydrant tanks, and FRNSW hardstand.
 - Upgrade works to Yarrunga Street
 - Existing warehouse to be retained and remain operation during construction & operation of Stage 1

- Construction of temporary offices and a total of 159 temporary vehicular parking spaces and 9 motorcycle parking spaces
- Dedicated favelle and FRNSW vehicle access looped ring access during construction
- Landscaping embellishment works
- Stage 2:
 - Demolition of identified structures including the existing warehouse.
 - Construction of a basement level with a total of 397 vehicular parking spaces including 4 accessible car parking spaces, 20 motorbike parking spaces and 36 bicycle parking spaces. The basement level also includes a store rooms, carpark exhaust risers, 2 x lobby area with a lift core and stairwell and lift core and stairwells.
 - Construction of 4 large warehouse over two levels:
 - Warehouse 5: Situated on the ground floor and comprising of 7,677m² in size with 4 dock levellers and include a dock office with WC, waste storage room, lobby area and stairwells. Also an office suite including service cupboards with 537m² in area is within the mezzanine.
 - Warehouse 6: Situated on the ground floor and comprising of 7,747m² in size with 4 dock levellers and include a dock office with WC, waste storage room, lobby area and stairwells. Also an office suite including service cupboards with 541m² in area is within the mezzanine.
 - Warehouse 7: Situated within Level 01 and comprising of 7,698m² in size with 4 dock levellers and include lobby including a smoke lobby, a dock office with WC, waste storage room and stairwells. Also includes office suites including service cupboards with 537m² in area within Level 01 and 537m² in area within the mezzanine.
 - Warehouse 8: Situated within Level 01 and comprising of 7,765m² in size with 4 dock levellers and include lobby, a dock office with WC, waste storage room and stairwells. Also includes office suites including service cupboards with 541m² in area within Level 01 and 541m² in area within mezzanine.
 - Construction of related services include the following:
 - Switch room
 - 5 x 165,000L sprinkler/hydrant tank and 1 x 82,700L sprinkler/hydrant tank
 - Fire NSW Hardstand
 - Fire sprinkler booster
 - Dedicated favelle and FRNSW vehicle access looped ring access

Parking

A total of 159 temporary carparking spaces at-grade and a total of 397 carparking spaces within a basement level at the completion of the proposal.

Vehicle Access

Delivery vehicles generally comprise of semi-trailer delivery and distribution vehicles. For both stages, access to the development will be via Yarrunga Street from the south-western corner on the ground level.

Trucks will either gain access from the ground level industrial unit or the Level 1 industrial unit via the western up-ramp. From Level 1, the trucks will be able to access the first level industrial units before returning to ground level via the eastern down-ramp. Once unloaded, or loaded, the trucks will leave the proposed development from the south-eastern corner onto Yarrunga Street.

Operational Details

The current application is seeking Council consent for the use of the land to undertake warehouse and distribution centre activities and with the proposed building and associated structures with the operation of the industrial development including hours of operation and staff numbers to be undertaken via future DAs.

Signage

No signage is proposed at this state with signage to be subject to future DAs.

Design Analysis

The site planning and design of the building successfully creates a sense of place and identity through its planning and architectural expression that permits a strong visual connection to the public domain.

The proposed built form reflects the intensity of use and activity within the building with a mixed palette of materials including the extensive glazing that will contribute to a sense of activity and flow of space throughout.

The architectural expression modulates the façade applying a combination of metal sheet colourbond cladding, glazing, mesh screen and louvers. The materials palette, combined with landscape embellishment works along its frontage, will strongly contribute towards enhancing the streetscape and the built form character within the industrial estate.

The architectural merit of the proposal is confirmed in the 3D Photomontages provided on the following pages.



Figure 12: Yarrunga Street Perspective (Source: Bureau SRH)

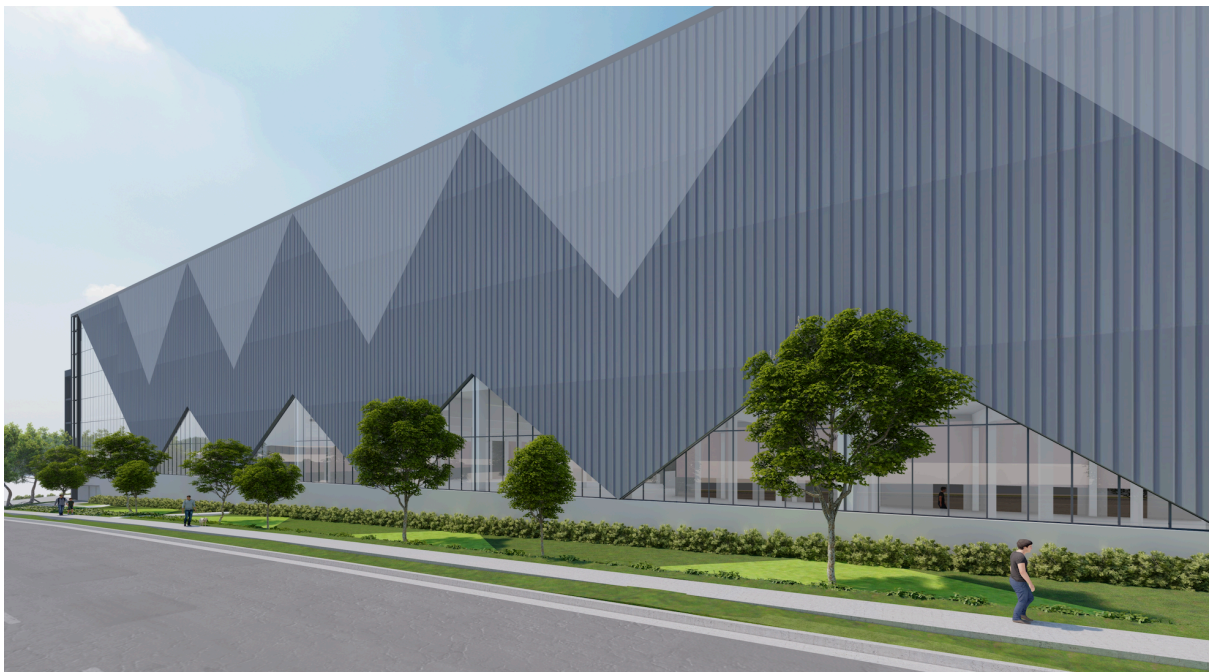


Figure 13: Yarrunga Street (Source: Bureau SRH)

The relevant architectural plans for the proposal have been prepared by Bureau SRH Architects while supporting reports have been prepared by relevant sub consultants.

The proposal also incorporates a number of ancillary elements, including detailed landscape embellishment works and relevant drainage elements as shown on the submitted plans.

Design consideration has been given to the scale, size and form of the proposal in relation to the unique characteristics of the site, adjoining and potential industrial development and future desired character of the area.

The proposal complies with key planning requirements as discussed further and addressed in this report.

4. Pre-DA Discussion

A Pre DA meeting was held with Council staff on 3rd July 2019.

The following table provides a summary of the key issues raised in that meeting and the design response.

Issue Raised	Response
The following key policy documents must be considered: • SEPP 55- Remediation of Land • SEPP 64 – Advertising and Signage • GMREP 2 – Georges River Catchment • SEPP 2007 – Infrastructure • LEP • DCP	Has been addressed further within this statement.
State Environmental Planning Policy (State and Regional Development) 2011	This matter was discussed with Council at the pre DA and the following represents a summary of the commentary provided at the Pre DA – - The SEPP sets out a number of pre conditions for it to apply, at 12(1) & (2). - The proposal does not meet all of the pre conditions as it is not “related to the same operation”. - This has been the way in which other similar applications have been assessed and the SEPP does not apply. 12 Warehouses or distribution centres <i>(1) Development that has a capital investment value of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i> <i>(2) This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.</i>

	- The intent of the SEPP is that SSD would be required if there is one significant operation on the site (eg Amazon, Auspost, Costco or single huge warehouse/distribution operation). - This application differs as it is for a series of tenancies and individual operators. Relevantly, this matter has been considered in separate legal advice that is provided at Appendix A of this Statement, prepared by Sandra Duggan SC. Relevant extracts from the legal advice are – <i>13. Having regard to the whole of the description contained within cl12(1) and the ordinary meaning of the words “related to the same operation” as assisted by the dictionary definition above it is my opinion that the clause requires the warehouses and distribution centres referred to in the composite phrase to be undertaken as a single enterprise. That is, that the warehouse or distribution centres (where there is more than one at the one location) must be associated with a single controlling management regime. The relationship between the distribution centres must be associated with each other in a meaningful way.</i> <i>15. Accordingly, it is my opinion that, for that reason, the development cannot fall within that description contained within cl12 of the SEPP and that it is properly described as a warehouse and distribution centre to which the Local Environmental Plan applies,</i> A QS report has been prepared and accompanies the SEE.
Height of Building	No part of the building encroach upon the prescribed 30m height control.
Bernera Road Intersection	This matter is to be clarified by the Council during the assessment. The “requirement” to enter into a “Voluntary Planning Agreement” is not appropriate. However, further discussions in relation to this matter are anticipated as part of the assessment process.
Roads Maritime Services (RMS)	Concurrency from the Road Maritime Services is to be undertaken in accordance with Clause 104 of the State Environmental Planning Policy (Infrastructure) 2007.

Liverpool Development Control Plan 2008	
Parking and Access	The Ason Traffic and Parking Report sets out the methodology for calculating the parking as part of this proposal, having regard to the LDCP, RMS Parking Requirements, and approved comparable developments. This matter is discussed in further detail in the relevant DCP section below.
Landscaped Area	The application is accompanied by a landscape plan and relevant schedule of plants. It is noted that the proposal intentionally focuses the landscaping to the edges of the site to improve the streetscape and the relationship with adjoining industrial development. At the completion of the project the proposal will provide 7.6% of the site as landscape area.
Setbacks	The DCP requires a minimum setback to the ground floor of 10m and a minimum setback of 7.5m to the first floor. The development provides a minimum setback from the primary building line of 7.5m to Yarrunga Street to both the ground and first floor. The 10m setback was to facilitate at-grade parking under the undercroft of industrial buildings. However, the current development proposes a contemporary large scale industrial development with all parking to be provided within a basement level and as such no parking is to be provided at-grade. Considering the minor nature of the non-compliance and that the development is to provide adequate setback to Yarrunga Street at the ground floor level that comprises a superior aesthetic presentation to the street than at grade parking, the proposal warrants support. The proposal is compliant with the 5m side setback.
Contamination - State Environmental Planning Policy No. – Remediation of Land	Preliminary Site Investigation undertaken by Martens Consulting Engineers Concluded the following: <i>Review of the site history indicates that the site was pastureland prior to 1955 and with a shared building, a large workshop constructed between 1955 and 1970. The site has remained a light to heavy industrial property since with the development of internal roads and parking areas.</i> <i>Potential contamination sources are summaries as:</i> ○ <i>Dwelling/shed constructed and maintenance have the potential to have introduced</i>

	<i>contaminants in the form of asbestos (fibrous cement sheets as a construction materials), heavy metals (paints, pest control, use of galvanised materials) and polycyclic aromatic hydrocarbons (fuel, oil and lubricant staining, storage and use).</i> ○ <i>UPSS and hydrocarbon staining could have the potential to introduce hydrocarbon contamination.</i> ○ <i>Past deposits of galvanised waste material could have the potential to introduce heavy metals.</i> ○ <i>Storage of oil/lubricants/ fuels has the potential to introduce hydrocarbons.</i> ○ <i>The imported fill material may have introduced site contaminants such as heavy metals, hydrocarbons, OCP/OPP and asbestos to the soil/site.</i> ○ <i>Storage of equipment could have the potential to introduce contaminants such as hydrocarbons and heavy metals.</i> <i>Overall, the site is considered to generally have a risk of contamination in both localised hot spots and broad-scale contamination in the vicinity of the areas of environmental concern.</i> The Preliminary Site Investigation also recommends the following: <i>Prior to the proposed development, assessment of the areas of environmental concern and contaminants of potential concern as noted in this Preliminary Site Investigation should be undertaken.</i> <i>To address potential identified areas of environmental concern and contaminants of potential concern, a Detailed Site Investigation including intrusive soil sampling and analysis of contaminants of potential concern is recommended.</i> As such a Detailed Site Investigation has been undertaken at 28 Yarrunga Street, Prestons by Martens Consulting Engineers. The report concluded the following: <i>Potential asbestos containing material impacted fill to the north of the administration building was identified. It is required that, following demolition of existing</i>
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	<i>structures, this fill material be classified in accordance with NSW EPA (2014). Waste Classification Guidelines and disposal offsite and the extent of asbestos contamination be confirmed and its removal be validated prior to site redevelopment.</i> <i>Elevated total recoverable hydrocarbons (fraction C16-C34) was identified in two sample locations (SS27 and SS28), where hydrocarbon soil staining was visible at the site surface. It is recommended that, following demolition, further investigations are undertaken in conjunction with data gap closure assessment to delineate the depth and lateral extent of total recoverable hydrocarbons impact in these locations.</i> <i>A Remediation Action Plan is required to guide remediation of the site.</i> <i>Footprints of existing structures at the site (AEC A and AEC B) have not been assessed due to underlying soil access constraints and have been identified as data gaps in this assessment, as shown in Attachment A. We recommend that an additional site walkover and sampling event is undertaken post demolition of structures to address data gaps. Should contamination be identified, the projected RAP shall be amended to address required additional remediation.</i>
Acoustic Report	An Acoustic Assessment has been prepared by ADP Consulting which concluded the following: <i>The construction standards have been provided to satisfy the local council and other relevant standards.</i> <i>ADP Consulting believes there are no site conditions, statutory or other requirements that would preclude this development from complying with the criteria defined in this report.</i> <i>The design criteria and acoustic treatment concepts in this report demonstrate the pathways by which these shall be addressed by ADP Consulting and the project team through further analysis, recommendations and coordination as the design progresses.</i>
Sewer	The potential for the connection to the sewer is set out in the attached AT&L Report and Civil Drawings.

	As set out in the AT&L Report a sewer easement is not required because of the sewer diameter is less than 600mm.
Traffic	A Traffic Impact Statement has been prepared and is submitted as part of this application. Driveway access and parking spaces have been designed to comply with the DCP and relevant Australian Standards. Detail design of car park, driveway access and loading areas including swept path analysis and line markings will accompany the current application. Street lights are to be provided according to Council's specifications. Landscape Plan is to accompany this application.
Stormwater	A Stormwater Management Plan has been prepared and is submitted as part of this application. The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.
Roadworks and Road Reserve Works	Half road and drainage construction on Yarrunga Road will be undertaken according to Council specifications.
Earthworks	The proposal has been designed to minimise the amount of cut and fill required, whilst also providing a built form that is appropriate considering the context of the site and the surrounding area. A Preliminary Geotechnical Assessment undertaken by Martens Consulting Engineers accompany this application.
Separate Application for Warehouse Units	Noted.

Building Design Matters	- Internal driveways, ramps, during and passing bays, grade for AV to be undertaken in-accordance with the relevant AS. - Provision for waste storage for all units and plant rooms are to be provided. - Office areas provided for all 8 industrial units. - The development proposes a large modern industrial building that is to facility the current and anticipated demand for warehouses within Western Sydney within an emerging industrial precinct. The building itself is consistent with Council's vision of the industrial precinct in terms of bulk and scale, noting compliance with the prescribed height control under the Liverpool Local Environmental Plan 2008. Furthermore, the majority of the service requirements associated with the operation of such a large development is predominantly contained within the building itself, noting where appropriate screening and articulation will strongly contribute towards enhancing the streetscape and built form character within the industrial estate.
Energy	Correspondence with the relevant energy authority for comments will be sought as part of the DA process.

The proposed development has been amended in line with Council's comments to satisfactorily address all the issues raised and this Statement of Environmental Effects provides detailed justification and context with respect to any outstanding items. Please refer to the relevant compliance tables below for further discussion.

It is also noted that specialist reports as requested by Council are appended to the Development Application and submitted in support of the proposal.

5. Controls

Statutory Controls

The relevant Statutory Planning Controls include: -

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy No. 55 – Contaminated Land;
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment;
- State Environmental Planning Policy – (Vegetation in Non-Rural Areas) 2017;
- State Environmental Planning Policy No.65 – Advertising and Signage;
- State Environmental Planning Policy (Infrastructure) 2007; and
- Liverpool Local Environmental Plan 2008

Policy Controls

The applicable policy control document is: -

- Liverpool Development Control Plan 2008

6. Controls

The following summarises the relevant planning controls in relation to the proposal and the compliance in relation to each.

Environmental Planning and Assessment Act 1979, Section 7.11

Based on the project being completed in two distinct stages, and noting the significance in fees payable for 7.11 Contributions at each stage, it is requested that the conditions of consent reflect the payment of 7.11 Contributions in two stages, consistent with the development of the proposal in two stages.

State Environmental Planning Policy No.55- Remediation of Land

Preliminary Site Investigation undertaken by Martens Consulting Engineers Concluded the following:

Review of the site history indicates that the site was pastureland prior to 1955 and with a shared building, a large workshop constructed between 1955 and 1970. The site has remained a light to heavy industrial property since with the development of internal roads and parking areas.

Potential contamination sources are summaries as:

- *Dwelling/shed constructed and maintenance have the potential to have introduced contaminants in the form of asbestos (fibrous cement sheets as a construction materials), heavy metals (paints, pest control, use of galvanised materials) and polycyclic aromatic hydrocarbons (fuel, oil and lubricant staining, storage and use).*
- *UPSS and hydrocarbon staining could have the potential to introduce hydrocarbon contamination.*
- *Past deposits of galvanised waste material could have the potential to introduce heavy metals.*
- *Storage of oil/lubricants/ fuels has the potential to introduce hydrocarbons.*
- *The imported fill material may have introduced site contaminates such as heavy metals, hydrocarbons, OCP/OPP and asbestos to the soil/site.*
- *Storage of equipment could have the potential to introduce contaminants such as hydrocarbons and heavy metals.*

Overall, the site is considered to generally have a risk of contamination in both localised hot spots and broad-scale contamination in the vicinity of the areas of environmental concern.

The Preliminary Site Investigation also recommends the following:

Prior to the proposed development, assessment of the areas of environmental concern and contaminants of potential concern as noted in this Preliminary Site Investigation should be undertaken.

To address potential identified areas of environmental concern and contaminants of potential concern, a Detailed Site Investigation including intrusive soil sampling and analysis of contaminants of potential concern is recommended.

As such a Detailed Site Investigation has been undertaken at 28 Yarrunga Street, Prestons by Martens Consulting Engineers.

The report concluded the following:

Potential asbestos containing material impacted fill to the north of the administration building was identified. It is required that, following demolition of existing structures, this fill material be classified in accordance with NSW EPA (2014). Waste Classification Guidelines and disposal offsite and the extent of asbestos contamination be confirmed and its removal be validated prior to site redevelopment.

Elevated total recoverable hydrocarbons (fraction C16-C34) was identified in two sample locations (SS27 and SS28), where hydrocarbon soil staining was visible at the site surface. It is recommended that, following demolition, further investigations are undertaken in conjunction with data gap closure assessment to delineate the depth and lateral extent of total recoverable hydrocarbons impact in these locations.

A Remediation Action Plan is required to guide remediation of the site.

Footprints of existing structures at the site (AEC A and AEC B) have not been assessed due to underlying soil access constraints and have been identified as data gaps in this assessment, as shown in Attachment A. We recommend that an additional site walkover and sampling event is undertaken post demolition of structures to address data gaps. Should contamination be identified, the projected RAP shall be amended to address required additional remediation.

Greater Metropolitan Regional Environmental Plan No. 2- Georges River Catchment (GMREP 2)

The subject site is subject to the broad planning principles contained within the GMREP. The Aims and Objectives and broad Planning Principles must be considered and achieved, where possible, in the carrying out of development within the catchment. The relevant aims and objectives include:

- (a) to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment,*
- (b) to protect and enhance the environmental quality of the Catchment for the benefit of all users through the management and use of the resources in the Catchment in an ecologically sustainable manner,*
- (c) to ensure consistency with local environmental plans and also in the delivery of the principles of ecologically sustainable development in the assessment of development*

- within the Catchment where there is potential to impact adversely on groundwater and on the water quality and river flows within the Georges River or its tributaries,*
- (d) to establish a consistent and coordinated approach to environmental planning and assessment for land along the Georges River and its tributaries and to promote integrated catchment management policies and programs in the planning and management of the Catchment,*
- (e) (Repealed)*
- (f) to provide a mechanism that assists in achieving the water quality objectives and river flow objectives agreed under the Water Reform Package.*

The proposed development does not detract from the above listed aims and objectives given the nature of the development and the environmental safeguards proposed, including the drainage concept proposed and the erosion and sediment controls that will be in place throughout the construction phase of the development. Therefore, the proposal satisfies the key provisions of the GMREP.

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

State Environmental Planning Policy (Vegetation in Non-Rural Areas) was introduced in August 2017. This SEPP seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

The subject site is within an established industrial estate, with the majority of the site void of any vegetation.

The current application seeks Council consent for the removal of identified vegetation on-site in order to accommodate the proposed development.

It is highlighted that appropriate landscaping within an industrial precinct is proposed, including a 7.5m landscape setback along its frontage to Yarrunga Street and also landscaping along a portion of the site's side setback.

Refer to attached Landscape Plan for detail.

State Environmental Planning Policy (Infrastructure) 2007

The development site is not located within proximity to a classified road and as a result it is not necessary to consider the provisions of Clause 102 of the SEPP that requires a consent authority to consider the impact of arterial roads on buildings used for residential purposes.

Clause 104 identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'.

The current proposal is identified as traffic generating development by schedule 3 of the SEPP. Accordingly, the proposal is required to be referred to the RMS for comment. Referral to the RMS will be undertaken at DA Stage.

Liverpool Local Environmental Plan 2008

The development site is zoned IN3 Heavy Industrial as illustrated by Council's Zoning Map extract below and is permitted a maximum building height limit of 30m under the provisions of the Liverpool Local Environmental Plan (LLEP) 2008.

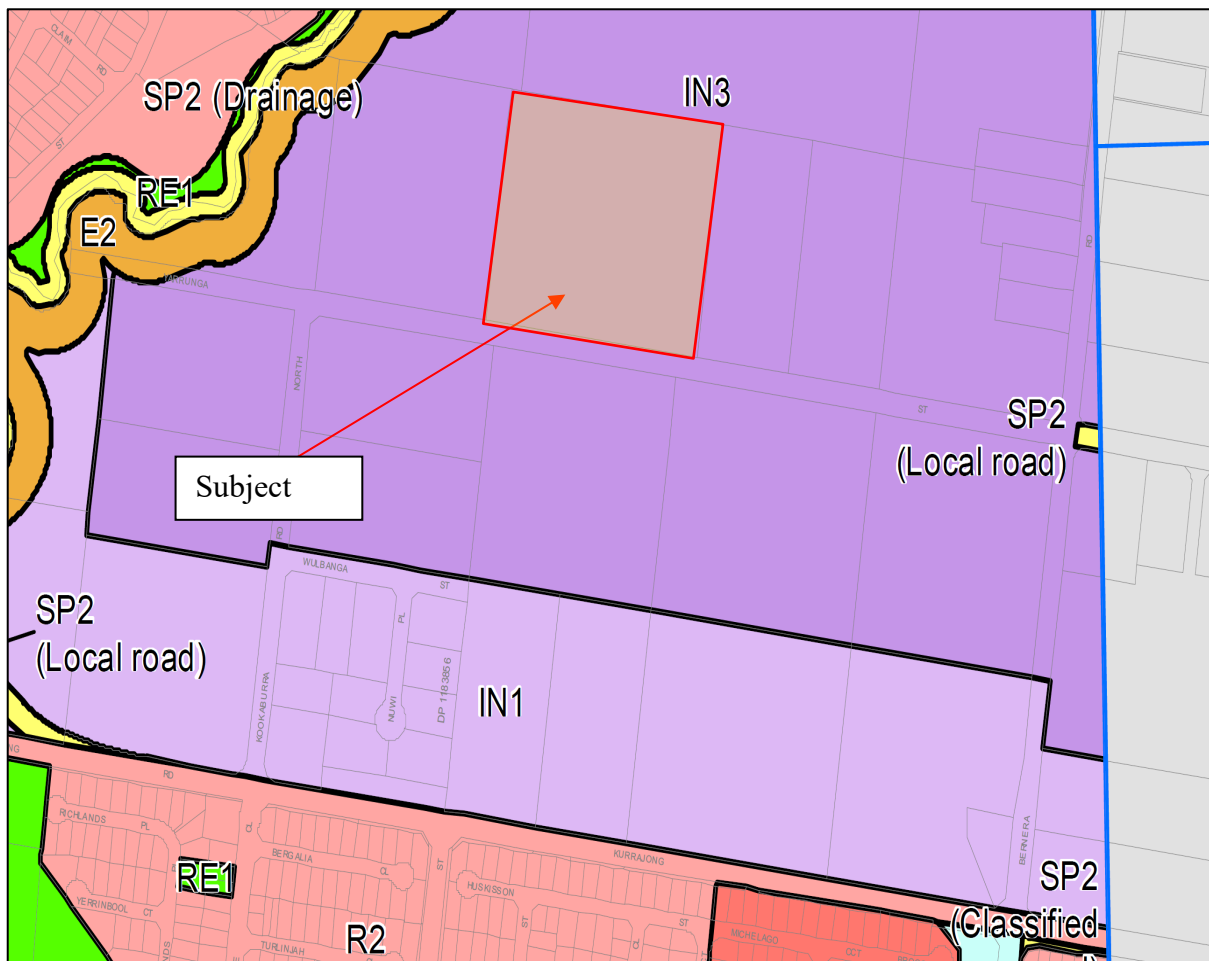


Figure 14: Zoning Map Sheet LZN_008 Extract (Source: Liverpool LEP 2008)

'Warehouse or Distribution Centres' are permissible with consent and the proposal is consistent with the definitions contained within the LEP.

Warehouse or Distribution Centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

The development proposal is also consistent with the prescribed zone objectives that are stipulated as:

- To provide suitable for those industries that need to be separated from other land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.

- To preserve opportunities for a wide range of industries and similar land uses by prohibiting land uses that detract from or undermine such opportunities.

The proposal will play a positive role in not only expanding and supporting the industrial precinct it resides in but also in providing vital job opportunities to the surrounded by new establishing residential estates, and as such deliver vital new jobs within the locality.

The table below provides detail on the development standards relevant to the current proposal as well as other relevant provisions.

Liverpool Local Environmental Plan 2008 – Compliance Table			
Clause	Controls	Comment	Complies
Zoning	IN3 - Heavy Industrial	A warehouse or distribution centre is permissible with Council consent in the IN3 – Heavy Industrial Zone.	YES
Part 2 Permitted or Prohibited Development			
2.3	Zone objectives and land use table	The proposal is consistent with the zone objectives of the IN3 – Heavy Industrial Zone by introduction of a warehouse or distribution centre that will support the function, operation and performance of the emerging industrial precinct. The proposal will also appropriately fulfil the subject site's zoning potential.	YES
Part 4 Principal Development Standards			
4.3	Height of buildings: 30m	A maximum building height of 30m is identified for the site under Liverpool Local Environmental Plan 2008 Height of Buildings Map Sheet HOB_008. The building has been designed to ensure that it does not exceed the maximum height of 30m.	YES
4.4	Floor space ratio:	The site is not identified as having a mapped FSR. Not applicable.	N/A
Part 5 Miscellaneous Provisions			
5.10	Heritage conservation	The site does not contain any heritage-listed items and an approval has been granted to	N/A

		remove any physical remains and undertake interpretation on the site as part of a larger industrial development. Yarrunga Street provides sufficient separation between the development site and the local heritage listing, noting the broader locality is currently undergoing a transformation towards industrial land uses. As such no further heritage investigation is warranted.	
Part 7 Additional Local Provision: Division 2 Other Provisions			
7.6	Environmental Significant Land	The subject site is not located within the environmentally significant land map. Not applicable.	N/A
7.7	Acid Sulfate Soils	The site is not identified as potentially containing Acid Sulfate Soils.	N/A
7.8	Flood Planning	The development site is not identified as being flood prone as per Liverpool LEP Flood Planning Area Map.	N/A
7.9	Foreshore Building Line	The subject site is not located within the Foreshore Building Line. Not applicable.	N/A
7.14	Minimum Building Street Frontage.	Not applicable to proposal.	N/A
7.17	Development in Flight Paths	Development is not located within a flight path. Not applicable.	N/A
7.18	Development in Areas Subject to Potential Airport Noise	The subject site is not affected by aircraft noise. Not applicable.	N/A
7.31	Earthworks	This application seeks Council consent for the excavation of the site as per the attached plans.	YES

		It is considered that the proposed excavation will have minimal adverse environmental or amenity impact. The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area. The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	
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Liverpool Development Control Plan 2008– Part 1 General Controls

All relevant Council controls have been identified and considered in the following compliance table.

Liverpool Development Control Plan 2008 – Part A1 General Controls Compliance Table			
Clause	Controls	Comment	Complies
2. Tree Preservation			
		The subject site is within an established industrial estate, with the majority of the site void of any vegetation. The current application seeks Council consent for the removal of identified vegetation on-site in order to accommodate the proposed development. It is highlighted that appropriate landscaping within an industrial precinct is proposed, including a 7.5m landscape setback along its frontage to Yarrunga Street and also landscaping along a portion of the site's side setback. Refer to submitted Landscape Plan for detail.	YES
3. Landscaping and Incorporating of Existing Trees			
3.1	Retention of existing on site trees	As stated previously, the subject site is within an established industrial estate, with the majority of the site void of any vegetation. The proposal is to remove identified trees from the development site. Appropriate replacement plantings are provided as part of the landscaping of the site that is to be undertaken in accordance with the attached Landscape Plan. See submitted Landscape Plan for detail.	YES

3.4	Landscape specifications	Where appropriate landscape planting will principally comprise of native species and the landscaping will be a mix of canopy trees shrubs and groundcovers. See submitted Landscape Plan for detail.	YES
5. Bush Fire Risk			
		The subject site is not identified as being located within a bushfire prone land. Not applicable.	N/A
6. Water Cycle Management			
		A Stormwater Management Plan has been prepared and is submitted as part of this application. The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area. The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater. The proposal incorporates appropriate setbacks and landscaping that will permit stormwater penetration and will reduce runoff and the impact of stormwater on site and in the area.	YES
8. Erosion and Sediment Control			
		Appropriate measures will be undertaken during the construction and construction phase of the development application to ensure that all soil materials will be contained on the site.	Yes

		Appropriate erosion and sediment control measures such as the use of sediment fencing will be undertaken to minimise erosion during the demolition and construction phase of the proposal. An Erosion and Sediment Control Plan is attached as part of this application.	
9. Flood Risk			
		The development site is not identified as being flood prone as per Liverpool LEP Flood Planning Area Map.	N/A
10. Contaminated Land Risk			
		See previous discussion against SEPP 55.	YES
11. Salinity Risk			
		Due to the nature and location of the site it is not likely to be affected by Saline Soils. Not applicable.	N/A
12. Acid Sulfate Soils Risk			
		The subject site is not identified as containing Acid Sulphate Soils.	N/A
13. Demolition of Existing Developments			
		Development seeks Council consent for staged demolition of existing structures on site. Refer to attached plans for detail.	YES
17. Heritage and Archaeological Sites			
		The site does not contain any heritage-listed items and an approval has been granted to remove any physical remains and undertake interpretation on the site as part of a larger industrial development. Yarrunga Street provides sufficient separation between the development site and the local	N/A

		heritage item, noting the broader locality is currently undergoing a transformation towards industrial land uses. As such no further heritage investigation is warranted.	
18. Notification of Applications			
		Noted.	-
20. Car Parking and Access			
20.1	Overall design considerations	The proposed car parking arrangement is to be appropriately integrated into the proposal and is consistent with existing, surrounding development. The vehicle access ramps are necessary to provide the movement of trucks to all 8 industrial units and considering that the site resides within an emerging industry precinct zoned for heavy industrial activity, the ramps area considered an appropriate outcome on site. It is considered that the proposal provides an appropriate outcome on site that provides adequate parking arrangements as well as ensuring the safe and efficient movement of vehicular and pedestrian traffic. See submitted Plans and Traffic Report for detail.	YES
20.2	Car parking provision Industrial: - 1 space per 250m² of Warehouse GFA - 1 space per 35m² of office LFA 57,474Sqm / 250smq = 229.9 (230 spaces)	The Ason Traffic and Parking report that accompanies this application undertakes a detailed analysis of parking provision having regard to – - Liverpool Council DCP parking rates - RMS Parking Requirements - Parking provided at comparable approved developments proximate to the site and similar in scale.	Variation

	7,295sqm / 35sqm = 208.4 (209 spaces) Total = 438 spaces Proposed = 397 spaces	This analysis confirms a broad parking rate that varies from 1 space per 250m² GFA of warehouse through to 1 space per 817m². The analysis confirms that the approach for this application is suitable for the intended purpose. The LDCP requirement = 438 spaces The RMS requirement = 374 spaces Application Proposes = 397 spaces Having regard to the analysis in the Traffic and Parking Report, and in particular noting the parking provision accepted for a number of other approved and operating warehouse operations, it is considered that the proposal warrants approval with the quantum of parking proposed. Appropriate loading dock facilities is to be provide per industrial unit.	
20.3	Car Parking Design	Car parking area has been designed to comply with relevant Australian Standards and Council controls.	YES
20.4	Internal Driveways	Driveways, access ways and car parking spaces are to be appropriately dimensioned in accordance with relevant Australian Standards and Council controls and will permit the safe movement and parking of vehicles on site. See attached plans or detail.	YES
21. Subdivision of Land and Building			
		No subdivision is proposed as part of this proposal. Not applicable.	N/A
24. Landfill			
		This application seeks Council consent for the excavation of the site as per the attached plans.	Yes

		The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls. The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area. The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies. It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.	
25. Waste Disposal and Re-use Facilities			
		A Waste Management Plan is submitted as part of this application. Notwithstanding, it is noted that waste is to be appropriately managed during the demolition and construction stages of the development. Refer to attached Waste Management Plan and Architectural Plans for further detail.	Yes

Liverpool Development Control Plan 2008– Part 7 Development in Industrial Areas

All relevant Council controls have been identified and considered in the following compliance table.

Liverpool Development Control Plan 2008 – Part 7 Development in Industrial Areas Compliance Table			
Clause	Controls	Comment	Complies
2. Site Area			
		The minimum site area of an allotment within an industrial zoned land is 2,000m². The subject site has a total area of approximately 46,839.7m².	YES
3. Site Planning			
		The development site, being utilised for industrial purposes is predominantly void of vegetation. The development is to provide a 7.5m landscaping area along site's frontage to Yarrunga Street and also partially along the site's side frontages that will contribute toward softening the built form and integrate with the development and the site's context within an emerging industrial estate. It is highlighted that no significant vegetation is to be impacted as part of the proposal. Landscaping of the site is to be undertaken in accordance with the attached Landscape Plan. See attached Landscape Plan for detail. The subject site is not affected by electricity easement nor is it located within the Prestons Industrial Area.	N/A
4. Setbacks			
	Ground floor setback: 10m First floor setback: 7.5m Side Setback: 5m	The DCP requires a minimum setback to the ground floor of 10m and a minimum setback of 7.5m to the first floor.	Minor Variation

		The development provides a minimum setback from the primary building line of 7.5m to Yarrunga Street to both the ground and first floor. The 10m setback is intended by the DCP to facilitate at-grade parking under the undercroft of industrial buildings. However, the current development proposes a contemporary large scale industrial development with all parking to be provided within a basement level and as such no parking is to be provided at-grade and forward of the building. It is considered that the application proposes a superior front setback treatment to that contemplated by the DCP as the front setback is to be landscaped and not impacted by substantial hard stand to support carparking. Considering the minor nature of the non-compliance and that the development is to provide adequate setback to Yarrunga Street at the ground floor level, and results in an aesthetically superior outcome to that identified in the DCP, the application warrants support. The proposal meets the intent of the 5m setback by providing substantial landscaping along the side boundaries. Minor encroachment into the setback arises for vehicular access and façade zones of offices, rather than any built form within the setback areas. Given the substantial landscaping around the perimeter of the site, consistent with the intent of the setbacks, the proposal warrants support.	
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5. Landscaped Area			
	10% of the site is to be landscaped	DCP requires minimum of 10% or 4683.97m ² of the site is to be landscaped at the ground level. The development provides a total of 7.6% of the site as landscaped area. The landscaping proposed complies with the intent of the control as it is provided at the streetfront and along the boundaries of the site to improve the visual presentation to the street and provide an appropriate buffer between industrial developments.	YES
	Minimum 10m landscape width	The proposal provides a superior outcome along the streetfront as the vast majority is dedicated to landscaping and no hardstand parking is proposed.	Variation
6. Building Design, Streetscape and Layout			
		<u>Façade Treatment</u> Appropriate façade treatment is proposed that will ensure an attractive modern industrial building will address Yarrunga Street. The site planning and design of the building aims to create a sense of place and identity through its planning and architectural expression that permits a strong visual connection to the public domain. The proposed built form reflects the intensity of use and activity within the building; noting a broad materials palette that will contribute to a sense of activity and flow of space throughout. See the submitted Materials and Finishes Schedule. The architectural expression modulates the façade, which is a combination of metal sheet colourbond cladding, glazing, mesh	YES YES

		screen and louvers and combined with landscape embellishment works along its frontage will strongly contribute towards enhancing the streetscape and the built form character within the industrial estate. <u>Materials & Colours</u> Glazing does not exceed reflectivity of 20%. The development is to adopt appropriate materials such as glass and metal sheet cladding. <u>Building Design</u> Due to the scale of the development and the purpose of the proposal (warehouse and distribution centre), there is not a commercial requirement for a “front door” public address to the street. Notwithstanding, the proposal includes a street address to Yarrunga Street that incorporates an entry and elements such as bike parking to mark this entry. The development provides an attractive contemporary building that addresses its frontage. The office suites associated with the industrial units fronting Yarrunga Street are located towards the front of the building. Refer to attached Architectural Plans for detail. Upper floor windows associated with the industrial units located towards the front of the building have been designed to overlook the street. Appropriate street number of the proposed building will be designed to be visible from Yarrunga Street that	YES YES
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		will permit visitor to easily identify the location of the building. Driveways provide adequate sight distance. Entry to the basement parking area is to be via security access. Finally, blank walls are minimised with the building provided with articulation and modulation to the building façade, adopting a mixed palette of finishes including the incorporation of mesh screen and aluminium louvre screens. <u>Lighting</u> Appropriate lighting is to be provided in accordance with relevant Australian Standards.	YES
7. Landscaping and Fencing			
		The subject site is within an emerging industrial estate, with the majority of the site void of vegetation. The site is also appropriately fenced and landscaped, including a continuous 7.5m landscape verge along its front setback to Yarrunga Street and landscape setback partially along the site's side boundaries. Refer to submitted Landscape Plan for detail.	YES
8. Car Parking and Access			
		1. The access and internal driveway/ramp arrangement permits heavy vehicles to enter and exit the site in a forward direction. Furthermore, each industrial unit is provided with appropriate internal loading docks that are not visible from the public domain and	YES

		separated from and do not interfere with the basement car parking area. 2. Parking at the completion of the development will be located within a basement level and as such landscaping requirements of at-grade parking areas does not apply to the current application. The Ason Traffic and Parking report that accompanies this application undertakes a detailed analysis of parking provision having regard to – - Liverpool Council DCP parking rates - RMS Parking Requirements - Parking provided at comparable approved developments proximate to the site and similar in scale. This analysis confirms a broad parking rate that varies from 1 space per 250m² GFA of warehouse through to 1 space per 817m². The analysis confirms that the approach for this application is suitable for the intended purpose. The LDCP requirement = 438 spaces The RMS requirement = 374 spaces Application Proposes = 397 spaces Having regard to the analysis in the Traffic and Parking Report, and in particular noting the parking provision accepted for a number of other approved and operating warehouse operations, it is considered that the proposal warrants approval with the quantum of parking proposed.	N/A
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		Appropriate loading dock facilities is to be provide per industrial unit.	
9. Amenity and Environmental Impact			
		<u>External Industrial Activities</u> No materials are to be stored externally on site. All materials are to be contained within the proposed warehouse building. <u>Noise</u> The construction of a multi-level industrial building is not anticipated to result in excessive noise impacts to neighbouring properties. An Acoustic Assessment has been prepared by ADP Consulting which concluded the following for the current application: <i>The construction standards have been provided to satisfy the local council and other relevant standards.</i> <i>ADP Consulting believes there are no site conditions, statutory or other requirements that would preclude this development from complying with the criteria defined in this report.</i> <i>The design criteria and acoustic treatment concepts in this report demonstrate the pathways by which these shall be addressed by ADP Consulting and the project team through further analysis, recommendations and coordination as the design progresses.</i>	YES -

		<u>Hazardous Materials and Hazardous Operation</u> The development proposes to construct an industrial building to undertake warehouse operations. Not applicable. <u>Hours of Operation</u> It is anticipated that the hours of operation regarding the proposed industrial units will be 24/7. Considering the IN3 Zoning and that the industrial units will be contained within the large building the anticipated hours of operation is considered suitable. It is also noted that the current application is seeking Council consent for the use of the land to undertake warehouse and distribution centre activities and with the proposed building and associated structures with the operation of the industrial development including hours of operation and staff numbers to be undertaken via future DAs. Those DAs may be accompanied by Acoustic Reports if required.	YES YES
10. Site Services			
		<u>Waste Management</u> A Waste Management Plan has been prepared and attached to this statement. <u>Electricity Sub Station</u> The development proposes 2 substations that are to be staged, with Substation 1 to be surrounded by landscaping to minimise its impact to the streetscape.	YES YES

7. Other Considerations

Built Form and Scale

The proposed development has been designed to support the function and operation of the emerging Industrial Precinct and provide valuable warehouse floor space within Western Sydney.

The bulk and scale is consistent with Council controls, considering that the large building is consistent with the vision for the precinct to accommodate industrial development up to 30m as per the prescribed maximum building height control under the Liverpool Local Environmental Plan 2008.

The proposal is to also provide appropriate landscaped setback, especially a continuous 7.5m landscaped front setback including the planting of trees with a mature height of up to 25m to enhance the site whilst also minimising its bulk and scale. Refer to attached Landscape Plan for detail.

Design Intent

The key design intent of the proposal is as follows:

- The site planning and design of the building aim to create a sense of place and identity through its planning and architectural expression that permits a strong visual connection to the public domain.
- The proposed built form reflects the intensity of use and activity within the building with an appropriate mixed palette of materials that will contribute to a sense of activity and flow of space throughout.
- The architectural expression modulates the façade, which is a combination of metal sheet colourbond cladding, glazing, mesh screen and louvers and combined with landscape embellishment works along its frontage will strongly contribute towards enhancing the streetscape and the built form character within the industrial estate.

Overshadowing and Privacy

Due to the size of the subject land parcel and the proposed building and compliance to setback requirements, the proposal will not result in unreasonable overshadow neighbouring properties. Refer to attached Shadow Diagrams for detail.

Traffic

The Ason Traffic and Parking report that accompanies this application undertakes a detailed analysis of parking provision having regard to –

- Liverpool Council DCP parking rates
- RMS Parking Requirements
- Parking provided at comparable approved developments proximate to the site and similar in scale.

This analysis confirms a broad parking rate that varies from 1 space per 250m² GFA of warehouse through to 1 space per 817m².

The analysis confirms that the approach for this application is suitable for the intended purpose.

The LDCP requirement = 438 spaces

The RMS requirement = 374 spaces

Application Proposes = 397 spaces

Having regard to the analysis in the Traffic and Parking Report, and in particular noting the parking provision accepted for a number of other approved and operating warehouse operations, it is considered that the proposal warrants approval with the quantum of parking proposed.

Appropriate loading dock facilities is to be provide per industrial unit

Noise

An Acoustic Assessment has been prepared by ADP Consulting which concluded the following:

The construction standards have been provided to satisfy the local council and other relevant standards.

ADP Consulting believes there are no site conditions, statutory or other requirements that would preclude this development from complying with the criteria defined in this report.

The design criteria and acoustic treatment concepts in this report demonstrate the pathways by which these shall be addressed by ADP Consulting and the project team through further analysis, recommendations and coordination as the design progresses.

Service and Waste

A Waste Management Plan has been prepared and is attached as part of this statement.

Economic and Social Impacts

The proposed development is made in response to the economic conditions that dictate a demand in the market for warehouse and distribution centres of such scale and diversity. The self evident economic and social benefits comprise:

- Support the function, operation and viability of the emerging industrial precinct.
- Increase employment opportunities during construction and at the completion of the proposal.

Therefore, the economic and social impacts of the development are positive.

8. Conclusion

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

Appendix A – Legal Memorandum of Advice

**RE: PROPOSED MULTI-STOREY WAREHOUSING DEVELOPMENT
28 YARRUNGA STREET, PRESTONS**

MEMORANDUM OF ADVICE

Jaku Legal Pty Limited
151 Macquarie Street
Sydney NSW 2000

Attention: Mr Marc Jaku

PROPOSED MULTI-STOREY WAREHOUSING DEVELOPMENT

28 YARRUNGA STREET, PRESTONS

MEMORANDUM OF ADVICE

1. My instructing solicitors act on behalf of Bureau SRH Pty Limited, the architects acting on behalf of Favelle Favco Cranes Pty Limited ("the Applicant"). The Applicant is proposing to seek consent to carry out development at 28 Yarrunga Street, Prestons ("the land"). The proposed development comprises a multi-storey building to be constructed in stages which, upon completion, will comprise seven warehouses in a single building over three levels. Each warehouse is separated from each other by walls and each warehouse has attributed to it its own loading dock and associated facilities. It is intended that whilst contained within the same building the warehouses will be occupied by multiple users.
2. I am instructed that the Council has indicated that it considers that the proposed development may be development properly characterised as "warehouse or distribution centres" pursuant to the provisions of cl 12 of State Environmental Planning Policy (State and Regional Development) 2011 ("the SEPP"). If so characterised the Development Application for the proposed use is not a Development Application for which the Council is the consent authority. I have been requested to advise whether, in my opinion, the development is

appropriately characterised as warehouse or distribution centres in accordance with the provisions of cl 12 of the SEPP.

Terms of cl 12

3. Clause 12 of the SEPP provides:-

"12 Warehouses or distribution centres

- (1) *Development that has a capital investment value of more than 50 million for the purposes of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.*
- (2) *This clause does not apply to development for the purposes of warehouses or distribution centres to which clauses 18 or 19 applies."*

- 4. The relevant provision for the purposes of this consideration is cl 12(1) as the proposal cannot be relevantly described as a port facilities and wharf or boating facilities (cl 18) or rail and related transport facilities (cl 19) of the SEPP.
- 5. Clause 12(1) describes the elements of the purpose for which the use is proposed those elements are:
 - (1) the development must have a capital value of more than \$50 million;
 - (2) the development must be for the purpose of warehouses or distribution centres (including container storage facilities);
 - (3) the development must be undertaken at one location; and
 - (4) related to the same operation.
- 6. It is apparent from the drafting of cl 12(1) that it is intended to operate as a composite definition, that is, that by the use of the conjunctive "and" in the last line each of the features identified in the subclause must be present in order for a proposed development to fall within its description.
- 7. For the purposes of this advice there is no dispute that the development proposed meets the first three elements of the description contained within cl

12(1). The question is, however, what is meant by the term "related to the same operation" as it appears in that description.

8. The terms used in the Policy are defined pursuant to cl 4 of the Policy. There is no defined term which assists in the determination of the meaning "related to the same operation" as it appears in cl 12(1). However it is noted by reference to cl 4(3) that the definition of warehouses or distribution centres is defined in the standard instrument as meaning:-

"warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises."

9. Where words are undefined they are to be given their ordinary meaning unless the context otherwise indicates. In my opinion there is no context in the definition contained in cl 12 or in the SEPP itself having regard to its aims and the totality of its provisions that would indicate that a meaning other than the ordinary meaning is to be given. In determining the ordinary meaning a reference may be had to dictionary definitions (although applied with caution appreciating that it is the instrument itself that dictates meaning rather than the dictionary).

10. The Macquarie Dictionary 2nd Edition defines "related" as meaning:-

"related 1. associated; connected. 2. allied by nature, origin, kinship, marriage etc..."

11. "Same" is defined in the same dictionary as meaning:-

"same 1. identical with what is about to be or has just been mentioned: the very same person. 2. being one or identical, though having different names, aspects, etc... 3. agreeing in kind, amount etc; corresponding... 4. unchanged in character, condition etc..."

12. And operation means:-

"Operation 1. the act, process, or manner of operating. 2. the state of being operative; ... 3. the power of operating, efficacy, influence, or virtue. 4. exertion of force or influence; agency. 5. a process of a practical or mechanical nature in some form of work or production... 6. a course of productive or industrial activity... 7. a particular course or process... 8. a business transaction, especially one of a speculative nature or on a large scale..."

13. Having regard to the whole of the description contained within cl 12(1) and the ordinary meaning of the words "related to the same operation" as assisted by the dictionary definition above it is my opinion that the clause requires the warehouses and distribution centres referred to in the composite phrase to be undertaken as a single enterprise. That is, that the warehouse or distribution centres (where there is more than one at the one location) must be associated with a single controlling management regime. The relationship between the distribution centres must be associated with each other in a meaningful way.
14. Having regard to the physical delineation and demarcation of the separate facilities proposed in the development for which I have been asked to advise it is my opinion that whilst the proposal meets the first three requirements of the description that it cannot be said to properly be described as being for a purpose where each of the warehouses or distribution centres in the seven facilities within the single building are "related to the same operation".
15. Accordingly, it is my opinion that, for that reason, the development cannot fall within that description contained within cl 12 of the SEPP and that it is properly described as a warehouse and distribution centre to which the Local Environmental Plan applies.

20 August 2019

Chambers



SANDRA DUGGAN SC

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