

INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES

URBAN ASSESSMENTS

Action required: for determination: Development Application

File No:	S04/00645 Pt 1
Application Number:	DA 63-3-2004
Date of lodgement:	15 March 2004
On land comprising:	Lots 204, 205 & 209 DP 1030744, Site 1A Batu Wargun Drive, Greystanes
Application made by:	Macquarie Goodman Management Pty Ltd c/o- BDO Property Pty Ltd, L6, 432 Kent Street, Sydney
Application made to:	Minister for Infrastructure and Planning
Local government area:	Holroyd City Council
State electorate:	Granville, Kimberley Yeadon The views of the Member are not known.
Notification:	Advertised in Blacktown City Sun and the Parramatta Advertiser on 6 April and 7 April, 2004, respectively.
Public Exhibition	Start: 6 April 2004. End: 10 May 2004.
For the carrying out of:	Earthworks, retaining walls, erection of an office/ warehouse building for product storage and distribution of paper, plastic and pharmaceutical products
Estimated cost of works:	\$10,000,000
FTE Jobs created:	30 full time equivalent construction and 65 full time equivalent operational jobs
Type of development:	State Significant Development
Was a public inquiry held?	An inquiry under s.119 of the Act was not held.
Integrated approval bodies:	Not Integrated
Main Issues:	Refer to attached page.
Compliance with the Act	The application has been considered with regard to the matters raised in section 79C of the Act. The application was notified in accordance with the Regulations and all submissions received in the period have been considered. On balance, it is considered that the proposed development is acceptable and that development consent be granted.
Applicant views on draft conditions:	Applicant expressed general support for proposed draft conditions.

Recommendation

It is recommended that the Minister for Infrastructure and Planning pursuant to section 80(1) and 80A of the *Environmental Planning and Assessment Act, 1979* (as amended) and clause 7 of State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area:

- (A) grant **consent** to the application subject to conditions (**Tagged 'A'**) by signing and dating the Notice of Determination **tagged 'B'**, and
- (B) authorise the Department to carry out post-determination notification.

Approved:

Sam Haddad
Deputy Director General
Office of Sustainable Development
Assessment and Approvals

Craig Knowles
Minister for Infrastructure and Planning
Minister for Natural Resources

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- (C) grant **consent** to the application subject to conditions (**Tagged 'A'**) by signing and dating the Notice of Determination **tagged 'B'**, and
- (D) authorise the Department to carry out post-determination notification.

Approved:

Sam Haddad
Deputy Director General
Office of Sustainable Development
Assessment and Approvals

Diane Beamer
Minister Assisting the Minister for
Infrastructure and Planning

INFRASTRUCTURE, PLANNING AND NATURAL RESOURCES

URBAN ASSESSMENTS

SUPPLEMENTARY INFORMATION

Proposed Development in detail

The proposed development seeks consent for:

- bulk earthworks to enlarge the construction platform of Site 1A approved under DA 61-3-2002;
- construction of retaining walls between Sites 1A and 1B and the adjoining property to the north;
- construction of a warehouse (10,080 square metres) including:
 - approximately 3,000 square metres of packaging, processing and distribution area;
 - a racking/storage zone, and;
 - a temperature controlled area (-25°C);
- a separate ancillary office on two levels comprising 1,150 square metres for administration purposes;
- a dangerous goods and battery charge room comprising 570 square metres;
- a security gatehouse;
- covered areas (canopies and awnings);
- hard stand area, parking and circulation area including the provision of 82 on site parking spaces, loading docks and courier bays;
- landscaping;
- separate staff facilities;
- provision of a dedicated perimeter road with separate access to Batu Wargun Drive for fire services along the northern boundary of Site 1A;
- construction of access driveways onto Batu Wargun Drive.

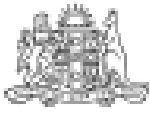
Summary of Significant Issues

(1) Urban design

- Issue:* The original façade designs submitted with the application can be improved upon to add interest and quality to the Greystanes East Estate.
- Raised by:* Urban Assessments
- Consideration:* The applicant has accepted the view of Urban Assessment's urban designer and has agreed to improve upon the elevations of the proposed building.
- Resolution:* Additional design details shall be submitted aimed at improving the architectural elements of the building facades and integrating them with landscape elements.

(2) Dangerous goods

- Issue:* Part of the proposed warehouse will allow for storage of dangerous goods. No details were included in the DA about the type of materials to be stored in this area.
- Raised by:* Urban Assessments and public submission
- Consideration:* The classification of dangerous goods to be stored on site include corrosives, flammable aerosols, flammable liquids and toxic gases in the form of resins and cleaners, adhesives, printing inks, waxes and glazes, and will allow for medical instrument sterilisation.
- Resolution:* The applicant shall be required, via the conditions of consent, to obtain the necessary certification from the Workcover Authority under the Dangerous Goods Act 1975, the NSW Fire Brigade, and any other relevant authority, for the storage of dangerous goods on Site 1A.



Planning Assessment Report

Development Application DA 63-3-2004

1 SUMMARY

This report is an assessment of the proposed development the subject of Development Application number DA 63-3-2004.

The application seeks consent for earthworks, retaining walls and the construction of an office and warehouse building on Site 1A.

The Minister for Infrastructure and Planning is consent authority under clause 7 of State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area (SEPP 59).

It is recommended that the development application be **granted consent**.

2 BACKGROUND

2.1 Site Context

The site is located at Lot 204, 205 and 209 in DP 1030744 (known as Greystanes East), Batu Wargun Drive on Site 1A, Greystanes in the Holroyd local government area.

The development application was lodged with the Department on 15 March 2004 in accordance with the *Environmental Planning and Assessment Act, 1979* (the Act).

The subject site (site 1A) is located within Greystanes East within the Northern Employment Lands (NEL) of the Greystanes Estate which covers an area of 350 hectares situated between the M4 Motorway and the Great Western Highway to the north and The Horsley Drive to the south. A prominent ridge running north-south known as Prospect Hill lies directly to the east of the site, beyond which are the proposed and existing residential lands on Greystanes Road. Prospect Hill is listed on the State Heritage Register.

The built environment surrounding the site includes an operational warehouse and office building to the north west of the site, currently utilised by Laminex (site 3); a complex of buildings occupied by Boral Resources to the north/north east of the site; a warehouse and distribution centre constructed by Australand and currently occupied by Cadbury Schweppes to the south of the site on the opposite side of Batu Wargun Drive; and a complex of four (4) warehouses (yet to be constructed/completed – one building has been erected and is nearing completion) to the west of the subject site on the opposite side of Reconciliation Drive. A location plan is **tagged 'C'**.

Site 1A is located directly west of Prospect Hill at the eastern end of Batu Wargun Drive. Directly to the left of the subject site are sites 1B and 2; industrial development is currently proposed for both sites. The site fronts Batu Wargun Drive along its southern boundary. A plan showing sites 1A, 1B, 2 and 3 is **tagged 'C1'**. (Site 1A, 1B, 2 and 3 are collectively referred to as Greystanes East).

Site visits were conducted on Thursday 6 May and Monday 17 May, 2004. Site photos are **tagged 'D'**.

2.2 Relevant approved applications

On 28 June 2001 approval was granted by the then Minister for Urban Affairs and Planning for the subdivision of the Northern Employment Lands into eight (8) lots (**DA 23-02-01**). The

consent also extended to works relating to the construction of roads, the provision of reticulated and drainage infrastructure, vegetation removal and landscaping.

DA 23-02-01 was modified on 18 September 2002 (**MOD 44-6-2002 of DA 23-02-01**) by consolidating the approved lots numbered 204, 205, 209 and 305, thereby creating lot 409 as shown on the consolidation plan **tagged 'E'**. The applicant has forwarded the consolidation plan to the Land Title's Office for registration.

DA 61-3-2002, approved on 4 July 2002 by the then Minister for Planning granted consent for a master plan for the progressive development of the Greystanes East industrial estate, being sites 1A, 1B, 2 and 3, comprising a number of industrial and warehouse buildings. The master plan established finished ground levels for individual site parcels via the approval of bulk earthworks. A copy of the determination and conditions is **tagged 'F'**. The approved plan showing the ground levels for the subject and adjacent sites under DA 61-3-2002 is **tagged 'C1'**. The main elements of the master plan approval are:

- the division of the site into four (4) individual building platforms;
- two (2) large industrial building envelopes (Sites 2 and 3) with frontage to the north/south spine road (Reconciliation Drive) but with vehicular access from adjoining service roads;
- two smaller industrial building envelopes (Sites 1A and 1B) in the south east corner of the site with access from the adjoining road;
- the design and construction of all buildings and infrastructure is required to be of a high standard;
- provision for access to the site and circulation within the site by large transport vehicles with particular provision for loading/unloading of such vehicles;
- adequate on-site parking within the limits established by the Precinct Plan;
- conservation of the Prospect Hill heritage area as part of the Estate's open space; landscaping to provide both hard and soft treatment throughout the development with provision for outdoor facilities for staff; the plantings proposed are based on native species local to the area; and
- tenants drawn from large scale users requiring floor space typically in excess of 10,000 square metres.

An assessment of the current proposal against the objectives of DA 61-3-2002 is **tagged 'G'**.

DA 74-3-2002, approved by the then Minister for Planning on 9 September 2002, granted consent for construction of a warehouse and office building on Site 3 to the north west of the subject site (refer to plan **tagged 'C1'**), use of the premises for warehousing/distribution, light industry, office uses and a wholesale outlet, and ancillary works including on-site car parking and landscaping. Construction of the works is now complete and the premise is occupied by Laminex.

DA 342-10-2002 was approved on 27 February 2003 by the then Minister for Planning. The determination allowed the construction of an industrial/office building with associated retaining walls, car parking and landscaping, to be used for light industrial, storage, office and ancillary purposes on Site 1A. DA 342-10-2002 was modified to increase the floor areas of the warehouse/office and amend ancillary features upon the site (**MOD 107-11-2003**). MOD 107-11-2003 was approved on 5 May 2004.

DA 344-10-2002 was approved on 27 February 2003 by the then Minister for Planning for construction of a warehouse and office building on Site 1B and use of the premises for warehousing/distribution, light industry, office uses and a wholesale outlet, as well as ancillary works including on-site car parking and landscaping.

2.3 *Relevant current applications*

DA 73-3-2004 was lodged by Macquarie Goodman Management on 25 March 2004. The application is for earthworks (to reduce the finished ground level from RL 85 to RL 76), retaining walls, construction of a 25 metre high building (office and warehouse) and landscaping on Site 1B. The DA was exhibited from 20 April 2004 until 21 May 2004 and is currently being assessed.

DA 103-5-2004 was lodged by Macquarie Goodman Management on 3 May 2004. The application is for earthworks, retaining walls and erection of three (3) warehouse/industrial units with ancillary offices on Site 2. The DA was exhibited from 18 May 2004 until 18 June 2004 and is currently being assessed.

3 THE PROPOSED DEVELOPMENT

The proposed development seeks consent for:

- bulk earthworks to enlarge the construction platform of Site 1A approved under DA 61-3-2002;
- construction of retaining walls between Sites 1A and 1B and the adjoining property to the north;
- construction of a warehouse (10,080 square metres) including:
 - approximately 3,000 square metres of packaging, processing and distribution area at the front of the warehouse space;
 - a racking/storage zone within the warehouse, and;
 - a temperature controlled area within the warehouse (-25°C);
- a separate ancillary office on two levels comprising 1,150 square metres for administration purposes;
- a dangerous goods and battery charge room comprising 570 square metres;
- a security gatehouse;
- covered areas (canopies and awnings);
- hard stand area, parking and circulation area including the provision of 82 on site parking spaces, loading docks and courier bays;
- landscaping;
- separate staff facilities;
- provision of a dedicated perimeter road with separate access to Batu Wargun Drive for fire services along the northern boundary of Site 1A;
- construction of access driveways onto Batu Wargun Drive.

The development is proposed to operate on a 24 hour basis, 7 days per week. The proposed plans are **tagged 'H'**.

3.1 *Amended Plans*

On 3 August 2004 the applicant, submitted amended plans the application incorporating: -

- an additional 203 square metres within the dangerous goods area;
- the relocation of the water storage tank and pump room for fire fighting purposes from the north eastern corner of the site to a location underneath the mezzanine level car park;
- the inclusion of 4 motorcycle spaces and a bicycle rack resulting in a reduction of 7 on site car parking spaces; this is discussed further in section 6 of this report;

Other details shown on the amended plans include the entry gatehouse, the dispatch office in the warehouse, fit out details for the ground and mezzanine offices, and tenant signage.

These amendments differ only in minor respects from the development application submitted as they provide additional detail on the original proposal. They do not to give rise to any additional

impacts. Accordingly, these amendments were accepted as a replacement application in accordance with clauses 55 and 90 of the *Environmental Planning & Assessment Regulation 2000* (the Regulations). In accordance with clause 90 of the Regulations further notification of the application was not undertaken and the applicant was advised of the acceptance of the amended plans on 6 August 2004.

4 STATUTORY FRAMEWORK

4.1 SEPP 59

▪ *Statement of permissibility*

The proposal is permissible development pursuant to clause 23(1)(b) of SEPP 59. Full consideration of the subject development and its compliance with the aims and objectives of SEPP 59 is provided in **tag 'I'**.

▪ *Zoning*

The land subject to the DA is situated within the Employment Zone under the SEPP. The proposed development is permissible with consent in this zone as it is considered to involve "other employment-generating development that meets the objectives for the zone" [sub-clause 3(d) of the Employment Zone provisions in the Zoning Table to clause 23.]

In summary, the objectives of the Employment Zone generally relate to:

- (a) the promotion of employment-generating industrial, manufacturing, warehousing and related uses, that are consistent with the relevant Precinct Plan;
- (b) to ensure development is of a high environmental standard in relation to factors such as emissions, environmental risks, high standard urban design, and natural resource conservation;
- (c) to allow for small-scale commercial, retail and community uses; and
- (d) to allow for the provision of local open space.

It is concluded that the proposal generally complies with and achieves the relevant zone objectives.

▪ *Aims and objectives*

The general aims of the SEPP (clause 2) are to: rezone certain land for urban development; co-ordinate the planning and development of this land; promote economic development and employment in Western Sydney; provide for residential development; and to ensure optimal environmental planning outcomes.

It is considered that the proposal is generally consistent with the aims of SEPP 59, particularly in relation to the promotion of economic development and employment in Western Sydney through the provision of development of "major warehousing" and "industrial facilities" (clause 2(c)).

Clause 6 of SEPP 59 provides that development that is estimated to employ 100 or more persons on a full-time basis following construction or with a capital investment value of \$20 million or more is State significant development. The overall development of the Greystanes Park Industrial Estate, as depicted in the Masterplan/bulk earthworks DA, is State significant development as it has a total development cost of \$80 million and will ultimately employ approximately 600 persons. As the current proposal comprises part of the overall Greystanes Park development, it is also considered to be State significant development (in accordance with section 76A(8)(a) of the EP&A Act). Accordingly, the Minister is the consent authority.

Clause 10 of the SEPP sets out those matters that a consent authority must consider in assessing DAs under the Policy. An assessment of this DA against these matters is contained in **tag 'I'**. It is concluded that the proposal generally complies with and achieves the objectives of the SEPP.

4.2 Greystanes Estate – Employment Lands Precinct Plan (Precinct Plan)

In January 2000, the Minister declared the Greystanes Precinct to be a release area under clause 11 of SEPP 59. The preparation of a Precinct Plan was therefore required pursuant to clause 271(1) of the Environmental Planning and Assessment Regulation 2000 (the Regulation). In accordance with clause 12 of SEPP 59, Boral Construction Materials Group (being the developer for the subdivision application (DA 23-02-01)) prepared a Precinct Plan covering both the employment and residential areas of the site. The Precinct Plan was approved by the Minister on 18 June 2001.

Clause 25 of SEPP 59 requires a consent authority, in determining a DA, to take into consideration the Precinct Plan applying to the land. It is considered that the current DA is generally consistent with the Precinct Plan. This issue has been addressed in detail in **tag 'J'**.

4.3 Environmental Planning and Assessment Regulation 2000

Clause 271(1) of the Regulation states that a DA made under SEPP 59 must not be determined by the consent authority unless a Precinct Plan and contributions plan under section 94B of the Act have been prepared for the relevant land.

Macquarie Goodman entered into a Developer Agreement with the Minister on 23 August 2002 for lots 204, 205, 209 DP 1030744 and lot 305 DP 1035614. Contributions have since been paid to Holroyd City Council. Council has since advised verbally that Macquarie Goodman has fully met its obligations under the subject Developer Agreement.

4.4 Holroyd Council Local Environmental Plan 1991

Holroyd LEP 1991 applies to land within Greystanes. It is considered that the proposed development complies with the provisions of Holroyd LEP 1991.

4.5 Other relevant legislation

A number of other planning instruments have been considered in the assessment of this development. They include:

- **State Environmental Planning Policy No. 11: Traffic Generating Development** (SEPP 11) – Clause 7(3) (SEPP 11) requires that a consent authority shall forward a copy of the application to the Traffic Authority for development specified in Schedule 1 of that Policy where the gross floor area of the building to be erected for the purposes of industry is or exceeds 20 000 square metres. The gross floor area of the subject proposal does not exceed this criterion. Hence, SEPP 11 does not apply to the subject proposal.
- **State Environmental Planning Policy No. 33 – Hazardous and Offensive Development** (SEPP 33) does not apply to the subject proposal as it does include industrial development that would pose a significant risk to the locality, in terms of human health, life or property, or to the biophysical environment, and does not include a hazardous industry and a hazardous storage establishment. Furthermore, the proposed storage of dangerous goods will not omit a polluting discharge in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and does not include an offensive industry or an offensive storage establishment.

- **State Environmental Planning Policy No. 34: Major Employment-Generating Industrial Development** (SEPP 34) – The Policy applies in all areas of the State to development included in Schedule 1 of the Policy. The development does not fall within the scope of this Policy because the proposed use of the site is not caught by the requirements of Schedule 1 of that Policy.
- **State Environmental Planning Policy No. 55: Remediation of Land** (SEPP 55) – The provisions of SEPP 55 require that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. In December 2001 Contamination Management Pty Ltd undertook an independent site audit and confirmed that the entire master plan site is free from potential contamination and is therefore suitable for industrial and related land uses.
- **Draft State Environmental Planning Policy No. 66: Integration of Land Use and Transport** (SEPP 66) – Clause 7(d) states that the Planning Objectives of Draft SEPP 66 apply to development for the purposes of warehouses and distribution centres generally comprising a gross floor space area of more than 1000 square metres. An assessment of the DA against the provisions of SEPP 66 is **tagged 'I'**.

5 CONSULTATION

5.1 Public consultation

The application was notified, in accordance with the Regulation and Holroyd City Council's Development Control Plan No. 31 – Guidelines for Public Participation (DCP No. 31) including:

Notifications landowners/occupiers	Greystanes Estate, TDG Logistics Limited, Trafalgar Nominees (Prospect) Pty Limited
Newspaper advertisements	Advertised in Blacktown City Sun and Parramatta Advertiser on 6 and 7 April 2004, respectively.
Site notices	A site notice was not placed on site due to all adjacent landowners and tenants being individually notified.
Exhibition dates	Start: 7 April 2004. End: 10 May 2004.
Exhibition venues	▪ DIPNR: Information Centre, Ground Floor, 20 Lee St, Sydney and Sydney Region West Office, Level 8, 2-10 Wentworth St, Parramatta ▪ Holroyd City Council, 16 Memorial Ave, Merrylands

5.2 Referrals

5.2.1 Integrated Approval Bodies

The application was not integrated.

5.2.2 Council

The application was referred to Holroyd City Council on 31 March 2004 in accordance with the Regulation. Council responded on 27 May 2004 with draft comments and on 7 June 2004 with final comments. The DA was considered at Council's meeting of 1 June 2004, where it was resolved that "*Council endorse a submission to DIPNR, advising that the proposal should be deferred subject to the submission of amended plans addressing the matters raised*".

Council was contacted on 9 July 2004 by the Department to respond to some of the matters raised by Council in its submission. In a subsequent phone conversation with Council, Council advised that it had no further comments to make.

Issues raised by Council are discussed in detail in Section 6.2 of this report. Council's full submission is **tagged 'K'**.

5.2.3 Agency referrals

The application was referred to the following agencies on 31 March 2004 in accordance with the Regulation:

- Sydney Water Corporation (SWC)
- NSW Heritage Office (HO)
- NSW Roads and Traffic Authority (RTA)
- Department of Environment and Conservation (DEC)
- Upper Parramatta River Catchment Trust (UPRCT)
- National Parks Service

Submissions were received from SWC, HO, and UPRCT. A summary of submissions is **tagged 'L'**. Submissions from agencies are collectively **tagged 'K'**.

5.2.4 Submissions from the public

Two submissions were received from the public, being Exel (Australia) Pty Ltd which occupies a warehouse and office facility on Lot 502 Pickrite Close, Greystanes, and Urbis JHD on behalf of National Australia Bank Superannuation, being the current owner of land north of Site 1A (previously owned by Trafalgar Nominees (Prospect) Pty Limited) - refer to **tag 'K'**.

Issues are considered in Section 6.2 of this report.

5.3 Internal consultations

Both the Sydney Region West office and the Sydney Landscapes Unit of the Department were consulted on 31 March 2004 regarding the application. No response was received from the Sydney Region West office. The Sydney Landscapes Unit responded on 15 April 2004. The submission is **tagged 'K'** and the summary of matters raised is **tagged 'L'**.

6 CONSIDERATION

6.1 The Environmental Planning & Assessment Act

6.1.1 Section 79C

The application and the likely impacts of the proposed development have been considered in accordance with section 79C of the Act. Significant issues are discussed below in Section 6.2, and, where relevant, a detailed assessment is provided as noted in the table below.

The subject site is considered suitable for the proposed development. On balance, the proposed development is considered to be in the public interest.

Instrument / Policy	
SEPP 59 [s79C(1)(a)(i)]	Tagged 'I'
DRAFT SEPP 66 [s79C(1)(a)(ii)]	Tagged 'I'
Holroyd DCP No. 35 Guidelines for Planning for Less Waste [s79C(1)(a)(iii)]	Tagged 'I'
MATTERS PRESCRIBED IN THE REGULATIONS [s79C(1)(a)(iv)]	Refer to section 4.3 of this planning report and tag 'J'

6.2 Issues

6.2.1 Recreation Area

Issue: A staff barbeque area is proposed on the eastern side of the proposed building. Concern is raised that the proposed recreation area will not adequately service the future workforce located on site and will result in a nominal provision of recreation space.

Raised by: Holroyd City Council

Consideration: The covered staff barbeque area is approximately 60 square metres and is within a total landscaped area of approximately 360 square metres. The barbeque area will be directly accessible from the office.

Resolution: The area to be allocated for staff recreation purposes is considered to be appropriate.

6.2.2 Impact on Prospect Hill

Issue: The ridge of the proposed building will exceed the height of the lower boundary of the listed curtilage (ie. listed on the State Heritage Register) by about 6 metres. While this level of impact is unfortunate it is understood that the Master Plan consent allows this extent of encroachment on the view corridor to the heritage item.

Raised by: NSW Heritage Office

Consideration: DA 61-3-2002, being the master plan for development on the subject and adjacent lots, set a number of conditions relating to the permissible building platform and overall height of buildings on Site 1A. These are as follows:

Condition 12: In accordance with Section 4.6 of the "Greystanes Estate – Employment Lands Precinct Plan", all future buildings subject to the further applications required by Condition 11 shall be generally limited to a maximum height of 12 metres.

Condition 13: The height of the building platform on Site 1A shall be no greater than RL 91.0.

Condition 14: In order to reduce impacts on views to Prospect Hill from the west of the site, the maximum roof height of any future building on Site 1A shall be no greater than RL 103.

The design of the building meets the individual criteria specified above. In addition, the building is approximately 19 metres from the street boundary and 21 metres from future public open space, being the curtilage of Prospect Hill.

Resolution: The design of the proposed development complies with all of the relevant criteria of the master plan, as discussed above. Elevation plans submitted with the DA indicate that views to Prospect Hill from areas within the NEL shall be maintained with the proposed building (refer to **tag 'H'**).

6.2.3 Landscaping coverage

Issue: In order to fully assess the adequacy of landscaping to be provided in Greystanes East and in light of the consolidation of the individual lots within Greystanes East, the applicant was requested to combine individual landscape plans for developments on sites 1A, 1B, 2 and 3. The applicant subsequently submitted a Landscape Concept Plan for the whole estate on 19

July 2004 (**tagged 'H1'**). The applicant has included the curtilage of Prospect Hill which lies within the boundaries of the site and is listed on the State Heritage Register in the calculation of landscaping coverage.

Raised by: Urban Assessments, Sydney Landscapes Unit

Consideration: The intent behind this request lies in recognising the individual sites 1A, 1B, 2 and 3, as one consolidated lot. As discussed in section 2.2 of this planning report, the consolidation of these individual lots into one lot has resulted in all assessment criteria being calculated over the lot area of Lot 409 (refer to **tag 'E'**). The assessment of landscaping to be provided on Lot 409 against the provisions of the Precinct Plan is **tagged 'J'**. The total amount of landscaping provided on Lot 409 is equivalent to approximately 19.8% which complies with the 15% minimum site coverage identified in the Precinct Plan (NB. this percentage excludes the Prospect Hill curtilage which is subject to a separate Conservation Management Plan and therefore will not be landscaped under the subject DA).

In order to ensure that landscaping over Lot 409 meets the provisions of the Precinct Plan, each individual DA for development within Greystanes East is required to meet the 15% minimum landscaping coverage. For the purpose of assessing the amount of landscaping to be provided on Site 1A, the applicant has included the curtilage of Prospect Hill which lies within the boundaries of the site and is listed on the State Heritage Register.

The Department considers it inappropriate to include this curtilage area in the landscaping calculation for the following reasons:

- (a) landscaping of the curtilage shall be subject to the preparation and approval by the Heritage Council of a Conservation Management Plan. This plan shall address the appropriate treatment, revegetation and future use of the "Restricted Zone";
- (b) employees of the proposed building on Site 1A shall not be permitted access into the curtilage area until such time that the future use of the curtilage is defined;
- (c) the curtilage area shall be fenced along the western boundary (required as a condition of consent) to prevent vehicles and pedestrian access until such time that the use of this land is determined;
- (d) the curtilage area shall not be landscaped as part of the development and therefore should not be included in the calculation of overall site landscaping.

As a result of excluding the curtilage area from the landscaping calculation, the overall landscaping coverage does not comply with the minimum 15% required by the Precinct Plan (the total landscaping to be provided is approximately 13% of the site area). However, as mentioned earlier, landscaping to be provided in the entire Greystanes East area is approximately 19.8% of the total site area, which complies with the 15% requirement. The individual lots within Greystanes East (being lots 204 & 204 in DP 1030744, lot 409 in DP 1040113 and lot 305 in DP 1035614) are in the process of being registered with the Land Titles Office. Accordingly, the applicant shall be required to verify the consolidation plan is registered, via the conditions of consent.

Resolution: The Landscape Concept Plan has assisted in assessing the provision of

landscaping in Greystanes East and will be included in the final schedule of approved plans. Relevant conditions of consent shall be imposed requiring the applicant to verify that the consolidation plan has been registered.

6.2.4 Landscaping species

Issue: Landscaping should exclude any species that do not occur locally and should be sensitive to the adjacent heritage listed curtilage.

Raised by: Sydney Landscapes Unit

Consideration: The Sydney Landscapes Unit advised that the use of *Eucalyptus microcorys* Tallowwood is not encouraged; instead, locally occurring tree species would be more appropriate in site landscaping. However, the applicant's preferred tree species for border vegetation is the Tallowwood. It is considered that the use of the Tallowwood is acceptable on that basis that the species is a native and shall provide screening and accentuation in its proposed location. However, the conditions of consent shall require the use of species that generally occur locally and are propagated from the local botanical provenance. Furthermore, the applicant shall implement measures to recreate a Cumberland Plain Woodland community through the planting of groundcover species and locally endemic species. Any species that are likely to exhibit invasive characteristics upon the subject site shall not be used in site landscaping.

Resolution: Relevant conditions of consent as described above to manage species diversity.

6.2.5 Urban design

Issue: The applicant has been requested to submit additional design details to improve the building facades.

Raised by: Urban Assessments

Consideration: The original façade design was referred to Urban Assessment's urban designer for comment. It is considered that the original design submitted with the DA (refer to plans **tagged 'H'**) can be improved upon. The proposed materials for the warehouse include grooved precast dado panels up to 2100mm, colour bond metal cladding to the eaves, regular downpipes on north and east facades, colour variation of concrete panels, and depth of shadow from awnings, gutters, downpipes. A plan showing coloured elevations is **tagged 'H2'**.

The applicant has accepted the views of Urban Assessment's urban designer and has agreed to amend the elevations and materials to improve the building design and appearance.

The applicant has also proposed a screening plan to install screens adjacent to boundaries of Macquarie Goodman's land to add dimension to the built environment. The proposed screens will include a landscaping element and shall be positioned to provide enhanced screening of building facades as well as assist in identifying the NEL as a high quality industrial park.

Resolution: The applicant shall submit, prior to the issue of the Construction Certificate, amended elevations detailing an improved building design for the proposed warehouse/office and integrated them with landscape elements. The applicant shall also submit, prior to the issue of a Construction Certificate, a concept

plan of the proposed screens within the subject site. Prior to the issue of an Occupation Certificate, specific details in relation to the dimension, materials, colours, finishes, displays, landscaping and any proposed signage shall be required to be submitted for the approval of the Director, Urban Assessments.

6.2.6 On site parking

Issue: The proposed development includes the provision of 70 on site parking spaces. The RTA's Guide to Traffic Generating Developments (1993) indicates that a maximum of 82 spaces should be provided on site.

Raised by: Holroyd City Council

Consideration: Both the Statement of Environment Effects (SEE) and the original plans proposed 82 on site car parking spaces which complies with the RTA's requirements (being a total of 68 spaces). The amended proposal reduces the on site parking supply by 7 spaces which is still above the RTA's requirements.

Resolution: The proposed on site car parking capacity complies with the RTA's requirements and is therefore considered appropriate for the amended development.

6.2.7 Traffic generation - calculation

Issue: The Traffic Impact Assessment prepared by Traffix and submitted with the application produced expected traffic generation figures using floor areas that differ from those areas included within the SEE.

Raised by: Holroyd City Council

Consideration: The applicant has advised that the floor areas are as follows:

Warehouse	10,080 m2
Ground Floor Office and Amenities	430 m2
Mezzanine Office	720 m2
Dangerous Goods and Battery Charge Room	570 m2
Security	15 m2
TOTAL	11,815m2

Resolution: The traffic assessment has assessed the expected traffic generation and parking requirements of the proposal using the abovementioned figures. It is considered that no further action is required.

6.2.8 Impact of increased floor space on traffic generation

Issue: The amended plans propose an additional 203 square metres within the dangerous goods area. The calculation of traffic generation provided in the traffic report has been revised to assess whether the additional floor area has an impact on the number of anticipated peak hours trips.

Raised by: Urban Assessments

Consideration: The additional floor space will result in approximately 1 additional trip per hour, based on the methodology provided in the applicant's traffic report. This is considered to be minimal.

Resolution: It is considered that the additional floor space will not have a substantial impact on traffic generation.

6.2.9 Heavy vehicle site access

Issue: The design of the heavy vehicle site access driveway may restrict sight lines, particularly for vehicles exiting the site.

Raised by: Holroyd City Council

Consideration: The applicant was requested to verify that the design of the heavy vehicle site access complies with the relevant requirements under Australian Standard AS 2890.1. In response, the applicant's traffic consultant, Traffix, advised that *"the truck exit driveway provides a minimum sight distance of 75 metres, assuming that the road verge is maintained clear of vegetation. The minimum required distance under AS2890.2 (2002) is 55 metres, assuming an approach speed of 40km/h. The signposted speed limit is 30km/h.*

In addition, although the trailer of a 19 metre articulated truck is aligned at an acute angle to the frontage roadway when exiting, the prime mover is positioned at a significantly improved angle. For public road intersections, a view angle of between 70 and 110 degrees is required, as stated in the RTA's Road Design Guide. The available view angle with the current layout, from the prime mover, is 62 degrees, which is considered acceptable for a private driveway with moderate traffic volumes."

Resolution: The applicant's traffic consultant has advised that the heavy vehicle access driveway shall comply with the relevant Australian Standards AS 2890.1 and AS2890.2. Appropriate conditions of consent are proposed to require compliance with these standards.

6.2.10 Internal truck manoeuvring area

Issue: The design of the manoeuvring area for the loading docks cannot be accessed by an articulated vehicle performing a standard reverse entry manoeuvre as recommended by AS2890.2-2002.

Raised by: Holroyd City Council

Consideration: The applicant's traffic consultant advised that:
The internal design is in accordance with AS 2890.2 (2002) and will accommodate a standard reverse manoeuvre for a 19 metre long articulated truck. Forward entry and exit by a B Double will also be possible. B Doubles will in most cases need to parallel-park or unhitch to load and offload, unless they have exclusive use of the loading area. It is noted that B Double access is not discussed in AS 2890.2."

Resolution: The applicant's traffic consultant has advised that the internal truck manoeuvring area shall comply with the relevant Australian Standards AS 2890.1 and AS2890.2. Appropriate conditions of consent are proposed to require compliance with these standards.

6.2.11 Elevated car park and access to recreation area

Issue: The proposal includes an elevated car park at the mezzanine level. The plans lodged with the DA did not correctly show the finished level of the car park in relation to the proposed BBQ/recreation area. Also, it is not clear whether disabled access shall be provided to the recreation area.

Raised by: Urban Assessments

Consideration: The applicant submitted an amended Section plan (refer to the plan **tagged**

'H3') which shows the 1 metre difference between the upper level car park and the BBQ/recreation area. The two areas are connected by a set of stairs. A condition of consent will require disabled access to be provided to the recreation area.

Resolution: It is considered that the amended Section plan appropriately details the levels of the upper car park and the BBQ/recreation area. A condition of consent will require disabled access to be provided to the recreation area.

6.2.12 Dangerous goods

Issue: Part of the proposed warehouse will allow for storage of dangerous goods. No details were included in the DA about the type of materials to be stored in this area.

Raised by: Urban Assessments and public submission

Consideration: The applicant was requested to detail the type and range of dangerous goods to be stored on site in order to ensure appropriate mechanisms are put in place to manage the storage of dangerous goods. The applicant advised that the classification of dangerous goods to be stored on site include corrosives, flammable aerosols, flammable liquids and toxic gases. More specifically, these goods will be in the form of resins and cleaners, adhesives, printing inks, waxes and glazes, and will allow for medical instrument sterilisation.

The applicant is aware that dangerous goods certificates shall be required to be obtained from Work Cover, the Fire Brigade, and any other relevant agencies.

Resolution: The applicant shall be required, via the conditions of consent, to obtain the necessary certification from the Workcover Authority under the Dangerous Goods Act 1975, the NSW Fire Brigade, and any other relevant authority, for the storage of dangerous goods on Site 1A.

6.2.12 Developer Agreement

Issue: Confirmation that a developer agreement has been finalised is to be submitted to Council.

Raised by: Holroyd City Council

Consideration: Macquarie Goodman entered into a Developer Agreement with the Minister on 23 August 2002 for lots 204, 205, 209 DP 1030744 and lot 305 DP 1035614, as required under clause 271(2)(c). The Developer Agreement applies to the subject DA. The developer has paid contributions to Council upon request.

Council has since advised verbally that Macquarie Goodman has fully met its obligations under the subject Developer Agreement.

Resolution: In order to ensure that the developer pays any future monetary contributions to Council, a condition of consent will require the developer to make all relevant contributions in accordance with the Developer Agreement.

6.2.13 Tenant signage

Issue: 3 tenant signs are proposed for the subject development, two on the northern elevation (one on the warehouse and one on the office which is slightly inset of the warehouse) and one on the eastern office elevation. 3 tenant signs are considered to be excessive.

Raised by: Urban Assessments

Consideration: It is considered that the 3 tenant signs proposed may produce visual clutter and unnecessary building identification. It is recommended that the sign on the eastern façade be deleted from the proposal. The applicant has agreed to this recommendation.

Resolution: A condition of consent is proposed recommending approval of the two signs on the northern elevation and deleting the sign on the eastern elevation.

7 CONCLUSION

The Minister for Infrastructure and Planning is the consent authority.

The application has been considered with regard to the matters raised in section 79C of the Act.

The application has been notified in accordance with the Regulations. All submissions received in the period prescribed by the Regulations have been considered.

On balance, it is considered that the proposed development is acceptable and should be approved.

8 CONSULTATION WITH APPLICANT – DRAFT CONDITIONS

The applicant was asked to comment on the draft conditions of consent on 26 July 2004. The applicant responded on 27 July 2004 and was generally satisfied with the majority of the conditions. The applicant questioned conditions relating to monthly noise monitoring and landscaping species.

The applicant requested that monthly noise monitoring not be required by the Department. The request was accompanied by a letter from the acoustic consultant stating that continuous monitoring of construction noise and vibration is not warranted at the subject site due to the distance and topographic shielding of residences from the site.

However, the Department considers that due to the proximity of tenants located within the NEL and the possibility that there may be more than one site being constructed simultaneously, there may be a cumulative impact on neighbours both within and outside of the NEL. In order to ensure that ongoing monitoring is conducted and the results readily available, the relevant condition shall be slightly modified to still require monthly monitoring but to only require submission of the results to the Department upon request (eg. in the event of the Department receiving complaints).

Refer to section 6.2.4 of this planning report for details on landscaping species.

9 RECOMMENDATION

It is recommended that the Minister for Infrastructure and Planning pursuant to section 80 (1) and 80A of the *Environmental Planning and Assessment Act, 1979* (as amended) and clause 7 of State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area:

- (A) grant **consent** to the application subject to conditions (**Tagged 'A'**) by signing and dating the Notice of Determination **tagged 'B'**, and
- (B) authorise the Department to carry out post-determination notification.

For Ministerial Approval

Prepared by

Endorsed:

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