



AMENDED DEVELOPMENT APPLICATION PLANNING REPORT

127 COSGROVE ROAD,
SOUTH STRATHFIELD

5 August 2016
Amended 28 June 2017
Amended 31 July 2017

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SUPPORTING DOCUMENTATION

- 1 Site Survey
- 2 Architectural Plans and Shadow Diagrams prepared by BN Group Pty Ltd
- 3 Stormwater prepared by Sparks & Partners Consulting Engineers
- 4 Contamination Management Strategy prepared by Sparks & Partners Consulting Engineers
- 5 Remediation Action Plan prepared by Zoic Environmental Pty Ltd
- 6 Water Sensitive Urban Design Strategy Report prepared by Sparks & Partners Consulting Engineers
- 7 Waste Management Plan prepared by BN Group Pty Ltd
- 8 Landscaping Plan prepared by Site Design and Studios
- 9 Heritage Impact Statement prepared by Conybeare Morrison.
- 10 Traffic and Parking Impact Report prepared by Transport and Urban Planning Pty Ltd.
- 11 Acoustic Report prepared by Acoustic Logic
- 12 Green & Gold bell frog conservation report prepared by Biosphere Environmental Consultants Pty Ltd

1.0 INTRODUCTION

- 1.1 This amended Statement of Environmental Effects has been prepared by LJB Urban Planning Pty Ltd to support a development application for the adaptive reuse of the former Tarpaulin Factory for a 'garden centre' and 'hardware and building supplies' with 206 car parking spaces. The application is prepared by LJB Urban Planning on behalf of Flower Power Pty Ltd.
- 1.2 This development application seeks Council's approval for the alterations and additions to the existing factory building on the site for use as a 'garden centre' and 'hardware and building supplies' as defined in the *Strathfield Local Environmental Plan 2012*.
- 1.3 The adaptive re-use will involve refurbishment of the former factory including retention of the existing external cladding and windows where possible. Demolition is proposed for some structures to enable the redevelopment of the site as well as new additions and landscaping works to accommodate the various proposed uses and car parking area.
- 1.4 The proposed changes will significantly improve the streetscape along both Punchbowl Road and Cosgrove Road, with the landscaping and planting of substantial trees along each frontage.
- 1.5 The proposed works are highly beneficial to enable the retention of this historical building, which is one of the only remaining structures of its kind in New South Wales and is listed on the NSW Ports Section 170 register. There are not many uses that could retain the existing Tarpaulin building in its existing form and this is consistent with the intentions of the Enfield Intermodal Logistics Centre Project Approval (MP05_0147), which required a separate development application be lodged for the adaptive re-use of the Tarpaulin building.
- 1.6 The site is ideal for a garden centre and hardware and building supplies premises, given the proximity to the Enfield Intermodal Logistics Centre, Punchbowl Road and the Hume Highway. In addition, residential uses are located to the north-east, east and south-east and are likely to be future customers.
- 1.7 The proposed development will provide a total 206 car spaces and two loading bays for articulated vehicles. The proposed car parking and loading bay layout will accommodate vehicles up to the size of a B-double to enter and leave the site in a forward direction. Truck movements to and from the site will be limited to 27 a day, being staggered throughout the day. Overall, the proposed car parking and truck movements will not detrimentally affect the surrounding traffic network.
- 1.8 This report provides information on the subject site, the proposed development and undertakes an assessment against the relevant heads of consideration set out in the Environmental Planning and Assessment Act 1979.

Background

- 1.9 The Part 3A Project Approval for the Enfield ILC site also included the Tarpaulin Shed building, being the subject of this application.
- 1.10 The Tarpaulin Shed was identified within the precinct known as the "Community and Ecological Area". At the time of lodgement of the Environmental Assessment, for the Part 3A project, the

future use or development of the Tarpaulin Shed was unknown. Sydney Ports Corporation committed to undertaking a separate assessment of the future use of the Tarpaulin Shed. This was also reflected in the conditions of approval for the project; refer to Condition 2.34 in the approval.

- 1.11 The redevelopment of the Tarpaulin Shed requires assessment and development approval under the Environmental Planning and Assessment Act. This Development Application is being submitted to satisfy this requirement.
- 1.12 As part of this approval, it is requested that Council impose a condition on the development consent which requires the modification of the project approval prior to the issue of a Construction Certificate. A modification to the project approval is in the process of being finalised for submission to the Department of Planning. The effect of the modification would be to remove the land occupied by the garden centre and hardware and building supplies premises from the Project Approval. The only works that are proposed to be undertaken under the Project Approval is the transfer of fill from Mount Enfield and remediation of the site. The requirements that relate to the subject land under the Project Approval would be undertaken as part of the Part 4 approval of the garden centre. The following table provides a summary of the requirements of the Part 3A approval that will be dealt with under the Part 4 approval for the garden centre.

Condition No.	Condition wording	Relevance to Garden Centre/Hardware and Building Supplies DA
2.35	The Proponent shall relocate and maintain the Pillar Water Tank to an appropriate location within the site, determined in consultation with the NSW Heritage Office.	The Pillar Water Tank will be located in the area occupied by the Garden Centre and Hardware and Building Supplies premises.
2.36	The Proponent shall undertake such works as may be necessary to stabilise the Pillar Water Tank as part of the relocation of that heritage item on the site. The Proponent shall consult with the NSW Heritage Office prior to undertaking any stabilisation works to ensure that the works do not adversely affect the heritage values of the item.	The stabilising works have occurred and ongoing maintenance of the Water Pillar will be required.
2.42	The Proponent shall ensure that contaminated areas of the site that are disturbed by construction works associated with the project are remediated prior to the commencement of project operations at these areas. All remediation works shall be undertaken in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i> and <i>Contaminated Sites: Guidelines for Consultants Reporting on Contaminated Sites</i> (EPA, 1997).	Works to Mt Enfield will be undertaken in accordance with the Remediation Action Plan prepared by Zoic dated 2 February 2017. These works will be carried out under the Project Approval and are not subject of this application under Part 4.
2.43	Prior to the commencement of construction works associated with the project that may disturb contaminated areas of the site, the Proponent shall submit to the Director-General a Site Audit Statement(s), prepared by an accredited Site Auditor under the <i>Contaminated Land Management Act 1997</i> , verifying that the area of the site on which construction is to be undertaken has been or can be remediated to a standard consistent with the intended land use. A final Site Audit Statement(s), prepared by an accredited Site Auditor, certifying that the contaminated areas have been remediated to a standard consistent with the intended land use is to be submitted to the Director-General	Works to Mt Enfield will be undertaken in accordance with the Remediation Action Plan prepared by Zoic dated 2 February 2017. These works will be carried out under the Project Approval and are not subject of this application under Part 4.

Condition No.	Condition wording	Relevance to Garden Centre/Hardware and Building Supplies DA
	prior to operation of the remediated site(s).	
6.3(c)	A Heritage Interpretation Plan and Strategy to detail how heritage items to be retain on-site will be protected during site preparation and construction, and how relocated heritage items will be protected and maintained during those works. The Plan shall include a strategy for the on-going management and interpretation of heritage items and values on the site, and shall be prepared in accordance with NSW Heritage Office guidelines;	The relevant sections of the approved Heritage Interpretation Plan and Strategy shall be met by the proponent of the Garden Centre and Hardware and Building Supplies premises in relation to the Tarpaulin Factory and Pillar Water Tank.
6.3(f)	<p>A Mt Enfield Stabilisation Management Plan to detail how the batters of Mt Enfield and associated drainage will be managed during construction and until such time as it is stabilised with vegetation. The plan shall include but not be limited to:</p> <ul style="list-style-type: none"> (i) measures to prevent soil erosion and the discharge of sedimentation to lands or waters, including to the Green and Golden Bell Frog Habitat Creation Area and Cox's Creek; (ii) identification of where runoff from Mt Enfield is to be directed to, indicating ponding and flow paths to ensure runoff volume and increased flow velocity has been provided for, with the objective of not exceeding current rates; (iii) measures to mitigate potential dust impacts on sensitive receivers including the Green and Golden Bell Frog Habitat Creation Area and surrounding residences; and (iv) measures for the enhancement, revegetation and on-going landscape management of the Mt Enfield site, undertaken in consultation with Strathfield Municipal Council and Bankstown City Council, and the local community. <p>The ongoing management of drainage structures and landscaping associated with Mt Enfield shall be incorporated into the Operation Environmental Management Plan required under condition 6.4 of this approval.</p>	Works associated with Mt Enfield are to comply with the requirements of the Mt Enfield Stabilisation Management Plan.

2.0 SITE DESCRIPTION

Site Description and Surrounding Locality

- 2.1 The subject site is located 127 Cosgrove Street, South Strathfield and is legally described as Lot 19 DP 1183316.
- 2.2 The subject site forms part of the wider Enfield Intermodal Logistics Centre (ILC) which occupies the majority of the western side of Cosgrove Street from the Hume Highway in the north to Punchbowl Road in the south. The site is also referred to as the former Enfield Marshalling Yards.
- 2.3 The subject site is a residual portion of the ILC site and future use required a development application, hence the reason for the current application.
- 2.4 The proposed development will adaptively re-use the Tarpaulin Factory located at the south-eastern end of the site, nearest to the Cosgrove Road and Punchbowl Road intersection. The land surrounding the building will be modified into car parking, storage, loading, outdoor nursery and landscaped areas.
- 2.5 The site has a total area of approximately 2.16 hectares. The site is irregular in shape and has dual frontage to Punchbowl Road and Cosgrove Road.
- 2.6 The site is generally flat where the existing building and entry is. However, the site has a significant 7m fall east to west at the southern end of the site and also has a rise of approximately 7 metres along the western boundary at the lower point of Mount Enfield.
- 2.7 The site contains an unoccupied industrial warehouse style building and associated ancillary buildings. The last known use of the building was a tarpaulin factory.
- 2.8 The building is listed on the NSW Ports s.170 heritage register. However, it is not locally listed under the Strathfield LEP as a heritage item nor located within a conservation area. However, the previous Heritage Report determined the significance of the building as being high. The proposed development will adaptively reuse the existing structure.
- 2.9 Several trees exist across the site. The development will seek to retain trees where possible. The landscaping along the Cosgrove frontage will be retained.
- 2.10 The hardstand parking area within the site will be located along the western side of the site adjacent to Mount Enfield, cut and fill is required to enable the car parking area to be constructed. An existing vehicular crossing exists along the Cosgrove Street frontage and will be widened to accommodate articulated vehicles.
- 2.11 The north-eastern side of Cosgrove Road contains residential dwellings interspersed with industrial uses further to the north. While the south-western side contains the subject site, wider ILC site and industrial buildings/uses.
- 2.12 The following photograph details the existing site:



Subject site taken from
Punchbowl Road.



Subject site taken from
Cosgrove Road.

2.13 The following aerial photograph identifies the site and shows its local context:



Aerial View of approximate site area

2.14 The following aerial identifies Mount Enfield and the subject site (Mt Enfield outlined in red and blue star identifies the Tarpaulin building):



- 2.15 The northern-eastern side of Cosgrove Street contains detached residential dwellings immediately opposite the subject site and industrial buildings further to the north closer to the Hume Highway, as shown in photographs below:



- 2.16 Immediately to the north of the subject site is an industrial complex with industrial uses and the ILC site continuing along the south-western side of Cosgrove Road between the subject site and the Hume Highway:



2.17 Immediately to the south and south-west is Mount Enfield with the train lines located on the southern side of Mount Enfield:



2.18 To the south-east of the site is Punchbowl Road and on the eastern side of Punchbowl Road are detached residential dwellings:



3.0 PROPOSED DEVELOPMENT AND JUSTIFICATION

3.1 This development application proposes:

- The use of the portion of the site zoned IN1 and the adjacent portion of the RE2 zoned land (within 10 metres of the IN1 zone boundary) for a 'garden centre' and for 'hardware and building supplies' as defined in the *Strathfield Local Environmental Plan 2012*.
- Adaptive reuse and fit-out of the existing building for the above purpose.
- Partial demolition of the ancillary outbuildings at the northern end of the existing building.
- Minor addition to existing building at the north-western end for the above purpose.
- A new car parking area will be provided along the south-western side of the site and will provide 206 car spaces
- An outdoor plant nursery section will be constructed at the south-east corner of the site.
- A bulk bag storage area will be constructed at the north-eastern section of the site.
- Landscaping works will be undertaken throughout the site to beautify the site, soften the built form and provide shade in summer.
- The construction of a road and environmental protection works within the RE2 zoned land (outside of the 10 metres of IN1 zone boundary).

3.2 The remediation of the site and removal of fill from Mount Enfield are proposed to be undertaken under the existing Enfield Intermodal Logistics Centre Project Approval (MP05_0147).

3.3 The application has been amended in relation to the hours of operation sought. As amended, this application seeks trading hours for the garden centre and hardware and building supplies premises to be within 7:00am and 6:00pm, 7 days a week. Staff may be present at the time at other times for cleaning, set-up and shutdown activity, training, stocktaking, security and the like.

3.4 As amended, the drawings which accompany this application are listed below:

Table 1: Development Documentation

Plan number	Title	Issue	Date
A00.01	Title Sheet, Location Plan & Drawing List	DA-P3	24/03/2016
A00.02	Site Analysis	DA-P2	29/09/2015
A00.04	Solar Study	DA-P4	24/07/2017
A02.01	Existing Site Plan	DA-P2	29/09/2015
A02.03	Demolition Plan	DA-P4	20/06/2015
A06.01	Proposed Plan	DA-P11	27/07/2017
A06.03	Roof Plan	DA-P5	27/07/2017
A10.02	West Elevation	DA-P5	27/07/2017
A10.03	East Elevation	DA-P3	24/03/2016
A10.04	North and South Elevations	DA-P4	24/07/2017
A11.01	Sections	DA-P5	24/07/2017
A100.01	Materials and Finishes	DA-P1	23/03/2016

- 3.5 The following discussion provides a more detailed description of the key components of the application.

Building Form & Configuration

- 3.6 The development proposes to adaptively re-use the former Tarpaulin Factory building for use as a 'garden centre' and for 'hardware and building supplies' as defined in the *Strathfield Local Environmental Plan 2012*
- 3.7 The building has been vacant for some time now and is becoming dilapidated. The proposed use is highly appropriate for this existing site and will ensure that the existing building, with heritage significance, is retained in-situ and adaptively re-used for the significant benefit of the community.
- 3.8 This application will require partial demolition of parts of the existing structure and a minor addition.
- 3.9 Based on the above, the retained and modified building will contain approximately 5,833m² of internal usable floor area.
- 3.10 The layout of the development will see the driveway located at the north-western end of the Cosgrove Road frontage with a dual entry and exit driveway. The driveway will provide access to the new car parking area along the south-western side of the site adjacent to Mount Enfield.
- 3.11 The car park will accommodate a total of 206 car spaces including 8 accessible car spaces. The car parking area will be landscaped to soften the hardstand areas and to provide shade in the summer months.
- 3.12 The driveway will also provide access to the new loading dock, which can accommodate B-Double trucks. The loading dock will be located at the north-western end of the building, adjacent to the bulky goods landscaping supplies area at the western part of the site.
- 3.13 There is a proposed extension to the former Tarpaulin Building at its north western end. This new addition will be setback from Cosgrove Road and landscaped.
- 3.14 A café will be located to the south west of within the retained building.
- 3.15 The outdoor nursery, kids play equipment and outdoor dining areas will be located at the very south-western corner of the site between the retained building and Punchbowl Road frontage. The boundary will be landscaped to improve the appearance of the site.
- 3.16 The lower portion of Mount Enfield will be cut to enable the proposed car park to be accommodated on site. As a result, the proposed development will retain the lower part of Mount Enfield with the construction of tiered landscaping levels. This will ensure structural stability and allow for further landscaping to sustain and further enhance the retained ecological landscaped area.
- 3.17 Approximately (2750m²) of the surface area of Mt Enfield will be affected by the development to allow for the construction of the car park. This will require the removal of some existing and recently planted vegetation to allow for the development and the reshaping of Mt Enfield.

Although some vegetation will be lost, the plants are not mature and will be replaced within the new development, when combined with the proposed planter bed/retaining wall, planting along the boundaries and future trees within the new car park will adequately off-set the proposed changes.

- 3.18 The proposed development will not increase the height above the current height of the existing building on the site. Therefore, additional shadow will not be detrimental to nearby residential properties as shown in the accompanying solar access architectural drawing.
- 3.19 In addition, the proposed landscaping and retention of street trees along Cosgrove Road will ensure that the site contains an adequate mix of soft to hard landscaping particularly when viewed from the public domain.
- 3.20 The proposed alterations and additions to the existing building for use as a garden centre and for hardware and building supplies have been sympathetically designed to minimise impacts on the original building and to ensure the development will contextually fit within the existing streetscape. The selection of materials and finishes will be in keeping with the existing materials and finishes, where possible the existing building will be repaired.
- 3.21 Overall, the development will not compromise the amenity of adjoining properties in terms of bulk, scale, overshadowing, privacy and view loss.

Waste Management

- 3.22 All waste will be stored within the site and a private contractor will be engaged to remove waste from the site.
- 3.23 A construction and demolition waste management plan and an operational waste management plan has been prepared by Foresite Environmental and accompanies this application.

Construction Management

- 3.24 A construction management plan will be prepared prior to commencement of work on the site. The plan will confirm the requirements to ensure the safe operation of construction activities on site and minimal environmental impact.
- 3.25 A sediment and erosion control plan will be prepared prior to commencing work and shall include details regarding:
- Location of sediment control fencing to minimise site runoff
 - Detail silt fencing, or other sediment control measures such as hay bales, sandbags
 - Protection of access points for construction traffic to minimise soil and other materials leaving the site.
 - Location of stockpiles and method of cover to minimise runoff.
 - Run-off and flow paths, as a result of the modification to Mount Enfield landform.
- 3.26 Construction activities on the site will be in accordance with Strathfield Council's standard hours of construction. It is expected that this will form a condition on the DA consent.

- 3.27 Site fencing will maintained during the works on the site.

Stormwater Drainage

- 3.28 A stormwater drainage plan was prepared by Sparks & Partners Consulting Engineers and accompanies this application.
- 3.29 The strategy that has been development is based on Water Sensitive Urban Design (WSUD). The objectives of the DCP that have been considered and addressed include:
- *Protect and enhance natural water systems (creeks and rivers etc.)*
 - *Treat urban stormwater to meet water quality objectives for reuse and/or discharge to receiving waters.*
 - *Match the natural water runoff regime as closely as possible (where appropriate).*
 - *Reduce potable water demand through water efficient fittings and appliances, rainwater harvesting and wastewater reuse.*
 - *Provide objectives and controls for specific WSUD elements including water conservation, stormwater quality and waterway stability management.*
- 3.30 As a result of the design for this site, the development achieves reductions in potable water by capturing rainwater on site and reusing this for irrigation and toilet flushing, reduces pollution reduction targets and includes OSD for the control of stormwater discharge.
- 3.31 The site drainage has been designed to satisfy Council WSUD requirements and is capable of complying with the Australian Standards.

Trading hours and Staff Numbers

- 3.32 The proposed span of permitted trading hours for the premises will be between 7:00am and 6:00pm, 7 days a week.
- 3.33 The proposed number of staff across the entire site will be approximately 75.

Delivery Truck Volumes and Routes

- 3.34 It is anticipated that there will be a total of 26 small rigid, medium rigid and heavy rigid vehicle movements per day. It is also anticipated that there will be a single additional articulated vehicle movement per day.
- 3.35 All truck movements will occur during normal operating hours on week days only. No truck movements will occur outside the proposed hours of operation. This will minimise impacts on the residential properties located opposite.
- 3.36 The total heavy vehicle generation per weekday is expected to be 27 trucks, generating 54 trips to and from the site in total. The trips are expected to be evenly distributed between 7:00am and 4:00pm, equating to 6 truck movements per hour (3 in and 3 out).
- 3.37 Refer to the submitted Traffic Report; currently B-double truck movements are restricted along Cosgrove Road to between 6am and 7pm at night. Throughout the day they are only allowed to enter Cosgrove Road from the Hume Highway and leave Cosgrove Road via a right-hand

turn on to Punchbowl Road. Therefore, all B-double trucks will be restricted to a right-hand turn into the site from Cosgrove Road and right-hand turn from the site onto Cosgrove Road when exiting the site.

NSW Ports Consultation

- 3.38 Prior to this development application being prepared, NSW Ports undertook community consultation on the future use of the Tarpaulin Factory between 19 November and 19 December 2014. An online survey and mailbox drop of 1000 surveys were distributed. The results of the survey concluded that a plant nursery and garden centre were the top two preferred uses of the site.
- 3.39 The survey also asked respondents whether they had a preference for retaining, removing or partial retention/partial removal of the Tarpaulin Factory building. 35% suggested removal, while 31% suggested retention. Based on 15% suggesting partial removal, it is concluded that the building should be retained if possible, based on the community consultation.

Summary of Pre-DA Consultation

- 3.40 A Pre-DA meeting was held with Council on 2 December 2015.
- 3.41 The following table provides a summary of the six main points in the Pre-DA minutes issued by Council and provides commentary on how the submitted DA plans have addressed the comments:

Table 5: Minutes of Pre-DA meeting 2 December 2015

COUNCIL ISSUE	RESPONSE
1. Introduction	
The proposed development was presented to Council.	Noted.
2. Background	
<p>The Council outlined the history of the site as follows:</p> <ul style="list-style-type: none"> 2007 – EILC approved, including a "Community & Ecological Area" to the southern section of the site which included a Tarpaulin Factory. March 2012 – Draft Strathfield LEP publicly exhibited the proposed zoning for this area as RE1 Public Recreation; March 2013 – The Department changed the zoning to IN1 General Industrial and RE2 Private Recreation in making the LEP; October 2013 – Council endorsed the first Planning Proposal to attempt to rezone the subject land to RE1 Public Recreation 	<p>Council has attempted on two occasions to rezone the site to RE1 Public Recreation purposes.</p> <p>Council requested a review of the Department of Planning's previous refusals of the Planning Proposals. The review was referred to a Planning Assessment Commission (PAC) for review and determination. PAC refused Council's Planning Proposal to rezone the southern precinct of the Enfield ILC site on the 11 May 2016.</p> <p>The Part 3A Project Approval for the Enfield ILC site also captured the Tarpaulin Shed building.</p> <p>The Tarpaulin Shed was identified within the precinct known as the "Community and Ecological Area". At the time of lodgement of the Environmental Assessment for the Part 3A project, the future use or development of the Tarpaulin Shed was unknown. Sydney Ports Corporation committed to undertaking a separate assessment of the future use of the Tarpaulin Shed.</p>

COUNCIL ISSUE	RESPONSE
<p>(refused by the Department subsequently);</p> <ul style="list-style-type: none"> December 2014 – Council endorsed the submission in response to NSW Port's consultation on future use of the Tarpaulin Shed; February 2015 – Council endorsed the second Planning Proposal to attempt to rezone the subject land to RE2 Private Recreation which was subsequently refused by the Department; October 2015 – Council resolved to lodge a Gateway Review to the Department in relation to its most recent decision to refuse the previous Planning Proposal. Council is yet to receive further update; however, the successful rezoning of the site would be likely to make the proposed 'Garden Centre' a prohibited use and would secure the site for public recreation purposes, consistent with the Part 3A Approval. 	<p>This was also reflected in the conditions of approval for the project; refer to Condition 2.34 within the approval.</p> <p>The redevelopment of the Tarpaulin Shed requires assessment and development approval under the EP&A Act. This Development Application is being submitted to satisfy this requirement and also condition 2.34 of the Part 3A Project Approval.</p> <p>The proposed development is permissible within the current land use zoning for the site, refer to LEP discussion within the SEE below.</p> <p>Given the significance of the existing building, referring to the accompanying Heritage Report, and the recent survey undertaken by NSW ports for the future use of the building/site, the proposed garden centre and hardware and building supplies premises would be the most appropriate and preferred use of the site.</p> <p>The approval would provide a business use that would better serve the local community and retain a significant building which is becoming dilapidated.</p> <p>It should also be noted that the Community Ecological Area was only ever intended to have restricted public access for a number of reasons including levels of contamination and the new frog habitat area for Green and Golden Bell Frogs. Mount Enfield includes contaminated materials therefore; the modification will be undertaken in a controlled manner and will allow public access to the Garden Centre and Hardware and Building Supplies premises and immediate surrounds during hours of operation of the site.</p> <p>Any use of the former Tarpaulin Factory would require car parking and loading/unloading areas to be provided on site. It would be unreasonable to expect that the re-use could occur without providing on-site parking and loading to meet Council's DCP requirements.</p>
It is Council's first preference that the site be utilised for recreational purposes.	This is unreasonable for reasons outlined above. In addition, the proposed use is permissible within the current zoning.
The applicant indicated that there may be opportunities to improve the connectivity to Mount Enfield, which is a designated area of community space and which is proposed to incorporate a publicly accessible walking path to a view point.	This matter is for NSW Ports to consider as part of its existing Part 3A approval. However the use of the Tarpaulin Factory as a garden centre and hardware and building supplies premises enables the public to access and appreciate the re-use of this building.
However, it is Council's view that the extension of the site operation into the area beyond the Tarpaulin Shed building footprint which appears to have been approved in the 2007 Part 3A Approval as a "Community and Ecological Area" is inappropriate.	The subject site is currently not publicly accessible including the eastern side of Mt Enfield. Under the Part 3A project approval, NSW Ports has constructed an access path and public viewing area along the ridge of Mt Enfield and is in the process of completing heritage interpretation works. The frog habitat area of the Community and Ecological Area has been completed and will not be publicly accessible in order to protect the endangered species of the Green and Golden Bell Frog.

COUNCIL ISSUE	RESPONSE
	<p>This is consistent with the Project Approval and management plans for this site. The redevelopment of the Tarpaulin Shed does not propose to impact on the approved use of the Community and Ecological Area.</p> <p>The Part 3A Environmental Assessment also committed to a separate assessment for the future use and redevelopment of the Tarpaulin Shed. Therefore, this Development Application has been prepared to satisfy this commitment including condition of approval 2.34 of the Part 3A Project Approval.</p> <p>The Tarpaulin Shed was "placed" in its current location and was previously serviced by a rail siding on the western side of the building. Any future use of the Tarpaulin Factory would require car parking and the location of the proposed parking and loading areas are appropriate.</p> <p>In addition, as noted previously an application is being prepared to modify the project approval. The effect of the modification is to remove the land occupied by the Garden Centre and Hardware and Building Supplies premises from the Project Approval. It is requested that Council impose a condition on the development consent which requires the modification of the Project Approval to be finalised prior to the issue of a Construction Certificate.</p>
<p>The Landscape Masterplan provided within the Environmental Impact Assessment clearly shows the tarpaulin shed surrounded by the Community and Ecological Area. It does not outline any intrusive uses into the Community and Ecological Area and as such, Council is not supportive of components of the proposed use, such as the proposed ancillary carpark, bulky goods area and outdoor nursery extending beyond the area physically occupied by the tarpaulin shed.</p>	<p>The Tarpaulin Shed is located within the Community and Ecological Area of the Part 3A approval. We understand that the use of the precinct is consistent with the Part 3A approval and subsequent community consultation, undertaken by NSW Ports, determined that a garden centre would be the most appropriate use. A garden centre and Hardware and Building Supplies premises is a permissible use within the current zoning.</p> <p>As discussed above, car parking is required for any future use of this highly significant building. The re-use is a community benefit given the significance of the building.</p>
<p>The large scale and expanded current proposal for the Tarpaulin Factory also conflicts with the intent of the Community and Ecological Area acting as a buffer zone between the Enfield ILC operation and the adjoining residential areas as stated within the EIS accompanying the Part 3A Approval.</p>	<p>The height of Mount Enfield will remain unchanged and will still act as a very effective buffer for ILC activities and noise, as was originally intended.</p>
3. Contamination	
<p>The proposed works include the reconfiguration of Mount Enfield, which is a known contaminated portion of the overall Sydney Parts Site.</p> <p>As such, the provisions of SEPP 55 – Remediation of Land are applicable to the development and Council must be satisfied that the proposal, including the retaining of Mount Enfield and modification of the remediated mound, is suitable</p>	<p>Refer to the accompanying Contamination Management Plan and Remediation Action Plan. The proposed cut and fill associated with Mount Enfield will be undertaken in accordance with the site specific Remediation Action Plan and is proposed to be carried out under the Part 3A approval.</p>

COUNCIL ISSUE	RESPONSE
<p>for the site.</p> <p>To address SEPP 55 a Detailed Environmental Site Assessment is required to be provided. The report should be prepared by a suitably qualified environmental consultant and should include testing, an RAP (if required) and methodology for the reshaping of the Mount Enfield portion of the site.</p>	
4. Flooding	
<p>Council's records indicate that the subject site is partially affected by the 1 in 100 year flood event.</p> <p>Council's position is that industrial and commercial sites in flood affected areas are considered differently to residential properties in that there is less risk of life and they have the resources to deal with the flood risk and should make their own assessment as to the level of the flood risk they are willing to accept (in terms of damage to their business) and if they want to raise the floor level, electrical outlets, stocks etc, then that should be in their assessment/recommendations.</p> <p>In this respect, a future development application should be accompanied by a report prepared by a qualified Civil Engineer providing a discussion of the following:</p> <ul style="list-style-type: none"> • Flood free level; • Building Components; • Structural Soundness; • Flood Effects; • Car parking & Driveway Access; • Evacuation; and • Management & Design. 	<p>Refer to the accompanying Water Sensitive Urban Design Strategy Report. The reports states the following in regards to flooding:</p> <p><i>A pre DA meeting was held with Council on the 23rd December 2015 and it was raised that Councils flood mapping indicated that the site may be partially flood affected. Council was contacted to obtain this flood mapping to allow for further analysis against the proposed development. The flood mapping provided showed flooding within Cosgrove Rd, with no flooding in the site itself. Further advice was sought from Council with regard to the flood mapping/modelling however discussions held (Said Saqeb) indicated that their current modelling does not extend into the site itself. A review of the Environmental Impact Statement, Hydrology and Hydraulics completed in 2005 by Sinclair Knight Mertz for the intermodal logistics centre was undertaken by Sparks + Partners. The review indicated that the 1:100yr ARI flood level is approximately 16.119AHD. The flood level is significantly below the proposed lowest finished level of the building and service areas achieving a freeboard of approximately 2.9 metres.</i></p>
5. Operational Matters	
<p>A future DA should be accompanied by the following documentation in order to justify the proposed use is suitable for the site, noting the nearby residential properties:</p> <ul style="list-style-type: none"> • SEE – including detailed analysis of each component of the proposed use including a clear break down of the hours of operation of different portions of the site and clarification of the proposed time, quantity and method of deliveries. • An Acoustic Report including recent noise monitoring to establish the true indication of 	<p>Noted. Refer to discussion within this report and accompanying reports.</p> <p>Addressed in this report.</p> <p>An Acoustic Report has been prepared and accompanies this</p>

COUNCIL ISSUE	RESPONSE
<p>the proposed use on the residential amenity of nearby properties. The Acoustic Report should include an assessment of any proposed PA system in the open yard, reversing beepers, trucks delivering to the site and all plant and machinery to provide a "worst case" scenario for peak noise generation;</p> <ul style="list-style-type: none"> • Light spill from the car park will need to be minimised noting the residential properties nearby; • The stormwater system within the site is required to address Part N of Council's DCP through incorporating WSUD; • The open storage bays should be bunded and run-off directed to a first flush system; • Dust suppression from the storage bays must be addressed by a suitable system and accompanying report undertaken by a suitably qualified environmental consultant; and • Traffic Impact Statement and full assessment of likely parking demand. The report should include a SIDRA analysis to demonstrate the impact on the nearby signalised intersection, particularly at peak times. 	<p>application.</p> <p>The design and layout of the carpark minimises light spill from the carpark. However, given the proposed hours of use, light spill will not be a factor.</p> <p>Refer to accompanying WSUD report.</p> <p>Noted, this will form a condition of consent.</p> <p>Dust suppression will be dealt with via an automatic water spray system which is successfully used on other Flower Power Centres.</p> <p>A Traffic Report accompanies this application.</p>

- 3.42 The proposed development is highly appropriate and will allow for a dilapidated and highly significant building to be retained for the benefit of the community. The development as submitted addresses the comments provided at the Pre-DA meeting.

4.0 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979 ASSESSMENT

4.1 Consideration of Development Applications

4.1.1 The development application is not subject to the complying, prohibited, or advertised development provisions of the Act. There are no issues relating to endangered flora or fauna, watercourses, bush fire or aboriginal artefacts. The proposed development is submitted pursuant to the provisions of section 76 A (1) and (2) of the Act which provides if an environmental planning instrument requires development consent to be obtained, a person must not carry out the development unless such a consent has been obtained and is in force. The relevant environmental planning instrument requiring development consent to be obtained is Strathfield Local Environmental Plan 2012.

4.1.2 The development is not integrated development.

4.1.3 In determining a development application, Section 79C(1) of the Environmental Planning and Assessment Act provides that a consent authority is to take into consideration such of the following matters as are of relevance:

“(a) *The provisions of:*

(i) any environmental planning instrument, and

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iii) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, an

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

that apply to the land to which the development application relates,

(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

(c) the suitability of the site for development,

(d) any submissions made in accordance with this Act or the Regulations,

(e) the public interest.”

4.1.4 An assessment of the proposal against these matters concludes the proposal is suitable for approval. This is demonstrated in the following assessment.

4.1.5 The Environmental Planning and Assessment Act 1979, requires the assessment of development proposals against the relevant ‘heads of consideration’ set out in Section 79(C) of the EPA Act. These are addressed below.

4.2 Planning Controls and Regulations

4.2.1 The relevant planning controls applicable to the development application are listed below:

- State Environmental Planning Policy No. 55
- Strathfield Local Environment Plan 2012
- Strathfield Development Control Plan 2005

4.2.2 Compliance with the provisions of the above mentioned planning controls are discussed below.

State Environmental Planning Policy No. 55 – Remediation of Land

4.2.3 Clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land requires the consent authority to consider whether land is contaminated prior to granting of consent to the carrying out of any development on that land.

4.2.4 The subject site has a history of uses that would indicate that the site is likely to be contaminated.

4.2.5 The proposed development will require approximately 6000m³ to 10000m³ of cut to be generated at the base of Mt Enfield to accommodate the car parking area and approximately 3200m³ up to 8000m³ of fill.

4.2.6 The accompanying Earthworks Contamination Management Statement prepared by Sparks and Partners was undertaken to review the likely impacts the development would have with respect to bulk earth works and contamination management. Further a Remediation Action Plan was prepared by Zoic Environmental specific to the works that are sought.

4.2.7 The RAP provides the methodology for the movement of fill within the ILC site. The RAP accompanies the DA to Strathfield Council to demonstrate that the site can be made suitable. The remediation work is proposed to be undertaken as part of the Part 3A approval that currently exists and will be modified to facilitate the garden centre. It is requested that Council impose a condition of consent that requires the Part 3A to be amended to require the remediation of the Site to be undertaken in accordance with the Remediation Action Plan prepared by Zoic Environmental.

4.2.8 Based on the above the proposed site can be made suitable for the proposed use and appropriate conditions should be imposed.

Strathfield Local Environmental Plan 2012

Zoning

4.2.9 The subject site is zoned part IN1 General Industrial and RE2 Private Recreation pursuant to the provisions of the LEP. Development for a garden centre and hardware and building supplies are both permitted with development consent within the IN1 zone.

4.2.10 A garden centre is defined as:

garden centre means a building or place the principal purpose of which is the retail sale of plants and landscaping and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

- (a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,
- (b) pets and pet supplies,
- (c) fresh produce.

Note. Garden centres are a type of **retail premises**—see the definition of that term in this Dictionary.

4.2.11 A hardware and building supplies premises is defined as:

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

Note. Hardware and building supplies are a type of **retail premises**—see the definition of that term in this Dictionary.

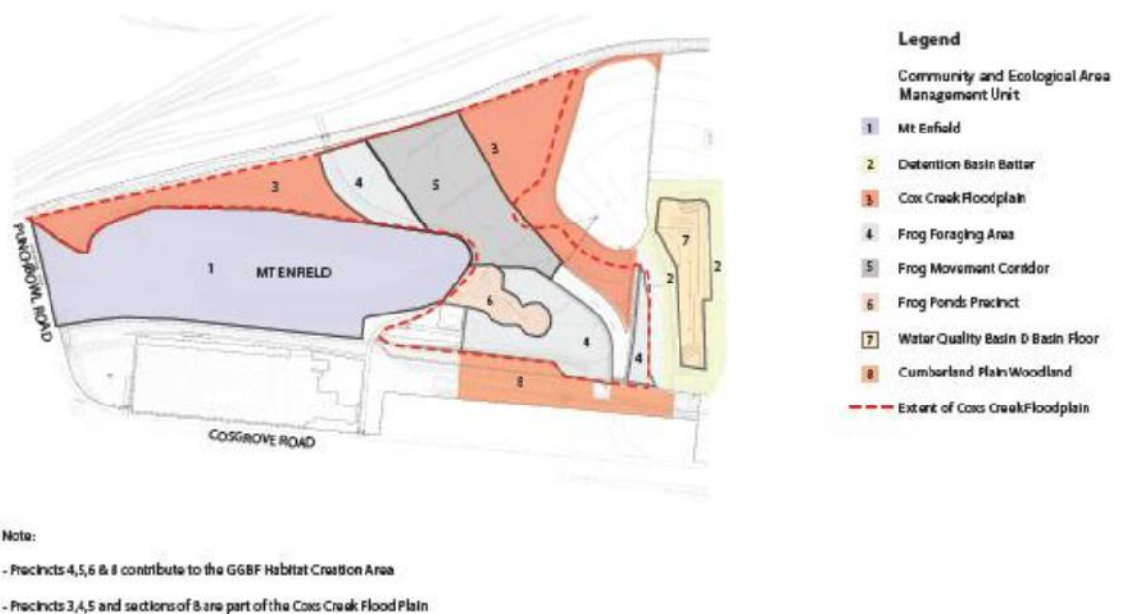
- 4.2.12 The proposed bulky bags that will store landscaping material supplies, is proposed to be located within part of the RE2 zone (being the part that is within 10 metres of the IN1 zone boundary). Clause 5.3 of the LEP permits for more logical and appropriate development of the site provided it is compatible with the planning objectives and land uses for the adjoining zones. This will be further addressed later in this section of the report.

Uses within the RE2 Zone

- 4.2.13 A portion of the site is zoned RE2 Private Recreation.
- 4.2.14 The zoning of this part of the site to RE2 formed part of the Strathfield Local Environmental Plan 2012. In the preparation of the comprehensive Strathfield LEP 2012, Strathfield Council had nominated the southern section of the Enfield ILC site as RE1 Public Recreation. Following consideration by the Department of Planning under Section 68 of the Act, the Department of Planning & Infrastructure amended the zoning as it applied to this site to part IN1 Industrial and part RE2 Private Recreation.
- 4.2.15 The configuration of the RE2 zoning retains the existing industrial lots (3 lots) and industrial buildings along Cosgrove Road with the change in zone boundary from IN1 to RE2 occurring at the rear of the industrial buildings as shown below in the extracts from Map 3 & 6 of the Strathfield LEP zoning maps:



- 4.2.16 The RE2 zone to the west of the subject site contains the frog ponds, foraging areas and open areas to the north west of Mount Enfield. An access handle off Cosgrove Road (which also forms part of the RE2 zone) provides access to these areas of the ILC site. It appears that the only apparent reason for the inclusion of the RE2 zone in this location is for the protection of the frog ponds and associated frog foraging area to the west of the ponds and the location of part of the Cocks Creek Floodplain.
- 4.2.17 For the protection of the frog ponds, there is no proposed public recreational use of the RE2 zoned land in the area that includes the frog ponds. Any future access is likely to be limited to guided activities to community groups, schools and universities for educational purposes. Access is required for maintenance and monitoring.
- 4.2.18 The Frog Foraging Habitat is comprised of 3 core areas that make up the two hectares of land that have been identified in the Final Landscape and Ecological Area Management Plan for the Enfield ILC site dated August 2016. An extract from the report is produced below:



4.2.19 The portion of the RE2 zone that works are sought as part of this Development Application do not form part of the frog ponds or associated habitat. The RE2 land that is the subject of this Development Application is in a poor physical state with no intrinsic environmental value. It contains no notable environmental features that are worthy of retention or protection. The land is not suitable for recreation purposes given its location and size. It is separated from the frog ponds and is adjacent to existing industrial uses. There are also no known plans by any public authority to acquire the land for recreational purposes. If this development application is not approved, the land is likely to remain in its current state. This land is unlikely to be used for 'recreational purposes'.

4.2.20 The following aerial image identifies the location of the frog ponds and maintenance access to these areas that currently exists via a dilapidated concrete roadway.



4.2.21 The RE2 Private Recreation zoning facilitates the retention and protection of the frog ponds and frog foraging areas to the west. The frog ponds are located approximately (as measured from the survey plan prepared by Boxall Surveyors) a minimum of:

- 1) 40 metres from the edge of the proposed parking area
- 2) 80 metres from the zone boundary between the RE2 and IN1 zones
- 3) 50 metres from the landscape supply area

4.2.22 An assessment of the proposed development of the site and the potential impact on the Green and Golden Bell Frog was undertaken by Biosphere Environmental Consultants Pty Ltd. The report provided recommendations to ensure the development of the site will not adversely impact on the Green and Golden Bell Frog and undertook a 7 part test. The report concluded the following:

‘The proposed re-development of the Flower Power site at Enfield will not result in the loss of potential habitat and should not impact adversely on Green and Golden Bell Frogs in the Greenacre-South Strathfield area. The frog exclusion barrier will ensure that Bell Frogs cannot enter active work sites and cannot be accidentally harmed or killed during the works. The proposed works will not prevent Bell Frogs from dispersing in the Enfield area; there will be no significant impact on the frogs or their life cycle’.

4.2.23 Clause 5.3 of Strathfield LEP 2012 facilitates development near zone boundaries and states:

5.3 Development near zone boundaries

- 1) *The objective of this clause is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.*
- 2) *This clause applies to so much of any land that is within the relevant distance of a boundary between any 2 zones. The relevant distance is 10 metres.*
- 3) *This clause does not apply to:*
 - a) *land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural Waterways, or*
 - b) *land within the coastal zone, or*
 - c) *land proposed to be developed for the purpose of sex services or restricted premises.*

Note.

When this Plan was made it did not include Zone E1 National Parks and Nature Reserves, Zone E3 Environmental Management or Zone W1 Natural Waterways.

- 4) *Despite the provisions of this Plan relating to the purposes for which development may be carried out, development consent may be granted to development of land to which this clause applies for any purpose that may be carried out in the adjoining zone, but only if the consent authority is satisfied that:*
 - a) *the development is not inconsistent with the objectives for development in both zones, and*
 - b) *the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land.*
- 5) *This clause does not prescribe a development standard that may be varied under this Plan.*

4.2.24 This application seeks the application of Clause 5.3. The following provides an assessment against the requirements of this clause.

Clause 5.3(1)

- 4.2.25 The flexible application of the control results in a more logical and appropriate development of the site. The following assessment confirms that the 'garden centre' and 'hardware and building supplies' premises is compatible with the planning objectives and land uses of adjoining zones.

Clause 5.3(2)

- 4.2.26 The development application plan incorporates the location of the zone boundary and 10 metre offset verified by survey as permitted by 5.3(2). The application seeks the use of Clause 5.3(2) to allow for the more logical and appropriate development of the site for a garden centre.

Clause 5.3(3)

- 4.2.27 The land is zoned IN1 General Industrial and RE2 Private Recreation. This clause applies.

Clause 5.3(4)(a)

- 4.2.28 The consent authority must be satisfied that the development is 'not inconsistent' with the zone objectives for both zones and the carrying out of the development is desirable.

- 4.2.29 The proposed development satisfies the objectives of the IN1 General Industrial zone as follows:

- *To provide a wide range of industrial and warehouse land uses.*

- 4.2.30 The proposed garden centre and hardware and building supplies premises will be accommodated inside an industrial/warehouse building with associated parking, access, external product storage and display and landscaping exterior to the building. The existing building will be adaptively re-used and the proposed use requires substantial floor space to accommodate the proposed use and is ideal for the general industrial zone.

- *To encourage employment opportunities.*

- 4.2.31 The garden centre and hardware and building supplies premises will generate a total of 75 staff. This increase will provide employment opportunities for the local community.

- *To minimise any adverse effect of industry on other land uses.*

- 4.2.32 The proposed maximum span of trading hours will be between 7:00am to 6:00pm, 7 days a week. These hours will not adversely impact residential properties located on the eastern side of Cosgrove Road given the separation of the uses and the parking and entry are at the rear of the Tarpaulin Factory building. In addition, truck movements to and from the site are expected to be evenly distributed between 7am to 4pm.

- 4.2.33 The submitted Traffic Report demonstrated that the proposed uses will not adversely affect the local traffic network and adequate on-site car parking and loading facilities are provided on site.

- *To support and protect industrial land for industrial uses.*

4.2.34 The proposed garden centre and hardware and building supplies premises is a use that is compatible with the industrial zoning and will not impact on the ongoing use of adjoining lands for industrial purposes. The nature of the use will support the ongoing use of adjacent land.

- *To minimise fragmentation of valuable industrial land, and provide large sites for integrated and large floorplate activities.*

4.2.35 The adaptive re-use of this historical industrial building will maintain a large intact tract of land and will not further reduce the size of land available.

4.2.36 As demonstrated above the proposed garden centre and hardware and building supplies premises satisfies the objectives of the IN1 zone.

4.2.37 As required by Clause 5.3(4)(a) the proposed use of part (10 metres) of the site that is zoned RE2, the consent authority must be satisfied that the use, in this case a 'garden centre' and 'hardware and building supplies' premises is not 'inconsistent' with the zone objectives. The use is not inconsistent as follows:

- *To enable land to be used for private open space or recreational purposes.*

4.2.38 The application proposes to utilise the 10 metre zone within the RE2 zone for the purpose of a bulky good areas that contains landscape supplies, access and site stabilisation. Private open space is defined in the Strathfield LEP as:

'private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.'

4.2.39 Private open space is area that is external to the building used for private outdoor purposes; it is not defined as 'green space' or 'backyard space'. The portion of land to be occupied by the landscape supply area and access is not inconsistent with the intended purpose. The use of a portion of the RE2 zone as a 'garden centre' and hardware and building supplies' premises will not impact on the remaining RE2 zoned land which occupies the frog habitat area. An assessment undertaken by Biosphere Environmental Consultants Pty Ltd confirms that the proposed redevelopment of the Flower Power site will not result in the loss of potential frog habitat and should not impact adversely on Green and Golden Bell Frogs in the Greenacre-South Strathfield area.

4.2.40 It is unlikely that this portion of the site or frog ponds and foraging areas will be used for recreational purposes.

4.2.41 The land the subject of this application is in a poor physical state with no intrinsic environmental value. It contains no notable environmental features that are worthy of retention or protection. It is not suitable for recreation purposes given its location and size. It is separated from the frog ponds and is adjacent to existing industrial uses. There are also no known plans by any public authority to acquire the land for recreational purposes. For the protection of the frog ponds and foraging areas, there are no plans to enable public access to these areas of the site. The land is likely to remain in its current state and unlikely to be used for 'recreational purposes'.

- *To provide a range of recreational settings and activities and compatible land uses.*

- 4.2.42 The proposed landscaping material supply location is highly compatible with the adjoining land uses, which are permitted within the IN1 General Industrial.
- 4.2.43 The proposed landscaping bulk storage area will remain open in form and access to the area will continue to be provided for NSW Ports and its contractors. The use of this small portion of the RE2 zone will not impact on access to Mount Enfield and the Frog Ponds will be maintained and improved as a result of this application.
- *To protect and enhance the natural environment for recreational purposes.*
- 4.2.44 The development of this site seeks to retain the existing access arrangements from Cosgrove Road within the RE2 zone to the natural features at the rear of the site.
- 4.2.45 The portion of the RE2 zone that works are sought as part of this Development Application do not form part of the frog ponds or associated habitat. The land is in a poor physical state with no intrinsic environmental value. It contains no notable environmental features that are worthy of retention or protection. The land is not suitable for recreation purposes given its location and size. It is separated from the frog ponds and is adjacent to existing industrial uses. There are also no known plans by any public authority to acquire the land for recreational purposes. The land is likely to remain in its current state, in the absence of the proposed development.
- 4.2.46 The assessment under by Biosphere Environmental Consultants Pty Ltd confirms that *'the proposed works will not prevent Bell Frogs from dispersing in the Enfield area; there will be no significant impact on the frogs or their life cycle'*.
- 4.2.47 It is therefore considered that the development for the garden centre and hardware and building supplies is not inconsistent with the objectives of the RE2 zoned land as required by Clause 5.3(4)(a) of the Strathfield LEP.

Clause 5.3(4)(b)

- 4.2.48 The proposed development is considered a desirable outcome and a compatible land use. The primary works proposed in the RE2 would be characterised as the use of a depot which is permitted in the RE2 zone, except for the fact that the proposal is not for an 'existing undertaking'. Accordingly, the proposed works would be permissible with development consent in the RE2 zone if they were supporting an existing undertaking, such as the existing industrial uses along Cosgrove Road. The zoning specifically envisages these types of works which are considered compatible in the RE2 zone.
- 4.2.49 The proposed works are highly desirable to enable the retention of this historical building, which is one of the only remaining structures of its kind in New South Wales and is listed on the NSW Ports Section 170 register. There are not many uses that could retain the existing Tarpaulin building in its existing form and this is consistent with the intentions of the Enfield Intermodal Logistics Centre Project Approval (MP05_0147), which required a separate development application be lodged for the adaptive re-use of the Tarpaulin building.
- 4.2.50 The site is ideal for a garden centre and hardware and building supplies premises, given the proximity to the Enfield Intermodal Logistics Centre, Punchbowl Road and the Hume Highway.

In addition, residential uses are located to the north-east, east and south-east and are likely to be future customers.

- 4.2.51 The garden centre and hardware and building supplies premises is compatible with the surrounding land uses and enables the ongoing protection of the Frog Pond located adjacent to the site and maintains appropriate access to the Enfield Intermodal Site, Mt Enfield and the frog ponds. The nature of the use will ensure that these continue to be accessible. The development represents the efficient use of this land enabling the retention of a historic building consistent with the expectations of the local community.
- 4.2.52 Prior to this development application being prepared, NSW Ports undertook community consultation on the future use of the Tarpaulin Factory between 19 November and 19 December 2014. The survey (both online and hard copy) was advertised in the local paper and distributed via a letterbox drop to approximately 800 local residents. The results of the survey concluded that a plant nursery and garden centre were the top two preferred uses of the site.
- 4.2.53 The proposed garden centre and hardware and building supplies premises will ensure the efficient and timely development of this land in a manner that complements the surrounding land uses.

Clause 5.3(5)

- 4.2.54 The application does not seek to vary a development standard.
- 4.2.55 It is therefore considered that the development meets the requirements of Clause 5.3 of Strathfield LEP.

Height

- 4.2.56 Clause 4.3 of the LEP refers to the Building Height Map which sets a maximum Building Height. This Clause does not affect the subject site as no height control applies to this site.
- 4.2.57 Notwithstanding, the proposed adaptive re-use and alterations and additions will be in keeping with the height of the existing warehouse and will be appropriate for the subject site. Refer to the accompanying architectural drawings.

Floor Space Ratio

- 4.2.58 Clause 4.4 of the LEP refers to the maximum floor space ratio (FSR) Map which sets a maximum FSR. The subject site is not affected by an FSR maximum.
- 4.2.59 Notwithstanding, the proposed garden centre and hardware and building supplies premises will not significantly increase the existing FSR as a large proportion of the development remain open and would not be calculated as floor space under the definition.
- 4.2.60 The proposed scale of the development is appropriate given the site's location and current zoning.

Development near Zone Boundaries

4.2.61 The objective of Clause 5.3 is to provide flexibility where the investigation of a site and its surroundings reveals that a use allowed on the other side of a zone boundary would enable a more logical and appropriate development of the site and be compatible with the planning objectives and land uses for the adjoining zone.

4.2.62 This clause applies to the subject site as it is within 10m of an adjoining zone, in this case the IN1 General Industrial zone. Refer to detailed assessment above.

Exceptions to Development Standards

4.2.63 Clause 4.6 of the LEP allows for flexibility of development standards contained within the LEP. The proposed development will not affect any development standards.

Architectural Roof Features

4.2.64 The development does not propose any architectural roof features.

Preservation of Trees or Vegetation

4.2.65 Clause 5.9 of the LEP requires Council consent or permission prior to the removal of any tree/s and or vegetation from site.

4.2.66 Two trees will be removed to enable the landscaped area along the Punchbowl Road frontage to be undertaken, refer to accompanying architectural and landscape drawings.

4.2.67 Clearing of part of Mount Enfield will be required to enable the construction of the car park as shown on the accompanying architectural drawings.

Heritage Conservation

4.2.68 Clause 5.10 of the LEP outlines the requirements for development of or within close proximity of heritage items and within or nearby heritage conservation areas. The subject site is not heritage listed, is not located within a conservation area and is not located within close proximity to a nearby heritage item.

4.2.69 Notwithstanding the above, the Tarpaulin building and Pillar Water Tank are listed on the s.170 register and the existing building is considered to be rare. The adaptive re-use is the most appropriate and beneficial outcome for the existing building.

4.2.70 The accompanying Heritage Impact Statement demonstrates that the proposed use is highly appropriate and an exceptional outcome for this historical building.

Acid Sulfate Soils

4.2.71 The submission of an Acid Sulphate Soils management plan is not required under Clause 6.1 of the LEP as the site is classified as Class 5.

Earthworks

- 4.2.72 Clause 6.2 of the LEP seeks to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.
- 4.2.73 The proposed works will require cut and fill to the existing landscape to accommodate the external plant area at the south-western corner of the site as well as along the western boundary, which will require cut into the base of Mount Enfield to enable adequate on-site car parking.
- 4.2.74 Refer to the accompanying Earthworks Contamination Management Statement, the proposed development will not detrimentally affect adjoining owners and Mount Enfield will remain structurally sound if works are undertaken in accordance with this report.

Flooding Planning

- 4.2.75 The subject site itself is not affected by flooding, however, Cosgrove Road is affected. The accompanying WSUD Report states the following:

A pre DA meeting was held with Council on the 23rd December 2015 and it was raised that Council's flood mapping indicated that the site may be partially flood affected. Council was contacted to obtain this flood mapping to allow for further analysis against the proposed development. The flood mapping provided showed flooding within Cosgrove Rd, with no flooding in the site itself. Further advice was sought from Council with regard to the flood mapping/modelling however discussions held (Said Saeed) indicated that their current modelling does not extend into the site itself. Council advised to submit the DA as is and further comment would be provided during the assessment process.

- 4.2.76 However, a review of the Environmental Impact Statement, Hydrology and Hydraulics completed in 2005 by Sinclair Knight Mertz for the intermodal logistics centre was undertaken by Sparks + Partners. The review indicated that the 1:100yr ARI flood level is approximately 16.119AHD. The flood level is significantly below the proposed lowest finished level of the building and service areas achieving a freeboard of approximately 2.9 metres.
- 4.2.77 There are no other controls in the LEP relevant to the subject application.

Strathfield Development Control Plan 2005

- 4.2.78 The DCP supplements the provisions of the LEP, but provides more detailed controls in the following sections:
- The General Introduction outlines how the consolidated LEP works and also provides heritage/conservation area planning controls.
 - Part D provides controls that relate to industrial development and is applicable for the proposed works.
 - Part H of the DCP provides controls for waste minimisation and management. The controls are applicable to the proposed development.
 - Part I of the DCP relates to off-street parking facilities and is applicable for the proposed development.
 - Part J of the DCP relates to erection and display of advertising signs and structures.
 - Part K of the DCP relates to development on contaminated land.

4.2.79 The following table provides a summary of the applicable requirements from each part of the DCP as they relate to the development application.

Table 7: Assessment against requirements of Strathfield DCP 2005

CONTROL	RESPONSE	COMPLIES
General Introduction		
Section 1.1 Heritage and Conservation		
Statement of Heritage Impact required for heritage item, if located within a heritage conservation area or the in the vicinity of either.	Refer to accompanying Heritage Impact Statement. The re-use of the Tarpaulin Factory as a garden centre is a highly appropriate use and outcome for this significant building.	<input checked="" type="checkbox"/>
Statement must set out the heritage significance of the structure or place and assess the extent to which carrying out of proposed development would affect the significance of the heritage item or heritage conservation area concerned and outline measures to minimise any identified impact.	The accompanying Heritage Impact Statement addresses these matters.	<input checked="" type="checkbox"/>
Part 4 Industrial Development		
Section 2.0 – DESIGN PROVISIONS		
Section 2.1 – Site Analysis and Design Principles		
Require site analysis drawing.	Refer to accompanying site analysis and drawings, the proposed adaptive re-use and alterations and additions will be consistent with the adjoining uses by way of height and scale and will have no detrimental effect on adjoining properties, subject to appropriate conditions being imposed to manage the future use.	<input checked="" type="checkbox"/>
Section 2.2 – Contamination		
Satisfy requirements of SEPP 55.	Refer to accompanying Earthworks Contamination Management Statement and Remediation Action Plan, the site can be made suitable for the proposed use, as discussed above under the SEPP 55 discussion.	<input checked="" type="checkbox"/>
Section 2.3 – Subdivision		
Subdivision of industrial land to be greater than 1000m ² . Exceptions considered if development consistent with development in the area, safe vehicular access and egress in achieved and no adverse negative impacts on surrounding environment.	The proposed development does not propose subdivision.	N/A
Section 2.4 – Development Adjoining Residential Zones		
The proposed building is to be sympathetic to the height, scale, siting and character of existing adjoining and/or nearby residential development.	The height of the development will be generally consistent with the existing height and ancillary structures, being less than 10m to the highest point. The works will be sympathetic to the existing structure. Refer to the accompanying architectural plans.	<input checked="" type="checkbox"/>
Solar access to the windows of habitable rooms and to the majority of private open space of adjoining residential properties must	The development will not affect any adjoining residential dwellings by way of shadow, as the building is located on the	<input checked="" type="checkbox"/>

CONTROL	RESPONSE	COMPLIES
be substantially maintained or achieved for a minimum period of 3 hours between 9.00am and 3.00pm at the winter solstice (June 22).	southern-eastern side of Cosgrove Road and shadow cast will fall across Mount Enfield to the south-west and Punchbowl Road to the east, both of which are significantly higher than the existing and proposed structures.	
Windows facing residential areas must be treated to avoid overlooking of private open space or private windows.	Cosgrove Road provides adequate separation from nearby residential properties.	<input checked="" type="checkbox"/>
Goods, plant equipment and other materials are to be stored within the proposed industrial building or suitably screened from residential development.	All goods will be suitably screened from Cosgrove Road.	<input checked="" type="checkbox"/>
Minimise noise.	Adequate noise conditions can be imposed. Refer to accompanying Acoustic Report.	<input checked="" type="checkbox"/>
The development shall not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting and the like.	The accompanying Traffic Report outlines the number of truck and vehicular movements as well as proposed hours of operation.	<input checked="" type="checkbox"/>
Refer to Section 2.10.8 for details of landscape buffer requirements.	The accompanying architectural drawings demonstrate that adequate plant screening will be provided along Cosgrove Road and Punchbowl Road.	<input checked="" type="checkbox"/>
Section 2.5 – Density, Bulk and Scale		
Wall height maximum of 10m. Can be varied when objectives are met and on merit basis.	The existing height will be retained in-situ as the building is heritage listed. All new cladding and roofing will be repaired, where possible, or replaced if too deteriorated as shown on the accompanying drawings. The height of the existing structure is appropriate (less than 10m to the top of roof) and will not detrimentally affect residential dwellings on the north-eastern side of Cosgrove Road.	<input checked="" type="checkbox"/>
Maximum FSR of 1:1.	The development will be well below 1:1.	<input checked="" type="checkbox"/>
All office and showroom activities to be ancillary to main industrial activity and if greater than 25% may need to be substantiated.	The proposed uses are permissible within the zone and all offices will be ancillary to the garden centre and hardware and building supplies uses.	<input checked="" type="checkbox"/>
Section 2.6 - Setbacks		
Font setback = min 10m Secondary setback (corner lot) = min 5m Watercourse/bushland setback = min 10m	The existing setbacks will be retained due to the location of the existing building.	<input checked="" type="checkbox"/>
Side/rear boundary setbacks adjoining non-industrial uses = merit based on privacy, solar access and visual/acoustic privacy.	The site adjoins an industrial area, this control is not applicable.	n/a
Side/rear boundary setbacks adjoining industrial uses = nil setback.	The subject site adjoins Punchbowl Road to the south-east and industrial uses to the north-west. The development will not detrimentally affect the adjoining industrial uses by way of privacy, solar access and acoustics.	<input checked="" type="checkbox"/>
Setbacks shall not contain any buildings or storage areas but may contain car parking and manoeuvring areas (and landscaping).	Car parking will be provided on the south-western side of the building adjacent to Mount Enfield.	<input checked="" type="checkbox"/>

CONTROL	RESPONSE	COMPLIES
Refer to Section 2.10.6 - 2.10.9 for landscaping requirements within setbacks.	Noted. Refer to accompanying architectural plans.	<input checked="" type="checkbox"/>
Section 2.7 – Building Requirements and Materials		
Front walls and walls visible from any public place shall be substantially faced with brick, stone, concrete, glass (non-reflective) or like materials, but not cement render.	The existing wall cladding and windows will be repaired or replaced, as per accompanying architectural drawings and heritage recommendations. Refer to the accompanying materials and finishes board.	<input checked="" type="checkbox"/>
Walls/surfaces that are easily accessible to public places are to be treated (eg screened by plants) to discourage graffiti.	Street trees will be retained and they will screen the Cosgrove Road facade.	<input checked="" type="checkbox"/>
No service plumbing or pipes, other than downpipes for the conveyance of roof water, shall be external to the building where visible from any public place.	Noted.	<input checked="" type="checkbox"/>
Long blank walls on street frontages are to be avoided. Where this is not possible, they are to be screened by appropriate landscaping or incorporate design features into the walls.	The Cosgrove Road frontage contains windows and is screened by street trees.	<input checked="" type="checkbox"/>
On corner sites, the proposed building shall aim to address both frontages. Where the secondary frontage cannot also be addressed, suitable landscaping is to be proposed (see section 2.10.6) and/or design features incorporated into the wall.	A feature wall and associated landscaping will wrap around the Punchbowl Road frontage to screen and provided visual interest to the site. Refer to accompanying architectural drawings.	<input checked="" type="checkbox"/>
Building materials and colours used on facades facing the street shall be compatible with those of adjoining industrial buildings.	Refer to accompanying materials and finishes board.	<input checked="" type="checkbox"/>
Non-industrial aspects of the development, ie offices or showrooms ancillary to the development, shall face the street.	Noted. Refer to accompanying architectural plans..	<input checked="" type="checkbox"/>
Buildings design needs to consider: visual entrances, variation in unit design, modulation, balance of solid and glazed materials.	The design of the proposed garden centre and hardware and building supplies premises and openings is constrained by the existing building and finishes. However, the windows and movement of people around the site from the future day-to-day operations will significantly improve natural surveillance in the immediate vicinity.	<input checked="" type="checkbox"/>
Provide material and finishes board.	Refer to accompanying material and finishes board.	<input checked="" type="checkbox"/>
Section 2.8 – Energy Efficiency and Water Conservation		
Glazing on north facing façades encouraged.	Glazing is retained and provided along the north-east facing facade along Cosgrove Road.	<input checked="" type="checkbox"/>
Building materials and insulation to be used to assist thermal performance.	Noted. Able to comply.	<input checked="" type="checkbox"/>
Rainwater tank to be incorporated into landscaped design.	Noted. Able to comply.	<input checked="" type="checkbox"/>
Utilise 'AAA' appliances with a minimum 3.5 SEDA hot water greenhouse score.	Noted. Able to comply.	<input checked="" type="checkbox"/>
The use of top star rated energy smart appliances and lighting is required.	Noted. Able to comply.	<input checked="" type="checkbox"/>
All external lighting and common areas (eg	Capable of complying.	<input checked="" type="checkbox"/>

CONTROL	RESPONSE	COMPLIES
undercover car parking) are required to be lit utilising renewable energy resources generated on site. Larger developments (buildings exceeding 4,000m ² in area) must investigate the viability of utilising renewable energy resources for all lighting on site and a statement included with the development application addressing this requirement for the consideration of Council.		
Section 2.9 – Parking, Access and Manoeuvring		
Section 2.9.1 - Parking		
Comply with AS 2890.1-1993 and AS2890.2-1989.	Refer to accompanying Traffic Report, the car parking design and layout will comply with the Australian Standards.	☑
Car parking to be provided in accordance with RTA Traffic Generating Guidelines – no Council rates for a Garden Centre. RTA Guide requires a min of 0.5 spaces per 100m ² of site area.	Refer to the accompanying Traffic Report, an average rate of retail components for shopping centre stores rate was used. However it is noted that the RMS Guide would require 108 spaces. 206 spaces are proposed.	☑
Car parking to be provided within front setback for easy access.	Parking is not able to be provided within the front setback due to the location of the existing heritage listed Tarpaulin Factory building, being a constraint. However, car parking will be provided behind the building, being the most logical position given the existing site constraints.	☑
Loading/unloading areas to be separate of parking areas to minimise conflict.	These areas have been suitably separated, refer to accompanying architectural plans.	☑
Car parking areas to be suitably landscaped (refer to Section 2.10.13 and 2.10.14)	The car parking areas will be suitably landscaped, refer to the accompanying architectural plans.	☑
No parking within any proposed building.	Noted. All parking will be external of the building.	☑
Pedestrian walkways to be separate of vehicular traffic.	Noted.	
Section 2.9.2 – Access and Manoeuvring		
Access from non-residential street unless no alternate road.	Access from Cosgrove Road is the most suitable.	☑
Comply with Australian Standards.	Able to comply, refer to accompanying Traffic Report.	☑
Separate ingress/egress driveways.	A separate ingress and egress driveway is proposed.	☑
Redundant driveways to be closed off.	Noted.	☑
Driveway areas visible from street shall have a featured surface.	The driveway entry and exit will be suitably landscaped.	☑
Leave and enter site in a forward direction.	All vehicles are able to enter and leave the site in a forward direction. Refer to accompanying Traffic Report.	☑
Provide loading and unloading facilities on-site. Facilities to be screened from street.	All loading and unloading can be undertaken on-site. Refer to accompanying architectural plans and Traffic Report.	☑
Minimise conflict with pedestrians.	Pedestrian conflict will be minimised in the design.	☑
Section 2.10 – Landscaping and Fencing		
Landscaping plan required.	Refer to accompanying Landscape Plans.	☑

CONTROL	RESPONSE	COMPLIES
Existing trees to be retained. Minimum 2m setback from base of trunk.	Existing trees to be retained where possible. 2 trees and some existing vegetation will require removal to enable the redevelopment of the site.	<input checked="" type="checkbox"/>
A continuous deep soil landscape area of a minimum of 2m (for sites greater than 4,000m ² , see 6(iii)) in width is required across all street frontages or a minimum area equivalent to the length of all frontages multiplied by 2m.	A landscaped setback has been provided near the new entry and along the Punchbowl Road frontage and base of Mount Enfield. The site is constrained along Cosgrove Road due to the location of the existing building, however, street trees will be retained and will effectively soften the built form.	x
Continuous deep soil landscape areas of a minimum of 1.2m in width are required adjacent to all common boundaries forward of the building line. A continuous coverage of evergreen shrubs interspersed with tree planting is required within this landscape area. Note: for sites greater than 4,000m ² , the minimum width required is 2m and for sites greater than 10,000m ² , the minimum width is to be 3m.	Noted. See above.	<input checked="" type="checkbox"/>
Continuous deep soil landscape buffer zones of a minimum of 2m in width are required adjacent to any common boundaries shared with public reserves, drainage corridors, transport corridors, residential developments and any other non-industrial land uses.	Noted. The car park area adjacent to Mount Enfield will be appropriately landscaped, refer to accompanying architectural and landscape plans.	<input checked="" type="checkbox"/>
Where a watercourse occurs through or adjacent to the site, a riparian vegetated zone with indigenous local provenance species will be required. This will generally occur in the required setback as set out in section 2.6.3.	The site is adjacent to a 2 hectare frog habitat area, but is set well back from the Cox Creek watercourse.	N/A
Plants to be native.	Noted. Able to comply.	<input checked="" type="checkbox"/>
Tree planting is required within car parks to provide summer shade and soften the hard surfaces. One medium size shade tree is required every eight car spaces.	Noted. Tree planting has been provided where possible throughout the car park. In particular, the middle section of the car park complies and provides in excess of the minimum requirement with 1 tree every 4 spaces. The south-western section (furthest from the main building) achieves the objective of the control by providing a planter bed along the south-western boundary that will contain sufficient trees to shade the future car spaces in this section. The row of car parking space adjacent to the main building will not contain trees given the proximity to the existing building, this is adequate as some shade will be provided during the summer months from	<input checked="" type="checkbox"/> x

CONTROL	RESPONSE	COMPLIES
	<p>the existing building due to site orientation.</p> <p>Overall, the proposed landscaping and tree planting will significantly increase shade in summer time once established. Refer to accompanying architectural and landscape plans.</p> <p>In addition, landscaping will be provided along street frontages and this will soften the proposed development.</p>	
Screen planting with evergreen shrubs and trees is required to screen car parks, vehicular manoeuvring areas, garbage areas, storage areas etc from the street frontage.	The proposed car park will be setback from the street frontages. Notwithstanding, the Punchbowl Road frontage will be suitably landscaped, refer to the accompanying architectural and landscape drawings.	<input checked="" type="checkbox"/>
OSD (if require) to be designed and located to maximise deep soil area.	Noted. OSD is provided.	<input checked="" type="checkbox"/>
Provide communal outdoor seating and lunch areas.	Able to comply.	<input checked="" type="checkbox"/>
Front fences – solid above 1m in height not permitted along front boundary.	Noted.	<input checked="" type="checkbox"/>
Side or rear fences to be minimum of 1.8m.	Noted.	<input checked="" type="checkbox"/>
Security fencing on main or secondary frontages is encouraged.	Noted. Security fencing will be provided.	<input checked="" type="checkbox"/>
Section 2.11 - Signage		
To ensure that any signage proposed does not dominate the building(s) or the streetscape, signage should be of an appropriate scale and location. Applicants should refer to Part J – Erection and Display of Advertising Signs and Structures.	A separate development application will be lodged for signage.	N/A
Bright or fluorescent colours will not be accepted other than those associated with logos.		
Section 2.12 – Site Drainage and Water Management		
Require Stormwater Drainage Concept Plan.	Refer to accompanying stormwater plans and WSUD report.	<input checked="" type="checkbox"/>
All development proposals that exceed 2,500m2 of impermeable surface will be required to submit a comprehensive water cycle strategy.	Refer to WSUD report.	<input checked="" type="checkbox"/>
Section 2.13 - Utilities		
Satisfy requirements of Sydney Water and Energy Australia.	Noted. Able to comply.	<input checked="" type="checkbox"/>
Section 2.14 – Air, Noise and Water Pollution		
Ensure industrial developments do not create a pollution problem by the discharge of an unacceptable level of air, noise and/or water emissions.	Refer to accompanying Acoustic Report and WSUD Report.	<input checked="" type="checkbox"/>
Section 2.15 – Commercial Development in Industrial Zones		
Applications for commercial development in industrial zones will be subject to a merit based assessment.	The proposed use is permitted in the current zone.	N/A
Section 2.16 – Waste Management		
Require a Waste Management Plan to	Refer to accompanying Waste Management	<input checked="" type="checkbox"/>

CONTROL	RESPONSE	COMPLIES
accompany DA.	Plans.	
PART H – Waste Minimisation		
Require a Waste Management Plan to accompany DA.	Refer to accompanying waste management plans.	<input checked="" type="checkbox"/>
PART I – Provision of Off-Street Parking Facilities		
A separate rate has not been provided for the proposed use. Refer to traffic discussion above.	216 Car spaces will be provided as well as loading and unloading facilities for articulated vehicles. The design complies with the Australian Standards and will sufficiently accommodate car parking for the proposed use.	<input checked="" type="checkbox"/>
PART K – Development on Contaminated Land		
Satisfy SEPP 55.	Refer to accompanying Earthworks Contamination Management Statement and Remediation Action Plan, the site is capable of being made suitable for the intended use.	<input checked="" type="checkbox"/>
PART N – Water Sensitive Urban Design (WSUD)		
Applies to: <ul style="list-style-type: none"> · New residential villas, flats and townhouses greater than 2,000m² total site area. · All land subdivisions that results in 3 or more allotments and / or are greater than 2,000m² total site area, whichever is less. · All new commercial, retail, mixed use and industrial development greater than 1,500m² total site area. · All alterations and additions to existing commercial, retail, mixed use and industrial development with a total site area greater than 2,000m², which results in increase in building footprint or gross floor area of greater than 50%. WSUD is to be applied to the whole site. · Any development which involves the construction or designation of 10 or more additional car parking spaces, whether the spaces be covered or uncovered. 	Refer to the accompanying WSUD report.	<input checked="" type="checkbox"/>
Require a WSUD Strategy.	See above.	<input checked="" type="checkbox"/>
PART O – Tree Management		
Applies to tree removal.	2 trees will require removal to enable the redevelopment of the site.	<input checked="" type="checkbox"/>

4.2.80 There are no other controls in the DCP that are relevant to the proposed development.

4.2.81 As detailed above, the proposal development generally meets the requirements of the DCP and all variations have been appropriately justified within the report.

4.3 The Likely Impacts

4.3.1 The proposed development is not considered to pose any unacceptable impacts upon the surrounding environment. The partial demolition and addition to the existing Tarpaulin building will be a highly appropriate use.

- 4.3.2 The re-use of the deteriorating building, that has a highly significant history, is the best outcome for the subject site. It will enable the highly significant building to remain in-situ without too much alteration and will enable the use of the site for a business that will service the local community.
- 4.3.3 The development will not result in any unreasonable impact on adjoining properties in terms of height, solar access, visual privacy or loss of views. This is mainly due to the slope of the land, orientation of the site and the height of the new additions being no taller than the existing structure.
- 4.3.4 The proposed number of car parking spaces will be sufficient for the proposed uses and the car parking area will be suitably landscaped to soften the hardstand area and provide shade in the summer months

4.4 The Suitability of the Site for the Development

- 4.4.1 The site is suitable for the proposed development. The site is zoned part IN1 General Industrial and RE2 Private Recreation.
- 4.4.2 The site is not constrained by acid sulfate soil. However, as the construction of the car park will require cutting into the base of Mount Enfield, an Earthworks Contamination Management Statement has been prepared to adequately address these concerns.
- 4.4.3 The accompanying Heritage Impact Statement demonstrates that the proposed alterations and additions can be undertaken without detrimentally affecting the significance of the retained building.
- 4.4.4 The application proposes a suitable scale of development that is compatible with the streetscape and will not unreasonably affect adjoining properties in respect of height, overshadowing, privacy, heritage and scale.
- 4.4.5 In addition, sufficient car parking and loading facilities can be accommodated on site. All vehicles will be able to enter and leave the site in a forward direction.
- 4.4.6 The Punchbowl Road and Cosgrove Road frontages will be landscaped, where possible, to soften the building form and improve the aesthetics of the site when viewed from the public domain.
- 4.4.7 Overall, the site is suitable for the proposed use.

4.5 Submissions

- 4.5.1 The adaptive re-use of the Tarpaulin factory is the most appropriate use for the site and will be a huge benefit to the local community. The development is generally consistent with the planning controls and is well within the reasonable expectations of the community for this site.

4.6 The Public Interest

- 4.6.1 It is in the public interest to allow development that generally complies with planning controls, has no adverse environmental, economic or social impacts, and has general merit.
- 4.6.2 The alterations and additions required to convert the existing building into a garden centre and hardware and building supplies premises will ensure the development contextually fits within the streetscape. It is a highly positive use that will provide great benefits to the community including employment opportunity.
- 4.6.3 The retention and re-use of this building, which is of heritage significance, will be a real community benefit for years to come. The development will not affect pedestrian access to Mount Enfield which is along a controlled pathway with access from Punchbowl Road. Works to Mount Enfield will be at the base on the north-eastern side and will not affect the integrity of the mound, pedestrian access or the buffer intended as part of the original Part 3A Approval.

5.0 CONCLUSION

- 5.1 The relevant planning controls have been considered in the foregoing assessment, ie
- State Environmental Planning Policy No. 55 Remediation of Land
 - Strathfield Local Environmental Plan 2012
 - Strathfield Development Control Plan 2005
- 5.2 This development application represents an appropriate form of development that will be compatible with the surrounding streetscape and is a use that is suitable for both industrial and residential uses consistent with the desired future character of the area.
- 5.3 The proposal will not unreasonably impact on the amenity of adjoining property owners and/or residents, particularly the residential properties to the north in regard to overshadowing, privacy, view loss, car parking, traffic and scale.
- 5.4 The proposed hours of operation and truck deliveries will not be unreasonable with all deliveries being staggered throughout the day and only occurring during the proposed hours of operation. This will minimise effects to nearby residential properties.
- 5.5 The re-use of the Tarpaulin Factory building for a garden centre and hardware and building supplies is a community benefit as it will ensure that the existing building is retained and repaired and will provide a business that will service the local community.
- 5.6 This building is highly significant and its retention and re-use is the most important outcome for the residual portion of the ILC site.
- 5.7 Accordingly, it is recommended the proposed alterations and additions for the adaptive re-use of the Tarpaulin factory as a garden centre, hardware and building supplies at 127 Cosgrove Road, be approved.



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