



CUMBERLAND
CITY COUNCIL

Our Ref: OA2021/0005
DPIE Ref: SSD-10399

3 March 2021

NSW Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Deana Burn

Dear Madam,

Subject: Request for Comments - State Significant Development (SSD)
Application No: SSD-10399
Property: 44 Clunies Ross Street & Great Western Highway, PROSPECT NSW 2145
615A Great Western Highway & Boral House – Clunies Ross Street,
PEMWULWUY NSW 2145
Proposal: Proposed warehouse and logistics estate at Clunies Ross Street,
Pemulwuy

Reference is made to the Department of Planning, Industry & Environment referral received on 15 February 2021 by Cumberland City Council (**Council**) in relation to Application No. SSD-10399 for the proposed Prospect Logistics Estate. The following comments are provided for the amended information and applicant's response to the matters previously raised. Council also requests that additional matters raised in this correspondence are to be addressed in the assessment of the application.

PLANNING

Owner's Consent

1. Council's record indicated that the ownership of the land identified as Lot 63 in DP 752051 is under Cumberland City Council. Clarification is required on the owner's consent submitted with the application.

Permissibility – Office Premises

2. Council has no further objection to the proposed use as office premises provided that such use is ancillary to the industrial use.

Exclusion of Application of Development Control Plans

3. In accordance with Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011, *development control plans (whether made before or after the commencement of this Policy) do not apply to (a) state significant development.* Notwithstanding, the following items as per Part Q – Pemulwuy Northern Employment Lands Controls of the Holroyd Development Control Plan 2013 (**HDCP**), are raised for your attention.

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Welcome *Belong* Succeed

- a) **Setback to Cluniess Ross Street** – The setbacks proposed are considered acceptable. Refer to further landscaping comments stated under Tree Management and Heritage Conservation sections of this letter.
- b) **Height** – Reduction in building height of Warehouse 1 is noted. Refer to further visual assessment comments stated under Heritage Conservation section of this letter.
- c) **Excavation – Bulk Earthworks** – Previous concerns raised remain.
- d) **Amenity Areas** – Council has no further objection subject to equitable access and sufficient area of outdoor amenity / recreation facilities for employees to be provided.

ENGINEERING

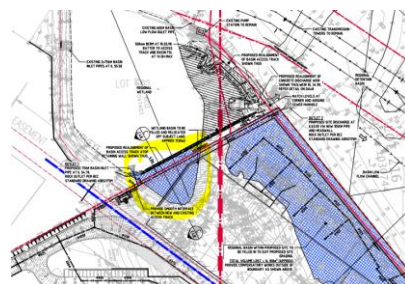
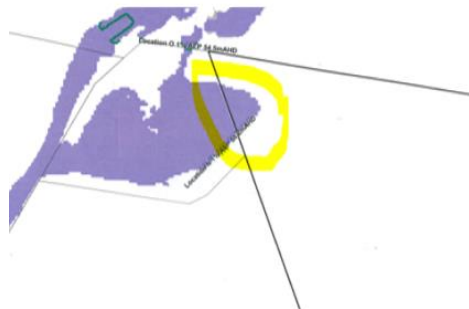
No further comments have been provided on matters previously raised in relation to stormwater, internal car park design and loading areas, and street lighting. Advisory comments previously stated should remain part of consideration in the assessment of this application.

Footpath

- 4. Footpath shall be reconstructed to Council's standard at no cost to Council. Detail design shall be submitted to and approved by Council's Manager Engineering and Traffic.

Flooding

- 5. Assessment of the flood affectation on site identifies that the Proposed development is located within 1% AEP flood extent (the dark blue area) as per the flood advice letter. Pre and post flood study must be prepared for the development as per the flood advice letter in order to ensure proposed development will not have any adverse impact on flood levels or any adjoining sites.



6. Electronic copies of the XP-RAFTS, DRAINS, MUSIC and flood model used to assess Water Cycle Management Strategy for the development shall be submitted to Council for record purpose.

Transport Impact Assessment/Parking

7. Subject development will have adverse impact on the intersection of the Prospect Highway and Foundation Place. The intersection performance of Prospect Highway/Foundation Place is not satisfactory. Appropriate measures shall be incorporated to improve the intersection performance as part of the development. Page 36 of the Traffic Impact assessment report has been attached below for reference.

Prospect Highway / Foundation Place	AM	32.4	C	40.2	C	21.7	B
	PM	14.9	B	90.7	F	10.6	A

Great

8. Boundary line level shall be obtained from Council and the levels shall be used in the driveway detail design as stated in the traffic response.
9. Left turn manoeuvring of trucks shall not encroach the centre of the road. This matter has not been addressed in the design.
10. It is noted that applicant does not agree to change the driveway designs. Applicant proposed to modify the stormwater pit that interferes with the proposed driveway. If the existing pit is modified as a butterfly grated pit, a new grated kerb inlet pit shall also be provided. Detail design shall be submitted to and approved Council's Manager Engineering and Traffic.

ENVIRONMENTAL HEALTH

Various matters

11. Amended information submitted with the application is considered acceptable in addressing the various matters previously raised. Advisory comments previously stated should remain part of consideration in the assessment of this application.

It is also noted a remedial action plan has been prepared by JBS&G, dated 30 September 2020, reference 58238/132823 and the recommendations in the report must be implemented to ensure risks and impacts during remediation works are controlled.

TREE MANAGEMENT

Landscape Plan and Street Tree

12. No detailed landscape plans have been submitted. Clarification is required in relation to the finished streetscape landscaping proposed along Clunies Ross Street and the treatments along the rear boundary perimeters especially the creek line areas, whether they will be revegetated with CPW Species, etc.

HERITAGE CONSERVATION

Landscaping

13. Despite of the justification provided in the Statement of Heritage Impact (SoHI), the proposed mature screen planting separating Warehouse 3, 4 and 5 from the view from Prospect Hill is considered to be inadequate as it consists only 1 row of trees along the edge of the heritage reserve and the parking area. The trees proposed will not provide the canopy density to screen such large buildings. Further to that, no plan of the development is included in the SoHI for cross referencing, to show proposed buildings, civil works and, importantly the landscape design and screen planting. Any conditions of consent should mandate recessive tones as well as trees that, at maturity, will screen the development.

Visual Assessment

14. Significant concern is raised with visual impact of the proposed development on the Prospect Hill. The visual assessment report submitted is considered inadequate as it is not accompanied with maps that will show the significant view lines and view sheds laid over the current and proposed built form alongside photos of the views. Only with this mapping can the impact be accurately assessed. Although the report contains significant detail, it appears to downplay the visual impact as being minor. This comment seems to be misleading. While there is a reduction in the size of the EIS design to the revised design, the development will still have a substantial visual impact as it will increase the sense of built form see from Prospect Hill greater than the current situation. The document itself mentions on numerous occasions that the development will add to the “widespread visual clutter” and there are no guarantees that screening vegetation will decrease this clutter and adequate ‘anticipated’ solution for a development’s impact on such an important site as Prospect Hill may not be sufficient.

Clarification is also required whether this development is being considered if it is “Partly located within the SHR curtilage of Prospect Hill” as it is in conflict with the whole purpose of ‘SHR curtilage’ was to prevent any development from happening within that curtilage.

Should you have any further enquiries please do not hesitate to contact Olivia Yana on 8757 9544 in relation to this matter.

Yours faithfully,



Olivia Yana
Executive Planner