

09 October 2023

Dave Auster
Department of Planning and Environment
12 Darcy Street,
Parramatta NSW 2150

Sent via Major Projects Portal and email: dave.auster@dpie.nsw.gov.au

Dear Dave,

**SSD-51147710 – Multi-Level Warehouse development at 270 Horsley Road, Milperra
Submission to the Environmental Impact Statement – Canterbury Bankstown City
Council**

Thank you for the opportunity to provide comment in response to the applicant's Environmental Impact Statement (EIS) for the State Significant Development (SSD) Application SSD-51147710 regarding the proposed construction of a Multi-Level Warehouse at 270 Horsley Road, Milperra. Council has reviewed the documentation made available on the Major Projects Portal.

Based on our review of the application, Council generally supports the proposed development subject to amendments to the proposed design and further clarifications being provided before any determination is granted by the Department of Planning and Environment (the Department). Council's feedback and comments are contained in Attachment A and summarised as follows:

- Updates to the provided BDAR demonstrating why a significant portion of vegetation cannot be retained
- Provide a Vegetation Management Plan
- Amended Landscape Plan including the Council's requirements outlined in Attachment A
- Address and integrate Council's Urban Design comments and recommendations into the final design, and
- Redesign of the vehicle footway crossing (VFC) as outlined in Attachment A.

A full copy of all internal referrals can be found in Attachment B.

If you require any clarification or have any enquiries regarding the feedback provided, please feel free to contact Hannah Painter, Strategic Planner on (02) 9707 5462 or Hannah.Painter@cbc.city.nsw.gov.au.

Yours sincerely



Patrick Lebon
**Coordinator Strategic Assessments, City Strategy and Design
Canterbury Bankstown Council**



Attachments:

- A – Council submission to State Significant Development Application
- B – Copy of internal referral comments.
- C – Urban Design markup

**Attachment A – Council’s comments for State Significant Development Application
SSD-51147710
270 Horsley Road, Milperra.**

**Summary of Information Requested, Amendments and Requested Conditions of
Development Consent**

- Additional information requested
 - 1) An updated BDAR that demonstrates why a significant portion of vegetation on site cannot be retained. The BDAR must also demonstrate which patches of vegetation are required to be removed for remedial purposes and include a figure identifying the contaminated locations required for remediation. The BDAR must also clearly demonstrate where vegetation can be retained.
 - 2) A Vegetation Management Plan must be provided in accordance with best practice methodology and include the replanting of all structural tree layers.
 - 3) Provide further clarification and information regarding traffic generation calculations including existing traffic distribution and post development generation. For more information, please refer to Table 1.

Upon receipt of the above information, please refer the application back to Council for review.

- Recommended design and/or plan changes
 - 1) The Landscape Plan must be updated to include the criteria outlined in Table 1.
 - 2) The plans should be amended to include the recommendations of Council’s Urban Designer in relation to the public domain interface, façade design, access and circulation, amenity, and landscaping. Please refer to Attachment B.
 - 3) The northern driveway is to be re-designed to ensure access for heavy and light vehicles are segregated. Similarly, the provided turning paths show that heavy vehicles will be manoeuvring within the car parking aisles. All heavy vehicle routes must be separate from light vehicle access at all times. The Applicant should also provide Heavy Rigid Vehicle (HRV) turning paths for right turn manoeuvres from Bullecourt Road into Horsley Road.

Upon receipt of the above information, please refer the application back to Council for review.

- Recommended conditions of consent



- 1) Please refer to Council's Traffic Unit's referral comments in Attachment B for recommended conditions of consent in relation to pedestrian and bicycle access, vehicular crossings, existing footpaths and pedestrian sight distances.
- 2) The development proposal triggers the requirement for Section 7.12 Contributions in accordance with Section 7.12 (and 7.13) of the *Environmental Planning and Assessment Act 1979*. In the event of a development consent being issued by the Department, it is understood a condition of consent will be imposed that requires the applicant to pay the required contributions to Council.

It is requested a note is placed on this condition that prompts the applicant to contact Council to obtain the invoice to enable the payment of the Section 7.12 contribution. Council's suggested wording to place at the end of such condition is provided below:

Please contact Canterbury Bankstown Council on (02) 9707 9000 or council@cbc.city.nsw.gov.au to obtain the contributions payment invoice. Please note the invoice has a payment term of 10 days and development contributions paid are non-refundable in accordance with the Canterbury Bankstown Local Infrastructure Contributions Plan 2022.

Table 1. Full details of Council's Feedback.

Item	Council Feedback
Landscaping	<p>The landscape plans/documentation must be updated to include the following information:</p> <ul style="list-style-type: none"> • All trees removed from the site must be replaced at a 3:1 ratio (three trees planted for every tree removed). • The tree species (at maturity) must be capable of attaining a height of ten (10) metres with a canopy spread of five (5) metres. • Tree species planted are to conform to Plant Community Type (PCT) 3320 (Cumberland Shale Plains Woodland). Note that many of the species identified in the Cumberland Plain Woodland column of the plant schedule are not consistent with this PCT or the NSW Scientific Committee - final determination for Cumberland Plain Woodland. • The trees are to be a minimum container size of 75 litres. They shall comply with NATSPEC Specifying Trees: a guide to assessment of tree quality (2003) or Australian Standard AS 2303 – 2015 Tree stock for landscape use. • The trees are to be planted no closer than 3.5 metres from the wall of any approved dwelling exterior wall on the property. • All new plantings shall be located so future growth will not be in conflict with electricity wires. Consideration should be given to the location of new electricity poles and wires so that sufficient space is provided. • The trees shall be maintained for the life of the development. Any planted trees that fail to establish within three (3) years of the initial planting date are to be replaced with the same species and specifications.
BDAR	<ul style="list-style-type: none"> • The BDAR has not been updated to specifically demonstrate why a significant portion of the vegetation outside of the development footprint,



Item	Council Feedback
	<p>including the remnant <i>Eucalyptus moluccana</i> cannot be retained. The BDAR must clearly demonstrate the reason for the proposed removal and if the impact can be avoided. Measures to offset or compensate for impacts on biodiversity values should only be identified after steps are taken to avoid or minimise those impacts as per Section 6.4 of the Biodiversity Conservation Act 2016.</p> <ul style="list-style-type: none"> While a figure has been provided that shows the extent of contamination on the subject site, it remains unclear which patches of vegetation are required to be removed for remediation purposes. The BDAR must contain a figure identifying the contaminated locations that are required to be remediated using capping or other methods that will result in unavoidable impacts to vegetation. The BDAR must also clearly demonstrate where vegetation can be retained.
Vegetation Management Plan	<ul style="list-style-type: none"> A Vegetation Management Plan must be developed in accordance with best practice methodology and include the replanting of all structural layers (canopy, midstorey and groundcover). Species selected must contain a high diversity, be consistent with the species list for PCT 3320 (Cumberland Shale Plains Woodland) and be of local provenance. The Vegetation Management Plan must incorporate all landscaped areas and be completed to Council's satisfaction.
Urban Design	<p>Council's Urban Design Team have identified issues in relation to the proposal's access, circulation, amenities and conflict between different user groups. A full list of the priority issues, as well as a markup plan to articulate the comments, are provided in Attachment B.</p> <p>These issues should be addressed and re-submitted to Council's Urban Design Team to review prior to the issue of a development consent.</p>
Traffic	<p>Council's Traffic unit have identified the following matters that require attention and modification prior to the issue of a development consent:</p> <ul style="list-style-type: none"> Council does not approve common driveways shared between heavy vehicles and light vehicles or located within close proximity. The applicant is to segregate access of heavy vehicles from light vehicles The applicant is to provide turning paths of HRV turning right from Bullecourt Avenue into Horsley Road. Turning paths must not show HRV encroaching or using the car parking aisles in their path of travel. Heavy vehicle routes must be separated from light vehicle access areas at all times. The applicant has calculated the heavy vehicle % to be 23% of the total from the GARID surveys. However, applying the 23% to each of the turning volumes the light and heavy vehicle numbers presented in Figures 8.1 and 8.2 of the Traffic Impact Assessment appear to be incorrect. The applicant should provide a diagram showing existing traffic distribution (current scenario), post development both during AM and PM peak similar to Figures 8.1 and 8.2 in the Traffic Impact Assessment. Further clarification is requested for why the light vehicle number is zero along Beaconsfield Street.



Item	Council Feedback
	<ul style="list-style-type: none">A survey at the three existing driveways is required for further assessment of the current scenario.

Attachment B – Copy of internal referral comments – Separate PDF attached.

Attachment C – Urban Design markup – Separate PDF attached.