



CUMBERLAND
CITY COUNCIL

OA2024/0018

11 December 2024

Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Sir/Madam,

Subject: Council Commentary regarding proposed Britton Street Multi-Level Warehouse (SSD-67368956)
Application No: OA2024/0018
Property: 15-21 Britton Street and 28- 54 Percival Road Smithfield.
Proposal: Demolition of existing Structures, clearing of vegetation, bulk earthworks construction and operation of two, 2 storey warehouses (Buildings A and B) and one 3 storey warehouse with ancillary uses such as office space, café or restaurant, end of trip facilities, shared amenities and 482 parking spaces on site.

Reference is made to the Department of Planning, Housing and Infrastructure referral received on 13 November 2024 inviting Council's comments for the proposed development.

Council has reviewed the submitted information and the following response is provided.

A. Planning Comments

- Environmental Planning and Assessment Act 1979
The proposed State Significant Development will have a cost of works which exceeds 30 million dollars, and therefore will be approved under part 4.7 of the Environmental Planning and Assessment Act 1979.
- The following SEPPs and any relevant clauses shall be addressed in any forthcoming application:
 - State Environmental Planning Policy (Biodiversity and Conservation) 2021.
Chapter 6 – Water Catchments.
The site is located within the Georges River Catchment Area. Any forthcoming application shall ensure the proposal does not impact on water quality of the catchment area and demonstrate compliance with all relevant clauses of the SEPP.
 - State Environmental Planning Policy (Resilience and Hazards) 2021. *Chapter 2 - Coastal Management.*
 - State Environmental Planning Policy (Biodiversity and Conservation) 2021.

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- State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- State Environmental Planning Policy (Resources and Energy) 2021.
- State Environmental Planning Policy (Planning Systems) 2021.
- State Environmental Planning Policy (Transport and Infrastructure) 2021.
- Cumberland Local Environmental Plan 2021
 - The site is zoned E4 General Industrial under Cumberland Local Environmental Plan 2021. Any forthcoming application shall demonstrate permissible and zone objective compliance. In particular /commercial premises use is prohibited in the zone. Refer to Strategic Comments below.
 - The site is identified as a flood control lot. Pre - flood advice letter shall be applied for from Council prior to assessment of any application. Any forthcoming application shall ensure compliance with the flood advice letter and Council's flood Management Policy.
 - The site is identified as having Potential Moderate Salinity. This shall be addressed and identified in any future application.
- Cumberland Development Control Plan 2021
 - Part D- Development in Industrial Zones and Part G - Miscellaneous Development Controls (as listed below) shall be considered in the assessment of the development.
 - Part G3 - Traffic, Parking, Transport and Access.
 - Part G4 - Stormwater and Drainage.
 - Part G5 - Sustainability, Biodiversity and Environmental Management.
 - Part G8- Waste Management.

B. Strategic Comments

- Consistency with the Cumberland Local Strategic Planning Statement (LSPS) 2030

The subject site is identified and located strategically within the Smithfield and Yennora Industrial employment lands precinct within the Cumberland LGA. The site is identified as being located within 'Precinct 6 - Enterprise Park' within the above strategy where established and emerging business parks which builds on existing industry specialisations and increasing digitisation of production are anticipated. The proposed SSD site is also located closer to the Yennora Intermodal Terminal which is located within proximity of existing freight (rail and road) routes.

- Quantum of proposed ancillary uses

The proposed SSD includes a total Gross Floor Area (GFA) of 96,568 sqm, including 88,976 sqm of warehouse space which is the primary use.

The SSD also proposes 7,036 sqm of office space, 71 sqm for a café, 220 sqm of end-of-trip facilities, and 265 sqm of shared amenities. The proposal needs to determine whether the proposed ancillary uses (being office and retail) are acceptable for the site in serving the site's proposed primary use (warehouse or distribution centres). It shall be noted that the site's

existing E4 land zoning prohibits Commercial Premises use (includes office, business, and retail premises).

It is also noted that the Gross Floor Area (GFA) proposed for the site's ancillary uses is less than 10% of the proposed GFA of the intended primary use (warehouse or distribution centre).

- Quantum of proposed new vegetation

Council's system show that the site is considered as being affected by remnant vegetation on the north-eastern portion of site. However, it seems the existing vegetation located on that part of site has been removed pursuant to a previous DA as mentioned in EIS report.

The application also proposes a large amount of vegetation removal from the site for the proposed development. Given the proposed building development bulk and scale, it would be encouraged to provide additional landscaping and planation on the site.

- Heritage

The site fronts a State Significant heritage item which is located outside the site and the proposed item is listed under Council's Schedule 5 of the Cumberland LEP 2021 (Pipehead, water supply canal and associated works, reference item 101629).

Having regard to the strategic location of the site, the proposed development shall consider matters including proposed ancillary uses, height, bulk and scale of proposed development and view lines to its immediate surrounds (including state heritage item) vegetation/landscaping, traffic and parking as discussed above.

C. Engineering Comments

Stormwater

- a) Development shall demonstrate compliance with Part G4 (Stormwater and Drainage) of Cumberland DCP 2021.
- b) Stormwater runoff from the entire site shall be discharged by gravity system.
- c) Council's On-site Stormwater Detention policy for stormwater management will apply to this proposal. In this regard, OSD system design and calculations shall be in accordance with UPRCT guidelines and Council's OSD policy.
- d) OSD calculations, cross section of discharge control pit and cross section of the OSD tank shall be submitted.
- e) Areas of the site that by-pass the detention system shall be clearly delineated on the Hydraulic Drawing.
- f) The maximum area permitted to bypass the On-Site Detention system is 15%.
- g) The detention system shall be designed using the permissible site discharge and site storage requirement figures of 140 l/s/Ha and 300 cu.m/Ha respectively.

Loading bay:

- a) The loading bay facilities must comply with Cumberland DCP 2021 and the Australian/New Zealand Standard AS/NZS 2890.2:2018- Off-street commercial vehicle facilities.
- b) Separation between circulation roadways and service areas (loading/ unloading areas) should be provided. The driveways, parking aisles and circulation roadways cannot be utilised as loading bay.
- c) The headroom clearance within loading bays and circulation roadways should comply with AS2890.2:2018.

Traffic- Parking and Access.

- a) All vehicles must enter and exit the site in a forward direction.
- b) Driveway and carparking design shall comply with Council's DCP and Australian standards AS2890.1:2004, AS2890.2:2018 and AS2890.6:2009.

Operational Management Plan (OMP)

An Operational Management Plan (OMP) shall be prepared to outline the operational aspects of the development. The OMP should address, but not limited to, the following areas:

- On-site parking arrangements
- Vehicle access and egress.
- Internal circulation of vehicle movements.
- Management of the loading bay area.
- Complaints handling procedures.
- Noise control measures.
- Delivery schedules and methods to manage loading dock sequencing.

Water Quality

- a) The development shall comply with water quality requirements specified in section 2.5 (Water Quality) of Part G4 of the DCP. A water sensitive urban design strategy prepared by a suitably qualified and practicing engineer should be provided.

D. Environmental Health Unit

- Mechanical Ventilation / Kitchen Exhaust
The built form must meet ventilation requirements as the Building Code of Australia.
- Food / Public Health
There is a proposed café on site – to be conditioned.
- Contamination / Remediation
The proposal includes excavations and demolition of existing driveway, building and structures. The applicant has submitted a DSI and RAP for the subject site. Subject to the suitable implementation of the measures described in the RAP, it is concluded that the site will be, or can be made suitable for the development and that the risks to the environment can be appropriately protected during the works. On completion of remediation and validation works a validation report will be compiled by the environmental consultant in accordance with NSW EPA (2020) Consultants Reporting on Contaminated Sites and the NSW EPA (2017) Guidelines for the NSW Site Auditor Scheme.

- Hazardous Material Survey
The applicant has undertaken a Hazardous Material Survey and has provided recommendation for safe identification and removal of hazardous materials - to be conditioned.
- Acid Sulfate Soils
Acid sulfate soil is present in part of the western portion of Lot 34 DP617521 not currently proposed to be disturbed.
- Salinity
The site is classified as potential moderate salinity land. – to be conditioned.
- Air Quality / Water Protection / General Environmental
The applicant has submitted a waste management plan outlining suitable measures to be taken to manage waste generated at the development during the demolition, building and ongoing operation use of the site.

Recommendations

The proposal is considered satisfactory to the Environmental Health team subject to the conditions of consent.

E. Waste Management Section

The submitted Waste Management Plan is satisfactory as it meets the conditions of Councils DCP (Sec G). The waste plan satisfactorily addresses the demolition, construction, and the final ongoing waste management operational stage. The Waste Management Plan tabled in this DA application represents a long term safe and viable option.

Council will not be compelled to provide direct domestic services to this site, therefore domestic residential conditions described in the DCP are not relevant in this case.

F. Landscape Section

a) Biodiversity Offset Scheme compliance

Applicant should ensure that compliance with the Biodiversity Offset Scheme is achieved. It is noted that the applicant has obtained a Biodiversity Development Assessment Report however it does not state whether the scheme has been triggered due to the large number of trees proposed for removal on the site.

b) Offsetting tree removal

Due to the high number of trees requiring removal under this proposal and given the large nature of the combined sites, the applicant should ensure that sufficient replacement planting occurs to ensure where possible, the removal of the trees is offset with supplementary suitable advance plantings.

c) Relevant authority providing approval for the removal of the trees on and off site

The applicant should ensure that consent is obtained from the relevant authority for the removal of trees on and off the site.

Should you have any further enquiries please do not hesitate to contact Nighat Aamir on 8757 9000 in relation to this matter.

Yours faithfully

A handwritten signature in black ink, appearing to read 'H. Pearman', with a stylized flourish at the end.

Harley Pearman
EXECUTIVE PLANNER