

30 November 2018

Ms Chloe Dunlop
Department of Planning & Environment

Dear Chloe,

RESPONSE TO SUBMISSION - MODIFICATION TO STATE SIGNIFICANT DEVELOPMENT APPLICATION FOR WAREHOUSE AND DISTRIBUTION CENTRE, PRESTONS (SSD 7155 MOD 6)

This letter responds to Liverpool City Councils submission to SSD 7155 MOD 6.

Table 1 – Response to Liverpool City Councils submission

Matter	Response
Deferral of determination	
A revised access off Kurrajong Road, with the right of way provision and a speed hump provided in accordance with Part 7 of LDCP 2008 to be submitted to Council for review prior to the determination;	The current access arrangements ensure that the site can be made secure and avoids the need to rely on adjoining sites for access. The future tenant requires TAPA security rating. TAPA requirements are the physical measures to deter / avoid a security issue in combination with Security/Lighting/CCTV systems adequately alert/record any prolonged actions. By providing access via the adjoining site will compromise the TAPA rating and tenant requirements. TAPA is a global association providing minimum standards of security across the supply chain and provide certainty of standards with the aim of reducing losses from international supply chains. The TAPA standards are a standard contractual inclusion globally for high value assets

	storage/transit between entities and in this case between Toll and its client. Whilst TAPA provides the minimum industry recognised standards, Toll also maintains its own standards that may exceed the base TAPA requirements for key components of a facilities security requirements. Broadly each facility has the requirement to provide a secure perimeter to the boundaries that covers the following key areas: • Fencing - enclosing cargo handling, shipping and receiving yards and carparks to a minimum height of 1.8 meters designed to prevent unauthorized access. • Gates - automatic and electrically controlled to all access points for vehicle entrance/exit • Warehouse Walls designed to resist penetration • CCTV to allow identification of both vehicle and individual to all operational zones and staff/visitor entry points • Signage clearly identifying No unauthorised access or unauthorised parking. • Staff/Visitor/Workforce entry point(s) are access controlled 24/7 be it at carparks, offices or operations areas. This is proposed via a combination of the fencing and gates proposed above as well as specific entry / exit pedestals for communications via intercom and swipe access entry when entering site and then again at all inbound doors. The publically accessible carpark commonly shared across lease areas will be a significant detriment to the tenant's ability to prevent unauthorised access to the facility and maintain contractual security and safety obligations.
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	TTPA have provided the following statement in response to the service road: <i>I am very familiar with the road planning for the Prestons area as a result of the assistance I have provided to Council in the past with road network assessment for development of the Prestons area, namely:</i> <i>In 2003, I was commissioned by Council to undertake an assessment of the road network needs to accommodate the then proposed new urban development (residential)</i> <i>In 2010, I was commissioned by Council to undertake an assessment of the road network needs to accommodate the revised industrial development outcome for the Prestons area (see attached extract)</i> <i>It is my understanding that Part 7 of Liverpool DCP 2008 was devised to overcome the Council's concern that:</i> <i>The 6 lots with frontage to the northern side of Kurrajong Road could be developed individually with no alternative vehicle access for cars and trucks other than Kurrajong Road</i> <i>There would be multiple car and truck accesses located on Kurrajong Road opposite residential properties for each of the individual developments as there would be no alternative vehicle access available</i> <i>The creation of a service road would rationalise the vehicle access points for two and minimise the number of residential</i>
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	<i>properties impacted by the industrial traffic access movements.</i> <i>It is noted on Figure 8 that the subject Lot B and the adjoining lots to the east were identified as “land which fronts Kurrajong Road without road access”.</i> <i>It is noted that Figure 7 of Part 7 of the DCP does not show Wallbunga Street and there is nothing in the text alluding to this potential new roadway.</i> <i>The latter advent of Wallbunga Street and (<u>importantly</u>) the consolidation of the Prestons Industrial Estate Lots (Toll etc) has enabled an outcome where there is no truck access required on the Kurrajong Road frontages for any of these lots.</i> <i>There remains the need for some car park accesses particularly as a result of the desirable outcome to separate the car and truck accesses and internal circulation. It is my view that having a “service road” serving large industrial developments running through substantial 90° double loaded car parking would not be a satisfactory traffic outcome from a safety or operational perspective.</i> <i>The DCP proposes a number of controls (e.g. speed humps) but it does not specify any constraint on turning movements to/from Kurrajong Road and it is my assessment that such constraints are not required particularly when these would result in additional circulating access movements requiring to divert through the Bernera Road/Yarrunga Road intersection (i.e. cars approaching from the south and east and cars wishing to depart to the west). It could also result in cars diverting through the residential roads to the south (i.e. cars approaching from</i>
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	<i>Camden Valley Way/Bernera Road/Croatia Avenue travelling via Wrexham Street to access Kurrajong Road via Mowbray Street).</i> <i>It is noted (see attached images) that whilst the frontages for the Lot A development and the Lot to the west have car parking and a central access aisle as depicted in the DCP:</i> <i>• each of the car parking areas have separate (2) access driveways while the clear intent of the service road concept was to only have vehicle access connections at each end of the service road</i> <i>• there is a gate or fence on the western boundary of Lot A preventing interconnection</i> <i>• there is no restriction on right turn movements at the 4 driveways even though the driveways at the Mowbray Road intersection introduce problematic conflicts with the seagull intersection. In fact the position of the western driveway (i.e. within the intersection) is contrary to Fig 3.1 Section 3.2.3 of AS2890.1.</i> CONCLUSION <i>It is apparent that:</i> <i>• the perceived principal need for the service road concept was negated by the consolidation of lots which took place with the advent of the Prestons Industrial Estate which enabled developments on those lots fronting Kurrajong Road to have vehicle access via Yarrunga Road</i> <i>• further negation occurred with the advent of Wallbunga Street which provides alternative truck access for the other lots</i>
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	• <i>there is nothing in the DCP, nor the Consents which have been issued, which specify restriction of right turn movements at the access driveways. Further, there is no apparent need for such restrictions particularly as the individual driveway provision acts to avoid concentration of access movements</i> • <i>whilst the Consent for the Lot A development sustained the service road dedication to Council there is no apparent need or purpose served in imposing such a Condition on the proposed Lot B development</i>
An updated SIDRA model of Bernera Road/Yarrunga Street/Yato Road intersection which assesses cumulative traffic impacts of all Logos developments, and other surrounding developments, on the intersection. Traffic generation expected from the Logos developments should be estimated by using trip generation rate of 0.5 vph/100 m2 GFA in accordance with the RMS Guide;	Refer to the separate statement prepared by Transport and Traffic Planning Associates dated 14 November 2018. Relates to SSD715 MOD 5 (Intersection VPA) and is not a matter for consideration.
The traffic impact assessment must be revised to incorporate the cumulative traffic impacts of the subject development (including all modifications) along with other approved developments on Kurrajong Road and its intersection with Kookaburra Road to Council's satisfaction;	Refer to the separate statement prepared by Transport and Traffic Planning Associates dated 14 November 2018. Relates to SSD715 MOD 5 (Intersection VPA) and is not a matter for consideration.
An additional monetary contribution for the modifications 6 & 7 towards the intersection upgrade at Bernera Road/Yarrunga St/Yato Road intersection to be agreed with Council and to be included in a Voluntary Planning Agreement;	The Proponent will pay contributions for MOD 6 in accordance with the <i>Liverpool Contributions Plan 2009</i> . The development proposed in MOD 6 does not generate any additional demands for infrastructure above what was contemplated under the <i>Liverpool Contributions Plan 2009</i> .

	The developer contributions for MOD 7 have already been conditioned in the original consent under Condition B23.
The kerb adjustment along the section of Bernera Road between Yarrunga Street and Kurrajong Road to provide a 4-lane road; and	The application being made relates exclusively to Lot B DP416483 and not the section of Bernera Road between Yarrunga Street and Kurrajong Road. Section 4.55 does not enable the consent authority discretion to oppose new unrelated conditions.
Council requests that the Department ensure that the applicant pays outstanding development contributions owed to Council in full prior to the determination of SSD 7155 MOD 6.	Noted. The S94 contributions payable will be addressed in SSD7155 MOD 4 (S94 contribution conditions)
Traffic and transport matters	
Refer to the separate statement prepared by Transport and Traffic Planning Associates dated 14 November 2018.	
Engineering matters	
Proposed engineering conditions are detailed in the Appendix.	Noted
Environmental Health	
Council recommends that a detailed Stage 2 Contamination Assessment should be undertaken so that any present contaminants can be identified and a remediation action plan can be prepared if required.	Department of Planning are assessing this requirement.
Waste Management	
With regard to spill kits (mentioned on Page 13 of the WMP), the plan stops short of actually stating if spill kits will be provided and if so how many. This point should be clarified.	Revised waste management report attached.

With regard to 'Other Office Waste' (mentioned on Page 14 of the WMP), the plan stops short of stating that the materials referred to will not simply be disposed of by including them with general waste and sending them to landfill, this point should be clarified. The WMP does not state whether any of the products to be warehoused in the proposed facility will be perishable, toxic or highly flammable. This must be clarified to determine whether other waste streams with specific disposal requirements may be present. Arrangements for on-site collection of waste as outlined in the WMP are appropriate and in line with Council's expectations. The unobstructed head-height to be provided in the waste storage/collection area should be checked to make sure that a typical front lift collection truck (nominated in the WMP as the collection vehicle), can execute the emptying of the waste skips/bins whilst remaining under cover.	
Sustainable environment	
OEH are best placed to determine whether the submitted information is sufficient to inform their decision on whether to grant the waiver, or whether a BDAR would be required.	A Biodiversity Assessment Report has been submitted.
Proposed engineering conditions	
<i>2. Prior to the issue of a Construction Certificate a S138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road.</i> <i>These works may include but are not limited to the following:</i>	Any works within the road is required by the <i>Roads Act</i> to be assessed and approved prior to commencement of any road works or activities. As such, to link this to the issuing of a construction certificate is onerous and redundant. Amended condition as follows:

• Vehicular crossings (including kerb reinstatement of redundant vehicular crossings) • Road opening for utilities and stormwater (including stormwater connection to Council infrastructure) • Road occupancy or road closures All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.	2. A S138 Roads Act application/s, including payment of fees shall be lodged with Liverpool City Council, as the Roads Authority for any works required in a public road. These works may include but are not limited to the following: • Vehicular crossings (including kerb reinstatement of redundant vehicular crossings) • Road opening for utilities and stormwater (including stormwater connection to Council infrastructure) • Road occupancy or road closures All works shall be carried out in accordance with the Roads Act approval, the development consent including the stamped approved plans, and Liverpool City Council's specifications. Note: Approvals may also be required from the Roads and Maritime Service (RMS) for classified roads.
4. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of half road construction including associated drainage in Kookaburra Road North and Yarrunga Street and shall match into previous half road works fronting the development site on Yarrunga Street. Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works,	Any works within the road is required by the Roads Act to be assessed and approved prior to commencement of any roads works or activities. As such, to link this to the issuing of a construction certificate is onerous and redundant. The application being made relates exclusively to Lot B DP416483 and not the section of Bernera Road between Yarrunga Street and Kurrajong Road. Section 4.55 does not enable the consent authority discretion to oppose new unrelated conditions to the planner matter in question. The half road construction of Kookaburra Road North and Yarrunga Street forms part of

<i>Austroad Guidelines and best engineering practice.</i>	SSD7155 MOD 3 and is irrelevant to the modifications proposed in MOD 6. Condition 4 should be deleted.
<i>5. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of a central median island in Kurrajong Road to restrict access from Kurrajong Road to “Left In – Left Out” ONLY.</i>	Any works within the road is required by the Roads Act to be assessed and approved prior to commencement of any works or activities. As such, to link this to a construction certificate is onerous and redundant. Amended condition as follows: <i>5. A S138 Roads Act application, including the payment of application and inspection fees, shall be lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of a central median island in Kurrajong Road to restrict access from Kurrajong Road to “Left In – Left Out” ONLY for only the length of the frontage of Lot B DP 416483.</i>
<i>9. Prior to the issue of any Construction Certificate a performance bond is to be lodged with Liverpool City Council for half road works and associated drainage in Kookaburra Road North and Yarrunga Street and the central median island construction on Kurrajong Road.</i> <i>The value of the bond shall be determined in accordance with Liverpool City Council’s Bond Policy. The bond will be administered in accordance with this policy.</i>	The application being made relates exclusively to Lot B DP416483 and not the section of Bernera Road between Yarrunga Street and Kurrajong Road. Section 4.55 does not enable the consent authority discretion to oppose new unrelated conditions to the planner matter in question. The half road construction of Kookaburra Road North and Yarrunga Street forms part of SSD7155 MOD 3 and is irrelevant to the modifications proposed in MOD 6. Amended condition as follows: <i>9. Prior to the issue of any Construction Certificate a performance bond is to be lodged with Liverpool City Council for the central median island construction on Kurrajong Road for only the length of the frontage of Lot B DP 416483.</i>

	The value of the bond shall be determined in accordance with Liverpool City Council's Bond Policy. The bond will be administered in accordance with this policy. Note: Contact Council's Land Development Section for further information relating to bond requirements.
22. Construction of 1.5m wide (minimum) by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving shall be required along Kookaburra Road North frontage, Yarrunga Street frontage (to existing footpath paving constructed in Stage 1 and 2) and Kurrajong Road frontage to the intersection of Bernera Road. All other incomplete footpath construction from previous stages (in particular along the Bernera Road frontage) shall be completed prior to the issue of an Occupation Certificate for the alterations and additions to Warehouse 5.	We propose the following amended condition: 22. Construction of 1.5m wide (minimum) by 100mm thick (with one layer of SL72 reinforcing mesh) concrete path paving shall be required along the Kurrajong Road frontage of Lot B DP 416483. The application being made relates exclusively to Lot B DP416483 and not the section of Bernera Road between Yarrunga Street and Kurrajong Road. Section 4.55 does not enable the consent authority discretion to oppose new unrelated conditions to the planner matter in question.

Please call undersigned on (02) 8233 7631 should you have any questions related to this response to submissions.

Yours sincerely,



Ryan Macindoe
Senior Consultant