



Our reference: ECM:8523945
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22 January 2019

NSW Planning & Environment
Nikki Matthews
Planning Officer
Industry Assessments
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SYDNEY NSW 2001

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Dear Sir/Madam

**Review of Applicants Response to Submissions – Snack Brands
Warehouse and Distribution Facility (SSD 9429) at Nos. 585 – 649 Mamre
Road, Orchard Hills**

I refer to the above application, Council's previous submission dated 18 October 2018 and the applicant's response to Council's submission dated 7 January 2019.

Thank you for the opportunity to further review the applicant's additional information. Please find below further comments in response to this further review:-

Building Height and Context

The revised proposal and additional information submitted maintains the proposed variation to the building height provisions that apply to the site.

The extent of the proposed variation is significant and a variation of this extent would typically require a review of the height development standard for the broader precinct as a whole, with specific regard to the cumulative implications of increased height throughout the precinct.

It is also noted that operational requirements for a proposed development should not be solely relied upon to substantiate a variation of this nature, as this would suggest that the site is not suitable for the proposed development. The additional information submitted by the applicant dated 14 November 2018, which seeks to justify the proposed height variation, outlines the applicant's site selection rationale but omits to include in the site selection rationale, the height limitations that apply to the site which are critical to the consideration of site suitability, and which would preclude the proposal. This written justification further outlines options considered to amend the proposal, the majority of which appear to have been problematic for operational reasons. This further suggests that this site is not suitable for the operational requirements of the proposed development, whilst the height limit as established is still deemed to be contextually relevant and appropriate.



The Department is requested to consider to the suitability of the proposed height variation in combination with a broader review of the building height limits across the precinct as a whole. As a consequence of a contextual and precinct wide assessment, if the variation is supported, it is recommended that the Department seek the amendment of those provisions in the DCP to reflect the resulting new desired built form character for this precinct that would result.

Landscaping and Fencing

The amended landscaping plans and supporting information has been reviewed, and is considered satisfactory.

Environmental and Water Management Considerations

Council's comments previously outlined with respect to Land Contamination, Noise Impacts, Air Quality, Waste Management and Stormwater and Water Quality should be considered in the finalisation of the assessment and any determination issued. These comments outlined recommended conditions of consent to be incorporated where the application was recommended for approval.

Advertising Signage

The application makes reference to pylon signage (including a notation on the landscape plan). Council's DCP provisions relating to pylon signage for a business park, industrial or commercial area limit pylon signage height to no greater than 7.0m.

Noting that the Mamre West Investigation Area DCP does not appear to provide dimensional controls for signage structures, any signage approved as part of this application should ensure compliance with Chapter C9 – Advertising and Signage within Penrith DCP 2014 being 7.0m maximum height and graphic / advertising detail in accordance with Clause 9.1 – General Requirements of the above DCP. It is noted that this could be addressed through conditions of consent if the application was supported.

If you require any further information, please give me a call on (02) 4732 8125.

Yours sincerely,

Gavin Cherry
Development Assessment Co-ordinator