



Our reference: ECM Doc ID:7608867
Your Ref: SSD 7719
Contact: Kathryn Saunders
Telephone: (02) 4732 8567

14 December 2016

Kelly McNicol
Team Leader - Industry Assessments
Department of Planning and Environment

Dear Kelly,

NOTIFICATION OF EXHIBITION – SIGMA PHARMACEUTICAL WAREHOUSE AND DISTRIBUTION CENTRE (SSD 7719)

I refer to the Notice of Exhibition dated 14 November 2016 inviting Council comment on the development application for the Sigma Pharmaceutical Warehouse and Distribution Facility, located at Lot 12 in DP 1178389, 2a Aldington Road, Kemps Creek in the Penrith local government area.

Council officers have reviewed the DA and offer no objection to the proposal, however the following comments are provided:

Planning

Previous Submission - Layout and Orientation

Council has previously raised concerns (refer to Penrith City Council's submission related to SSD 6917 MOD 1), regarding the modified building concepts for Precincts 3, 4 and 5. These concerns related to the orientation of the warehouses, the location of parking areas and loading docks as well as a reduction in land available for landscaping relative to the previously approved application.

The proposed development has been orientated towards the cul-de-sac at the end of Estate Road 04 and shows little regard for any presentation to Estate Road 01 and the remainder of Estate Road 04. Accordingly it is considered that setbacks along Estate Roads 01 and 04 and for the eastern portion of Estate Road 06, should be increased to a minimum of 7.5m with landscaping amended to include shrubs and canopy trees.

Setbacks

The proposed setback of 7.5m to Estate Road 01 complies with development consent No. SSD 6917 which requires a minimum setback of 7.5m for Internal Estate Roads. A 5m setback to Estate Road 04 and a 2.5m setback to Estate Road 06 are proposed which is contrary to the SSD 9617 consent condition.

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Given the building does not adequately address the street frontages and presents as a blank warehouse wall to Estate Roads 01, 04 and 06, a minimum 7.5m landscaped setback should be provided to these street frontages in accordance with the requirements of SSD 6917.

Landscaping shall be utilised to provide additional streetscape amenity along all frontages. Refer to landscaping comments below.

Landscaping

The area of ballast located at the north-eastern corner of the site presents poorly to the street (Estate Road 01). To avoid heat effects and poor streetscape presentation, this area should be landscaped with a range of native trees, shrubs and grasses. The use of ballast in such a large volume on a prominent corner of the site is not supported and is contrary to the Council's DCP 2014 in particular Chapter D4 Industrial Development.

The car parking hard stand area is not provided with sufficient shade throwing canopy trees. Additional planting should be provided to the most western car parking row.

Native canopy trees such as spotted or grey gums are to be provided along the eastern and southern elevations of the warehouse with frontage to Estate Roads 04 and 01.

A landscaped buffer should be provided along the front of the most eastern car parking row providing a landscaped buffer to the building and pedestrian way. A landscaped buffer should be provided between the central car parking rows.

It is noted that tree and shrub species locations are not identified on the submitted landscape plans.

Built Form, Fencing and Retaining Walls

In accordance with the Penrith DCP 2014, the development should address the street frontages. It is preferred that main entryways and landscaped car parking fronts the public domain and street elevations providing articulated and activated elevations. In this respect, it is noted that the location of the office and primary entry point of the building is to the rear of the site and large expanses of unarticulated panelling present to Estate Roads 04 and 01.

The eastern and southern elevations are provided with two layers of security fencing with minimal landscaping proposed.

Whilst it is noted for security reasons, that the external elevations of the warehouse must remain visible, the following amendments are sought to improve the streetscape presence of the site:

- (a) High canopy native shrubs or trees such as Grey, Spotted or Red Gums are to be provided along the eastern and southern boundaries of the site. These trees will allow for high visibility at ground level whilst providing a visual buffer to the bulk of the warehouse and will also contribute to amenity and reduced local heat effects.

- (b) External fencing with frontage to Estate Roads 01, 04 and 06 shall be located behind areas of landscaping within the front setback. Fencing should be a maximum height of 2.1m and of an 'open' nature. Black palisade fencing has been established as the most common fence used along road frontages (behind the landscape setback) elsewhere in the Erskine Business Park.
- (c) Adequate access points and distance between the security fence and the external fence is to be provided, to allow for landscape maintenance.

Large expanses of wall or building mass shall be broken up with the use of additional architectural treatments and significant and sustainable landscaping elements. The use of highly visible colours such as yellow and purple should be avoided on the northern and western elevations due to the potential impact on views from the surrounding rural areas.

Servicing requirements for the buildings such as sprinkler tanks and the like, should not be located within the front setback or be visible from public places. If forward of the building or visible from the public domain, these utilities shall be integrated with the building and landscaping design.

Any retaining walls visible from public places shall be stepped and contain suitable landscaping to soften their visual impact. This is of particular importance for any retaining walls provided at the entrance of the estate or any walls which may be visible from surrounding residential areas.

Height

In accordance with the consent SSD 6917 the building height shall not exceed 15m.

Signage

No details have been provided with regard to the location of proposed signage however it is noted that 1 x 4m high internally illuminated pylon sign and 2 x wayfinding site signs are proposed.

Internally illuminated signage shall be positioned such that nuisance glare is avoided.

Traffic

The Traffic Impact Assessment Report states that the site will accommodate heavy vehicles up to 26m B-Doubles. In this respect, the location of the security gates to the entryways off Estate Road 04, are to be located such that a B-Double type truck can fully enter the site prior to the gates being opened. Trucks should not block the cul-de-sac whilst awaiting entry to the site.

Car parks, aisles and manoeuvring areas shall be designed with function and safety in mind. Heavy vehicles should not have access to the general staff and visitor car parking area.

General

No storage areas should be located outside of the warehouse or within hardstand areas.

Engineering

All civil engineering works shall be designed and constructed in accordance with Council's 'Design Guidelines for Engineering Works for Subdivisions and Developments' and Council's 'Engineering Construction Specification for Civil Works'

All retaining walls shall have pedestrian and vehicular safety barriers in accordance with Austroads Guidelines and all batter slopes shall be a maximum of 1 in 5 (horizontal to vertical) to permit mowing. Any batter slope steeper than 1 in 5 shall be vegetated.

The use of any public road within the Penrith LGA as a haul road for the purposes of importation of fill into the estate shall be approved by Penrith City Council. An application is to be made to Penrith City Council for approval of the haul road route prior to the commencement of fill operations.

Water Sensitive Urban Design (WSUD)

A review of the information provided indicates that a CDS 2028 Unit GPT will be provided or alternatively Pit Inserts will be provided on all pits. A condition of consent is recommended to require the development to include a CDS 2028 unit as indicated in the MUSIC Screen shot included in the Stormwater Management Strategy (Appendix D of the EIS).

In relation to the Water Conservation requirements, the Civil, Stormwater and Infrastructure Services Report outlines the proposed measures. Based on a review of the information provided, it is proposed that a 75kL rainwater tank will be used and connected to a range of uses. The report indicates that only 50.3% of non-potable water will be used from the tank. In this regard, Council's WSUD Policy has a target of 80%. As such, it is recommended that additional storage should be provided to ensure the demand is consistent with Council's requirements.

The information provided also includes a commitment that a detailed operation and maintenance program for the entire stormwater system will be developed and included within the Operational Environment Management Plan (OEMP). No Operation and Maintenance Plan or Manual has been provided for the proposed GPTs. Therefore it is recommended that the Department include a condition of consent requiring an OEMP and to ensure that there is ongoing cleaning and maintenance of the devices.

Additionally, a condition of consent should be imposed which requires that the WSUD measures be operated and maintained in perpetuity to the satisfaction of Council in accordance with the final Operation and Maintenance Management Plan. Regular inspection records should be required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.

Council requires that a restriction as to user and positive covenant relating to the stormwater management systems (including on-site detention and water sensitive urban design) be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage for Building Developments Policy.

Environmental Health

Land Contamination

The Environmental Impact Statement (EIS) outlines that a number of contamination investigations have been undertaken to meet the requirements of the concept and Stage 1 approval processes for the site. No additional assessments were found to be necessary for this application, though the applicant has committed to implementing an Unexpected Finds Protocol during works on the site.

Noise Impact

It is noted that the only operational noise source considered in the Noise Impact Assessment prepared by SLR Consulting was vehicular movements. The noise associated with the plant and equipment used on site, or the loading and unloading activities have not been addressed. Although it is recognised that the warehouse is located a significant distance from sensitive receivers, the SEARs required that all noise sources be addressed.

SEPP No. 33

The EIS and supporting Preliminary Hazard Analysis (PHA) prepared by CORE Engineering Group have established that all potential incidents can be contained within the site boundary and risks at the boundary are not considered to exceed the acceptable risk criteria. The recommendations of the PHA should be incorporated into the conditions of the approval including that:


- (a) Multiple spill kits should be provided around the DG store to ensure spills can be cleaned up immediately following identification; and
- (b) The site emergency plan should include response to spills and spill clean-up procedures.

It is requested that any mitigation measures recommended as part of the submitted technical reports appended to the EIS, are incorporated into the conditions of the approval.

Council would appreciate the opportunity to review the applicant's response to the issues raised through submissions and any proposed draft amendments prior to determination of the application.

Thank you for providing Council with the opportunity to provide comment on the proposal. Should you require any further information or would like to discuss this matter further, please do not hesitate to contact me on (02) 4732 8567.

Yours faithfully



15.12.16

Kathryn Saunders
Senior Environmental Planner