



CUMBERLAND
CITY COUNCIL

Our Ref: OA2020/0002
DPIE Ref: SSD-10399

16 September 2020

NSW Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Attention: Deana Burn

Dear Sir/Madam,

Subject: Request for Comments - State Significant Development (SSD)
Application No: SSD-10399
Property: 44 Clunies Ross Street & Great Western Highway, PROSPECT NSW 2145
615A Great Western Highway & Boral House – Clunies Ross Street,
PEMWULWUY NSW 2145
Proposal: Proposed warehouse and logistics estate at Clunies Ross Street,
Pemulwuy, including the construction and operation of seven warehouses
ranging in height from 11 metres to 42 metres, with a combined gross floor
area of circa 96,000m²

Reference is made to the Department of Planning, Industry & Environment referral dated 26 August 2020 regarding the abovementioned application, which was referred to Cumberland City Council (**Council**) to provide advice in relation to Application No. SSD-10399, related to the Prospect Logistics Estate.

Council has reviewed the submitted information, and requests that the following matters be addressed in the assessment of the application.

PLANNING

Exclusion of Application of Development Control Plans

1. In accordance with Clause 11 of State Environmental Planning Policy (State and Regional Development) 2011, *development control plans (whether made before or after the commencement of this Policy) do not apply to (a) state significant development.* Notwithstanding, the following items as per Part Q – Pemulwuy Northern Employment Lands Controls of the Holroyd Development Control Plan 2013 (**HDCP**), are raised for your attention.
 - a) **Setback to Clunies Ross Street** - In accordance with *Clause 3.3, Control C1*, the *buildings to the west of Clunies Ross Street shall be setback as follows:*
 - *North-south spine road - Buildings are to be setback 20 metres from the property boundary. The first 10 metres is to be landscaped.*

In this regard, the proposed development is setback 15 metres from the property boundary with Clunies Ross Street, with landscaping maintained to the first 5 metres,

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which reduces opportunities for landscaping on site, and limits the landscape curtilage between the development and the public domain.

Note: The Draft Site Specific DCP submitted, further seeks to reduce the extent of landscape area required to the first 3 metres, as measured from the property boundary with Cluniess Ross Street.

- b) **Height** - In accordance with *Clause 3.5, Control C1*, generally, 12 metres is the building height limit in the Northern Employment Area.

In this regard, the proposed development is *designed to a maximum height of 11.7m and 42m above the amended ground level*, as identified within Page ix of the Environmental Impact Statement (EIS), which is considered excessive, and out of character with the surrounding area, in particular the interface with, and views towards, Prospect Hill, and the existing residential area to the east of the site.

Note: Page 60 of the Statement of Heritage Impact (SoHI) identifies *Warehouse 1 will be the highest of the proposed development, extending to a height of RL 99.5. ... This structure may however obscure views towards Prospect Hill when viewed from the north of the development. ... The proposed works would also reduce the prominence of Prospect Hill as a landscape feature when viewed from surrounding areas.*

- c) **Excavation – Bulk Earthworks** - In accordance with *Clause 3.5, Control C12*, development shall *minimise cut and fill to protect existing drainage patterns and maintain integrity of the groundwater system.*

In this regard, the proposed development is designed to *require significant bulk earthworks with cut and fill in the order of 8m and 14m respectively*, as identified on Page 11 of the Geotechnical Investigation (GI), which is considered excessive.

- d) **Landscaping – Amenity Areas** - In accordance with *Clause 3.8, Control C4*, development shall *provide outdoor amenity / recreation facilities for employees within the landscaped areas, to meet the likely needs of the workforce.*

In this regard, outdoor amenity / recreation facilities for employees within the landscaped areas, have not been provided.

Other Matters

2. Page viii of the EIS identifies *office premises* are permissible with consent in the IN1 General Industrial zone, however, pursuant to State Environmental Planning Policy (Western Sydney Employment Area) 2009 (**WSEA SEPP**), *office premises* are prohibited in the IN1 General Industrial zone.

Note: The development proposes ancillary office areas associated with the warehouse buildings, which are permissible pursuant to WSEA SEPP.

ENGINEERING

Flooding

3. The site is located within the Flood Risk precinct. In this regard, a Flood Advice Letter should be obtained from Council.
4. The subject development shall comply with the Flood Advice Letter, and should be designed in accordance with Part A, Section 8.0 - Stormwater Management of the HDCP.

Stormwater

5. Stormwater runoff from Catchment 3 does not discharge to the regional detention basin. In this regard, On-site Stormwater Detention (OSD) should be provided for Catchment 3.
6. Stormwater runoff from the street / footpath should not enter development site. In this regard, the architectural and stormwater design should be reviewed in conjunction with Council approved Boundary Line Levels.

Note: The Applicant should submit an application to Council for Boundary Line Levels.

Transport Impact Assessment

7. The Transport Impact Assessment indicates that the proposed development will generate approximately 1807 vehicles per day, and a net increase of 444 vehicles per day. This increase would adversely impact on the road environmental capacity, particular for Clunies Ross Street, which should be addressed.
8. Appropriate measures should be incorporated as part of the development, to improve the intersection performance of Prospect Highway / Foundation Place.
9. Any existing / proposed new signs and line marking plans shall be issued to Council, which will be subject to the approval of the Cumberland Traffic Committee.

Off-Street Parking

10. The provision of off-street parking spaces should comply with the HDCP, and Blacktown Development Control Plan 2015 (**BDCP**).
11. Accessible parking should be provided in accordance with the Building Code of Australia.

Internal Car Park Design and Loading Areas

12. The size of the largest heavy vehicle that will enter and exit the site in a forward direction should be confirmed by the Applicant.
13. Adequate facilities should be provided on-site for servicing of the development. Details should be provided demonstrating that the design (largest) heavy/delivery vehicle is suitable for the proposed development, and measures to ensure safety while heavy vehicles are entering, manoeuvring and exiting the site.

14. Sight distance at the entry / exit points should be demonstrated to comply with AS2890.1-2004. Details such as heights of fencing, parked vehicles on the road or other structures adjacent to the driveway, should be considered.
15. Dimensions (parking spaces length and width, aisle width (particularly between angle and parallel parking spaces), parking space gradients, head height clearance, extensions at dead end aisles, etc.) should be shown on the plans in accordance with AS2890.1-2004, AS2891.6-2009 and AS2890.2-2002.
16. The loading area design shall comply with AS2890.2-2002.
17. All accessible spaces shall be designed with a shared area. The shared area shall have bollard and accessible for a person on a wheel chair.
18. Clearances from walls, columns and other structures should be shown on the plans.
19. A swept path analysis should be provided demonstrating the following:
 - A car can pass another car at passing areas (i.e. entry and exit points / internal road ways).
 - The largest vehicle can enter the site, manoeuvre into the loading areas, and exit the site in a forward direction. The swept path analysis should demonstrate that the largest vehicle entering / exiting the site does not encroach onto the road centre line, and / or parked vehicles on the frontage roads, etc.
 - Details of the road including, kerb line, signs, traffic devices, power poles, other structures and neighbouring driveways, should be shown on the plans.

Note: The submitted swept path analysis indicates that heavy vehicles encroach onto the opposite side of the travelling lane when entering / exiting the site, which should be addressed.

Left turn manoeuvring of trucks should not encroach the centre of the road.

20. Long sections of the proposed internal road ways / ramps, should be provided with gradients and dimensions. The transition at the top and bottom of the ramp should be assessed for scraping and bottoming out.
21. A turning area shall be provided at blind aisles.
22. If entry points are provided with a security gate, then a queue area should be provided within the property boundary for the largest vehicle that will enter the site in accordance with the relevant Australian Standard.
23. Any power pole and streetlight relocation is subject to the approval of the relevant service provider and Council.
24. All vehicles (including heavy vehicle) shall be able to enter and exit the site in a forward direction.

25. Appropriate measures should be in place to ensure pedestrian safety is maintained at all times. Visitor pedestrian movements between the car park and office, should be separated from the path of heavy vehicles.
26. All off-street parking spaces should be made available for parking purposes only, and not for storage of good / materials etc.
27. All delivery vehicles should be accommodated within the site, and should not queue on the frontage street/s, or the nature strip.
28. Forklift or service vehicles should not load / unload / operate on the frontage streets.

Driveway and Access

29. Driveway ramps should not extend beyond the site boundary.

Note: The Applicant should submit an application to Council for Boundary Line Levels.

30. Driveway access in the Clunies Ross Street cul-de-sac shall be modified, so as to be located away from the cul-de-sac.
31. Truck access at the Clunies Ross Street cul-de-sac, and truck access to Warehouse 6, should be perpendicular to the site boundary alignment.
32. Truck access to Warehouse 6 interferes with the existing stormwater pit and lintel. Access should be minimum 1.2m from the stormwater pit and lintel.
33. Car parking access for Warehouse 3 should be relocated away from the truck access.

Street Lighting

34. Street lighting shall be reviewed, and adequate measures should be incorporated as part of the proposal to address the increased vehicular and pedestrian activity.

ENVIRONMENTAL HEALTH

Noise / Acoustics

35. The recommendations within the Noise Impact Assessment should be adhered to for the duration of construction works on site, and the recommendations regarding noise mitigation measures for the proposed infrastructure, should be implemented into the design.

Contamination / Remediation

36. The site has historically been used for commercial and industrial activities, and areas of environmental concern have been identified in the Environmental Site Assessment (ESA). The ESA identifies a range of data gaps, based on previous investigations of the site, and recommends that a Data Gap Investigation be undertaken to determine the extent of the contamination, followed by the preparation of a Remedial Action Plan, detailing the required remediation and validation works. Any excavated soil being disposed of offsite, should be classified prior to disposal in accordance with the EPA's Waste Classification Guidelines.

Air Quality (Odour / Dust)

37. The mitigation measures identified within the Air Quality Impact assessment should be implemented during the construction and demolition phases.

Sediment and Erosion Control

38. A Sediment and Erosion Control Plan should be developed and implemented for the entirety of construction works on site. The Sediment and Erosion Control Plan should be designed to prevent the offsite migration of sediment from the proposed development.

Waste Management Plan (Construction / Demolition / Operation)

39. The Waste Management Plan should be adhered to.

Food Premises

40. Part of the proposal is to include a small café, which would be available for community use. Where the proposed use of the kitchen includes the preparation and handling of food for sale, as defined by the Food Act, the plans should demonstrate that the kitchen will be constructed in a manner that is fit for the intended use (i.e. a commercial kitchen). The kitchen should comply with the Food Act 2003, Food Regulations 2015, the Food Standards Code and AS4674-2004 - Design, Construction and Fit out of Food Premises.
41. Detailed and scaled plans of any mechanical ventilation should be provided for the proposed food premises, demonstrating compliance with AS1668.

TREE MANAGEMENT

Landscape Plan

42. The Landscape Plan appears to only contain a 'Schedule & Details', with a drawing 'Indicative Planting Palette' for the front setback, and no other plant schedules for the other sections of the development. Additional plant schedules and details should be provided with the Landscape Plan, providing for a variety of trees and shrubs to be planted on site.

Street Tree

43. One street tree (Eucalyptus species) on Clunies Ross Street requires retention and protection during all proposed works.

Should you have any further enquiries please do not hesitate to contact William Attard on 8757 9924 in relation to this matter.

Yours faithfully,



Michael Lawani
Coordinator Major Development Assessment