



**Document Control Table**

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## **Executive Summary**

This Application has been prepared by NSW Town Planning pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) on behalf of Ausgrid and seeks modification to Concept Plan MP 07\_0099 relating to the Potts Hill Reservoirs site. The purpose of the modification is to clarify and confirm the use of land within the employment land precinct positioned south of the existing reservoirs fronting Brunner Road for a depot (currently known as 36E Brunner Road, Potts Hill).

The clarification of this use within the Concept Plan will confirm the permissible use of the site for this purpose in order to enable a crown development application currently before Bankstown City Council (DA197/2014) to be determined under Part 4 of the Act.

The subject land parcel comprises Lot 1005 in Deposited Plan 1140109 and is currently zoned B7 Business Park under *Bankstown Local Environmental Plan 2001* (Bankstown LEP 2001). The site is proposed to retain the B7 Business Park under the draft Bankstown Local Environmental Plan 2012.

The proposed depot, as described in the crown development application before Council, will consolidate a number of existing activities occurring across multiple locations to improve efficiencies and meet current operational requirements of Ausgrid. Approval under that application is being sought for the erection of new warehouse with ancillary office, expansion of hardstand and parking as well as a new entry off Brunner Road falling into the definition applicable to a depot activity.

The proposed modification is consistent with the approved Concept Plan and does not present any significant environmental impact. Favourable consideration is requested.

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## **1. Introduction**

This Application has been prepared by NSW Town Planning pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) on behalf of Ausgrid and seeks modification to Concept Plan MP 07\_0099 relating to the Potts Hill Reservoirs site. The purpose of the modification is to clarify and confirm the use of land within the employment land precinct positioned south of the existing reservoirs fronting Brunner Road for a depot (currently known as 36E Brunner Road, Potts Hill).

The clarification of this use within the Concept Plan will confirm the permissible use of the site for this purpose in order to enable a crown development application currently before Bankstown City Council (DA197/2014) to be determined under Part 4 of the Act.

The site is currently being utilised by Ausgrid as a works depot following transfer of ownership from Sydney Water in 2008. Given the dated nature of existing buildings on the site and differing operational requirements from Sydney Water's past activities, Ausgrid are seeking a purpose-built facility that will accommodate administrative and equipment/vehicle activities that support the installation and maintenance of the Ausgrid electricity network within the Greater Metropolitan Area.

Council has advised that there is insufficient information to demonstrate that the depot use was included in the Concept Plan Approval and that this activity is prohibited in the applicable B7 Business Park zoning.

To ensure confirmation that this site was intended to be used for a depot by Ausgrid and that this use is clearly expressed in the Concept Plan Approval to enable Council to determine permissibility, this modification application has been made.

This report describes the historic intentions for the inclusion of the depot as part of the Concept Plan Approval. Clarification on this intention within the Instrument of Approval is requested. The report is arranged as follows:

- Section 1 - Introduction
- Section 2 provides an overview of Ausgrid's role and responsibilities
- Section 3 provides the background to the proposal and development history of the site
- Section 4 provides a description of the Site and its context
- Section 5 outlines the proposed modification
- Section 6 provides justification of the modification based on intentions of the original application
- Section 7 provides an environmental assessment against the relevant planning provisions
- Section provides a conclusion

## 2. Ausgrid Operations and Responsibilities

On 2 March 2011 EnergyAustralia changed its name to Ausgrid, after selling the retail part of its business. The EnergyAustralia brand was retained by the new owners of the company's electricity retail business, TRUenergy. Ausgrid is a State Owned Corporation whose shareholder is the New South Wales Government.

Ausgrid delivers and maintains essential distribution and transmission infrastructure to more than 1.6 million homes and business in Sydney, as well as the Hunter and the Central Coast regions. The network comprises approximately 200 large substations, 30,000 smaller distribution substations, in excess of 500,000 power poles and almost 50,000 kilometres of below and above ground electricity cables. In addition, Ausgrid provides emergency services, energy efficiency advice and products and maintains public street lights. Specifically, Ausgrid's main activities are:

- Asset ownership and management of the electricity distribution and transmission network;
- Infrastructure related construction and maintenance services;
- A range of other services, including street lighting, safety check-ups, energy reviews, metering and 24-hour electrical repair.

Ausgrid is regulated as a distribution network operator under the *Electricity Supply Act 1995* and in accordance with National Electricity Rules which require operation at least cost to the community. In addition, under the *State Owned Corporations Act 1989*, Ausgrid's principal objectives include exhibiting a sense of social responsibility, and conducting operations in compliance with the principles of ecologically sustainable development. In this context, Ausgrid's operations are consistently and transparently regulated for public benefit.

### 3. Background and Development History

The site which is the subject of this application previously formed part of a larger precinct known as the Potts Hill Reservoirs Site, which was owned and operated by Sydney Water for water supply purposes. The Reservoirs land has been used for water infrastructure and associated purposes since the late 1800s, with the construction of a water pipeline (1886-1888), followed by Reservoir 1 (1886), and Reservoir 2 (1922). The precinct is bound by Rookwood Road to the east, Brunner Road to the south, Cooper Road to the west and a water supply pipeline/Southern Sydney Freight Rail line to the north (**Figure 1** further below).

Historic photographs of the area indicate that facilities used by Sydney Water as a depot and administration were erected south of the reservoirs between 1961 and 1970 (**Photos 1 and 2**).



**Photo 1 Aerial Photo – 1961**



**Photo 2 Aerial Photo – 1970**

On 13 June 2007, a State Significant Site Study was lodged with the Minister for Planning by Landcom and Sydney Water Corporation requesting approximately 40 hectares of surplus Sydney Water land at Potts Hill be listed as a State Significant Site under State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP). The *Potts Hill Reservoirs State Significant Site Study* prepared by Cite Urban Strategies (June 2008) stated “EnergyAustralia proposes to locate a works depot on the site of the existing Sydney Water administration buildings on Brunner Rd”. The subject proposal remains consistent with this initial proposal. The site was formally nominated as a potential State Significant Site by the Minister on 14 July 2007.

Sydney Water Corporation and Landcom subsequently lodged a Request for Director-Generals Requirements to enable the preparation of a Concept Plan of the surplus land under former Part 3A of the *Environmental Planning and Assessment Act 1979*. The DGRs were issued on 02 October 2007.

Concept Approval MP 07\_0099 was granted on 27 April 2009 for the development comprising a new business park, residential development, public open space, new roads/entry as well as infrastructure. A detailed set of Development Guidelines for the Business Park formed part of the approval as well as a separate set of guidelines for the residential precinct. A copy of the Concept Plan Instrument of Approval is attached at **Appendix 1**.

The site was also determined to be a State Significant Site on 01 May 2009 and was shortly after gazetted as such under Part 19 to Schedule 3 of *State Environmental Planning Policy (Major Development) 2005* (Major Development SEPP).

Project Approval for Stage 1 Civil Works (MP 08\_0069) was granted on 26 November 2008 and included consent for subdivision, demolition of 21 buildings (including all structures on the subject site) and associated infrastructure, site remediation, tree removal, landscaping, bulk excavation and earthworks, roads and provision of new stormwater management and drainage infrastructure for the area of the Potts Hill Reservoirs Site identified as the Eastern and Southern Business Precincts (including the subject site).

Three (3) modification applications to the Stage 1 Civil Works have since been approved under Section 75W of the EPA Act; however, the modifications do not significantly affect the land to which this application applies with the exception of timing of subdivision.

A copy of the consent for the Stage 1 Civil Works Project Approval (and subsequent amendments) is provided as **Appendix 2**.

Project Approvals under Part 3A were later issued for the development of two of the allotments created under the Stage 1 Infrastructure consent for a new Sydney Water facility (MP 08\_0049, approved 07 January 2009) as well as a new NSW Police facility (MP 08\_0050, approved 22 June 2009). The Brunner Road site was not affected by the approvals issued for these facilities. As such, no further discussion of these developments is required as part of the subject application. While applications for development of the new Sydney Water and NSW Police facilities were approved under Part 3A of the EPA Act, this approval system has since been repealed (repeal date 01 October 2011). As such, the provisions of Part 4 of the EPA Act now govern approval for development proposed within the Potts Hill Reservoir site. A Crown Development Application has been made in accordance with this Part (DA 197/2014).

Stage 2 Civil Works Project Approval (MO 08\_0116) was granted on 04 September 2010 and relates only the residential land forming the western precinct of the Potts Hill Reservoirs Site.

It is noted that on 12 November 2010, in preparation for the repeal of Part 3A, *State Environmental Planning Policy (Major Development) Amendment (Transfer of Planning Controls) 2010* commenced and removed the Potts Hill Reservoirs Site from Schedule 3 of the Major Development SEPP and inserted the provisions into Bankstown LEP 2001. These provisions continue to apply to the site at the time of writing and are expected to be included to the new Bankstown Comprehensive Local Environmental Plan, which is currently being prepared.

The most recent activity to occur on the Brunner Road site involves the construction of hardstand areas which were undertaken in 2013 as Development Without Consent by Ausgrid pursuant to *State Environmental Planning Policy (Infrastructure) 2007*.

A chronological summary of the development history for the Brunner Road site is provided as **Table 1**.



Table 1 Development History

| Application              | Description  | Start Date  | Determination Date       |
|--------------------------|--|---|--------------------------|
| SSS 36                   | Potts Hill Reservoirs Site State Significant Site listing  | 13/06/07<br>(Application lodged by Sydney Water/Landcom)<br><br>14/07/2007<br>(Potential SSS declaration by Minister) | 01/05/2009<br>(Approved) |
| 07_0099                  | Concept Approval for a new business park, residential development, public open space, new roads/entry as well as infrastructure. Development Guidelines included.  | 02/10/2007<br>(DGRs issued)   | 27/04/2009<br>(Approved) |
| 08_0069                  | Stage 1 Civil Works for subdivision, demolition of 21 buildings (including all structures on the subject site) and associated infrastructure, site remediation, tree removal, landscaping, bulk excavation and earthworks, roads and provision of new stormwater management and drainage infrastructure for the area of the Potts Hill Reservoirs Site identified as the Eastern and Southern Business Precincts.  | 04/07/2008<br>(DGRs issued)   | 26/11/2008<br>(Approved) |
| 08_0069 MOD1             | Stage 1 Civil Works Modification 1 to include additional earthworks and alteration to construction of estate roads.  | 05/01/09<br>(DGRs issued)   | 16/01/2009<br>(Approved) |
| 08_0069 MOD2             | Stage 1 Civil Works Modification 2 to modify Conditions 1, 2, 3, 9 and 21 to allow: <ul style="list-style-type: none"> <li>Demolition and remediation works to be undertaken on the western residential precinct;</li> <li>Amend the proposed plan of subdivision to reflect current boundary alignments and sequence of plan registration in relation to the eastern employment precinct;</li> <li>Amend the Landscape Plan to incorporate entry statements at both the Cooper Road and Rookwood Road intersections in relation to the eastern employment precinct; and</li> <li>Allow for appropriate stability and erosion management measures to be addressed on an individual site basis in relation to the eastern employment precinct.</li> </ul> | October 2009<br>(Application lodged)  | 12/02/2010<br>(Approved) |
| 08_0069 MOD3             | Stage 1 Civil Works Modification 3 to modify Conditions 1, 2, and 3 to allow for subdivision of an area of land in the north of the Potts Hill Reservoirs Precinct (Bagdad Street site) as well as bulk earthworks, landscaping and stormwater management in this location.  | 08/04/10<br>(Application lodged)  | 02/08/10<br>(Approved)   |
| Exempt Development Works | Construction of hardstand areas on the Bruncker Road Site undertaken as Development Without Consent pursuant to SEPP (Infrastructure) 2007.  | N/A   | N/A                      |

## 4. The Site

### 4.1 Location and Description

The land that is the subject of this application is registered as Lot 1005 DP1140109, known as 36E Brunker Road, Potts Hill. The site is an irregular shaped allotment approximately 2.41 hectares in area, with frontage of almost 350 metres to Brunker Road to the south (**Figures 1 and 2**).

The site occupies a position near the top of a localised hill and benefits from distant views eastward towards the city and westward towards the Blue Mountains. The topography results in the site being located across two (2) catchment areas with land sloping to the east (low point at RL57.22) and west (low point at RL 63.47) from a central highpoint of RL 64.70 (Refer to Site Survey at **Appendix 3**). A minor fall to the north of the warehouse toward the adjoining reservoirs is also identifiable. The lowest point along the northern boundary is RL 64.18.

The site currently accommodates three (3) buildings, the largest of which is a warehouse comprising ancillary office and awnings generally positioned at the centre of the site. A smaller standalone single-storey brick building is located adjacent to the north east of the warehouse. These structures are remnants from the previous use of the site by Sydney Water Corporation for administration and depot activities associated with water supply purposes.

Bitumen paved car parking areas to the east of the warehouse extending to the east corner of the site have been retained. Three (3) vehicle entries exist along the southern boundary off Brunker Road comprising two (2) driveways at the eastern end of the site opposite Sutherland Street servicing the existing car parking, overflow and one (1) located at the western end of the site servicing the new hardstand area. An internal driveway links the eastern and western driveway to enable internal circulation and one-way traffic movement for heavy vehicles.

A number of trees are scattered throughout the site, the majority of which are located within the setback to Brunker Road and within the eastern car park areas. The vegetation does not appear in good condition and does not form any particularly extensive canopy or continuous vegetation link to the extensive vegetation on adjoining land to the north and east.

A 3.0m wide easement for water supply traverses generally north to south across the site from the Potts Hill Reservoir to Brunker Road between the existing warehouse and the existing brick administration block to its east.

Demolition approved under the Stage 1 Civil Works approval (MP 080069) has commenced on the site, including removal of two (2) brick office blocks that previously occupied land to the east of the existing warehouse.

More recently, a temporary demountable administration structure has been erected to the north of the warehouse and includes offices and staff amenities. Ausgrid currently occupy this temporary structure as well as the warehouse space since purchasing and occupying the site following the subdivision to excise this parcel of land from the rest of the Potts Hill Reservoirs site in 2010. It is noted that this temporary structure exists across the northern site boundary to encroach upon the Sydney Water Reservoir allotment (Lot 107 DP 1153671). An easement has been registered to formalise this temporary encumbrance.

Additionally, the paved area between the warehouse and temporary administration structure, as well as the land to the west of the warehouse, has been reconstructed as hardstand suitable for high-capacity/heavy load vehicles. Associated landscaping and stormwater management infrastructure have been provided adjacent to the southwest boundaries of the site as part of the hardstand construction.

New black, powder-coated palisade fencing has also been erected to the site boundaries, with the exception of the boundary surrounding the temporary administration structure in the north. New security gates and monitoring system has also been provided to the Brunker Road frontage and entries.

Photographs of the existing condition of the site and current structures are provided as **Photos 3 to 12** below.

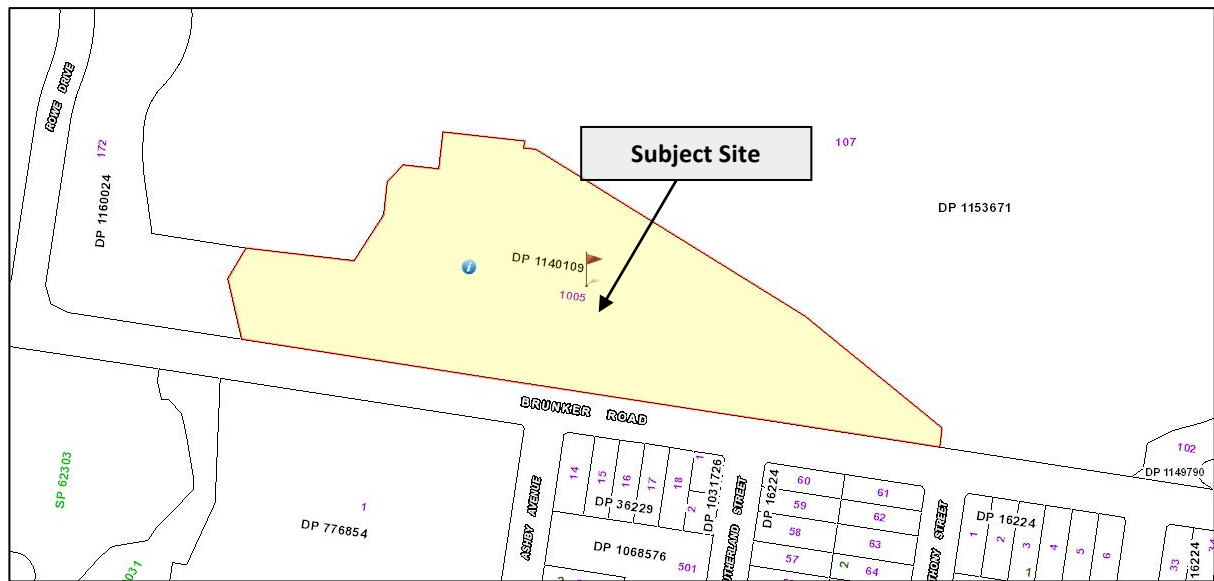


Figure 1. Site Location (Source: Department of Lands, 2013)



Figure 2. Site Location (Source: Department of Lands, 2013)





**Photo 3. Temporary administration structure in northern portion of the Site.**

(Source: NSW Town Planning, 2013)



**Photo 4. New hardstand between temporary administration structure and existing warehouse to be demolished.**

(Source: NSW Town Planning, 2013)





**Photo 5. Western façade of existing warehouse to be demolished.**

(Source: NSW Town Planning, 2013)



**Photo 6. Existing entry off Brunker Road, new hardstand, lighting and stormwater infrastructure in western portion of the Site.**

(Source: NSW Town Planning, 2013)





**Photo 7. Southern elevation of existing warehouse (fronting Brunker Road).**

(Source: NSW Town Planning, 2013)



**Photo 8. Eastern elevation of the existing warehouse. The foreground rubble indicates the location of an office building that has been demolished. A sloped landscaped verge separates the site from Brunker Road located above the level of the site to the left of the image.**

(Source: NSW Town Planning, 2013)





**Photo 9. Western elevation of the existing single-store brick administration building East of the existing warehouse and new hardstand.**

(Source: NSW Town Planning, 2013)



**Photo 10. Existing parking area in eastern portion of the Site looking west towards the existing warehouse. Bunker Road to the left of image.**

(Source: NSW Town Planning, 2013)





**Photo 11. Existing overflow parking area in eastern portion of the Site looking east.**

(Source: NSW Town Planning, 2013)



**Photo 12. View westward across the Site indicating the location of the rubble remains of the demolished office in foreground and existing warehouse in background.**

(Source: NSW Town Planning, 2013)



## 4.2 Site Context

The site is located within the Bankstown Local Government Area, approximately 2.5 kilometres north of the Bankstown Central Business District (CBD), 9 kilometres from Parramatta, and 16 kilometres west of the Sydney CBD.

As outlined earlier, the site forms part of the precinct known as the Potts Hill Reservoirs Site which is generally bound by Rookwood Road to the east, Brunker Road to the south, residential dwellings and Cooper Road to the west, Graf Avenue and a greyhound racing club to the south-east, water supply pipeline and the Southern Sydney Freight Rail line to the north, and includes a smaller adjacent parcel on Bagdad Street (a triangular parcel of land approximately 0.7 hectares in size) located north-west of the large parcel with frontage to Bagdad Street.

Rookwood Road, and the Hume Highway (around 1 kilometre to the south) provide arterial road connections to the metropolitan road network while Birrong rail station is located within 400m walking distance of the subject land.

The two (2) reservoirs after which the precinct is named are located immediately north and east of the subject site. Only Reservoir No. 2 currently operates as Reservoir 1 was decommissioned in 2000. Having been provided with a new works depot within the precinct, Sydney Water operations still form a key component in the major water supply infrastructure for the Central Western Sub-region of Sydney, including pumps, pipe work, and associated works depots, administration buildings, technical services, and storage and maintenance facilities.

The Reservoirs land is identified as having heritage significance with a number of buildings and other infrastructure elements having state and local significance. While the subject site was previously included in the area nominated under an adopted Conservation Management Plan as containing heritage significance, a revised boundary was approved by the State Heritage Office following to follow the approved subdivision layout. As such, the subject site contains no heritage significance. This matter is discussed in detail in Section 6.4 of this report.

Land beyond the reservoir land to the east forms part of the Potts Hill Reservoirs Precinct and is zoned B7 Business Park (similar to the subject site) and is earmarked for development anticipated to comprise of warehousing and distribution, offices and light industry as permitted under the zone.

Land immediately to the west of the Ausgrid site is currently being developed by Landcom for approximately 450 residences and associated open space, roads and infrastructure. A large portion has also been set aside for environmental protection and forms a visual and physical buffer between the residential development the Ausgrid site.

A mixture of low to medium density residential accommodation interspersed with pockets of open space and community facilities (schools) are located opposite the site, beyond the southern boundary formed by Brunker Road. A large Sydney Water above-ground water tank is also located immediately opposite the western entry of the existing Ausgrid facility. The water tank is situated atop of localised hill that forms the highest point in the Potts Hill suburb, well above the level of Brunker Road.

The site context is indicated in **Figure 3** below.

The Bankstown LGA forms part of the current draft West Central Subregional Strategy which has a target of and an additional 61,000 jobs by 2031 – 6,000 of which are to be provided within the Bankstown LGA. An additional 95,000 houses for the Region (22,000 for Bankstown) will also require support services from facilities such as the Ausgrid facility proposed. The Potts Hill Reservoirs Site is specifically identified in the draft Strategy as adding the significance of the strategically important employment lands.

The redevelopment of the site will assist with the achievement of the employment targets and provide essential support services for future residential growth.

It is also noted that the Potts Hill Reservoirs Site was recognised as a future growth opportunity within the Bankstown Employment Lands Development Study prepared by SGS (adopted by Council on 22 September 2009). At that time, the Concept Plan was under assessment by the Department of Planning but was recognised as having significant opportunities for Bankstown because of its strategic location.



**Figure 3. Site Context** (Source: Department of Lands, 2014)

## 5. Proposed Modifications

### 5.1 Changes to the Concept Plan Instrument of Approval

It is proposed that the Concept Plan Instrument of Approval for MP07\_0099 be amended to confirm the use of the land within the employment park lands located south of the reservoirs and fronting Brunker Road (currently known as Lot 1005 DP1140109) is permitted for use as a depot.

The recommended changes are as follows (amendments in **red**):

#### SCHEDULE 1

##### Part A - PROJECT

|  |   |
|--|---|
| <b>Proponent:</b>                        | Landcom and Sydney Water Corporation  |
| <b>Application made to:</b>              | Minister for Planning   |
| <b>Major Project Number:</b>             | 07_0099   |
| <b>On land comprising:</b>               | Lot 2 DP 456502, Lot 2 DP 225818, Lot 11 DP 16924, Lot 23 DP 16924, Lot 55 DP 16924, Lot 64 DP 16924, Lot 65 DP 16924, Lot 66 DP 16924, Lot 67 DP 16924, Corner of Rookwood Road and Brunker Road, Potts Hill and Pt Lot 1 DP 610303 Bagdad Street, Potts Hill  |
| <b>Local Government Area:</b>            | Bankstown City Council and Auburn Council   |
| <b>Approval in summary for:</b>          | Concept Plan for development of approximately 40 hectares of land surplus to operational needs of Sydney Water for water supply purposes comprising: an employment business park in the eastern portion of the site <b>including an Ausgrid depot in the employment lands situated south of the reservoirs fronting Brunker Road for approximately 100 staff</b> , residential development in the western portion of the site in a mix of low and medium density housing forms (up to a maximum of 450 dwellings); and three areas of public open space, road access and the internal road network, stormwater and drainage, and associated infrastructure. |
| <b>Capital Investment Value:</b>         | \$287,600,00  |
| <b>Type development:</b>                 | Concept Plan approval under Part 3A of the Act  |
| <b>Determination made on:</b>            |   |
| <b>Determination:</b>                    | Concept Plan approval is granted subject to the conditions in Schedule 2 below.   |
| <b>Date of commencement of approval:</b> | This approval commences of the date of the Minister's approval.   |
| <b>Date approval will lapse:</b>         | 5 years from the date a determination   |

#### SCHEDULE 2

##### MODIFICATIONS TO CONCEPT PLAN CONCEPT PLAN APPLICATION NO. MP 07\_0099

##### PART A - ADMINISTRATIVE TERMS OF APPROVAL

#### A1 Limits of Approval

- (1) Concept Plan approval only is granted to the proposed development of the Potts Hill Reservoirs Site surplus land as described in the EA and as amended by the PPR, including but not limited to:
- development of 15.66 hectares within the eastern part of the site for the purposes of an employment / business park precinct including infrastructure and road access, **and including use of the employment lands located south of the reservoirs fronting Brunker Road for the purposes of a depot for Ausgrid for approximately 100 staff**;
  - development of 19.9 hectares for residential purposes within the western part of the site, including:
    - a maximum of 450 dwellings;
    - new access roads;

3. pedestrian facilities; and
4. associated infrastructure.
- iii. Development of approximately 3.94 hectares of public open space comprising:
  1. Canal Park (0.46ha);
  2. Brunker Road Park (2.65ha); and
  3. New Park on Cooper Road (0.8ha)

....

**A2 Development in accordance with Plans and Documentation**

- (1) The Proponent shall carry out the Concept Plan (as described in A1 of this Approval), generally in accordance with the following:
- a. the Environmental Assessment - Potts Hill Reservoirs Land (including accompanying Appendices);
  - b. the Preferred Project Report -Potts Hills Reservoirs Land (including accompanying Appendices and addendum titled Potts Hill Eastern Precinct - Downstream Drainage Systems Capacity Assessment by Worley Parsons, 22 October 2008) prepared by Cite Urban Strategies on behalf of Landcom and Sydney Water Corporation dated February 2009;
  - c. *the Section 75W Modification Application prepared by NSW Town Planning dated August 2014;*
  - d. the Statement of Commitments dated February 2009; and
  - e. the conditions of this Approval (*as amended*).

...

**5.2 Description of Depot Use as proposed in DA 197/2014**

To provide certainty as to the intended use, the following description of the proposed depot as outlined in crown development application DA197/2014 currently being determined by Bankstown City Council is as follows:

*The proposal seeks to redevelop the existing Ausgrid Facility located at 36E Brunker Road, Potts Hill to create a purpose-built facility that accommodates the specific operational requirements of Ausgrid.*

*Specifically, it is proposed that the existing Ausgrid depot is redeveloped to provide for administration, indoor and outdoor storage, warehouse and workshop purposes, vehicle parking and circulation.*

*The proposed development will provide efficient and logical storage of existing materials, heavy vehicle distribution activities, work areas and facilities for depot staff, administration and Network Operations from short term facilities currently located at Regents Park.*

*The proposed facility will include:*

- *An administration and warehouse facility, including office, meeting rooms & staff areas with amenities. The warehouse will include secure indicative layout of storage areas, pallet racking, workshop, forklift parking and charging as well as open floor areas for storage and loading/unloading.*
- *Staff and visitor parking bays located adjacent to administration facility.*
- *Depot facilities to include the following:*
  - *Staff amenities for field staff;*
  - *Secure parking and hardstand circulation for articulated, medium and heavy rigid trucks, forklifts, service vehicles, Elevated Work Platform vehicles, trailers, vans, utes and 4WDs, including space to accommodate future growth and peak parking requirements (total parking provision will be 96 car spaces, 12 motorcycle spaces, 14 vans/utes/4WDs, 20 medium/large rigid trucks and 5 articulated trucks outdoor and 6 medium/large rigid trucks under awning);*
  - *Large areas of indoor and outdoor storage;*
  - *External covered and bunded oil storage area; and*
  - *Recycling and waste collection area.*
- *Signage, comprising:*
  - *One (1) building identification sign located on the southern elevation of the new administration and warehouse building; and*
  - *Directional signage pillar between the site boundary and the fence at the eastern entry.*

- *Replacement of existing fencing along the western boundary to increase the height to 2950mm, consistent with the fencing along the southern and north/eastern boundaries.*
- *Erection of new 2700mm fencing in the northern portion of the site currently occupied by the demountable building to complete the security around the entire site perimeter.*
- *Landscaping works to soften the built form, provide shade to car park and assist in bank stability.*

*It is proposed that the Ausgrid Depot will operate in accordance with the following hours:*

- *Monday to Friday: 6am – 10pm;*
- *Saturday 7am – 4pm;*
- *Sunday: Nil*

*However, during emergency events such as network outages, the depot will require access 24 hours a day, 7 days per week until the unexpected event has been resolved.*

*A total of 100 staff is expected to be employed at the facility.*

It is noted that the number of staff to be employed on the site has now been refined since the time of the original Concept Plan application and that the increase is in keeping with the employment intentions of precinct without significant impact.

While the built form for the depot is not to be approved under the Concept Plan, the proposed development as proposed to Council is outlined on the plans attached as **Appendix 4** for reference purposes.



## 6. Justification for Proposed Modification

It is considered that the use of the land known as 36E Brunker Road, Potts Hill for a works depot by EnergyAustralia was specifically intended to form part of the Part 3A Concept Approval as evidenced by the following:

### 6.1 Environmental Assessment

Specific references to the use of the site by EnergyAustralia, including specific mention of depot functions are identified in the Environmental Assessment below:

The Executive Summary (page ES5) of the Concept Plan Environmental Assessment states:

***Proposed uses within the employment/ business park precinct***

*A number of proposed uses have emerged for the employment/ business park precinct, and the needs of these uses have informed the planning parameters sought:*

...

- *In addition, EnergyAustralia is also interested in acquiring around 2 hectares on Brunker Road for a works depot, which will employ about 50 people. It will comprise offices, workshops/ garage up to two storeys, and car parking and landscape areas. This site is in the location of existing SWC administration buildings.*

A copy of this page is provided at **Appendix 5**.

Pages 57 to 59 of the Environmental Assessment outlines the uses proposed in more detail and includes the following:

***3.4.4 EnergyAustralia depot***

*The existing parcel of land on Brunker Road currently occupied by Sydney Water administration uses and parking/ open storage also provides the opportunity for development as a depot for EnergyAustralia, comprising office and warehouse uses. This parcel will also be the subject of a future application.*

A copy of these pages is provided at **Attachment 6**.

Table 9.0 of page 78 of the Environmental Assessment provides a summary of the outcomes sought for each area and states. For the Employment/ business park precinct, the outcomes sought are:

*Approximately 15.3 hectares of employment land suitable for light industrial and business park-style activities; occupiers of the employment land are expected to include Sydney Water, NSW Police Force, TransGrid and EnergyAustralia.*

A copy of the page is provided at **Attachment 7**.

The Conclusion to the Environmental Assessment on page 86 states the following:

*Significant employment outcomes, comprising 800–900 jobs, arising from high levels of coordination between compatible government agencies in need of new accommodation:*

- *A Police Facility that is a key to state-wide government operations – accommodating around 400 employees, relocated from Green Square;*
- *New field headquarters accommodation for Sydney Water – around 450 employees including field staff – assisting with the efficient relocation of employees as part of the Sydney Water's relocation strategy;*
- *New utility depot with an employment potential of 50 employees;*
- *New electricity substation for TransGrid that will assist with power supply for metropolitan Sydney.*

A copy of this page is provided as **Attachment 8**.

It is clear that the Department of Planning were made clear of the intention for the Energy Australia depot as this use is also reflected in the Director-Generals Assessment Report as outlined below.

## 6.2 Director-Generals Assessment Report

Following assessment and consideration of the Environmental Assessment, the Director-Generals Report recognized the following (page 10):

*The Concept Plan, as detailed in the Environmental Assessment, proposes the development of the surplus land for the following purposes...:*

- *Employment Lands: This land comprises 15.3 hectares of land in the eastern portion of the site. Future uses will include warehouses and offices for Sydney Water and NSW Police, an electricity substation for TransGrid and a depot for Energy Australia.*

A copy of this page is provided as **Attachment 9**.

Page 9 of the Director-Generals Assessment Report acknowledged the State Significant Site Application that was being assessed concurrently and states:

*The application also seeks approval for the Site to be listed as a State Significant Site under Schedule 3 of the State Environmental Planning Policy (Major Projects) 2005 (Major Projects SEPP) to rezone the site to permit the landuse distribution indicated in the illustrative Concept Plan.*

A copy of this page is provided at **Attachment 10**. It is relevant to note that the State Significant Site Study submitted in support of that application also outlines the intended use of the site as depot for EnergyAustralia as outlined in the following section.

## 6.3 State Significant Site Study

Even before any Part 3A Concept Plan was lodged, the Minister and Department of Planning acknowledged the intended use of the site and its potential to accommodate a depot for EnergyAustralia under the State Significant Site provisions.

Pages 4 and 5 of the State Significant Site Study that was assessed and accepted to enable the Potts Hill Reservoirs Site to proceed to Part 3A Concept Plan Approval stated:

### 2.3 Future land-use proposals

...

*The following firm potential uses have emerged for the employment land:*

...

*Energy Australia proposes to develop a works depot on Brunker Rd, on the site of the existing Sydney Water administration buildings*

A copy of these pages is provided at **Attachment 11**.

Page 7 details the use again as follows:

### EnergyAustralia depot

- *EnergyAustralia proposes to locate a works depot on the site of the existing Sydney Water administration buildings on Brunker Rd;*
- *The depot will accommodate around 50 jobs.*

A copy of this page is provided at **Attachment 12**.

## 7. Environmental Assessment

The following outlines that the site is capable of satisfying the relevant planning provisions and will result in no significant environmental impact.

### a. Environmental Planning and Assessment Act 1979

Part 3B of Schedule 6A of the Environmental Planning and Assessment Act 1979 (the Act) applies to development (other than an approved project) for which a concept plan has been approved under Part 3A, before or after the repeal of Part 3A, and so applies whether or not the project or any stage of the project is or was a transitional Part 3A project.

For the purposes of permissibility, the relevant clauses in this part are as follows:

*(2) After the repeal of Part 3A, the following provisions apply (despite anything to the contrary in section 75P (2)) if approval to carry out any development to which this clause applies is subject to Part 4 or 5 of the Act:*

*(a) if Part 4 applies to the carrying out of the development, the development is taken to be development that may be carried out with development consent under Part 4 (despite anything to the contrary in an environmental planning instrument),*

*...*

*(d) a consent authority must not grant consent under Part 4 for the development unless it is satisfied that the development is generally consistent with the terms of the approval of the concept plan,*

*(f) the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan,*

*...*

*(g) any order or direction made under section 75P (2) when the concept plan was approved continues to have effect*

For the purposes of Part3B(2)(g) above, Section 75P(2) includes the following provisions:

*(a) the determination of a development application for the project or that stage of the project under Part 4 is to be generally consistent with the terms of the approval of the concept plan*

*...*

*(c) any further environmental assessment of the project or that stage of the project under Part 4 or Part 5 is to be undertaken in accordance with the requirements determined by the Minister when approving the concept plan (despite anything to the contrary in that Part)*

*(c1) a provision of an environmental planning instrument prohibiting or restricting the carrying out of the project or that stage of the project under Part 4 (other than a project of a class prescribed by the regulations) does not have effect if the Minister so directs.*

These provisions effectively permit the use regardless of the zoning of the land as long as development is consistent with the Concept Plan Approval. This modification seeks to confirm and clarify the use of the subject for the purposes of a depot is approved under the Concept Plan and enable determination of the crown development application currently before Council (DA 197/2014) to proceed to determination in accordance with these provisions.

### b. Consistency With Concept Plan Approval

The proposed development as proposed in the crown development application to Council (DA197/2014) also satisfies the relevant provisions under this clause as it is generally consistent with the approved Concept Plan and Terms of Approval of that Concept Plan as the use of the site for Ausgrid purposes as originally outlined in the Concept Plan application and the Director-General's Assessment Report for that Concept Plan. No change to the road layout, subdivision, land use zoning approved under the Concept Plan is proposed. Compliance with the Terms of Approval of the approved Concept Plan is indicated in **Table 2**.



Additionally, the proposed built form is generally consistent with the Business Park Design Guidelines that were adopted as part of the Concept Plan approval as outlined in **Table 3** below. As indicated in the Table, the only variations are minor and relate to:

- Minimum setback to northern boundary for existing hardstand to be retained;
- Minimum setback to southern boundary for existing substation and main switchboard to be retained;
- Landscaping to address above setback variations; and
- Modified bulk earthworks solution to address the proposed site layout.

**Table 2 Consistency with Concept Plan Terms of Approval**

| <b>Schedule 2 - Part A – Administrative Terms of Approval</b>  |                    |   |
|--|--------------------|---|
| <b>A1 Limits of Approval</b>   |                    |   |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>  |
| <p>(1) <i>Concept Plan approval only is granted to the proposed development of the Potts Hill Reservoirs Site surplus lands as described in the EA and as amended by the PPR, including but not limited to:</i></p> <ul style="list-style-type: none"> <li>i. <i>development of 15.66 hectares within the eastern part of the site for the purposes of an employment I business park precinct including associated infrastructure and road access;</i></li> <li>ii. <i>development of 19.9 hectares for residential purposes within the western part of the site, including:</i> <ul style="list-style-type: none"> <li>1. <i>a maximum of 450 dwellings;</i></li> <li>2. <i>new access roads;</i></li> <li>3. <i>pedestrian facilities; and</i></li> <li>4. <i>associated Infrastructure .</i></li> </ul> </li> <li>iii. <i>development of approximately 3.94 hectares of public open space comprising:</i> <ul style="list-style-type: none"> <li>1. <i>Canal Park (0.46ha);</i></li> <li>2. <i>Brunner Road Park (2.65ha); and</i></li> <li>3. <i>New Park on Cooper Road (0.8ha).</i></li> </ul> </li> </ul> | Yes                | The proposal does not seek to alter the land uses, lot layout, road layout or open space.         |
| <p>(2) <i>No works under the Concept Plan shall proceed without additional specific approvals either under Part 3A or under Part 4 of the Act, as relevant. Project approval may pre-date approval of the Concept Plan where works are already permissible.</i></p>  | Yes                | This application complies with this Term of Approval by seeking approval under Part 4 of the Act. |
| <p>(3) <i>The complying development provisions, as detailed in the PPR, are not approved for:</i></p> <ul style="list-style-type: none"> <li>i. <i>residential lots under 450sqm;</i></li> <li>ii. <i>terrace lots/duplex lots;</i></li> <li>iii. <i>zero lot line lots; and</i></li> <li>iv. <i>bush reserve lots</i></li> </ul> <p><i>Note: Approval under Part 4 of the Act, with Council as the consent authority, will: be required for the following development (unless or until State wide exempt and complying provisions take effect):</i></p> <ul style="list-style-type: none"> <li>i. <i>all detached single dwelling houses which do not comply with SEPP (Exempt and Complying Development) 2008, NSW Housing Code or Schedule 3 of this Approval;</i></li> <li>ii. <i>medium density housing forms including garden apartments;</i></li> <li>iii. <i>seniors housing;</i></li> <li>iv. <i>zero lot housing; and</i></li> <li>v. <i>terrace, semi detached and duplex development.</i></li> </ul>   | N/A                | Not applicable to the subject development.  |

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| <b>A2 Development in accordance with Plans and Documentation</b>  |                    |  |
|---|--------------------|--|
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) The Proponent shall carry out the Concept Plan (as described in A1 of this Approval), generally in accordance with the following:</p> <ul style="list-style-type: none"> <li>a. the Environmental Assessment - Potts Hill Reservoirs Land (including accompanying Appendices);</li> <li>b. the Preferred Project .Report - Potts Hill Reservoirs Land (including accompanying Appendices and addendum titled Potts Hill Eastern Precinct - Downstream Drainage System Capacity Assessment by Worley Parsons, 22 October 2008) prepared by Cite Urban Strategies on behalf of Landcom and Sydney Water Corporation dated February 2009;</li> <li>c. the Statement of Commitments dated February 2009; and</li> <li>d. the conditions contained in this Approval.</li> </ul> | Yes                | The proposed development, including use of the Brunker road site for Ausgrid, is consistent with the Environmental Assessment, accompanying reports and relevant conditions. |
| <b>A3 Inconsistencies between plans and documentation</b>   |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) In the event of any inconsistency between:</p> <ul style="list-style-type: none"> <li>a. the terms of this Approval and any documents listed above, the modifications of this Concept Plan Approval (as amended by Part B of this approval) prevail; and</li> <li>b. any documents listed in A2(1) a. to c., the most recent document shall prevail to the extent of the inconsistency.</li> </ul>   | Yes                | The proposal is consistent with the prevailing documents.  |
| <b>A4 Lapsing of Consent</b>  |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) Approval of this Major Project No. MP07-099 shall lapse 5 years from the after the date of approval unless an application is submitted to carry out a development for which concept approval has been given.</p>   | N/A                | Commencement has occurred.   |
| <p>(2) To avoid any doubt, this Concept Plan Approval does not permit the construction of any aspect of the development.</p>  | Yes                | This application seeks separate approval for the construction of a new Ausgrid Facility on land identified for such use under the Concept Plan.                              |
| <b>A5 Determination of future applications</b>  |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) The determination of all future applications for development of the Site under Part 4 of the Act, which Council is the consent authority for, is to be generally consistent with the following as amended by Part B of this Approval, as appropriate:</p> <ul style="list-style-type: none"> <li>a. terms of this Approval;</li> <li>b. the Concept Plan: Design Principles;</li> <li>c. the Concept Plan: Residential Precinct Design Guidelines; and</li> <li>d. the Concept Plan: Business Park Design Guidelines.</li> </ul>   | Yes                | The proposed development is consistent with the Terms of the Approval and Business Park Design Guidelines (See Table below)  |

| <b>Schedule 2 - Part B – Conditions and Modifications to the Concept Plan</b>   |                    |   |
|---|--------------------|---|
| <b>B1 Voluntary Conservation Agreement and associated Management Plans</b>  |                    |   |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>  |
| <p>(1) <i>The Voluntary Conservation Agreement referred to in the Statement of Commitments in respect to the retained lands, is to be executed by the Sydney Water Corporation and the Minister (administering the National Parks and Wildlife Act 1974) prior to the commencement of any works within the residential precinct which would result in the removal of Endangered Ecological Communities and/or threatened species or the approval of the first application for subdivision or civil works within the residential precinct, whichever is the first.</i></p> <p><i>The Voluntary Conservation Agreement is to be prepared in consultation with the DECC.</i></p> <p><i>An executed copy of the Voluntary Conservation Agreement is to be forwarded to the Director Strategic Assessment.</i></p> | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan.                  |
| <p>(2) <i>No vegetation identified as an endangered ecological community or a threatened species under the Threatened Species Conservation Act 1995 may be removed or impacted by development on the surplus lands until the Voluntary Conservation Agreement referred to in 81(1) has been executed.</i></p>   | N/A                | Subsequent approval for vegetation removal has been granted under the Stage 1 Project Approval.                     |
| <p>(3) <i>The Environmental Management Plan and the Vegetation Management Plan referred to in the Statement of Commitments in respect to the retained lands, is to be prepared in consultation with the DECC prior to the commencement of any works in the residential precinct which would result in the removal of Endangered Ecological Communities and/or threatened species or any future approval in relation to subdivision or civil works for the residential precinct, whichever is the first.</i></p>   | N/A                | No portion of the proposed development occurs within the retained lands of the Concept Plan (i.e. reservoir lands). |
| <p>(4) <i>The scope of the Environmental Management Plan referenced in Condition B1(3) is to be expanded to include appropriate procedures for the management and protection of the Grey-headed Flying Fox and the Eastern Bent-wing Bat, through all stages of development of the surplus lands.</i></p>   | N/A                | As above.   |
| <p>(5) <i>A Vegetation Management Plan is to be prepared by the Proponent to address the retention and protection of significant vegetation within the surplus lands during all stages of construction. In particular, the Plan is to reference:</i></p> <ol style="list-style-type: none"> <li><i>the management of land at the interface with the Endangered Ecological Communities and/or threatened species; and</i></li> <li><i>the Peppercorn trees, cultural plantings and other significant vegetation to be retained and incorporated into the open space and public domain within the surplus lands</i></li> </ol>  | N/A                | Subsequent approval for vegetation removal has been granted under the Stage 1 Project Approval.                     |

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| <b>B2 Residential Design Guidelines</b> |  |                    |  |
|---|--|--------------------|--|
| <b>Terms of Approval</b>                |  | <b>Consistency</b> | <b>Comment</b>   |
| (1)                                     | <p>The Residential Design Guidelines are to be amended to:</p> <ol style="list-style-type: none"> <li>reflect the revised Concept Plan boundary illustrated in the PPR.</li> <li>include specific design guidelines to address the treatment of the residential precinct at the interface with the operational land including where the public domain, parks and residential lots abut the operational land.</li> <li>include a minimum continuous landscape strip of 3 metres (within the nominated 6 metres setback) where medium density housing abuts the western boundary of the retained lands.</li> <li>specify the minimum rear setback for dwelling houses on lots under 450sqm is 3.0 metres (and not 0.9m as indicated in the PPR).</li> <li>incorporate specific design guidelines for the detached dwelling houses on lots over 450sqm in accordance with the requirements of the NSW Housing Code including a minimum rear setback of 3.0 metres.</li> <li>incorporate an illustrative concept plan which nominates lot distribution across the site to demonstrate that housing choice will be provided.</li> <li>specify the type and nature of ESD measures to be incorporated into new development.</li> <li>incorporate new schematic drawings to illustrate the above and the following: <ol style="list-style-type: none"> <li>the stated maximum site coverage; and</li> <li>privacy requirements for dwelling houses in accordance with Council's Development Control Plan</li> </ol> </li> </ol> <p>The amended Residential Design Guidelines are to be submitted for the approval of the Director Strategic Assessments prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct.</p> | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan. |
| (2)                                     | <p>An Affordable Housing Strategy is to be prepared and submitted to the satisfaction of the Director Strategic Assessments prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct.</p>  | N/A                | As above.  |
| <b>B3 Public Domain Guidelines</b>      |  |                    |  |
| <b>Terms of Approval</b>                |  | <b>Consistency</b> | <b>Comment</b>   |
| (1)                                     | <p>The Public Design Guidelines are to be prepared prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct. The Guidelines are to include details in relation to:</p> <ol style="list-style-type: none"> <li>boundary treatments (i.e. Fencing &amp; landscaping) details for the existing dwellings on Coopers Road. Such details are to be determined in consultation with the existing property owners and are to result in cohesive and integrated streetscape solution;</li> <li>the treatment of all roads and access paths (vehicle, pedestrian and cycle);</li> <li>the landscape detailing of all parks/open space including the use of water sensitive urban design. Such details are to the future Cooper Road Park which is to be designed to maximise the retention of Cumberland Plain Woodland;</li> <li>signage, lighting and street furniture;</li> <li>treatment of the residential precinct at the interface with the operational land including where the public domain and open space abuts the retained lands;</li> <li>the incorporation of the Peppercorn trees, cultural plantings and other significant vegetation into the open space and public domain design within the surplus lands; and</li> <li>the interpretation of the former historic railway line and the associated cultural plantings. The Public Domain Design</li> </ol>  | N/A                | No portion of the proposed development occurs within any public domain area of the Concept Plan.   |

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|  |                    |  |
|--|--------------------|--|
| <p><i>Guidelines are to be developed in consultation with Council.</i></p> <p><i>A copy of the approved Public Domain Design Guideline is to be submitted to the Director Strategic Assessments prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct.</i></p>  |                    |  |
| <b>B4 Business Park Design Guidelines</b>  |                    |  |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) The Business Park Design Guidelines are to be amended to incorporate the following landscape setback requirements:</p> <ul style="list-style-type: none"> <li>a. Site E: <ul style="list-style-type: none"> <li>i. a minimum building setback of 6 metres to the northern boundary</li> <li>ii. a minimum building setback of 10 metres to the southern boundary</li> </ul> </li> <li>b. Site A: a minimum building setback of 6 metres for the northern boundary</li> </ul> <p>A minimum of 60% of the nominated landscaped setbacks areas are to incorporate deep soil planting.</p>  | Yes                | See Table below.   |
| <b>B5 Heritage Requirements</b>  |                    |  |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) A Heritage Interpretation Plan for the Potts Hill Reservoirs site committed to by the Proponent shall be prepared to the satisfaction of the Director, Heritage Branch of the Department of Planning prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct. The Plan shall interpret the site and its history within the new development. The Plan shall specifically outline the interpretation policy for the site including having reference to the former Migrants Camp, signage, street names, the original street pattern, the former railway alignment and cultural plantings.</p>  | N/A                | No portion of the proposed development occurs within any area of heritage significance.                                  |
| <p>(2) The Proponent shall prepare a Moveable Heritage Plan for the Potts Hill Reservoirs site to the satisfaction of the Director, Heritage Office of the Department of Planning prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct. The Plan shall outline the policy for the retention and conservation of the moveable objects in existing sheds on the Potts Hill Reservoir site.</p>   | N/A                | As above.  |
| <b>B6 Construction Impacts</b>   |                    |  |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) The Proponent shall submit a Construction Environmental Management Plan (CEMP) for:</p> <ul style="list-style-type: none"> <li>a. the residential precinct with the first application in relation to subdivision or civil works for the residential precinct; and</li> <li>b. the Bagdad Street site prior to the determination of the first application or the issue of a construction certificate whichever is the first.</li> </ul> <p>The CEMP (as an overarching plan) is to address: construction noise, air quality, soil and erosion, salinity, contamination, construction traffic and measures to mitigate adverse construction impacts on the operational land. The Plan shall provide for continuous and safe access for pedestrians and cyclists during construction as appropriate, particularly at the interface of the site with existing public roads.</p> | N/A                | No portion of the proposed development occurs within the residential precinct or Bagdad Street site of the Concept Plan. |

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| <b>B7 Shared Bicycle and Pedestrian Strategy</b>  |                    |  |
|---|--------------------|--|
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) Prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct, the Proponent is to complete investigations into the opportunities to improve pedestrian access to Copper Street. Such investigations are to include consultation with Council.</p> <p>The outcomes of these investigations are to be incorporated into the Public Domain Design Guidelines, as appropriate.</p>   | N/A                | As Stage 1 Approval including subdivision and civil works has been granted which would have had to be preceded by satisfaction of this condition.<br>No pedestrian or cycleway links are nominated for the subject site. |
| <p>(2) Prior to the determination of the first application in relation to the Bagdad Street site, the Proponent is to complete investigations into the opportunities to improve pedestrian access. Such investigations are to include consultation with Council.</p>  | N/A                | As above.  |
| <p>(3) The proponent shall prepare a Shared Bicycle / Pedestrian Strategy for the Concept Plan site in consultation with Council, to be implemented by the completion of construction of the residential precinct. The Plan shall be prepared having regard to the Department's Best Practice Guidelines for Walking and Cycling and prior to the determination of the first application in relation to the subdivision or civil works for the residential precinct.</p>  | N/A                | As above.  |
| <b>Schedule 2 - Part C – Further Assessment Requirements</b>  |                    |  |
| <b>C1 Residential Subdivision and Civil Works</b>   |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) Prior to the registration of the any lots or the commencement of civil works, the Proponent shall prepare and submit a construction/development staging plan which clearly identifies the following:</p> <ul style="list-style-type: none"> <li>a. A staging plan depicting the proposed sequence of development for the entire residential precinct; and</li> <li>b. scope of each future development stage and the delivery of associated infrastructure in each stage.</li> </ul>   | N/A                | As Stage 1 Approval including subdivision and civil works has been granted which would have had to be preceded by satisfaction of this condition.  |
| <b>C2 Contamination</b>   |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| <p>(1) A Remedial Action Plan is to be submitted with the first application for subdivision and civil works for the Residential Precinct.</p>   | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan.   |
| <p>(2) Upon completion of the remediation works on the site and prior to the registration of any lot or the commencement of civil works in the Residential Precinct, the Applicant shall submit a Site Audit Summary Report and a Site Audit Statement and Validation &amp; Monitoring Report to the Director of Strategic Assessments. The Site Audit must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by an accredited site auditor. This site audit must verify that the land is suitable for the proposed land use/s pursuant to clause 18 of SEPP 55.</p> | N/A                | As above.  |
| <p>(3) No condition No. 3 provided within Approval</p>  | N/A                | No condition No. 3 provided.   |

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|   |                    |  |
|---|--------------------|--|
| (4) All future applications within the employment precinct shall demonstrate compliance with Statement Environmental Planning Policy No. 55- Remediation of Land including to demonstrate that the land proposed to be developed has been fully remediated.   | Yes                | See Section 5.5 of this Report below.  |
| <b>C3 South Sydney Freight Line</b>   |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| (1) The potential impact on the residential precinct of the freight noise and acoustic barriers proposed as part of the South Sydney Freight Line construction is to be resolved prior to determination of any future application for the residential subdivision of the superlot relevant to this northern portion of the precinct.<br><br>If determined appropriate, the Residential Design Guidelines are to be amended to address appropriate acoustic attenuation measures to be incorporated into the design of affected residential properties. The Residential Design Guidelines shall also include measures to reduce the visual impacts of the acoustic barriers.   | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan. |
| <b>C4 Road design and construction</b>  |                    |  |
| <b>Terms of Approval</b>  | <b>Consistency</b> | <b>Comment</b>   |
| (1) The internal road network is to be designed and constructed to the satisfaction of the relevant roads authority.  | N/A                | No internal roads are proposed within the subject site.  |
| (2) Further assessment of the following is required for all future project approvals as relevant:<br><br>a. Road design, including layout and associated specifications;<br>b. pedestrian and cyclist access;<br>c. traffic calming and pedestrian safety measures;<br>d. Landscaping;<br>e. Street lighting;<br>f. Signage; and<br>g. Connectivity and integration with existing bus routes and networks.  | Yes                | This report addresses each relevant item identified in this condition.                             |
| (3) Further assessment of the impact of operational traffic resulting from the proposal on Cooper Road and the need for further traffic calming or pedestrian safety measures is required once the detailed design of the residential precinct has been finalised. This assessment shall be undertaken in consultation with Council and shall be submitted with the relevant future project applications for development of the residential precinct.   | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan. |
| (4) Further assessment of the detailed design of the following roads and infrastructure committed to by the Proponent will be required with the relevant future application to the satisfaction of the Roads authority:<br><br>i) roundabouts at 2 entrances along Cooper Road;<br>ii) roundabout at the entrance to the residential precinct along Brunner Road;<br>iii) the appropriate intersection at the junction of Brunner Road and the eastern employment land with the possible full or partial closure of Lambert Street;<br>iv) the signalised intersection at the junction of Rookwood Rd and the eastern employment land (north of Boardman Street);<br>v) the combined cycleway/pedestrian path on the northern side of Brunner Rd between Cooper Rd and Graf Avenue; and<br>vi) the footpath on the eastern side of Cooper Road from Brunner Rd to the Freight line. | N/A                | The roads and infrastructure listed in this condition do not relate to the subject site.           |



| <b>C5 Car parking</b>  |                    |   |
|--|--------------------|---|
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>  |
| (1) All future applications within the residential precinct and the Bagdad Street site are to comply with the car parking rates specified in Bankstown Development Control Plan 2005, Part 08- Parking.  | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan.                                  |
| (2) All developments within the employment precinct are to justify the car parking rates proposed including to provide the following: <ul style="list-style-type: none"> <li>a. Employee numbers and usage patterns, with the assumption of some public transport use by employees;</li> <li>b. travel demand management measures with the goal of encouraging public and active transport use, with monitoring and scheduled reviews of success; and</li> <li>c. adequate and secure bicycle storage facilities and cyclist amenities as part of the development.</li> </ul>  | Yes                | A Traffic Impact Assessment has accompanied the crown development application to Council to address this control.                   |
| <b>C6 Utilities and Stormwater</b>   |                    |   |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>  |
| (1) Further assessment of the following is required for all future project approvals for the residential precinct and the Bagdad Street site: <ul style="list-style-type: none"> <li>a. Provision of utilities; and</li> <li>b. Stormwater drainage and storage.</li> </ul>  | N/A                | No portion of the proposed development occurs within the residential precinct of the Concept Plan.                                  |
| (2) All future applications for the both the residential and employment lands will be required to address stormwater management. The design of the stormwater system and any associated upgrade work (on and off site) are to be resolved to the satisfaction of Council including measures to capture and re-use stormwater on site.  | Yes                | The Civil Engineering Report submitted with the crown development application addresses stormwater management for the subject site. |
| <b>C7 Built Form ESD</b>   |                    |   |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>  |
| (1) All future applications are demonstrate that ESD provisions have been incorporated into the development to reduce water and energy consumption including demonstrating compliance with the provisions in the Design Guidelines.  | Yes                | Refer to compliance with the Business Park Guidelines in the Table below.   |
| <b>C8 Section 94 Contributions</b>   |                    |   |
| <b>Terms of Approval</b>   | <b>Consistency</b> | <b>Comment</b>  |
| (1) Section 94 Contributions are to be resolved with the determination of each future application and are to be subject to the relevant Council Contribution Plan applicable at that time. <p><i>In determining the applicable developer contributions, the Council is to take into account the financial costs of works-in-kind, land dedications, and infrastructure and service provision committed to by the Proponent both on-site and off-site, as appropriate.</i></p> <p><i>In the event that a dispute between the Proponent and the Council in relation to developer contributions can not be resolved, the Department will act to mediate the matter.</i></p> | N/A                | Contributions are to be resolved between the Proponent and Council.   |



Table 3 Compliance with Business Park Design Guidelines Adopted under the Concept Plan Approval

| Guideline   | Compliance | Comment   |
|---|------------|---|
| <p><b>B1.1 Existing Site Character</b></p> <p><i>Area H [the subject site] is an irregular-shaped block measuring 2.4 hectares. It is located on the hilltop mid-way along Brunner Road and has potential distant views to the mountains in the west and district views to the south and east. The area is relatively flat, falling gently away to the east. Vehicular access is off Brunner Road with no internal access streets to the rest of the site.</i></p> <p><b>Site Access and Street Network</b></p> <ul style="list-style-type: none"> <li>Proximity to Rookwood Road.</li> <li>Proximity to Hume Highway.</li> <li>Proximity to the M5 Motorway.</li> <li>Single access point off Brunner Road.</li> </ul> <p><b>Views and Vistas</b></p> <ul style="list-style-type: none"> <li>Possible views to the west to the mountains from an elevated position.</li> <li>District views to the east.</li> <li>Views to the south to the vegetated area across Brunner Road and the vegetative corridor to the north.</li> </ul> <p><b>Landscape</b></p> <ul style="list-style-type: none"> <li>Vegetative corridor to the south of Reservoir 2.</li> </ul> <p><b>Sydney Water Infrastructure</b></p> <ul style="list-style-type: none"> <li>The site and the adjoining reservoir site contains significant operational Sydney Water infrastructure including pumps, pipework, and associated works depots, administration buildings, technical services and storage and maintenance facilities.</li> </ul> | N/A        | <p>The existing site character section of the Guidelines describes the existing site and do not specify any controls.</p>   |
| <p><b>B1.2 Business Park Vision</b></p> <p><i>The built form character of the Business Park is informed by:</i></p> <ul style="list-style-type: none"> <li>The location of the Business Park to the east of the site to allow a degree of consolidation with the industrial areas to the east.</li> <li>The limited use of the Business Park to light industrial and commercial office to protect the amenity of the surrounding residential development.</li> <li>Limiting the height of the office and warehouse buildings to a maximum of 16m to incorporate high ceiling height as well as commercial and offices levels.</li> <li>The use of lightweight cladding in response to the bulk of the buildings.</li> <li>Articulating the built form to break up the massing of the potential building types.</li> <li>Landscape setbacks from streets to provide a visual barrier when viewed from the surrounding residential development.</li> <li>The location, bulk and scale of the buildings to respect the solar and visual amenity of the existing residential buildings to the east and to facilitate east-west views across the precinct and overall Reservoir site.</li> <li>High quality design and finishes.</li> </ul>  | Yes        | <p>In line with the vision and its objectives, the design provides for development of land that has been zoned for business park purposes and is permissible in the zone pursuant to the application of <i>State Environmental Planning Policy (Infrastructure) 2007</i> (see below).</p> <p>The proposed building does not exceed the maximum height limit and adopts façade elements and coordinated building materials that contribute the future character of the locality and minimise visual bulk.</p> <p>Landscaping is provided in a balanced manner to achieve softening of the built form as well as to achieve the required level of visibility to, from, and within the site to maintain high levels of security required for such a facility.</p> <p>No overshadowing or privacy issues are created by the design, which will also respect the heritage setting and curtilage of Reservoir 2.</p> <p>A small scale courtyard and places adjoining buildings to provide breakout spaces for employees and will also express its environmental efficiency and responsiveness</p> |

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| <ul style="list-style-type: none"> <li>Utilising technology and efficiencies to reduce the ecological footprint of individual site.</li> </ul> <p><b>Design Objectives</b></p> <ul style="list-style-type: none"> <li>To respect the significance of the heritage items on and adjacent to the site and establish appropriate curtilage.</li> <li>To provide for the development of a Business Park of a high architectural quality, which complements the historic and contemporary landscape settings.</li> <li>To promote high quality landscape design within sites which complements the building forms and formal street planting.</li> <li>To ensure the design of development provides for a safe and pleasant environment for workers and visitors, including the creation of human scale courtyards and places adjacent to buildings to provide employees with quality breakout spaces.</li> <li>To facilitate the ecologically sustainable development of commercial office, light industrial, substation and warehouse uses.</li> <li>To protect the amenity of the surrounding residential development by the appropriate location of buildings and boundary treatments.</li> <li>To respect and respond to east-west views through the site.</li> <li>To allow each lot to be secure and fenced, while ensuring a high quality streetscape and landscaped transition zone between lots.</li> <li>To promote and demonstrate sustainable water management practices within the landscape and building design where practicable.</li> <li>To encourage design that is energy efficient to minimise the carbon footprint of the site.</li> <li>To ensure that each development can satisfactorily function within its site in relation to car parking, loading and unloading, manoeuvring areas and waste management.</li> </ul> |     | <p>through the ability to allow for natural ventilation, light penetration, orientation and selection of fixtures, fitting and equipment.</p> <p>All Ausgrid car parking and loading facilities will be provided within the site.</p>   |
| <b>B2.1 Street Types</b>  | N/A | No streets are proposed to be removed, created or modified under the subject application.   |
| <p><b>B2.2 Plant Types + Materials</b></p> <ul style="list-style-type: none"> <li>Plant selection will complement and enhance the cultural and natural patterns that exist on the site.</li> <li>Colour, texture and form of the proposed vegetation to be carefully selected as a new landscape layer to the site to be distinguished from original site vegetation.</li> <li>Plant selection to the entries to complement the existing cultural planting in terms of stature and height.</li> <li>Existing indigenous vegetation communities to be retained where possible.</li> <li>Embankment plantings to be consistent with existing indigenous species to reinforce local landscape character.</li> <li>Street trees consist of a selection of both exotic and native trees suitable to the site and area.</li> <li>Plant selection to be mindful of low water use.</li> <li>Existing landforms of embankments to be utilised for additional landscaping, plant selection to strengthen the existing indigenous vegetation community on site.</li> </ul>   | Yes | <p>A proposed Landscape Plan has been provided to Council as part of DA197/2014 incorporates native plant species that require minimal maintenance and water requirements.</p> <p>The plant selection includes a variety of colours, textures and sizes to create aesthetically pleasing environments as well as maintain operational requirements and address safety considerations.</p> <p>Along with retention of a large proportion of trees along the southern boundary fronting Brunner Road, the landscape treatment will include 15 new trees with mature heights between 5 and 10 metres. A further 74 shrubs with a height between 0.6m-3m as well as a variety of ground covers and grasses will also be provided to suit the embankment portions of the site.</p> |

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| <ul style="list-style-type: none"> <li>Where practicable, utilise plantings, such as palms, from the surplus areas of the adjoining reservoir site to reduce the threat of introducing plant diseases on site.</li> </ul>  |                   |   |
| <b>B3.1.1 Subdivision and Site Planning Objectives</b> <ul style="list-style-type: none"> <li>To achieve a high quality business park setting.</li> <li>To support the requirements of the allowable land uses.</li> <li>To facilitate development of a range of building types including office buildings, light industrial warehouses and storage areas.</li> </ul>  | Yes               | <p>The proposal is consistent with the objectives of the development controls as it provides for a high quality redevelopment of an aged infrastructure site that responds to the natural and built-form constraints of the site and its surroundings.</p> <p>The land use is permissible under the provisions of <i>State Environmental Planning Policy (Infrastructure) 2007</i> (see below).</p>   |
| <b>B3.1.2 Floor Space Ratio and Site Coverage Objectives:</b> <ul style="list-style-type: none"> <li>To control the size, bulk and scale of development that supports the desired business park uses.</li> </ul> <b>Controls:</b> <ul style="list-style-type: none"> <li>The maximum floor space ratio for the Business Park Precinct is 1:1.</li> <li>The maximum site coverage is to be 70% of the site area.</li> </ul>   | Yes               | <p>The proposal is well below the maximum floor space ratio of 1:1.</p>   |
| <b>B3.1.3 Building Height and Bulk Objectives:</b> <ul style="list-style-type: none"> <li>To provide an appropriate height control that supports the desired business park development types.</li> <li>To limit the visual impact of large footprint buildings on the adjoining Graf Avenue residents, upon the heritage setting of Reservoir 1 &amp; 2, and from the residential precinct to the west.</li> </ul> <b>Controls:</b> <ul style="list-style-type: none"> <li>The maximum building height is 16m.</li> <li>Generally buildings are to be oriented along an east west axis with clear building separations.</li> <li>Building are to have adequate separation to increase the amenity of the building in terms of visual privacy and daylight access, reduce building bulk and maintain view corridors. The areas between buildings may include landscape, parking, service and on-grade storage areas.</li> </ul> | Yes               | <p>The maximum building height of the new warehouse and office building will be 11.62m (ridge height at RL76.32) and will be well below the maximum height of 16 metres.</p> <p>The building bulk is oriented on an east-west axis to present as a smaller structure toward Brunner Road. No separation issues with adjoining buildings.</p>  |
| <b>B3.1.4 Setbacks Objectives:</b> <ul style="list-style-type: none"> <li>To contribute to the landscape setting and streetscape of the Business Park.</li> <li>To provide a security interface zone for each site.</li> <li>To promote vegetated buffer zones along the edges of Reservoir 2, Graf Avenue and Rookwood Road.</li> <li>To retain existing heritage items and significant tree plantings.</li> </ul> <p>It is noted that other than a 6m setback to the western boundary, no other setback provisions were specified for the subject site under the Design Guidelines. To address this, the Department of Planning imposed the following condition as part of the Concept Approval:</p>   | Variation sought. | <p>It is noted that the condition imposing setbacks to the subject site is very ambiguous as the wording refers to both building and landscape setbacks. Taken as written, the proposal complies with the minimum <u>building</u> setbacks with the exception of the existing substation and main switchboard located along the southern boundary. In this regard, no <u>landscape</u> setbacks requiring at least 60% deep soil planting have been nominated.</p> <p>If the condition is interpreted to mean that a the setbacks nominated are to be completely landscaped, and 60% of these areas provided as deep soil planting, the proposal will require a variation for the minimum landscape setback to both the northern boundary (existing hardstand encroachment) and a portion of the southern</p> |

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| <p><b>Condition B4 Business Park Design Guidelines</b></p> <p>(1) The <b>Business Park Design Guidelines</b> are to be amended to incorporate the following landscape setbacks:</p> <p>a. Site E [the subject site]:</p> <p>i. a minimum building setback of 6m to the northern boundary</p> <p>ii. a minimum building setback of 10m to the southern boundary.</p> <p>A minimum of 60% of the nominated landscaped setbacks are to incorporate deep soil planting.</p>   |            | <p>boundary (existing substation and main switchboard encroachment).</p> <p>The elements creating the non-compliance have either been undertaken on the site as Exempt Development or were constructed prior to the Concept Approval. Accordingly, these elements did not require consideration of the terms of approval of the Concept Plan or the adopted Design Guidelines.</p> <p>It is intended that the substation and main switchboard be retained in its current location. The hardstand recently constructed in the western and northern portions of the site is also to be retained.</p> <p>New hardstand is to replace the internal bitumen driveway and retain the existing setbacks to the northern boundary.</p> <p>The proposed setbacks are considered appropriate given:</p> <ol style="list-style-type: none"> <li>1 they are existing;</li> <li>2 an extensive building setback is provided to the northern boundary</li> <li>3 a vegetation buffer is provided on the reservoirs land under the Concept Plan between the historic reservoirs and subject site.</li> <li>4 additional landscape setbacks along the northern boundary are considered redundant as they will not be visible from the public domain and do not contribute to any softening of the built environment;</li> <li>5 vegetation that was approved to be removed along the southern boundary is now being retained and is considered an appropriate offset; and</li> <li>6 the proposal still maintains the objectives of the control.</li> </ol> |
| <p><b>B3.1.5 Heritage</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ To protect the significant and setting of the heritage palms to the west of the Business Park.</li> <li>▪ To respect the areas of heritage significance on and adjacent to the site.</li> <li>▪ To maintain heritage curtilage between the new buildings on the site and the heritage items.</li> <li>▪ To provide appropriate management of the heritage items.</li> <li>▪ To utilise, where possible and in consultation with Sydney Water, decommissioned former items of plant once utilised within Sydney Water's water supply system, as large landscape features.</li> </ul> <p><b>Controls:</b></p> <ol style="list-style-type: none"> <li>1. Development should not adversely impact the heritage palms.</li> </ol> | <p>Yes</p> | <p>The proposal will not be undertaken on any land containing heritage significance. Buildings are suitably separated from the historic reservoir and will be screened by a vegetative buffer that is required to be planted within the reservoir land north of the site in accordance with the Design Guidelines (by others).</p>  |

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| <ol style="list-style-type: none"> <li>2. For all future development, maintain a 20m buffer to the proposed SHR boundary from the eastern boundary of Sydney Water's operational land.</li> <li>3. The SHR boundary should include Buildings 41 and 42 along the western site boundary of Site B in accordance with Figure B3.1.1.1.</li> <li>4. Maintain buffer to the eastern boundary of Business Park.</li> <li>5. Where possible, conserve and maintain existing trees along the southern boundary of Business Park.</li> </ol>  |     |   |
| <p><b>B3.1.6 Vehicle Access, Parking + Servicing</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ To provide a legible vehicular access and circulation pattern within the Business Park for daily users, visitors and service vehicles.</li> <li>▪ To ensure pedestrian access is legible and safe.</li> <li>▪ To provide adequate parking facilities consistent with Bankstown City Council's requirements.</li> <li>▪ To allow facilities for helicopter access that does not impede the amenity of adjoining Business Park occupants.</li> <li>▪ To ensure that vehicles can enter and exit premises in a safe and efficient manner.</li> <li>▪ To ensure adequate areas are set aside on site to allow for the safe and efficient manoeuvring of delivery and service vehicles.</li> <li>▪ To provide off-street parking facilities that does not detract from the overall visual amenity when viewed from the surrounding residential development.</li> <li>▪ To integrate adequate car parking and servicing access without compromising street character or pedestrian amenity and safety.</li> <li>▪ To ensure the security of individual sites is not impaired.</li> </ul> <p><b>General Controls:</b> (note that only controls relevant to the subject site are included below)</p> <ul style="list-style-type: none"> <li>▪ Individual secure access is to be provided for each site.</li> <li>▪ Main building entries are to be legible from the site entry and safely accessed by pedestrians from public roads and on-site car parking areas.</li> <li>▪ Car parking shall not encroach into setback areas.</li> <li>▪ Refer to Bankstown Development Control Plan 2005, Part D8 Parking.</li> </ul> <p><b>Access Controls:</b> (note that only controls relevant to the subject site are included below)</p> <ul style="list-style-type: none"> <li>▪ All internal driveways, circulation and parking areas are to be sealed with hard standing, all weather material that complies with appropriate Australian Standards.</li> </ul> <p><b>At-Grade Parking Controls:</b></p> <ul style="list-style-type: none"> <li>▪ Parking to be provided generally in accordance with rates included in Part D8 – Parking of the Bankstown DCP 2005.</li> </ul> <p><b>NOTE:</b> this provision is overridden by the Terms of Approval for the Concept Plan Approval – see C5(2) above which states:</p> | Yes | A Traffic Impact Assessment has accompanied the crown development application to Council to address this control. |

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| <p><i>All developments within the Employment precinct are to justify the car parking rates proposed including to provided the following:</i></p> <ul style="list-style-type: none"> <li><i>i) Employee numbers and usage patterns, with the assumption of some public transport use by employees;</i></li> <li><i>ii) Travel demand management measures with the goal of encouraging public and active transport use, with monitoring and scheduled reviews of success; and</i></li> <li><i>iii) Adequate and secure bicycle storage facilities and cyclist amenities as part of the development.</i></li> </ul> <ul style="list-style-type: none"> <li>▪ <i>Water Sensitive Urban Design measures should be incorporated in the design of parking areas.</i></li> <li>▪ <i>Where practicable, avoid large expanses of paved areas and to provide easy accessibility to buildings; large parking lots should be divided into smaller areas and located around the site that takes into account the operational requirements such as truck turning areas, hard-stand and external storage.</i></li> <li>▪ <i>The visual impact of on grade car parking is to be minimised by incorporating car parking with landscape design including screening vegetation surrounding car parking areas &amp; allocating employee parking to the rear or side of buildings. The landscaping and screening vegetation is not to impede any security surveillance or lighting spill.</i></li> <li>▪ <i>Landscaping shall be adequately distributed throughout parking lots to reduce the effect of heat and glare from pavement.</i></li> <li>▪ <i>Buildings shall be separated from parking areas by landscaping and walkways.</i></li> <li>▪ <i>Wherever security gates are provided, sufficient driveway space should be provided outside of the gate area for visitors.</i></li> </ul> <p><b>Servicing Controls:</b></p> <ul style="list-style-type: none"> <li>▪ <i>Loading and service areas are to be located away from the surrounding residential development.</i></li> <li>▪ <i>Service areas should be separated from pedestrian access paths.</i></li> </ul> |     |  |
| <p><b>B3.1.7 Pedestrian and Cycle Access</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ <i>To promote development which includes clearly defined pedestrian and cycle way network.</i></li> <li>▪ <i>To ensure that all pedestrian users include people with wheelchairs and bicycles are able to travel via minimum grade ramps, paths and access ways and lifts.</i></li> </ul> <p><b>Controls:</b></p> <ol style="list-style-type: none"> <li><i>1. All pathways and ramps should comply to the minimum Australian Standards.</i></li> <li><i>2. Street furniture should be kept clear of pathways.</i></li> <li><i>3. All surfaces should be stable, even and constructed of slip resistance materials.</i></li> <li><i>4. Different colour or texture material shall be used to define primary pedestrian access ways on site.</i></li> </ol>  | Yes | <p>Direct pedestrian access from the car park is provided via a footpath that will generally act as delineation between the staff/visitor parking and the heavy vehicle work area. The path will be at a suitable grade and material to allow for all weather use and persons with a disability.</p> <p>Given the required level of security for the facility, pedestrian access direct from the street is restricted.</p> <p>Bike racks are to be provided near the main entry.</p> |



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| <ol style="list-style-type: none"> <li>5. <i>High quality safe and accessible pedestrian access is to be provided to all public areas on the building and the site.</i></li> <li>6. <i>Clearly defined pedestrian pathways are to be provided between proposed developments and along local roads and should be well connected to the streets.</i></li> <li>7. <i>Pedestrian access ways and vehicle access ways are to be separate and clearly distinguishable.</i></li> <li>8. <i>Each side is to provide suitable cycle lockers for staff and bicycle racks for visitors.</i></li> <li>9. <i>Dual pedestrian cycleway to be clearly identified through suitable line marking and signage.</i></li> </ol>   |            |   |
| <p><b>B4.1 Building Design</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ <i>To ensure large shed-like structures can accommodate commercial and light industrial uses or site storage.</i></li> <li>▪ <i>To promote integrated, visually attractive lightweight structures that are designed to be energy and water efficient.</i></li> <li>▪ <i>To ensure that the built form relates to existing heritage, structural and landscape elements and the proposed monumental planting.</i></li> <li>▪ <i>To ensure that location, bulk and scale of the buildings respect the solar and acoustic amenity of the existing residential development to the east and south.</i></li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. <i>Long horizontal articulations shall be incorporated into the design of buildings to balance the proposed monumental vertical planting and to reduce the bulk of buildings given that the site is located on a plateau.</i></li> <li>2. <i>Appropriate sized roof overhangs should be incorporated in the roof design to keep the unwanted summer sun from heating the interior of the building, reduce the amount of direct solar radiation that strikes the surface and also to improve the aesthetic character of the building.</i></li> <li>3. <i>Building facades to road frontages should be articulated where the frontage is longer than 40m by:</i> <ul style="list-style-type: none"> <li>- <i>Varying the facade alignment and height</i></li> <li>- <i>Varying the materials and colours</i></li> <li>- <i>The use of sun shading devices</i></li> <li>- <i>Cantilevered or overhanging elements</i></li> <li>- <i>Breaking up the facade with windows or the use of structural features</i></li> </ul> </li> <li>4. <i>A comprehensive material and colour scheme shall be developed for each site. Material and colour variations in multi-building complexes shall be complementary and compatible among structures.</i></li> <li>5. <i>Large expanses of a single material shall be articulated with structural elements, windows or horizontal elements.</i></li> <li>6. <i>Large expanses of highly reflective surface and mirror glass exterior walls shall be avoided to prevent heat and glare impacts on the adjacent public streets and properties.</i></li> <li>7. <i>Any minor buildings on sites, covered storage</i></li> </ol> | <p>Yes</p> | <p>The proposal is a purpose-built facility for Ausgrid and will accommodate depot activities including indoor and outdoor storage as well as administration.</p> <p>The building has been designed to present an articulated facade toward Brunner Road and avoid large expanses of blank walls visible from the public domain. Use of strong horizontal features, variety in tones and materials as well as modulation assist in minimising the bulk of the main structure and add visual interest.</p> <p>It is noted that the building will be positioned lower than the level of Brunner Road which will also have the benefit of minimising the visual dominance of the building.</p> <p>The entry is to be clearly distinguishable having been designed as a tower component with identification signage. The tower parapet will also screen rooftop services.</p> <p>The warehousing component will be located behind the administration area to assist in the streetscape presentation. Loading facilities are to be complemented by cantilevered awnings and will be constructed from a variety of materials to break up the visual bulk and avoid monotony of finishes and provide horizontal references to minimise bulk and scale.</p> <p>Materials will be high quality and meet reflectivity and glare objectives.</p> |

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| <p>areas or shade areas, are to be designed to complement and coordinate with the main building on the site.</p> <p>8. The design of all communication facilities such as towers and their service cabinets/huts should be consistent with the desired built form character for the Business Park and should not be visually obtrusive or interfere with the operation of the adjoining properties.</p> <p>9. All communications facilities should be established following consultation with landowners of the adjoining properties.</p>  |     |   |
| <p><b>B4.2 Building Entries</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To create entrances that are clearly identifiable yet also provide the required level of security.</li> <li>To provide desirable identity for the development.</li> <li>To provide entries which orient visitors.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>A combination of hardscape such as textured paving, water features and landscaping should be used to provide emphasis to entrances to the buildings.</li> <li>Building entries must be visible from the street &amp; convenient for pedestrians.</li> <li>Building entries are to be a clearly identifiable element of the building in the street.</li> <li>Provide sheltered and highly visible spaces on the building entry for safe and secure access.</li> <li>Entries must be designed to allow access to all people &amp; movement of furniture.</li> <li>All street frontage entries are preferred to have clear glazing.</li> <li>Separate entries for pedestrian and cars are to be provided that, where practicable, include cycle ways as shared corridors with pedestrians.</li> </ol> | Yes | <p>The building entry has been designed as a clearly recognisable feature positioned immediately adjacent to the staff and visitor car park.</p> <p>The entry tower will feature the Ausgrid logo for building and site identification purposes and will be complemented by landscaping and access pathway.</p> <p>The entry provides all weather shelter and is capable of allowing adequate movement and circulation.</p> <p>The eastern elevation (facing the car park) has been treated with significant glazing coverage to enable high levels of natural light, surveillance and visual relationship with the main point of entry for users of the site.</p>  |
| <p><b>B4.3 Façade Design + Materials</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To promote the use of materials that involve minimal impact on the environment in accordance with the objectives of Section B4.</li> <li>To encourage the use of materials and colours to articulate the form and scale of commercial and industrial buildings.</li> <li>To encourage a high standard of appearance and to enhance the general streetscape, character and amenity of the Business Park.</li> <li>To provide richness of detail and architectural interest especially at visually prominent parts of buildings such as entries and roof tops.</li> <li>To provide a high standard of finish to external walls.</li> <li>To maintain the articulation at pedestrian scale and emphasize the detail of the lower levels of buildings.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>Building materials are to complement the surrounding landscape and ensure high standard of visual and environmental quality.</li> </ol>  | Yes | <p>High quality, low maintenance materials have been selected to break up the bulk and scale, provide visual interest and complement the surrounding area. The materials will include:</p> <ul style="list-style-type: none"> <li>Rendered brick;</li> <li>Painted concrete panels;</li> <li>Glazing;</li> <li>Colorbond sheeting;</li> <li>Alucobond cladding; and</li> <li>Colorbond Kliplok roofing with translucent light panels.</li> </ul> <p>Tones will be natural, including:</p> <ul style="list-style-type: none"> <li>Amber;</li> <li>Blueridge;</li> <li>Grey;</li> <li>Grey metallic;</li> <li>Shale grey; and</li> <li>Tinted glass.</li> </ul> <p>Material arrangement on the facades aims to create horizontal lines.</p> |



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| <ol style="list-style-type: none"> <li>2. <i>Roof ventilation, exhaust towers, hoppers should, where possible be located such that they are not visible from the adjoining residential development and must be effectively screened from view using roof structures and architectural elements designed as an integral part of the building.</i></li> <li>3. <i>The use of glazing, steel &amp; lightweight cladding for buildings is encouraged (but glazing should be divided into sections to articulate large expanses of glass and reinforce horizontal lines and built form).</i></li> <li>4. <i>The external wall colour of buildings which could be easily viewed from the surrounding residential development should be a non-reflective colour of natural tones, avoiding the use of bright prominent colours.</i></li> <li>5. <i>Limit one predominant external material to be applied on the exterior of the building, however few varieties accent colours are acceptable.</i></li> <li>6. <i>The use of low maintenance and robust materials are encouraged.</i></li> <li>7. <i>Materials and colours for roofs should be non-reflective.</i></li> <li>8. <i>Preference should be given to materials derived from renewable sources or those that are sustainable and generate a lower environmental cost, recycled materials and durable (e.g. plantation rather than old growth timber).</i></li> <li>9. <i>Avoid materials that are likely to contribute to poor internal air quality such as polyurethane or those that may create a breathing hazard in case of a fire.</i></li> </ol> |            | <p>Materials will be sourced from environmentally responsible suppliers where possible.</p>   |
| <p><b>B4.4 Sustainable Development</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ <i>To encourage site planning and building design that optimises site conditions to achieve energy efficiency and minimises energy and water consumption in buildings.</i></li> <li>▪ <i>To facilitate the design and construction of energy efficient buildings in accordance with the project's sustainability objectives and targets.</i></li> <li>▪ <i>To reduce the necessity for mechanical heating and cooling.</i></li> <li>▪ <i>To reduce reliance on fossil fuels.</i></li> <li>▪ <i>To minimise greenhouse gas emissions.</i></li> <li>▪ <i>To reduce environmental impact over the life cycle of a building.</i></li> <li>▪ <i>To promote renewable energy initiatives.</i></li> <li>▪ <i>To encourage development which provides for low recurrent outlays in terms of maintenance and capital upgrades over the life cycle of the structure.</i></li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. <i>Commercial buildings should achieve a minimum of 5 star Building Greenhouse rating in respect to energy efficiency.</i></li> <li>2. <i>The orientation, internal layout and design of the building should minimise energy consumption.</i></li> </ol> <p><b>Aspects to consider:</b></p> <ul style="list-style-type: none"> <li>- <i>Passive solar access</i></li> <li>- <i>Natural light to internal areas</i></li> </ul>  | <p>Yes</p> | <p>The design of the building allows for high levels of solar access and natural cross ventilation to minimise the need for mechanical heating and cooling. Use of light external colours and material selection will also assist in thermal heat load management.</p> <p>All equipment fittings and fixtures will be of low energy and water consumption, where possible.</p> <p>The development has also been designed to last for a significant period for the intended purpose with only minimal requirements for ongoing upkeep and maintenance.</p> <p>Sourcing materials from environmentally sustainable resources will be adopted where possible.</p> <p>Operationally, the site will contribute to minimising resource use as several separate facilities will be consolidated into one facility, thereby benefiting from shared resources, reduced transportation and reliance on separate services.</p> <p>Ausgrid also develops an annual Environmental Sustainability Improvement Plan, which outlines practical actions to improve performance in areas such as energy and water use, waste minimisation and reducing carbon</p> |

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| <ul style="list-style-type: none"> <li>- <i>Natural cross ventilation</i></li> <li>- <i>Solar access to outdoor recreational areas</i></li> <li>- <i>Use of landscaping to reduce thermal load</i></li> </ul> <p>3. <i>In designing the building consideration should be given to utilising large areas of roof space for generating electricity via solar panels or other relevant technology.</i></p> <p>4. <i>Materials for construction should seek to have recycled content such as:</i></p> <ul style="list-style-type: none"> <li>- <i>concrete that utilises slag and fly ash</i></li> <li>- <i>structural and reinforced steel that uses recycled steel content</i></li> <li>- <i>certified plantation or engineered timber materials</i></li> </ul> <p>5. <i>Where appropriate incorporate biowalls (green walls) in the design of the buildings which will act as a biofilter, add insulation to a facade, reduce the destruction caused by UV rays, help reduce the rates of stormwater runoff, as well as be an aesthetic feature of the building.</i></p> <p>6. <i>Water conservation techniques should be employed as outlined in Section B4.8.</i></p>  |            | <p>emissions. Ausgrid has committed to three key objectives with respect to environmental sustainability:</p> <ol style="list-style-type: none"> <li>1. <u>Reduce resource use</u><br/>Use of resources more responsibly through efficient operation of the Ausgrid business, use of sustainable materials and consideration of re-use. Establishment of targets for building energy and water use, vehicle emission performance and waste and recycling performance.</li> <li>2. <u>Minimise environmental impacts</u><br/>Ausgrid's Environmental Management System (EMS) systematically identifies environmental risks and puts measures in place to effectively manage those risks. The EMS includes procedures and policies to provide a basis for continuous environmental improvement.</li> <li>3. <u>Actively contribute to reducing carbon emissions in the wider community</u><br/>Working with customers and the wider community to help reduce carbon emission including trialling LED streetlights, establishment of an energy efficiency centre and assisting low-income households purchase new energy efficient appliances.</li> </ol> |
| <p><b>B4.5 Substation Building Design</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ <i>To ensure that the quality of design and materials enable the buildings to successfully combine function and external appearance consistent with a business park character.</i></li> <li>▪ <i>To ensure the safety of the adjoining properties.</i></li> <li>▪ <i>To provide landscaping to minimise the potential visual impact of the building bulk on the adjoining and nearby properties.</i></li> </ul> <p><b>Design Guidelines:</b></p> <ul style="list-style-type: none"> <li>▪ <i>The visual impact of the building bulk is to be minimised by incorporating landscaping in site design including tree planting to screen the buildings.</i></li> <li>▪ <i>Building facades should be made interesting by use of materials and articulation.</i></li> <li>▪ <i>All servicing equipment should be screened from adjoining residential development and public domain.</i></li> <li>▪ <i>All transformers/switch yards to be enclosed, roofed and aesthetically pleasing.</i></li> <li>▪ <i>All cables, joining chambers and turning areas associated with the switching station should be underground.</i></li> </ul> | <p>N/A</p> | <p>The existing substation and main switchboard are to be retained.</p>  |

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| <ul style="list-style-type: none"> <li>To utilise technology and efficiencies to reduce the ecological footprint of individual site.</li> </ul>   |     |  |
| <p><b>B4.6 Site Landscaping + Layout</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To provide large-scale landscape gestures that are informed by the existing heritage landscape.</li> <li>To ensure that existing trees are retained where possible and incorporated into the final development.</li> <li>To minimise the visual impact upon the residential area to the east and south and especially of any retaining wall along the eastern boundary.</li> <li>To soften the impact of the built form and to provide shading and variation in the appearance of the area.</li> <li>To provide an edge to the Business Park.</li> <li>To provide low maintenance and drought resistant landscaping.</li> <li>To provide for an attractive streetscape within the Business Park.</li> <li>To provide shading in car parking areas.</li> <li>To protect and screen the heritage items adjacent to the site.</li> <li>To encourage landscaping that enhances public areas.</li> <li>To utilise, where practicable, existing plantings, such as palms, from the adjoining surplus areas of the reservoir site to minimise the threat of importing diseases such as root rot.</li> <li>To provide landscaping which reflects the character of the natural vegetation of the area.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>Large scale landmark planting that reflect the history of the site such as Kauri Pines and palms, should be included in the design to further develop a distinctive landscape character of the site.</li> <li>Encourage large complementary planting to provide a landscaping setting for the buildings.</li> <li>Encourage shading of car parking areas.</li> <li>Encourage boulevard like accessways to facilitate comprehension of the site.</li> <li>Earth mounding can be provided within the setbacks to reduce noise impacts on the surrounding development.</li> </ol> | Yes | <p>As landscaping to the southwest is to be retained, landscaping has been concentrated to the south east portion of the site to address the interface between the new hardstand areas and the residential and public domain views from Brunner Road. The landscape design involves retention of several major trees with underlying shrubs and grasses.</p> <p>Throughout the car park, additional shade trees have been proposed along with shrubs and ornamental grasses.</p> <p>Additional plantings are provided to the existing landscape setbacks along the northern boundary to create a unified landscape theme. It is noted that the land immediately north of the boundary is already heavily vegetated and is expected to remain as a vegetation buffer between the Ausgrid site and the heritage reservoirs as indicated on the approved Concept Plan. As such, no significant landscaping is considered necessary along this boundary.</p> <p>It is noted that the subject site is not a portion of the larger Potts Hills Reservoirs Site that has traditionally been associated with the Kauri Pines and palms trees. As such, native specimens more related to this part of the site have been selected to avoid introduction of a false landscape interpretation.</p> <p>It is also noted that the landscape treatment has been strategically selected and design to balance the need for visual filtering of the built form with the need to maintain adequate sight lines and minimise potential lurking places from a security perspective.</p> |
| <p><b>B4.7 People Places</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To provide break out spaces within the grander landscape gestures for employees.</li> <li>To provide a desired microclimate for the comfort of the employees and visitors.</li> <li>To provide opportunities for outlook to the reservoirs and the city skyline.</li> <li>To provide opportunities to appreciate the historic context of the reservoir site.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>Open space areas are to be provided for employees and visitors within or adjacent to landscape areas.</li> </ol>  | Yes | <p>A staff breakout space has been provided at the south east corner of the new building. This space will be directly accessible from the staff lunchroom and provide covered seating facilities.</p>  |

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| <p>2. <i>Horizontal facade elements are to be provided to unify buildings and provide sun-shading.</i></p> <p>3. <i>Passive recreational areas are to be incorporated within the building design with outlooks to reservoirs and city skyline.</i></p>   |     |   |
| <p><b>B4.8 Water Management</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ <i>To use stormwater in the urban landscape to maximise the visual and recreational amenity of development.</i></li> <li>▪ <i>To reduce potable water demand through water efficient appliances, rainwater and greywater reuse.</i></li> <li>▪ <i>To minimise wastewater generation and treatment of wastewater to a standard suitable for effluent reuse opportunities and/or release to receiving waters.</i></li> <li>▪ <i>To ensure that the amenity of the surrounding residential development is not lowered through stormwater pollution.</i></li> <li>▪ <i>To minimise drainage infrastructure cost of the development.</i></li> <li>▪ <i>Integrate natural and/or existing site topographical features into the vehicle parking area design.</i></li> <li>▪ <i>Improved vehicle parking facility aesthetics.</i></li> <li>▪ <i>To provide for a Business Park wide approach to water management.</i></li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. <i>Water sensitive urban design measures should include:</i> <ul style="list-style-type: none"> <li>- <i>grassed swales instead of conventional kerbs and channel drainage</i></li> <li>- <i>in appropriate locations</i></li> <li>- <i>filter strips such as maintained grass or vegetated strips</i></li> <li>- <i>stormwater filtration measures at the end of swales and /or open</i></li> <li>- <i>drains</i></li> </ul> </li> <li>2. <i>Stormwater runoff from roofs should be collected into a rainwater tank to irrigate landscaped areas or for toilet flushing.</i></li> <li>3. <i>Incorporate gently sloping grassed areas or recessed basins into car parks to encourage detention and retention of run-off.</i></li> <li>4. <i>Parking area could be constructed with porous pavement to prevent runoff.</i></li> <li>5. <i>The design of buildings should include rainwater harvesting and plumbing for non-potable water use within the individual sites.</i></li> </ol> | Yes | <p>As outlined above, the facility will be integrated into Ausgrid Environmental Sustainability Improvement Plan which will involve the use of water efficient devices and fittings.</p> <p>Landscape species have been selected to require minimal irrigation and allow for infiltration of runoff from the street level. The existing basins located in the western portion of the site are to be retained.</p> <p>The Civil Engineering Report provided as part of DA197/2014 outlines that the current site is fully developed as has been for a long period of time. In accordance with Section 10.1.2 of BCC <i>Development Engineering Standards 2009</i>, OSD will not be required where “<i>development/ redevelopment is proposed which does not significantly increase the post development stormwater runoff from the site</i>”. As there will be no change to impervious site coverage or any increase in peak flow or stormwater runoff quantity through the area of re-development, no additional OSD is required for the site.</p> <p>However, it is noted that rainwater harvesting is proposed for this development with re-use for non-potable applications. Internal uses include such applications as toilet flushing while external applications will be used for irrigation.</p> <p>In general terms the rainwater harvesting system will be an in-line tank for the collection and storage of rainwater. At times when the rainwater storage tank is full rainwater can pass through the tank and continue to be discharged via gravity into the stormwater drainage system. Rainwater from the storage tank will be pumped for distribution throughout the development in a dedicated non-potable water reticulation system. Due to the low water demand for the project, a 10,000 litre rainwater tank is proposed for the development. This will be positioned in proximity to the office area where reuse of rainwater will be used for toilet flushing and landscape irrigation.</p> <p>In terms of water quality, roof, hardstand, car parking, roads and other extensive paved areas are required to be treated by the Stormwater Treatment Measures (STM). The STM shall be sized according to the whole catchment area of the Site. The STM’s for the development are based on a treatment train approach as discussed in the NSW EPA document <i>Managing Urban Stormwater: Treatment Techniques</i> to ensure that all of the objectives above are met. Treatment for the redeveloped catchment (1.4</p> |

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|   |     | <p>Ha) will be via Rocla CDS GPT with oil baffle. This will be placed upstream of the existing Catchment 2 discharge point to the Brunner Road drainage system.</p> <p>The Civil drawings provided as part of DA197/2014 show the location and specification of the proposed STM.</p>  |
| <p><b>B4.9 Individual Site Entries and Signage</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To encourage distinctive, well landscaped entries to the site.</li> <li>To encourage extensive verge landscaping and/or landscaped medians.</li> <li>To ensure that vehicles can access industrial sites safely and efficiently.</li> <li>To provide opportunity for the business to identify their location and activity.</li> <li>Ensure that signage does not adversely impact on the surrounding land uses by controlling the location and size of signage.</li> <li>To limit the amount of signage to avoid the creation of visual clutter on streetscapes.</li> <li>To ensure that the location and design of signs are consistent with road safety principles.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>Land owners should consider prohibiting kerbside parking and access to lots near site entry to increase the amount of landscaping.</li> <li>Provide an entrance sign adjacent to the lot entry where desired by land owners. The design of signage should complement the landscaping.</li> <li>All advertising signs must comply with Part D9 of Bankstown DCP 2005.</li> <li>Directory sign must be located parallel to road boundary to facilitate legibility.</li> <li>Signage must relate to the use occurring on the respective property.</li> <li>Signs are to be visible from the street level and nearby higher buildings.</li> <li>Limit only one primary sign per lot entry along public streets.</li> </ol> | Yes | <p>The existing vehicles entries off Brunner Road are to be retained. The Traffic and Parking Assessment submitted with the crown DA outlines that off-street car parking is proposed for a total of 96 cars and 12 motorcycles in a new outdoor car parking area. Vehicular access to the car parking facilities is to be provided via an upgrade of the main entry/exit access driveway located towards the eastern end of the Brunner Road site frontage. Driver visibility for exiting cars is in the order of 120m which exceeds the minimum sight distance requirements specified in AS2890.1.</p> <p>Vehicular ingress for service vehicles is to be provided via an upgrade of the secondary eastern driveway located in Brunner Road. A new sliding security gate is to be setback approximately 22m from the front boundary, with the holding area sufficient in length to accommodate an articulated truck.</p> <p>Vehicular egress for service vehicles is to be provided via the recently upgraded western driveway in Brunner Road which has been designed to accommodate left-turn exit movements only.</p> <p>Only one (1) building identification sign located on the main entry feature and directional signage at the main eastern entry is proposed. No signage advertising products or services is proposed.</p> <p>The signage will be non-illuminated and will not be the dominant features of the site.</p> <p>The size of the signage is proportionate to the scale of the building and intended purpose. No clutter or safety concern is expected to result from the signage proposed.</p> |
| <p><b>B4.10 Fences</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>To ensure that fencing does not detract from the overall visual amenity and landscape character of the Potts Hill Business Park.</li> <li>To ensure that fences are sympathetic to the design of the buildings and do not dominate the streetscape.</li> <li>To provide security for the individual sites.</li> <li>To ensure that fencing does not interrupt authorised pedestrian permeability through the site.</li> </ul>   | Yes | <p>Generally, the existing fencing around the perimeter of the site is to be retained. The only exceptions are the replacement of fencing along the western boundary (adjoining the future residential land) and in the vicinity of the existing demountable building on the northern boundary.</p> <p>The fence along the western boundary was installed at a height that is too low for the security requirements applicable to the use of the site (2400mm) and will be replaced with fencing of a similar type and height (2950mm)</p>   |

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| <ul style="list-style-type: none"> <li>▪ To ensure that fencing does not impact upon or compromise the integrity and security of the adjoining reservoir site.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. Fencing should be erected within a landscaped setback.</li> <li>2. A 2.95m high security chain link fence to be provided along the eastern boundary of Sydney Water's operation land.</li> <li>3. Solid, pre-painted metal fencing should not be used because of its poor visual appearance. If required for security reasons it should be screened by landscaping.</li> <li>4. Dark coloured palisade fencing is encouraged where appropriate.</li> <li>5. Wherever chain linked fences are used for security purposes, landscaping shall be provided to screen the fence.</li> <li>6. All fences shall be made of durable and weather resistant material.</li> <li>7. Fences to be provided along street edges and between adjoining property owners.</li> <li>8. Where possible landscaping should be used to soften the visual impact of boundary fences, however the landscaping and screening vegetation is not to impede any security surveillance or lighting spill.</li> </ol> |     | <p>as the black powder-coated palisade fencing currently provided to the southern boundary fronting Brunker Road.</p> <p>Existing chain mail fencing along the northern boundary is to be replaced with similar 2700mm high palisade fencing.</p>  |
| <p><b>4.11 Safety and Security</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ To ensure design and layout takes into account the safety of occupants and visitors to the site.</li> <li>▪ To ensure the design permits surveillance of the streets for public safety.</li> <li>▪ To maximise natural surveillance so that people feel safe at all times.</li> <li>▪ To ensure that the integrity and security of the adjoining reservoir site is not impaired or compromised.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. Design of buildings and landscaping should ensure natural surveillance of pathways and open space setback areas around buildings is possible from within buildings or from adjoining roads.</li> <li>2. Building design should ensure building entrances are visible.</li> <li>3. Appropriate lighting should be provided to all pedestrian paths, parking areas and building entries to identify and encourage use of safe access routes.</li> <li>4. Planting within car parks and along internal pedestrian paths should not include foliage between the heights of 0.5m and 2m to allow for passive surveillance.</li> </ol>             | Yes | <p>The proposal has been designed in accordance with the Principles of Crime Prevention Through Environmental Design (CPTED) as follows:</p> <ul style="list-style-type: none"> <li>▪ <b>Natural Surveillance</b><br/>The proposal will provide staff surveillance throughout the operational periods as well as security patrols and monitoring after hours. The design of the facility ensures all locations of the site are readily visible and accessible to security staff to ensure no opportunity for un-seen activities and anti-social behaviour.</li> </ul> <p>Fencing and landscaping will be provided with a balance of filtering the built form whilst also minimising areas for potential lurking or blind spots. Outdoor lighting illuminating the hardstand area will also assist.</p> <ul style="list-style-type: none"> <li>▪ <b>Access Control</b><br/>Entry to the site is to be managed by the Ausgrid to ensure appropriate persons have site access.</li> </ul> <p>Staff and visitors must access the facility through the reception office located within walking distance of the car park. The office is logically positioned to be identified as the main entry point.</p> <p>Perimeter fencing and landscaping also provide a physical barrier to accessing the site.</p> <ul style="list-style-type: none"> <li>▪ <b>Space Management (Maintenance)</b><br/>Ausgrid will maintain the site to ensure that the</li> </ul> |



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|  |     | <p>facility will remain clean and present the idea that the site is frequently occupied and looked after. Persons who wish attempt to undertake antisocial activities are deterred as a result of their likely being caught by the regular site attendees.</p> <p>The perimeter fencing reduces opportunities for vandalism.</p> <ul style="list-style-type: none"> <li>▪ <i>Territorial Reinforcement</i></li> </ul> <p>The well-defined entries will provide indicators that the site is private and that entry is controlled.</p> <p>Perimeter fencing will provide clear delineation between public and private areas and reduce the risk of persons unknowingly entering the premises where they may be injured.</p>  |
| <p><b>B4.12 Lighting</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ To ensure lighting does not cause distraction to vehicle drivers on internal or external roads or to occupants of adjoining properties.</li> <li>▪ To encourage the use of solar lighting for outdoor areas in accordance with relevant Australian Standard.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. Accent illumination can be provided at key location such as building entrances and driveways.</li> <li>2. External lighting should be integrated into building form and designed to accentuate architectural form and features.</li> <li>3. External lighting fixture design shall be compatible with the design and the use of the principal structure on the site.</li> <li>4. All exterior light fittings shall be energy efficient types</li> </ol> | Yes | <p>Lighting will be provided in strategic locations within the yard and car park and will be installed will be in compliance with the relevant Australian Standards, BCA and other statutory requirements.</p> <p>External light poles to match existing will be positioned to allow adequate site movement and not cause light spill to adjoining sites. No illumination is to be directed upward or to the boundaries of the site.</p> <p>It is anticipated that the lighting strategy will comprise 3 circuits:</p> <ul style="list-style-type: none"> <li>▪ Circuit 1 for basic low-level lighting for security.</li> <li>▪ Circuit 2 for more lights for safe traffic movement.</li> <li>▪ Circuit 3 for emergency operations where the yard is required to be fully operational.</li> </ul> <p>Circuits 2 and 3 are to be on a timer and/or separate switch to limit the time these lights are on.</p> |
| <p><b>B4.13 Waste Management and Recycling</b></p> <p><b>Objectives:</b></p> <ul style="list-style-type: none"> <li>▪ To minimise the overall environmental impacts of waste.</li> <li>▪ To provide waste management system that allow ease of use by occupants and ease of service by collection contractors.</li> <li>▪ To encourage waste minimisation, including source separation, reuse and recycling.</li> <li>▪ To promote design that provide convenient waste storage, recycling and collection facilities on site.</li> <li>▪ To reduce potable water consumption.</li> <li>▪ To utilise technology and efficiencies to reduce the ecological footprint of individual site.</li> </ul> <p><b>Design Guidelines:</b></p> <ol style="list-style-type: none"> <li>1. Use sustainable building materials that can be</li> </ol>   | Yes | <p>Demolition waste has been considered as part of the approval for the Stage 1 Civil works and is not covered again in the subject application.</p> <p>An Operational Waste Management Plan has been prepared and submitted to Council for consideration as part of DA197/2014.</p>   |



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| <p><i>reused and recycle.</i></p> <p>2. <i>Adequate garbage and recycling areas must be provided on every buildings.</i></p> <p>3. <i>Storage areas for rubbish bins are to be located away from the front of the development and are to be screened.</i></p> |  |  |
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**c. Environmental Protection and Biodiversity Conservation Act 1999 (Cth)**

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) requires approval from the Federal Minister for the Environment and Heritage to carry out a 'controlled action' where it is likely to have a significant impact on a 'matter of national environmental significance'. Matters of National Environmental Significance include listed threatened species, ecological communities and migratory species.

The Ecological Assessment provided for the Stage 1 Infrastructure Approval noted the existence of a native vegetation community, Sydney Turpentine Ironbark Forest, as occurring on the site. This community is listed as a Critically Endangered Ecological Community under the EPBC Act. However, prior to approval of the project application, the subdivision layout was revised to exclude the identified vegetation from the lot which is currently used by Ausgrid.

The earlier assessments provided for the Concept Plan and Stage 1 Infrastructure applications also found that it is unlikely that any other significant native faunal assemblages inhabit the site due to the poor condition and high disturbance of the site and no other threatened plants were located in surveys of the Brunner Road site. As such, it is taken that no vegetation remaining on the site forms part of the community listed under the EPBC Act. The Stage 1 Infrastructure Application has since approved extensive bulk earthworks across the entire Brunner Road site that inevitably requires removal of all remaining vegetation.

Although removal of all vegetation is approved, it is expected that some vegetation located on the perimeter of the site can be retained.

**d. NSW Threatened Species Conservation Act 1995**

The *Threatened Species Conservation Act 1995* (TSC Act) identifies and protects threatened and endangered species, populations and ecological communities.

In terms of fauna, the Ecological Assessment prepared and approved as part of the Concept Plan Approval identified that the greater Potts Hill Reservoir Site supports the Grey-headed Flying Fox and the Eastern Bent-wing Bat, both of which are identified as threatened species under the TSC Act. However, in consideration of the potential impacts created by future development in accordance with the Concept Plan, the assessment concluded:

- Both species are highly mobile and therefore, any loss of foraging habitat is unlikely to result in significant disturbance or displacement as the species is able move to retained vegetation on the site or to other remnants in the vicinity of Potts Hill.
- Both species do not require continuous canopy for their movement and between areas of habitat.
- The breeding cycle of both species is unlikely to be disrupted.
- There is a lack of roosting habitat on the site for both species and therefore, their respective roosting behaviour is unlikely to be disturbed by the proposal.
- Both species are found throughout the Sydney area and beyond and as such the Potts Hill site is not at the limit of their distribution.

On this basis of the above, the Department of Planning agreed with the finding and found that the Concept Plan will not adversely impact on the long term viability of both species. In addition to being listed under the EPBC Act (see Section 5.2 above), the Sydney Turpentine Forest is listed as an Endangered Ecological Community under the TSC Act. For the reasons stated above (i.e. removal of the community from the Ausgrid site prior to subdivision and subsequent approval for bulk earthworks across the entire site) there are no further considerations required for this community in the context of the subject application.

**e. Heritage Act 1977**

The site does not contain any heritage significance, as follows:

European Heritage

The Potts Hill Reservoirs site (excluding the Bagdad Street parcel) was previously listed on the State Heritage Register (SHR) and in Bankstown LEP 2001. This included the subject site. Historic elements include:

- Carrier Canal and Associated items;
- Reservoir No.1 and associated items;
- The telescopic valve tower on the 1200mm Eastern Crossover;
- Pressure Tunnel Inlet;
- Pressure Tunnel Access Shaft Building;
- Suction Well;
- Surge Tank and Reflux Valve on No.1 Main;
- No.1 Supply Main Pipeline;
- No.2 Supply Main pipeline; the Pressure Tunnel; and
- Landscape Elements.

A Conservation Management Plan (CMP) prepared for Potts Hill was endorsed by the Heritage Council in April 2005. In addition to a range of heritage management measures for the site, the CMP canvassed a reduction in the SHR boundary based on the area required in the long term for Sydney Water's operations. A formal request for revision of the SHR boundary was made to the Heritage Council in June, 2008 based on the subdivision layout that was proposed within the Concept Plan application.

The revised State Heritage Register (SHR) boundary for the Reservoirs Site was approved by the Heritage Council in December 2008, and gazetted on 30 January 2009 (**Figure 4** below). As a result of the redefined SHR boundary, no redevelopment land falls within the land now identified as on the State Heritage Register.

Indigenous Heritage

At the time of the Concept Plan application, Jo McDonald Cultural Heritage Management Pty Ltd undertook a detailed Aboriginal Archaeological Assessment of the redevelopment land at Potts Hill in accordance with established protocols.

A summary of the findings of the Archaeological Assessment report found:

- There are no areas within the redevelopment land that are considered to have high archaeological potential and no areas are identified as being worthy for conservation of their Indigenous heritage values; and
- There is no requirement for any further archaeological investigations in the redevelopment land.

Further, the 2005 Conservation Management Plan for the Potts Hill Reservoirs Site concluded that a large area (including the subject site) is *"heavily disturbed with no known historical uses. Archaeological potential limited."* See **Figure 5** below.

Concept Plan and subsequent approvals were granted on the basis of these findings, which remain valid for the subject redevelopment of the Ausgrid Facility. However, it is noted that any approval may be subject to a condition requiring stop work protocols if any excavation uncovers any archaeological artefacts.

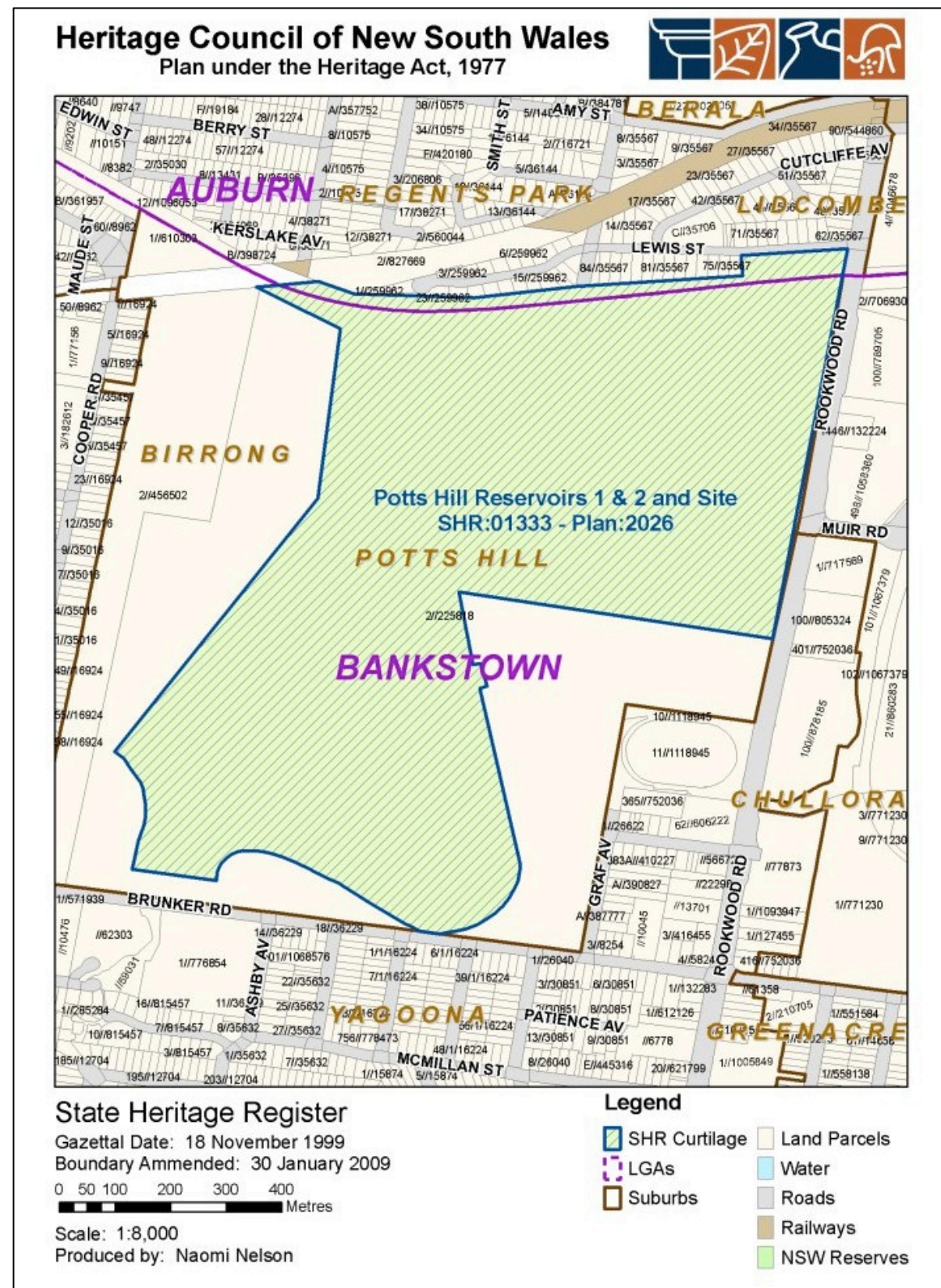


Figure 4. State Heritage Register Boundary for Potts Hill Reservoirs

(Source: NSW Environment and Heritage, 2009)



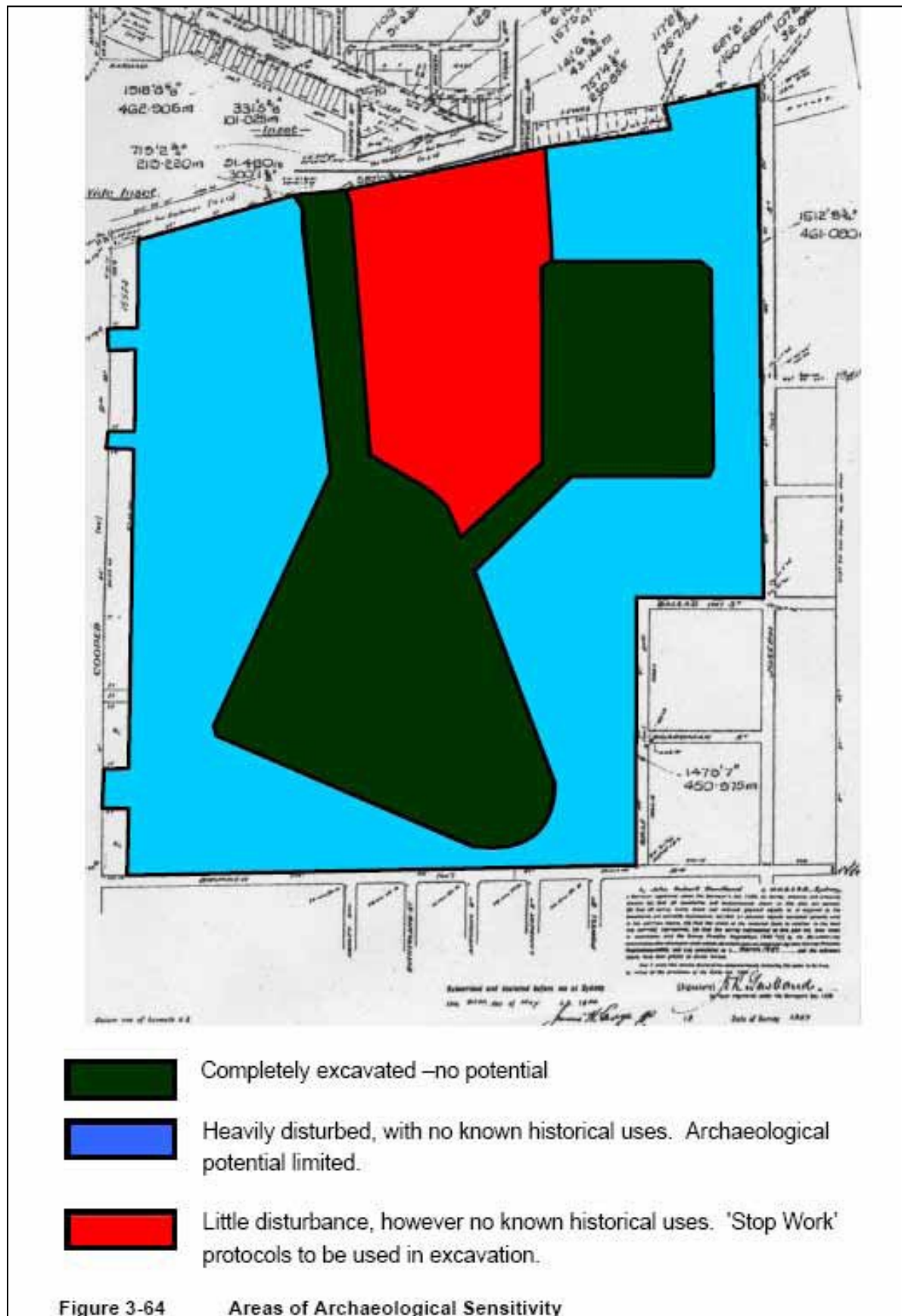


Figure 5. Archaeology Potential identified under the Conservation Management Plan 2005  
(Source: Sydney Water Corporation, 2005)

**f. State Environmental Planning Policy No. 33 Hazardous and Offensive Development**

There are two types of dangerous goods storages proposed for this site, being:

1. Flammable Liquids Cabinets.  
There will be four cabinets each of a capacity of 250 litres. Contents will be materials such as petrol (for equipment such as mowers), thinners and glues. These materials are classified as dangerous goods of Class 3 (flammable liquids), with Packing Groups II and III. The cabinets will be located at various locations throughout the warehouse building.
2. Transformer Oil Store  
A transformer oil store consisting of a bunded storage area for two waste transformer oil tanks of 2000 litres each, one tank for new transformer oil of 2000 litres capacity, up to ten items of switchgear containing approximately 200 litres of oil each, and miscellaneous drums. Note that one possible tank configurations consists of a single tank, divided into three compartments. It is current practice to specify such tanks to be double-walled, which has considerable impact on spill containment provisions.

A Dangerous Goods has been prepared and issued to Council as part of DA197/2014 and indicates that the proposal is not considered to be potentially hazardous under *State Environment Planning Policy No. 33 – Hazardous and Offensive Development*. The inventories proposed for this development are far less than those which trigger application of this Policy.

Specifically, The proposed oil storage will not contain any flammable liquids and is located more than fifty metres from the warehouse, in which the four flammable liquids cabinets will be located.

The flammable liquids cabinets (250 litre capacity each) will contain less than one cubic metre of Class 3 materials. The screening threshold for these materials (i.e. the inventory above which further investigation is required under SEPP33) is two cubic metres, so this storage is well below the inventory at which further investigation is required.

**g. State Environmental Planning Policy No. 55 Remediation of Land**

SEPP 55 provides controls and guidelines for the remediation of contaminated land. Clause 7 of the SEPP specifies that a consent authority must not consent to the carrying out of any development on land unless it has considered whether land is contaminated and if the land is contaminated, it is satisfied that the land is / can be suitable for the proposed development.

Numerous investigations have been undertaken across the Potts Hill Reservoirs Precinct:

- Sydney Water Corporation's Environment & Innovation Division prepared a Phase I Preliminary Site Assessment in July 2003,
- Phase II Detailed Site Investigations undertaken by URS Corporation Pty Ltd and Coffey Environments Pty Ltd in August 2007 to support the Concept Plan for the entire Reservoirs Lands Precinct; and
- ENSR Australia Pty Ltd (ENSR) prepared a supplementary contamination assessment for portions of the developable area of the Reservoirs site (including the Brunker Road Site) as part of the Stage 1 Infrastructure Project Application.

The supplementary contamination assessment by ENSR summarises the findings of the Phase I and II contamination assessment works undertaken on specific areas of the site and determines the remediation works that may be required. The previous investigations and ENSR's most recent assessment concluded that Brunker Street site results indicate this area is not contaminated as the identified concentrations of contaminants are below DECC's current commercial / industrial land-use assessment criteria. An Environmental Management Plan was also prepared to outline measures to treat any unexpected contamination encountered during works.

Approval was granted as part of Stage 1 Infrastructure Works for the removal of asbestos containing materials, synthetic mineral fibre (SMF) containing materials, lead paint materials and degassing of the air conditioning units. These materials were identified as being generally contained within the fittings and fixtures throughout the buildings in both the Eastern Precinct and Brunker Road Site (the subject site).

Commencement of the removal of this material was undertaken by Sydney Water as part of demolition works, prior to change of ownership to Ausgrid. The works were carried out by a licensed Hazardous Materials Removal Contractor (HMRC) with the works supervised and monitored by a qualified Hygienist. Continuation of the demolition works will be undertaken by Ausgrid once confirmation of an approved redevelopment scheme is in place to ensure ongoing operational facilities.

The approved measures in place to manage hazardous materials will be maintained without the need for further investigation. All works are to be carried out will be in accordance with applicable legislation and regulations, the Remediation Action Plan(s) and the Environmental Management Plan, committed to in the Statement of Commitments. More specifically, asbestos removal is to be performed as a wet process in accordance with *Occupational Health and Safety Regulations 2001* and the guidelines of the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos, 2nd Edition (NOSHSC:2002(2005)).

It is noted that the investigations into soil contamination identified that no remediation works were required for the Brunker Road Site.

**h. State Environmental Planning Policy (Major Projects) 2005**

*State Environmental Planning Policy (Major Projects) 2005* identifies certain categories of development and certain specified sites that are subject to assessment and determination under Part 3A of the EP&A Act.

As outlined earlier, on 14 July 2007, the Minister for Planning formed an opinion under Clause 6 of the Major Projects SEPP that the redevelopment of the site for residential, employment and recreational uses was a Major Project to which Part 3A of the EP&A Act applied.

Following approvals as listed in Section 2 of this Report, on 12 November 2010, in preparation for the repeal of Part 3A, *State Environmental Planning Policy (Major Development) Amendment (Transfer of Planning Controls) 2010* commenced and removed the Potts Hill Reservoirs Site from Schedule 3 of the Major Development SEPP and inserted the provisions into Bankstown LEP 2001. As such, the provisions of SEPP Major Projects no longer apply to the site and are not considered in the context of the current proposal with the exception that the existing approvals resulting from the former Part 3A process remain in force.

**i. State Environmental Planning Policy (Infrastructure) 2007**

State Environmental Planning Policy (Infrastructure) 2007 aims to facilitate the effective delivery of infrastructure across the State by:

- (a) *improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services, and*
- (b) *providing greater flexibility in the location of infrastructure and service facilities, and*
- (c) *allowing for the efficient development, redevelopment or disposal of surplus government owned land, and*
- (d) *identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development), and*
- (e) *identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and*
- (f) *providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing*

Of particular relevance to the proposed development, Clause 76(1) states:

*Development for the purpose of public administration buildings may be carried out by or on behalf of a public authority with consent on land in a prescribed zone.*

For the purposes of this Part of the SEPP, a 'prescribed zone' includes Zone B7 Business Park and 'public administration building' has the same meaning as it has in the Standard Instrument, and means:

*a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.*

While the depot will be used for administration purposes as well as indoor and outdoor storage, and warehouse and workshop purposes, Bankstown City Council has advised the use does not fall into this category of development and cannot be approved under the SEPP Infrastructure provisions.

It is also noted that Clause 104 requires development (whether new or expansion of existing) of a certain use and size/capacity as listed under Schedule 3 of the SEPP to be referred to the Roads and Maritime Services. The most relevant categories of development listed under Schedule 3 are identified in **Table 4**.

For the purposes of RMS referral, the cumulative floor area of the new warehouse building will be approximately 4,278m<sup>2</sup>, including approximately 860m<sup>2</sup> of office area (i.e. a reduction in floor area of approximately 772m<sup>2</sup> to the existing structures on the site).

Parking is to be provided for 96 cars and 12 motorcycles, as well as parking for service vehicles is proposed for 14 vans/utes/4WDs, 20 medium/large rigid trucks and 5 articulated trucks. The covered loading area may also be utilised for covered parking to at least 6 medium/large rigid trucks

As the thresholds in Table 1 are not met, and the development results in a reduced floor area, referral to the Roads and Maritime Services is not required.

**Table 4 Relevant RMS Referral Thresholds**

| Development   | Size or capacity—site with access to any road | Size or capacity—site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road) |
|---|---|--|
| Area used exclusively for parking or any other development having ancillary parking accommodation | 200 or more motor vehicles                    | 50 or more motor vehicles  |
| Transport terminals, bulk stores, container depots or liquid fuel depots                          | 8,000m <sup>2</sup>                           | N/A  |
| Any other purpose   | 200 or more motor vehicles                    | N/A  |



**j. Bankstown Local Environmental Plan 2001**

Part 15 of *Bankstown Local Environment Plan 2001* (BLEP 2001) applies to the subject site. Clause 66 confirms that no provisions other than those contained in Part 15 and Clause 5 of BLEP apply to the area identified as the Potts Hill Reservoirs Site (**Figure 6**). It is also noted that Clause 68 states that the only environmental planning instruments that apply to land within the Potts Hill Reservoirs site, other than BLEP 2001, are all State Environmental Planning Policies, except *State Environmental Planning Policy No 1—Development Standards*.

The relevant provisions of BLEP 2001 are considered below:

**Consent Authority**

Pursuant to Clause 5, the Council is the consent authority for the subject application.

**Zoning and Permissibility**

Under the provisions outlined in Clause 70 of BLEP2001, the site is zoned as B7 Business Park (**Figure 7**). The objectives of the B7 Business Park zone under Clause 74 of BLEP2001 are:

- (a) *to provide a range of office and light industrial uses,*
- (b) *to encourage employment opportunities,*
- (c) *to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

The proposed development is consistent with the zone objectives as it provides for employment opportunities of a kind outlined in the Concept Plan for the Potts Hill Reservoirs Site which specifically outlined the expected use of the site would be for electricity services.

The land use activities to be undertaken by Ausgrid are a continuation of the existing “works depot” activities which were established by Sydney Water in the 1960’s and have continued to the present day; however, reliance on existing use right is not considered suitable for any future works associated with this facility whereby exempt and complying development would be restricted and any future works may constitute an intensification of a prohibited use.

This modification has been made to confirm the permissibility of the site within the Concept Plan Approval and remove any reliance on the LEP zoning, SEPP Infrastructure, or existing use rights.

**Height of Buildings**

Pursuant to Clause 77 of BLEP 2001, the maximum building height for the site is 16 metres (See **Figure 8**). The proposed structures are well below this maximum height limit.

**Floor Space Ratio**

Pursuant to Clause 78 of BLEP 2001, the maximum floor space ratio for the site is 1:1 (See **Figure 9**). The proposed development is well below the maximum FSR for the site.

**Exceptions to Development Standards**

The proposal does not seek any variation or exceptions to application development standards under the LEP.

**Infrastructure development and use of existing buildings of the Crown**

Clause 80 of BLEP 2001 states:

- (1) *This Part does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without consent, or that is exempt development, under the State Environmental Planning Policy (Infrastructure) 2007.*
- (2) *This Part does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.*

**Controls Relating to Miscellaneous Permissible Uses**

No miscellaneous permissible uses identified under Clause 81 are proposed.



Figure 6. BLEP 2001 Part 15 Land Application Map (Source: Bankstown City Council, 2013)

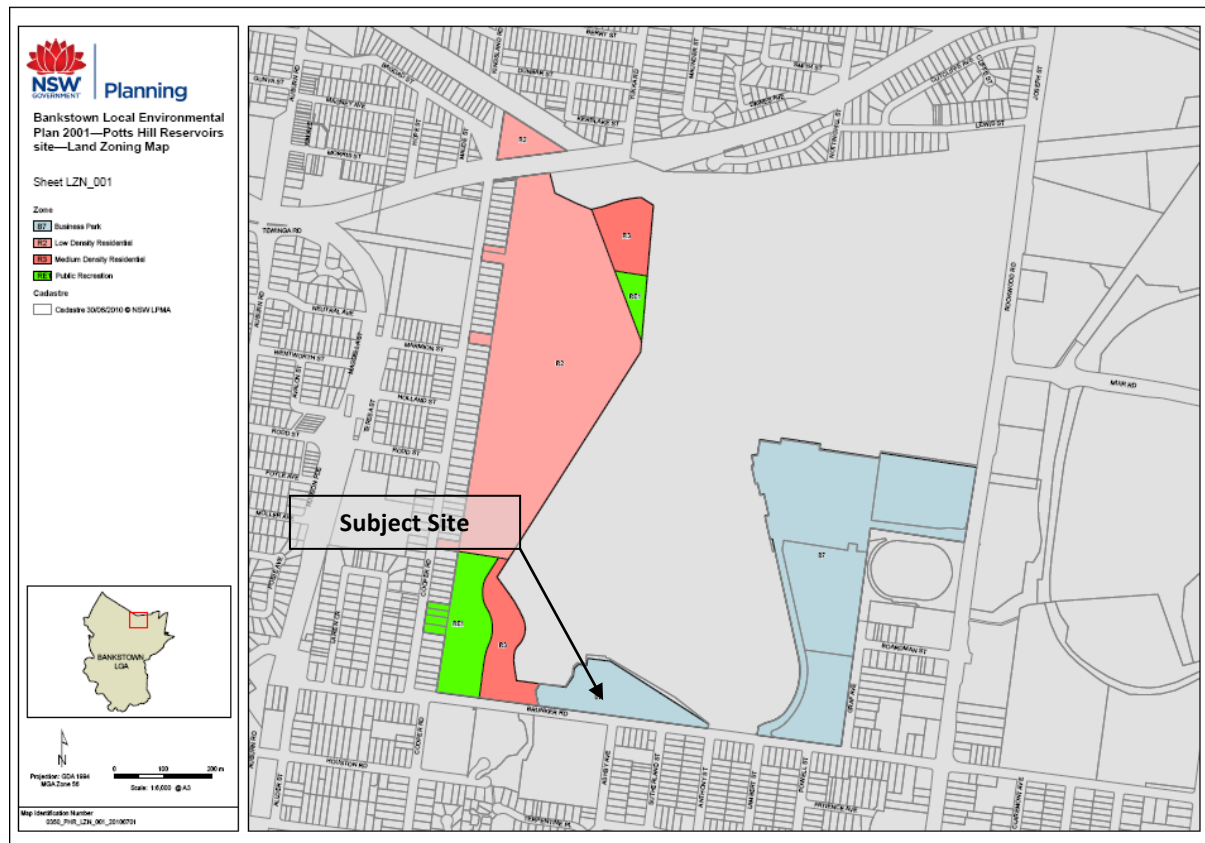


Figure 7. BLEP 2001 Part 15 Zoning Map (Source: Bankstown City Council, 2013)

## Section 75W Modification to Concept Plan MP07\_0099

Ausgrid Depot | 36E Brunner Road, Potts Hill

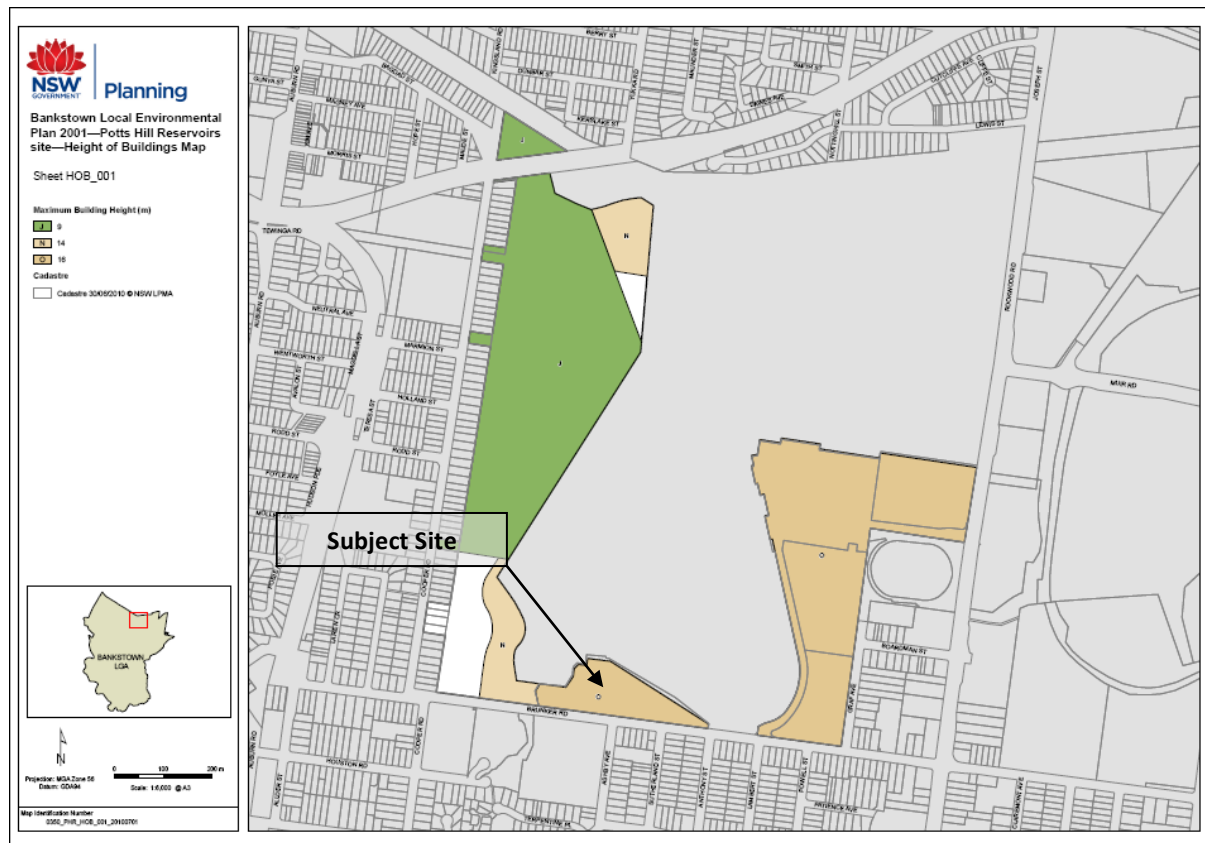


Figure 8. BLEP 2001 Part 15 Height of Buildings Map (Source: Bankstown City Council, 2013)

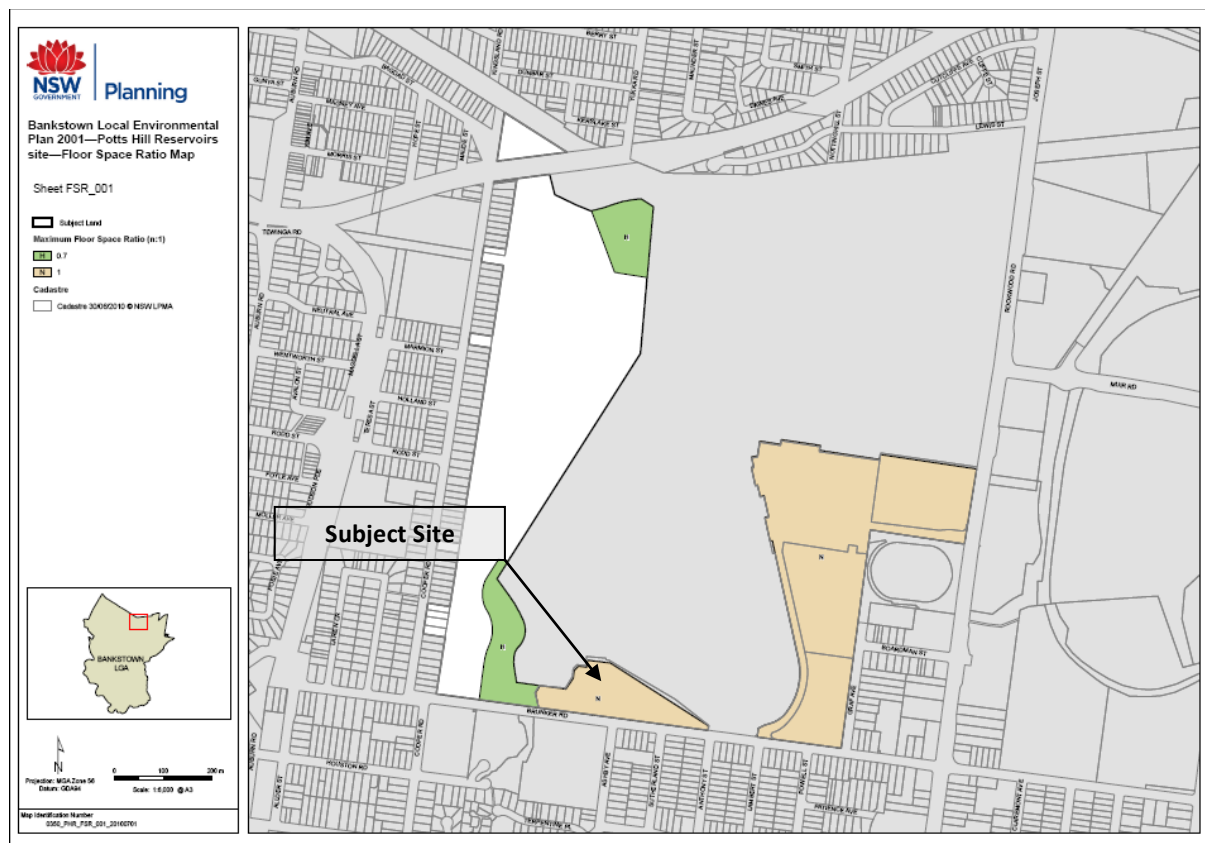


Figure 9. BLEP 2001 Part 15 Floor Space Ratio Map (Source: Bankstown City Council, 2013)

**k. Draft Bankstown Local Environmental Plan 2012**

In September 2005, the NSW Government introduced planning reform legislation to standardize the NSW planning system. A major reform relevant to the City of Bankstown is to convert Bankstown Local Environmental Plan 2001 to a Standard Instrument that is common to all councils.

In October 2005, Bankstown Council resolved to convert BLEP 2001 to the Standard Instrument Principal LEP in two (2) stages. At the first stage the intended outcome is to carry out an administrative conversion of Bankstown LEP 2001 to the Standard Instrument Principal LEP template. This conversion has been undertaken and the draft instrument was placed on public exhibition in August 2013. The instrument is known as draft *Bankstown Local Environmental Plan 2012* (draft BLEP 2012).

The provisions under that draft instrument that are relevant to the proposed development are addressed as follows:

***Land Application***

The provisions of the draft LEP apply to the Potts Hill Reservoirs site in the same manner as it applies to other land within the Bankstown LGA.

***Zoning and Permissibility***

Under draft BLEP2012, the site is to retain its B7 Business Park zoning (**Figure 10**). The objectives of the B7 Business Park zone under draft BLEP2012 are:

- *to provide a range of office and light industrial uses,*
- *to encourage employment opportunities,*
- *to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*

The permissibility will be resolved from the clarification of the Concept Plan Approval under the subject modification application to MP07\_0099.

***Subdivision***

The proposal does not seek approval for subdivision.

***Height of Buildings***

No maximum building height control applies to the subject site (**Figure 11**).

***Floor Space Ratio***

The maximum floor space ratio for the site is 1:1 (**Figure 12**). The proposal is well below the maximum floor space ratio.

***Exceptions to Development Standards***

The proposal does not rely on any exceptions to the development standards contained in draft BLEP 2012.

***Land Reserved for Acquisition***

The site does not contain any land reserved for acquisition.

***Controls Relating to Miscellaneous Permissible Uses***

No miscellaneous uses listed under the draft instrument are proposed.

***Architectural Roof Features***

As no maximum building height limit applies, the architectural roof features provisions are not applicable.

***Conversion of Fire Alarms***

New fire safety systems are to be incorporated into the new development in a manner suitable for Fire and Rescue NSW.

***Preservation of Trees or Vegetation***

As outlined above, the site has received Project Approval for Stage 1 works that involves substantial bulk earthworks across the entire site. This work was assessed against the preservation of trees and vegetation. While alternative levels are proposed to accommodate the proposed site layout, the finding relating to tree removal remains valid.

Additionally, an Arborist Assessment has been in relation to the crown DA proposal has been provided to Council and indicates that the removal of vegetation impacted by the development is appropriate given the quality of the trees or the advantage of removing trees rather than designing around the vegetation.

It is reiterated that some vegetation is expected to be retained rather than be completely removed as approved under the Stage 1 Project Approval.

***Heritage Conservation***

The site does not contain any items of heritage following the revision of the State Heritage Register boundary for the reservoirs land located to the north of the site.

The heritage significance of the reservoirs land will not be significantly impacted by the proposal given the significant setback of the proposed building from the northern/eastern boundary and the vegetation buffer that exists on the reservoir land (required by the Concept Approval – by others).

As stated earlier, no archaeological potential exists for the site.

***Bush Fire Hazard***

The site is not identified as being within a bushfire hazard area.

***Acid Sulfate Soils***

The site is not identified as having potential for Acid Sulfate Soils under draft BLEP 2012.

***Development in Areas Subject to Aircraft Noise***

The site is not identified as being within an area that is subject to aircraft noise.

***Earthworks***

Project Approval for Stage 1 works included approval for bulk earthworks across the site. It is proposed that the earthworks be amended to reflect the built form proposal under this application. Costin Roe have prepared a Civil Engineering Report and accompanying Finished Levels Plan provided as part of DA197/2014 outline only minor earthworks will be undertaken to facilitate the redevelopment of the site instead of the larger scale earthworks already approved.

The earthworks will allow for the structural zone for the facility floor, falls in external levels and the differences in level between the two pads, some earthworks will be required to the existing pad levels. Detailed assessment of the earthworks level will be completed during detailed design stage.

To assist in maintaining embankment stability permanent batter slopes will be no steeper than 3 horizontal to 1 vertical while temporary batters will be no steeper than 2 horizontal to 1 vertical. This is in accordance with the recommended maximum batter slopes for residual clays and shale which are present in the area. Permanent batters will also be adequately vegetated or turfed which will assist in maintaining embankment stability.

It is not expected that retaining walls will be required for this development.

Soil erosion and sediment control measures, including sedimentation basins, will also be provided for the development as outlined in the Civil Engineering Report.



### Flood Planning

The Civil Engineering Report included with the crown DA to Council notes that the site is not expected to be affected by overland flow or flooding and that a flood study would not be required for the site. A Stormwater Systems Report has been obtained from Council.

### Foreshore Building Line

No foreshore building line provisions apply to the site.

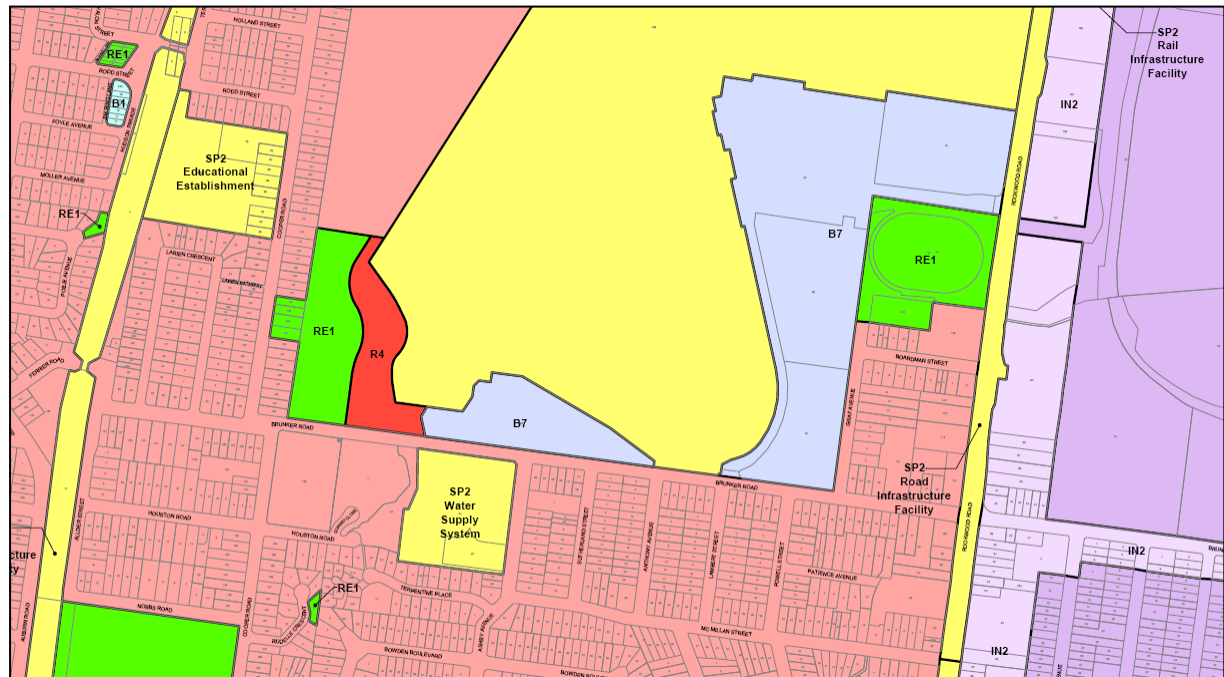


Figure 10. Draft BLP 2012 Land Zoning Map (Source: Bankstown City Council, 2012)



Figure 11. Draft BLP 2012 Height of Buildings Map (Source: Bankstown City Council, 2012)

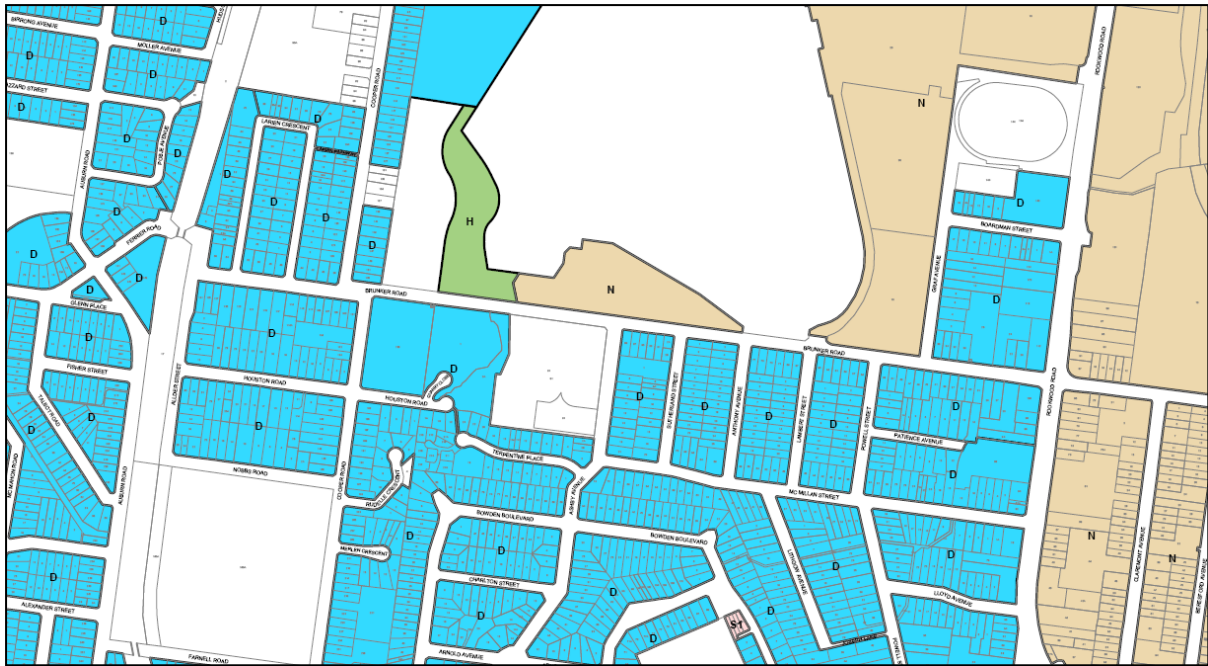


Figure 12. Draft BLEP 2012 Floor Space Ratio Map (Source: Bankstown City Council, 2012)

#### I. Bankstown Development Control Plan 2005

Bankstown Development Control Plan 2005 (DCP) supplements BLEP 2001 by providing additional objectives and development controls to enhance the function and appearance of development in the LGA. The development controls include height, setbacks, urban design, amenity, landscaping, access and parking.

However, it is noted that that Schedule 6A, Clause 3B(f) of the *Environmental Planning and Assessment Act 1979* states that the provisions of any environmental planning instrument or any development control plan do not have effect to the extent to which they are inconsistent with the terms of the approval of the concept plan. In this regard, only the provisions contained within the DCP that are not already covered by the Terms of Approval and adopted Business Park Design Guidelines are considered applicable.

The controls of the DCP are addressed as follows:

##### Part A – Preliminary

The objectives of the DCP are:

- (a) to have a single, dynamic document that supports Bankstown Local Environmental Plan 2001;
- (b) to have objectives and development controls that establish clear guidelines for development in the City of Bankstown;
- (c) to develop a high quality urban environment and built form character in the City of Bankstown;
- (d) to ensure development contributes to the prosperity of the City of Bankstown;
- (e) to ensure development protects and enhances the natural environment in the City of Bankstown;
- (f) to ensure development incorporates the principles of ecologically sustainable development; and
- (g) to promote a safe and secure environment in the City of Bankstown.

The proposal is consistent with the relevant objectives of the DCP as it provides for the redevelopment of land for continued delivery of public services and employment without significant environmental impact. The development maximizes sustainability through design, operations and equipment.



***Part B – Site Analysis***

The proposed development is in accordance with the approved Concept Plan and has addressed the site constraints and opportunities to maximize operational efficiencies, achieve high quality urban design and streetscape presentation, maximize security and minimize environmental impact.

***Part C – Definitions***

No applicable controls.

***Part D – Development Standards***

*Exempt and Complying Development*

No exempt or complying development is proposed.

*Residential Zones*

No applicable controls.

*Key Development Sites in Residential Zones*

No applicable controls.

*Business Zones*

This Part of the DCP applies to all land within Zone 3(a) Business–CBD, 3(b) Business–Other Centres, and 3(c) Business–Enterprise under the provisions of *Bankstown Local Environmental Plan 2001*. As the site is not within one of these zones, the provisions are not applicable.

Additionally, the provisions specified in this Part of the DCP are similar to those outlined in the Concept Plan Terms of Approval or Business Park Design Guidelines and do not apply pursuant to Clause 3B(f) of Schedule 6A of the EP&A Act.

*Key Development Sites in Business Zones*

The site is not identified as a Key Development Site under this part of the DCP.

*Industrial Zones*

This Part of the DCP applies to all land within Zone 4(a) General Industrial and 4(b) Light Industrial under the provisions of *Bankstown Local Environmental Plan 2001*. As the site is not within one of these zones, the provisions are not applicable.

Additionally, the provisions specified in this Part of the DCP are similar to those outlined in the Concept Plan Terms of Approval or Business Park Design Guidelines and do not apply pursuant to Clause 3B(f) of Schedule 6A of the EP&A Act.

*Sustainable Development*

The provisions specified in this Part of the DCP are similar to those outlined in the Concept Plan Terms of Approval or Business Park Design Guidelines and do not apply pursuant to Clause 3B(f) of Schedule 6A of the EP&A Act.

*Parking*

The provisions specified in this Part of the DCP are similar to those outlined in the Concept Plan Terms of Approval or Business Park Design Guidelines and do not apply pursuant to Clause 3B(f) of Schedule 6A of the EP&A Act.

*Advertising Signage*

The provisions specified in this Part of the DCP are similar to those outlined in the Concept Plan Terms of Approval or Business Park Design Guidelines and do not apply pursuant to Clause 3B(f) of Schedule 6A of the EP&A Act.

*Child Care Centres*

No applicable controls.

Educational Establishments

No applicable controls.

Places of Public Worship

No applicable controls.

Health Consulting Rooms

No applicable controls.

Brothels

No applicable controls.

Communication Facilities

No significant communications facilities are proposed to be erected as part of the proposal.

**Part E – Environmental Standards**

Demolition and Construction

No demolition is sought under the subject application as removal of all structures and hardstand has been approved under the Stage 1 Project Approval.

A Construction Management Plan is to be prepared in accordance with Council's DCP requirements. At the Construction Certificate Stage It is noted that the Civil Engineering Report forming part of the DA to Council provides details of erosion and sediment control measures for the construction phase.

An Operational Waste Management Plan has also been prepared and submitted to Council.

Tree Preservation Order

Condition No. 1 of the Stage 1 Project Approval outlines the approval as including "*Bulk excavation and earthworks*" as well as "*Removal of existing trees and vegetation/landscaping as necessary*".

As such, prior approval for removal of all vegetation on the site has been granted. Notwithstanding, it is intended that a reduction in the extent of earthworks is undertaken to achieve required levels for building pad footings and internal road works/car parking that will likely retain some vegetation on the site. The trees to be removed as a result of the development have been identified in an Arborist Assessment submitted with the development application as being suitable for removal based on poor tree quality/health or unjustifiable redesign of the proposal to preserve vegetation.

Flood Risk Management

The Civil Engineering Report (with Council) notes that the site is not expected to be affected by overland flow or flooding and that a flood study would not be required for the site. A Stormwater Systems Report has been obtained from Council.

**m. The Likely Impacts of the Development**

**Context and Setting**

The site is located within a business precinct that has received previous concept approval for the intended activities, has been previously used as a depot by a Crown authority and continues to be used for such purposes without significant impact.

The design of the new depot improves the visual appearance of the aged site and can be operated without significant impact on the residential development to the south, or heritage reservoirs to the north.

**Parking, Access and Traffic Impacts**

The Traffic and Parking Assessment provided as part of the DA identifies the following aspects of the development:

- **Parking**

The off-street parking requirements applicable to the development proposal are specified in the NSW Department of Planning's Determination of Major Project No. 07\_0099 – Concept Plan Application for Surplus Lands at Potts Hill Reservoir Site, Condition C5 document in the following terms:

*All developments within the employment precinct are to justify the car parking rates proposed including to provide the following:*

- a) Employee numbers and usage patterns, with the assumption of some public transport use by employees;*
- b) Travel demand management measures with the goal of encouraging public and active transport use, with monitoring and scheduled reviews of success; and*
- c) Adequate and secure bicycle storage facilities and cyclist amenities as part of the development*

There are expected to be up to 100 Ausgrid staff based at the Potts Hill depot, working regular and irregular hours (i.e. shift work). It is also noted that a number of existing kerbside parking restrictions apply to the road network in the vicinity of the site.

In the circumstances, the Traffic Report considers that the proposed provision of 96 car parking spaces plus 12 motorcycle parking spaces will satisfy the actual parking demands likely to be generated by the development proposal and in the circumstances, it is concluded that the proposed development will not have any unacceptable parking implications.

Off-street parking for service vehicles is proposed for 14 vans/utes/4WDs, 20 medium/large rigid trucks and 5 articulated trucks in outdoor parking areas located to the north and east of the warehouse building. The covered loading area may also be utilised for covered parking to at least 6 medium/large rigid trucks.

- **Loading Facilities**

Loading/servicing for the Ausgrid depot is expected to be undertaken by a variety of commercial vehicles including articulated, large rigid and medium rigid trucks. Loading docks are provided on the western and eastern side of the warehouse building as well as within the building itself.

The manoeuvring areas have been designed to accommodate the swept turning path requirements of these larger trucks, allowing them to enter and exit the site in a forward direction at all times and comply with relevant Australian Standards.

- Design of Parking, Access and Driveways

Vehicular access to the car parking facilities is to be provided via an upgrade of the main entry/exit access driveway located towards the eastern end of the Brunker Road site frontage. Driver visibility for exiting cars is in the order of 120m which exceeds the minimum sight distance requirements specified in AS2890.1

Vehicular ingress for service vehicles is to be provided via an upgrade of the secondary eastern driveway located in Brunker Road. A new sliding security gate is to be setback approximately 22m from the front boundary, with the holding area sufficient in length to accommodate an articulated truck. Vehicular egress for service vehicles is to be provided via the recently upgraded western driveway in Brunker Road which has been designed to accommodate left-turn exit movements only.

The geometric design layout of the proposed carparking facilities have been designed to comply with the relevant requirements specified in the Standards Australia publication Parking Facilities Part 1 - Off-Street Car Parking AS2890.1 in respect of parking bay dimensions and aisle widths.

The geometric design layout of the proposed truck parking facilities have been designed to comply with the relevant requirements specified in the Standards Australia publication Parking Facilities Part 2 - Off-Street Commercial Vehicle Facilities AS2890.2 in respect of parking bay dimensions and service area requirements.

- Traffic Impact

An indication of the existing traffic conditions on the road network in the vicinity of the site is provided by reference to the RMS's most recently available Annual Average Daily Traffic data. A more detailed indication of the existing traffic conditions on the road network in the vicinity of the site has also been provided by peak period traffic surveys undertaken as part of the previous hardstand area works.

The traffic surveys were undertaken in Brunker Road where it intersects with Sutherland Street and also the site's eastern vehicular access driveway, on Wednesday 23 May 2012. The results of the traffic surveys are reproduced in full in Appendix A of the Traffic Report and reveal that:

1. two-way traffic flows in Brunker Road past the site frontage are typically in the order of 1,500 vehicles per hour (vph) during the morning peak period, increasing to 1,900 vph during the afternoon peak period
2. two-way traffic flows in Sutherland Street are typically in the order of 50 vph during the morning peak period, decreasing to 20 vph during the afternoon peak period.

While an indication of the traffic generation potential of most development types is provided by reference to the Roads and Maritime Service's publication Guide to Traffic Generating Developments, Section 3 - Landuse Traffic Generation (October 2002), the RMS Guidelines do not nominate a traffic generation rate for this type of development. Reference is therefore made to the expected operational characteristics (i.e. up to 100 Ausgrid staff working regular and irregular hours).

In order to determine a traffic generation potential of the proposed depot, the Traffic and Parking Assessment has made assumptions with regards to the number of vehicles, staff, crew sizes and vehicle occupancies. For the purposes of this assessment it has been assumed that:

1. all 100 staff will drive to the site in their own private vehicles, on their own, i.e. no passengers (although in practice there is likely to be a percentage of "car-pooling", drop-offs/pick-ups etc.)
2. 50% of staff will arrive/depart the site during the morning and afternoon peak period, comprising all of the 10 office-based staff and 40 of the 90 field-based staff
3. there will be 3 staff members in each field operations crew, i.e. 13 crews arriving/departing the site and heading out to a work site during the morning and afternoon peak period (note: there will be other crews operating however they will be working shift-work and therefore generally out of peak periods)
4. all deliveries occur during the day and outside of peak periods.

Based on the above assumptions the proposed depot could be expected to generate up to 63 peak hour vehicle trips (i.e. 50 “staff” trips IN and 13 “crew” trips OUT during the morning peak period, and 13 “crew” trips IN and 50 “staff” trips OUT during the afternoon peak period). In practice however, the actual traffic generation potential of the depot will be much lower as not all vehicle trips will occur during the morning and afternoon peak period.

The report concludes that the projected increase in traffic activity as a consequence of the development proposal is minimal and will clearly not have any unacceptable traffic implications in terms of road network capacity, as is demonstrated by the following section of this report.

The results of the SIDRA analysis of the Brunner Road and the proposed light vehicle entry/exit driveway intersection based on the expected generation, reveal that the intersection is expected to operate at Level of Service “A”, with average vehicle delays in the order of 4-10 seconds/vehicle.

In the circumstances, it is clear that the proposed development will not have any unacceptable traffic implications in terms of road network capacity.

### **Design and Site Layout**

The proposal seeks to locate the new building in a similar position to the existing structure and reconcile surrounding hardstand areas with operational requirements.

The layout responds to the opportunities and constraints of the site to create an integrated and high quality facility that is suitable for the intended tenant’s operational requirements.

The use builds upon a number of ESD elements that have been provided within the site and includes:

- Use of water and energy efficient fittings, equipment and appliances where available
- Selection of construction materials, colours and design to maximise natural ventilation, solar access and thermal massing
- Low maintenance landscaping incorporating water quality treatment
- Retention of high levels of safety and security within and around the site

The internal design creates a versatile space that is suitable anticipated requirements of Ausgrid. Suitable amenities for staff and visitors are also provided.

The proposed signage will not be a dominant feature of the streetscape and provides suitable site identification.

### **Bushfire**

The site is not included in any bushfire prone lands within the Bankstown LGA, therefore, in accordance with the guidelines for bushfire planning, the site is not considered to present any bushfire risk, and the guidelines do not apply.

### **Vegetation**

Approval for the removal of all vegetation to necessitate bulk earthworks across the site was granted under the Stage 1 Infrastructure Project Approval (MP08\_0069). Notwithstanding, a reduction in the extent of the approved earthworks is now proposed to accommodate the intended site layout proposed under the subject application.

While some works have commenced and the site has been cleared of vegetation in most locations, some individual specimens remain in the eastern portion of the site. An Arborist Assessment prepared by Earthscape Horticultural Services for the crown DA has been to assess the health and condition of twenty-six (26) trees located within or immediately adjacent to the eastern portion of Ausgrid’s Potts Hill Works Depot. As it is expected some vegetation may now be capable of retention as a result of the new earthworks requirements.

The Arborist Report has been prepared in accordance with Bankstown Council’s guidelines for preparation of Arborists Reports as outlined in Part E2 of the Bankstown Development Control Plan 2005 and Sections 2.3.2-2.3.5 of the Australian Standard for *Protection of Trees on Development Sites* (AS 4970:2009).



The report concludes that the proposed development will necessitate the removal of six (6) trees of low and very low retention value. These include Tree No.s T13 (Evergreen Ash), T14 (Bracelet Honey Myrtle), T16 & T24 (Mugga Ironbark), T17 (Black Wattle) and T20 (Willow Gum). None of these trees are considered significant or worthy of special measures to ensure their preservation.

The proposed development will also necessitate the removal of two (2) trees of moderate retention value. These include Tree No.s T12 (Narrow-leaved Paperbark) and T18 (Chinese Sweet Gum). These trees are not considered significant, but are in good health and condition and make a fair contribution to the amenity of the site and surrounding properties. In order to compensate for loss of amenity, consideration should be given to replacement planting within the site.

The proposed development will necessitate the removal of a further two (2) trees of high retention value. These include Tree No.s T15 (Jacaranda) and T22 (Willow Gum). These trees do not have any special heritage or ecological significance, but both trees are in good health and condition and make a positive contribution to the amenity of the site and surrounding properties. Substantial redesign of the car park layout would be required to retain T15, which would overly compromise the functionality of parking and circulation patterns and is not considered warranted in this instance. It may be feasible to retain T22 by adjusting the position of the entry/exit drive to the overflow parking area. However, any driveway of the width required is likely to result in an adverse impact on this tree. In order to compensate for loss of amenity, the Arborist Report recommends replacement planting within the site.

Excavations for the sub-grade of the proposed new car parking areas and kerb and gutter footings are located within the TPZs of T7, T8 & T9 (all Broadleaved Paperbarks), T19 & T20 (Willow Gums), T11 (Mugga Ironbark) and T21 (Willow Bottlebrush). In the case of T7, T8, T9, T19 & T20, the extent of the encroachment to the root zones is less than 10% of the TPZ, which is considered within acceptable limits under AS4970:2009. As such, the proposed works will not result in any adverse impact on these trees.

In the case of T11 & T21, the proposed new pavements will be installed within the same footprint as existing or previous (now demolished) structures and pavements. As such, the encroachment will be the same or less as previous. This work will not result in any adverse impact on these trees.

Existing pavements and kerb and guttering are proposed to be demolished within the TPZs of T19 & T20 (Willow Gums) and T21 (Willow Bottlebrush). This work has the potential to result in root damage and disturbance. However, the proposed works will not result in any adverse impact on these trees.

The Report states that no other trees will be adversely affected by the proposed development.

It is noted that the findings of the Arborist Report are based on the implementation of the recommendations contained within that Report.

***Social Impact***

No adverse social impact is expected to result from the proposal.

***Economic Impact***

The proposal will result in economic efficiencies for Ausgrid operations, which are currently undertaken across and between various sites within the metropolitan area. Construction jobs and concentration of employment from existing off-site operations will benefit the local economy.

***Construction***

The development is capable of being undertaken in accordance with the relevant requirements of the Building Code of Australia, with alternative fire engineering solutions as outlined in submitted to Council.

***Hazards***

A Dangerous Goods Review created for the DA has been undertaken as the proposal is to include the storage of potentially dangerous goods in the form of flammable liquids in cabinets and transformer oil in tanks, switchgear and drums. More specifically,

The review has considered the proposal in the context of:

- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;
- Occupation Health and Safety Act 2000\*
- Occupational Health and Safety Regulation 2001\*
- AS1940-2004 The storage and handling of flammable and combustible liquids; and
- AS1962—2006 Steel tanks for flammable and combustible liquids.

\* The review notes that the Work Health and Safety Act and Regulation are currently replacing these, but most WorkCover requirements still relate to the older legislation.

In summary, the reviews found the following outcomes:

- The proposal is not considered to be potentially hazardous under State Environment Planning Policy No. 33 – Hazardous and Offensive Development. The inventories proposed for this development are far less than those that trigger application of this Policy.
- The applicable legislation is the Work Health and Safety Regulation, which is being phased in to replace the Occupational Health and Safety Regulation. While these two Regulations are consistent in most respects, there is one difference which is relevant to this project: Transformer oil, which will constitute most of the inventory, is classified under the OHS Regulation either as dangerous goods (being combustible liquid of Class C1) or non-dangerous goods (Class C2), depending on its flash point. Under the new Regulation, the C1 dangerous goods classification will be replaced by hazardous chemical classification “Category 4 flammable liquid”, but this category has a lower flash point limit (93 degrees). All current transformer oils will fall outside this classification, so none will be classified as hazardous chemicals. Nevertheless, WorkCover’s website still refers enquirers to the guidance material prepared for the older legislation, and therefore it is prudent to ensure that this project complies with the older Regulation. This does not represent any significant impost, as there are other risk management, due diligence and environmental imperatives that will only be met in practice by compliance with the Regulation, and with the Australian Standard (AS1940) called up by it.

The flammable liquids cabinets will, by definition, contain dangerous goods and are therefore subject to the dangerous goods sections of the Regulation.

- The legislation calls upon Australian Standard (AS1940), which deals with both C1 and C2 combustible liquids, as well as flammable liquids. Regardless of its regulatory status in relation to transformer oil, it represents a consensus of good practice in relation to this material, and is therefore used as the basis of compliance assessment in this report.

Demonstrated compliance with AS1940 not only addresses compliance with the Regulation but also demonstrates many aspects of proper environmental management.

- The proposed inventory of dangerous goods is above “placarding quantity” but below “manifest quantity” as set out in the Regulation. There is no requirement for such things as Notification of Dangerous Goods on Premises, preparation of manifest, preparation of documented emergency plan. However, each storage needs placards identifying the nature of the materials stored, as detailed below. In addition, a “HAZCHEM” sign (100mm red letters on a white or silver background) is to be displayed at the entrance gate, and it would be good practice to duplicate this at the exit gate, for the information of emergency services who may be constrained to use this as an emergency entrance.

**n. The Suitability of the Site for the Development**

The site has been historically used for the purpose of delivering administrative and depot support activities to development of crown and continues to do so at the time of application.

The application to recognise the site as having State Significance, the Concept Plan application and approval as well as the Stage 1 Infrastructure approval all anticipated the use of the site for the land use proposed under the subject application.

No significant environmental constraint precludes the site from being developed in accordance with the proposal.

**o. Any Submissions made in Accordance with the Act**

No submissions are apparent at the time of writing.

**p. The Public Interest**

The proposed development will have no adverse impact on the public interest.

The development is expected to result in benefits in the ability of Ausgrid to manage and maintain the electricity network as resources currently spread across several sites will be consolidated, allowing for improved integration, shared resources, efficient completion of tasks among different teams, reduced transportation requirements, and additional economic benefits.

## **7. Conclusion**

Although the existing Concept Plan Approval defines the approved works as those described by the Environmental Assessment, which specifically includes depot functions, Bankstown City Council considers the relevant degree of confirmation that an Ausgrid depot is permissible on the site has not been established.

The proposed modification to Concept Plan MP07\_0099 therefore seeks to confirm the approved use of the employment land located to the south of the reservoirs fronting Brunker Road for the purposes of an Ausgrid depot accommodating approximately 100 staff.

It is considered that this use is consistent with the original Concept Approval and is justified by original Environmental Assessment approved and is further strengthened by the inclusion of the use of the site for depot functions in the Director-Generals Report on which the Concept Plan Approval was based.

The depot use of the site is also outlined in the State Significant Site Study on which the entire Potts Hill Reservoirs Precinct was categorized under *State Environmental Planning Policy (Major Projects) 2005* to enable the Part 3A applications to proceed.

Comprehensive planning and design analysis was undertaken to respond to the constraints of the site and ensure site layout will accommodate the activities, without any significant adverse environmental, economic or social impact.

The proposed modification has been favourably assessed against the relevant provisions of Section 79C of the *Environmental Planning and Assessment Act 1979*. It is therefore requested that Council grant development consent to the application, subject to appropriate conditions.

## **Appendix 1**

### **Copy of Concept Approval MP 07\_0099**



## **Appendix 2**

### **Copy of Stage 1 Civil Works Approval MP 08\_0069**

## **Appendix 3**

### **Site Survey**

## **Appendix 4**

### **Architectural Plans**

**Appendix 5**  
**Concept Plan Environmental Assessment**  
**Executive Summary Extract**

**Appendix 6**  
**Concept Plan Environmental Assessment**  
**Pages 57 to 59 Extract**



**Appendix 7**  
**Concept Plan Environmental Assessment**  
**Page 78 Extract**

**Appendix 8**  
**Concept Plan Environmental Assessment**  
**Conclusion Extract**

**Appendix 9**  
**Director-Generals Report**  
**Page 10 Extract**

**Appendix 10**  
**Director-Generals Report**  
**Page 9 Extract**

**Appendix 11**  
**State Significant Site Study**  
**Pages 4 to 5 Extract**



**Appendix 12**  
**State Significant Site Study**  
**Pages 7 Extract**