

# **Attachment A**

**Planning Proposal – 1-3 Burrows Road, St  
Peters – Sydney Local Environmental Plan  
2012 Amendment – Post Exhibition**

# 1-3 Burrows Road, St Peters



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This planning proposal has been amended. New text is shown in underline and deleted text is shown in ~~strikethrough~~.

## Executive Summary

The City of Sydney (the City) has prepared this Planning Proposal for 1-3 Burrows Road, St Peters (the site), in response to a request from Goodman to increase the height control for the site.

This Planning Proposal explains the intent of and justification for the proposed amendments to *Sydney Local Environmental Plan 2012* (Sydney LEP). The Planning Proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* and the guidelines published by the Department of Planning, Industry and Environment (DPIE), being “A Guide to Preparing Local Environmental Plans” and “A Guide to Preparing Planning Proposals”.

The site is approximately 34,714 square metres and is on the corner of Burrows Road and Canal Road. It is closely located to the St Peters Interchange (WestConnex) which incorporates major flyovers (under construction) and the future Sydney Gateway that connects Sydney Airport to the interchange. It is also in proximity to train stations and bus stops with access to local centres.

The site is owned by Tallina Pty Ltd and managed by Goodman, and is known as the Burrows Industrial Estate. Existing development consists of three single storey industrial warehouses and a smaller administration building to the rear. It offers tenants large format warehousing space accommodating direct truck access.

The site is zoned IN1 – General Industrial under the Sydney LEP and has a maximum building height control of 18 metres and maximum floor space ratio (FSR) of 1.5:1. The site is in proximity to a number of local heritage items including Alexandra Canal. The site is eligible for up to 10 per cent additional building height under clause 6.21 of the Sydney LEP 2012, subject to demonstrating design excellence.

The City prepared this Planning Proposal following a detailed review of the proponent’s planning proposal request. The City has worked with the proponent to incorporate various changes to address issues relating to bulk and scale, landscaped setbacks, design, sustainability targets and urban greening initiatives.

This Planning Proposal aims to retain and maximise the efficiency of urban services land and respond to global trends in multi-level warehousing with a built form that responds to the site context and enables sustainable design targets and initiatives.

This Planning Proposal is to amend the maximum building height under the Sydney LEP 2012 to 30 metres to facilitate a three-storey industrial warehouse with a six-storey ancillary office component. The height increase will enable development that can achieve the FSR already permissible under Sydney LEP.

The Planning Proposal is to also amend Part 6, Division 5 of the Sydney LEP 2012 to insert a site-specific clause to satisfy matters of consideration prior to development consent including that the resulting development:

- is of high aesthetic quality and responds to the site’s high visibility from the public domain;
- establishes appropriate landscape setbacks;
- has no signage visible from public open space, and;
- demonstrates best practice ecologically sustainable development.

The proposal is for a warehouse and distribution centre with a capital investment value of over \$50 million, as such a site-specific clause responds to the possibility future development would be designated State Significant Development (SSD) under State Environmental Planning Policy (State and Regional Development) 2011. If it is designated SSD, a development control plan is given limited or no consideration, so a site-specific LEP clause is intended to ensure key matters are given due consideration.

The proposed multi-level warehouse with a centralised hardstand driveway will be accessed via a one-way circular ramp system, at either end of the facility. Its use will include a combination of light

industrial and manufacturing businesses and warehouse and distribution users with prominent brand recognition. Office working spaces and staff amenities for tenants of the facility are also included in the development.

The design facilitates innovation standards for the future development of the freight industry by including access and egress for autonomous vehicles. It also incorporates a 5 Star Green Star commitment, a 5.5 Star NABERS Commitment Agreement for ancillary office space, a photovoltaic system, water sensitive urban design and urban greening.

The Planning Proposal responds to strategic objectives of the Greater Sydney Commission and the City of Sydney. It aligns with increasing productivity, liveability and sustainability through infrastructure outcomes. This includes addressing planning priorities relating to safeguarding existing industrial land from competing pressures and allowing for a mix of economic uses. The Planning Proposal enables economic growth which supports Central Sydney, the Eastern Economic Corridor and international trade gateways.

The proposed development integrates transport and land-use with its accessibility to active and public transport and access for trucks to the new WestConnex. It responds to a global trend to be one of the first multi-level industrial facilities in Australia. The Planning Proposal also integrates sustainable development, renewal and design through the inclusion of sustainability benchmarks and initiatives.

The City has prepared a draft site-specific development control plan (draft DCP) to amend Sydney Development Control Plan 2012. The draft DCP is to ensure the objectives and intended outcomes of the Planning Proposal are achieved. The draft DCP sets site-specific controls relating to built form, design excellence, sustainability and visual impact.

The draft DCP ~~is intended to be~~ was publicly exhibited alongside the Planning Proposal.

# 1. Background

## 1.1. The Site

### 1.1.1. Site identification

The Planning Proposal relates to the site at 1-3 Burrows Road, St Peters. The site, identified in blue at Figure 1, is located on the southern boundary of the City of Sydney local government area (LGA), on the corner of Burrows Road and Canal Road. The legal description of the land is Lot 11 of Deposited Plan 606737 and Lot 1 of Deposited Plan 1227450.

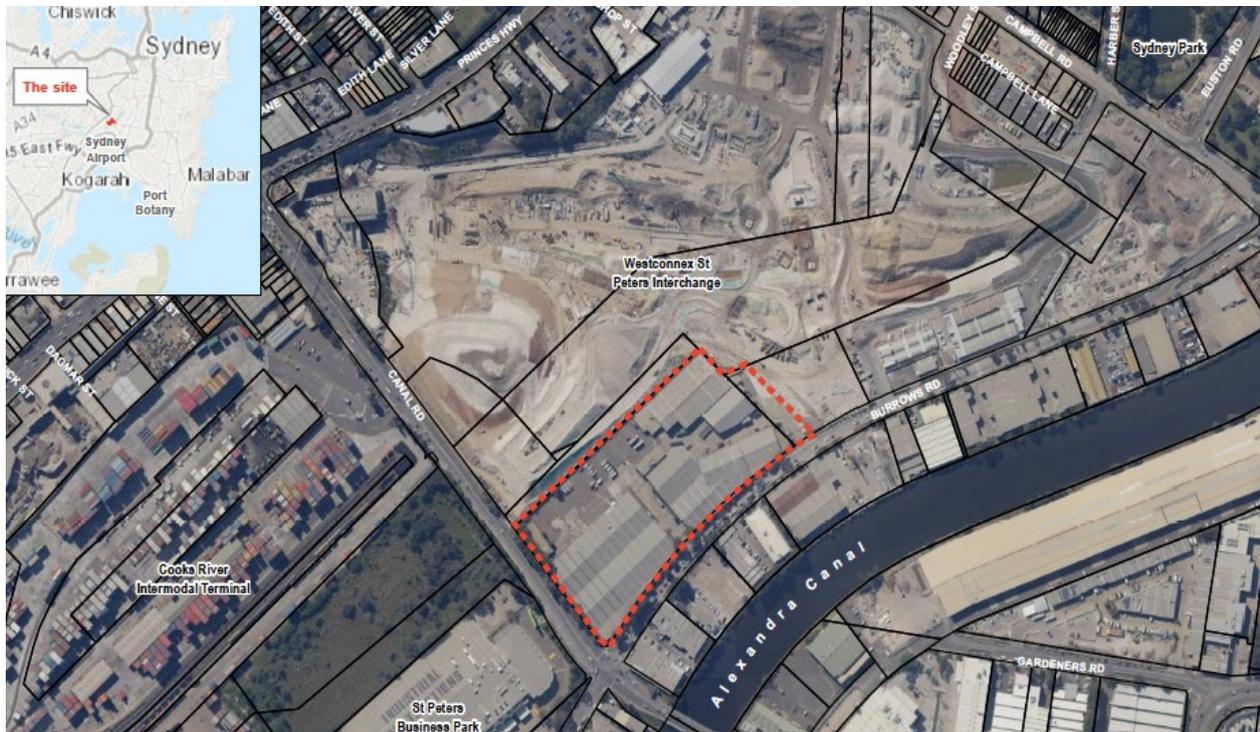
The site is owned by Tallina Pty Ltd and is managed by Goodman. It is known as the Burrows Industrial Estate. It offers tenants large format warehousing space with roller doors, parking and internal circulation accommodating direct truck access. Current tenants include Staging Rentals & Construction, Jets Transport Express and Apex Air-conditioning.



Figure 1 Site Identification

### 1.1.2. Site location and context

The site is in the City of Sydney Local Government Area (Sydney LGA) and borders the Inner West Council LGA to the west and south. Alexandra Canal, a tributary of Cooks River, is located approximately 85 metres to the south-east of the site. The site in its context is shown at Figure 2.



**Figure 2 Site Context**

The site is surrounded by existing industrial and commercial development on the north-east, south-east and south-west and is strategically located within close proximity to Sydney Airport and Port Botany. The Cooks River Intermodal Terminal, a container storage yard, is located about 100 metres north-west of the site.

It is a visually prominent site with large volumes of traffic travel along Canal Road, it can be seen from the new interchange and the bridges that cross Alexandra Canal.

### 1.1.3. Road network and traffic

The site is located at the junction of Burrows Road and Canal Road. Canal Road is a local road with four lanes of traffic (two in each direction) and a posted speed limit of 60 km/h. Canal Road connects the site to Mascot in the east, and the Princes Highway in the west, providing connections to St Peters and Sydenham. Canal Road is a primary route for heavy vehicles and is noisy and inhospitable as a result.

Burrows Road is a local road with two lanes of traffic (one in each direction) and a posted speed limit of 50 km/h near the site. Burrows Road connects the site directly to Sydney Park and Alexandria and is used to access businesses and industrial units fronting Alexandra Canal.

Existing traffic flow surveys were conducted on Burrows Road and Canal Road on Thursday 17 May 2018. The surveys were conducted in both the AM and PM peak periods. Results from the survey found that Burrows Road currently carries approximately 540 trips per hour for both AM and PM peak periods within the vicinity of the site.

Crash data made available from Transport for NSW's (TfNSW) Centre for Road Safety Website suggests that four accidents occurred at the T-intersection of Campbell Road and Burrows Road between 2014 and 2018. This intersection is proposed to be upgraded to a four-way intersection

with left-in/left-out access to Burrows Road as part of the New M5 motorway project. This is expected to improve road safety within the site area.

#### **1.1.4. Future context**

The site is strategically located and linked to Sydney's main trade gateway. The following two major infrastructure projects are proposed or currently under construction directly adjacent to the subject site:

- Sydney Gateway Road Project (proposed) – which seeks to build a new, direct road connection between the Sydney motorway network at the St Peters interchange, to Sydney Airport and Port Botany
- The St Peters Interchange, a part of WestConnex New M5 project – currently under construction. The project will provide connectivity to the New M5, the M4 corridor and local connectivity to surrounding suburbs such as Alexandria and Mascot.

These projects will provide substantial additional capacity in and out of the Sydney Airport and Port Botany precinct, allowing airport and port traffic to avoid local arterial roads when accessing the broader Sydney motorway network.

Changes to the surrounding landscape as a result of these projects is discussed below.

##### *WestConnex St Peters Interchange*

The WestConnex St Peters Interchange which is currently under construction constitutes a dramatic change in the urban context directly adjacent to the site. The interchange is comprised of multiple new roads and bridge structures at varying heights, with some being underground, and others up to 22 metres in height above ground. The proposal will respond to these significant new structures directly adjacent to the north-east and north-west facing boundaries.

As part of these works a new flyover structure linking St Peters Interchange and Mascot is being built, which will bridge over the Alexandra Canal and Burrows Road. This new structure runs alongside the north-east site boundary. The new interchange will feature extensive new planting and trees within a number of new publicly accessible open spaces. One of these new open spaces features a 24 metre high viewing mound which is located adjacent to the west of the site fronting Canal Road.

##### *Proposed Sydney Gateway Road Project*

The proposed Sydney Gateway Road Project is a new high capacity road link that will connect the new St Peters Interchange to the Sydney Airport domestic and international terminals and Port Botany. As part of these works a new bridge will be constructed over Canal Road, linking with the new St Peters Interchange road structures running alongside the North-West facing site boundary.

The Environmental Impact Statement/preliminary draft Major Development Plan has been prepared and a Response to Submissions report has recently been released. If the project is granted approval, construction is proposed to commence in mid-2020 and would take about 3.5 years to complete.

##### *Other planned developments*

Other developments proposed within the immediate vicinity of the site include the construction of two 7-storey buildings for self-storage units at 1-3 Ricketty Street, Mascot. The proposed buildings are both 27.5 metres high and front Alexandra Canal. The development application for this site was approved by Bayside Council in May 2018.

Figure 3 shows the relationship between the site, the two motorway projects and the bridge.



**Figure 3 Future Context**

### 1.1.5. Public and active transport

The site is currently well serviced by existing public transport services.

Bus services operate within close proximity of the site. Two bus stops on Canal Road are within a 400 metres radius of the site. These two stops are serviced by the 418 bus route, which operates from Kingsford to Burwood via Mascot, Sydenham and Dulwich Hill.

There are additional bus stops within an 800 metre radius of the site which provides further access to the CBD, Kogarah and Sydney Airport.

The site is located between Sydenham and Mascot train stations, with Sydenham Station located approximately two kilometres to the west, and Mascot Station one kilometre to the south-east of the site. Sufficient pedestrian facilities are available, allowing for an approximate 10 and 20 minute walking time to the stations.

Active transport links are also available to the site in the form of pedestrian footpaths and cycling routes. Footpath access is currently provided on both sides of Burrows Road and Canal Road. Intersections on both of these roads provide several pedestrian crossings, allowing for a good level of access to the site.

Access to the site via cycling facilities is currently limited. However, the New M5 project will introduce off-road shared cycleways on both Canal Road and the St Peters Interchange. These will link to existing cycleways established near Mascot Station and Sydney Park, and will create greater opportunities for cycle access the site.

Figure 4 shows public transport stops relevant to the site.

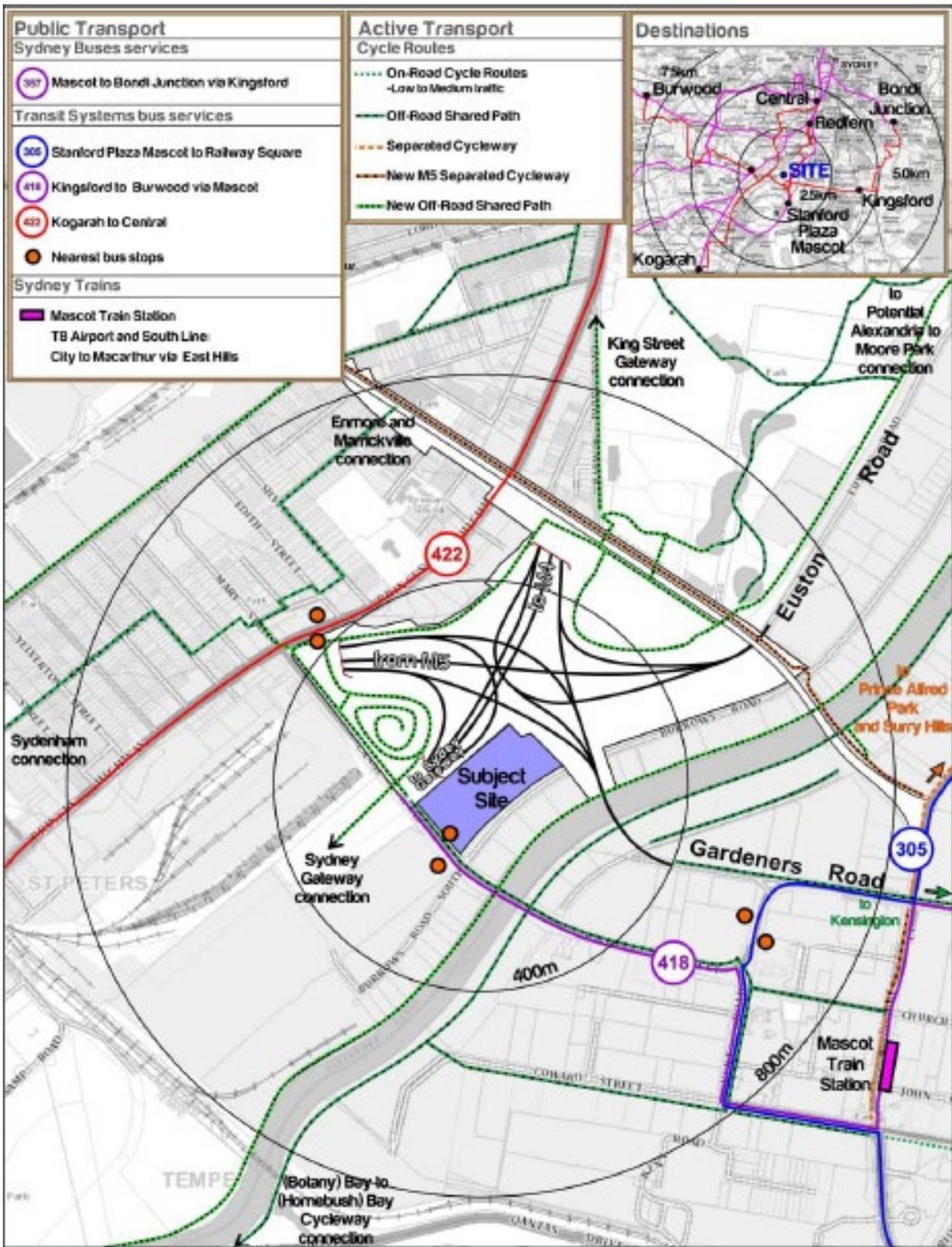


Figure 4 Public transport context

St Peters Station

### 1.1.6. Site characteristics and existing development

The site is roughly rectangular in shape and has a site area of 34,714 square metres and a perimeter of approximately 830 metres. It has a 280 metre frontage to Burrows Road and a 145 metre frontage to Canal Road. The site is mostly flat, rising by approximately 2 metres in the northern portion of the site.

The site currently consists of old low rise industrial units which are consistent with the surrounding area that is largely industrial in nature. These industrial units are comprised of four large format steel framed warehouse/distribution buildings.

The site relies on two entrances to Burrows Road, and has no vehicle or pedestrian access via Canal Road. The St Peters Interchange immediately abuts the site, and there are no secondary roads or laneways servicing the rear.

An internal driveway separates the two largest warehouse structures halfway along the site's length, and the rear of the site has a surface carpark and circulation space. The development presents a long, singular street wall frontage to Burrows Road, unbroken except for the middle driveway.



Figure 5 Aerial photo of site (Nearmap 1 June 2020)

1-3 Burrows Road, St Peters



Figure 6 Existing built form from Canal Road (Google Street View 2019)



Figure 7 Existing built form from Burrows Road (Google Street View 2019)

## 2. Existing Planning Controls

The *Sydney Local Environmental Plan 2012* (Sydney LEP 2012) and Sydney Development Control Plan 2012 (DCP) contain zoning and development standards for the site. These are discussed below.

### 2.1. Zoning

Zoning is shown in Land Zoning Maps referred to in clause 2.2 of the Sydney LEP 2012.

The site is zoned IN1 – General Industrial. The objectives of this zone are to provide a wide range of industrial and warehouse land uses, encourage employment opportunities, minimise any adverse effect of industry on other land uses, support and protect industrial land for industrial uses, and ensure uses support the viability of nearby centres.

No change is proposed to the zoning of the site.

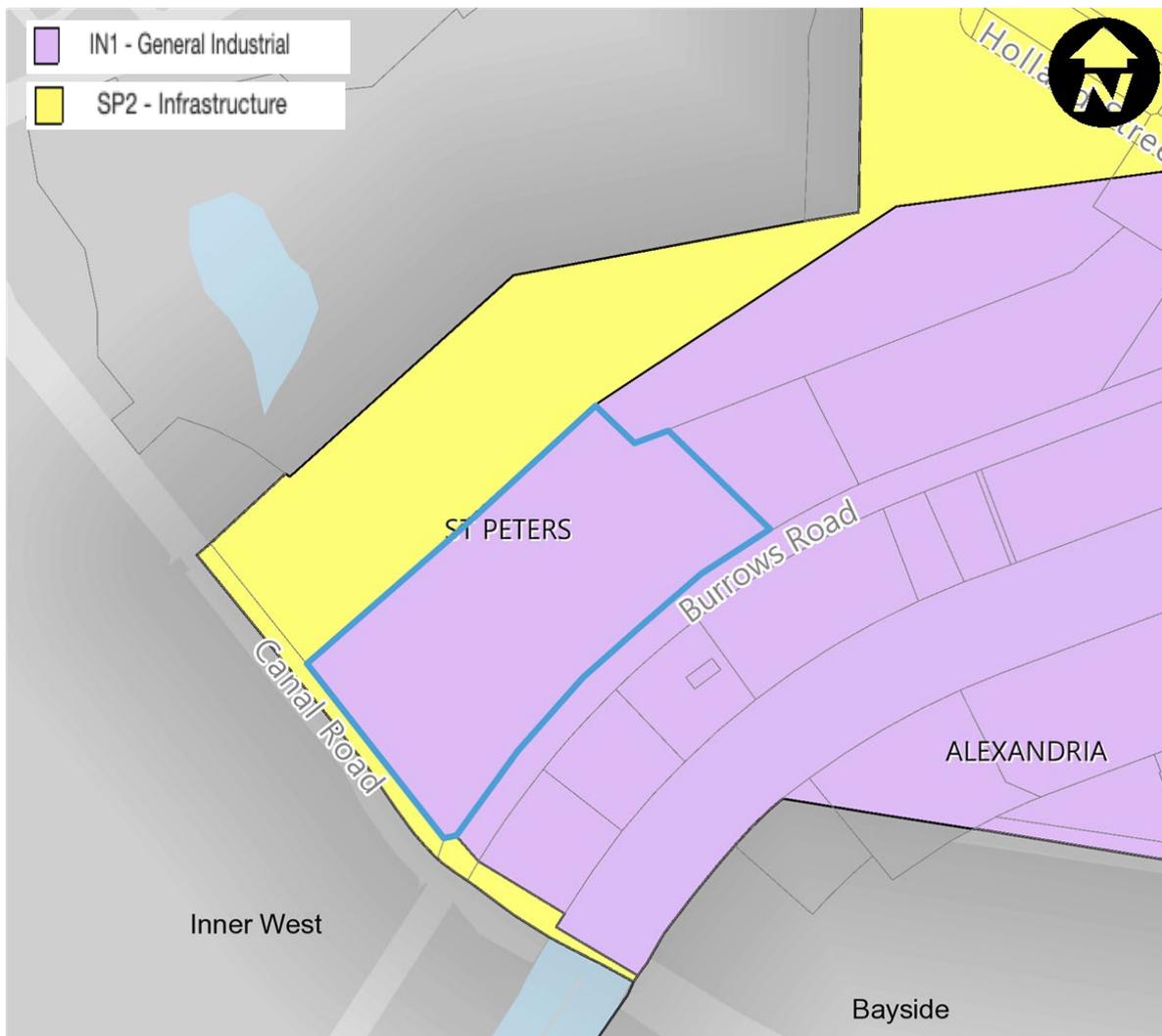


Figure 8 Zoning (Sydney LEP 2012)

## 2.2. Building Height

Maximum building height is shown in the Height of Buildings Map referred to in clause 4.3 of the Sydney LEP 2012.

The site has a maximum building height control of 18 metres across the building site generally allowing for two industrial stories. It is currently eligible for up to 10 per cent additional building height or FSR (not both) under clause 6.21 of the Sydney LEP 2012, subject to demonstrating design excellence.

The Planning Proposal is to amend the relevant Building Height Map to increase the maximum building height to 30 metres to allow for three industrial storeys.

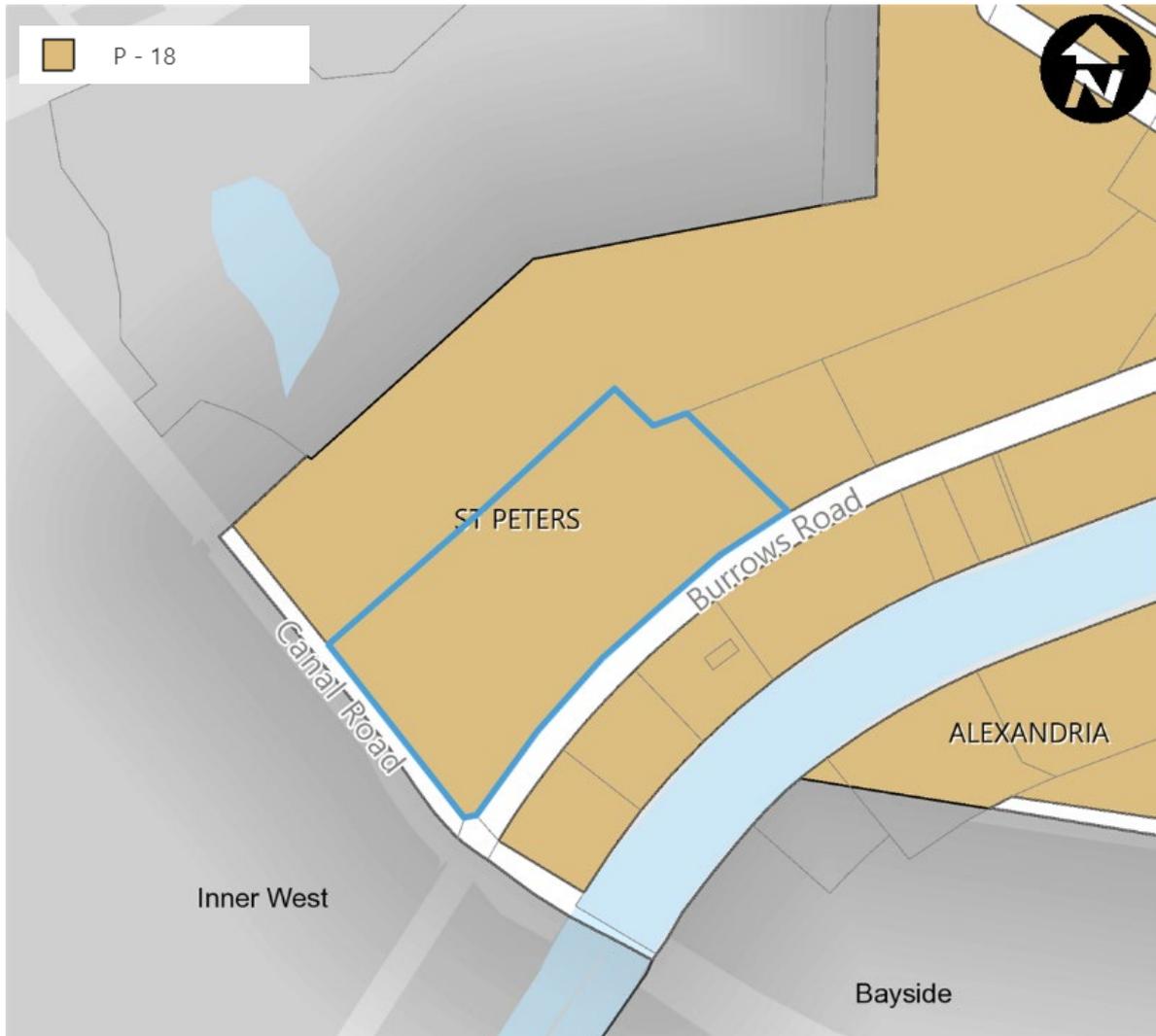


Figure 9 Height of Buildings (Sydney LEP 2012)

## 2.3. Floor Space Ratio

Maximum floor space ratio (FSR) controls are shown in the Floor Space Ratio Maps referred to in clause 4.4 of the Sydney LEP 2012.

The site has a maximum floor space ratio of 1:5:1.

The Planning Proposal does not seek to amend the FSR map in the Sydney LEP 2012.

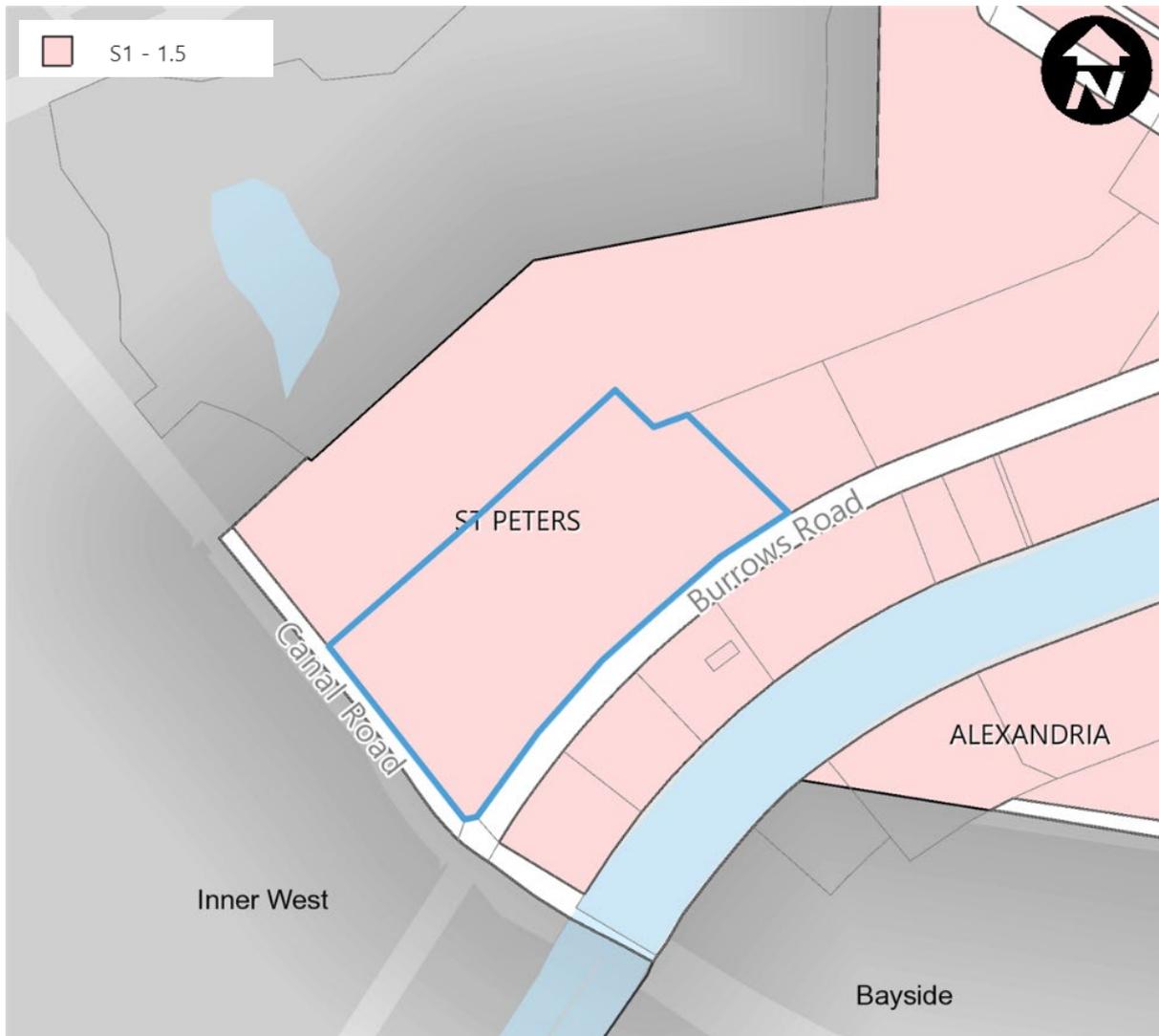


Figure 10 Floor Space Ratio (Sydney LEP 2012)

## 2.4. Heritage

The site is in proximity to a number of local heritage items in the Sydney LEP 2012, including:

- Alexandra Canal (Between Cooks River and Huntley Street) Including Interior - Heritage Item I3 – listed for its high historic, aesthetic and technical/research significance, as a rare example of 19<sup>th</sup> Century navigational canal construction in Australia.
- A group of terraces at 2-34 Campbell Road, Alexandria - Heritage Item I12 – Two storey Victoria Regency style terrace houses, listed for their historical significance representing early housing associated with the nearby brick making and potting works.
- Rudders Bond Store, a warehouse at 53-57 Campbell Road, St Peters - Heritage Item I1405 – demolished as part of St Peters Interchange construction works.

The site is not within or nearby a heritage conservation area.

Alexandra Canal is also listed in the NSW State Heritage Register as a state heritage item (SHR 01621).



**Figure 11 Heritage (Sydney LEP 2012)**

A search of the NSW State Heritage Register did not identify any further heritage items on the site or on any adjacent land.

## 2.5. Planning Proposal Request

Goodman lodged a planning proposal request in March 2020 with the requested supporting studies:

- Planning proposal justification report
- Architecture Concept Plans
- Urban Design Report
- Ecologically Sustainable Development Strategy
- Traffic Assessment
- Preliminary Travel Plan
- Design Excellence Strategy
- Landscape Plan
- Public Art Strategy
- Flood Assessment
- Arborist Report
- Geotechnical report
- Phase I and Phase II Environmental Site Assessment
- Utilities Review

The planning proposal request is to increase the height control on the site from 18 metres to 30 metres to facilitate a single three-story warehouse. Goodman's objectives for the change to the planning controls are to:

- Enable a functional and adaptable industrial redevelopment of the existing warehouse facility
- Retain industrial and urban services land and support industrial expansion in an appropriate location
- Facilitate the intensification of industrial land use in response to increasing land values
- Enable the site to achieve the permissible FSR of 1.5:1, thereby ensuring enhanced land use efficiency
- Provide a flexible design to provide for a combination of customer types comprising of e-commerce, ancillary office spaces, a cafe and gym in addition to storage units
- Become an integral part of the supply chain and the last mile delivery
- Build upon strong e-commerce drivers close to Sydney Airport, Port Botany, Cooks River Intermodal Terminal and the CBD
- Contribute to increased employment generation in an accessible location
- Incorporate innovative design principles consistent with global industrial / warehouse trends
- Provide a highly sustainable design incorporating latest technology such as solar photovoltaics (PV), water harvesting, vehicle management, energy management and smart metering.

The planning proposal request also sought exclusion from the application of Sydney LEP 2012 clause 6.21 – Design Excellence, as it is currently applied, given the proposed built form will trigger the requirement for a competitive design process.

The planning proposal request proposed an alternate approach whereby five concept design options were given for the redevelopment of the site. This entailed an independent peer review process.

The request for exemption from the requirement for a competitive design process, in accordance with the "City of Sydney Competitive Design Policy", is not supported. The site is visually prominent and a competitive design process will ensure the resulting development achieves both a high quality aesthetic outcome as well as being efficient and fit for its industrial purpose.

Notwithstanding this, the Sydney LEP allows that a proponent may seek a waiver from the requirement to undertake a competitive design process in the development assessment process.

The draft DCP includes a design excellence strategy. This requires a competitive design alternatives process undertaken under clause 6.21 of Sydney LEP 2012 to involve a minimum of three invited competitors including at least one emerging architectural firm.

# 3. Objectives and Intended Outcomes

This Planning Proposal will facilitate the redevelopment of 1-3 Burrows Road, St Peters. The objective and intended outcome of the Planning Proposal is to:

- ensure the ongoing use of the site for industrial purposes, thereby protecting vital industrial and urban services zoned land from incursion of higher value land uses such as commercial and residential development
- facilitate the more intense use of industrial land in a high value, strategic location close to Sydney CBD, Sydney Airport, Port Botany and the Cooks River Intermodal Terminal
- enable the site to achieve the permissible FSR of 1.5:1, thereby ensuring enhanced land use efficiency
- facilitate a high quality, flexible design to provide for a range of land uses appropriate to the IN1 – General Industrial zone
- build on the existing commercial drivers in the location, particularly those associated with Sydney Airport, Port Botany, Cooks River Intermodal Terminal and Central Sydney
- contribute to increased economic activity and employment generation in an accessible location
- facilitate a high quality design, appropriate to the visual prominence of the site, and
- improve sustainability outcomes through energy ratings, solar photovoltaics, water sensitive urban design and urban greening initiatives.

# 4. Explanation of Provisions

## 4.1. Sydney Local Environmental Plan 2012

### 4.1.1. Building height Map

The Planning Proposal seeks to amend the Height of Buildings Map 005 in Sydney LEP 2012, in accordance with the proposed Height of Buildings Map shown at Part 6 of The Planning Proposal and described in Table 1.

Location	Existing Control	Proposed Control	With design excellence
1-3 Burrows Road, St Peters	18 metres	30 metres	33 metres

**Table 1 Existing and proposed height controls**

### 4.1.2 Drafting instructions

To deliver the objectives and intended outcomes of the Planning Proposal, a new clause is proposed in Part 6, Division 5 of the Sydney LEP as provided at Table 2 below.

#### Drafting instructions

#### Clause 6.XX 1-3 Burrows Road, St Peters

- (1) This clause applies to 1-3 Burrows Road, St Peters, being Lot 11, DP 606737, Lot 1 DP 1227450.
- (2) The objective of this clause is to ~~satisfy matters of consideration prior to development consent~~ ensure the resulting development:
  - a. provides setbacks to facilitate tree planting;
  - b. limits signage to adjacent road frontages to minimise the visual impact of the site from public open space within St Peters Interchange; and
  - c. demonstrates ecologically sustainable development principles.
- (3) Clause 6.21(7)(b) does not apply to development on the subject land.
- (4) Development consent must not be granted unless the consent authority is satisfied the resulting development:
  - (a) ~~is of high aesthetic quality and responds to the site's high visibility from the public domain;~~
  - (b) establishes unencumbered minimum 6 metre appropriate landscaped setbacks to road frontages;
  - (c) provides business or building identification ~~has no signage visible from public open space~~ only on those parts of the building fronting Burrows Road, St Peters and Canal Road, St Peters;
  - (d) ~~demonstrates best practice ecologically sustainable development.~~ includes features for the on-site capture and efficient use of water and energy; and
  - (e) will not result in persons being unduly affected by emissions from the St Peters M8 road tunnel ventilation facility.

**Drafting instructions**

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**Table 2 Drafting instructions**

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## 4.2. Sydney Development Control Plan 2012

The City has prepared a draft site-specific development control plan (draft DCP) to amend Sydney Development Control Plan 2012. The draft DCP is to ensure the objectives and intended outcomes of the Planning Proposal are achieved. The draft DCP includes specific controls relating to built form, design and materiality, landscape setbacks, sustainability, signage, communal open space and design excellence.

The draft DCP will be publicly exhibited with the Planning Proposal, should Gateway determination facilitate the public exhibition.

# 5. Justification

The Planning Proposal and associated draft DCP is informed by the City's assessment of the proposed built form controls in the planning proposal request and supporting studies provided by the landowner. The Planning Proposal proposes sometimes different planning controls than those in the planning proposal request. This is done to address issues and achieve better outcomes. The attached studies have not been changed or updated and are as provided by the proponent.

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## 5.1. Development outcomes

The Planning Proposal facilitates the redevelopment of the site for:

- three levels of warehousing with centralised hardstands and driveways, accessed via one-way circular ramp systems at either end of the facility
- a six-storey A-grade commercial office on the north-eastern end of the building providing flexible working spaces along with all required staff amenities for tenants of the building
- amenities for staff including a café on the top floor of the office benefiting from the north-east aspect and extensive inner city and district views
- underground parking
- access off Burrows Road with a separate single entry and exit driveway proposed for both cars and trucks, and
- truck access at the north-eastern corner of the site with right in / out and left in / out required for efficient access to the facility. Circulation through the facility for all truck movements would be via a one-way system designed to provide unrestricted and efficient access at all times. The dual sided loading configuration maintains an unencumbered central access driveway throughout the building. The centralised nature of the hardstands also provides weather cover and forms an acoustic buffer for surrounding developments.

The planning proposal is supported by the attached Urban Design Report, which was provided by the applicant in support of their planning proposal request. The report contains a conceptual built form to illustrate future development outcomes based on the proposed building height and identified urban design features and impacts of the proposal. The urban design vision and objectives for the proposal were framed consistent with key guidelines and policies.

The Urban Design Report tests a number of building envelope scenarios based on the potential 29.5 metre building height and floor space ratio of 1.5:1 and includes a review of all the design options and the urban design principles that underpin the proposal.

The proposed development outcomes are discussed below.

### 5.1.1. Building height and mass

This planning proposal seeks to change the maximum building height allowance from 18 metres to 30 metres under the Sydney LEP. This will facilitate the redevelopment of the site into a multi-storey industrial and warehousing building.

An overview of the potential impacts of the proposed height increase is outlined in the sections below with further information provided in the proponent's urban design analysis.

The new St Peters Interchange borders the site on two sides and contributes to a dramatic change in the urban context. Some of the new road structures are up to 22 metres high. The new development will respond to these significant new structures, which justifies an increased height as the current 18 metre height limit is based on the existing context which features significantly lower heights for nearby structures.

The analysis demonstrated that the mass of the proposal is consistent with the under construction and future surrounding context, with elements of the proposed mass having similar height relationships to proposed new road structures, in particular the proposed flyovers over both Canal Road and Burrows Road as these new structures are / will be directly adjacent to the proposal.

The mass of the main three storey element of the building on Canal Road is broken down as more than 50 percent of the main building envelope is set back from the street edge. The spiral ramp is a full storey lower in this location and is analogous to the curvature of the viewing mound in form and its height relationship.

The height of the proposal is in keeping with the height of St Peters Interchange and provides an adequately scaled elevation along the length of Burrows Road which acts as a buffer between the public realm and this new significant infrastructure.

Retention of viable street trees, along with the provision of new street trees helps to maintain the continuity of the tree lined street edge along Burrows Road and provide screening and softening to the building elevation.

The bulk and length of the building is broken down through articulation of its distinct parts, which reflects the function in a particular location. This is achieved through the material changes and setbacks along the length of the facade. Vertically the building has a clear base, middle and top, with individual floor levels identifiable through the location of the horizontal bands of windows.

#### *Overshadowing*

The building's orientation and the site's position means overshadowing impacts are minimised as shadows will be cast towards roads rather than upon adjacent sites. Also, there are no sensitive uses within close proximity of the site given the industrial zoning.

Burrows Road is one street back from the canal and therefore an increase in height would not cause overshadowing or negative visual impacts on the canal.

#### *Visual impact*

A visual assessment was undertaken as part of the proponent's Urban Design Report. Six key viewpoints were analysed. Key views are shown at figure 12-15

The analysis found that:

- The mass of the building will be distinctive and articulated from its viewpoints considering its visual prominence, however, will be mitigated by foreground elements such as buildings adjacent to the canal, and its relative scale to the St Peters Interchange and its flyovers, Sydney Gateway, and the adjacent viewing mound.
- Tree lining and vegetation along the edges will reduce the perceived scale of the building whilst acting as screening along the corner of Canal Road and Burrows Road.
- The main entrance of the building at Burrows Road is assisted by a high-quality façade design with setbacks and a porte-cochere to add civic scale and increase visual amenity of the building.

Importantly, the view of the Sydney CBD from the Canal Road bridge will not be obscured.

The Urban Design Report contains a key view analysis, demonstrating the proposed height increase would not negatively impact viewpoints towards the site or along the canal towards the city.



**Figure 12 Proposed built form visible from Burrows Road**



**Figure 13 View from Viewing Mound within St Peters Interchange**



**Figure 14 View from future Sydney Gateway bridge over Canal Road**

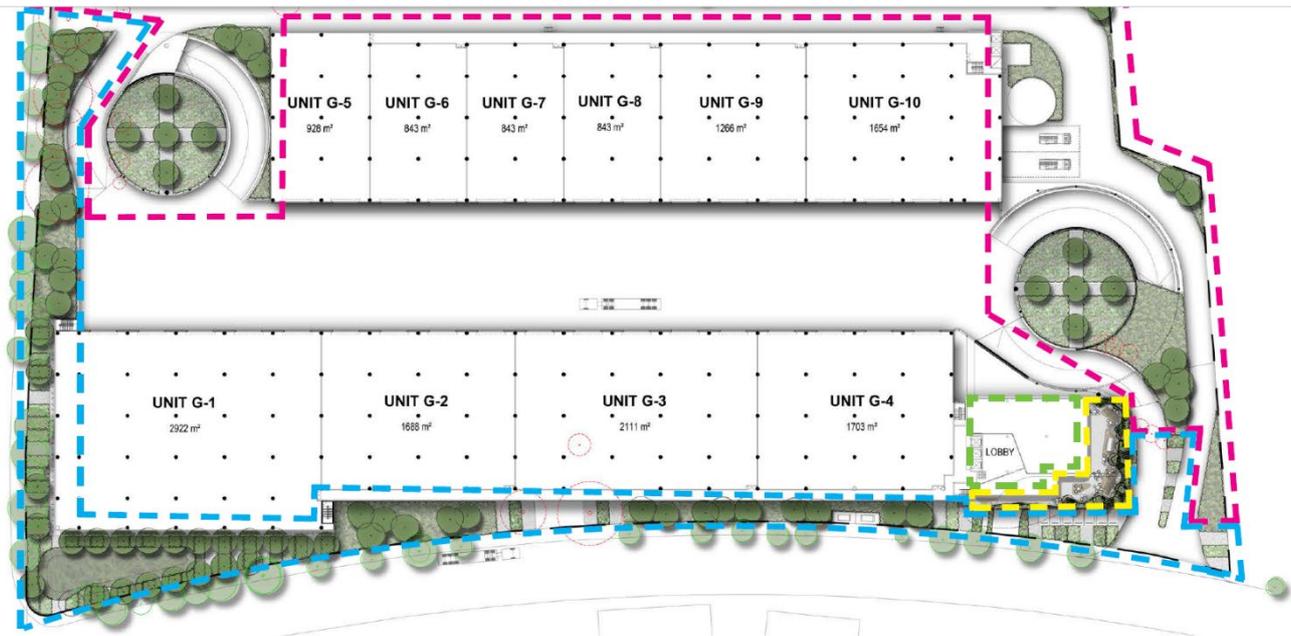


**Figure 15 View from St Peters Interchange and Burrows Road Bridge**

### **5.1.2. Facade and setbacks**

A minimum six metre wide landscape setback has been provided in the draft DCP along both the Canal and Burrows Road frontages. The proposed amendment to the Sydney LEP also refers to the need for appropriate landscape setbacks. A deeper setback on the corner of Canal and Burrows Road allows for more extensive landscaping and provides deep soiled area for tree

planting and vegetation to soften the building elevation and improve the sight lines for vehicles navigating the corner.



**Figure 16 Architectural drawing showing proposed setbacks**

The Canal and Burrows Road facades are articulated for visual interest and to break up the appearance of height, bulk and scale. Articulation is enhanced by the setbacks which minimise the feeling of enclosure at street level.

### 5.1.3. Landscaping, deep soil and canopy cover

The proponent's landscape plan in support of the Planning Proposal shows extensive landscape areas proposed throughout the site to provide deep soil and increase amenity from the public domain and for the building's occupants.

The landscape plan and the arborist report propose that the current 59 trees will increase to 108 trees net with no Council trees to be removed as part of the proposal. This includes retaining 42 trees, the removal of 18 existing trees, and planting an additional 67. Opportunities for additional planting are provided in the setbacks and across the site. In addition, a green roof is also proposed on the ancillary office space. The proposed landscape plan meets the requirement in Section 5.8 of the Sydney DCP that 15 per cent of a site be provided for deep soil. Section 3 of the Sydney DCP requires at least 15 per cent canopy coverage of a site within 10 years from the completion of development. Details of plantings are to be provided with future development applications. Given the few trees currently onsite the development will result in a significant increase in canopy coverage.

### 5.1.4. Land-use

The proposed uses on the site will continue to meet the objectives of IN1 - General Industrial of the Sydney LEP 2012. The three-storey warehouse will consist a mix of industrial and warehouse uses. Light industrial and manufacturing businesses with prominent brand recognition would occupy the ground floor. Warehouse and distribution users that are top-tier retailers would be accommodated on levels one and two of the proposal. The proposed development also incorporates ancillary office space and amenities for tenants of the facility.

### 5.1.5. Design excellence

Future development will be subject to clause 6.21 of the Sydney LEP 2012, which requires a competitive design process for buildings over 25 metres or capital investment value of \$100 million.

The Planning Proposal includes a site-specific clause in the Sydney LEP that clause 6.21(7)(b) does not apply to the site. This will limit the bonus applicable for a building demonstrating design excellence to additional 10% height and not floor space. This is due to the additional height involved being more contextually appropriate than additional floor space.

The draft DCP includes a design excellence strategy that requires a competitive design alternatives process be undertaken under clause 6.21 of Sydney LEP 2012 to involve a minimum of three invited competitors including at least one emerging architectural firm. The design excellence strategy also confirms that any bonus is delivered in height and not floor space.

### 5.1.6. Ecologically Sustainable Development

An Ecologically Sustainable Development (ESD) context analysis and strategy provided by the proponent shows the proposal would be capable of including best practice initiatives and meeting the requirements of current planning controls and the intent of wider policies.

This Planning Proposal includes a site-specific clause in the Sydney LEP that development on the site is to demonstrate best practice ecologically sustainable development (ESD). The draft DCP provides additional clarification on meeting this requirement, including that the warehouse will be designed to achieve a 5 Star Green Star rating and any ancillary office space have a 5.5 star NABERS Energy Commitment Agreement. This is consistent with Section 3.6 of the Sydney DCP.

### 5.1.7. Vehicle access

Truck access is proposed from Burrows Road at the north-eastern end of the site. Access to the underground car parking area is proposed mid-way along the Burrows Road frontage. Vehicle access to the at-level visitor parking is proposed on the north-eastern end of the property. Emergency/ fire access is proposed from Canal Road and will not allow for any normal operational egress from this point.

The maximum length vehicle accessing the site is a B-double of 26 metres in length. All vehicles will be able to enter and exit the site in a forward direction.

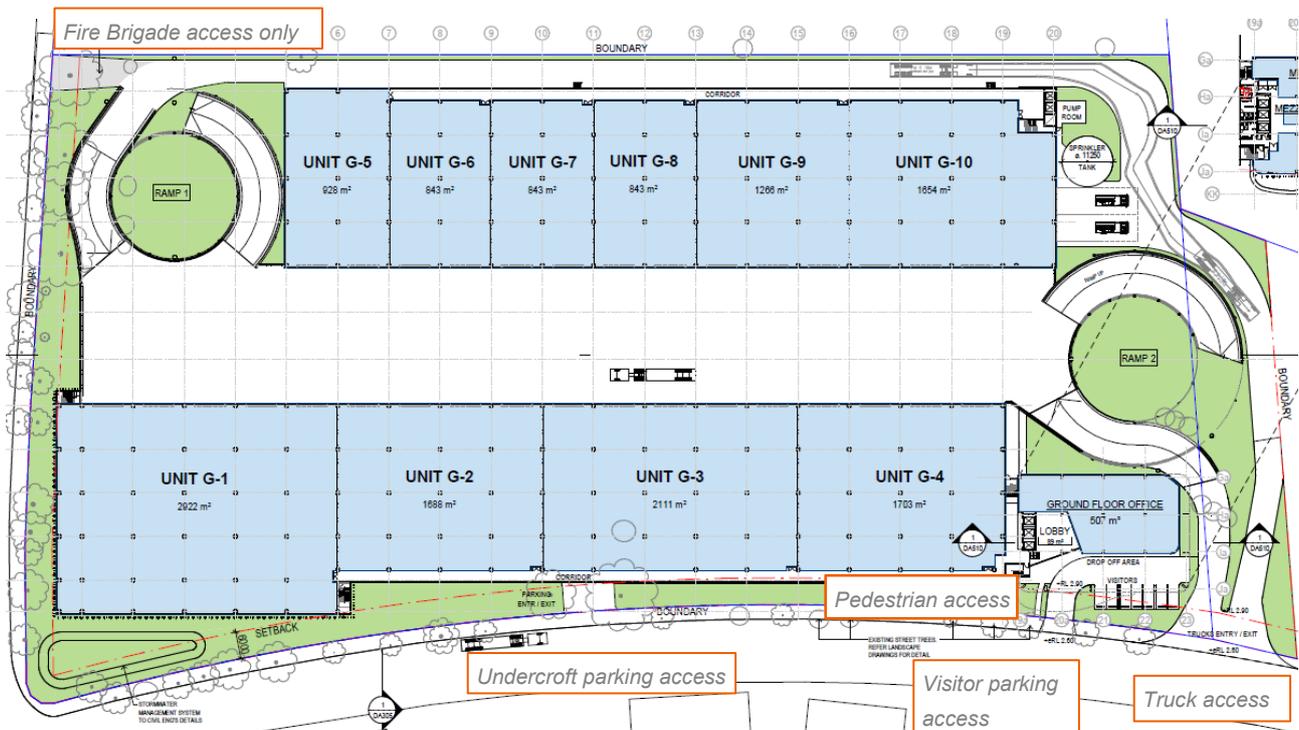


Figure 17 Access and circulation

### **5.1.8. Parking**

Parking is to be provided in accordance with the Sydney LEP maximum parking rates for office premises, industrial and warehouse uses. It is estimated about 300 parking spaces will be provided in conjunction with the development, predominantly underground.

Bicycle parking, end of trip facilities and car share parking is to be provided in line with requirements in Sydney DCP.

### **5.1.9. Pedestrian access**

A pedestrian-only access will be provided off Burrows Road into the lobby area. This entrance will be separate from driveways, and designed in accordance with the provisions in Sydney DCP.

### **5.1.10. Signage**

This Planning Proposal includes a site-specific clause in the Sydney LEP that any signage must not be visible from public open space. This is to prevent signage being visible from new recreation areas within St Peters Interchange such as the viewing mound or from any part of Sydney Park.

Sydney DCP has existing requirements regarding the positioning, illumination and content of building identification signage and business identification signage. Notably signage must only relate to a significant tenant of the building.

### **5.1.11. Public art**

A Public Art Strategy for the proposal has been prepared to meet the requirements of the Sydney DCP 2012 and Interim Guidelines - Public Art in Private Developments. The Strategy provides an analysis of the site's locality and public art opportunities. Research was undertaken into the site and local themes, history and features of the area which was used to inform initial artwork concept formulation, and selection and development of a preferred artwork.

A revised public art strategy will be required upon lodgement of a development application, taking into account changes to the built form as a result of any design competition.

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## **5.2. Other considerations**

The proposed changes to Sydney LEP and DCP 2012 will result in improved built form, sustainability and economic outcomes compared to development possible under the existing controls.

### **5.2.1. Site-specific clause**

The site-specific clause proposed in section 4 of this Planning Proposal amends Sydney LEP 2012 and responds to the possibility future development would be designated State Significant Development (SSD) under State Environmental Planning Policy (State and Regional Development) 2011. This is as the development is a warehouse or distribution centre with a capital investment value of over \$50 million and may be designated a SSD. If so, the development control plan is given limited or no weight in the assessment. The site-specific clause is intended to ensure matters otherwise dealt with in the draft DCP are given appropriate consideration.

### **5.2.2. Retention of industrial land**

Industrial and urban services land in the City of Sydney is extremely constrained and subject to competition with higher order uses. The Planning Proposal will ensure the continued retention of this land for industrial uses.

Located close to WestConnex, Sydney Gateway (and hence Sydney Airport), the Cooks River Intermodal Terminal and Sydney CBD as an industrial warehouse facility it is extremely well located. The facility has strong potential to service online retail, traditional retail, logistics and deliveries, an important function vital to the continuing economic viability of Sydney.

### **5.2.3. Traffic**

The traffic impact assessment undertaken by the proponent highlights that Burrows Road and Canal Road will see reduced use as a result of the opening of WestConnex and Sydney Gateway. Therefore, any additional traffic generation as a result of this Planning Proposal will be accommodated by the increased capacity of these roads.

### **5.2.4. Access to public and active transport**

The site is located 1.2 kilometre or 15-minute walk from Mascot Station, a 1.8 kilometre or 23-minute walk from St Peters Station and a 1.9 kilometre or 24-minute walk from Sydenham Station. It is also serviced by bus stops on Canal Road to those nearby stations and additional bus stops further from the site that operate towards the CBD.

Additionally, shared cycling paths will be introduced on Canal Road and the St Peters Interchange. This will allow direct cycle access to the site from regional routes. To facilitate this, the site will also include bicycle parking and end of trip facilities.

A Preliminary Travel Plan provided by the proponent reviewed strategic plans relevant to the area as well as an assessment of existing infrastructure associated with car sharing and green transport. The travel plan intended to develop site-specific measures to promote and maximise the use of sustainable travel modes, including walking, cycling, public transport and car sharing. In this regard, this plan sets out objectives and strategies to improve sustainability.

### **5.2.5. Economic impact**

With the existing industrial use of the site being retained, only expanded and densified, the social and economic benefits of this proposal will enhance the value of the site. It will foster economic activity and employment, with the development projected to provide floor space to support 370 jobs and expand the potential of the freight and logistics network due to its locational benefits.

### **5.2.6. Efficient use of land in a strategic location**

There is an increasing trend globally to construct high density warehouses. The increase in height will enable Sydney to be at the forefront of the freight and logistics sector as well as maximising the use of space and emerging technologies in the field.

The multi-storey industrial and warehouse building provides high density industrial land use that responds to the demand for and recent reduction of IN1 zoned land in South Sydney, and increasing land values. Through this it will enable a larger number of smaller tenancies with flexibility of catering for future automation and larger customers.

### **5.2.7. Land contamination**

Contamination assessments undertaken have deemed the site to be continuing as suitable for commercial/industrial land under SEPP 55 – Remediation of Land. This is provided there is implementation of control and management mechanisms including adherence to a Construction-phase Site Management plan and Long-Term Site Management Plan. This is as fill materials on the site have been identified to be contaminated with lead, benzo(a)pyrene, long chain-length total recoverable hydrocarbons (TRH) and asbestos. During the development application stage, further assessment will be needed and a Remedial Action Plan will need to be submitted.

### **5.2.8. Flooding**

The subject site is located in the Alexandra Canal catchment. The Alexandra Canal Flood Study identifies 1% Annual Exceedance Probability (AEP) peak flood level of RL 2.3m AHD. The

proposed built form has floor levels designed with reference to this established flood level. The office floor level is RL 3.8m AHD, ground floor at RL 5.5m AHD and the undercroft parking area at RL 2.3m AHD. The parking level is classified as undercroft, not a basement, and will not employ the use of flood gates.

The potential flooding impacts on the built form proposed at development assessment stage will be subject to a more thorough review, with reference to site-specific flood studies. For the purposes of this Planning Proposal, the floor heights are sufficient to enable the building envelope within the proposed maximum height limit.

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## 5.3. Need for the Planning Proposal.

### **Q1. Is the Planning Proposal the result of any strategic study or report?**

No, this Planning Proposal is the result of a request from the landowner to change the height control that applies to the site.

### **Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The objectives of densifying the site and enabling multiple levels of industrial warehouse space can only be achieved by increasing the height control on the site.

The objectives of setting site-specific and site appropriate sustainability objectives in the planning controls can only be achieved through the Planning Proposal process and a site-specific clause in Division 5 of Sydney LEP 2012.

A Planning Proposal is required to amend Sydney LEP 2012 to achieve these outcomes.

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## 5.4. Relationship to the strategic planning framework

### **Q3. Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including any exhibited draft plans or strategies)?**

#### *Greater Sydney Region Plan*

*A Metropolis of Three Cities – The Greater Sydney Region Plan* is the Greater Sydney Commission's strategic plan for Greater Sydney. It is a 20-year plan with a 40-year vision, seeking to transform Greater Sydney into a metropolis of three distinct but connected cities: the Eastern Harbour City, the Central River City and the Western Parkland City.

The overarching aspirations of this strategy are:

- Liveability
- Productivity
- Sustainability
- Infrastructure and collaboration

The proposal is applicable to five directions outlined in the liveability, productivity and sustainability framework. These include facilitating *a city supported by infrastructure*, *have a well-connected city*, *create jobs and skills for the city*, *have a city in its landscape* and *an efficient city*.

The Planning Proposal primarily addresses *Objective 23: Industrial and urban services land is planned, retained and managed*, which will be actioned by safeguarding existing industrial land from competing pressures and allowing for a mix of economic outcomes to support the city and its population. The Proposal will also contribute in supporting the creation of 817,000 jobs by 2056.

### *Eastern City District Plan*

The *Eastern City District Plan* sets out the Greater Sydney Commission's vision for the Eastern City District, of which the City of Sydney is a part.

As such the Eastern City District Plan goes into depth in listing out planning priorities and actions which are applicable to objectives and aspirations of *A Metropolis of Three Cities*. The Planning Proposal aligns with priorities and actions under the productivity and sustainability framework.

#### Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city.

The proposed development responds to transport and land-use integration by being situated in proximity to local bus stops and train stations to nearby suburbs. It also has pedestrian access and will be serviced with improved cycling links on Canal Road.

#### Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres.

The Planning Proposal will facilitate approximately 370 jobs by enabling a range of top-tier businesses to contribute to the broader freight and logistics network. This will be done through the action of retaining industrial land for employment and its role in supporting the Harbour CBD, trade gateways and other strategic centres.

#### Planning Priority E12: Retaining and managing industrial and urban services land.

The industrial and employment services land is highly constrained within the Eastern City District due to emphasis on residential and retail development. The proposal will service a district economy that is noted to have significant tracts of industrial land with prospects of job generation. Additionally, the proposal facilitates the contemporary adaptation of industrial and warehouse buildings through increased floor to ceiling heights.

#### Planning Priority E19 – Reducing carbon emissions and managing energy, water and waste efficiently.

The Proposal will improve sustainability outcomes through achieving ambitious sustainability benchmarks including energy ratings, solar photovoltaics, water sensitive urban design features and urban greening initiatives.

### **Q4. Is the Planning Proposal consistent with council's local strategy or other local strategic plan?**

#### *Sustainable Sydney 2030*

Sustainable Sydney 2030 is the visions for sustainable development of the City of Sydney to 2030 and beyond. It includes 10 strategic directions to guide the future of the City. The plan outlines the City's vision for a green, global and connected city and sets targets, objectives and actions to achieve this vision. The Planning Proposal is aligned with the following relevant strategic directions and objectives:

Direction 1 – A globally competitive and innovative city – The Proposal supports one of the first multi-level industrial facilities in Australia which responds to a global trend to construct high density warehouses. This site will contribute in being more attractive location to prospective tenants.

Direction 2 – A leading environmental performer – The Planning Proposal will deliver ecological sustainable development on the site, through 5-star Green Star rating on the warehouse and 6-star NABERS Energy Commitment Agreement on the ancillary office component. Water sensitive urban design features and a photovoltaic system will also be achieved on the site.

Direction 3 – Integrated transport for a connected City – Future development on the subject site is well located to capitalise on its proximity to existing and future transport infrastructure including nearby Mascot, St Peters and Sydenham Stations, as well local bus stops. It also includes provision for pedestrian and cycle way access.

Direction 9 – Sustainable development, renewal and design – The Planning Proposal will support future development that is more ecologically sustainable through ambitious sustainability benchmarks discussed in Section 5.1.

*City Plan 2036 - Local Strategic Planning Statement*

City of Sydney’s recently endorsed Local Strategic Planning Statement sets out the land use planning context, 20-year vision and planning priorities to positively guide change towards the City’s vision for a green, global and connected city. The planning statement explains how the planning system will manage that change to achieve the desired outcomes and guides future changes to controls, including those sought by proponents through Planning Proposals.

The Planning Proposal gives effect to the following planning priorities of the planning statement:

Infrastructure

I2 Align development and growth with support infrastructure - The subject site is well located to maximise freight and logistics services and integrates with WestConnex, Sydney Gateway (and hence Sydney Airport), the Cooks River Intermodal Terminal and the Sydney CBD.

Sustainability

S2 Creating better buildings and places to reduce emissions and waste and use water efficiently - The Planning Proposal will support future development that is more ecologically sustainable development on the site through achieving sustainability benchmarks. These include a 5-star Green Star rating for the multi-level warehouse and 6-star NABERS Energy Commitment Agreement for the ancillary office component. Water sensitive urban design features and a photovoltaic system will also be achieved on the site. The development of the site will also allow for additional tree canopy.

Productivity

P3 Protecting industrial and urban services in the Southern Enterprise Area and evolving businesses in the Green Square-Mascot Strategic Centre - The Planning Proposal enables economic growth which supports Central Sydney, the Eastern Economic Corridor and international trade gateways. It contributes towards creating 370 jobs in the industrial and urban services industry by retaining and maximising the use of Industrial land.

**Q5. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?**

The Planning Proposal is consistent with all applicable State Environmental Planning Policies (SEPPs), as summarised in Table 3. SEPPs not mentioned are not applicable to the subject proposal.

State Environmental Planning Policy	Comment
SEPP (State and Regional Development) 2011	The proposed development is a warehouse or distribution centre with a capital investment value of over \$50 million, which is designated as state significant development under this SEPP. This planning proposal does not hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Meets the objectives of this SEPP.

**Table 3 Consistency with SEPPs**

No Regional Environmental Plans (REPs) for the Sydney and Greater Metropolitan regions, which are deemed SEPPs, apply to the subject Planning Proposal.

#### **Q6. Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?**

The Planning Proposal is consistent with all Ministerial Directions issued under section 9.1 of the Environmental Planning and Assessment Act 1979, as summarised in Table 4.

Ministerial Direction	Comment
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	Consistent. The Planning Proposal encourages employment growth and protects industrial land.
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable
1.5 Rural Lands	Not applicable
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Management	The site is not identified as being in a coastal vulnerability area, coastal wetland or littoral rainforest. The Planning Proposal is consistent with this direction.
2.3 Heritage Conservation	Consistent. The Planning Proposal will not impact any nearby state or local heritage items.
2.4 Recreation Vehicle Areas	Not applicable
2.6 Remediation of Contaminated Land	Consistent. The Planning Proposal accounts for contamination impacts and will undergo further assessment at the development application stage. No expansion of land uses are being proposed.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Not applicable
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Not applicable
3.4 Integrating Land Use and Transport	Consistent. The site is in close to public transport and provides the efficient movement of freight.

Ministerial Direction	Comment
3.5 Development Near Regulated Airports and Defence Airfields	Not applicable
3.6 Shooting Ranges	Not applicable
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<p><u>Consistent Inconsistent. The Planning Proposal will enable an intensification of land uses on land identified as having a probability of containing acid sulfate soils.</u> The site is mapped as Class 3 Acid Sulfate Soils in the City of Sydney sheet map, <u>which means acid sulfate soils are likely to be found 1 metre below the natural ground surface.</u></p> <p><u>However, the proponent has provided a study in support of the Planning Proposal which identifies how development on the site can avoid adverse environmental impacts from acid sulfate soils.</u></p> <p>The site is deemed suitable under the proponent's Geotechnical Report pending that during the development application stage an Acid Sulfate Soil management plan has been prepared under 7.14 Acid Sulfate Soils of the Sydney LEP 2012.</p>
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Not applicable
4.4 Planning for Bushfire Protection	Not applicable
<b>5. Regional Planning</b>	
5.10 Implementation of Regional Plans	Consistent. The Planning Proposal gives effect to objectives in the Greater Sydney Region Plan.
5.11 Development of Aboriginal Land Council land	Not applicable
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Consistent. The Planning Proposal does not include any concurrence, consultation or referral provisions nor does it identify any development as designated development.
6.2 Reserving Land for Public Purposes	Consistent. The Planning Proposal will not affect any land reserved for public purposes.

Ministerial Direction	Comment
6.3 Site Specific Provisions	<p><del>Consistent.</del> <u>Inconsistent. The Planning Proposal includes site-specific provisions which contain development standards and requirements in addition to those already contained in Sydney LEP 2012.</u></p> <p><u>While these site-specific provisions are necessary to ameliorate the additional development impacts associated with the additional height above the current height controls, they are of minor significance and not unnecessarily restrictive. The site-specific provisions do not prevent a wide variety of development outcomes on the site.</u></p>
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	Consistent. The Planning Proposal gives effect to objectives in the Greater Sydney Region Plan, which replaces the Plan for Growing Sydney.

**Table 4 Consistency with Ministerial Directions**

## 5.5. Environmental, social and economic impact

### **Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

The Planning Proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats. The subject site contains native tree species which in majority will be retained.

### **Q8. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

The subject site is located in a previously disturbed industrial area and therefore will have minimal environmental impacts associated with construction and operation. Preliminary specialist assessments have been undertaken to assess the impact of the proposal on traffic, flooding, contamination and visual amenity. Additionally, assessments have been undertaken to find pathways to achieve positive impacts on the local environment.

The draft *Greener Places* (Government Architect, 2017) and the *Environmental Action 2016-2021 Strategy and Action Plan* (City of Sydney, 2017) are particularly relevant to the proposal's sustainability and green infrastructure targets. The proposal aims to produce a development in line with the sustainability goals set out in the *Environmental Action 2016-2021 Strategy and Action Plan* (City of Sydney, 2017). Additionally, the proposal aligns with the plan's aim to increase green space through the retention and implementation of green infrastructure on-site in compliance with the draft *Greener Places* policy. The enhanced land use efficiency proposed through the consolidation of industrial uses over a smaller area leads to reduction in urban sprawl.

Possible impacts of the proposed development facilitated by the Planning Proposal, and mitigation measures are discussed in Section 5 of this Planning Proposal.

**Q9. Has the Planning Proposal adequately addressed any social and economic effects?**

The economic impacts of the proposed development are discussed in Section 5 of this Planning Proposal.

The Planning Proposal is unlikely to result in any adverse social impacts.

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## 5.6. State and Commonwealth Interests

**Q10. Is there adequate public infrastructure for the Planning Proposal?**

The site is already well serviced by the full range of public utilities including electricity, telecommunications, water, sewer and stormwater. It is expected that these services would be upgraded where required by the developer.

The Planning Proposal is served by the WestConnex freeing up road capacity on Burrows Road and Canal Road. It also serves as a gateway for logistics access to the site. The site is in proximity to local bus stops and Sydenham, Mascot and St Peters stations. Pedestrian footpaths are also located on both sides of Burrows Road and Canal Road with intersections that have several pedestrian crossings enabling easy access to the site. The site will also be served by regional cycling infrastructure as part of WestConnex and the Alexandra Canal cycleway. The new interchange will have a new publicly accessible open space featuring a 24-metre-high viewing mound which is located adjacent to the west of the site.

The detailed development application will be subject to the statutory development contributions, which will contribute to the provision of other community facilities, the demand for which will be generated by the development.

**Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

~~The Gateway determination will advise the public authorities to be consulted as part of public exhibition. Any issues raised will be incorporated into the Planning Proposal following public exhibition.~~

**Environment Protection Authority**

The EPA made a submission highlighting a potential increased risk of exposure from PM2.5 air pollution from the nearby M8 ventilation stack. The EPA made clear environmental impact assessment of the ventilation stack did not include analysis of buildings 30 metres or taller in the vicinity.

The proponent has worked with an air quality specialist to understand the risk, and in lieu of engaging additional testing for this planning proposal have committed to undertaking a full study at development application stage and to implement any pertinent findings from that study.

The EPA have reviewed this commitment and have confirmed they have no outstanding objection to the planning proposal being made.

To ensure an air impact assessment is undertaken where required, this planning proposal has been amended to include site-specific LEP controls.

**Heritage NSW**

Heritage NSW highlighted that Alexandra Canal is a state heritage listed item. This planning proposal has been amended to include this clarification.

Heritage NSW also confirmed the need for a heritage impact assessment to be undertaken at development application stage.

**Transport for NSW**

Transport for NSW made a submission to highlight an error in traffic generation rates used in the proponent's traffic and transport study, and to draw attention to the stormwater impacts caused by the recently approved Sydney Gateway project.

The proponent's stormwater and flooding specialist has confirmed there is no additional stormwater impact caused by the proposed development, because existing development on the site is almost entirely impermeable surfaces. With no additional impact, stormwater and flooding modelling for the Sydney Gateway project will still be valid after any redevelopment of the site.

According to TfNSW, the proponent's traffic and transport study included lower trip generation rates for the ancillary office floorspace component than the latest guide available from TfNSW. Because the incorrect rates relate only to the ancillary office space, which is a subordinate use and subject to change in quantum after this planning proposal is made, it is appropriate to allow this correction be made in the detailed traffic assessment accompanying any future development application.

Transport for NSW have confirmed they have no outstanding objection to this planning proposal being made.

# 6. Mapping

The Planning Proposal seeks to amend the Height of Buildings Map 005 in Sydney LEP 2012. The proposed map is shown in Figure 18.

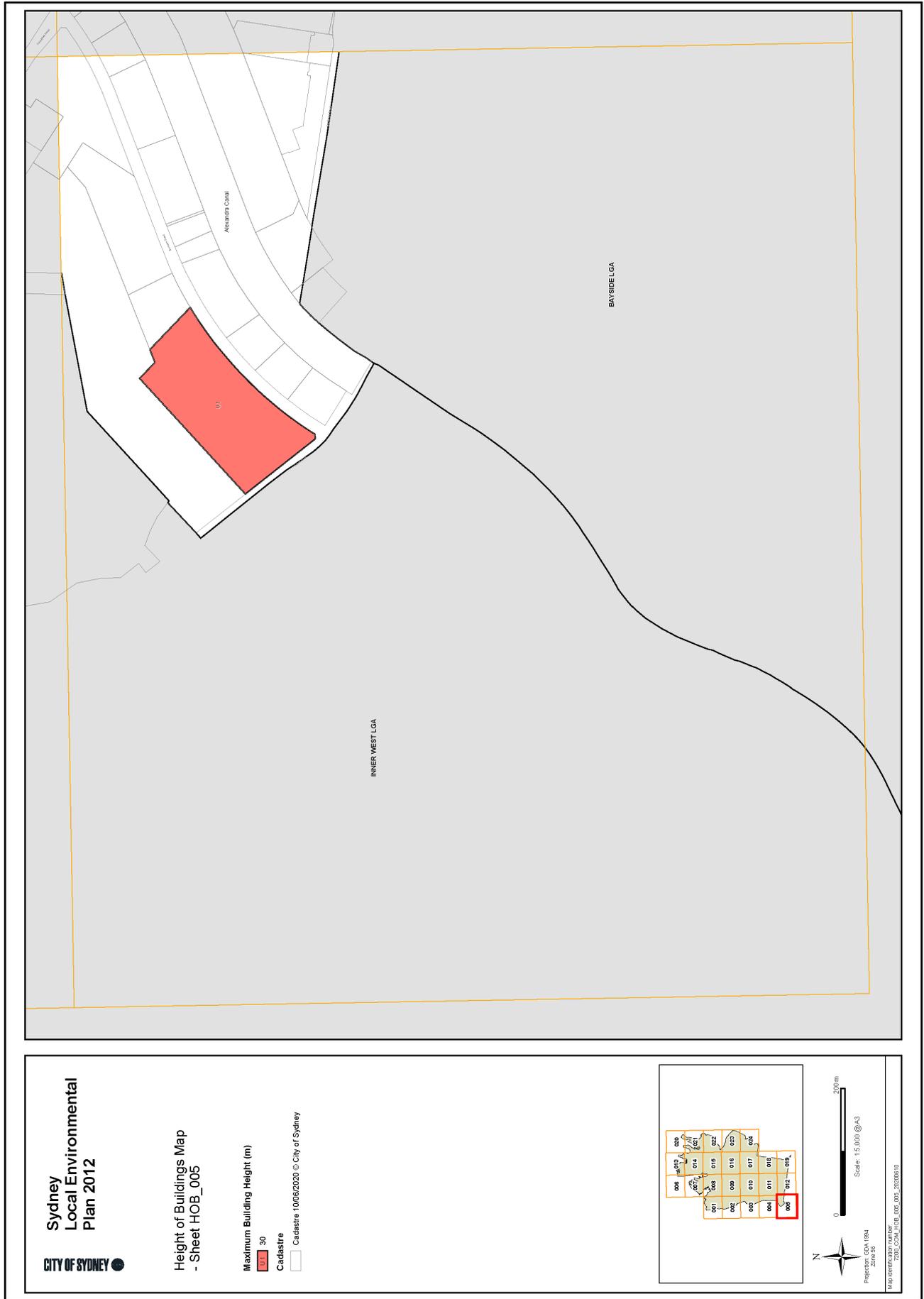


Figure 18 Proposed amendment to Height of Buildings Map 005 in Sydney LEP 2012

## 7. Community consultation

The Planning Proposal ~~is to be~~ was exhibited in accordance with the gateway determination ~~once~~ issues issued by the Department of Planning, Industry and Environment on 16 September 2020.

~~It is anticipated the gateway determination will require public exhibition for a period of not less than 28 days in accordance with of~~ The Planning Proposal was exhibited from 23 November 2020 to 15 January 2021 in accordance with the *Environmental Planning and Assessment Act 1979* and section 4.5 of A Guide to preparing Local Environmental Plans.

Notification of the public exhibition ~~will be~~ was via the City of Sydney website.

Exhibition material ~~will be~~ was made available on the City of Sydney website. Town Hall House was closed to the public during the exhibition period due to COVID-19, so exhibition materials were not made available in person as planned, and at Town Hall House at 456 Kent Street, Sydney.

Consultation with relevant NSW agencies, authorities and other relevant organisations ~~will be~~ were undertaken in accordance with the Gateway determination.

Submissions were received from public authorities, as detailed above

No submissions were received from the community.

The proponent made a submission highlighting concerns with the signage provisions in the LEP drafting instructions and draft DCP, the green roof provisions in the draft DCP, and the design excellence strategy in the draft DCP.

The proponent requested restrictions on signage fronting the St Peters Interchange and public open space in the proposed site-specific LEP and DCP clauses be removed. This request was justified with reference to wayfinding, placemaking, activating the city skyline, and business and building identification.

As the building's entrances and street frontages will be on Burrows Road and Canal Road, it is appropriate for purposes of wayfinding, identification and placemaking that any building or business identification signage be directed at these streets. The building's rear faces the St Peters Interchange and public open space within it. Signage on the rear side of the building will not contribute to wayfinding, placemaking or identification, it will only serve as advertising to the large numbers of drivers on St Peters Interchange and people using the public open space. Broader brand-building advertising is not the purpose of building and business identification signage as described in the DCP.

The draft DCP has been amended to respond to the proponent's other concerns.

## 8. Project timeline

The anticipated timeline for completion of the Planning Proposal is as follows:

Stage	Timeframe
Gateway determination	September 2020
Public exhibition and government agency consultation	<del>October 2020</del> <u>23 November 2020 to 15 January 2021</u>
Consideration of submissions	<del>November 2020</del> <u>January and February 2021</u>
Post exhibition consideration of proposal	<del>February 2021</del> <u>March 2021</u>
Drafting of LEP provisions	<del>March</del> <u>April and May 2021</u>
Finalisation of LEP and DCP and forwarding to Department of Planning, Industry and Environment for notification	<del>April</del> <u>June and July 2021</u>

