



## **Statement of Environmental Effects**

### **Proposed Warehouse & Office Facility**

**54 Tyrone Place, Erskine Park  
(Lot 22 DP 1178567)**

**Prepared by Willowtree Planning Pty Ltd on  
behalf of TAP 11 Erskine Park Pty Ltd**

**June 2016**

## STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Warehouse and Office Facility  
54 Tyrone Place, Erskine Park

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### EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd on behalf of TAP 11 Erskine Park Pty Ltd, and is submitted to Penrith City Council to support a Development Application for the proposed warehouse and office facility at 54 Tyrone Place, Erskine Park. The site is legally described as Lot 22 in DP 1178567.

The proposed warehouse and office facility specifically entails the construction of a warehouse, ancillary office, hardstand, crushed rock area, car parking and site landscaping. Consent is also sought for the use of the facility for warehouse and distributions operating 6am-6pm Monday to Friday and 6am-5pm Saturday.

The proposed facility has been designed in accordance with the specific operational requirements of Tutt Bryant, the future end user, and as such will provide a high quality, useable development to support the needs of this business thereby supporting the needs of industry operating on a local and regional scale.

The built form proposed subject to this Development Application is consistent with the previously approved development throughout Erskine Park as well as the subject site which has entailed subdivision to create the industrial allotment as well as built form on the southern portion of the site. The proposal is also consistent with the requirements for the biodiversity allotment to the west, public road to be provided through the site and environmental lands to the north.

The proposed development for warehousing is consistent with surrounding land uses within the Western Sydney Employment Area (WSEA) and will contribute to the efficient use of employment lands for employment-generating development. The provision of high quality warehouse facilities will also reinforce the character of the Erskine Park Industrial Precinct and provide local and regional benefits associated with the catalysing of employment generation.

The proposal is located on land that is zoned IN1 General Industrial pursuant to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA) and forms part of the Western Sydney Employment Area and the Penrith Local Government Area (LGA). As the Capital Investment Value is less than \$20 Million, the proposal will be determined by Penrith City Council.

This SEE provides an assessment of the proposed development against the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* (as amended). The relevant planning instruments assessed include *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA) and the *Penrith Development Control Plan 2014* (PDCP2014).

Based on the assessment undertaken, it is recommended that Council's favorable consideration to the approval of the Development Application be given

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### APPENDICES:

- **Appendix 1** – Survey Plan
- **Appendix 2** – Architectural Drawings
- **Appendix 3** – Landscape Plan
- **Appendix 4** – Civil Engineering Plans
- **Appendix 5** – Water Sensitive Urban Design Strategy
- **Appendix 6** – Traffic & Parking Assessment Report
- **Appendix 7** – Waste Management Plan
- **Appendix 8** – BCA Report
- **Appendix 9** – QS Report

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### PART A PRELIMINARY

#### 1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd on behalf of TAP 11 Erskine Park Pty Ltd, and is submitted to Penrith City Council to support a Development Application for the proposed warehouse and office facility at 54 Tyrone Place, Erskine Park. The site is legally described as Lot 22 in DP 1178567.

The Development Application seeks approval for the construction of a *Warehouse or Distribution Centre* and ancillary *office premises*. The proposed works have been designed to provide a high quality facility to positively contribute to the intended character of the Erskine Park Industrial Precinct and to meet the specific operational requirements of Tutt Bryant Pty Ltd, the end user. Significant features of the proposed development include:

- Construction of Warehouse (468 m<sup>2</sup>)
- Construction of Wash Bay (132m<sup>2</sup>)
- Ancillary Office (250m<sup>2</sup>)
- Hardstand Area (2,330m<sup>2</sup>);
- Crushed Rock Area (2,000m<sup>2</sup>);
- Carparking (15 spaces);
- Site Landscaping;
- Business Identification Signage.

By developing the site for employment-generating uses, the proposal will meet the requirements of the specific end-user whilst also connoting wide economic benefits deriving from the provision of jobs during the construction and operational phases of the development and from the provision of an important warehouse and office facility to support businesses in the industrial sector.

The site is zoned IN1 General Industry pursuant to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA) and within the IN1 zone the proposed warehouse or distribution centre is permitted with consent. The proposed development is also consistent with the other objectives and provisions of this EPI as well as the *Penrith Development Control Plan 2014* (PDCCP2014) to which development on the site is also subject.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* (as amended). The document is arranged as follows:

The structure of the SEE is as follows:

- **Part A** Preliminary
- **Part B** Development History
- **Part C** Site Analysis
- **Part D** Proposed Development
- **Part E** Legislative and Policy Framework
- **Part F** Likely Impacts of the Development
- **Part G** Conclusion

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## PART B DEVELOPMENT AND PLANNING HISTORY

### 2.1 HISTORICAL USE AND PLANNING HISTORY

The subject site has been previously used for agricultural purposes and subsequently cleared and subdivided for industrial development and employment purposes.

In August 2009, the NSW Government announced the rezoning of 800 hectares of land within the employment area, with a capacity for up to 16,500 jobs. The rezoning also protects significant environmental conservation land.

The New South Wales Government established the Western Sydney Employment Area to provide businesses in the region with land for industry and employment, including transport and logistics, warehousing and office space.

### 2.2 PREVIOUS APPLICATIONS

Consent was granted in September 2012 (**DA 11/1296**) for the two-lot subdivision of the site. The approval was not however activated and consequently expired in September 2014.

A revised Development Application (**DA 15/907**) was approved on 13 May 2016 for the subdivision of the subject site into three (3) lots including one (1) industrial lot, one (1) biodiversity conservation lot and one (1) lot for a public road.

Consent for built form on proposed lot 201 (resulting from the subdivision of the site under **DA 15/907**) was sought through a Development Application (**DA 16/0333**) lodged 8 April 2016. **DA 16/0333** is currently under assessment by Penrith City Council.

Specifically **DA 16/0333** seeks consent for the construction of a Warehouse and Office facility comprising the following:

- Warehouse Facility (4,000m<sup>2</sup>);
- Warehouse Office (Ground Level) (400m<sup>2</sup>);
- Main Office (Mezzanine Level) (600m<sup>2</sup>);
- Washbay (1,000m<sup>2</sup>);
- Hardstand Area (22,090m<sup>2</sup>);
- Carparking (70 spaces);
- Total Pallet Ground Slots (7,540);
- Landscaping; and
- Signage (6.7m x 2.9m).

The proposed facility is intended to be used by Loscam Pty Ltd for operations including pallet pooling, manufacturing and repair of pallets, cleaning of plastic pallets and storage purposes.

It is noted that **DA 16/0333** has divided lot 201 into two (2) parcels described as 'Site 1' and 'Site 2.' The built form proposed under **DA 16/0333** relates specifically to 'Site 1' (**Figure 1**). It is noted that no further subdivision of lot 201 has been proposed but rather that Site 1 and Site 2 describe portions of a single allotment.

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### PART C SITE ANALYSIS

#### 3.1 SITE LOCATION & EXISTING CHARACTERISTICS

The subject site is identified as 54 Tyrone Place, Erskine Park, being legally described as Lot 22 in Deposited Plan 1178567. The entire site envelops an area of approximately 6.66ha and is located at the western end of Tyrone Place with access from the existing cul-de-sac.

Under approved DA 15/907 the site has been subdivided into three (3) allotments including one (1) industrial lot, one (1) biodiversity conservation lot and one (1) lot for a public road (**Figure 3**).

This DA relates to approved lot 201 (under DA 15/907) which comprises a total area of approximately 4.164ha. Under DA 16/0333 built form was proposed for part of approved lot 201 on the portion of the land described as 'Site 1' and exhibiting an area of 31,970m<sup>2</sup>. The residual parcel of land was described as 'Site 2' and exhibits an area of 6,140m<sup>2</sup>. It is noted that no further subdivision of lot 201 has been proposed but rather that Site 1 and Site 2 describe portions of a single allotment.

The residual parcel (Lot 201/Site 2) forms the specific subject of this DA and as aforementioned exhibits an area of 6,140m<sup>2</sup>. The site exhibits a small frontage to Tyrone Place to the west from which access to the site obtained. To the north the site adjoins Environmental Conservation (E2 Zone) land, to the south the site adjoins lot 201/Site 1 for which built form has been proposed under DA 16/0333 and to the west the site adjoins the lot approved as biodiversity land under DA 15/907.

In its existing state the site is undeveloped and contains no structures, trees or dams. The site has been cleared and subdivided in anticipation of built form development.

Other land in proximity of the site is also either cleared in preparation for future industrial development or already developed for warehousing and industrial uses. As such the character of the area may be described as industrial, with the exception of zoned environmental lands.

The site and the surrounding context are shown in **Figures 1** and **2** below. **Figure 3** provides the Plan of Subdivision approved under DA 16/0333. It is noted that whilst this subdivision has been approved, it is yet to be registered.

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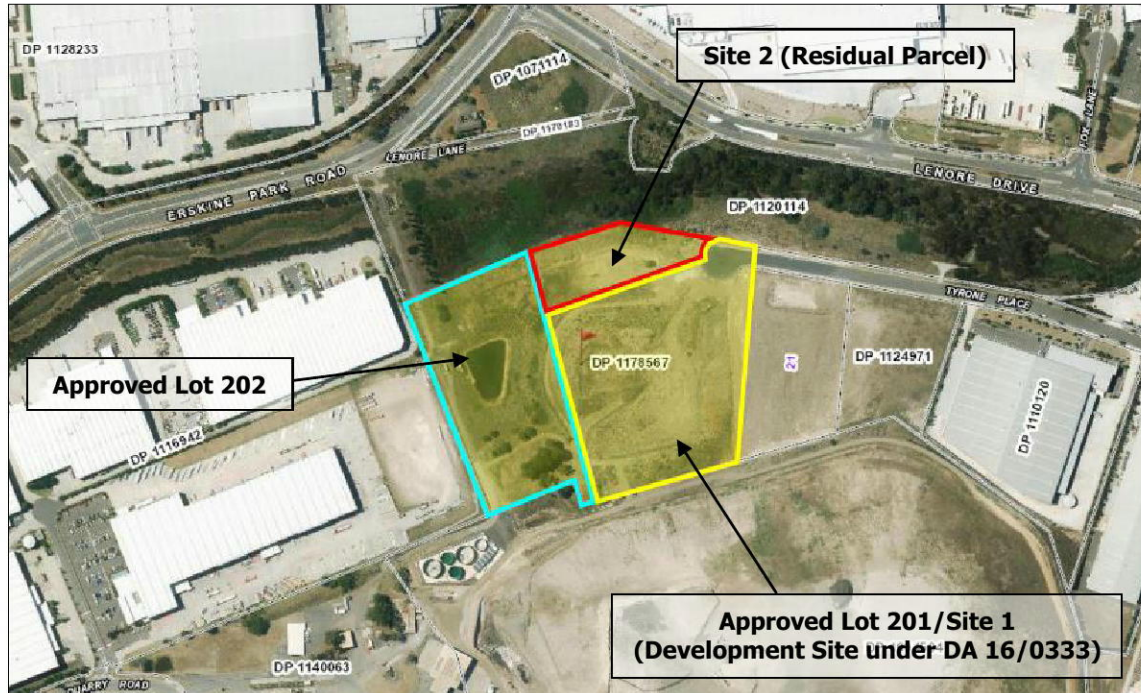


Figure 1: Aerial Map of Subject Site (SIX Maps, 2016)

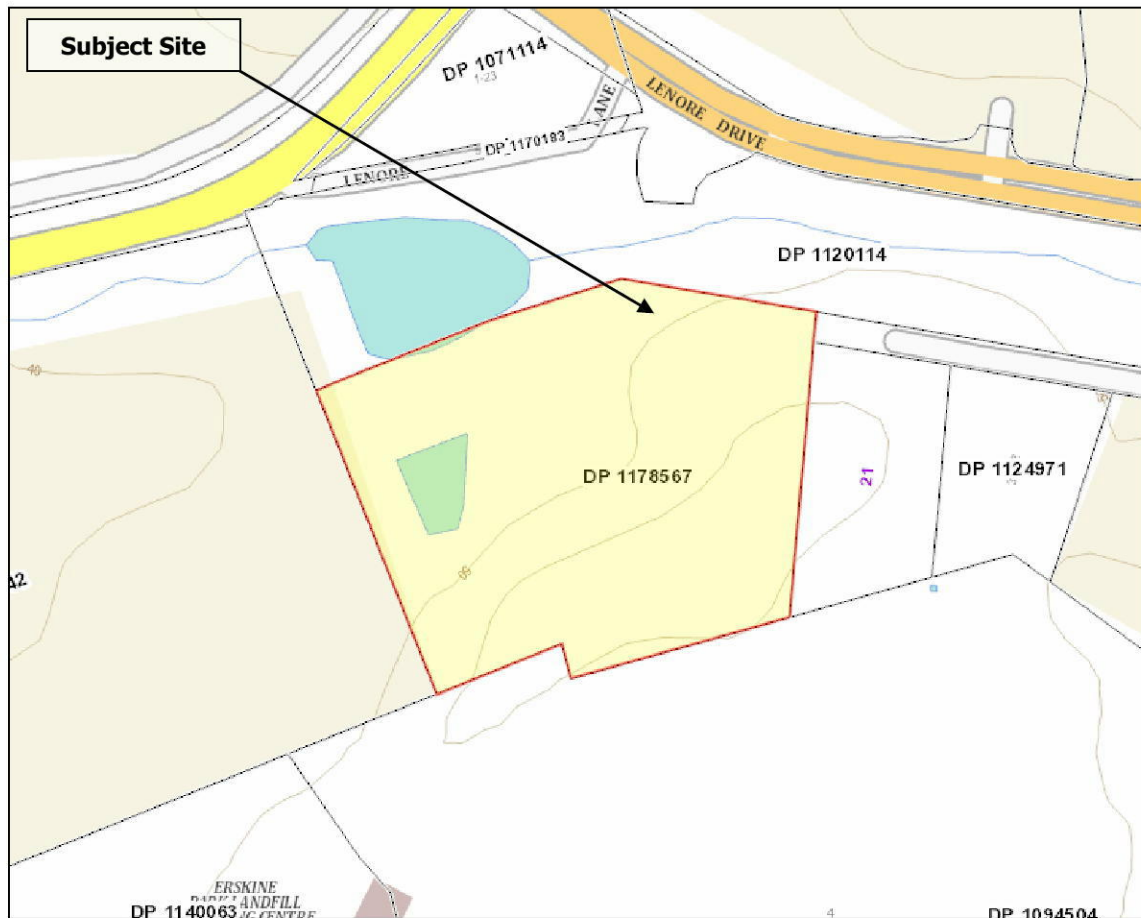


Figure 2: Cadastre Map of Subject Site (SIX Maps, 2016)

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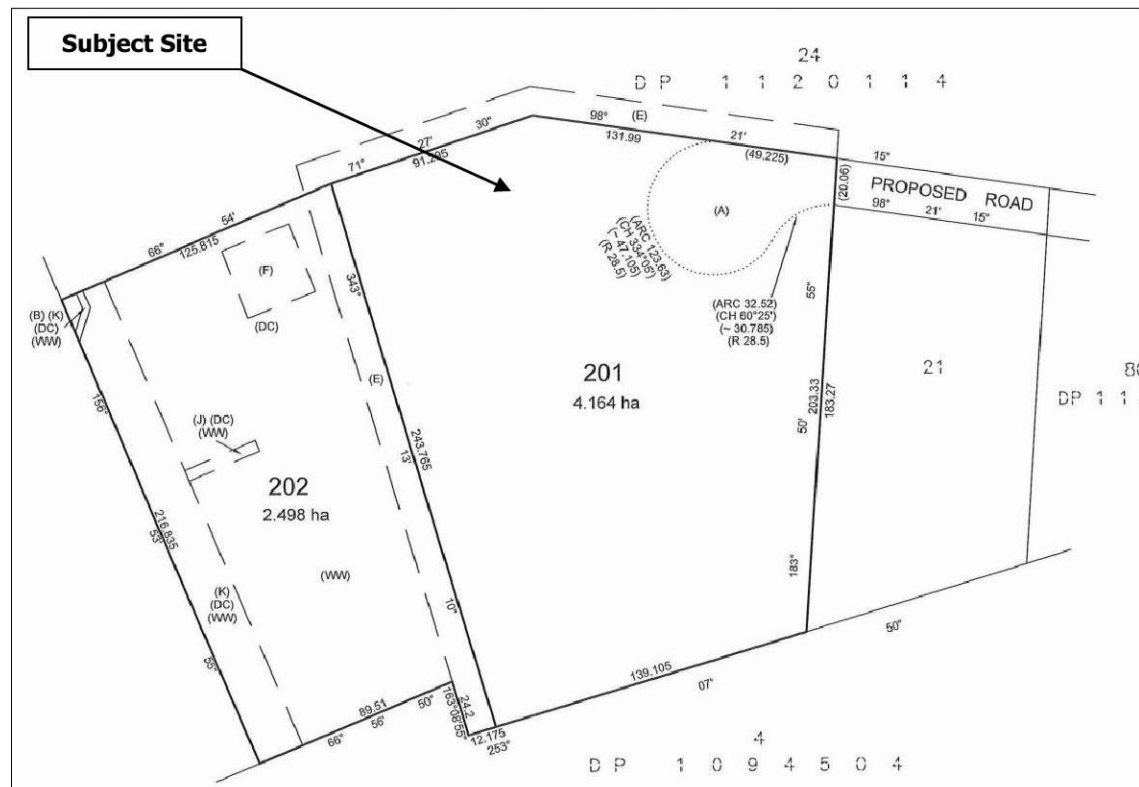


Figure 3: Plan of Subdivision (DA15/907) (Source: Chadwick Cheng, 2012)

### 3.2 SITE CONTEXT

The subject site is located within the suburb of Erskine Park which forms part of the Penrith LGA and is located approximately 50 kilometers west of the Sydney Central Business District.

The site is also identified within the WSEA being an industrial release area incorporating the LGAs of Blacktown, Fairfield and Penrith.

Given the industrial character of the site it is surrounded by employment lands characterized by vacant land earmarked for industrial development, new industrial and warehousing facilities and new and planned road infrastructure.

The subject site is also surrounded by similar industrial and warehouse development. The site is located at the western end of the industrial precinct, located in the midst of predominantly warehouse infrastructure surrounded by vacant cleared land. The site is approximately 400m from the residential precinct located north of the site. Between the site and the residential land is a significant intersection of Erskine Park Road and Lenore Drive as well as other substantial industrial facilities.

The site is located approximately 400m from the nearest residential development which comprises low density suburbs to the north of the Western Sydney Employment Area. Between the site and the residential land is a significant intersection of Erskine Park Road and Lenore Drive as well as other substantial industrial facilities.

The WSEA is serviced by major road transport infrastructure including the M4 Western Motorway, M7 Westlink, Wallgrove Road, Great Western Highway and Mamre Road, providing connectivity to surrounding industrial lands and the wider region. Proposed roads under SEPP (WSEA) 2009 will provide enhanced transport access between the site and its surrounds.

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### PART D PROPOSED DEVELOPMENT

#### 4.1 AIMS AND OBJECTIVES OF THE PROPOSAL

This Development Application seeks to facilitate the development and use of the site for warehousing and logistics, consistent with surrounding land uses within the WSEA. The following objectives have been identified as forming the basis of the proposed development:

- Design the site to achieve viable economic return;
- Ensure minimal environmental and amenity impact;
- Support employment generating land uses; and
- Ensure development is compatible with surrounding development and the local context.

The site and proposed design are considered to meet the objectives of the project as it enables development on land that has been zoned for industrial development.

#### 4.2 DESCRIPTION OF THE PROPOSAL

The proposal seeks development consent for the construction and use of a warehouse and office facility. Specifically the proposal entails the following:

- Construction, fit-out and use of a warehouse with ancillary office and washbay;
- Construction of hardstand and heavy vehicle access roads;
- Construction of an at-grade car parking area;
- Provision of a crushed rock area;
- Signage;
- Site Landscaping.

The numeric particulars of the proposed development are summarised in **Table 1**.

<b>Project Element</b>	<b>Description</b>
Site Area	6,140m <sup>2</sup>
Warehouse GFA	468m <sup>2</sup>
Washbay	132m <sup>2</sup>
Office	250m <sup>2</sup>
Total GFA	850m <sup>2</sup>
Hardstand Area	2,330m <sup>2</sup>
Crushed Rock Area	2,000m <sup>2</sup>
Car Parking	15 spaces
Signage	Business Identification Signage to be provided on the northern façade.

A set of Architectural Plans detailing the proposed works are attached at **Appendix 2**. An extract from the proposed Site Plan is provided in **Figure 4**.

It is noted that the development afore described and development particulars outlined in **Table 1** reflect the built form proposed subject to this DA only. It is noted that this development represents a second built form development for the site, additional to that previously proposed under DA 16/0333 (currently under assessment). Accordingly, in conjunction with DA 16/0333 and this DA, it is proposed to provide two (2) facilities on the site (approved lot 201). Resultantly approved lot 201 is proposed to be developed for the purposes of a warehouse and office facility to be occupied by Loscam Pty Ltd and a second warehouse and office facility to be occupied by Tutt Bryant. These facilities are to be located on the same lot divided by a *lease* boundary only.

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**4.3 OPERATIONAL DETAILS**

The proposed use of the site is for a *Warehouse or Distribution Centre* pursuant to the SEPP WSEA definitions.

Operational details are summarised in **Table 2**.

<b>Table 2: Operational Details</b>	
<b>Operational Detail</b>	<b>Proposed</b>
Use	Warehouse and distribution
Hours of Operation	6am-6pm Monday to Friday and 6am-5pm Saturday.
Employees	10
Truck Types	The site will be serviced by a variety of rigid trucks but has been designed to accommodate 19m semi-trailers

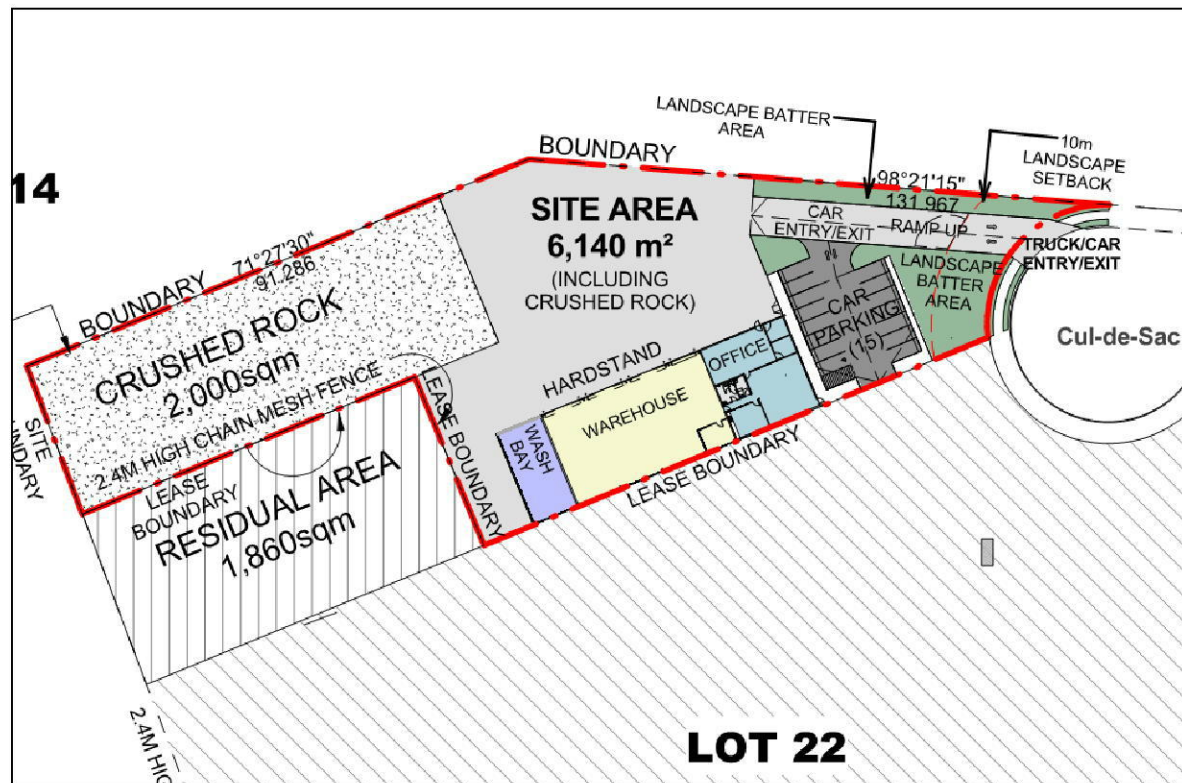


Figure 4: Proposed Site Plan (Reid Campbell, 2016)

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## PART E LEGISLATIVE AND POLICY FRAMEWORK

Section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) sets out specific matters that Council is to take into consideration in the assessment and determination of development applications.

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

### **State Planning Context**

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1979*
- *NSW 2021 : A Plan to Make NSW Number One*
- *A Plan for Growing Sydney*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy No.64 – Advertising Structures and Signage*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*

### **Local Planning Context**

- *Penrith Local Environment Plan 2010*
- *Penrith Development Control Plan 2014*

The sections below respond specifically to the relevant matters in relevant legislation and policy documents.

### **5.1 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE**

*NSW 2021* was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- *Rebuild the economy*
- *Return quality services*
- *Renovate infrastructure*
- *Strengthen our local environment and communities*
- *Restore accountability to government*

The Chapter on Rebuilding the Economy is most relevant to the proposal as it provides objectives for achieving growth and prosperity. The plan makes a commitment that supports large and small businesses and describes the importance of the private sector's role in maintaining and creating highly productive jobs to underpin the State's ability to realise higher standards of living for all people.

The proposed development will positively contribute to the economy and support the continued viability of industry in NSW through the provision of employment generating development within the WSEA industrial release area. The proposed development will positively contribute to the ongoing growth to create jobs within the Sydney Metropolitan Region as the facilities will provide vital opportunities for warehousing and distribution purposes.

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### 5.2 A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney was introduced by the NSW DP&E in December 2014 and replaced the Metropolitan Plan for Sydney 2036. A Plan for Growing Sydney supports and implements the NSW 2021 State Plan, which identifies restoring economic growth as its number one priority.

The plan presents a strategy for accommodating Sydney's future population growth. It balances the need for more housing, but also cultivates the creation of strong and resilient communities within a highly liveable city whilst protecting the natural environment and biodiversity.

New housing will be located close to jobs, public transport, community facilities and services. It acknowledges the need to offer choice in housing location, size and typologies, to better suit our lifestyles and budgets. Most importantly, more intensive housing development across the city will be matched with investment in infrastructure and services, culture and the arts, and open spaces.

A Plan for Growing Sydney will also provide a framework for strengthening the global competitiveness of Sydney, in order to facilitate strong investment and jobs growth. Specifically, the Penrith LGA is located within the West subregion, earmarked for significant infrastructure investment and intensive growth over the next 20 years.

The proposed development aligns with the strategic directions of the Plan through the provision of employment-generating development within an industrial area.

### 5.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) is the overarching governing document for all development in NSW and pursuant to Part 4, the subject proposal is Local Development.

### 5.4 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

*"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

The proposal will not involve any activity that would require the issue of an Environmental Protection Licence.

### 5.5 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Part 4 of *State Environmental Planning Policy (State and Regional Development)* identifies development that is classified as 'Regional Development' and requires determination by a Joint Regional Planning Panel.

As the Capital Investment Value of the proposed development does not exceed AU\$20 Million, the proposal is not required to be determined by the Joint Regional Planning Panel (Sydney West). A detailed cost estimate has been provided which confirms the proposal will be less than the \$20 million threshold under the provisions of the SEPP.

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### 5.6 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.

The referral thresholds for 'industry' are:

- 20,000m<sup>2</sup> in area; or
- 5,000m<sup>2</sup> (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)).

The proposed development contains a total building area of 850m<sup>2</sup> and therefore does not trigger the referral threshold for industry. Accordingly referral to the RMS is not required.

### 5.7 STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

No dangerous goods are proposed to be stored, thus the triggers under SEPP 33 do not warrant further assessment in this respect.

### 5.8 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Appropriate site investigations have previously been carried out and therefore the objectives and requirements of SEPP 55 are achieved with no further investigation required.

### 5.9 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING STRUCTURES AND SIGNAGE

SEPP 64 applies to all signage:

- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) *is visible from any public place or public reserve.*

The proposal includes the erection of 1 x wall sign (4m x 2m) on the northern building elevation, for the purposes of business identification. The location of the proposed signage is provided within the Architectural Plans at **Appendix 2**.

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Directional signage internal to the site will also be provided to ensure a high level of legibility is achieved for all vehicles and pedestrians accessing the various areas of the site.

Pursuant to Clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the aims/objectives of the Policy, and
- (b) that the signage satisfies the assessment criteria specified in Schedule 1 of SEPP 64.

These matters are addressed below.

### **Aims and Objectives of SEPP 64**

*SEPP 64 aims:*

- (a) to ensure that signage (including advertising):
  - (i) is compatible with the desired amenity and visual character of an area, and
  - (ii) provides effective communication in suitable locations, and
  - (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements, and
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage is proposed for the purpose of business identification and is considered to achieve the objectives of SEPP64 as it relates directly to the use of the site for warehousing facilities and reinforces the industrial character of the site in accordance with the prevailing industrial character of the area. The proposed signage will be of a high quality design and finish and will integrate with the built form on the site in terms of siting, scale and design.

### **Assessment Criteria**

The assessment criteria under Schedule 1 of SEPP64 is addressed in **Table 3**.

<b>Table 3. SEPP 64 Assessment Criteria</b>	
<b>Criteria</b>	<b>Proposal Compliance</b>
<b>1 Character of the area</b>	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	Yes, the proposed signage is compatible with the industrial character of the site and its surrounds and will support the operation of the proposed warehouse facilities on the site.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	Yes, as above.
<b>2 Special areas</b>	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	No, the site is not located in proximity of any significant built or natural sites or areas. The signage will be of a high quality design and finish and will improve the visual amenity of the site through effective business identification.

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<b>3 Views and vistas</b>	
<i>Does the proposal obscure or compromise important views?</i>	No, the proposed signage will be of a height and scale consistent with the built form on the site and will not disrupt any views or dominate views toward the site.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No, the proposed signage will be of a height and scale consistent with the built form on the site and will not dominate the skyline.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes, the signage will not obstruct any other signage or advertising.
<b>4 Streetscape, setting or landscape</b>	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes, the signage has been designed in respect of the proposed built form on the site to effectively identify the warehouse facilities whilst not being visually obtrusive. The proposed signage is compatible with the industrial character of the site and its surrounds.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes, the signage will visually define the warehouse facilities on the site and will be integrated with façade treatment to create a visually coherent built form.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	No, there is no other signage in proximity of the subject site. Therefore the proposed signage will not cause any clutter.
<i>Does the proposal screen unsightliness?</i>	No, the signage is not used as a visual screen or filter.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No, the signage will not protrude above the roof line or tree canopy.
<i>Does the proposal require ongoing vegetation management?</i>	No, the proposed signage will not require ongoing management.
<b>5 Site and building</b>	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes, the signage is of suitable scale and design for its intended purpose to effectively identify the business operating on-site and will integrate with the proposed built form and façade design to achieve visual coherence.
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes, the signage will be balanced with façade elements to integrate with the proposed built form. The proposed signage will not dominate the landscape or be visually obtrusive.
<i>Does the proposal show innovation and imagination in its relationship to the site or</i>	Yes, the signage has been integrated with the layout of the site so as not to obstruct

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<i>building, or both?</i>	any vehicle movements and achieve a positive visual outcome.
<b>6 Associated devices and logos with advertisements and advertising structures</b>	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	No safety devices, platforms or illumination proposed.
<b>7 Illumination</b>	
<i>Would illumination result in unacceptable glare?</i>	No illumination proposed.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	No illumination proposed.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No illumination proposed.
<i>Is the illumination subject to a curfew?</i>	No illumination proposed.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	No illumination proposed.
<b>8 Safety</b>	
<i>Would the proposal reduce the safety for any public road?</i>	No, the proposed signage is located within the site boundaries and is well set back from the street.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, the proposal will not obstruct any pedestrian or cycle routes or infrastructure and therefore will not negate the safety of pedestrians or cyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the proposed signage will not obscure any sightlines from public areas frequented by pedestrians. Neither will the proposed sign obstruct any vehicle sight lines from public roads.

Based on the above, the proposal is considered consistent with the provisions of SEPP 64.

### 5.10 DEEMED STATE ENVIRONMENTAL PLANNING POLICIES (FORMER REGIONAL ENVIRONMENTAL PLANS)

There are no Deemed State Environmental Planning Policies applicable to the proposed development on the site.

### 5.11 STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY EMPLOYMENT AREA) 2009

The site is identified within the Western Sydney Employment Area and is subject to the provisions of *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA). The Policy aims to protect and enhance the Western Sydney Employment

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Area. Relevant development standards are summarised in the subsequent sections of this SEE.

### **Permissibility**

The subject site is located in the IN1 General Industrial Zone under SEPP (WSEA) 2009.

The objectives of the IN1 General Industrial Zone are as follows:

- *To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- *To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- *To minimise any adverse effect of industry on other land uses.*
- *To facilitate road network links to the M7 and M4 Motorways.*
- *To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- *To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

The proposal is consistent with the objectives of the zone as it allows for the continuation of the intended industrial use of the facility, provides employment, is compatible with the local context and will not result in any significant environmental impact.

Under the SEPP, the proposal can be defined as a 'warehouse or distribution centre' which is permissible with development consent within the IN1 zone. For the purposes of the SEPP, a warehouses or distribution centre is defined as:

*"a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made".*

In light of the above, the proposed development for a *Warehouse or Distribution Centre* achieves the objectives of the IN1 zone and is permissible with consent on the site.

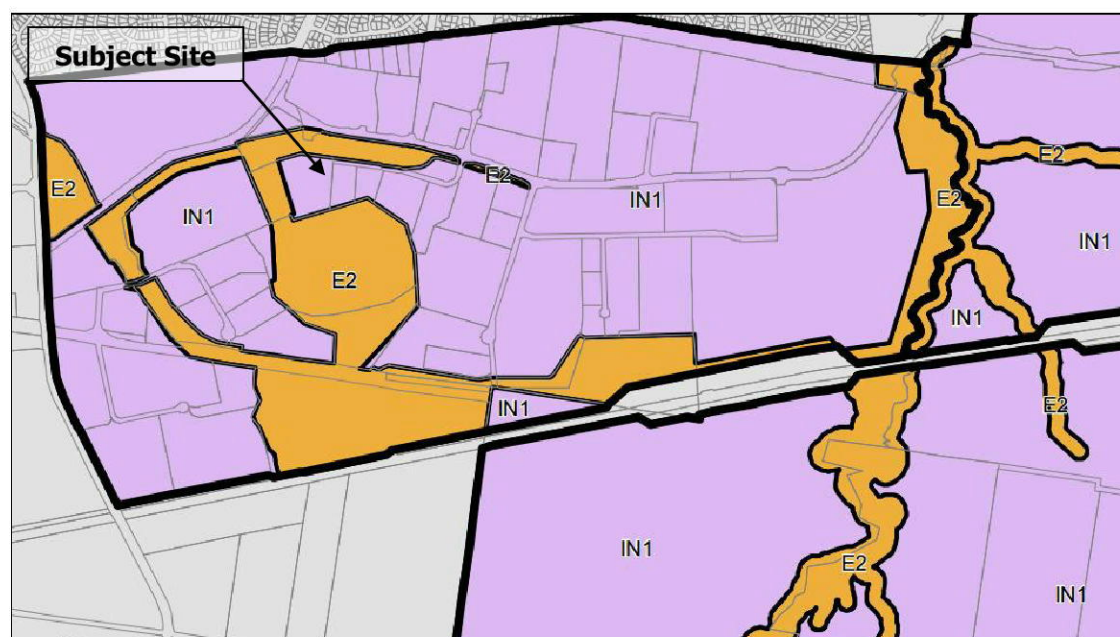


Figure 5. Land Zoning Map (Source: NSW Legislation, 2016)

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### ***Ecologically Sustainable Development***

The proposed development will provide sustainable development measures to reduce consumption of potable water and greenhouse gas emissions.

### ***Height of Buildings***

No maximum building height has been adopted under SEPP (WSEA) 2009.

However the consent authority must be satisfied that:

- (a) building heights will not adversely impact on the amenity of adjacent residential areas, and*
- (b) site topography has been taken into consideration.*

The site is not located in proximity of any sensitive visual receptors and therefore the development of the site is not considered to exhibit any adverse impacts on the visual amenity of the locality.

The proposed maximum building height of 10m is consistent with other warehouses and industrial facilities throughout the WSEA.

### ***Rainwater Harvesting***

Under clause 22 of SEPP (WSEA) 2009 *"the consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General."*

The provision of rainwater tanks on the site will enable rainwater harvesting and re-use for appropriate applications.

### ***Public Utility Infrastructure***

Public utility infrastructure, including water, electricity, natural gas and sewage systems, are available to the site.

### ***Development On or In Vicinity of Proposed Transport Infrastructure Routes***

The site is not directly adjoined by any proposed transport infrastructure and therefore is not considered to require referral to the Director-General of the Department of Planning under clause 26 of SEPP (WSEA) 2009.

### ***Industrial Release Area- Satisfactory Arrangements for the Provision of Regional Transport Infrastructure and Services***

The site is identified within an industrial release area and is therefore subject to the provisions of clause 29. Accordingly:

*"the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network)."*

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Contributions to the provision of regional transport infrastructure and services will be made in accordance with any Conditions of the Development Consent.

### ***Design Principles***

In the determination of a Development Application the consent authority will consider:

- (a) the development is of a high quality design, and*
- (b) a variety of materials and external finishes for the external facades are incorporated, and*
- (c) high quality landscaping is provided, and*
- (d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.*

The proposed development is of a high quality design and construction to ensure a positive visual outcome and sustainable use of the site. Facades have been articulated to create visual interest and avoid the presentation of large expanses of blank wall. High quality landscaping incorporating a complementary mix of native species has been provided around the perimeter of the site to soften the appearance of the built form and hard stand and enhance the streetscape and general character of the area. Overall the proposed warehouse is highly compatible with surrounding land uses and will reinforce the industrial character of the WSEA.

### **5.12 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

No Draft Environmental Planning Instruments apply to the proposed development.

### **5.13 PENRITH DEVELOPMENT CONTROL PLAN 2014**

*Penrith Development Control Plan 2014* (PDCP2014) was adopted on 23 March 2015 and applies to all land within the Penrith Local Government Area (LGA) including the subject site. Part E6 of PDCP2014 specifically applies to 'Erskine Business Park' within which the site is located, and in general terms this section aims:

- a) To enable a diversity of employment generating development to locate within the Erskine Business Park;*
- b) To ensure that the standard of development does not detract from or unduly impact upon the existing built environment in adjoining rural and residential areas; and*
- c) To ensure that development occurs in an environmentally responsible manner and future development limits adverse impacts upon significant biodiversity.*
- d) To provide a framework that will lead to a high standard of development by encouraging local employment and creating an area which is pleasant, safe and efficient to work in;*
- e) To ensure that development takes account of the physical nature of the local environment, particularly Ropes Creek, ridgelines and the natural landscape;*
- f) To ensure that development does not result in pollution of waterways and in particular of Ropes Creek and South Creek;*
- g) To promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of the existing residential areas;*
- h) To identify and provide for public amenities and service infrastructure to accommodate development;*
- i) To promote the creation of a landscaped area within the electricity transmission easement to act as a buffer between the employment zones and the residential communities;*

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- j) To establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised;
- k) To ensure that development is consistent with the objectives of the Threatened Species Conservation Act with particular regard to the endangered ecological communities, flora and fauna present on the site;
- l) To facilitate conservation of urban bushland; and
- m) To protect, restore and enhance riparian corridors within Erskine Business Park.

Relevant controls applicable to the proposed development are addressed as follows:

### **Part E6 Erskine Business Park**

#### **Clause 6.3.1 Height**

- The proposed warehouse exhibits a maximum height of 10m, thereby achieving compliance with the 15m maximum building height applicable to the site.
- The building is not located on a sloping sight.
- The proposed building does not create any detrimental visual impact and is in harmony with the existing landscape and contextual setting.

#### **Clause 6.3.2 Site Coverage**

- The proposed site coverage for the warehouse is 20.2%, thereby achieving compliance with the 50% maximum site coverage control applicable to the site.
- The site is not located within a Biodiversity Conservation Area or Electricity Transmission Live Easements.
- The site design and configuration accommodates for adequate open space, loading zones and landscaping.

#### **Clause 6.3.3 Setbacks**

- The proposed building is setback a minimum of 29.42m from the Tyrone Place cul-de-sac (as approved under DA 15/907), therefore achieving compliance with the 15 minimum setback control applicable to the 'Other Road Frontages.'
- This setback area includes a landscape area with a minimum width of 10m, the vehicular access driveway and car parking area. The provision of these items within the setback is consistent with DCP Control 6.3.3(2).
- The provision of a significant landscaped setback to be planted with a complementary mix of native species, will provide for positive views toward the site and will
- The proposed building is substantially setback from the side and rear boundaries, achieving building setbacks in excess of the minimum 5m side and rear setbacks required by the DCP. These side and rear setbacks include concrete hardstand and rushed rock, which are considered appropriate for side and rear setbacks given that these setback areas do not adjoin any roads and therefore will not be highly visible from the public domain. The setbacks will provide significant separation of the proposed built form from adjoining sites, thereby minimizing the appearance of the bulk and scale of the development.

#### **Clause 6.3.4 Urban Design**

- As indicated in the Architectural Drawings (**Appendix 2**) consideration has been given to the quality of building design and materials. A schedule of the proposed materials and colours has been provided in **Appendix 2** (Drawing No. DA-402). External materials proposed do not have an index of reflectivity above 20%.
- The street-facing building elevation has been articulated through the incorporation of the office, signage and a complementary range of colours and materials. As such the proposed development is considered to exhibit architectural design merit and avoids

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the presentation of large expanses of blank wall to the street. Appropriate articulation has been incorporated into the building.

- The loading areas have been positioned to the side and rear of the proposed warehouse where they will not be highly visible from the public domain. In particular the provision of significant landscaped setbacks will screen loading areas and ensure views of the site are characterized by vegetation.
- The office entrances have been highlighted by architectural features which is consistent with the overall design.
- The building has been designed with a preferred northern orientation.
- Trees have been proposed within the front setback to create shade, screening and wind breaks.
- The overall design of the building does not impede the access of solar radiation to surrounding land and development.

### ***Clause 6.3.5 Signage and Estate Entrance Walls***

- The proposal includes the erection of 1 x wall sign (4m x 2m) on the northern building elevation, for the purposes of business identification. The location of the proposed signage is provided within the Architectural Plans at **Appendix 2**.
- The proposed sign will be constructed of high quality, durable materials and content will be limited to the Tutt Bryant logo.

### ***Clause 6.3.6 Lighting***

- Sufficient lighting is to be provided along all pedestrian routes as well as entrances and parking areas to increase safety within the facility.
- Where required, sensor lighting will be provided both internally and externally.
- All lighting used will be entirely confined within the site so as to not cause light spill onto adjoining sites.
- All lighting will be installed in accordance with Australian Standards AS4282.

### ***Clause 6.3.7 Fencing***

- 2.4m high chain mesh security fencing is to be provided along the property boundaries and located behind the front landscape setback.

### ***Clause 6.3.8 Services***

- The appropriate services such as Sydney Water, Integral Energy, telecommunications and drainage are readily available to the site.

### ***Clause 6.4.1 Noise Pollution***

The future land use is predicted to generate some noise impacts associated with traffic movements to and from the loading bays. These noise impacts are typical of any warehouse/industrial activity and were considered by Penrith City Council during the assessment of the original subdivision development application to create the industrial precinct.

Between the development site and residential land to the north exists the intersection of Erskine Park Road and Lenore Drive which experiences significant noise levels. Furthermore, substantial industrial facilities currently exist within this land.

The key mitigation measures which address the potential for noise impacts involve the design and location of the warehouse and loading areas. These are positioned so that all noise generated would be contained within the site as it is sufficiently separated from residential areas north of the site by existing buildings. The proposed level of noise generation is not unlike surrounding land uses the Erskine Park Industrial Estate or within the greater WSEA.

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### **Clause 6.4.2 Air Pollution**

The proposed development will generate very few air quality emissions owing to the proposed use of the site for general warehousing. The most significant air quality impacts will be generated by heavy vehicles travelling to and from the site. This is typical of any activity of a similar nature and will not be significant.

### **Clause 6.4.3 Storage, Transportation and/or Processing of Chemical Substances**

- The proposed development does not entail the storage, transport or processing of any chemical substances.

### **Clause 6.4.4 Energy Conservation**

- The proposed development has been designed in accordance with principles of ESD to minimise energy and water consumption.

### **Clause 6.4.5 Trading/Operating Hours of Premises**

- Constructions will be carried out in accordance with the hours specified in the PDCP2014.
- The proposed use of the site is to operate 6am-6pm Monday to Friday and 6am-5pm Saturday. These proposed hours of operations are essential to Tutt Bryant and are also consistent with surrounding facilities within the WSEA. The proposed operations are not considered to result in any consequential impacts on surrounding land uses, particularly given the substantial separation of the site from any sensitive or residential receivers.

### **Clause 6.5 Drainage**

- Details of drainage are provided within the Water Sensitive Urban Design Strategy prepared by Sparks & Partners and provided at **Appendix 5**.
- The report concludes that, based on stormwater drainage plans and MUSIC modelling, the design and operation of stormwater management will be in accordance with the principles of WSUD and the PDCP2014. The proposed development achieves reduction in potable water import by capturing and reusing rainwater for non-potable uses. The proposal also achieves pollution reduction targets, employs OSD for stormwater discharge in accordance with Council targets and employs water conservation measures.

### **Clause 6.6 Transport Network**

- The development has been designed so as to allow for all vehicles to enter and exit the site in a forward direction.
- Heavy vehicle parking and manoeuvring areas have been provided in accordance with relevant Australian Standards and have been designed to accommodate the safe and efficient maneuvering of the largest vehicle expected to access the site.
- The proposed shared driveway for all vehicles accessing the site incorporates two (2) clearly demarcated lanes to avoid conflict between vehicles entering and existing the site. The provision of signage, including at the car park exit, is considered to adequately avoid conflict between heavy and light vehicles.

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### ***Clause 6.7 Biodiversity***

- The site has been cleared and earmarked for industrial development which the proposal will ensure the provision of. In its existing state the site does not contain any biodiversity.
- Biodiversity on adjoining sites has been adequately considered in the assessment and approval of DA 15/907 for the subdivision of the site. Biodiversity has been isolated on the adjoining lot (approved lot 202) and will not be affected by the proposal. Neither will biodiversity on land to the north of the site be adversely affected by the proposed development given that the development will be contained wholly within the site and suitable management plans will be implemented to control any potential impacts.

### ***Clause 6.8 Landscaping***

- The site has been completely cleared and does not contain any exiting vegetation. As such, no additional vegetation clearing or tree removal is required to facilitate the proposed development.
- The proposal will create a landscape character and amenity that is appropriate to the scale and nature of the development through the provision of a significant landscaped setback adjacent to the street boundary and incorporating a complementary range of native vegetation.
- The Landscape Plan (**Appendix 3**) prepared by Eximia Design demonstrates appropriate landscaping of the site in accordance with the proposed development and corresponding standards.

### ***Clause 6.9 Landscape Areas***

- A complementary range of native trees, shrubs and groundcovers will be provided to create a high quality landscaped setting on the site.
- Deep soil landscaping within the front setback will provide for vegetated views of the site from the public domain and soften the appearance of built form and hardstand.
- As well as enhancing the aesthetic appearance of the site and positively contributing the vegetated character of the area, proposed landscaping will augment the amenity of the site by providing shade.
- Hard landscaping including pavements have been integrated with the overall design of the development.
- Details of landscaping are provided within the Landscape Plan at **Appendix 3**.

## **Part C10 Transport Access and Parking**

### ***Clause 10.5.1 Parking***

- For warehouses a car parking rate of 1 space/100m<sup>2</sup> GFA is prescribed. For the proposed facility which provides a total GFA of 718m<sup>2</sup>, this results in a car parking requirement of 8 spaces.
- A total of 15 parking spaces have been provided within the proposal to accommodate the warehouse and ancillary office thus resulting in a surplus of 7 spaces and complying with the provisions of Part C10 of the DCP.

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### PART F LIKELY IMPACTS OF THE DEVELOPMENT

Pursuant to Section 79(c) of the Environmental Planning & Assessment Act 1979, the following matters have been addressed.

#### 6.1 CONTEXT & SETTING

The proposed development for a warehouse and office facility is consistent with the intended development of land within the Western Sydney Employment Area. The proposal will enable the efficient and sustainable use of designated employment lands for employment-generating development and therefore, through the preservation of industrial lands and the provision of significant employment, the proposal will benefit the local and regional economies and populations.

The proposed development is compatible with surrounding land uses including established warehouses and industrial facilities as well as future warehouses and industrial facilities to be provided on currently vacant land that has been earmarked for employment-generating land uses. The site is not located in proximity of any residential development or other sensitive land uses and therefore will not exhibit any adverse amenity impacts.

The proposal is also compatible with adjoining biodiversity lands given that the proposed development will be completely contained within the subject site and includes the implementation of mitigation measures as required to prevent any adverse impact.

The proposed site layout and building design will ensure the functional operation of the facility in accordance with the needs of the end user, whilst not impacting on any other operations.

The proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity or operations of any adjoining sites. Therefore the proposed works are considered compatible with the site context.

#### 6.2 ACCESS, TRANSPORT & TRAFFIC IMPACT

A Traffic and parking Assessment Report has been prepared by Varga Traffic Planning Pty Ltd to assess the traffic and parking implications of the development, and is provided at **Appendix 6**.

Based on the application of the RMS Guidelines' traffic generation rates for warehouses of 0.5 peak hour trips per 100m<sup>2</sup> GFA, the proposed facility will generate approximately 6 vehicle trips per hour during commuter peak periods. This represents a minimal increase in traffic and is not considered to exhibit any unacceptable traffic implications in terms of road network capacity.

In terms of parking, pursuant to the PDCP2014 warehouses (including ancillary offices) are required to provide 1 space per 100m<sup>2</sup> GFA resulting in a total of 8 spaces being required to service the development. The proposed 15 spaces satisfy Council's requirements and respond to the specific requirements of Tutt Bryant, the end-user.

Though expected to be serviced by a variety of rigid trucks, the site has been designed to accommodate 19m semi-trailers as demonstrated in the Swept Paths provided within **Appendix 6**. All access, loading and parking areas of the site have been designed in accordance with relevant Australian Standards.

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The report concludes that, given compliance with relevant Council requirements and Australian Standards, no unacceptable parking or loading implications will arise from the proposed development.

### 6.3 STORMWATER & EROSION & SEDIMENT CONTROL

#### Stormwater

A Water Sensitive Urban Design Strategy has been prepared by Sparks & Partners and is provided at **Appendix 5**. In response to the requirements of the PDCP2014, modelling of proposed integrated water management measures has been undertaken.

The proposal implements integrated water cycle management incorporating the following strategies:

- Employ an integrated water collection and recycling system for capturing and recycling roofwater;
- Control the quality of stormwater that is disposed from the site;
- Control the quantity of stormwater that is discharged for the site;
- Achieve the above through a pit and pipe network, rainwater tank, bio-retention/on-site detention (OSD) basin;
- Implement a Maintenance and Monitoring Schedule.

Further to the above, water usage reduction is to be achieved through the installation of a minimum of 4 Star WELS rated water fixtures and rainwater.

In elaboration, water conservation will be facilitated through the capture of roof water which will be conveyed to an 18,000litre tank for storage and reuse throughout the development for purposes which primarily include toilet flushing and irrigation. **Figure 6** summarises the results of MUSIC modelling. Using the determined non-potable demand the MUSIC model determines the rainwater tank has an approximate efficiency of 81.85%. This demonstrates that the reuse efficiency meets the minimum 80% requirement in accordance with the performance criteria.

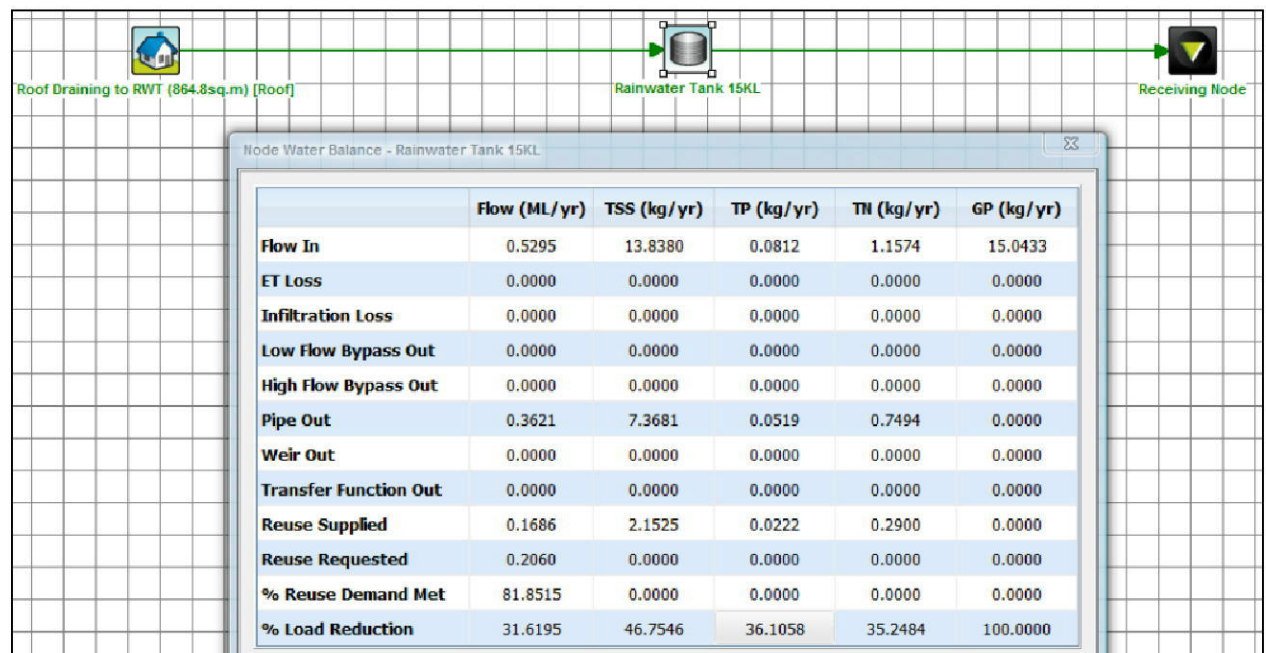


Figure 6 MUSIC Water Balance (Source: Sparks & Partners 2016)

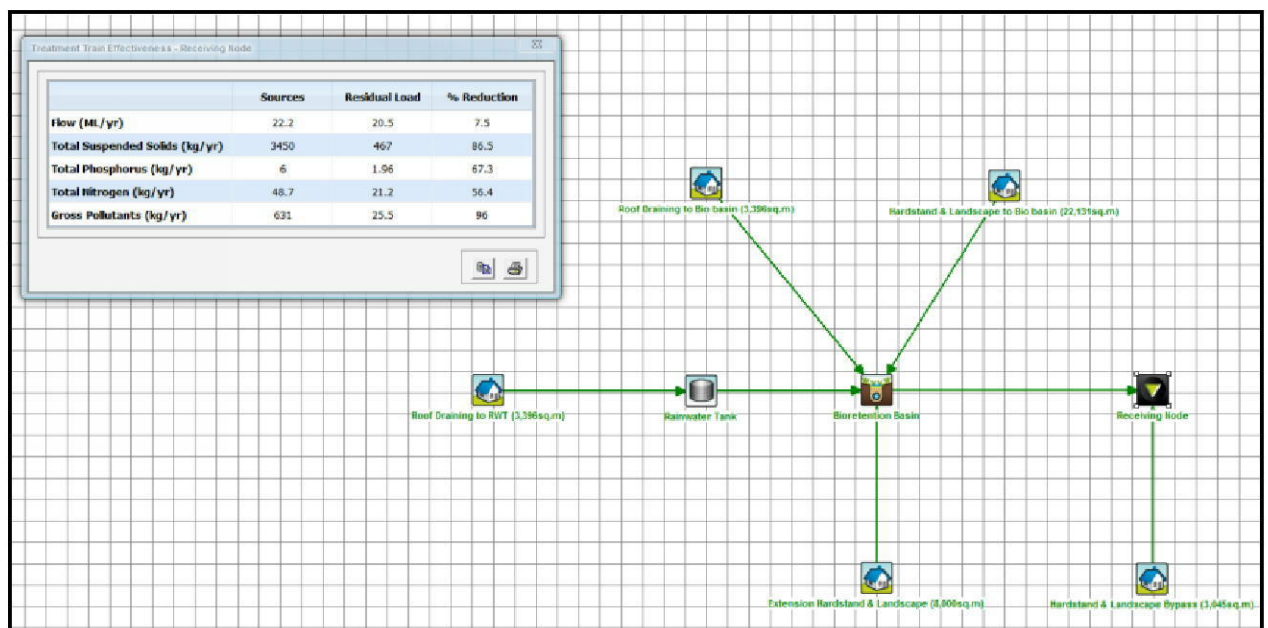
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Stormwater runoff will be treated prior to discharge to the environmental corridor through a treatment train approach consisting of a GPT, rainwater tank and bio-retention basin. The results of Modelling are summarised in **Figures 7** and **8** which demonstrate that treatment of stormwater discharge meets Council’s requirements.

	Source Load	Residual Load	% Reduction Achieved	PCC % Reduction Requirement	Compliance with PCC Requirement
Gross Pollutants (kg/yr)	631	25.5	96	90	Yes
Total Suspended Solids (kg/yr)	3,450	467	86.5	85	Yes
Total Phosphorus (kg/yr)	6.0	1.96	67.3	60	Yes
Total Nitrogen (kg/yr)	48.7	21.2	56.4	45	Yes

**Figure 7 MUSIC Model Results (Source: Sparks & Partners 2016)**



**Figure 8 Bio-retention Basin MUSIC Model (Source: Sparks & Partners 2016)**

It is noted that the proposed stormwater management for the site is in accordance with previous approvals for the site including DA 15/0907 as it relates to subdivision and drainage channel works in the western environmental corridor. These works include stormwater infrastructure that is to service Lot 22 and the proposed development, and consists of a bio-retention/on-site detention basin.

The report concludes that, based on stormwater drainage plans and MUSIC modelling, the design and operation of stormwater management will be in accordance with the principles of WSUD and the PDCP2014. The proposed development achieves reduction in potable water import by capturing and reusing rainwater for non-potable uses. The proposal also achieves pollution reduction targets, employs OSD for stormwater discharge in accordance with Council targets and employs water conservation measures.

*Erosion and Sediment Control*

Erosion and sediment controls will be implemented in the relevant phases of the development to avoid any adverse impact on adjoining sites. Specifically erosion and sediment control measures include the following as further detailed in the Civil Plans at **Appendix 4**.

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- Installation of stabilised site access;
- Installation of sediment fencing;
- Installation of security fencing;
- Site stockpile in the north-central portion of the site;

The location of sediment and erosion controls installation is shown in the Civil Plans within **Appendix 4**.

### 6.4 DESIGN AND APPEARANCE

The proposed warehouse will be of a high quality design and construction in order to positively contribute to the high standard character of the Western Sydney Employment Area. The proposed warehouse is of a scale and appearance consistent with surrounding development within the WSEA and as such will be consistent with the prevailing built form appearance of development on surrounding sites and will reinforce the industrial character of the area.

The proposed development has been designed to address the street frontage in order to achieve a positive visual outcome and contribute to pleasant views toward the site from the public domain. Façade articulation will create visual interest and the siting of the office to address the street frontage will provide additional modulation and opportunities for passive surveillance.

Combined with significant building setbacks, deep-soil landscaping within the front setback will soften the appearance of the built form and hard surfaces of the site. This will introduce a human-scale to the site and prevent the dominance of the built form. The provision of high quality landscaping will enhance the vegetated character of the site and locale and improve vistas taking in the site. Deep soil landscaping will also screen car parking and loading areas from the street.

### 6.5 SAFETY, SECURITY AND CRIME PREVENTION

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered in the design of the development.

The Crime Prevention Through Environmental Design (CPTED) guidelines were prepared by the NSW Police in conjunction with the Department of Planning. CPTED provides a clear approach to crime prevention and focuses on the 'planning, design and structure of cities and neighbourhoods'. The main aim of the policy is to:

- Limit opportunities for crime.
- Manage space to create a safe environment through common ownership and the encouraging the general public to become active guardians.
- Increase the perceived risk involved in committing crime.

The guidelines provide four key principles to limit crime, including. These are:

- Surveillance.
- Access control.
- Territorial re-enforcement.
- Space/activity management.

#### Principle 1 - Surveillance:

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

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- The proposed development orientates active areas such as the ancillary office and building entrance towards surrounding roads, pedestrian paths, car parking areas and deep-soil landscaping.
- The proposed development utilises low lying landscaping in appropriate locations to ensure there is no obstruction of surveillance opportunities.
- External lighting will enable the maintenance of sight-lines and surveillance after dark.

### Principle 2 – Access Control

Access Control can be defined as physical and symbolic barriers that are used to 'attract, channel or restrict the movement of people'.

- The site will be secured by perimeter fencing and access gates to deter unauthorised access to the site.
- Directional signage to heavy vehicle, car parking, pedestrian paths and building entries will define the various areas of the site providing legibility and minimising vehicular and pedestrian conflict within the site.

### Principle 3 - Territorial Reinforcement

- The provision of security-controlled entrances to the site and building will emphasise the separation between the private and public domain.
- Well maintained planters, gardens and pavers will indicate the development is well-used and cared for to reduce criminal activity.

### Principle 4 - Space Management

- On the ground level, pathways and planters will be well maintained by a landscape contractor. Continued repairs and maintenance will discourage vandalism.
- High quality materials, varied façade treatments and landscaping along boundaries will assist in discouraging vandalism and graffiti.

## 6.6 NOISE

The proposal will not cause any unacceptable noise impact during construction or operational phases. The proposed development is for general warehousing and will not cause any activities generating significant levels of noise or vibration. The proposed use of the site is highly compatible with surrounding warehousing and industrial land uses within the WSEA and the noise generated by the development will also be consistent with the noise generation of surrounding industrial land uses.

The site is not proximity of any sensitive land uses including residential development and therefore the proposed development and operations will not adversely impact on the amenity of any sensitive land uses.

## 6.7 HERITAGE

The proposal as submitted to Council will have no unacceptable impact in respect of heritage. The site is not identified as containing any heritage significance nor is it within proximity of any heritage items or heritage conservation areas.

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### 6.8 FLORA AND FAUNA

No unacceptable impacts on flora and fauna communities are to result from the proposal. The site has been cleared and no additional vegetation removal is required to facilitate the proposed warehouse construction.

Biodiversity on adjoining sites has been adequately considered in the assessment and approval of DA 15/907 for the subdivision of the site. Biodiversity has been isolated on the adjoining lot (approved lot 202) and will not be affected by the proposal. Neither will biodiversity on land to the north of the site be adversely affected by the proposed development given that the development will be contained wholly within the site and suitable management plans will be implemented to control any potential impacts.

### 6.9 UTILITIES

All essential services, utilities and amenities are available to the site and are capable of servicing the development.

### 6.10 BCA COMPLIANCE

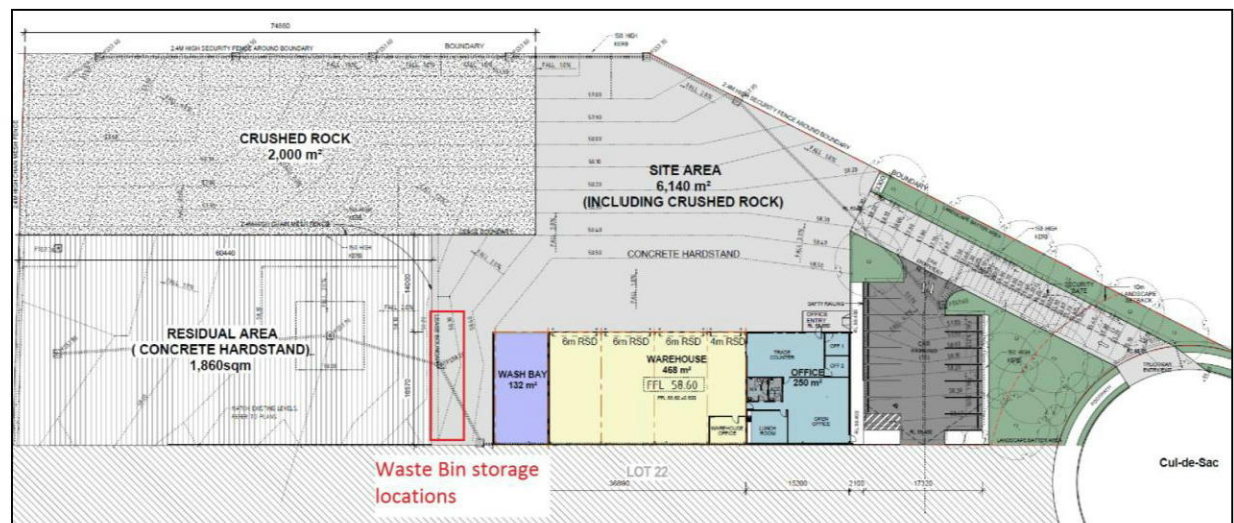
A BCA Compliance Statement has been prepared by McKenzie Group and is provided at **Appendix 8**. The statement confirms that the project is capable of complying with the Building Code of Australia 2016.

### 6.11 WASTE

Details of waste management are provided within the Waste Management Plan at **Appendix 7**.

For the operational phases of the development, waste and recycling streams will be separated as appropriate and temporarily stored in the designated area for the storage of waste bins as shown in **Figure 9**. Waste collection will occur as regularly as required and will be undertaken by Remondis on a regular basis or upon request for the recycling of scrap metal.

Details of construction waste will be provided in a detailed Construction Management Plan upon the appointment of the builder.



**Figure 9 Waste Bin Storage Location**

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### **6.12 CONSTRUCTION**

All works on the site will be carried out in accordance with the conditional requirements of any consent issued. Appropriate measures will be undertaken to mitigate potential impacts from the development including dust, noise, odours, traffic impact and erosion.

### **6.13 CUMULATIVE IMPACTS**

No foreseeable cumulative impacts are to result from the proposed development. Rather the proposed development provides a warehouse and office facility within an industrial release area which is commensurate with the intended development of the site and its surrounds.

### **6.14 SUITABILITY OF SITE FOR DEVELOPMENT**

The site is located within an industrial release area and is zoned for general industrial use under SEPP (WSEA) 2009. The proposed development will facilitate the use of the site for warehousing which is consistent with the zoning of the site and the surrounding context. The construction of the warehouse facility will provide for the Tutt Bryant which will operate 6am-6pm Monday to Friday and 6am-5pm Saturday. The location of the site within the Western Sydney Employment Area and in proximity to major arterial roads serves as being ideal for warehouse or distribution purposes.

Accordingly, the site is considered to be suitable for the development and is consistent with the aims and objectives of the IN1 zone in that it seeks to provide employment generating development that responds to the characteristics of the land and is compatible with surrounding land uses.

### **6.15 SUBMISSIONS**

No submissions are apparent at the time of writing. However, the applicant is willing to address any submissions, should they be received by Council.

### **6.16 THE PUBLIC INTEREST**

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

The development of the site will be carried out for the purpose of employment generating activities that shall result in a positive impact for the Penrith LGA and broader Western Sydney Region.

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### PART G CONCLUSION

The proposed development for a warehouse and office facility at 54 Tyrone Place, Erskine Park, is permissible with consent pursuant to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA). The proposal will facilitate the development of the site in accordance with the intended industrial use of land within the Western Sydney Employment Area (WSEA).

This SEE provides an assessment of the proposal against the relevant environmental planning framework, including *State Environmental Planning Policy (Western Sydney Employment Area) 2009* and the *Penrith Development Control Plan 2014*. The assessment finds that the proposal is consistent with the objectives and controls of the relevant instruments and policies. No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposal will provide for positive impacts, including the efficient and suitable development of industrial lands and the generation of significant employment in the industrial sector.

In overview it is considered that the proposal should warrant a positive assessment for the following compelling reasons:

- The proposal facilitates the development of the site for employment-generating uses through the provision of a warehousing and office facility.
- Further to the above, the proposed development will result in significant economic benefit deriving from the provision of jobs during the construction and operational phases of the development and from the provision of an important warehouse and office facility to support businesses in the industrial sector.
- The proposed built form and use are highly compatible with surrounding land uses within the WSEA and positively contribute to the emerging industrial character of this designated employment precinct.
- The proposed warehouse and logistics facility is permitted with consent in the IN1 General Industrial zone pursuant to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA).
- The proposed development is consistent with the relevant provisions of SEPP WSEA.
- The proposal is consistent with the objectives and provisions of the PDCP2014 including in regard to car parking, setbacks, site coverage, landscaping, amenity and architectural design.
- The proposed built form is consistent with the previous Development Applications for the site which have entailed subdivision and built form on the other portion of the site.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this report, the matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed demonstrating the built form is compatible with the surrounding environment.

Accordingly, it is recommended that Council grant development consent to the proposal.

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## **Appendix 1 – Survey Plan**

## **Appendix 2 – Architectural Drawings**

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## **Appendix 3 – Landscape Plan**

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## **Appendix 4 – Civil Engineering Plans**

## **Appendix 5 – Water Sensitive Urban Design Strategy**

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## **Appendix 6 – Traffic & Parking Assessment Report**

## **Appendix 7 – Waste Management Plan**

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**Appendix 8 – BCA Report**

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**Appendix 9 – QS Report**