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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposal: Industrial Unit Development
7 Renshaw Street, Cranebrook

THE SITE

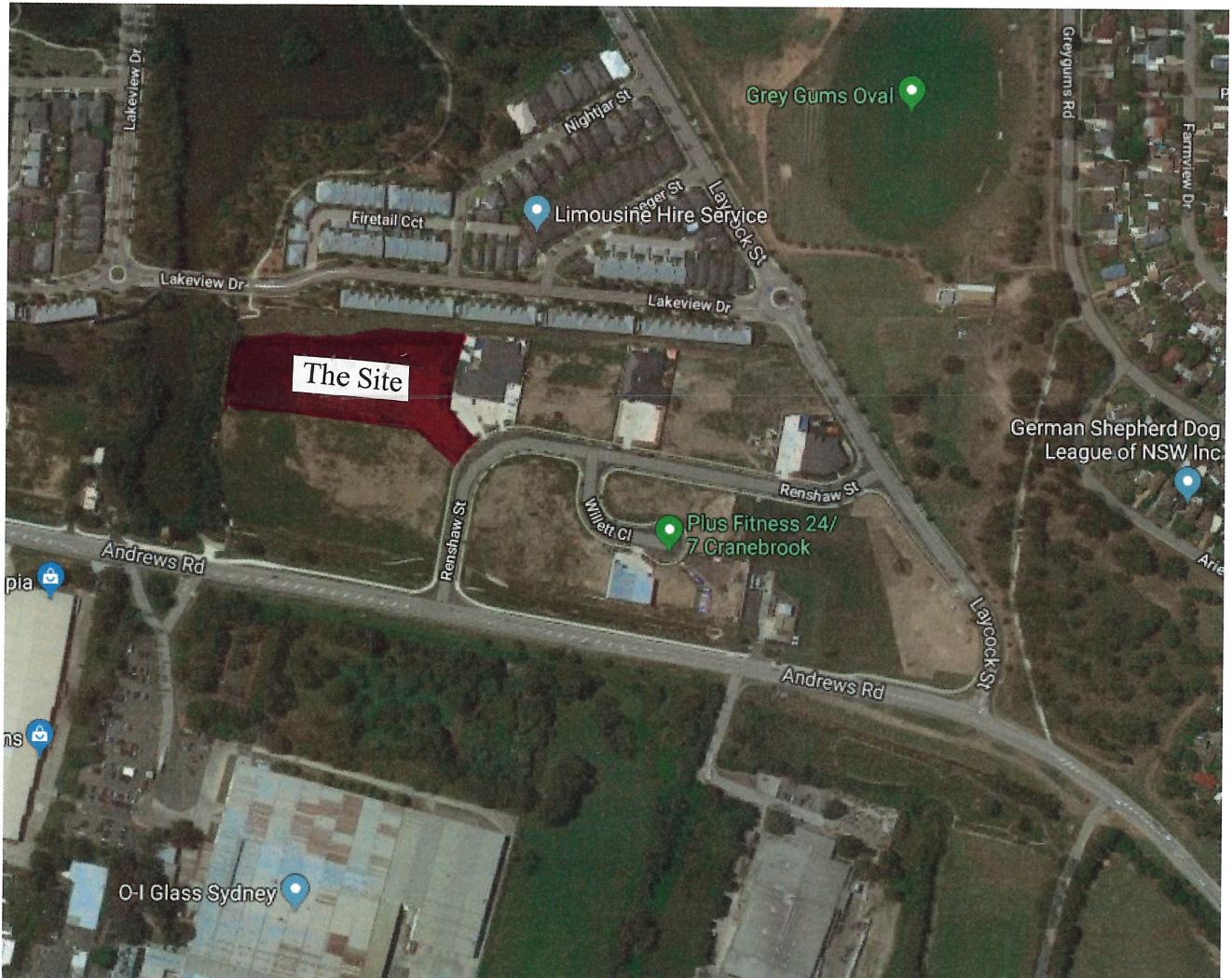
The site is hatchet shaped located on the west side of Renshaw Street near the intersection with Andrews Road Cranebrook. The site, Lot 14 DP286568 is comprised of cleared and grassed vacant land with an area of 10,280m².

The site has approximately 31.3m frontage to Renshaw Street, access handle 52.6 and depth in a westerly direction of 126.04m and adjoins vacant land to the south and an established Child Care Centre to the north east side. The rear north east side of the site adjoins a large drainage swale system with numerous easements servicing the subdivision. The far side of the swale is occupied by a high concrete wall forming the southern boundary of the high-density residential development of Lakeview Drive.

The site is mostly flat with levels approximately 27.3 m AHD in the centre with gradual fall in a northerly direction and back to the street. Stormwater drainage is available to the drainage swale system and to the street. The swale drains in a westerly direction towards the Penrith Lakes system.

This area is zoned IN2 Light Industrial in LEP 2010. Existing surrounding development is of Industrial ,child care, motor vehicle sales and gymnasium usage. The proposed development will have no negative impact on these surrounding developments.

All utilities for Water, Sewer and Electricity are available and adequate to serve the development.



The Site: Aerial View: 7 Renshaw Street Cranebrook



The Site View 1: Street view 7 Renshaw Street Cranebrook



Site View 2: Street View Childcare Centre



Site View 3: North across site



Site View 4: Northern Acoustic Wall



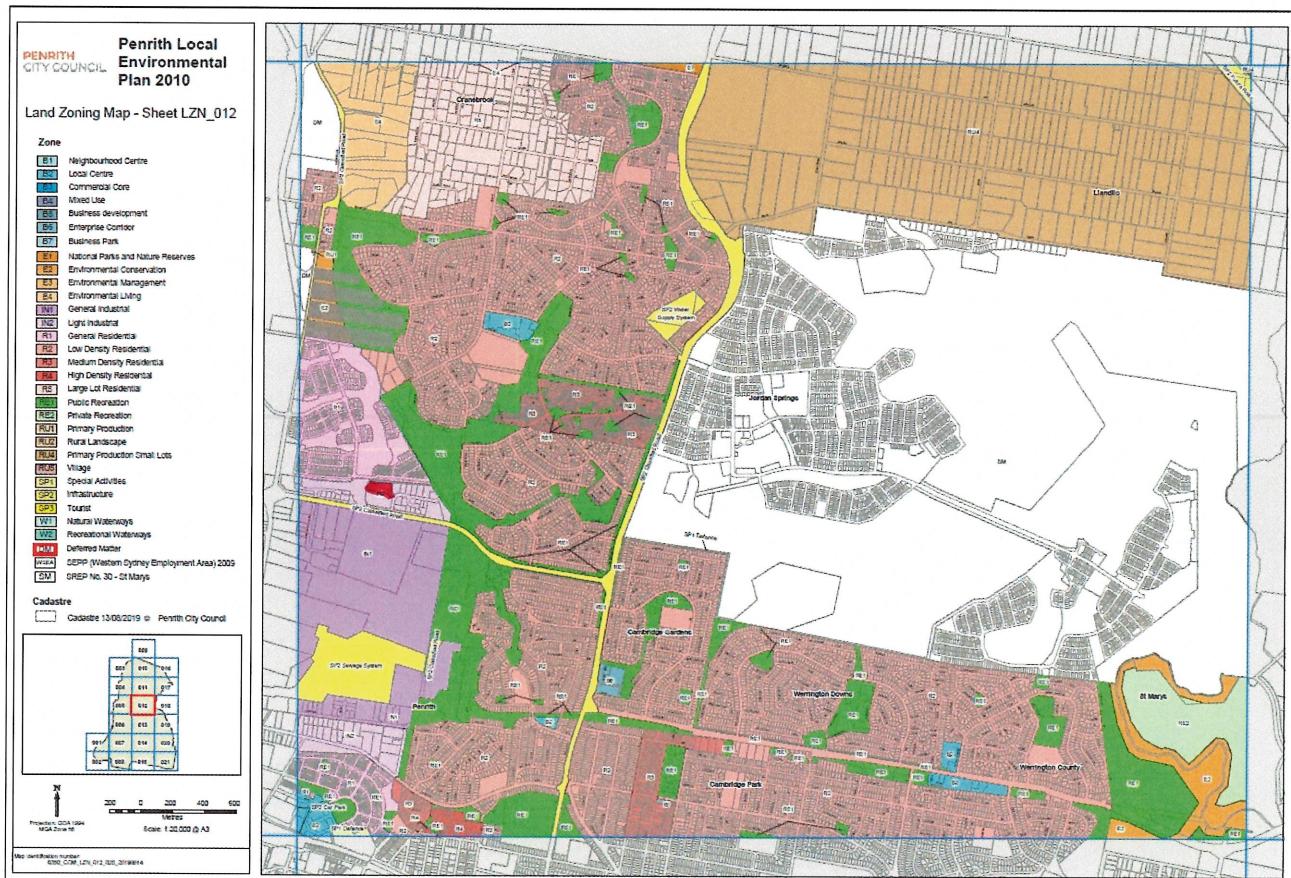
Site View 5: Centre of Acoustic Wall



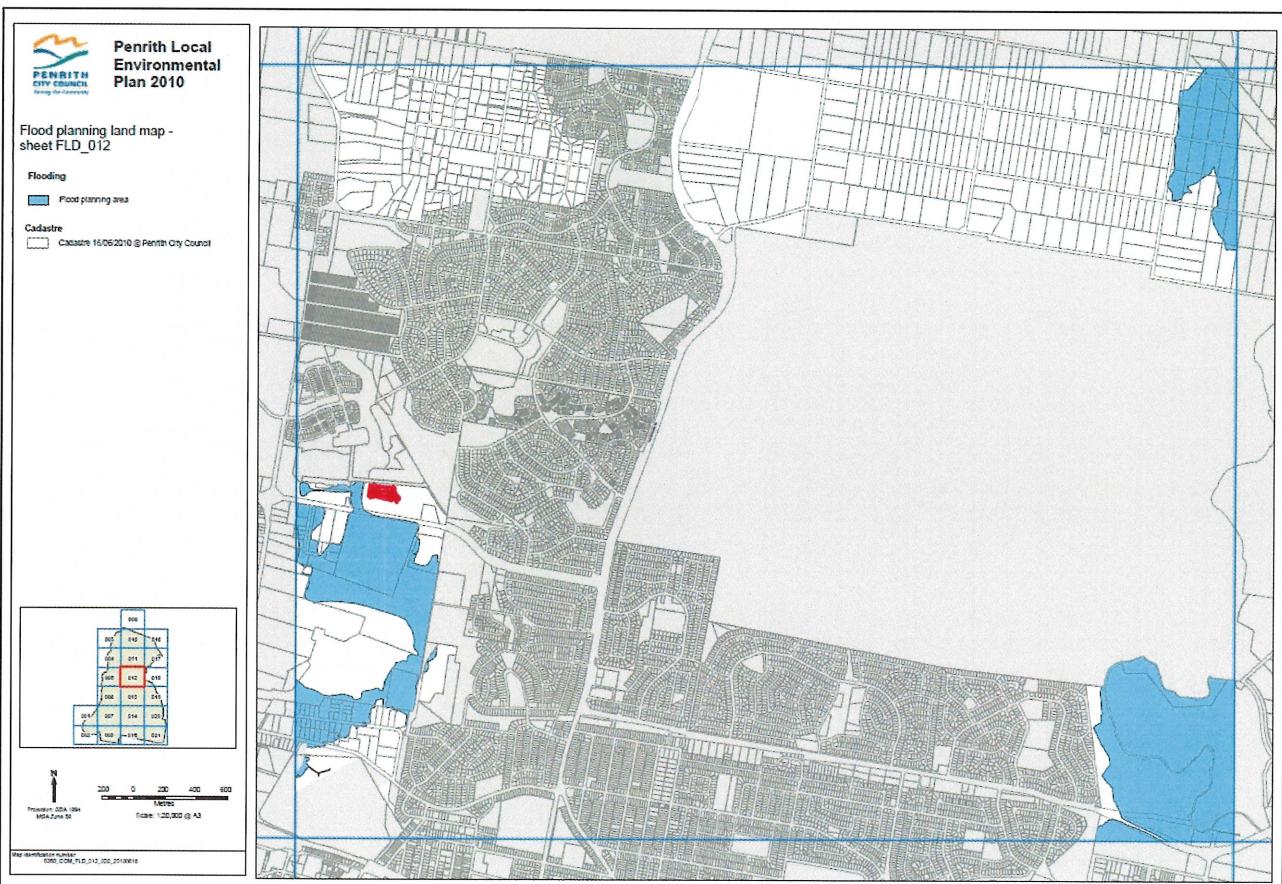
Site View 6: Western End Acoustic



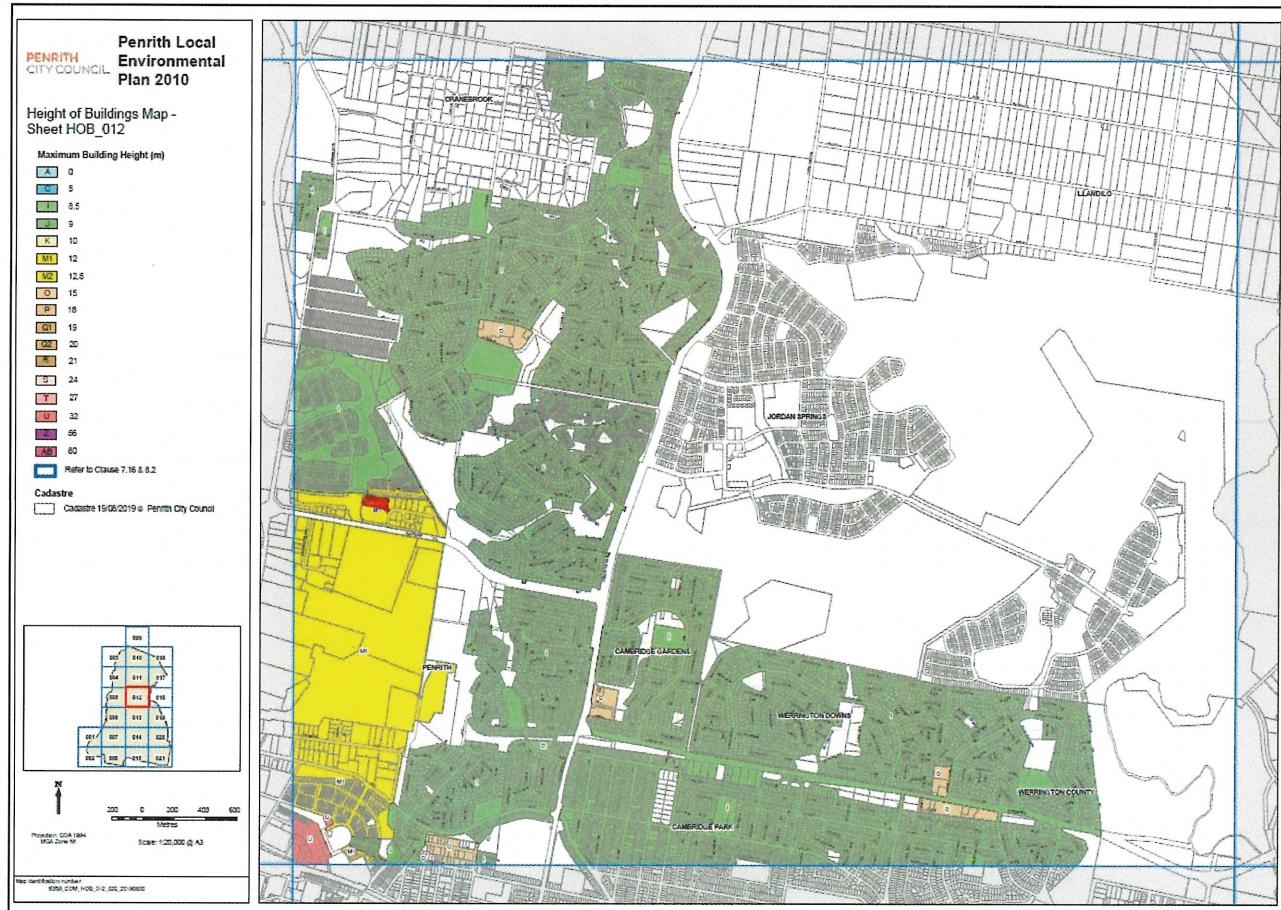
Site View 7: Culvert at west end of Swale



PLEP LAND ZONING IN2 LIGHT INDUSTRIAL



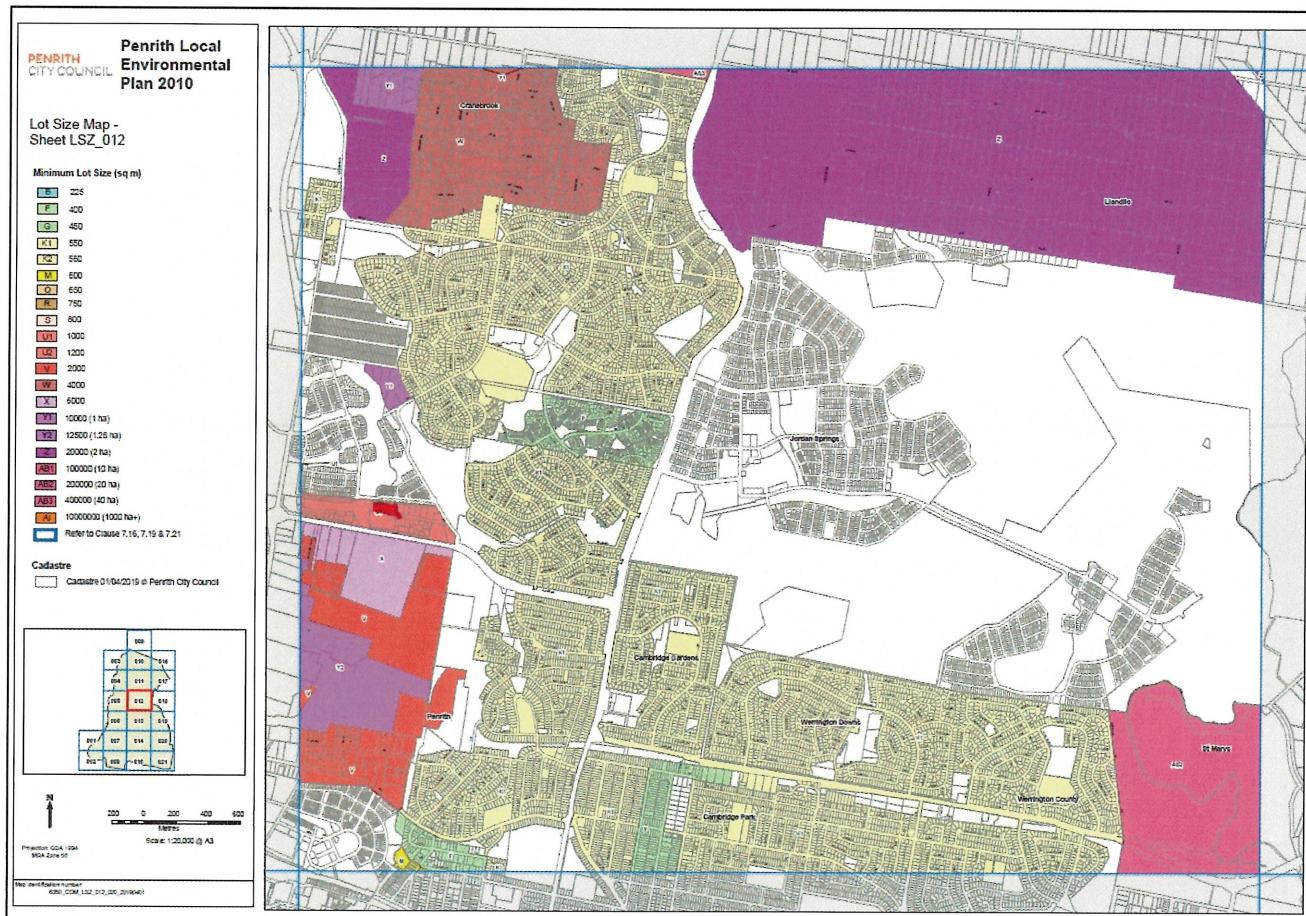
PLEP FLOOD PLANNING MAP



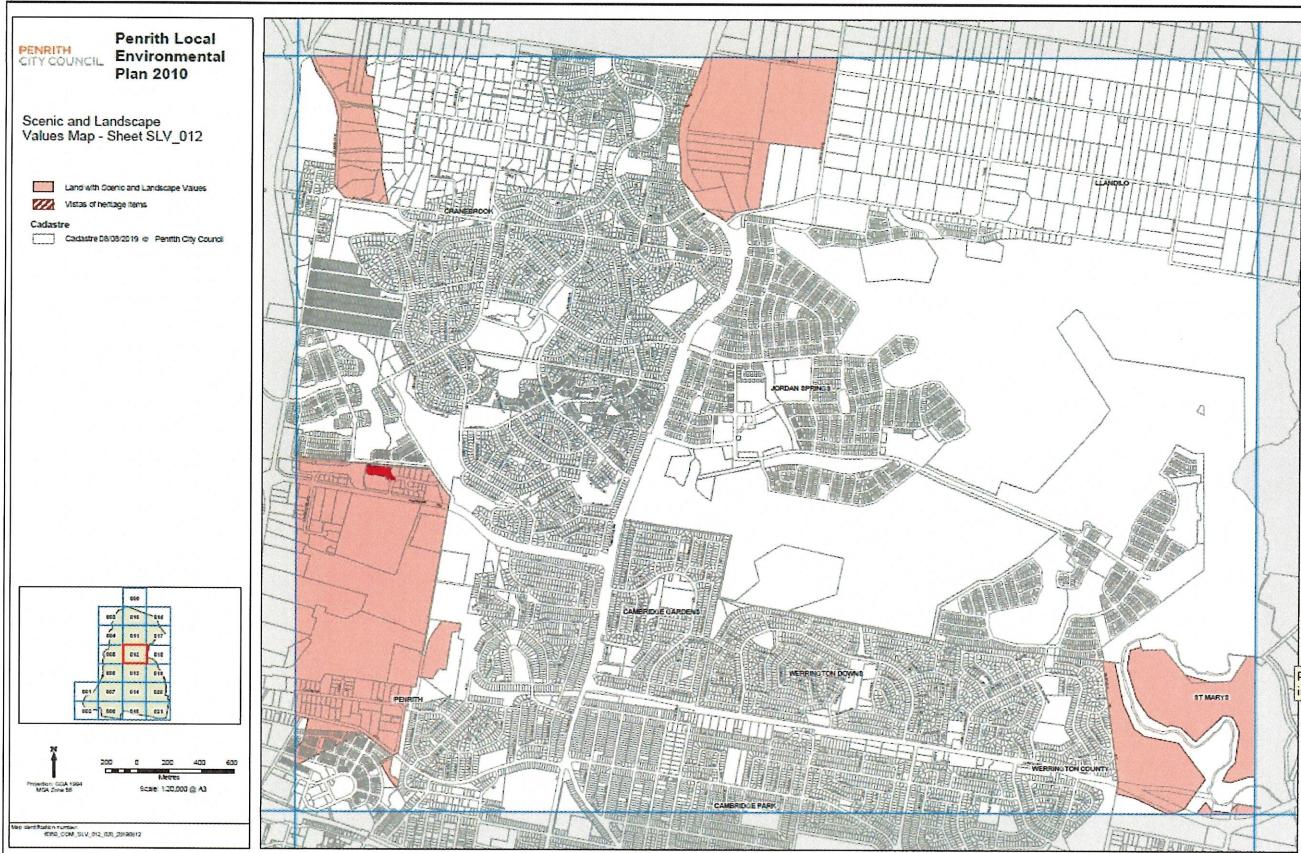
PLEP HEIGHT OF BUILDINGS MAP



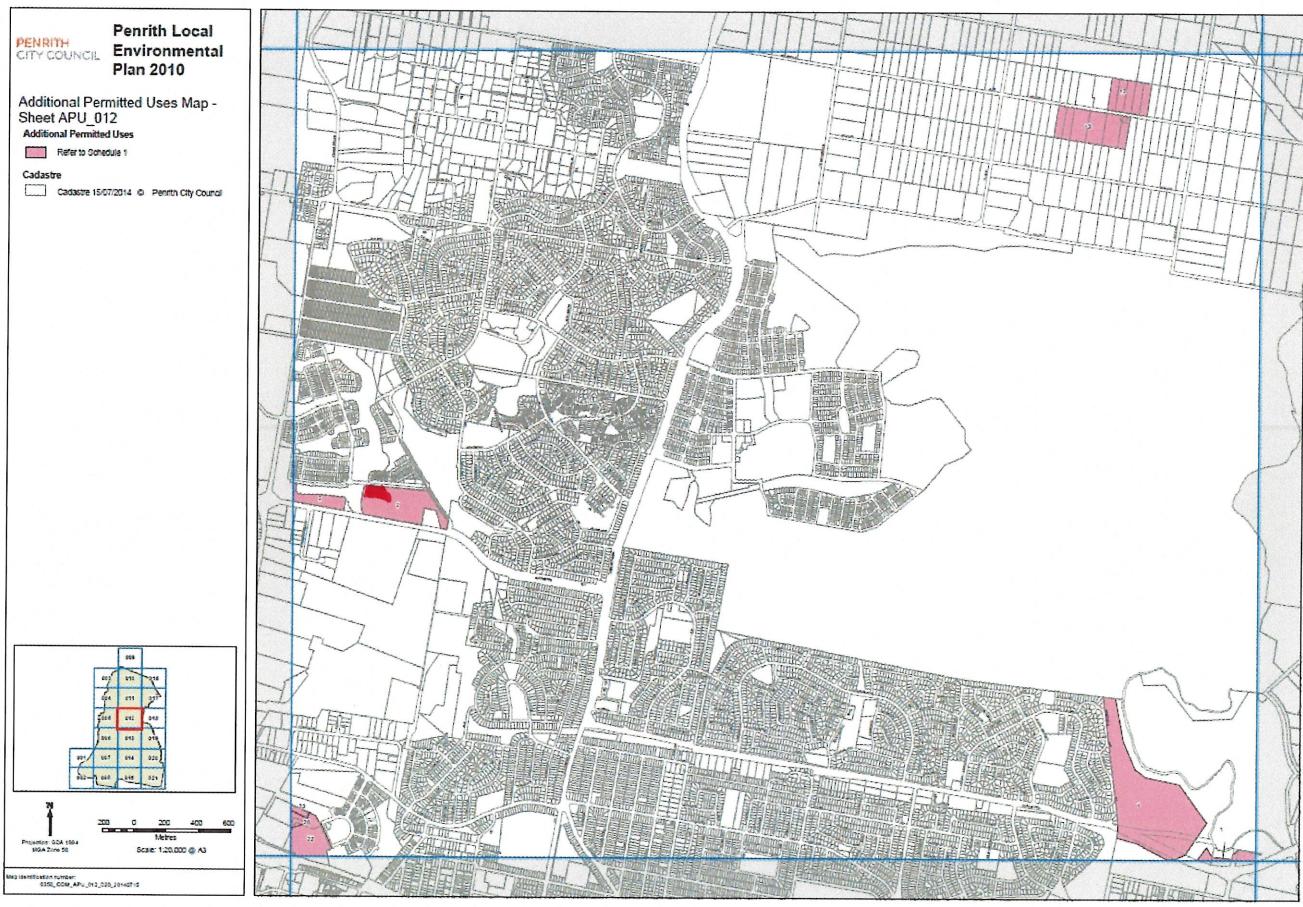
PLEP HERITAGE MAP



PLEP LOT SIZE MAP



PLEP SCENIC AND LANDSCAPE VALUE MAP



PLEP ADDITIONAL PERMITTED USES MAP

THE PROPOSAL

The proposal is for the construction of 28 Industrial/Warehouse Units, comprising loading bay areas, ground level warehouse / factory area and mezzanine areas for administration/office type usage. The units vary in size from 150m² to 306.7m².

The buildings are typically 7.9m high, RC tilt up panel construction with metal roofing and glazed entry and mezzanine areas.

The general industrial ground floor unit sizes vary from approximately 150m² to 256.6m². Mezzanine sizes are typically 50m²-64m².

All units contain disabled access WC and kitchenette facilities on the ground floor. 12 of the units have mezzanines office facilities.

Car parking for the development is located at the front of each unit, with 1 disabled parking space provided adjacent Unit 4. Parking comprises 74 spaces in total including the disabled space.

Access to the development is from Renshaw Street comprising existing heavy vehicle access. The development is designed to cater for MRV and HRV trucks including garbage trucks. The units all have loading bay/warehouse facilities with medium rigid vehicle access.

Proposed buildings are setback approximately 5.0-9 m from Renshaw Street beside the access driveway.

The entire building frontage to Renshaw Street is fully landscaped.

The buildings are accessed from a central east/west driveway with 4 north /south access cul de sac driveways. The proposed new buildings will present high quality frontages to these internal driveways and to Renshaw Street wrapping around the corner facing the Street and are targeted to high quality light industrial businesses.

STATUTORY SITUATION

The land is zoned IN2 Light Industrial under Penrith Local Environmental Plan 2010

The Objectives of the Zone and compliance of the proposal are as follows:

Zone IN2 Light Industrial

1 Objectives of zone

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To promote development that makes efficient use of industrial land.
- To limit the impact of industrial development on adjacent residential areas, in terms of its built form, scale, acoustic and visual privacy and air quality.

2 Permitted without consent

Nil

3 Permitted with consent

Amusement centres; Car parks; Centre-based child care facilities; Community facilities; Crematoria; **Depots**; Educational establishments; Electricity generating works; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; **Industrial retail outlets**; **Industrial training facilities**; Kiosks; Landscaping material supplies; **Light industries**; Medical centres; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Resource recovery facilities; Respite day care centres; Roads; Self-storage units; Service stations; Signage; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; **Warehouse or distribution centres**; Waste or resource transfer stations

4 Prohibited

Pond-based aquaculture; Schools; Any other development not specified in item 2 or 3

The Zoning therefore permits several Light Industrial/Warehouse and associated uses as highlighted above and approval is sought for this wide range to permit future flexibility of tenure.

The proposal complies with the following relevant LEP requirements as follows:

Part 4 Principal development standards

4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows:

- (a) to ensure that lot sizes are compatible with the environmental capabilities of the land being subdivided,
- (b) to minimise any likely impact of subdivision and development on the amenity of neighbouring properties,
- (c) to ensure that lot sizes and dimensions allow developments to be sited to protect natural or cultural features including heritage items and retain special features such as trees and views,
- (d) to regulate the density of development and ensure that there is not an unreasonable increase in the demand for public services or public facilities,
- (e) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls.

(2) This clause applies to a subdivision of any land shown on the [Lot Size Map](#) that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the [Lot Size Map](#) in relation to that land.

(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

(4A) Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R2 Low Density Residential unless each lot to be created by the subdivision would have:

- (a) if it is a standard lot—a minimum width of 15 metres, or
- (b) if it is a battle-axe lot—a minimum width of 15 metres and a minimum area of 650 square metres.

(4B) Despite subclause (3), development consent must not be granted for the subdivision of land in Zone R3 Medium Density Residential unless each lot to be created by the subdivision would have:

- (a) if it is a standard lot—a minimum width of 12 metres, or
- (b) if it is a battle-axe lot—a minimum width of 15 metres and a minimum area of 450 square metres.

(4C) For the purposes of this clause, if a lot is a battle-axe lot or other lot with an access handle, the area of the access handle is not to be included in calculating the lot size.

The units are proposed to be subdivided under the Neighbourhood Scheme title system of the Waterside Estate Community Plan to enable individual sale.

4.3 Height of buildings

(1) The objectives of this clause are as follows:

- (a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,
- (b) to minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas, including parks, streets and lanes,
- (c) to minimise the adverse impact of development on heritage items, heritage conservation areas and areas of scenic or visual importance,
- (d) to nominate heights that will provide a high quality urban form for all buildings and a transition in built form and land use intensity.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the [Height of Buildings Map](#).

Permitted Building height is 12.0m The proposal is for 7.9m Complies

4.6 Exceptions to development standards

- (1) The objectives of this clause are as follows:
 - (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
 - (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.
- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
 - (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider:
 - (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
 - (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note.

When this Plan was made it did not include Zone RU3 Forestry or Zone RU6 Transition.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,
 - (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004* applies or for the land on which such a building is situated,

- (c) clause 5.4,
- (ca) clause 6.1, 6.2, 6.6, 6.7, 6.16, 7.7, 7.17, 7.21, 7.24 or Part 9.

The proposal does not seek any Clause 4.6 Exceptions to development standards.

The development has no proposed use which would class it as designated development.
The development is not integrated development.

Part 5 Miscellaneous provisions

5.10 Heritage conservation

Note.

Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

- (1) **Objectives** The objectives of this clause are as follows:
 - (a) to conserve the environmental heritage of Penrith,
 - (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
 - (c) to conserve archaeological sites,
 - (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.
- (2) **Requirement for consent** Development consent is required for any of the following:
 - (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
 - (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
 - (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
 - (d) disturbing or excavating an Aboriginal place of heritage significance,
 - (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
 - (f) subdividing land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.
- (3) **When consent not required** However, development consent under this clause is not required if:
 - (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:

- (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
- (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
 - (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
 - (d) the development is exempt development.

(4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) **Heritage assessment** The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- notify the Heritage Council about the application, and
- take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) **Conservation incentives** The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

There is no item of Heritage status in the surrounding area.

Part 7 Additional local provisions

7.1 Earthworks

- The objectives of this clause are as follows:
 - to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,
 - to allow earthworks of a minor nature without separate development consent.
- Development consent is required for earthworks unless:
 - the work is exempt development under this Plan or another applicable environmental planning instrument, or
 - the work is ancillary to other development for which development consent has been given.
- Before granting development consent for earthworks, the consent authority must consider the following matters:
 - the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,
 - the effect of the proposed development on the likely future use or redevelopment of the land,
 - the quality of the fill or the soil to be excavated, or both,
 - the effect of the proposed development on the existing and likely amenity of adjoining properties,
 - the source of any fill material and the destination of any excavated material,
 - the likelihood of disturbing relics,
 - the proximity to and potential for adverse impacts on any waterway, drinking water catchment or environmentally sensitive area,
 - any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development,
 - the proximity to and potential for adverse impacts on any heritage item, archaeological site, or heritage conservation area.

Note 1.

The *National Parks and Wildlife Act 1974*, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

Note 2.

Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River (No 2—1997) requires development consent for the “Filling of land, including submerged aquatic land, by raising the ground level through disposal of spoil from any landfill method (such as mining, dredging or refuse dumping), whether or not to enable the construction of a road or the erection of buildings or pylons or any other structure, where filling exceeds 1 metre in depth, or an area of 100 square metres”.

The Proposal will excavate and fill to level the site and construct the proposed buildings and stormwater system but will not have any impact on the items of issue indicated in this section.

7.2 Flood planning

- (1) The objectives of this clause are as follows:
 - (a) to minimise the flood risk to life and property associated with the use of the land,
 - (b) to limit uses to those compatible with flow conveyance function and flood hazard,
 - (c) to manage uses to be compatible with flood risks,
 - (d) to enable safe and effective evacuation of land,
 - (e) to ensure the existing flood regime and flow conveyance capacity is not compromised,
 - (f) to avoid detrimental effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or waterways.
- (2) This clause applies to the following land:
 - (a) land at or below the flood planning level,
 - (b) land identified as “Flood planning land” on the *Clause Application Map*.
- (3) Development consent is required for any development on land to which this clause applies.
- (4) Development consent must not be granted for development on land that is at or below the flood planning level unless the consent authority is satisfied that the development:
 - (a) is compatible with the flood hazard of the land, and
 - (b) if located in a floodway, is compatible with the flow conveyance function of the floodway and the flood hazard within the floodway, and
 - (c) is not likely to adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
 - (d) is not likely to significantly alter flow distributions and velocities to the detriment of other properties or the environment, and
 - (e) is not likely to adversely affect the safe and effective evacuation of the land and the surrounding area, and
 - (f) is not likely to significantly detrimentally affect the environment or cause avoidable erosion, destruction of riparian vegetation or affect the restoration and establishment of riparian vegetation, or a reduction in the stability of river banks or waterways, and
 - (g) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding, and
 - (h) incorporates appropriate measures to manage risk to life from flood, and
 - (i) is consistent with any relevant floodplain risk management plan.
- (5) Development consent must not be granted for development on land identified as “Flood planning land” on the *Clause Application Map*, unless the consent authority is satisfied that the development will not adversely affect the safe and effective evacuation of the land and the surrounding area.
- (6) A word or expression used in this clause has the same meaning as it has in the NSW Government’s *Floodplain Development Manual* (ISBN 0 7347 5476 0) published by the NSW Government in April 2005, unless it is otherwise defined in this clause.
- (7) In this clause:
flood planning level means the level of a 1:100 ARI (average recurrence interval) flood event plus 0.5 metres freeboard.

This site is not indicated as flood affected on Councils Flood Planning Map.

7.5 Protection of scenic character and landscape values

- (1) The objectives of this clause are as follows:
 - (a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places,
 - (b) to ensure development in these areas is located and designed to minimise its visual impact.
- (2) This clause applies to land identified as “Land with scenic and landscape values” on the [Scenic and Landscape Values Map](#).
- (3) Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the development, to minimise the visual impact of the development from major roads and other public places.

The proposal will provide high quality industrial development with positive visual impact from the surrounding roads and will have no negative impact on any heritage items or public places.

The Development is subject to Penrith DCP 2014 Part C3 Water Management as follows:

3.1 Water Cycle/Water Conservation

One 50,000 lt Rainwater tank is proposed for water harvesting reuse for toilets and landscape watering subject to Engineers details.

3.2 Catchment management and Water Quality

WSUD is required and this is provided with the installation of WSUD filters downstream in line with the OSD system indicated on the Stormwater drainage plans

3.6 Stormwater Management and Drainage

Drainage of the lot is via a stormwater system designed by the engineer and discharging into the existing system. OSD is required and a WSUD filter system is proposed to be located at the north western side of the site.

The Development is subject to Penrith DCP 2014 Part C5 Waste Management as follows:

5.1 Waste Management Plans

The Application is supported by a Waste Management plan as required

5.2.4 Non-Residential Development Controls

The proposed industrial units will locate waste storage bins within their own premises and not in the external apron area, for private collection.

The Development is subject to Penrith DCP 2014 Part D Industrial Development as follows:

4.1 Key Precincts

The site is located in Precinct Area E3 Cranbrook – Waterside Corporate.

4.2 Building Heights 12 m maximum

Proposal is 7.9m high -Complies

In addition, the building is 1.8kms from the Nepean River and is not visually obtrusive to the river

4.3 Building Setback and Landscape

Table D4 Setbacks

Other Roads 9.0m

proposed 5.0-9.0 Non-Compliance

The building setback to Renshaw Street varies from 9.0-5.0m. This area is fully landscaped in front of the building which is in excess of the 4.0m minimum width required by the DCP.

However the Waterside Corporate DCP section (see below) allows a 5.0 setback to buildings fronting secondary and internal roads. Therefore the proposal complies.

Landscaping is proposed to all setback areas except that sections required for vehicle access.

4.4 Building Design:

Extensive glazing windows and door openings are proposed in all visible internal elevations. Glazed windows and entry doors and colorbond roller shutter doors provide visual relief to large wall expanses. The metal roof overhang treatment and projecting mezzanine and first floor areas also provide visual relief and shading to the walls and glazed areas.

The ground level carparks and entry area with no steps provides access for disabled persons to the unit areas which also have accessible toilets on the ground floor.

4.5 Storage of Materials and Chemicals:

No external storage areas are proposed, the units provide Medium Rigid Vehicle access through roller doors to warehouse loading areas.

4.6 Accessing and Servicing the Site:

Access to the site is via the road entry off Renshaw Street with widths of 10.0m-8.5m. Heavy rigid vehicles (HRV) and Articulated Vehicles (AV) are able to turn around within the carpark area which provides entry and exit to the site in a forward direction.

The Loading bay areas of the units designed to accomodate vehicles up to Medium Rigid Vehicles (MRV) but not Heavy (HRV) or Articulated Vehicles (AV).

Carparking is required at the rate of 1 space per 75m².

All units have in excess of this requirement, with the 150m² units having 2 spaces up to the 300m² units, except Unit 20 which has an area total of 243m² but only has 3 parking spaces which would relate to 225m². Similarly, Unit 18 with a total of 167m² only has 2 spaces.

In justification of this we suggest that with units 18,20, both have internal loading areas of 32m² which then reduces their usable industrial floor area below the parking space number threshold or enables additional vehicles to be parked in the loading bay area if not in use.

4.7 Fencing

Proposed fencing will be open style black coloured powdercoat metal palisade 2.1 high to provide site security and views of surrounding open space areas. Existing Colorbond fencing on Eastern Boundary is to be retained.

4.8 Lighting

External lighting is proposed on pole lights located in the building landscape setbacks. Poles are proposed at 6m height.

The lighting shall be designed in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997)

Waterside Corporate DCP

3.1.4.5 Building envelopes

A. Objectives

- a) To provide a visual and supplementary acoustic barrier between residential and industrial development;
- b) To enhance the views through and across the subject land to Penrith Lakes, the Nepean River and the Blue Mountains;
- c) To provide quality urban design at an appropriate scale;
- d) To provide appropriately landscaped setbacks to roads and along boundaries adjoining residential and riparian areas; and

Penrith Development Control Plan 2014 E3 Cranebrook E3-12

- e) To provide building envelopes consistent with the scale of adjoining development, the desired streetscape and future amenity of the locality.

B. Controls

- 1) The setbacks of buildings from the boundary are to be in accordance with Table E3.1: Building Setbacks below.
- 2) Minor variations in setbacks will be considered where they will contribute to a varied and attractive streetscape and do not compromise relevant objectives.

Table E3.1: Building setbacks

Location

Location	Minimum setback
Andrews Road	10m
Castlereagh Road	10m
Laycock Street	9m
Buildings fronting secondary and internal roads	5m
Buildings on lots adjoining residential land and riparian corridors	5m

SEPP 55 Remediation of land

7 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land 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.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must

consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.

(3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

(4) The land concerned is:

- (a) land that is within an investigation area,
- (b) land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,
- (c) to the extent to which it is proposed to carry out development on it for residential, educational, recreational or child care purposes, or for the purposes of a hospital—land:
- (i) in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated land planning guidelines has been carried out, and
- (ii) on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).

The application includes submission of a Contamination Clearance Certificate from Geotech testing P/L which indicates the fill placed on the site has no evidence of contamination. The site is currently vacant with no evidence of illegal fill or dumping since the subdivision works were completed therefore it is considered that the site does not contain contaminated material.

There is no requirement for remediation works to be carried out and therefore clauses 2,3,4 of the above section do not apply.

BCA requirements

The development is designed to provide compliance with the various sections of the BCA/NCC in the provision of fire resistance ratings and protection, separation, exit travel distances, structural adequacy, services and equipment, health and amenity, and Section J energy compliance.

These details will be subject to construction certificate conditions in the development consent.

Conclusion

The proposed development will provide high quality medium sized Light Industrial units in compliance with relevant planning codes, conveniently located to road transport corridors and will provide excellent business and employment opportunities for the Penrith area.