

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED BUILDERS HIRE EQUIPMENT STORAGE FACILITY IN EXISTING INDUSTRIAL BUILDING

3 PEACHTREE ROAD
PENRITH

FEBRUARY 2014



statement of environmental effects

Submission to

PENRITH CITY COUNCIL

3 PEACHTREE ROAD PENRITH

**PROPOSED BUILDERS HIRE EQUIPMENT STORAGE FACILITY IN
EXISTING INDUSTRIAL BUILDING**

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1.0 INTRODUCTION

This document has been prepared in order to provide information and assessment in respect of a Development Application which proposes the use of existing premises as 'light industry' purposes for storage, and transporting builders hire equipment.

Consideration has been given to the environmental merit of the proposal as well as in relation to the following legislature, statutory planning instruments and subordinate policies:

- *Environmental Planning and Assessment Act 1979 (EPAA);*
- *Environmental Planning and Assessment Regulation (EPAR);*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008;*
- *Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (SREP 20);*
- *Penrith Local Environmental Plan 2010 (PLEP); and*
- *Penrith Development Control Plan 2010 (PDCP).*

Our instructions on the subject matter are provided directly from our client, whose details are as follows:

Name	Address
Noortquip Rentals Pty Limited	3 Peachtree Road, Penrith 2750

2.0 SITE LOCATION AND DESCRIPTION

2.1 Location

The property is known as 3 Peachtree Road, Penrith and is legally described as Lot 45 in DP249986.

The site is located in a general industrial area, 1.4km from the Penrith retail centre (Westfield Penrith).

The locality can be described as a general industrial area containing factory units with diverse uses ranging from car service centre, a gym, auto electrical repair, a truck body manufacturer. The Penrith Concrete Batching Plant is nearby to the East.

We are advised that the site was previously used for supply of outdoor landscaping materials and for 'timber construction projects'.

A locality map is provided at **Annexure 1**.



An aerial photograph is provided at **Annexure 2**.

A cadastral plan is attached at **Annexure 3**.

2.2 The Site

The property consists of a large stand alone industrial shelter of approximately 526.5 square metres with a total property area of 3944 square metres. The site is relatively level.

The property has direct road access to Peachtree Road. To the north, south and west are large general industrial buildings very similar to the improvements on the subject property. To the east is Peachtree Road as well as other industrially zoned land.

Photographs of the premises can be found at **Annexure 4**.

3.0 DEVELOPMENT PROPOSAL

3.1 Proposal

The proposal is for the Light Industrial use of existing premises as a storage facility. The goods to be stored include builders hire equipment, predominantly portable toilets. Equipment will be stored, washed (externally and internally), and transported from the site as necessary.

Equipment is washed in a portable wash bay; waste water (not sewerage) from gurney operations is pumped with a bilge pump into a holding tank per the submitted drawing.

When the waste water holding tank fills a licensed contractor will pump out and transport the waste water back to a facility for disposal. As such, neither the sewerage system nor Councils stormwater system is used for this function.

All toilet effluent is disposed of at the relevant builder's worksite prior to equipment being returned to the site. **No toilet effluent is stored on the site.** The liquid waste on site consists only of mud and grit build up from the external surface of the hire equipment.

No construction works are proposed. The wash bay proposed is a portable structure that will be transported to the site.

The primary function of the site is for builders hire equipment storage, cleaning and distribution/collection.

A layout plan of the existing structure can be found at **Annexure 5**

3.2 Operating Hours

The hours of operation are provided in **Table 1**.

Table 1

Day	Start	Finish
Monday	6.00am	2:30pm
Tuesday	6.00am	2:30pm
Wednesday	6.00am	2:30pm
Thursday	6.00am	2:30pm
Friday	6.00am	2:30pm
Saturday	6.00am (Occasional)	2.30pm (Occasional)
Sunday	6.00am (Occasional)	2.30pm (Occasional)

At approximately 6.00am the site will be attended to load hire equipment on to the truck for transport that day. The truck will leave the site at approximately 6.30am for delivery of equipment to builder's worksite.

A Viking Rental's employee will return the truck and hire equipment to site at approximately 2.00pm.

It should be noted that the site will be unoccupied for the majority of the day, Monday to Friday with the occasional weekend access.

3.3 Employees

It is proposed that one (1) staff member would be employed at the subject property. The staff member present will be responsible for the storing and washing of hire equipment, loading of the equipment on to the single truck, and the delivery and return of the hire equipment to and from the site.

3.4 Vehicular Activity

A maximum of one (1) truck would leave the site at approximately 6.30am and re-enter the site at approximately 2.00pm Monday to Friday, with the occasional Saturday and Sunday use.

One (1) staff member will park on site at 3 Peachtree Road.

Ample space for parking is provided in accordance with the layout plan forming part of this development application.

The site layout and existing built improvement's permits entry and egress of a truck in a forward direction.



4.0 STATUTORY PLANNING FRAMEWORK

4.1 SEPP (Exempt and Complying Development Codes) 2008

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP), aims to provide a streamlined assessment process for development that complies with specified development standards.

The proposal is not Complying Development as notwithstanding that a 'light industry' use may be changed to another 'light industry' use with a Complying Development Certificate (CDC), the proposal would not comply with relevant development standards as referred to in Clause 5.5.

The proposal is not Exempt Development under the Codes SEPP, as there is no relevant information relating to pre-development use nor is a copy of any previous development consent available.

Abundant precaution therefore dictates lodgement of a development application with the consent authority.

4.2 SREP No 20 – Hawkesbury Nepean River

Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River (SREP 20) endeavours to integrate planning with catchment management in order to protect the Hawkesbury Nepean river system. The plan covers water quality and quantity, environmentally sensitive areas, river based scenic quality, agriculture, and urban and rural/residential land uses.

SREP 20 controls development that has the potential to impact on the river environment. The plan applies to all parts of the catchment in the Sydney Region including Penrith, but does not extend to land covered by Sydney Regional Plan No 11 - Penrith Lakes Scheme. SREP 20 is supported by an Action Plan, which includes actions necessary to improve existing riverine conditions.

4.3 Penrith Local Environmental Plan 2010

4.3.1 Zoning and Permissibility

The subject site is zoned IN1 General Industrial under the PLEP.

Industries and light industries are permissible uses within the IN1 zone with consent from the consent authority.

Light industries are a type of industry. Under the PLEP, industry includes light industry.

Light industry is defined under the PLEP as:

"a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, vapour, steam, soot,



ash, dust, waste water, waste product, grit or oil, or otherwise.”

Industrial activity is defined in the PLEP as follows:

"the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.”

Given the above 'terms of art', the facility is permissible within the zone, with development consent.

An extract of the zoning map is attached at **Annexure 6**.

4.3.2 Zone Objectives

The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To promote development that makes efficient use of industrial land.
- To permit facilities that serve the daily recreation and convenience needs of persons working in industrial areas.

The proposal is consistent with the zone objectives.

4.3.3 Scenic Character and Landscape Values

The property is identified as land with scenic and landscape value under the PLEP. Development on this land must minimise the impact on the visual amenity of the area.

The proposal will have minimal impact on the scenic character and landscape value given that no physical changes to the existing premises are proposed.



4.3.4 Flood Planning

The subject site is identified as land within the flood planning area under the PLEP.

The objectives of this clause are as follows:

- To minimise the floor risk associated with the use of the land,
- To limit uses to those compatible with flow conveyance function and floor hazard,
- To manage uses to be compatible with floor risks,
- To enable safe and effective evacuation of land,
- To ensure the existing floor regime and flow conveyance capacity is not compromised,
- 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.

The proposal is for a change of use from one industrial use to another. There are no proposed corporeal changes to the premises. As such the proposal is consistent with the clause objectives.

4.4 Penrith Development Control Plan 2010

4.4.1 Introduction

The PDCP is divided into six sections. The relevant sections to this development are:

Part B: sets out the sustainable principles that relates to all development.

Part C: sets out controls that relate to all development.

4.4.2 Sustainability

The Penrith City Council is dedicated to creating a sustainable city and as part of this commitment have outlined eight (8) sustainable principles that apply to all development in the Penrith Local Government Area.

The relevant principles and summaries are as follows:

Principle 1

Provide a long term vision for cities, based on sustainability; intergenerational, social, economic and political equity; and their individuality.



Principle 2

Achieve long term economic and social security.

Principle 3

Recognise the intrinsic value of biodiversity and natural ecosystems, and protect and restore them.

Principle 4

Enable communities to minimise their ecological footprint.

Principle 5

Build on the characteristics of ecosystems in the development and nurturing of healthy and sustainable cities.

Principle 6

Recognise and build on the distinctive characteristics of cities, including their human and cultural values, history and natural systems.

Principle 7

Empower people and foster participation.

Principle 8

Expand and enable cooperative networks to work towards a common, sustainable future.

Principle 9

Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management.

Principle 10

Enable continual improvement, based on accountability, transparency and good governance.

The proposal is entirely consistent with the PDCP principles of creating a more sustainable city. The proposal is merely a 'change of use'. The existing premises will be retained. This eliminates consumption of additional raw materials and supports energy saving, minimising ecological footprint. The development also contributes towards economic and social security by providing employment within the region.

4.4.3 Site Planning and Design Principles

Site planning is an analysis of the development site and the site's subsequent constraints and planning issues. It is aimed at creating better development especially in sustainability (economic, social and environmental) and design quality.



Given that the proposal is for a change of use only and does not propose any construction works, site planning has already been undertaken. However in general terms the change of use to a light industry storage facility can be argued to be 'appropriate site planning' given that it uses an existing space without major alterations, involves an environmentally sustainable use and provides further employment within the region.

4.4.4 Vegetation Management

Maintenance and management of the natural environment and vegetation is important during the development process. This proposal does not involve any construction works or works that would otherwise effect vegetation on the property or neighbouring vegetation.

4.4.5 Water Management

The controls relating to water management are aimed at maintaining the provision of fresh water for future generations and managing competing needs for fresh water.

The application involves a use only.

4.4.6 Land Management

Land management is required to mitigate between competing uses for the ever increasing scarcity of land while reducing the impact of human activities to the land.

The proposal is a use only and as such will have no impact in terms of land degradation.

4.4.7 Waste Management

Waste management is aimed at increasing efficiency and reducing costs of development and construction and the overall impact of human activity on the natural environment. The proposal is such that any waste produced from the cleaning of hire equipment stored on site will be transported off site, for disposal. No disposal of waste is proposed to take place on this site.

4.4.8 Landscape Design

Landscaping can be used to improve the visual amenity of an area as well as improve its performance regarding land and water impacts.

No landscaping is proposed as part of this application; the property will remain with its existing layout.



4.4.9 Transport, Access and Parking

These controls relate to the relationship between vehicular and pedestrian networks, including safety, congestion and connectivity.

As previously stated, a maximum of one (1) truck would leave the site at approximately 6.30am and re-enter the site at approximately 2.00pm every day.

The street is wide enough for vehicles to park on both sides of the street whilst still allowing two directions of traffic flow.

There is ample onsite parking available.

A layout plan can be found at **Annexure 5**.

4.4.10 Noise and Vibration

This use will not cause adverse noise impacts in our view.

The level of noise is expected to be low, given that the vehicles are absent from the site for the majority of the day. It is noted there are no sensitive land uses nearby and the area is zoned industrial.

4.4.11 Infrastructure and Services

No changes to infrastructure and services are proposed.

5.0 KEY ISSUES

5.1 Traffic and Parking

The proposal would have minimal, if any, impact on traffic and parking. The proposal involves use of one (1) truck which would be operating, particularly in the morning and early afternoon, outside of peak hour thus reducing traffic congestion.

Ample off street parking is available.

5.2 Public Transport

The property is accessible by public transport; it is close to local bus stops that provide routes directly into Penrith and beyond.



5.3 Amenity Impact

The use will not course any significant amenity impact.

6.0 CONCLUSION

The development proposed is reasonable, provides net environmental benefits and employment within the local community. The proposal involves a low intensity use consistent with that which would be expected in an industrial zone.

The matters for consideration that are set out in Section 79C of the EPAA have been examined and there are no matters which would prevent Council from granting consent to the proposal in this instance.

We are of the opinion that the development application should be granted consent subject to appropriate conditions.

ANNEXURE 1

LOCATION PLAN



LOCATION PLAN
Courtesy Google Maps

ANNEXURE 2

AERIAL PHOTOGRAPH



AERIAL PHOTOGRAPH

Courtesy SIX Maps

ANNEXURE 3
CADASTRAL PLAN



CADASTRAL PLAN
Courtesy SIX Maps

ANNEXURE 4

PHOTOGRAPHIC PALETTE



Photo 1: View of Property from Peachtree Road



Photo 2: View to Western boundary from North East corner



Photo 3: View of existing structure from South East corner



Photo 4: View of existing structure from South West corner



Photo 5: View to East boundary from North West corner



Photo 6: View of existing structure



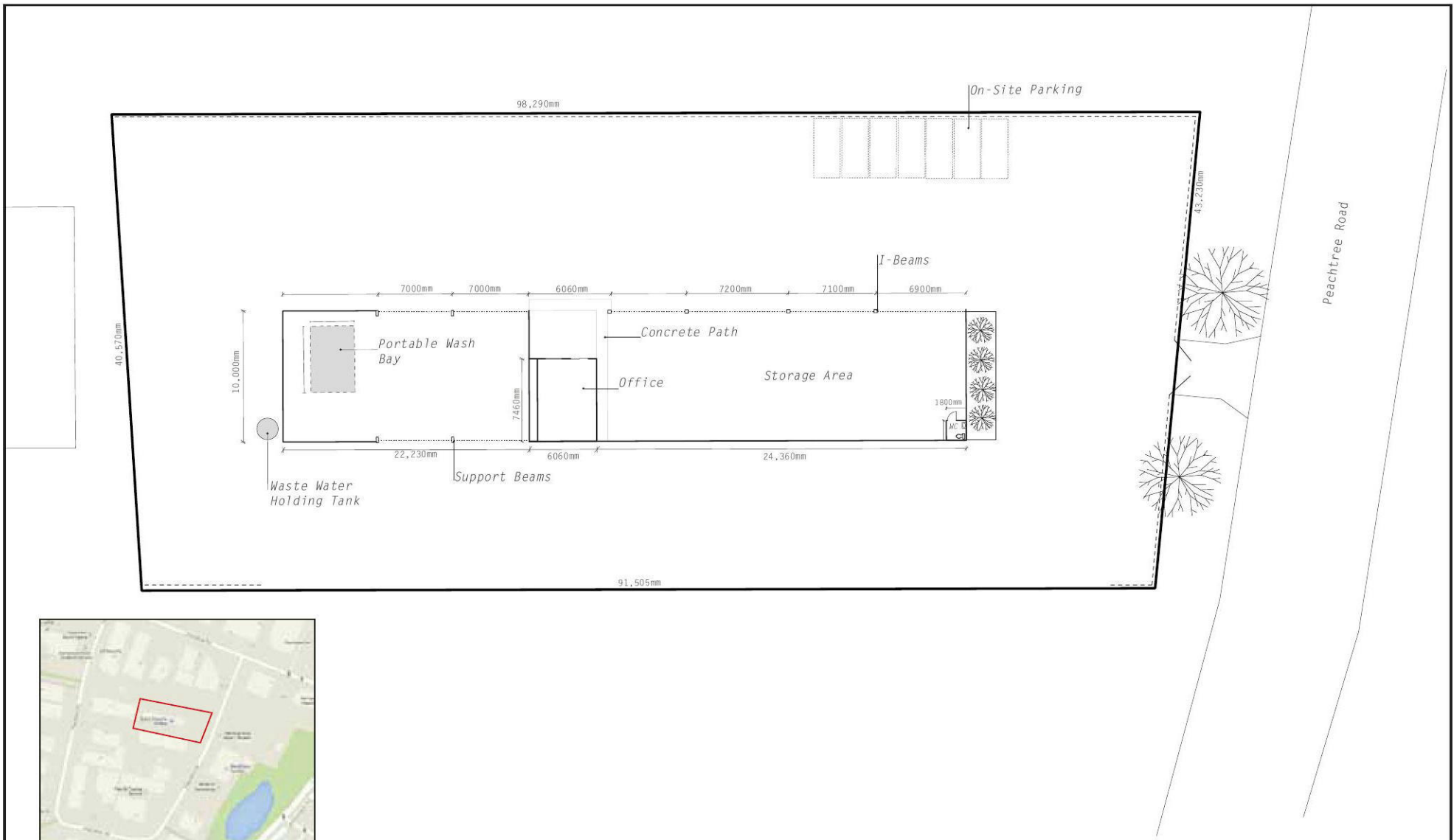
Photo 7: View of office in existing structure



Photo 8: View inside office

ANNEXURE 5

PLAN OF PROPOSAL



Location Plan

KEY

----- Chainlink Fence

Figured dimensions to be taken in preference to scaling.



DRAWN: HLB

REFERENCE:
nor_pee3p_PlanofProposa1

Sheet 1/1

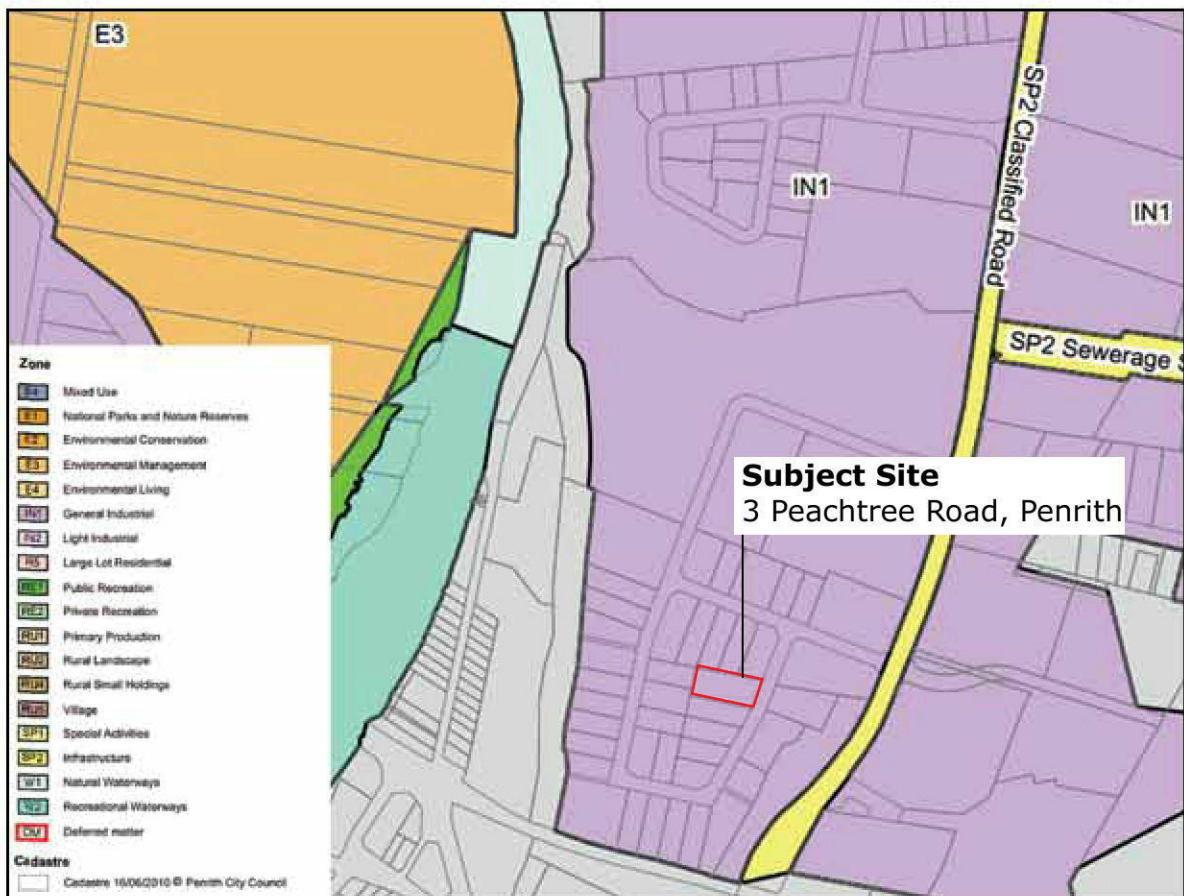
PLAN OF PROPOSAL

January 2014

3 Peachtree Road Penrith

ANNEXURE 6

ZONING EXTRACT FROM PLEP 2010



ZONING EXTRACT FROM PLEP 2010