

STATEMENT of ENVIRONMENTAL EFFECTS

For

PROPOSED TRUCK DEPOT

At

26 Camden Street, PENRITH NSW 2750

For

Mrs. D. Garofali

PROJECT PARTICULARS

Project No.: 21-101
Project Address: No. 26 Camden Street, PENRITH NSW 2750
Local Government Area: PENRITH COUNCIL
Client: Mrs. D. Garofali
Prepared By: Wayne Wilson
Date: July 2021

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1 INTRODUCTION

This Statement of Environmental Effects, prepared by Wayne Wilson, is to accompany the Development Application (DA) for the tenancy known as 26 Camden Street, Penrith NSW 2750. (The site).

The site is currently occupied by Nepean Plant Hire with this application to be used as a truck depot.

A Notice of Intention to Serve Development Control Order 1 & 3, was issued to the owner on the 14th May 2020, by Penrith City Council's Compliance Officer Bradley Kenny. Council's reference DC19/0807

At the time of the notice the site was being used as a truck depot and swimming pool sales office. The swimming pool sales office has ceased trading from the site.

This application is to seek approval, as is, for the site to operate as a truck depot.

This Report is set out as follows:

- **Section 2** provides a description of the site and the surrounding locality;
- **Section 3** details the proposed development;
- **Section 4** provides an assessment of the proposed development in accordance with **Section 79C(1)** of the *Environmental Planning and Assessment Act 1979* (the Act); and
- **Section 5** concludes this report.

Overall, the proposal satisfies the intentions of the statutory planning controls which apply to the site and is therefore suitable in environmental terms.

In that respect, the conclusions of this Report are that this application may be approved by the Council, subject to appropriate conditions.

2 THE SITE & ITS LOCALITY

2.1 SITE DETAILS

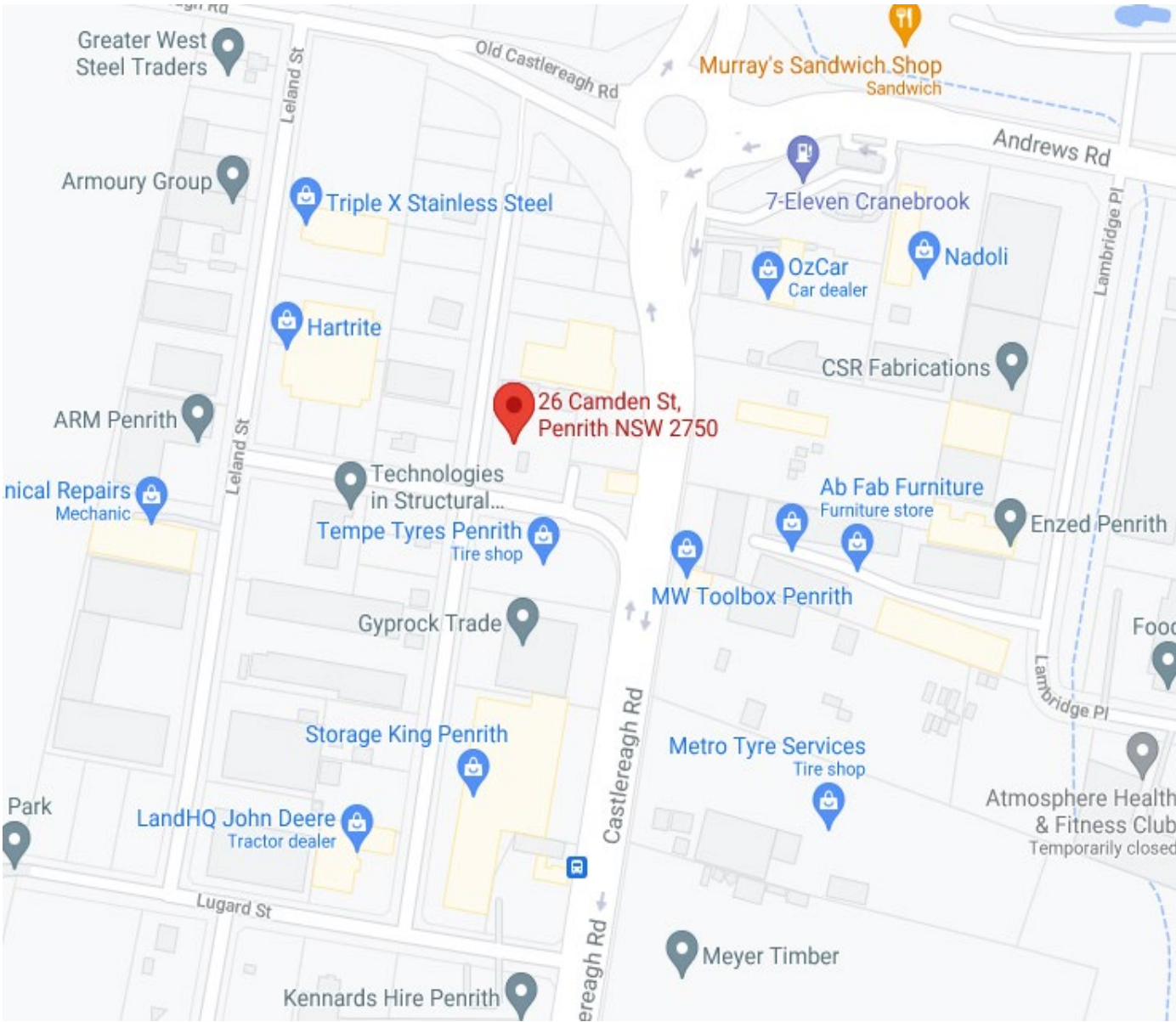
The site details are set out in Table 1, below.

Table 1: Description of the Site

Site Details		
Site Address	26 Camden Street Penrith	
Site Area	3,056 m ²	
Property Owners	Mrs. D. Garofali	
Legal Description	Lot 420, Deposited Plan 789115	
Existing Use	Unauthorized Truck Depot	
Site Boundary Dimensions	North East South (Gordon Street) West (Camden Street))	51.080 metres 60.115 metres 50.815 metres 59.985 metres
Allotment Shape	Rectangle	
Vehicular Access	Directly from either Gordon Street or Camden Street	
Relevant Environmental Planning Instruments	Penrith Local Environmental Plan 2010 State Environmental Planning Policy No.64 – Advertising and Signage Penrith Development Control Plan 2014	

Figure 1: Site Map

www.google.com.au/maps



2.2 TITLE ENCUMBRANCES

Table 2: Title Encumbrances

Restriction	Description	Burdened Lot(s)	Benefited Lot(s)/Authority

2.3 PHYSICAL CONSTRAINTS

A Section 10.7(2) Certificate (No.21/02853) for the site, dated 21st May 2021, has been obtained from the Council. The relevant details have been included in Table 3, below.

Table 3: Section 10.7(2) Certificate Details

Item	Is The Land Affected?
Coastal Protection	No
Mine Subsidence	No
Road Widening or Re-alignment	No
Flooding	Yes
Land Reserved for Acquisition	No
Contributions Plans	No
Biodiversity Certified Land.	No
Biodiversity Stewardship Sites	No
Native Vegetation Clearing Set Asides	No
Bushfire Prone Land	No
Property Vegetation Plans	No
Tree Preservation Orders	No
Directions Under Part 3A	No
Site Compatibility Certificates – Seniors Housing	No
Site Compatibility Certificates – Infrastructure	No
Site Compatibility Certificates – Affordable Rental Housing	No
Paper Subdivision	No
Site Verification Certificate	No
Loose-Fill Asbestos	No
Affected Building Notices & Rectification Orders	No
State Environmental Planning Policy – Western Sydney Aerotropolis 2020	No

3 THE PROPOSED DEVELOPMENT

The proposal is for the approval of the existing site to be used as a truck depot.

3.1 THE PROPOSED LAYOUT

Table 4, provides the proposed layout.

Layout & Details	Unit 2
Gross Floor Area	134.00 m ²
Offices	5
Store Room	1
Uni-sex Toilet/Shower room	1
Lunch Room	1

3.2 THE PROPOSAL

GENERALLY

The site is situated on the north-eastern corner of the intersection of Camden Street and Gordon Street, Penrith, in an IN1 General Industrial Zone as described in the Penrith LEP 2010. There are numerous industrial complexes adjoining the property.

The site has commercial driveways fronting both Gordon Street and Camden Streets, which serve as entry and exits respectively.

PROPOSED USE

The site has seven (7) interconnected transportable buildings serving as Offices, a Meal Room, a Store and Toilet/Shower Room.

These buildings are on average 500mm above the natural ground level, and connected by a covered walkway. The sum total area of the buildings and covered walkway is 243.0m² which is 7.9% of the site area.

There is a full time administrative staff of three (3) people.

Additional to the full time staff there are between ten (10) and twelve (12) drivers/operators, who pass through the business during the daytime operation. These people are the drivers/operators of the stored trucks and machinery, who are there only when they pick-up or drop-off the trucks and machinery. They are not on the premises for any length of time.

The Hours of Operation will be:

Administrative Staff

- Monday to Friday 9:00am to 5:00pm
- Saturdays 9:00am to 5:00pm
- Sundays Closed

Drivers/Operators

- Monday to Friday 6:00am to 4:30pm
- Saturday 6:00am to 4:30pm
- Sunday Closed

The nature of the use, as defined in the LEP is for a 'Truck Depot' which is defined as follows:

truck depot - means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

4 ENVIRONMENTAL IMPACT ASSESSMENT

The proposal is subject to the following requirements:

- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- Sydney Regional Environmental Plan No.20 – Hawkesbury-Nepean(SREP No. 20)
- Penrith City Council LEP 2010
- Penrith City Council DCP 2014

The proposal is considered below having regard to these requirements.

4.1 SEPP 55

Clause 7 of the SEPP, requires an applicant to demonstrate whether or not a parcel of land is contaminated. Given the long term and consistent use of the property for commercial purposes, it is unlikely that the land would be contaminated.

4.2 SREP 20

This plan applies to the whole of the Penrith LGA; however, given that the proposed development is existing, the proposal will not have any impact on the Hawkesbury-Nepean River catchment.

4.3 PENRITH LEP 2010

LEP Clause	Control	Compliance	Comment
1.2 Aims of the Plan	(2) The particular aims of this Plan are as follows— (a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith, (b) to promote development that is consistent with the Council’s vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement (c) to accommodate and support Penrith’s future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith’s communities and safeguard residential amenity,	Yes	n/a
2.1 Land Use Zones	Zone IN 1 General Industrial	Yes	3 Permitted with consent Truck depots; truck depot: means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.
4.3 Height of buildings	(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 .	Yes	Height of Buildings Map - Sheet HOB_005 Area M1 = 12.0 m

4.4 PENRITH DCP 2014

The site comes under D4 Industrial Developments of the DCP and is located in Precinct 4, North Penrith.

DCP Clause	Control	Compliance	Comment
4.2. Building Height	<p>C. Controls In addition to height controls in the LEP, buildings on land in Precincts 4, 7 and 8 will need to satisfy the following additional controls: 1) For Precincts 4 and 7 (areas adjacent to the Nepean River), the development must not be visually obtrusive when viewed from the Nepean River and must not adversely affect the scenic quality of the river.</p>	Yes	n/a
4.3. Building Setbacks and Landscape	<p>Table D4.1: Building Setbacks for Industrial Development All other Lots – 9.0m</p>	Yes	While the address is Camden Street, there is a planning position that the shorter street is the primary frontage on an allotment, hence the primary street setback is Gordon Street
4.6. Accessing and Servicing the Site	<p>B. Controls 3) Industrial development shall, where appropriate, be designed to: a) Allow all vehicles to enter and leave the site in a forward direction; b) Accommodate heavy vehicle parking and manoeuvring areas; c) Avoid conflict with staff, customer and visitor vehicular and cycle movements; and d) Ensure satisfactory and safe operation with the adjacent road system.</p>	Yes	A Traffic Management Assessment prepared by SafeWay Traffic Management Solutions accompanies this application.
4.7. Fencing	<p>B. Controls – General b) Maximise natural surveillance from the street to the building and from the building to the street; c) Minimise the opportunities for intruders to hide; d) Not impede the natural flow of stormwater drainage; e) Be located wholly on the property and not encroach on another property without the consent of the adjoining property owner(s). f) Be constructed of non-combustible materials if located in an asset protection zone or in an area identified in a bushfire risk management plan; and g) Be structurally adequate, in accordance with the Building Code of Australia, and meets the Dividing Fences Act 1991</p>	Yes	n/a

4.6 THE LIKELY IMPACTS OF THE DEVELOPMENT

Having regard to the above assessment, it is considered that the proposal will not result in any adverse impacts as a result of its implementation. It is consistent with the zone objectives and is permissible in the zone. The proposal does not include a change in the built form and therefore does not have any impacts with regards to bulk and scale.

The proposed nature of the use is consistent with the locality.

This being the case, it is not considered that there will be any adverse impacts as a result of the proposed use.

4.7 THE PUBLIC INTEREST

The proposal is within the public interest, providing a good level of employment and storage of heavy vehicles from residential areas.

The proposal is with in an appropriate location. Therefore, no impacts are anticipated as a result of the proposal.

5 CONCLUSIONS & RECOMMENDATIONS

This Report has assessed the proposal, for the approval of the Truck Depot, within this industrial area of Penrith.

This application seeks consent for the continued operation of a business, previously unauthorised.

The site is in the IN1 General Industrial zone pursuant to the LEP and the proposed use of the site is permissible with development consent from the Council (Clause 1.6).

The proposal is consistent with the zone objectives and does not compromise the desired outcomes under the various planning instruments.

This being the case, it is recommended that the development application be approved in accordance with the accompanying plans, and the Council's standard conditions of development consent.