

## DEVELOPMENT APPLICATION

# STATEMENT OF ENVIRONMENTAL EFFECTS

For the construction of

DRIVE-THROUGH COFFEE PREMISE

at

137 COREEN AVENUE, PENRITH NSW 2750  
LOT 301 IN D.P. 860777

for

YARINGA ENTERPRISES

Prepared by:



P.O. BOX 6213 CANLEY VALE, NSW 2166  
M: 0408 646 099 E: [hy@arkexpressdesign.com](mailto:hy@arkexpressdesign.com)  
A+ Member of the Australian Institute of Architects  
Registered Architect ARB NSW 8921 ARBV 19176

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# Statement of Environmental Effects

## 1.0 Introduction

This application is submitted to Penrith City Council for the construction of a Fast Lane drive-through coffee premise at 137 Coreen Avenue, Penrith NSW 2750, Lot 301 in DP 860777.

The proposed use complies with all statutory development standards. This SEE provides a detailed description of the site and the proposal and provides an assessment of the proposal against the relevant heads of consideration set out in Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act). That assessment has found that the proposal:

- Meets the current objectives of the LEP and DCP where applicable.
- Will not result in significant negative impacts on surrounding land uses and environment.
- Is responsive to site context and presents a positive visual relationship with surrounding uses.
- Is strongly in the public interest.

This statement is based on information and details shown on the following architectural plans prepared by ArkExpress Design Pty Ltd. This statement should be considered in conjunction with the lodged development plans as itemised.



Architectural Plans - ArkExpress Design Pty Ltd  
Traffic Report - GTK Consulting  
Survey Plan - Sydney Surveyors  
Waste Management Plan - ArkExpress Design Pty Ltd  
Cost Summary Report - ArkExpress Design Pty Ltd

Survey information in this statement has been obtained from the site plan prepared by Sydney Surveyors. (Plan of existing levels and details, reference No. 15608 dated 15-02-18).

## 1.1 History of the Site & existing conditions

Specific details on analysis is provided as follows:

The site currently contains five existing industrial units, the proposed development relates to a vacant area at the front of the site.

Vehicular access to the site is provided via both Coreen Avenue and Coombes Drive. There is existing vegetation along the two street frontages.

The site benefits from a 1.83m easement for drainage, there is also easement for electricity and a right of carriageway on site. See Survey Plan prepared by Sydney Surveyors for details.

## 1.2 Consultation with Council

The owner's representative of the site has met up with Council town planner at Council office to discuss the usage of the site and we confirm all is within the permissibility of the proposed development.





Figure 1: Street Frontage

## 2.3 Surrounding Development

The site is located within an established industrial area with surrounding land uses consisting of smash repairs, industrial retail outlets and warehouses. The site is well serviced by public transport including access to the Penrith train station via a short bus ride.

## 3.0 Description of Proposed Development

### 3.1 Building design, Usage and Operation

This application seeks consent for the construction of a proposed Fast Lane Drive-Thru Coffee outlet at 137 Coreen Avenue industrial area in Penrith to respond to local community and workers needs. The premise will be utilised for the preparation of coffee prior to sale.

Specifically, the development involves the following:

- The construction of driveways, landscaping, signage and placement of a small rectangular style building on the site, with a total area of 33 metres square, as shown on the attached plans. The proposed building is a prefabricated design, with construction materials, colour scheme and business identity badging (branding) typical of other existing Fast lane Drive-Thru Coffee outlets.
- The proposed building will incorporate a coffee preparation area, servery and staff amenities for employees, as shown on the plans attached. Apart from coffee, other refreshment options will also be provided including tea, cold drinks and a range of travel type prepackaged snacks (muffin, sandwiches, sausage rolls, cookies, pies and the like). All prepackaged food is prepared off-site and delivered daily to the site from local wholesalers/manufacturers.
- The provision of business identification signage as detailed in the architectural plans. The signage will comprise of the following: Refer to the submitted signage detail for information.
- Proposed paint finish to external building. Refer to the submitted architectural drawings for detail.

- The Fast Lane Drive-Thru Coffee has been operational since 2009 with existing premises currently operating in four locations in Dubbo, Wagga and Rockhampton. The business is based on a concept servicing busy commuters with well-made espresso coffee and travel snacks.
- The proposed hours of operation are Monday to Friday 5:00am to 5:00pm, Saturday 5:00am to 5:00pm and Sunday 5:00am to 5:00pm. Peak times expected to be from 6.00am to 11.00am weekdays.
- There will be a maximum of 3 staff required to operate the Fast Lane Drive Thru Coffee premise however only 2 staff at the one time. Additional casual staff will be employed on a roster arrangement to ensure that the premise is a sufficient resource to operate efficiently at all times.

### **3.2 Vehicular Access and Parking**

Current business activity experienced at other Fast Lane Drive Thru Coffee premises indicate between 60 – 100 vehicles per day are being served, with peak times generally between 6.00am – 11.00am. There is a significant variation in the number of vehicles experienced on site at various times of the day. The premises has the capacity to service 20 vehicles per hour, however, only within a short period within peak times.

The proposed development will have vehicular access from and egress to Coreen Avenue only. No access is required from Coombes Drive. Vehicular access location, design and dimensions are compliant with relevant standards and best practice.

A sign will be placed on the entry driveway warning that no trailers are permitted in the drive-thru area. Service vehicles (up to standard 9m Pantech dimensions with a 15m radius turning circle) are able to enter and leave the site as indicated on the attached site plan. The service vehicles will enter and leave the site in a forward direction. Appropriate line marking will also be provided delineating drive-thru arrangements. The narrow driveway pavement means vehicle must maintain a very low speed, less than 5km per hour while entering, leaving and maneuvering around the site.

A loading area has been provided for the infrequent use of small delivery vehicles and customers that need to wait temporarily for their order to be completed. Service vehicles will be onsite at times outside peak periods and managed accordingly. Car Parking has been provided on site in accordance with relevant policy to address staff needs. Refer to the traffic report for further details.

### **3.4 Demolition**

There is no planned demolition

### **3.5 Site Filling and Flood Liable Land**

The parcel of land is NOT within the floodplain and is NOT identified as being partly within a Medium Flood Risk Precinct.

### **3.6 Stormwater Management**

Council's stormwater drainage infrastructure serves the subject land.

Storm water will be collected and discharged to existing drainage infrastructure, in accordance with Council's guidelines.

### **3.7 Erosion and Sedimentation Control**

IF REQUIRE

Prior to commencement of any site works including the removal of vegetation, excavation or other site preparation, the property shall be protected from erosion and sedimentation transfer.

The soil shall be prevented from being washed away, blown, or otherwise carried or deposited away from the site and into adjoining premises, roads, kerbs and gutters. It is proposed to adopt sedimentation control measures to prevent and minimise the soil disturbance.

The erosion and siltation control will be viewed from two different aspects. The first applies to the conditions that will occur during the earthworks and construction of the development and the second applies to the conditions that will exist on completion of the development and final landscaping.

Our recommendations pertaining to the appropriate control measures to be implemented for erosion and sedimentation control are as follows;

#### Earthworks and Construction Phase

- run-off and erosion controls should be installed prior to clearing of the site vegetation;
- topsoil should only be stripped where necessary and should be stockpiled for re-use during the site rehabilitation and landscaping phase;
- The capacity and effectiveness of run-off and erosion measures should be maintained at all times;
- Stockpiles of topsoil and other aggregate materials should be stored clear of property boundaries and run-off control structures or barricades;
- Measures should be taken to prevent site vehicles tracking sedimentation and other pollutants onto the sealed roads;
- A silt fence using geofabric specially designed for such a purpose should be installed to the manufacturer's specification, below the area of construction.

## 4.0 Relevant Legislation and Planning Controls

The following Environmental Planning Instruments and Development Control Plans are relevant to the proposed development:

- Penrith Local Environmental Plan 2010; and
- Penrith Development Control Plan 2014.

### Zone IN1 – General Industrial

#### 1 Objectives of zone

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 the people who work in the surrounding industrial area.

**2 Permitted without consent**

Nil

**3 Permitted with consent**

Animal boarding or training establishments; Boat building and repair facilities; Car parks; Depots; Environmental facilities; Environmental protection works; Flood mitigation works; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Industries; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Recreation areas; Roads; Rural industries; Self-storage units; Signage; Storage premises; Take away food and drink premises; Timber yards; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres

**4 Prohibited**

Hazardous industries; Offensive industries; Any other development not specified in item 2 or 3

**4.1 Environmental Planning and Assessment Act 1979**

The proposal, as with all development applications, is subject to the provisions of the Environmental Planning and Assessment Act 1979 (EP & Act 1979).



## 4.2 Roads Act

Under Section 138 of the Roads Act, consent is required from the appropriate roads authority to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road,

Approval is therefore, not required under Section 138 from the RMS as there is no planned modification to the existing access to Coreen Avenue.

## 4.3 Local Government Act 1993

Under Section 68 of the Local Government Act, consent is required from Council for the following:

### Part A Structures or places of public entertainment

- Install a manufactured home, moveable dwelling or associated structure on land

### Part B Water supply, sewerage and stormwater drainage work

- Carry out water supply work
- Draw water from a council water supply or a standpipe or sell water so drawn
- Install, alter, disconnect or remove a meter connected to a service pipe
- Carry out sewerage work
- Carry out stormwater drainage work
- Connect a private drain or sewer with a public drain or sewer under the control of a council or with a drain or sewer which connects with such a public drain or sewer

### Part C Management of waste

- For fee or reward, transport waste over or under a public place
- Place waste in a public place
- Place a waste storage container in a public place
- Dispose of waste into a sewer of the council
- Install, construct or alter a waste treatment device or a human waste storage facility or a drain connected to any such device or facility
- Operate a system of sewage management (within the meaning of section 68A)

### Part D Community land

- Engage in a trade or business
- Direct or procure a theatrical, musical or other entertainment for the public
- Construct a temporary enclosure for the purpose of entertainment
- For fee or reward, play a musical instrument or sing
- Set up, operate or use a loudspeaker or sound amplifying device
- Deliver a public address or hold a religious service or public meeting

### 4.3.1 State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011

The subject site is located within the Sydney Drinking Water Catchment Area. Therefore, concurrence will be required from Water NSW.

**Part E Public roads**

- Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway
- Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road

**Part F Other activities**

- Operate a public car park
- Operate a caravan park or camping ground
- Operate a manufactured home estate
- Install a domestic oil or solid fuel heating appliance, other than a portable appliance
- Install or operate amusement devices
- Use a standing vehicle or any article for the purpose of selling any article in a public place
- Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations

Therefore, approval is required under Section 68 from Council for the proposed development.

**Height of Buildings**

No changes to the existing height of the existing building

**Heritage Conservation**

The existing buildings on the site are not identified as heritage items.

**Clause 4.6 Variation**

No Clause 4.6 Variations are sought.

**Biodiversity**

The site is not identified as containing terrestrial biodiversity and will not compromise the diversity of any native vegetation.

**Acid Sulfate Soil**

The site is not identified as containing Acid Sulfate Soil.

There is no record of any risk to health or safety from the existing or likely future contamination of the development site or proposed building on the site.

Any asbestos materials resulting from the demolition of the buildings will be disposed of in accordance with the NSW WorkCover Authority and EPA requirements.

**5.0 Assessment of Planning Issues**

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 79C (1) of the EP&A Act 1979 that are relevant to the proposal.

## 5.1 Compliance with Planning Instruments and Controls

- The proposal is a permissible use, under the definition of a development that is not specified as permitted without consent or prohibited.
- The proposal meets the requirements for access for people with a disability.
- The proposal is consistent with the relevant sections of the Penrith Development Control Plan 2014.

## 5.2 Traffic, Access and Parking

The proposed parking spaces and other associated traffic, access and parking issues have been considered, the proposed layout as shown on the Site Plan is acceptable for this development type. Refer to the traffic report for further detail.

## 5.3 Visual Impact

The proposed works will not negatively impact upon the visual amenity and built character of the surrounding area.

## 5.4 Amenity

There will not be any negative affects to the amenity on this site.

### 5.4.1 Noise & Odour

The proposed development will operate in a manner to minimise and mitigate noise and odour impacts where possible.

The proposed activities of the drive through premise will not generate objectionable levels of noise due to the nature of its operation and location within an industrial area.

The proposed development will only operate between the proposed operating hours to minimise the acoustic impact on adjoining properties.

### 5.4.2 Privacy

NA

### 5.4.3 Overshadowing

NA

## 5.5 Water Management

Reticulated water and sewerage are connected to the site. Any necessary amplification of the existing system will be carried out in accordance with Sydney Water requirements.

Stormwater runoff will be in accordance with council's requirement.

## 5.6 Sediment and Erosion Control

If required sediment and erosion controls shall be installed and maintained if required in accordance with the Waste, Construction Management & Roof Plan architectural drawings provided with this document.

## 5.7 Social and Economic Impacts

An analysis of the social and economic impacts associated with the development of the site is detailed in this section to ensure that, where relevant, social and economic considerations are an integral part of the development assessment process.

The proposed development will not negatively impact on social or economic issues.

## 5.8 Heritage Impact/Aboriginal Object

A Heritage Impact Statement (HIS) has not been prepared for the proposed development as the site is not affected by any heritage overlay.

The site is not affected by any Aboriginal Object.

## 5.9 Demolition

There is no planned for demolition

## 5.10 Utilities and Services

Telephone service, Water, sewerage and drainage are available on site as the allotment has recently been approved for sub-division. If and when any amplification or addition of services is required the approvals will be sought with each approving authority and constructed in accordance with each applicable Australian Standard including local Council policies.

Electricity is connected to the site via the service conduits provided from Coreen Avenue.

## 5.11 Landscaping and tree removal

There will be a total of two (2) trees proposed to be removed due to the close proximity to the proposed structure. There will be four (4) replacement tree proposed for compensation. More trees could be planted if required to meet Council requirements. Please refer to the submitted landscape plan A0002 for detail.

## 6.0 Conclusion

- The proposed development is permissible in the zone.
- The proposed development is respectful of the amenity of neighbouring properties and will provide a high level of commercial amenity to future tenants.
- There is no social or economic impact caused by the development. It will provide employment during fitout and operation.
- In conclusion we respectfully request all the information here noted be considered to enable approval of the proposed development as submitted. The proposed development is considered appropriate and Council approval is recommended.