



Statement of Environmental Effects

Expansion of existing
'Bunnings' Warehouse

Lot 1 and Common Property SP 72448
No.301 - 335 Mulgoa Road, Jamisontown
NSW

Report: Expansion of existing 'Bunnings' Warehouse
and associated Boundary Adjustment.
Lot 1 and Common Property SP72448
No.301 – 335 Mulgoa Road, Jamisontown, NSW

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Version:	Final
Date:	20 th April 2015

April 2015

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1 Introduction

This Statement of Environmental Effects Report (the “**Report**”) has been prepared by PGH Environmental Planning, on behalf of Bunnings Group Limited (the “**client**”). The Report describes the existing site and locality, outlines the proposed development and assesses the suitability of the proposal having regard to the relevant environmental legislation.

The subject site (the “**site**”) is known as Lot 1 and Common Property SP72448, Nos.301 – 335 Mulgoa Road, Jamisontown. A Bunnings Warehouse is located in the north-western corner of the site and a range of large format retail stores are located to the south and south-east of the site adjoining Mulgoa Road.

The client seeks approval to undertake alterations and additions and expand the retail floor area of the existing Bunnings Warehouse (Lot 1) from 11,832m² to 14,280m² (2,448m²) to provide an improved range of products.

The works reflect a contemporary overhaul of the current design and layout of the building and includes extensions to the north-western and south-eastern elevations of the building to provide upgraded Building Materials and Timber trade area and Nursery/Bagged goods areas, building façade upgrades, and reconfiguration of the car parking area and landscaping within the Common Property immediately surrounding the building.

It will also be necessary to undertake a boundary adjustment between Lot 1 and the Common Property of SP72448 to reflect the expanded building footprint of the proposed building within Lot 1 (the “**proposal**”).

There are no changes to the other retail buildings (known as the ‘Penrith Homemaker Centre’) located to the south and east or central parking area within the complex.

The site is zoned B5 Business Development under Penrith Local Environmental Plan (LEP) 2010. The proposal has been assessed having regard to the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act, 1979* and *Environmental Planning and Assessment Regulation 2000* and associated legislation.

The proposal is also “*integrated development*” pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979*, with approval of New South Wales Office of Water (NOW) required under the *Water Management Act 2000* as it involves works within 40 metres of an existing creek (unnamed tributary of School House Creek).

The documentation relied upon in assessing the proposal is referred to in **Section 9**. The assessment demonstrates that the proposal satisfies the relevant legislation and controls and should be approved.

2 Site and Locality

An inspection of the site and surrounding area has been undertaken, resulting in the following observations.

2.1 Site Location

The site is located on the northern side of the M4 Western Motorway and to the west of Mulgoa Road, Penrith (refer **Figure 1**).

2.2 Site Description

The site is known as Lot 1 and Common Property SP72448, Nos.301 – 335 Mulgoa Road, Jamisontown. It is an irregular shaped allotment and Lot 1 is defined by the existing Bunnings building. The total area of the Strata Plan, including common property is 7.298hectares (refer **Figure 2**).

2.3 Existing Development

The Bunnings Warehouse building is located within a large scale bulky goods retail complex comprising the 'Penrith Homemaker Centre' and 'Harvey Norman Centre'. The site is accessed from both Mulgoa Road (via Wolseley Street) and Blaikie Road (via Pattys Place). The building is positioned in the western corner of the complex adjoining the M4 Motorway and a creek line (an unnamed tributary of School House Creek) is located approximately 20metres from the northern boundary of Lot 1 and 24.5metres from the proposed delivery laneway.

2.4 Character of Locality

The site is located at the western extremity of a wider business/light industrial area which contains a mix of large format retail uses, petrol stations, hotel and car sales uses fronting Mulgoa Road. Mulgoa Road provides a main traffic link between the M4 Motorway to the south and Penrith CBD to the north. The site is approximately 850m from the Nepean River (to the west) and the land immediately to the north and west is zoned rural and is flood affected (refer **Figure 3**).

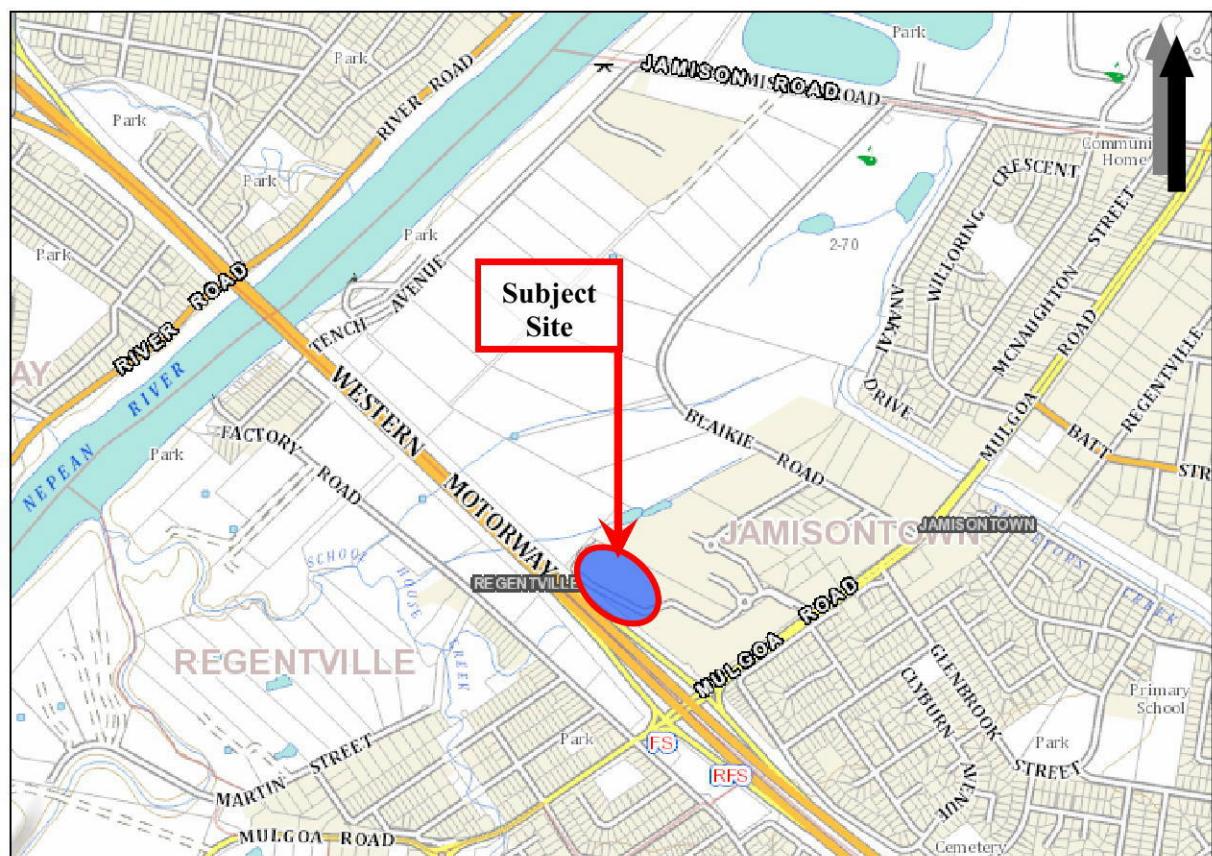
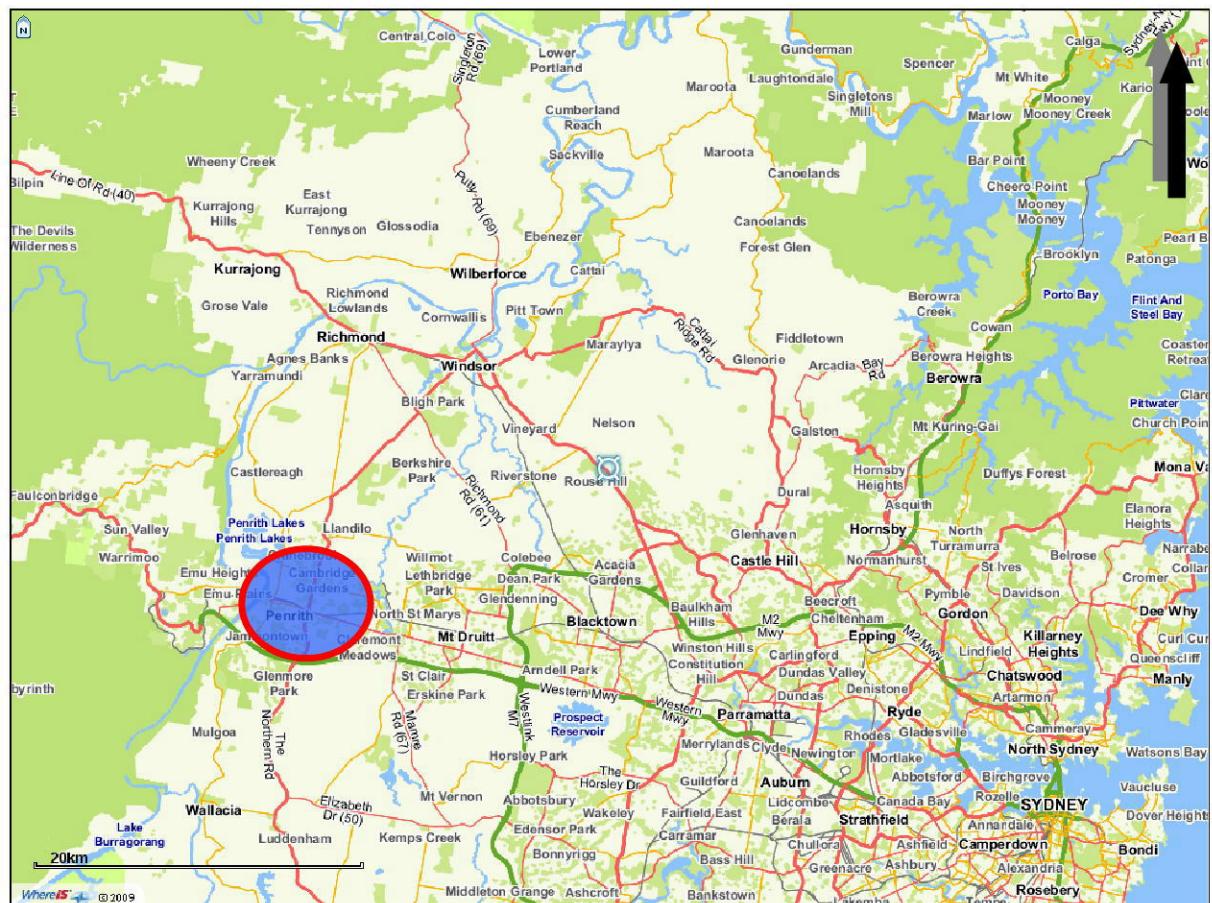


Figure 1 – Locality Map

Expansion of existing 'Bunnings' Warehouse

Not to Scale

Source: Google maps

Lot 1 and Common Property SP72448

Nos.301 – 335 Mulgoa Road, Jamisontown

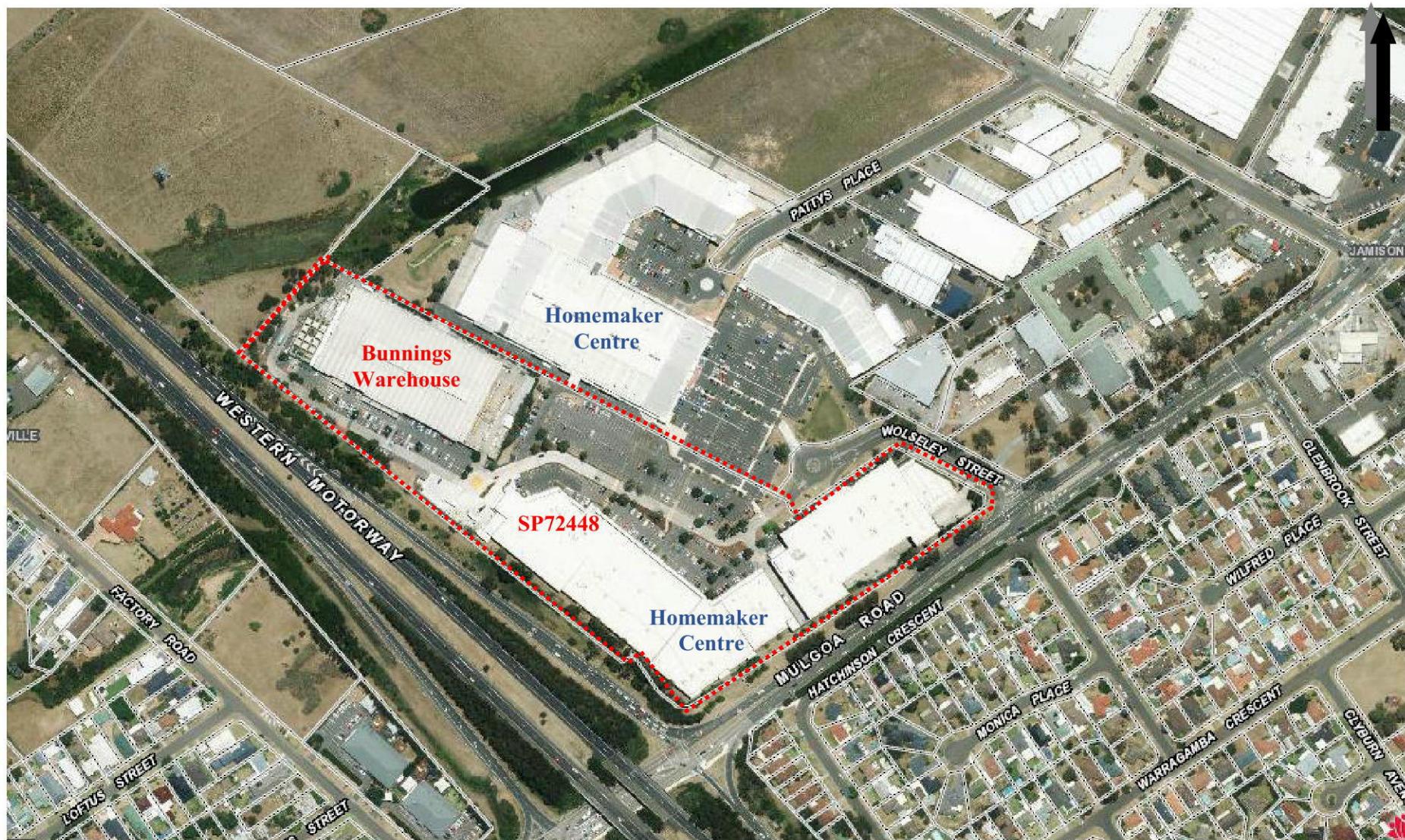


Figure 2 – Site Plan

Not to Scale

Source <https://maps.six.nsw.gov.au/>

Expansion of existing 'Bunnings' Warehouse

Lot 1 and Common Property SP72448

Nos.301 – 335 Mulgoa Road, Jamisontown



Figure 3 – Site and Locality

Not to Scale

Source <https://maps.six.nsw.gov.au/>

Expansion of existing 'Bunnings' Warehouse
Lot 1 and Common Property SP72448
Nos.301 – 335 Mulgoa Road, Jamisontown

**PLATE 1**

View of existing front faced of the building looking south towards Mulgoa Road. The garden Centres Canopy in the foreground will be removed.

**PLATE 2**

View looking north, of the existing delivery access (to the left of the vegetation on the north eastern boundary. This access driveway is retained.

**PLATE 3**

View looking west towards the M4 Motorway of the south-eastern elevation. The feature wall adjoining the car spaces is to be demolished.



PLATE 4

View looking east of existing external loading area and outdoor nursery located at the rear of the building.

This area is the proposed Timber trade, building materials and landscape yard.



PLATE 5

View looking north of the adjoining rural lands.



PLATE 6

View looking west from the adjoining property 'Homemaker Centre' towards the north-eastern elevation of the building.

3 History and Pre-lodgement

A pre-lodgement meeting was held with Council officers on 25 November 2014, (refer **Appendix 2**) to discuss a proposal to redevelop the existing Bunnings Warehouse on the site. At this meeting a number of matters were discussed, and the concept originally presented involved the use of land immediately to the north and east.

The development has been revised so that it is wholly contained within SP72448. The matters identified at this meeting have been addressed (where relevant to the current proposal) in this report and supporting documentation.

4 The Proposal

Bunnings Limited manages a range of hardware warehouse stores that specialise in providing a wide range of home improvement products to builders, tradespeople and the general public.

The client seeks approval for alterations and additions to the existing Bunnings Warehouse.

The works include extensions to the north-western and south-eastern elevations of the building to provide upgraded Building Materials and Timber trade area and Nursery/Bagged goods areas, building façade upgrades, and reconfiguration of the car parking area and landscaping within the Common Property immediately surrounding the building. Plans of the proposal are provided as attachments to this report (refer **Appendix 9** and **Appendix 10**).

4.1 Proposed Buildings and Works

The locations of the existing 'timber yard' and 'outdoor nursery' will be swapped and both areas expanded. The 'timber yard' is located on the south-eastern (or front) elevation of the building adjoining the internal car park and will be relocated to the north-western (or rear) of the building which is presently occupied by the 'outdoor nursery'. The 'outdoor nursery' which will be moved to the south-eastern (or front) elevation of the building along with a new 'bagged goods' area.

There are a number of other cosmetic modifications to the external façade of the building including a new main entry, the removal of a second unused entry and awning feature. Internally the existing café and children's playground area will be relocated. There is no change to the overall height of the existing building.

4.1.1 Existing and Proposed Floor Areas

The existing building has a retail floor area of 11,382m² and gross floor area of 12,468m². The floor area of the building will be increased by 2,444m² resulting in a gross floor area of 14,912m²; comprising a warehouse area of 8,498m², nursery area of 2,575m², a timber trade area of 3,207m² (total retail area – 14,280m²), and goods inward canopy and mezzanine offices area of 632m². **Table 1** provides a summary of the existing and proposed floor areas.

Table 1 – Floor Area Calculations

AREA ANALYSIS	Existing (m ²)	Proposed (m ²)	Change (m ²)
Main warehouse	8,296	8,417	121
Main entry	60	81	21
WAREHOUSE AREA	8,356	8,498	142
Outdoor nursery	947	925	-22
Outdoor bagged goods canopy (nursery)	231	1,650	1,419
TOTAL NURSERY AREA	1,178	2,575	1,398
Timber trade sales	2,298	2,016	-282
Building materials and landscape yard	0	1,191	1,191
TOTAL TIMBER TRADE AREA	2,298	3,207	909
TOTAL RETAIL AREA	11,382	14,280	2,448
Goods inwards canopy	186	182	-4
Mezzanine offices	450	450	0
TOTAL AREA	12,468	14,912	2,444

4.1.2 Nursery and Bagged Goods Area

The proposed 'outdoor nursery and bagged goods' area will be enclosed by a full height wall and partially roofed (the nursery section will be covered with a series of shade sails). A separate entrance is proposed from the car parking area on the south-eastern (or front) elevation.

4.1.3 Trade Timber, Building and Landscape Yard

The proposed 'trade timber, building and landscape yard' area will be fully enclosed with its own vehicular entrance/exit for customer vehicles to enter and exit which is separate to the main building warehouse operations.

4.1.4 Cafe

The proposed café is not a full service café. Products sold will be pre-prepared, for example, cakes, biscuits and pre-packaged sandwiches. Pies will be re-heated for sale and coffee and tea will be made with a coffee machine. There is no food cooking, no use of hot plates or frypans, and no production of grease or requirements for exhaust.

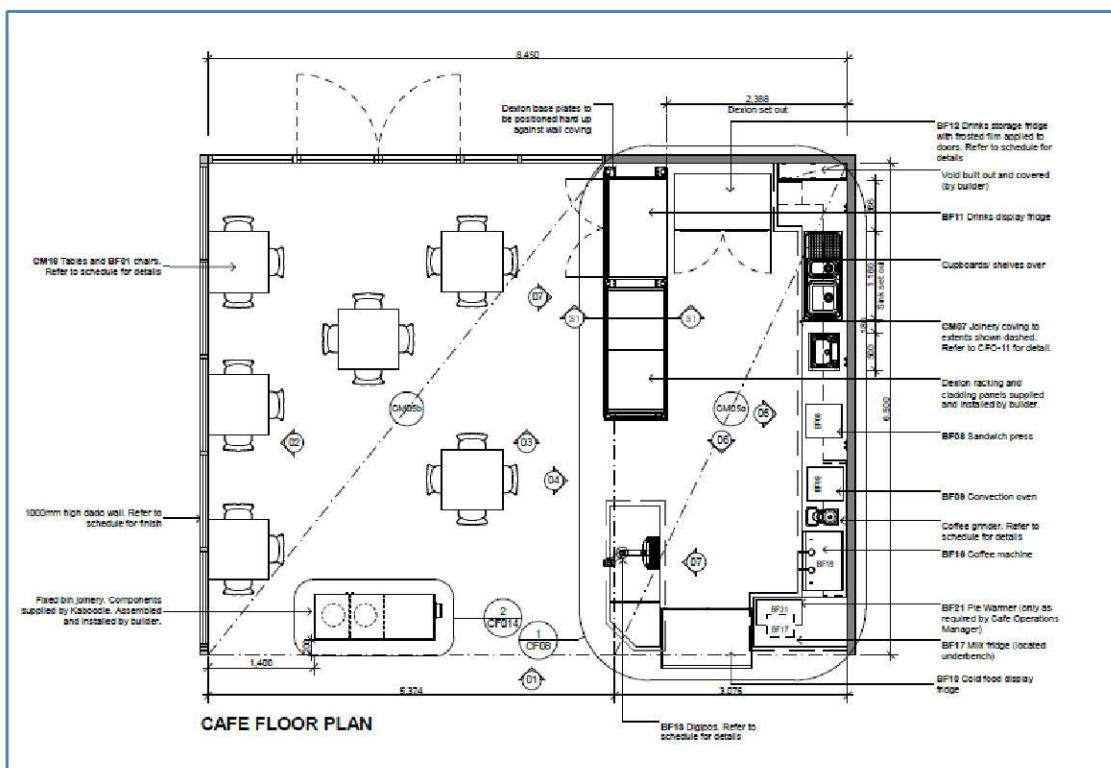


Plate 7 – Bunnings Café – Typical Layout Plan (Extract)

4.1.5 Car Parking Area

There is in excess of 1,500 car spaces within the common property of SP72448 and the adjoining 'Penrith Homemaker Centre' complex with one hundred and ninety five (195) vehicles including two (2) accessible parking spaces; and two (2) trailer bays adjacent to the Bunning Warehouse building.

The proposal will result in a minor increase in the overall provision of on-site parking as outlined in **Table 2** and illustrated in the development plans.

Table 2 – Car Parking Calculations Adjacent to Building

	Existing	Proposed	Change
Car Spaces	189	187	-2
Disabled bays, 1:50 min	4	6	2
Trailer bays	0	2	2
TOTAL SITE CARPARKS	193	195	2
Trolley bays	3	5	2

The Penrith DCP 2010 (Part C) does not provide a specific parking rate for *hardware and building supplies* therefore a Traffic Report has been prepared which provides an assessment of the adequacy of the car parking to be provided (refer **Section 6.4** and **Appendix 5**).

4.2 Goods and Deliveries

A loading dock is located in the northern corner of the building and the delivery route to the building (including articulated vehicles) will be retained via the existing western carpark leading into a reconfigured access roadway on the north-western perimeter boundary. Delivery vehicles are able to exit the site via the existing dedicated driveway on the northern boundary (refer **Plate 2**) as illustrated in the development plans and Traffic Report.

4.3 Building Design, Materials and Finishes

The building will retain the ‘Bunnings’ brand four colour palette, which consists of Bunnings green, white, red and stucco (yellow). The dominant colour is Bunnings green.

4.4 Signage

The proposed signage is consistent with that displayed on the elevations of the existing building: namely ‘Bunnings Warehouse’ wording, the Bunnings logo (large hammer), and the words ‘*lowest prices everyday...*’ as illustrated on the following page.



Details of the proposed signs are contained in the development plans. **Plates 9 – 10** provide a typical representation of the existing signs.



PLATE 9
Existing signs on south-eastern elevation. This feature wall is proposed to be demolished.



PLATE 10
Existing sign on western elevation.

4.5 Pedestrian Management

The car parking layout provides clear sight lines and a defined centrally located pedestrian pathway leading to the main entrance. Whilst there is no formal continuous pedestrian path for the full extent of the immediate car park area, the layout is identical to the remaining parking areas throughout the 'Homemaker Centre' complex. It is considered that the current layout and arrangement is satisfactory.

4.6 Flora and Fauna/Riparian Zone

A Flora and Fauna and Riparian zone assessment of the north-western area of the site (adjoining the undeveloped rural zoned lands) has been undertaken to determine the likely impacts of construction on species present on the site, and whether there is likely to be any significant effect on any endangered ecological community, endangered population, threatened species or their habitats. The report concludes that the proposal is satisfactory (refer **Section 6** and **Appendix 4**).

4.7 Landscaping and Trees

The proposal will require a reconfiguration of some landscaped areas around the perimeter of the building within the western car park (adjoining the M4 Motorway) and northern area of the site. A number of existing trees are proposed to be removed and the landscape plan has taken into account the findings of the Flora and Fauna Report. The landscaping has been reconfigured however it retains its functionality and provides adequate softening of the hard stand car parking area (refer **Appendix 9**).

4.8 Services/Easements

There is an existing Council stormwater drainage easement traversing the western and northern boundary of the site as illustrated on the survey plan.

No structures are proposed within the easement and the foundations of structures adjoining the easement have been designed clear of the zone of influence. Sewer, electricity and water connections exist to the site. The accompanying Engineering plans identify the scope of the proposed structural works relative to the easement (refer **Appendix 9**).

4.9 Flooding and Stormwater

It is proposed to connect the stormwater to the existing services however the Stormwater Report identifies that on-site detention is not required as the increase in impervious area is less than 10% of the existing area. A Flood Impact Report has also been prepared which indicates that the proposal will have a negligible impact upon the 1%AEP flood behaviour (refer **Sections 6.5 and 6.6 and Appendix 6 and 7**).

4.10 Hours of Operation

The proposed trading hours are:

- Mondays to Fridays – 6.00am – 10.00pm.
- Saturdays/Sundays and Public Holidays 6.00am – 7.00pm

4.11 Staff Numbers

No changes are proposed to the existing staff numbers.

4.12 Sustainability Commitments

Bunnings incorporates measures of sustainable design into construction and management for all of its buildings. Details are provided in **Section 6.1**.

4.13 Subdivision - Boundary Adjustment

It is proposed to undertake a boundary adjustment between Lot 1 and the Common Property of SP72448 to reflect the expanded building footprint of the proposed building within Lot 1. A copy of the Plan of Subdivision is provided in **Appendix 10**.

5 Planning Controls

This Section addresses the planning controls considered relevant in an assessment of the proposal. The following planning legislation and controls apply to the proposed development.

1. *Water Management Act 2000.*
2. State Environmental Planning Policy (SEPP) No 64—Advertising and Signage.
3. Sydney Regional Environmental Plan (SREP) No.20 - Hawkesbury Nepean River (No.2-1997).
4. Penrith Local Environmental Plan 2010.
5. Penrith Development Control Plan 2010;
6. Draft Penrith Development Control Plan 2014.
7. The Disability (Access to Premises – Buildings) Standards 2010.

5.1 Water Management Act 2000

The site is located to the south of a watercourse (unnamed tributary of School House Creek) which traverses the land parcel immediately to the north of the site (Lot 11 DP1046110). There are presently works and structures on site within 40metres of the watercourse and the proposal seeks to reconfigure these developed areas as illustrated in the development plans.

Any works within forty (40) metres of a watercourse means the proposal triggers referral to the New South Wales Department of Primary Industries (Office of Water) for assessment and concurrence as “integrated development” under Section 91A of the *Water Management Act 2000*.

5.2 State Environmental Planning Policy No 64—Advertising and Signage

State Environmental Planning Policy (SEPP) No 64—Advertising and Signage aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high quality design and finish. SEPP No. 64 applies to the application as all signage is visible from a public place.

The following definitions are considered relevant:

building identification sign means a sign that identifies or names a building, and that may include the name of a business or building, the street number of a building, the nature of the business and a logo or other symbol that identifies the business, but that does not include general advertising of products, goods or services.

advertising structure means a structure or vessel that is principally designed for, or that is used for, the display of an advertisement.

It is considered that the existing and proposed signs as illustrated in **Section 4.4**, namely:

‘Bunnings Warehouse’ (and the image of the hammer); and ‘Lowest Prices everyday....’ are ‘building identification signs’. Consequently Part 3 of the Policy does not apply.

These words and images are associated with Bunnings Warehouse brand and business.

In accordance with Clause 8, Part 2 of SEPP 64, the consent authority is required to consider, for signage generally, whether;

- the signage is consistent with the objectives of this Policy; and
- the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

The objectives of SEPP 64 include:

- (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.*

It is considered that the proposed building signage provides effective communication and is of a high quality design and finish in accordance with the objectives of SEPP 64.

The assessment criteria outlined in Schedule 1 has been reviewed in regards to the application for signage and specific comments have been provided below:

- 1. Character of the area:** The proposed signage is identical to what exists on the building and is not inconsistent with the business or commercial character of the area which contains a number of warehouse style buildings and large format retail buildings. The provision of the proposed signage allows identification of the business from a safe distance.
- 2. Special areas:** The lands to the west are typically non-urban however the remainder is commercial. The proposed signage is identical to that existing on the current building, including the north-western façade. All signs are within the façade elevation and will not result in any adverse visual impacts on rural, open space areas or residential areas.
- 3. Views and vistas:** The proposed signage on the north-western elevation adjoining the rural lands is less than what presently exists. The site is not located near any heritage items or places.
- 4. Streetscape, setting or landscape:** The built form is consistent with surrounding development within the complex and the signage will not result in any adverse impacts upon the streetscape or landscape setting.
- 5. Site and building:** The signage is compatible with the scale, proportion and other characteristics of the building given the warehouse nature of the building.
- 6. Associated devices and logos with advertisements and advertising structures:** No safety devices, platforms or the like have been designed as an integral part of any signage or structure.
- 7. Illumination:** No illumination is proposed.
- 8. Safety:** The signage is located on the building façade. It is considered unlikely that the proposed signage would pose any significant risk to pedestrians or motorists.

5.3 Sydney Regional Environmental Plan (SREP) No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No.20 aims to protect the environment of the Hawkesbury-Nepean River by ensuring that the impacts of future land uses are considered in a regional context.

Of relevance to the proposal is the requirement to assess the development in terms of its impacts upon the surrounding tributary creeks of the Hawkesbury River and local riparian system.

The site is located within the Middle Creek and Nepean River Catchment Area and is not located within an area identified as having Scenic Significance (local, regional or beyond the region) (SREP No. 20 Map sheet No.32) (refer **Plate 6** below).

The proposal has been addressed against Part 2 clause (5) General Planning Considerations; and clause (6) Specific planning policies and recommended strategies. The proposal involves alterations and additions to a warehouse style building and associated modifications to the hardstand areas of the site to provide parking and manoeuvring for vehicles. The proposal includes water management and importantly does not introduce any additional irreversible impacts such as the diversion of surface water or the discharge of treated sewage into creeks or rivers within the catchment.

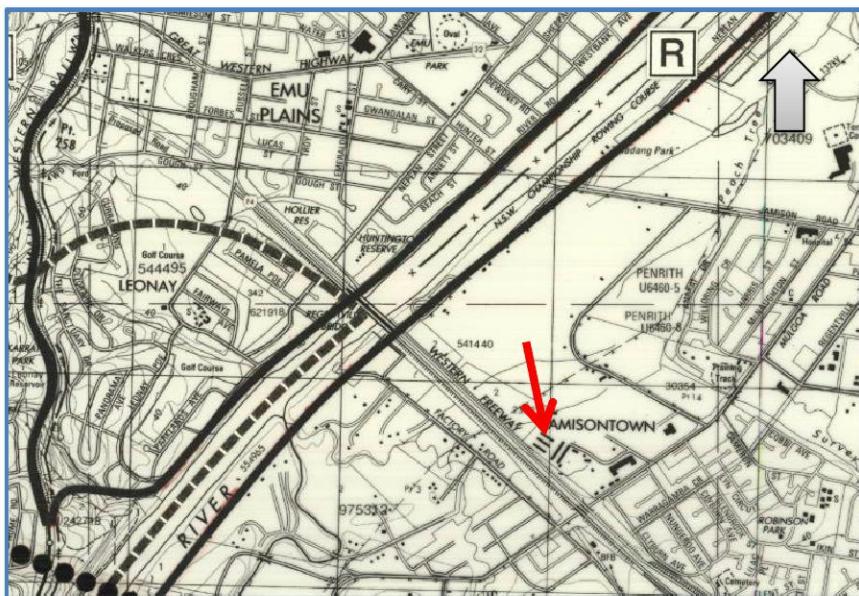


Plate 11 – Extract from SREP No. 20 Map

The Flora and Fauna Report and Stormwater design provide that with implementation of recommendations, the site is suitable for the proposed development. A Sediment and Erosion Control Plan provides control measures during construction. It is considered therefore that the application is consistent with the aims and intent of the Policy.

5.4 Penrith Local Environmental Plan 2010

The land is presently zoned¹ B5 Business Development under Penrith LEP 2010. It is our view that the following definition² is considered relevant:

hardware and building supplies means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

Note. Hardware and building supplies are a type of ***retail premises***—see the definition of that term in this Dictionary.

The land use table to Part 2 of LEP 2010 for the B5 Business Development zone provides that *hardware and building supplies* are permitted with consent.

5.4.1 Zone Objectives

Subclause 2.3(2) of LEP 2010 provides that '*the consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone*'.

The aims of the LEP 2010 and objectives of B5 Business Development zone are contained in **Appendix 1**. The proposal is considered to be consistent with the objectives of the zone as it:

- ✓ encourages employment opportunities; and
- ✓ provides a business which provides for warehouse and bulky goods premises in a location which supports the viability of Penrith.

In our opinion the proposal is consistent with these objectives and therefore satisfies this provision.

A review of the proposal against the relevant Parts 4 – 7 of LEP 2010 identifies the following relevant clauses.

¹ Planning Certificate No.15/01202, dated 05/03/2015.

² Dictionary LEP 2010.

Table 3 – Penrith LEP 2010 Provisions

Clause	Description	Comment
PART 4		
4.3 Height of buildings	Not to exceed the maximum height shown for the land on the Height of Buildings Map.	Satisfactory. The building is existing. Maximum Height (M1) 12metres - The new external alterations are below the existing building parapet height of 9.5m
4.4 Floor space ratio	Not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	Not Applicable Area not identified as having a nominated FSR
PART 5		
5.3 Development near zone boundaries		Satisfactory. No works outside the zone boundary are proposed.
5.9 Preservation of trees or vegetation	Objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.	Satisfactory. The proposal includes removal of vegetation within the car park areas and on the western boundary. A Flora and Fauna Assessment has been prepared (refer 6.3).
PART 6		
6.1 – 6.4	Urban Release areas	Not applicable.
PART 7		
7.1 Earthworks	To ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes.	Satisfactory. The proposal involves minimal earthworks.
7.2 Flood Planning	Minimise the flood risk associated with the use of the land.	The site is not shown on the LEP Flood Planning Map as impacted by flooding.

Clause	Description	Comment
7.3 Development on natural resources sensitive land	Not applicable.	Not applicable.
7.4 Sustainable development	Whole of building approach.	Satisfactory. Refer Section 6.1 .
7.5 Protection of scenic character and landscape values		Satisfactory. The site is identified as containing scenic and landscape values. The proposal does not seek to increase the height, bulk or massing of the building as viewed from the lands to the north and west.
7.6 Salinity	Consider impact on salinity processes.	Satisfactory. No extensive excavation proposed.
7.7 Servicing		Satisfactory. The proposal will connect to existing services.

5.5 Penrith Development Control Plan 2010

The subject property has recently (February 2015) been incorporated within Penrith LEP 2010 and therefore we have reviewed the applicable controls in Penrith DCP 2010.

Table 4 – Penrith DCP 2010 Provisions

Clause	Description	Comment
Part B - DCP Principles		
Principle 1 -	<i>Provide a long term vision for cities, based on sustainability; intergenerational, social, economic and political equity; and their individuality.</i>	The proposed development considers the aims of the DCP, namely it promotes development within business zoned land which is consistent with Council's vision for the City of Penrith, considers the proposal in terms of its context, with a strong commitment to environmental protection, and considers Penrith Council's Strategic Plan. The proposal has also been considered in terms of sustainable development.
Principle 2	<i>Achieve long term economic and social security.</i>	The proposal provides for economic benefits to the community including providing jobs and services for existing and future residents. The proposal takes consideration of what the community may need in terms of social security (the need for local jobs) and provides an opportunity for employment and education.
Principle 3	<i>Recognise the intrinsic value of biodiversity and natural ecosystems, and protect and restore them.</i>	The proposal recognises the value of the surrounding environment and provides a satisfactory analysis of the likely impacts on surrounding lands.

Clause	Description	Comment
Principle 4	<i>Enable communities to minimise their ecological footprint.</i>	The proposal does not impact on the sites' ability to provide responsible waste management, recycling and resource reuse, encourages water re-use, and incorporates water efficient and energy efficient fixtures.
Principle 5	<i>Build on the characteristics of ecosystems in the development and nurturing of healthy and sustainable cities.</i>	The proposal has taken into consideration the requirement for the development to consider all aspects of the natural environment in the design, including topography and the water cycle.
Principle 6	<i>Recognise and build on the distinctive characteristics of cities, including their human and cultural values, history and natural systems.</i>	The proposal has been considered in terms of its context, with consideration of existing characteristics, values and history.
Principle 7	<i>Empower people and foster participation.</i>	This proposal will be advertised as required by Council to enable community participation.
Principle 8	<i>Expand and enable cooperative networks to work towards a common, sustainable future.</i>	The proposal does not prevent the achievement of this Principle.
Principle 9	<i>Promote sustainable production and consumption, through appropriate use of environmentally sound technologies and effective demand management.</i>	The proposal includes a Waste Management Plan, considers sustainable sources, considers life-cycle costs and considers the use of required technology and flexibility for future uses.
Principle 10	<i>Enable continual improvement, based on accountability, transparency and good governance.</i>	The proposal does not prevent the achievement of this Principle.
Part C - City-Wide Controls		

Clause	Description	Comment
C1 – Site and Design Principles		
C1.1 Site Planning	<p><i>Ensure that the site's context has been analysed and considered to ensure that development is designed on a 'whole of building' approach; and</i></p> <p><i>b) Protect and enhance areas with high scenic and landscapes values that contribute to the character of the City of Penrith.</i></p>	<p>The proposal involves an addition to an existing building. It is consistent in design with existing built form and suitable for the use proposed. The addition is not of a larger bulk or scale to that existing and utilises a consistent colour scheme to minimise any impacts on existing development.</p>
C1.2. Design principles		<p>The proposal involves alterations to an existing building which is consistent with existing built form.</p>
C1.2.5 Principles of CPTED	<p>1. Surveillance</p>	<p>The proposal has been designed so that car parking areas and entry doors are under surveillance from surrounding buildings.</p> <p>Lighting is provided in accordance with Australian Standards, for both exterior and interior requirements.</p>
	<p>2. Access control</p>	<p>Physical barriers are provided to separate the hardware store from surrounding parking areas and provide secure entrance and exit.</p> <p>Symbolic barriers include well defined areas of access, clearly marked pathways, and the intention to provide clear directional signage.</p> <p>The landscaping has been carefully considered to include low level landscaping around buildings, encouraging clear access, and open type fencing where required.</p>

Clause	Description	Comment
	3. Territorial reinforcement	The building will be clearly identified, including individual building signage and site directional signage. Private and public spaces within the site will be clearly identifiable.
	4. Space management	Ongoing maintenance will be provided for the site and surrounding area.
C1.2.6 Maximising access and adaptability	<i>Building to conform to the principles of Universal Design.</i>	The building including the additions comply with BCA requirements including access considerations for universal design. Refer Access report.
C1.3 Fencing		No changes to fencing proposed.
C2 – Vegetation Management		
		The proposed changes to landscaping include additional landscaping within the parking area. A flora and Fauna Report has been prepared and new landscaping involves native species. Refer Landscape Plan.
C3 – Water Management		
		The works are located within 40metres of a watercourse (adjacent site to the north). An integrated approval – NSW Office of Water is proposed. The proposal adopts an integrated approach that takes into account all aspects of the water cycle in determining impacts and enhancing water resources. The stormwater from the site currently connects to existing services.
C4 – Land Management		

Clause	Description	Comment
		There is minimal cut and fill proposed.
C5 – Waste Management		
		A waste storage area is located in the north-western corner of the site. A Waste Management plan is included as part of this application.
C6 – Landscape Design		
		<p>Landscaping has been designed to improve the scenic quality of the proposal and complement the built form. The landscaping involves use of native species and a variety of trees, shrubs and ground covers. The landscaping provides for improved scenic quality and provides shade for the car parking area. Refer landscape plan.</p> <p>The site is not identified on the Penrith Bushfire Prone map (November 2014).</p>
C7 – Culture and Heritage		
		The site is not located within the vicinity of any heritage items.
C8 – Public Domain		
		The design has taken into consideration the public domain (that is the private area of the development visible from the street) with provision of additional landscaping and screening of waste storage areas from view.
C9 – Advertising and Signage		
		Signage is effectively an adaption of the existing and this has been addressed in Section 4.4 and 5.2 .

Clause	Description	Comment
C10 – Transport, Access and Parking		
		<p>The Penrith DCP 2010 (Part C) does not provide a specific parking rate for <i>hardware and building supplies</i>, therefore a Traffic Report has been prepared (refer Section 6.5 and Appendix 5).</p> <p>The site is accessed from Mulgoa Road, a key transport corridor. No new roads are proposed with vehicles accessing the site from existing roads (Wolseley Street and Pattys Place).</p>
C11 – Subdivision		
		Not applicable.
C12 – Noise and Vibration		
		<p>No new land uses are proposed. The development involves the alteration of an existing building for the purposes of hardware and building supplies. The use is not a sensitive land use that requires consideration of noise impacts. The site does not adjoin any residential areas.</p>
C13 – Infrastructure and Services		
		<p>Of relevance to the application is the need to ensure existing infrastructure and services, including easements, are taken into account in siting and designing any proposed development.</p>

Clause	Description	Comment
C13.1. Location of Easements for Infrastructure		An easement is located on the northern and western extremity of the site however the proposal does not encroach on this easement.
C13.2. Utilities and Service Provision		Connection to existing services is proposed.
C13.3. On Site Sewage Management		None proposed.
C13.4. Engineering Works and Construction Standards		All engineering works will be undertaken in accordance with Council requirements.
C13.5. Parent Friendly Amenities		Parenting rooms and parent friendly accessible toilets are provided.
Part D – Specific Controls		
	D3 Commercial and retail development only applies to B4 zoned land.	Not applicable.

5.6 Draft Penrith Development Control Plan 2014

Draft Penrith DCP 2014 contains a number of generic controls which have been migrated from DCP 2010 and these have been addressed in **Table 4** of our report. Based on our review there are no additional specific provisions in Draft DCP 2014 that relate to B5 Business zoned land or hardware and building supplies.

5.7 The Disability (Access to Premises – Buildings) Standards 2010.

The Disability (Access to Premises – Buildings) Standards 2010 aims to provide improvements in non-discriminatory access for people with a disability to publicly accessible buildings. The Premises Standards applies to all new buildings of the specified classes. An access Report has been prepared demonstrating that the proposal is satisfactory (refer **Section 6.2** and **Appendix 3**).

6 Matters for Discussion

This section addresses those matters considered relevant to the proposal.

6.1 Sustainability Commitments

Bunnings incorporates measures of sustainable design into construction and management for all of its buildings. Specific examples of Bunnings sustainability commitment include:

6.1.1 Waste Minimisation

- ✓ Since April 2008 Bunnings voluntarily stopped supplying plastic bags to customers;
- ✓ Balers have been installed in all Bunnings' stores to compact its main waste streams of cardboard and plastic, minimising land fill requirements;
- ✓ Bunnings' construction methodology minimises waste in construction, including standard specification of structural elements many of which can be prepared off-site, efficient structural design, and the characteristic "warehouse" format including minimal use of aesthetic cladding and internal lining;
- ✓ Australian stores have increased waste diversion rates by more than 25 per cent in the last two years. Waste diversion has increased from 6,862 tonnes to 9,150 tonnes and we are now diverting 60 per cent of our waste. Bunnings' target is to achieve 85 per cent waste diversion by FY11 and 95 per cent by FY12; and
- ✓ Stores' waste recycling rates are reported on a monthly basis.

6.1.2 Water Efficiency

- ✓ Bunnings' approach to water conservation is to lead by example in what we sell, what we do, and the information we provide to customers. We are continuing to save water through our rain water tanks and hand watering in our nurseries. We are also working with local water authorities to provide education and showerhead exchange programs for customers;
- ✓ Installation of dual flush (6/3 litre) cisterns in WC's;
- ✓ Triple AAA rated water limiters at potable water outlets;

- ✓ Since 2007 all new stores (except Far North Queensland) incorporate rainwater harvesting for reuse in nursery watering, toilet and non-potable uses; and
- ✓ Nursery effluent capture, treatment, and reuse in landscape areas on-site.

6.1.3 Energy Efficiency & Minimising Embodied Energy Waste

- ✓ Use of energy efficient tri level lighting which automatically dim in response to ambient light;
- ✓ LED lighting in car park and nursery areas;
- ✓ Solar hot water heating system;
- ✓ Use of translucent roof sheeting to allow natural lighting within the warehouse;
- ✓ Trial at Belconnen (ACT) of the use of solar panels on the warehouse roof;
- ✓ Use of efficient radiant gas heaters for localised heating options within stores in temperate and cooler localities;
- ✓ Store construction comprising high thermal mass components such as on-ground concrete slab flooring, and concrete wall panels;
- ✓ Use of insulated roofing to limit heat gain and heat loss to the environment.
- ✓ High floor to roof heights which allow temperature differentials between underside of roof and human occupied space (i.e. floor level to 2m height);
- ✓ Since July 2010, 177 stores fortnightly have been receiving store electricity base load reports. Electricity base load reports compare the electricity usage of the same two week period against last year and identifies when electricity is still being used somewhere throughout the store while it is closed. Complex Managers and Green Teams review this report on a fortnightly basis to identify energy saving opportunities; and
- ✓ Use of passive ventilation in new warehouses for customer comfort as opposed to reliance on air conditioning. The exception to this is in new Queensland Warehouses where tempered air systems (rather than full air conditioning systems) have been installed.

6.1.4 Education and Commitment to Sustainability

- ✓ Bunnings is committed to becoming carbon neutral by 2015 and is currently inviting submissions and offering grants to develop Bunnings Carbon Offsetting projects;
- ✓ Bunnings partners with many local authorities to promote or raise public profiles of water conservation programmes and technologies; including the Waterwise programme run by the Queensland Water Commission; Bunnings' is a Waterwise Partner of the WA Water Corporation; working with Sustainability Victoria to produce "Resource Smart' brochures;
- ✓ Bunnings regularly run in-store seminars on various sustainability measures, including waterwise gardening;
- ✓ Bunnings runs a "School Sustainability programme" involves visits and activities with local primary schools. Stores are expected to complete and report on at least three visits per year;
- ✓ Bunnings has participated in Schools Tree Day for the past 5 years;
- ✓ Bunnings participates in National Water Week; and
- ✓ Since 2003 Bunnings have successfully pursued a policy to source timber products from verifiable sustainable sources, with up to 99% of our whole timber products now sourced from lower risk plantations or other verified legal or certified forest operations. Bunnings and NSW TAFE have worked together in the development of the online Sustainable Solutions "Sustainable Living" course. This course provides a broad overview of sustainability and Team Members are encouraged to complete this course and the Bunnings sustainability courses.

6.2 Accessibility

An Access Report has been prepared by Ergon Consulting³to undertake an assessment in regards to how the proposal addressed access for people with disabilities.

³ Dated 16 April 2015 – Revision B

Specifically the Report identifies the extent to which the design documentation complies with the:

- *Building Code of Australia (BCA) 2014, Part D3 (Access for people with a disability), Clause E3.6 (Lift Installations) and Clause F2.4 (Accessible Sanitary Facilities);*
- *Disability (Access to Premises – Building) Standards 2010;*
- *AS1428.1-2009 Design for access and mobility Part 1 – General requirements for access - New building work);*
- *AS1428.2-1992 Design for access and mobility Part 2 – Enhanced and additional requirements - Buildings and facilities;*
- *AS2890.6-2009 Parking Facilities Part 6 – Off-street parking for people with disabilities;*
- *General best practice access requirements.*

It is noted that the report does not cover detailed issues pertaining to construction documentation such as internal finishes, evaluation of slip resistant floor materials, door schedule, tactile ground surface indicators, lighting levels, signage and the like, which will be confirmed at construction certificate stage⁴.

The report concludes that the development is satisfactory as follows:

Ergon Consulting has completed a review of the provided design documentation with reference to the minimum requirements of Part D3, Clause E3.6 and Clause F2.4 of the Building Code of Australia 2014, Disability (Access to Premises – Building) Standards 2010 and relevant Australian Standards as applicable to this project (i.e. AS1428.1-2009 and AS2890.6-2009).

This statement confirms accessibility can be appropriately achieved within this development with the provided recommendations. This report confirms the client's commitment to providing an equitable and accessible environment for all.

As such, we believe the development approval may be issued without any concern that the development cannot achieve a reasonable level of access and meet statutory requirements, subject to further assessment of the construction design documentation at CC design stage.⁵

It is considered that submitted documentation demonstrates that the site is suitable for the proposed development.

⁴ Ibid, Section 1a, Page 4

⁵ Ibid, Section 6, page26.

6.3 Flora and Fauna Report

A flora and fauna survey has been carried out by Able Ecology⁶ to assess the likely impacts of construction on species present on the site, and whether there is likely to be any significant effect on any endangered ecological community, endangered population, threatened species or their habitats, as per the listings in the *Threatened Species Conservation Act 1995* (TSC Act 1995) (state legislation), the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act 1999) (Commonwealth legislation) and other applicable local or regional policies.

Site observations note that the 'site has been used as a retail shopping complex for a number of years. The land to the west is cleared grazing paddocks from which most original vegetation has been removed.

The site has been excavated and filled to provide a building platform, with a retaining wall on the northern boundary and a fill batter to the western boundary. The southern side of the site has been excavated and landscaped.

The site has been excavated and filled so no original soil profile remains on site. A landscaped garden has been planted and invaded by weeds. The planted trees are a mix of mostly Forest Red Gum and Swamp Oak, with a dense weed understorey of the noxious weeds Green Cestrum, Lantana and Bathurst Burr. A range of other environmental weeds are present, dominated by barnyard grass, stinking roger and cobblers pegs⁷.

The report also considered the impacts of the proposal upon the adjoining un-named watercourse to the north-west and provides the following comments:

The watercourse is mapped in Penrith City Council Development Control Plan 2010 (Figure 6 C3.2 Stream Classification, page 19) as a Category 3 stream (Figure 7), requiring a ten (10) metre wide core riparian zone (measured from top of bank). No vegetated buffer is required for this watercourse (Table C3.3, page 18). Since the site and the proposed works are all greater than ten metres from the watercourse, no further consideration need be made.

⁶ 14 April 2015, Reference 1380-REP-32-ISS-2

⁷ Ibid, page 16.

Runoff from the site will be discharged towards the watercourse. Since there is potential for gross pollutants, nutrients, suspended sediment and oils to run off car park and driveway surfaces (Austroads 2001) a treatment device is recommended. All stormwater discharge is to be treated by a hydrodynamic separator or gross pollutant trap before discharge from the site.⁸

The report concludes that 'there is no impediment to this proposal in the scope of this report. There is not likely to be a significant effect on any endangered ecological community, threatened species or their habitats. A Species Impact Statement is not recommended'⁹.

It is considered that submitted documentation demonstrates that the site is suitable for the proposed development.

6.4 Traffic Report

An Assessment of Traffic and Parking Implications has been prepared by Transport and Traffic Planning Associates¹⁰. The purpose of the report is to:

- *describe the site, the existing use/context and the development proposal*
- *describe the road network serving the site and traffic conditions on that network*
- *assess the adequacy of the proposed parking provision*
- *assess the traffic potential implications of the development*
- *assess the proposed access, internal circulation and servicing arrangements¹¹*

In respect of on-site parking the report notes that '*there is a total of more than 1,500 parking spaces provided in the various elements of this bulky goods precinct including some 193 spaces adjacent to the existing Bunnings and some 480 spaces adjoining to the south-east. Recent surveys have established the following peak parking utilisation in these areas:*

	<i>Thursday</i>	<i>Saturday</i>
<i>190 Spaces</i>	<i>110</i>	<i>142</i>
<i>480 Spaces</i>	<i>334</i>	<i>377</i>

⁸ Ibid, Section 9, page 26.

⁹ Ibid, page 16.

¹⁰ April 2015 Reference 14201 (Rev C).

¹¹ Ibid, Section 1, page1.

It is proposed to provide 195 parking spaces with the proposed changes and the total provision will include 6 disabled driver bays and 2 trailer bays. It is apparent that the proposed parking provision will be quite suitable and appropriate particularly given the flexibility available with the other parking spaces available with the BG's complex.¹²

The report provides the following commentary¹³ in respect of access, internal circulation and service vehicles.

Access

The vehicle access provisions for the revised Bunnings will comprise:

- *the existing shared ingress and egress driveways on Gibbes Street for carpark access*
- *the existing shared ingress and egress driveways on Patty Place for carpark and service vehicle access*

The access provisions comply with the requirements of AS 2890.1 and 2 and will accommodate all vehicles requiring to access the site.

Internal Circulation

The carpark areas are designed to accord to the design requirements of AS 2890.1 and 6 with generous parking bay and aisle provisions and a flexible two-way circulation arrangement will be available throughout the carpark and a ONE-WAY system through the Timber Trade element.

Servicing

The Bunnings delivery and service vehicles will ingress and egress on Pattys Place. The Bunnings delivery vehicles will be semi-trailers (AV) and HRV's with some MRV's and vans. Details of the turning path implications of the movements of the AV vehicles are provided in Appendix G indicating a satisfactory provision for access and circulation.

The report concludes¹⁴ 'that the design of the development in terms of vehicle access, circulation, parking and servicing will be appropriate and that there will not be any adverse traffic impacts on the road system serving the site'.

It is considered that submitted documentation demonstrates that the site is suitable for the proposed development.

¹² Ibid, Section 5, page 9.

¹³ Ibid, Section 6, page 10.

¹⁴ Ibid, Section 7, page 11.

6.5 Flood Impact Assessment

An assessment of potential flood impacts as they relate to the requirements of Clause 6.3 of Penrith Local Environmental Plan 2010, and Section C3 Water Management - 3.5. Flood Liable Lands of Penrith Development Control Plan 2010, has been undertaken by Cardno¹⁵.

The assessment has commented on the following matters:

Floor Level

The floor level of the existing warehouse is 30.02m AHD and the proposed floor level of the building extension is also at 30.02m AHD. Thus all floor levels are above the required minimum of RL 27.8m AHD (1% AEP flood level plus 0.5m freeboard).

Overland Flow Flooding

The proposed works are not located within the 1% AEP overland flood extent estimated in the 2006 Study (refer to Figure 2).

Filling of Land Below the FPL

Figure 4 shows the extent of the 1% AEP flood (27.3m AHD, blue line) at the existing site. Figure 5 shows the extent of the proposed road and associated filling (orange line) which is not within the 1% AEP flood extent (blue line). Figure 6 is an extract of the proposed works drawing showing the 1% AEP flood level (red line) and the FPL (1% AEP + 0.5m, magenta line).

The extent of fill is shown on Figure 6 as the retaining wall (yellow line) is located outside the 1% AEP flood extent. A relatively minor extent of fill within the FPL extent is noted.

The proposed development is therefore expected to have negligible impact on the 1% AEP flood behaviour in the vicinity of the site.¹⁶

It is considered that submitted documentation demonstrates that the site is suitable for the proposed development.

¹⁵ Dated 13 April 2011, Ref NA49913151-020.

¹⁶ Ibid, page 2.

6.6 Stormwater

A Stormwater Report and Civil Engineering Plans have been prepared by C&M Consulting Engineers¹⁷. The report provides an assessment of the requirements for stormwater management for the proposed development and proposes a strategy for the best practice of stormwater management for the proposal involving Water Sensitive Urban Design (WSUD). Bunnings adopt a WSUD strategy in their developments to reduce the loadings placed on water and wastewater and the company has its own policy in place to reduce potable water usage by a minimum of 90% for use in toilet flushing and irrigation of garden nurseries. In this regard the development proposes a total rainwater tank storage volume of 100kL; split into two separate underground tanks draining the new roof areas.

The report has also identified that On-Site Detention (OSD) has not been provided as part of the proposal for the following reasons:

- *The proposed new roof areas will cover existing impervious areas.*
- *The increase in impervious area due to the new roadway is less than 10% of the existing impervious area and as such does not require OSD (Section 3.2.2 of the Stormwater Drainage for Building Developments Policy).*
- *Landscaping is being provided where possible to limit increases in impervious areas.*
- *The proposed rainwater tanks will provide a level of stormwater detention.*¹⁸

It is considered that submitted documentation demonstrates that the site is suitable for the proposed development.

¹⁷ Dated 2 April 2015, Ref PN-01361 - L001.1.

¹⁸ Ibid.

7 Statutory Assessment

This section provides an assessment of the proposal against the relevant matters for consideration pursuant to Section 79C(1) of the Environmental Planning and Assessment Act 1979.

7.1 The Provisions of any Environmental Planning Instrument

Section 79C(1)(a)(i) – The provisions of any environmental planning instrument

The proposal is permissible with the consent of Council. It is consistent with the relevant provisions of the EP&A Act and EP&A Regulation, SEPP No. 64, SREP No. 20, and Penrith LEP 2010 as outlined in **Section 5** of this Report. It is considered that the application is satisfactory in this regard.

7.2 The Provisions of any Draft Environmental Planning Instrument

Section 79C(1)(a)(ii) – The provisions of any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved)

There is no draft Plan applicable.

7.3 The Provisions of any Development Control Plan

Section 79C(1)(a)(iii) – The provisions of any development control plan

In our opinion, the report demonstrates that the proposal complies with relevant provisions of DCP 2010 as outlined in **Section 5**. No variations are proposed to Council's DCP and therefore the application is satisfactory.

7.4 Planning Agreement or Draft Planning Agreement

Section 79C(1)(a)(iiia) – any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

There is no planning agreement applicable.

7.5 Matters Prescribed by the Regulations

Section 79C(1)(a)(iv) – The provision of any matters prescribed by the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Pursuant to clause 92 of the *Environmental Planning and Assessment Regulation 2000* all demolition work will be carried out in accordance with the provisions of AS2601-2001 - The Demolition of Structures.

The NSW Coastal Policy 1997 does not apply to the land (Clause 92 EP&A Regulation).

The proposal involves the enlargement of an existing building and will be constructed to comply with regulated fire safety measures (Clauses 93,94 & 94A EP&A Regulation).

Having regard to these matters it is considered that the application is satisfactory.

7.6 Any Coastal Zone Management Plan

Section 79C(1)(a)(v) – The provision of any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

There are no coastal management plans that apply to the land.

7.7 The Likely Impacts of the Development

Section 79C(1)(b) – The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

7.7.1 Natural Environmental Impact

The site is presently used as a hardware and building supplies and the site has been developed including parking and landscaped areas. The proposal is a land use application that has considered impacts on existing vegetation. It is our view that there will be no adverse natural environmental impacts in respect of:

- ✓ Water – little likelihood of pollution through run-off, turbidity or contamination. The proposal involves stormwater measures and a number of specialist reports have been compiled which consider potential impacts of the proposal minimal.
- ✓ Soils – little effect on soil quality, including for example, erosion, instability, salinity, acidity, or contamination.
- ✓ Air Quality – little likelihood of pollution through the emission of dust, odours, and other airborne pollutants.

- ✓ Flora and Fauna – no effect upon the maintenance of biodiversity or impact upon critical habitats, threatened species, populations, ecological communities or their habitats.

7.7.2 Built Environmental Impact

As discussed in this Report, the proposal will result in the expansion of an existing hardware and building supplies business (Bunnings Warehouse). The building complies with required built form controls.

The preceding assessment concludes that there are no long term amenity impacts. The impact of the proposal has been assessed against the relevant objectives of Penrith LEP 2010 and it demonstrates that the proposal is satisfactory with the impacts being negligible.

In our opinion it is unlikely to have an adverse impact upon the existing and future character of the locality in respect of:

- ✓ Context and Setting – the proposed development has regard to existing topography and existing development.
- ✓ Overshadowing – no overshadowing due to height, or bulk and scale.
- ✓ Visual – external appearance that is consistent with the business and retail nature of the area.
- ✓ Noise and Vibration – the proposal will not generate offensive noise or vibration.
- ✓ Heritage – the site is not within the vicinity of any heritage item.
- ✓ Waste - little likelihood of pollution through waste generation, storage and disposal of wastes and litter.
- ✓ Energy Efficiency – the building will provide where appropriate, energy saving measures.

7.7.3 Social and Economic Impact

The expansion of an existing building provides improved facilities for use by surrounding residents. The proposal provides positive economic benefits to the local community through continued provision of employment.

In our opinion the approval of this application will contribute to the economic development of the locality and have a positive social impact (through improved services). Our review does not identify any adverse risk assessment, namely:

- ✓ Public Safety and Security – The proposal provides safety and security measures including provision of secure fencing within an existing business area.
- ✓ Social Impacts – The proposal provides for improved employment opportunities.

It is our view that it should therefore be supported.

7.8 The Suitability of the Site

Section 79C(1)(c) – The suitability of the site for the development

The site is located within an area that is zoned for a range of uses within the Penrith local government area and is suitably located to accommodate the proposed use. In our opinion, the site is suitable for the development.

7.9 Submissions Received

Section 79C(1)(d) – Any submissions made in accordance with this Act or the regulations

The proposal will be subject to notification by Council in accordance with Councils adopted policy. Any submissions received will be duly considered by Council prior to determination of the proposal.

7.10 The Public Interest

Section 79C(1)(e) – The public interest

The land is zoned for a mix of purposes within a business area that contains a range of uses related to business and retail activity. It is in close proximity to the Penrith CBD and is located on a main transport corridor.

The supporting documents submitted with the application indicate that the site is capable of accommodating the development in the manner proposed and meets the needs of the broad community by offering a better use of existing land, in proximity to existing infrastructure.

8 Conclusion

The client seeks approval to undertake alterations and additions and expand the existing Bunnings Warehouse on Lot 1 and Common Property SP72448, Nos.301 – 335 Mulgoa Road, Jamisontown. The works reflect a contemporary overhaul of the current design and layout of the building.

The proposal requires a boundary adjustment between Lot 1 and the Common Property of SP72448 to reflect the expanded building footprint of the proposed building.

The retail floor area of the building will be increased from 11,832m² to 14,280m² (2,448m²), with an overall floor area of 14,912m². The works include extensions to the north-western and south-eastern elevations of the building to provide upgraded Building Materials and Timber trade area and Nursery/Bagged goods areas, building façade upgrades, and reconfiguration of the car parking area and landscaping within the Common Property immediately surrounding the building.

A number of specialist reports have been prepared addressing Traffic; Flora and Fauna, Accessibility, Flood Impacts, Drainage and Stormwater. These reports all provide satisfactory conclusions.

The proposal as submitted has been developed and designed having regard to the findings of these investigations resulting in a proposed design that is both suitable for the site and compliant with all recommendations.

The site is zoned B5 Business Development under Penrith Local Environmental Plan 2010. The proposal is also “integrated development” pursuant to Section 91 of the *Environmental Planning and Assessment Act 1979* with approval of New South Wales Department of Primary Industries - Office of Water required.

The proposal has been assessed having regard to the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*; associated Regulations and relevant documentation.

After assessment of the proposal, it is our opinion that it has merit and should be approved by Council.



9 References

PLANNING AND STATUTORY DOCUMENTS

- Environmental Planning and Assessment Act, 1979.
- Environmental Planning and Assessment Regulation 2000.
- Water Management Act 2000.
- Sydney Regional Environmental Plan (SREP) No.20 - Hawkesbury Nepean River.
- Penrith Environmental Plan (LEP) 2010.
- Penrith Development Control Plan (DCP) 2010.
- The Disability (Access to Premises – Buildings) Standards 2010.

REPORTS AND DOCUMENTS

- Planning Certificate No. 15/01202 dated 05/03/15.
- Architectural Plans (Project No. 13054 - Sheets TP01 – TP06) dated February 2015, prepared by Michael Carr Architect.
- Survey Plan (Plan No. SY073560.000 – 6 sheets) dated 22 January 2015, prepared by Land Partners.
- Civil Engineering Works (DWG No. 01361 and 01155 – 6 sheets) dated 11 March 2015, and associated advice dated 2 April 2015, prepared by C&M Consulting Engineers.
- Landscape Plan (Dwg. 2208 Sheets LP-01 and LP-02) dated 10/04/2015, prepared by John Locke & Associates.
- Accessibility Report, dated 16 April 2015 (Revision B), prepared by Ergon Consulting.
- Flora and fauna Assessment Report and Riparian Assessment Report (Document No: 1380-REP-32-ISS-2), dated 14 April 2015, prepared by Abel Ecology.
- Traffic Report (Ref 14201, Rev C), dated April 2015, prepared by Transport and Traffic Planning Associates.
- Flood Impact Assessment Report (Ref NA49913151-020) dated 13 April 2015, prepared by Cardno.