



## **Statement of Environmental Effects**

### **Proposed Warehouse & Office Facility**

54 Tyrone Place, Erskine Park  
(Lot 22 DP 1178567)

**Prepared by Willowtree Planning Pty Ltd on  
behalf of TAP II Erskine Park Pty Ltd**

**April 2016**

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## STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Warehouse and Office Facility  
54 Tyrone Place, Erskine Park

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### EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared to support a development application on behalf of TAP II Erskine Park Pty Ltd and relates to the proposed warehouse and office facility at the site located at 54 Tyrone Place, Erskine Park. The site is legally described as Lot 22 in DP 1178567.

The proposal provides additional warehousing facilities within the Erskine Park industrial precinct which will catalyse employment-generation in the industrial sector and provide local and regional benefits.

The proposal will provide a warehouse facility to be used by Loscam Pty Ltd, who specialise in pallet pooling systems, providing warehouse storage and manufacturing and repairing pallets.

The proposed warehouse development provides optimum utilisation of the site, responding to the needs of Loscam Pty Ltd. The proposal will effectively accommodate the operation and needs of the business.

This SEE provides an assessment of the proposed development against the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* (as amended).

Based on the assessment undertaken, it is recommended that Council's favourable consideration to the approval of the Development Application be given.

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### PART A PRELIMINARY

#### 1.1 INTRODUCTION

This Statement of Environmental Effects has been prepared to support a development application on behalf of Fife Capital Pty Ltd and relates to the proposed Warehouse and Office Facility at 54 Tyrone Place, Erskine Place. The site is legally described as Lot 22 in Deposited Plan 1178567.

The Development Application seeks approval for the construction of a *warehouse or distribution centre* and ancillary *office premises*. The proposed works subject to this application respond to the primary use of the site, consisting of storage and distribution by Loscam Pty Ltd, who specialise in pallet pooling systems, providing warehouse storage space and manufacturing and repairing pallets.

Significant features of the proposed development include:

- Construction of Warehouse Facility (4,400m<sup>2</sup>)
- Construction of Wash Bay (1,000m<sup>2</sup>)
- Ancillary Office (600m<sup>2</sup>)
- Hardstand Area (22,090m<sup>2</sup>)
- Carparking (70 spaces)
- Landscaping
- Signage

The proposal will provide for an extended warehouse for distributions/manufacturing within the Erskine Park industrial precinct which will catalyse employment-generation in the industrial sector and provide local and regional economic benefits.

The site is zoned IN1 General Industry under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The proposal is permissible with development consent in the IN1 General Industrial Zone and will be contextually appropriate.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulations 2000* (as amended). The document is arranged as follows:

The structure of the SEE is as follows:

- **Part A** Preliminary
- **Part B** Development History
- **Part C** Site Analysis
- **Part D** Proposed Development
- **Part E** Legislative and Policy Framework
- **Part F** Likely Impacts of the Development
- **Part G** Conclusion

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### **PART B DEVELOPMENT AND PLANNING HISTORY**

The subject site has previously been used for agricultural purposes and subsequently cleared and subdivided for industrial development and employment purposes.

In August 2009, the NSW Government announced the rezoning of 800 hectares of land within the employment area, with a capacity for up to 16,500 jobs. The rezoning also protects significant environmental conservation land.

The New South Wales Government established the Western Sydney Employment Area to provide businesses in the region with land for industry and employment, including transport and logistics, warehousing and office space.

Subdivision approval DA11/1296 was granted on September 2012 and expired in September 2014 which was for a two (2) lot subdivision.

A revised development application (DA15/907) for the same purposes was lodged on 12 August 2015 for the subdivision of the subject site into three (3) lots including public road construction and upgrade to adjoining drainage channel.

Works proposed subject to this development application applies only to proposed Lot 201 under DA15/907.

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### PART C SITE ANALYSIS

#### 3.1 SITE LOCATION & EXISTING CHARACTERISTICS

The subject site is identified as 54 Tyrone Place, Erskine Park, being legally described as Lot 22 in Deposited Plan 1178567. The entire site envelops an area of approximately 6.66ha and is located at the end of Tyrone Place with access from the existing cul-de-sac.

A development application (DA15/907) was lodged on 12 August 2015 for the subdivision of the subject site into three (3) lots including public road construction and upgrade to adjoining drainage channel.

This development application applies only to proposed Lot 201 under DA15/907 which envelops an area of approximately 4.164ha. This Plan of Subdivision is illustrated in **Figure 2** below.

Proposed Lot 201 will include a residue parcel (Site 2) being 8,000m<sup>2</sup> (which is not proposed to be subdivided). This development application relates only to land identified as Site 1 being 31,970m<sup>2</sup> as identified in **Figure 1** below outlined in yellow.

The site immediately adjoins Environmental Conservation (E2 Zone) land to the north, south and west.

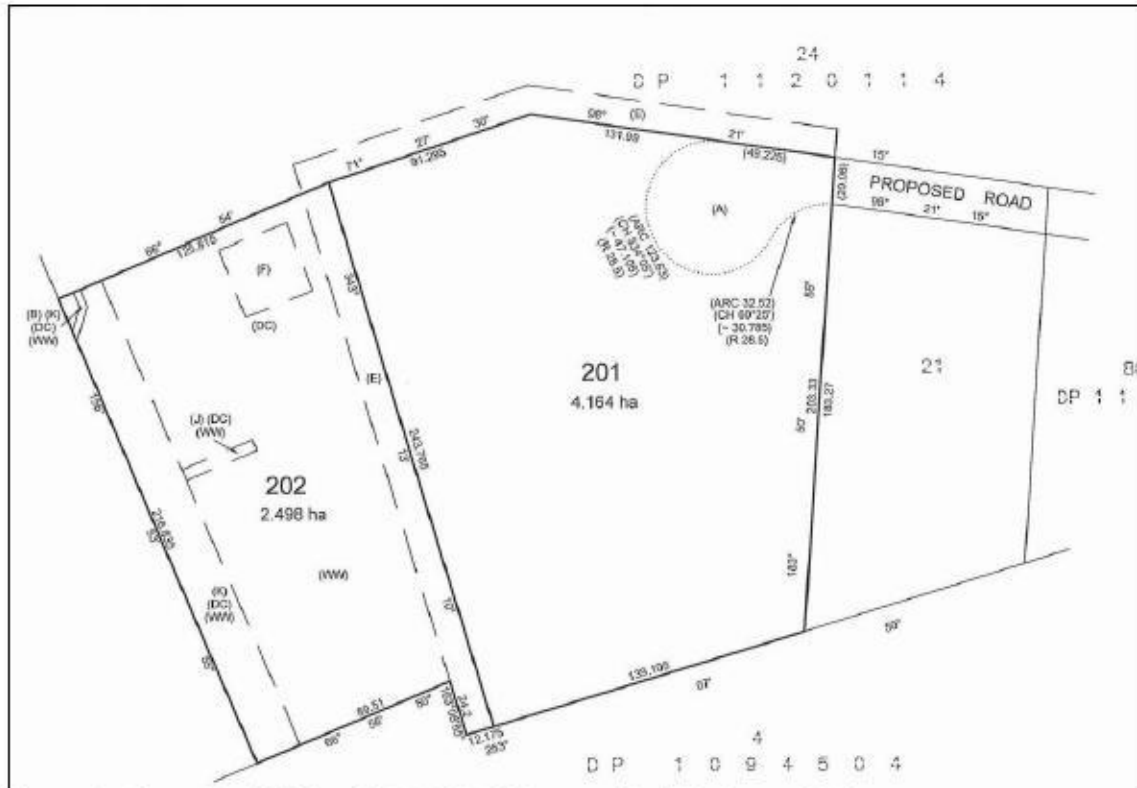
The subject site is also surrounded by similar industrial and warehouse development. The site is located at the western end of the industrial precinct, located in the midst of predominantly warehouse infrastructure surrounded by vacant cleared land. The site is approximately 400m from the residential precinct located north of the site. Between the site and the residential land is a significant intersection of Erskine Park Road and Lenore Drive as well as other substantial industrial facilities.

The subject site is serviced by major transport infrastructure to the north, being 2.5km south of the M4 Motorway, 4.5km west of the M7 Motorway and is within close proximity to the Great Western Highway and Elizabeth Drive. The site is approximately 18km to the Penrith CBD and 50km to Sydney Airport.



Figure 1: Aerial Map of Subject Site (SIX Maps, 2016)

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**Figure 2: Plan of Subdivision (DA15/907)** (Source: Chadwick Cheng, 2012)

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### PART D PROPOSED DEVELOPMENT

#### 4.1 AIMS AND OBJECTIVES OF THE PROPOSAL

This Development Application seeks consent for the construction and use of a *warehouse or distribution centre* and ancillary *office premise*. The aim of this facility is to further develop the land for employment generating purposes.

The following objectives have been identified as forming the basis of the proposed development of the subject land to accommodate future warehouse development.

- Design the Site to achieve viable economic return;
- Ensure minimal environmental and amenity impact;
- Provide for employment generating land uses; and
- Ensure development is compatible with surrounding development and the local context.

The site and proposed design are considered to meet the objectives of the project as it allows for the intensification of development on land that has previously been used for industrial purposes.

#### 4.2 DESCRIPTION OF THE PROPOSAL

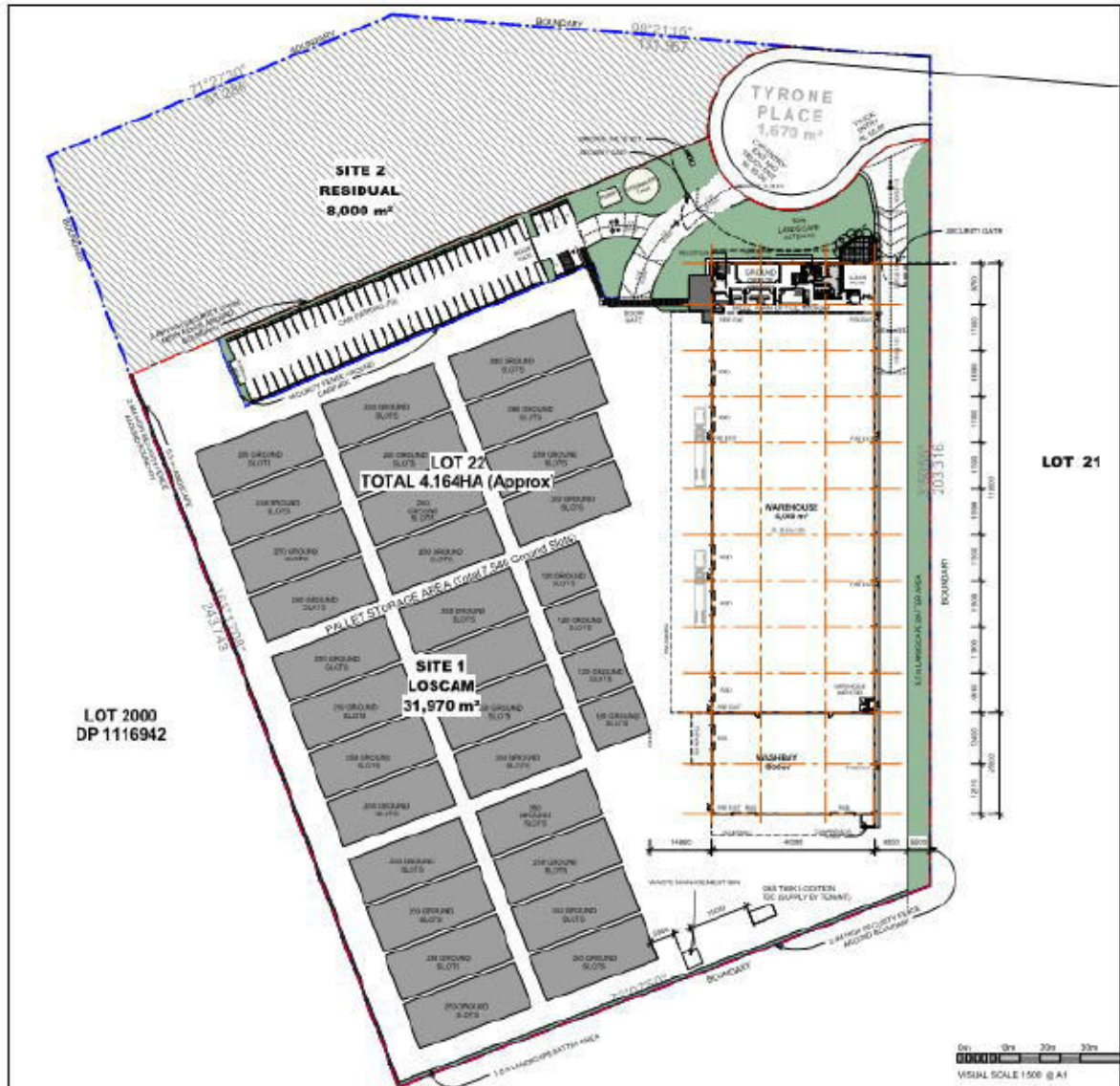
The proposal is illustrated in the Architectural Plans (**Appendix 2**) and the Site Plan is provided in **Figure 3** below. The proposed development particulars relating to the development are as follows:

- Warehouse Facility (4,000m<sup>2</sup>);
- Warehouse Office (Ground Level) (400m<sup>2</sup>);
- Main Office (Mezzanine Level) (600m<sup>2</sup>);
- Washbay (1,000m<sup>2</sup>);
- Hardstand Area (22,090m<sup>2</sup>);
- Carparking (70 spaces);
- Total Pallet Ground Slots (7,540);
- Landscaping; and
- Signage (6.7m x 2.9m) (**Figure 3**).

The use and operation of the site is proposed to contain the following:

- Land use operations: The site is proposed to be used for pallet pooling systems, manufacturing and repair of pallets, cleaning of plastic pallets and warehouse space or storage purposes.
- Staff Numbers: 15 Office Staff; up to 35 Warehouse Staff.
- Hours of Operation: 24 hours, 7 days a week.
- Truck Types: All truck types up to and including B-Doubles.

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**Figure 3: Proposed Site Plan** (Reid Campbell, 2016)



**Figure 4: Perspective Plan** (Reid Campbell, 2016)

## **PART E LEGISLATIVE AND POLICY FRAMEWORK**

This Part of the SEE assesses and responds to the legislative and policy requirements for the project in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

### **State Planning Context**

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1979*
- *NSW 2021 : A Plan to Make NSW Number One*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No.33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy No.64 – Advertising Structures and Signage*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*

### **Local Planning Context**

- *Penrith Local Environment Plan 2010*
- *Penrith Development Control Plan 2010*
- *Penrith Development Control Plan 2006*

This planning framework is considered in detail in the following sections.

### **5.1 NSW 2021: A PLAN TO MAKE NSW NUMBER ONE**

*NSW 2021* was developed by the NSW State Government to set economic, social and environmental directions for NSW. It sets targets, priorities and actions for delivery of services across the State. The strategies outlined in the Plan include:

- *Rebuild the economy*
- *Return quality services*
- *Renovate infrastructure*
- *Strengthen our local environment and communities*
- *Restore accountability to government*

The Chapter on Rebuilding the Economy is most relevant to the proposal as it provides objectives for achieving growth and prosperity. The plan makes a commitment that supports large and small businesses and describes the importance of the private sector's role in maintaining and creating highly productive jobs to underpin the State's ability to realise higher standards of living for all people.

The proposed development will positively contribute to the local and regional economy through the intensification of industrial warehouse. The proposed development will positively contribute to the ongoing growth to create jobs within the Sydney Metropolitan Region as the facilities will provide vital opportunities for warehousing and distribution/manufacturing purposes.

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### 5.2 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

*"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

The proposal will not involve any activity that would require the issue of an Environmental Protection Licence.

### 5.3 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Part 4 of *State Environmental Planning Policy (State and Regional Development)* identifies development that is classified as "Regional Development" and requires determination by a Joint Regional Planning Panel.

As the Capital Investment Value of the proposed development does not exceed AU\$20 Million, the proposal is not required to be determined by the Joint Regional Planning Panel (Sydney West). A detailed cost estimate has been provided which confirms the proposal will be less than the \$20 million threshold under the provisions of the SEPP.

### 5.4 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development.

The referral thresholds for 'industry' are:

- 20,000m<sup>2</sup> in area; or
- 5,000m<sup>2</sup> (site with access to classified road or to road that connects to classified road (if access within 90m of connection, measured along alignment of connecting road)).

The proposed development contains a total building area of 6,000m<sup>2</sup> however does not connect to a classified road. Therefore the proposal does not trigger the referral threshold for industry. Accordingly referral to the RMS is not required.

### 5.5 STATE ENVIRONMENTAL PLANNING POLICY NO. 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

No dangerous goods are proposed to be stored, thus the triggers under SEPP 33 do not warrant further assessment in this respect.

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### 5.6 STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), where a development application is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) *it has considered whether the land is contaminated, and*
- (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

### 5.7 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING STRUCTURES AND SIGNAGE

SEPP 64 applies to all signage:

- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) *is visible from any public place or public reserve.*

The proposal involves the erection of one (1) wall signs for business identification. The sign is 6.7m x 2.9m as indicated on the northeast elevation of the Architectural Drawings **(Appendix X)**. The sign is to include the Loscam logo.

*SEPP 64 aims:*

- (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.*

The signage will be located on the northern façade of the buildings and is considered to achieve the objectives of SEPP 64 in that they are compatible with the desired amenity and visual character of the area as well as providing effective communications in suitable locations.

The site is not defined as 'transport corridor land' which is:

- (a) *land comprising a railway corridor,*
- (b) *land comprising a road corridor,*
- (c) *land zoned industrial under an environmental planning instrument and owned, occupied or managed by the RTA or RailCorp.*

For the purpose of this definition, road corridor is further defined as:

- (a) *land comprising a classified road or a road known as the Sydney Harbour Tunnel, the Eastern Distributor, the M2 Motorway, the M4 Motorway, the M5 Motorway, the M7 Motorway, the Cross City Tunnel or the Lane Cove Tunnel, and associated road use land that is adjacent to such a road,*
- (b) *land zoned for road purposes under an environmental planning instrument,*

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(c) land identified as a road corridor in an approval of a project by the Minister for Planning under Part 3A of the Act.

The development area is significantly removed from any major road, with development and landscaping providing a visual barrier to the proposed facility.

Tyrone Place is not considered to be a road corridor under this definition.

The proposed signage is considered to be compatible with the stated aims as it provides only for business identification purposes. The intended signage locations are within an industrial context locality with no adverse impact on any transport corridor to result. The scale of the proposed signage is appropriate to the proposed building form.

### Assessment Criteria

The assessment criteria under Schedule 1 of the SEPP is addressed in **Table 1** and demonstrates the proposed signs are acceptable in terms of impacts.

**Table 1. SEPP 64 Assessment Criteria**

| Criteria   | Proposal Compliance   |
|--|---|
| <b>1 Character of the area</b>   |   |
| <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>   | Yes, the proposal will be undertaken within the Erskine Park Industrial Estate which is characterised by industrial development with ancillary signage as well as advertisements for a variety of purposes.<br>A number of industrial facilities nearby, including adjoining land have erected signage of similar scale and type. |
| <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>   | Yes, as above.  |
| <b>2 Special areas</b>   |   |
| <i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i> | The proposed signage only provides business identification and will not detract from the amenity or visual quality of the area. The site is not located within or near a heritage conservation area.  |
| <b>3 Views and vistas</b>  |   |
| <i>Does the proposal obscure or compromise important views?</i>  | No, the building on which the proposed signage will be positioned is located within an area earmarked for industrial development.<br>Views exist along Tyrone Place, however the signage will not block these views.  |
| <i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>  | No, the proposed signage is located on only one elevation of each warehouse, below the ridge height of the structure.<br>The signage is considered to be of a reasonable scale and location on the building and will not be dominant on the skyline.  |
| <i>Does the proposal respect the viewing rights of other advertisers?</i>  | Yes, the signage will be restricted to one elevation for each warehouse and will not  |

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|  | obstruct viewing towards any other signage.  |
| <b>4 Streetscape, setting or landscape</b>   |  |
| <i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>  | Yes, the signage is appropriate for the setting provided on the site and the location of the site within the industrial precinct.                |
| <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>   | Yes, the sign is to be used to provide an identity to a building, and identifying the tenant.  |
| <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>   | No, there is no existing advertising.  |
| <i>Does the proposal screen unsightliness?</i>   | No, the signage is not used as a visual screen or filter.  |
| <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>  | No, the signage will not be dominant on the skyline. It will be located below the roof level.  |
| <i>Does the proposal require ongoing vegetation management?</i>  | No.  |
| <b>5 Site and building</b>   |  |
| <i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i> | Yes, the sign is of suitable scale and design for its intended purpose. The signage will only occupy a small proportion of the building façades. |
| <i>Does the proposal respect important features of the site or building, or both?</i>  | Yes, the sign will not be the predominant visual feature of the building and will remain below the roof line.                                    |
| <i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>   | Yes, the signage is logically positioned to identify the building to develop its profile and identify its tenant.                                |
| <b>6 Associated devices and logos with advertisements and advertising structures</b>   |  |
| <i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>       | No devices are required.   |
| <b>7 Illumination</b>  |  |
| <i>Would illumination result in unacceptable glare?</i>  | The sign will not be illuminated in any way.   |
| <i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>   | The sign will not be illuminated in any way..  |
| <i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>  | The sign will not be illuminated in any way.   |
| <i>Is the illumination subject to a curfew?</i>  | The sign will not be illuminated in any way.   |
| <i>Can the intensity of the illumination be adjusted, if necessary?</i>  | The sign will not be illuminated in any way.   |
| <b>8 Safety</b>  |  |
| <i>Would the proposal reduce the safety for any public road?</i>   | The sign will not be positioned to cause any hazard for any road.  |
| <i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>   | The sign is to be located on the building façades and are not considered to reduce safety for pedestrians or bicyclists.                         |
| <i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>   | The sign will not cause disruption of any sightlines from public areas.  |

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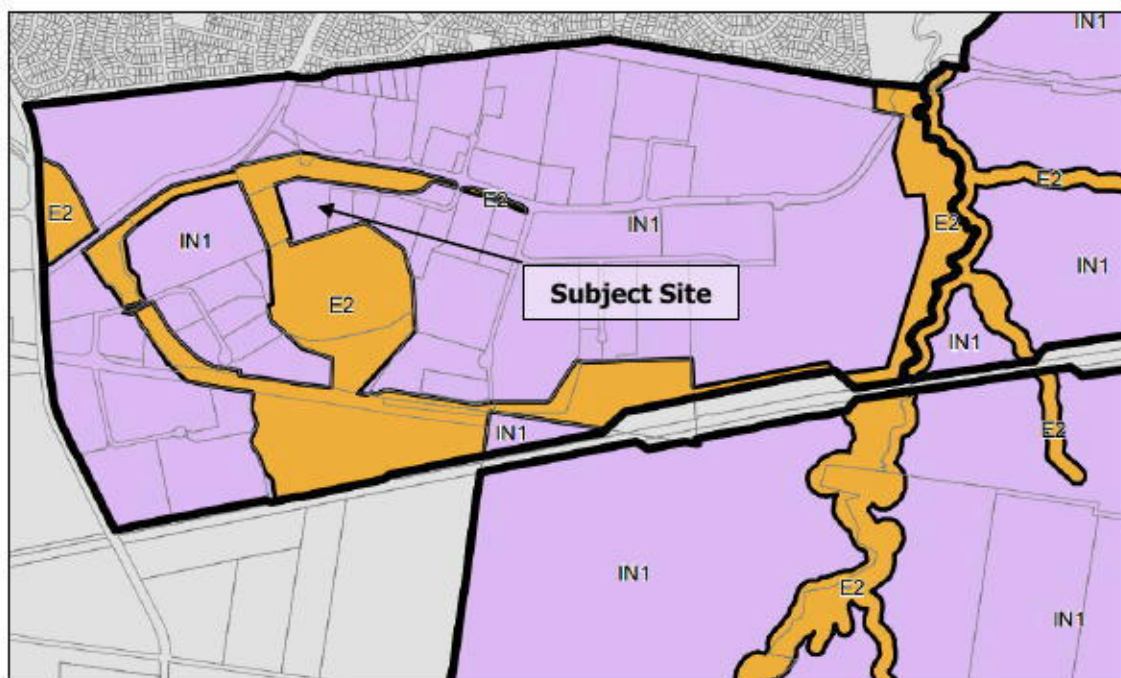
Based on the above, the proposal is considered consistent with the provisions of SEPP 64.

### 5.8 DEEMED STATE ENVIRONMENTAL PLANNING POLICIES (FORMER REGIONAL ENVIRONMENTAL PLANS)

There are no Deemed State Environmental Planning Policies applicable to the proposed development on the site.

### 5.9 STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY EMPLOYMENT AREA) 2009

*State Environmental Planning Policy (Western Sydney Employment Area) 2009* (Employment Area SEPP) applies to the site. The Policy aims to protect and enhance the Western Sydney Employment Area. The zoning plan provided under the Employment Area SEPP (**Figure 5**) zones all of the land within the site as IN1 General Industrial.



**Figure 5. Land Zoning Map** (Source: WSEA SEPP, 2009)

The objectives of the IN1 General Industrial zone under the Employment Area SEPP are:

- *To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- *To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- *To minimise any adverse effect of industry on other land uses.*
- *To facilitate road network links to the M7 and M4 Motorways.*
- *To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- *To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.*

The proposal is consistent with the objectives of the zone as it allows for the continuation of the intended industrial use of the facility, provides employment, is compatible with the local context and will not result in any significant environmental impact.

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Under the SEPP, the proposal can be defined as a 'warehouse or distribution centre' which is permissible with development consent within the IN1 zone. For the purposes of the SEPP, a warehouse or distribution centre is defined as:

*"a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made".*

### 5.10 PENRITH DEVELOPMENT CONTROL PLAN 2014

*Penrith Development Control Plan 2014* (PDCP2014) was adopted in 23 March 2015. Part E6 of PDCP2014 specifically applies to 'Erskine Business Park' within which the site is located. In general terms this section aims to:

- a) *To enable a diversity of employment generating development to locate within the Erskine Business Park;*
- b) *To ensure that the standard of development does not detract from or unduly impact upon the existing built environment in adjoining rural and residential areas; and*
- c) *To ensure that development occurs in an environmentally responsible manner and future development limits adverse impacts upon significant biodiversity.*
- d) *To provide a framework that will lead to a high standard of development by encouraging local employment and creating an area which is pleasant, safe and efficient to work in;*
- e) *To ensure that development takes account of the physical nature of the local environment, particularly Ropes Creek, ridgelines and the natural landscape;*
- f) *To ensure that development does not result in pollution of waterways and in particular of Ropes Creek and South Creek;*
- g) *To promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of the existing residential areas;*
- h) *To identify and provide for public amenities and service infrastructure to accommodate development;*
- i) *To promote the creation of a landscaped area within the electricity transmission easement to act as a buffer between the employment zones and the residential communities;*
- j) *To establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised;*
- k) *To ensure that development is consistent with the objectives of the Threatened Species Conservation Act with particular regard to the endangered ecological communities, flora and fauna present on the site;*
- l) *To facilitate conservation of urban bushland; and*
- m) *To protect, restore and enhance riparian corridors within Erskine Business Park.*

Relevant controls applicable to the proposed development are addressed below:

#### **Part 6 Section 6.10 Erskine Park**

##### **Clause 6.3.1 Height**

- The proposed warehouse achieves the 15m building height requirement as it is 13.7m from ground level to the highest peak of the building.
- The building is not located on a sloping sight.
- The proposed building does not create any detrimental visual impact and is in harmony with the existing landscape and contextual setting.

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### **Clause 6.3.2 Site Coverage**

- The proposed site coverage for the warehouse is 14.4% and therefore does not exceed the site coverage requirement of 50%
- The site is not located within a Biodiversity Conservation Area (subject to approval of DA15/0907) or Electricity Transmission Live Easements.
- The site design and configuration accommodates for adequate open space, loading zones and landscaping.

### **Clause 6.3.3 Setbacks**

- The proposed development is setback a minimum of 13.5m from the Tyrone Place cul-de-sac. The required setback under 'Other Road Frontages' is 15m.
- Although the proposed front setback is slightly under the requirement of 15m, this departure of 1.5m exists for only a minor portion of building length due to the route of the cul-de-sac.
- The building has a maximum front setback of 18.5m.
- The proposed development is located off a cul-de-sac which cuts in the site creating an irregular shaped lot. The proposed front setback is considered reasonable given this site constraint.
- Being located at the end of a cul-de-sac, the proposed development is not likely to impact streetscape amenity and the site will not experience high volumes of traffic.
- The building platform is approximately 5m above street level lessening the impact of minor incursion into the front setback.
- Only landscaping and access driveways are proposed within the front setback.
- The 5m side and rear setback requirements are achieved providing a side setback of 5.5m and rear setback of 18m.

### **Clause 6.3.4 Urban Design**

- As indicated in the Architectural Drawings (**Appendix 2**) consideration has been given to the quality of building design and materials. A schedule of the proposed materials and colours has been provided in **Appendix 2** (Drawing No. DA-402). External materials proposed do not have an index of reflectivity above 20%.
- Elevation to the street frontage has been presented with a building form of significant architectural and design merit. The design does not include large blank wall surfaces.
- Appropriate articulation has been incorporated into the building.
- The loading areas are positioned along the western side of the warehouse, which is not visible from the street frontage, including recessed docks which will further obstruct these areas from the road and public areas.
- The office entrances have been highlighted by architectural features which is consistent with the overall design.
- The building has been designed with a preferred northern orientation.
- Trees have been proposed within the front setback to create shade, screening and wind breaks.
- The overall design of the building does not impede the access of solar radiation to surrounding land and development.

### **Clause 6.3.5 Signage and Estate Entrance Walls**

- One (1) business identification signs are proposed to be positioned on the northern facade of the building as indicated on the Northern Elevation and Perspective Drawings (**Appendix 2**). The sign is 6.7m x 2.9m and will be constructed of high quality materials.
- The sign will include the Loscam logo.

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### **Clause 6.3.6 Lighting**

- Sufficient lighting is to be provided along all pedestrian routes as well as entrances and parking areas to increase safety within the facility.
- Where required, sensor lighting will be provided both internally and externally.
- All lighting used will be entirely confined within the site so as to not cause light spill onto adjoining sites.
- All lighting will be installed in accordance with Australian Standards AS4282.

### **Clause 6.3.7 Fencing**

- 2.4m high chain mesh security fencing is to be provided along the property boundaries and located behind front landscape setback.

### **Clause 6.3.8 Services**

- The appropriate service such as Sydney Water, Integral Energy, telecommunications and drainage is readily available to the site.

### **Clause 6.4.1 Noise Pollution**

The future land use is predicted to generate some noise impacts associated with traffic movements to and from the loading bays. These noise impacts are typical of any warehouse/industrial activity and were considered by Penrith City Council during the assessment of the original subdivision development application to create the industrial precinct.

Between the development site and residential land to the north exists the intersection of Erskine Park Road and Lenore Drive which experiences significant noise levels. Furthermore, substantial industrial facilities currently exist within this land.

The key mitigation measures which address the potential for noise impacts involve the design and location of the warehouse and loading areas. These are positioned so that all noise generated would be contained within the site as it is sufficiently separated from residential areas north of the site by existing buildings. The proposed level of noise generation is not unlike surrounding land uses the Erskine Park Industrial Estate or within the greater WSEA.

### **Clause 6.4.2 Air Pollution**

The proposed development will generate very few air quality emissions as a result of the proposed warehouse development. Air quality impacts will largely be generated by heavy vehicles travelling to and from the site. This is typical of any activity of a similar nature and will not be significant.

### **Clause 6.4.5 Trading/Operating Hours of Premises**

- Constructions will be carried out in accordance with the hours specified in the PDCP2014.
- The proposed use of the site is to operate 24 hours, 7 days a week. Shift work is essential for the operation of the facility and business and these operations to be carried out on site are considered to generate low impacts to the immediate surrounds. Furthermore the subject site is located approximately 450m from the closest residential receiver.

### **Clause 6.5 Drainage**

- A Water Sensitive Urban Design Strategy (**Appendix 4**) and Stormwater Management Plan (**Appendix 5**) have been prepared by Sparks & Partners which apply appropriate stormwater management solutions in accordance the requirements of Clause 6.5.

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- The Water Sensitive Urban Design Strategy concludes that *based on the preparation of the concept stormwater drainage plans and MUSIC modeling results it is demonstrated that the principles of WSUD have been incorporated into the design and operation of the proposed development at Lot 22 DP1178567, Tyrone Pl, Erskine Park NSW in accordance with PDCP.*

### Clause 6.6 Transport Network

- The development has been designed so as to allow for all vehicles to enter and exit the site in a forward direction.
- Heavy vehicle parking and manoeuvring areas have been provided.
- Two (2) driveways have been proposed to avoid conflict between staff/customer vehicles and heavy vehicles and to allow one way traffic direction reducing the requirement for vehicles to reverse to exit the site. The driveway along the eastern boundary is to accommodate trucks entering the site. The second driveway is to accommodate trucks exiting the site as well as staff/customer vehicles entering and exiting the site.
- Although the second driveway is partially shared, this will only accommodate trucks exiting the site and heavy vehicles leaving the site are constrained at the top of the driveway by a boom gate. Appropriate stop signage at the car park intersection with the exit driveway will be provided. This arrangement is therefore considered appropriate and will not result in a conflict.

### Clause 6.8 Landscaping

- There are no existing trees located on site.
- The proposal will create a landscape character and amenity that is appropriate to the scale and nature of the development.
- The Landscape Plan (**Appendix 6**) prepared by Eximia Design demonstrates appropriate landscaping of the site in accordance with the proposed development and corresponding standards.

### Clause 6.9 Landscape Areas

- Adequate landscaping is to be provided within the front setback which will enhance the sense of place for the development and site.
- Significant landscaping between the truck entry driveway and boundary retaining wall will add greatly to the softening of the eastern facade of the facility.
- Refer to Landscape Plan in **Appendix 6**.

## Part C10 Transport Access and Parking

### Clause 10.5.1 Parking

|                              |                           |  |             |
|------------------------------|---------------------------|--|-------------|
| Warehouses:                  | 1 space/100m <sup>2</sup> | 4,000m <sup>2</sup> /100m <sup>2</sup> | = 40        |
| Office premises:             | 1 space/40m <sup>2</sup>  | 1000m <sup>2</sup> /75m <sup>2</sup>   | = 14        |
| <b>Total spaces required</b> |                           |  | <b>= 54</b> |

A total of 70 parking spaces have been provided within the proposal to accommodate the warehouse and ancillary office thus resulting in a surplus of 16 spaces and complying with the provisions of Part C10 of the DCP.

## **PART F LIKELY IMPACTS OF THE DEVELOPMENT**

Pursuant to Section 79(c) of the Environmental Planning & Assessment Act 1979, the following matters have been addressed.

### **6.1 CONTEXT & SETTING**

The proposed development for the construction and use of a warehouse for industrial purposes including pallet pooling systems, manufacturing and repair of pallets, cleaning of plastic pallets and warehouse storage, is consistent with the intended use of the site and the surrounding industrial precinct. The proposed development will reinforce the industrial character of the area, preserve the use of the site for industry, and provide significant employment in the industrial sector with positive connotations for the local and regional economies and populations.

The proposed development is compatible with surrounding land uses and the proposal will not exhibit any impacts which would adversely impact on the amenity of surrounding land uses in regard to solar access, views, noise pollution and air pollution. Appropriate mitigation will be undertaken during construction and operation to preserve the amenity of all surrounding land uses.

Located away from residential development, the site is suitably located and will not have any significant impact on the amenity currently afforded subject to mitigation measures been employed. No activities exist near the Site that would prevent the development from being undertaken or successfully operating over the longer-term.

The proposal seeks to provide for employment generating development that will make a positive contribution to the Penrith Local Government Area with long term employment generation and in terms of construction. This is considered to be a significant contribution to the local economy and will set a desirable precedent for future employment generating development by creating opportunities for businesses, located both locally and abroad.

### **6.2 ACCESS, TRANSPORT & TRAFFIC IMPACT**

The proposal will result in the increased generation of traffic movements comprising of heavy vehicles and private vehicular. The proposed on-site vehicular access, circulation and parking arrangements have been designed in accordance with the anticipated traffic generation of the development and are considered to provide a high level of service.

All car parking required to service staff and visitors to the site will be provided on-site in at-grade parking areas conveniently located close to building entries. A total of 70 car parking spaces are proposed. This car parking provision exceeds the minimum requirements of the PDCP2014 (surplus of 16 spaces) in order to accommodate all projected car parking demand generated by the development. Furthermore, disabled parking has been provided and located on the same level of the operations entrance.

Provision has also been made for service vehicles within the site with areas accessible to trucks configured to facilitate the safe and efficient movement of the largest truck expected to access the site.

As outlined by Varga Traffic Planning Pty Ltd in their Traffic & Parking Assessment Report (**Appendix 3**) provision has been made for service vehicles within the Site, including 19m semi-trailers, complying with the relevant Australian Standards.

Two (2) vehicular access points are provided off Tyrone Place, including security gates. The eastern driveway will service truck entry, while the western driveway will service private vehicles and truck egress.

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The new building will include seven (7) recessed loading docks on the southern and western sides of the building. Modelling carried out by Varga Traffic Planning demonstrates the provision of appropriate access and turning circles for a 19m semi-trailer circulation.

Varga Traffic Planning concludes that the *projected increase in traffic activity as a consequence of the development proposal is minimal, consistent with the land zoning objectives of the site and will clearly not have any unacceptable traffic implications in terms of road network capacity.*

Furthermore Varga Traffic Planning outlined that *the proposed parking and loading facilities satisfy the relevant requirements specified in both Council's requirements as well as the Australian Standards and it is therefore concluded that the proposed development will not have any unacceptable parking or loading implications.*

Based on the modeling undertaken and the design measures proposed, the Site can successfully operate in respect of traffic and transport.

### 6.3 STORMWATER & EROSION & SEDIMENT CONTROL

#### 6.3.1 Stormwater

All stormwater works will be completed in accordance with relevant Australian Standards and have been designed to adequately service the development. Details of stormwater infrastructure and management are provided in the Water Sensitive Urban Design Strategy (**Appendix X**) prepared by Sparks & Partners.

As outlined by Sparks & Partners, an OSD basin has been proposed as parking of DA15/0907 to control stormwater discharge from the site and service the proposed development.

Sparks & Partners concludes that *it is demonstrated that the proposed development achieves reductions in potable water import by capturing rainwater on site and reusing this for non-potable uses including irrigation and toilet flushing, achieves pollution reduction targets set by council, and employs OSD for the control of stormwater discharge from the site in accordance with targets set by council.*

#### 6.3.2 Erosion and Sediment Control

Appropriate erosion and sediment control measures have been considered as demonstrated in the Sediment and Erosion Control Plan (drawings number DA2.01) in **Appendix 5** prepared by Sparks & Partners.

### 6.4 VISUAL

The detailed site planning has given careful consideration to the visual impact of the proposal within the public domain, namely the following:

- Tyrone Place;
- Erskine Park Road;
- Lenore Lane;
- Adjoining IN1 zoned land to the east;
- Adjoining E2 land to the north, south and west;

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A range of measures have been employed to enhance the visual setting, these include:

- Sufficient building setbacks;
- Planting of native trees and shrubs;
- Materials and colours commensurate with the character of the land; and
- Articulation in the built form that re-enforces the employment generating character of the Site.

The overall presentation of the proposal is characteristic of a modern industrial warehouse comprising an industrial facility, capable of employment generating activities. Given the substantial setbacks achieved, the visual impact of the facilities will be acceptable.

### 6.5 NOISE

The proposal will not cause any unacceptable noise impact during construction or operational phases where appropriate. Mitigation measures will be implanted to minimise the noise impact of the development.

The proposed development will not result in any unacceptable noise impacts to residential areas.

### 6.6 WASTE

A Waste Management Plan has been provided in **Appendix 7** for the purpose of the development application. A detailed Waste Management Plan will be provided prior to commencement of works for waste generated as a result of constructing the warehouse.

At this preliminary stage of the project, a building contractor is yet to be appointed, thus the methods and location of waste disposal for the construction waste are unknown.

Operational waste will be dealt with as part of the individual applications for use of the facilities once a tenant is known and the operational particulars are able to be disclosed.

### 6.7 HERITAGE

The proposal as submitted to Council will have no unacceptable impact in respect of heritage. The site is not identified as containing any heritage significance nor is it within proximity of any heritage items or heritage conservation areas.

### 6.8 FLORA AND FAUNA

No unacceptable impacts on flora and fauna communities are to result from the proposal. The site contains some sparse clumps of vegetation regrowth however these do not include any trees of significance.

### 6.9 SAFETY AND SECURITY

The principles of Crime Prevention Through Environmental Design (CPTED) have been considered from initial conception of the project, and implemented into the final design proposed. Elements included within the design have considered to reduce the fear of crime, and improve the quality of life for the community and include access control, lighting, territorial reinforcement and ongoing maintenance and ownership.

Once complete, the proposed warehouse will be staffed at during operating hours. Access for customers is to be obtained through the well-defined entrance from Tyrone Place.

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The established security measures employed within the existing centre will be extended to accommodate the new scheme. Locking mechanisms will be in place between staff and customer accessibility zones to prevent unauthorised entry. This represents effective use of the built environment to reduce the occurrence of crime

### 6.10 BUILDING CODE OF AUSTRALIA/ FIRE SAFETY

Preliminary assessment against the Building Code of Australia (BCA) has been carried out by McKenzie Group Consulting (**Appendix 8**) and identifies the building to be Class 5 (Offices) and Class 7b (Warehouse) being Type C Construction.

The proposal satisfies the relevant accessibility requirements. Formal review of accessibility compliance will be undertaken and Construction Certificate stage.

A Fire Safety review has also been carried out to address the requirement to comply with the performance criteria of the BCA. Formal review of compliance will be undertaken at Construction Certificate stage.

### 6.11 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is zoned for employment generating development purposes. The proximity of the Site to major arterial roads serves as being ideal for warehouse/manufacturing purposes.

The site is zoned for general industrial use under the *State Environmental Planning Policy (Western Sydney Employment Areas) 2009*. The proposed development will facilitate the future use of the site for warehousing and distribution and industry which is consistent with the zoning of the site and the surrounding context. The proposed development will not adversely affect land uses as suitable mitigation measures will be implemented to ensure the preservation of amenity.

Accordingly, the site is considered to be suitable for the development and is consistent with the aims and objectives of the IN1 zone in that it seeks to provide employment generating development that responds to the environmental constraints of the land and is compatible with surrounding land uses.

Accordingly, the site is considered to be suitable for the development and is consistent with the aims and objectives of an IN1 zoning in that it seeks to provide employment generating development that responds to the environmental constraints of the land.

### 6.12 SUBMISSIONS

No submissions have been received in relation to the proposed development.

### 6.13 THE PUBLIC INTEREST

The proposed development will have no adverse impact on the public interest.

The development of the site will be carried out for the purpose of employment generating activities that shall result in a positive impact on the Penrith LGA and broader Western Sydney Region.

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### PART G CONCLUSION

The proposed construction of a warehouse facility for industrial purposes including pallet pooling systems, manufacturing and repair of pallets, cleaning of plastic pallets and warehouse storage, is compatible within the Erskine Park Precinct. Furthermore, the proposal is consistent with the intended industrial use of the land and is permissible with consent in the IN1 General Industrial zone.

This SEE provides an assessment of the proposal against the relevant environmental planning framework, including the *State Environmental Planning Policy (Western Sydney Employment Areas) 2009* and the *Penrith Development Control Plan 2006*. The assessment finds that the proposal is consistent with the objectives and controls of the relevant framework.

No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposal will provide for positive impacts, including the reinforcement of the existing industrial character of the subject locality and the generation of significant employment in the industrial sector.

No additional significant adverse impacts have been identified as likely to arise from the proposed development which has been favourably assessed against the relevant provisions of Section 79C of the *Environmental Planning and Assessment Act 1979*.

It is therefore recommended that Council grant development consent to the proposal, subject to appropriate conditions.

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APPENDIX 1

SURVEY PLAN

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APPENDIX 2

ARCHITECTURAL PLANS

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**APPENDIX 3**

**TRAFFIC & PARKING ASSESSMENT REPORT**

**STATEMENT OF ENVIRONMENTAL EFFECTS**

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**APPENDIX 4**

**WATER SENSITIVE URBAN DESIGN STRATEGY**

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**APPENDIX 5**

**CIVIL ENGINEERING PLANS**

**STATEMENT OF ENVIRONMENTAL EFFECTS**

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APPENDIX 6

LANDSCAPE PLAN

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**APPENDIX 7**

**WASTE MANAGEMENT PLAN**

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APPENDIX 8

BCA REPORT