

PENRITH CITY COUNCIL

MAJOR ASSESSMENT REPORT

Application number:	DA19/0655
Proposed development:	Industrial Development including 17 Industrial Units & Cafe, Associated Basement & Ground Level Car Parking, Earthworks, Landscaping & Stormwater Drainage Works & Strata Title Subdivision x 18 Lots
Property address:	1 - 23 Lenore Drive, ERSKINE PARK NSW 2759 31 - 43 Tyrone Place, ERSKINE PARK NSW 2759 55 Lenore Drive, ERSKINE PARK NSW 2759
Property description:	Lot 24 DP 1120114 Lot 55 DP 1170183 Lot 1 DP 1071114
Date received:	25 September 2019
Assessing officer	Wendy Connell
Zoning:	SEPP - (WSEA) 2009 - ZONE IN1 SEPP - (WSEA) 2009 - ZONE E2
Class of building:	Class 8 , Class 7a
Recommendations:	Approve

Executive Summary

As part of the subject site (Lot 55 DP 1170183) is currently owned by Penrith City Council, the Penrith Local Planning Panel is the determining authority for this development application in accordance with Schedule 2 of the Minister's Local Planning Panels Direction.

Council is in receipt of a development application from Arkexpress Pty Ltd for an industrial development including 17 industrial units, a cafe, basement and ground level car parking, earthworks, vegetation removal, landscaping and stormwater drainage works and strata title subdivision at 1-23 Lenore Drive, Lot 55 Lenore Drive and 31-43 Tyrone Place, Erskine Park.

The subject site is triangular in shape and is bounded by Lenore Drive, Erskine Park Road and a biodiversity conservation corridor. The site is zoned IN1 General Industrial under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 and the proposal is permissible with consent. The subject site is legally described as Lot 1 DP 1071114 and Lot 55 DP 1170183. The proposal includes stormwater works over Lot 24 DP 1120114, 31-43 Tyrone Place, being the biodiversity conservation corridor.

The development application was submitted as integrated development in accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979 and seeks concurrent approval from the NSW Natural Resources Access Regulator (NRAR) under Section 91 of the Water Management Act 2000 due to the proposed works being within 40m of a waterbody. General Terms of Approval (GTAs) were issued for the proposal by NRAR in its letter dated 7 November 2019.

In accordance with Clause 101 (Development with frontage to a classified road) and Clause 104 (Traffic-generating development) of State Environmental Planning Policy (Infrastructure) 2007, and given works are proposed on a classified road (Lenore Drive) requiring approval under the Roads Act 1993, the application was referred to the Roads Maritime Services (RMS) for comment and concurrence. The RMS, in its letter dated 31 October 2019, provided concurrence subject to certain conditions of consent.

Key issues identified and addressed as part of the assessment of the proposed development include:

- Potential site contamination;
- Unit sizes and their ability to accommodate permissible uses; and
- Impacts from stormwater works proposed within the adjoining biodiversity conservation corridor.

The application was advertised, notified and publicly exhibited between 11 October and 8 November 2019 in accordance with relevant legislation. No submissions were received in response.

An assessment of the proposal under Section 4.15 of the Environmental Planning and Assessment Act 1979 has been undertaken and the key issues identified have been addressed satisfactorily. The application is recommended for approval subject to recommended conditions.

Site & Surrounds

The subject site is located within Erskine Business Park. The subject site is legally described as Lot 1 DP 1071114 and Lot 55 DP 1170183. The total land size is 14,331 sq.m or 1.4 hectares. Stormwater works are proposed on Lot 24 DP 1120114.

The site is triangular in shape with a 7m slope from the north to the south and the land is currently vacant. The site is bounded by Lenore Drive, Erskine Park Road and a biodiversity conservation corridor. Erskine Business Park is characterised by large scale industrial development. Surrounding Erskine Business Park to the north are the residential suburbs of Erskine Park and St Clair; to the south is the rural area of Kemps Creek. The site is mapped as bushfire prone land.

Penrith City Council is the land owner of Lot 55 DP 1170183 and owner's consent to lodge the development application on Council's land has been granted in a letter dated 24 September 2019. The proponent intends to proceed with a land transaction with the Property Development Department of Council to acquire this land.

The Department of Planning, Industry and Environment (the Department) is the land owner of Lot 24 DP 1120114 and owner's consent has been provided in a letter dated 17 September 2019 for the lodgement of the development application for the proposed stormwater works within Lot 24. Further lease agreements and access arrangements will be made with the Department following determination of the application. The Department require the applicant to reinstate the land to its original state post-construction of the stormwater works.

Lot 24 DP 1120114 is burdened by an easement to drain water under DP 1112314. The benefiting lot to the drainage easement is Lot 4 DP 1094504 which is the Erskine Park Waste Facility owned by Enviroguard Pty Ltd (also known as Cleanaway). Cleanaway has provided in-principle support in an email dated 26 August 2019 for the proposed development to drain its stormwater into the drainage easement.

Proposal

The application seeks consent for an industrial development including the following:

- 17 industrial units with external materials and finishes including tilt-up concrete panels with a textured paint finish, tinted glazing, aluminium composite panels, colourbond metal cladding, metal fins, stacked stone cladding and sun shading devices;
- A cafe;
- Basement and ground level car parking;
- Earthworks;
- Vegetation removal;
- Landscaping and stormwater drainage works: and
- Strata title subdivision x 18 lots.

The application as lodged originally sought consent for the development of 29 industrial units ranging in size from 150 sq.m to 375 sq.m, plus a cafe unit at 80 sq.m. During the assessment of the application, the proposal was amended to decrease the number of industrial units and increase the unit sizes to ensure potential future uses of the units would be permissible and could meet the IN1 zone objectives. The proposal now includes 17 industrial units ranging in size from 284 sq.m to 625 sq.m, plus a cafe unit at 80 sq.m.

Plans that apply

- Development Control Plan 2014
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Western Sydney Employment Area) 2009
- State Environmental Planning Policy No 55—Remediation of Land
- Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Planning Assessment

- **Section 4.15 - Evaluation**

The proposed development has been assessed in accordance with the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, and having regard to those matters, the following issues have been identified for further consideration.

- **Section 4.46 - Integrated development**

The development application was submitted as integrated development in accordance with Section 4.46 of the Environmental Planning and Assessment Act 1979 and seeks concurrent approval from the NSW Natural Resources Access Regulator (NRAR) under Section 91 of the Water Management Act 2000 due to the proposed works being within 40m of a waterbody.

General Terms of Approval (GTAs) were issued for the proposal by NRAR in its letter dated 7 November 2019. A condition of consent relating to satisfying the GTAs has been recommended.

Section 4.15(1)(a)(i) The provisions of any environmental planning instrument

State Environmental Planning Policy (Infrastructure) 2007

An assessment of the proposal has been undertaken against the applicable provisions within the State Environmental Planning Policy (Infrastructure) 2007 (ISEPP), as detailed below.

Clause 101 - Development with Frontage to a Classified Road

Objectives of the clause include:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

The clause also states that the consent authority must not grant consent to a development on land that has frontage to a classified road unless it is satisfied that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

With regard to the above, access to the development site is to be provided via Lenore Drive which is a classified road. Vehicular access is provided in a left-in/left-out arrangement. The proposal was supported by a Traffic Impact Assessment which has been reviewed by Council's Traffic Engineers and the RMS, both of which have raised no objection.

Clause 104 - Traffic-Generating Development

Clause 104 of the ISEPP applies to the proposed development as it is identified as being traffic generating development in Column 1 of the Table to Schedule 3, in that it involves an industrial development on a site which exceeds 5,000 sq.m.

In accordance with the requirements of Clause 104, the development application was referred to Roads and Maritime Services (RMS). In their letter dated 31 October 2019, the RMS provided concurrence to the proposal, subject to certain conditions of consent. A condition of consent relating to satisfying the RMS conditions has been recommended.

State Environmental Planning Policy (Western Sydney Employment Area) 2009

The subject site is zoned IN1 General Industrial under State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) and falls within Precinct 11 (Broader Western Sydney Employment Area).

The objectives of the IN1 zone under the WSEA are as follows:

- *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.*

Having regard to the aims of the WSEA SEPP and the relevant objectives of the IN1 zone, it is noted that the proposal will provide ongoing employment opportunities through the use of the proposed industrial units and cafe. In addition, the proposal will not result in adverse environmental impacts on the amenity of nearby residential areas due to the site's central location in the Erskine Business Park.

The proposed development is defined as an 'industry' and 'food and drink premises' (cafe) and is permissible with consent in the IN1 zone. It is also noted that the proposed stormwater works over the adjoining biodiversity conservation corridor, zoned E2 Environmental Conservation, are permissible with consent being related to an 'artificial waterbody'.

The proposed number of industrial units will provide employment opportunities across a variety of possible business areas in association with the overall general industrial land use. The nature and scope of the proposal is a suitable industrial land use and is not considered likely to result in any negative impacts on the immediate or surrounding area.

Clause 18 - Requirement for Development Control Plans

A site specific development control plan has been prepared for the area (Erskine Business Park DCP) and an assessment of the proposal in this regard is included within the Appendix to this report.

Part 5 - Principal Development Standards

An assessment of the proposal against the applicable clauses under this part of the WSEA SEPP has been undertaken and the proposal is considered satisfactory, as detailed below.

Clause 20 - Ecologically Sustainable Development

The proposal provides for several key sustainability initiatives. Water re-use is to be provided on the site via the use of water tanks to each unit and a water sensitive urban design strategy in accordance with Council's Policy has been formulated for the site. Therefore, the proposal is compliant with this clause.

Clause 21 - Height of Buildings

It is noted that there are no nearby residential properties. The proposed building height is designed in response to the substantial slope of the land, noting the maximum building height above ground level (AGL) is 10.8m, which is overall compliant with the 12m maximum height of building control stipulated in the Erskine Business Park DCP.

The proposal will therefore not result in any adverse impacts on the streetscape or adjoining properties and the building height is compatible with buildings in the area, which safeguards local character.

Clause 22 - Rainwater Harvesting

The proposal incorporates rainwater tanks to each unit for water re-use. Council's Senior Water Management Officer has reviewed the proposal and is satisfied in this regard.

Clause 23 - Development Adjoining Residential Land

This clause is not applicable to the proposal as the site is not within 250m of land zoned for residential purposes.

Clause 24 - Development Involving Subdivision

The proposal seeks consent for strata subdivision of the 18 units. Strata subdivision is considered appropriate and will not have negative impacts on the supply of employment land, nor will it impact on other lots considering the site's isolation and it being bound by two roads and a biodiversity conservation corridor.

Clause 25 - Public Utility Infrastructure

The site has existing connections to public utility infrastructure. Conditions of consent have been recommended to ensure adequate servicing for the proposal.

Clause 26 - Development on or in Vicinity of Proposed Transport Infrastructure Routes

The subject site has frontage to designated transport routes, being Lenore Drive and Erskine Park Road. Both Lenore Drive and Erskine Park Road are constructed roadways and there is no other transport infrastructure in the vicinity of the site.

Part 6 - Miscellaneous Provisions

An assessment of the proposal against the applicable clauses under this part of the WSEA SEPP has been undertaken and the proposal is considered satisfactory, as detailed below.

Clause 29 - Industrial Release Area

The Department of Planning, Industry and Environment issued a Satisfactory Arrangements Certificate for the proposal on 3 August 2020, confirming satisfactory arrangements for the provision of regional transport infrastructure and services for the proposal.

Clause 31 - Design Principles

Council's Urban Design Review Panel and Landscape Architect have reviewed the proposal and are satisfied with the proposal, subject to recommended conditions of consent. The scale and character of the proposed development is considered to be compatible with the surrounding area and development.

Clause 33A - Development Near Zone Boundaries

The site is adjoined to the south by land zoned E2 Environmental Conservation, being a biodiversity conservation corridor, which is owned by the Department of Planning, Industry and Environment. The development proposal is within 20m of the E2 zoned land. The proposal has been assessed in this regard and is considered to be a compatible land use which is not contrary to the E2 zone objectives.

State Environmental Planning Policy No 55—Remediation of Land

The development application was accompanied by a Soil Sampling and Geotechnical Analysis prepared by Petrolink Engineering Pty Ltd, dated July 2019. The analysis did not follow all of the requirements of the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites, and furthermore it identified a 'hot spot' and a stockpile of unknown material. Further details to address these concerns were submitted and assessed by Council's Environment Team during the assessment process.

A Hot Spot Assessment prepared by Complete Petro-Chemical Consulting Services Pty Ltd, dated December 2019, was submitted. This assessment concluded that three areas of concern remained on the site; the hot spot identified as BH 10A and B associated with diesel re-fuelling, and an additional two hot spots, both impacted by hydrocarbons and located beside each other on a bitumen driveway and on a gravel/dirt area at the entrance to the property.

The applicant provided a Waste Analysis and Waste Classification Report prepared by ADE Consulting Group and the report confirmed that the stockpile of material on the site, which originated from a property in Merrylands, is VENM. Council's Environment Team raised no further concern regarding the stockpiled material.

A Validation Report (VR) was also provided which was prepared by Envirotech Pty Ltd, dated 18 March 2020, presenting the results of satisfactory validation sampling that was conducted on 27 February 2020 in the location of Hot Spot 1 (BH 10A and B). Sampling was not undertaken around the driveway area in relation to the additional two hot spots and this is justified in the VR due to *'bioremediation...had been used to disperse the minor diesel spill from the bitumen surface...according to anecdotal and pictorial evidence'*. The VR concludes in Section 10.4 that *'the site has been successfully remediated and validated and is now suitable for its intended proposed industrial development and land use'*.

In this regard, the site and proposal have been reviewed against the matters for consideration under Clause 7 of State Environmental Planning Policy No. 55 - Remediation of Land, and the site is considered to be suitable for the land uses proposed, subject to standard recommended conditions of consent related to unexpected finds and importation and disposal of fill material.

Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River

Sydney Regional Environmental Plan No. 20 - Hawkesbury/Nepean River (SREP 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 most relevance to this proposal, is the requirement to assess the proposed development in terms of stormwater quality.

The proposed development is in accordance with the general planning considerations set out in Clause 5 of the SREP and the relevant planning policies and related recommended strategies set out in Clause 6. In particular, provision will be made for adequate erosion and sediment control measures to ensure sediment as a result of the development is not deposited in the Hawkesbury/Nepean River via the stormwater system.

The proposed development generally complies with Council's Stormwater Drainage for Building Developments Policy and Water Sensitive Urban Design Policy, with conditions of consent recommended to ensure and verify compliance.

The development proposal has therefore been found to be in accordance with the relevant provisions of the SREP, subject to recommended conditions of consent.

Section 4.15(1)(a)(ii) The provisions of any draft environmental planning instrument

Draft State Environmental Planning Policy (Remediation of Land) 2018

The proposal has been assessed against the applicable provisions of the Draft State Environmental Planning Policy (Remediation of Land) 2018 and associated guideline document, and is considered to be acceptable. Refer also to the discussion within this report under the State Environmental Planning Policy No. 55 - Remediation of Land.

The draft amendment was on exhibition from 31 January to 13 April 2018. The draft amendment is currently under consideration by the Department of Planning, Industry and Environment.

Draft State Environmental Planning Policy (Environment) 2017

The Explanation of Intended Effect for State Environmental Planning Policy (Environment) 2017 was on exhibition from 31 October 2017 to 31 January 2018. The intent of the new State Environmental Planning Policy (Environment) 2017 is to combine seven existing State Environmental Planning Policies into a simple, modern and accessible instrument.

The proposal has been assessed against the applicable provisions of the Draft State Environmental Planning Policy (Environment) and is considered to be acceptable. Refer also to the discussion within this report under the Sydney Regional Environmental Plan No. 20 - Hawkesbury/Nepean River.

The Draft State Environmental Planning Policy (Environment) 2017 is currently under consideration by the Department of Planning, Industry and Environment.

Section 4.15(1)(a)(iii) The provisions of any development control plan

Development Control Plan 2014

Provision	Compliance
DCP Principles	Complies
C1 Site Planning and Design Principles	Complies - see Appendix - Development Control Plan Compliance
C2 Vegetation Management	Complies - see Appendix - Development Control Plan Compliance
C3 Water Management	Complies
C4 Land Management	Does not comply - see Appendix - Development Control Plan Compliance
C5 Waste Management	Complies
C6 Landscape Design	Complies
C7 Culture and Heritage	Complies
C8 Public Domain	Complies
C9 Advertising and Signage	N/A
C10 Transport, Access and Parking	Complies - see Appendix - Development Control Plan Compliance
C11 Subdivision	Complies
C12 Noise and Vibration	Complies
C13 Infrastructure and Services	Complies
E6 Erskine Business Park controls	Does not comply - see Appendix - Development Control Plan Compliance

Section 4.15(1)(a)(iiia) The provisions of any planning agreement

The site is subject to Clause 29 (Industrial Release Area—satisfactory arrangements for the provision of regional transport infrastructure and services) under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP). This clause stipulates that the consent authority must not consent to development on land to which this clause applies unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which the WSEA SEPP applies.

In this regard, the Department of Planning, Industry and Environment has advised that a Planning Agreement between the proponent and the Minister has been executed. A requirement of the Planning Agreement is for it to be registered on each parcel of land, being Lot 1 DP 1071114 and Lot 55 DP 1170183. Lot 55 DP 1170183 is currently in the ownership of Penrith City Council. At this stage, no formal land transaction has been entered into between the proponent and Penrith City Council, and as such Penrith City Council will not provide land owner's consent for the Planning Agreement to be registered on the land title of Lot 55 DP 1170183.

To enable the progression of the development proposal, the Department of Planning, Industry and Environment issued a Satisfactory Arrangements Certificate on 3 August 2020 for the development proposal on the condition that prior to the issue of a Construction Certificate, the Planning Agreement must be registered on the land title of Lot 55 DP 1170183. This will enable the proponent to pursue and finalise the land transaction with Penrith City Council prior to the commencement of any construction works.

A condition of consent relating to the registration of the Planning Agreement on the land title of Lot 55 DP 1170183, prior to the issue of a Construction Certificate, has been recommended.

Section 4.15(1)(a)(iv) The provisions of the regulations

Fire Safety

Under Part 9 of the Environmental Planning and Assessment Regulation 2000, owners of buildings must provide the FRNSW Commissioner with a copy of the Fire Safety Certificate for the building (along with the current Fire Safety Schedule). The Fire Safety Certificate is issued when essential fire safety measures have been assessed by a qualified person as being capable of performing to the standard defined by the Schedule. A condition of consent is recommended to ensure that this occurs on an annual basis.

Prescribed Conditions

The relevant prescribed conditions of the Regulations, such as the requirement for compliance with the BCA, can be imposed as conditions of consent where applicable.

Advertising and Notification

Advertising and neighbour notification was carried in accordance with the requirements of the regulations and Penrith Development Control Plan 2014.

Section 4.15(1)(b) The likely impacts of the development

The scale of the proposed development is considered to be appropriate with respect to the overall site. The site and building design provides for adequate articulation and landscaping, and therefore will complement the existing character of the local area. Likely impacts of the proposed development identified during the assessment process included land contamination and stormwater impacts on the adjoining biodiversity conservation corridor. These matters were resolved through the assessment process. The proposed site works, including earthworks, stormwater drainage works and stormwater treatment measures, will ensure that adequate servicing is provided for the proposal and that protection of the natural environment is maintained. In this regard, conditions of consent have been recommended to ensure compliance with the submitted stormwater and water sensitive urban design strategy.

Overall, the proposal will stimulate economic activity in the locality and positively contribute to the growth of the Erskine Business Park.

Section 4.15(1)(c) The suitability of the site for the development

The subject site is assessed as being suitable for the proposed development for the following reasons:

- The site is zoned to permit the proposed use;
- The proposed use is compatible with surrounding land uses;
- Impacts associated with the proposal are considered acceptable and are not unreasonable in the locality; and
- The site is able to be serviced adequately, and can drain to Council's satisfaction.

Section 4.15(1)(d) Any Submissions

Community Consultation

In accordance with Clause 4.4 of Appendix F4 of Penrith Development Control Plan 2014, the proposed development was advertised in the local newspaper and notified to nearby and adjoining property owners and occupiers.

The public exhibition period for the proposal was from 11 October to 8 November 2019. No public submissions were received in response.

Referrals

The application was referred to the following stakeholders and their comments have formed part of the assessment:

Referral Body	Comments Received
Building Surveyor	No objections - subject to conditions
Development Engineer	No objections - subject to conditions
Environmental - Environmental management	No objections - subject to conditions
Environmental - Waterways	No objections - subject to conditions
Environmental - Public Health	No objections - subject to conditions
Waste Services	No objections - subject to conditions
Traffic Engineer	No objection subject to conditions
Tree Management Officer	No objections

Section 4.15(1)(e)The public interest

The proposal is in the public interest as it provides for the orderly and economic use of land for a purpose permissible under the applicable planning regime and generally in accordance with the prevailing planning controls. The development proposal will provide public benefit in terms of delivering a diverse choice of employment opportunities and represents a suitable development of the site.

Section 94 - Developer Contributions Plans

The site and proposal are subject to Penrith City Council's City-Wide Section 7.12 Development Contributions Plan for Non-Residential Development. Based on the applicable rate under this Development Contributions Plan, the following development contribution applies to the proposal:

1% x \$9,000,000 (cost of construction works) = \$90,000

A condition of consent requiring the payment of this development contribution, prior to the issue of a Construction Certificate, has been recommended.

Conclusion

In assessing this proposal against the relevant environmental planning policies and supportive strategic documents, including State Environmental Planning Policy (Western Sydney Employment Area) 2009 and Penrith Development Control Plan 2014, the proposal generally satisfies the aims, objectives and provisions of these policies.

In its current form, the proposal will have a positive impact on the surrounding character of the area as the development is responsive to the site constraints and adequately addresses the local character, providing for an aesthetically pleasing streetscape and landscaping outcome. Support for the development proposal is in the public interest.

It is for the above reasons that the proposal is worthy of support, and the application should be approved subject to recommended conditions of consent.

Recommendation

That DA19/0655 for an industrial development including 17 industrial units, a cafe, basement and ground level car parking, earthworks, landscaping and stormwater drainage works and strata title subdivision at 1-23 Lenore Drive, Erskine Park, be approved subject to the following conditions.

CONDITIONS

General

1 [A001 - Approved plans table](#)

The development must be consistent with the following plans as stamped approved by Council, the application form, and any supporting information received with the application, except as may be amended in red on the approved plans and by the following conditions.

Plan Name	Plan Reference	Prepared By	Dated
Proposed Site and Roof Plan	A0002 Revision F	Ark Express	10.03.20
Waste Management Plan & Sediment Control Plan	A0003 Revision D	Ark Express	31.01.20
Concept Strata Plan	A0004 Revision E	Ark Express	10.03.20
Proposed Basement Plan	A1001 Revision H	Ark Express	31.01.20
Proposed Ground Master Plan	A1002 Revision L	Ark Express	10.03.20
Proposed Mezzanine Floor Plan	A1003 Revision F	Ark Express	10.03.20
Proposed Elevations 01	A2001 Revision G	Ark Express	31.01.20
Proposed Elevations 02	A2002 Revision G	Ark Express	31.01.20
Proposed Elevations 03	A2003 Revision F	Ark Express	31.01.20
Proposed Sections	A3001 Revision G	Ark Express	31.01.20
Typical Warehouse Unit Types – Ground Floor Plan 01	A4001 Revision H	Ark Express	10.03.20
Typical Warehouse Unit Types – Ground Floor Plan 02	A4002 Revision E	Ark Express	10.03.20
Café Ground Floor Plan & Landscape Strip Detail	A4003 Revision D	Ark Express	31.01.20
Ramp & Crossing Longitudinal Section	A4004 Revision A	Ark Express	31.01.20
Finishes Schedule	A7004 Revision E	Ark Express	31.01.20
Landscape Plan	LP: 180219 Revision D	Out There Landscapes and Design	27.01.20
Drawing Index & General Notes	TX13092.00 - C1.0 Issue C	Triaxial Consulting	29.07.19
Concept Stormwater Plan	TX13092.00 - C2.0 Issue E/H	Triaxial Consulting	12.03.19
OSD Catchment Plan	TX13092.00 - C2.1 issue D	Triaxial Consulting	31.01.20
Stormwater Details	TX13092.00 - C2.2 Issue E	Triaxial Consulting	31.01.20
Basement Stormwater Plan	TX13092.00 - C3.0 Issue F	Triaxial Consulting	31.01.20
Stormwater Discharge Details	TX13092.00 - C4.0 Issue B	Triaxial Consulting	30.08.19

2 [A012 - Food Act](#)

The proprietor of the cafe shall ensure that the requirements of the NSW Food Act 2003, NSW Food Regulation 2010 and the Australian and New Zealand Food Standards Code are met at all times.

3 [A017 - DA FOR USE](#)

Prior to occupation of a tenancy within the complex (with the exception of the approved cafe), a separate development approval is to be obtained to use the tenancy.

4 [A019 - Occupation Certificate](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

A satisfactory inspection of the cafe by an authorised officer of Council's Environmental Health Department is required prior to the issue of an Occupation Certificate. The occupier is to contact the Environmental Health Department to organise an appointment at least 72 hours prior to the requested inspection time.

5 [A019 - OCCUPATION CERTIFICATE \(ALWAYS APPLY\)](#)

The development shall not be used or occupied until an Occupation Certificate has been issued.

6 [A021 - Business Registration](#)

The cafe is to be registered with Penrith City Council by completing the "Registration of Premises" form. This form is to be returned to Council prior to the issue of the Occupation Certificate and operation of the business.

7 **A026 - Advertising sign (not for residential)**

No approval is granted for the installation signage as part of this consent. All signage which requires development consent, is to be submitted as part of a separate development application to Council.

8 **A029 - HOURS OF OPERATION AND DELIVERY TIMES**

The approved operating hours are from 7am to 6pm, daily. Delivery and service vehicles generated by the development are to be limited to these hours.

9 **A032 - Goods in buildings**

All materials and goods associated with the use of individual tenancies shall be contained within the tenancies at all times.

10 **A038 - LIGHTING LOCATIONS**

Prior to the issue of an Occupation Certificate, a lighting system shall be installed for the development to provide uniform lighting across common areas and driveways. Exterior lighting shall be located and directed in such a manner so as not to create a nuisance to surrounding land uses. The lighting shall be the minimum level of illumination necessary for safe operation. The lighting shall be in accordance with AS 4282 "Control of the obtrusive effects of outdoor lighting" (1997).

11 **A039 - Graffiti**

The finishes of all structures and buildings are to be maintained at all times and any graffiti or vandalism immediately removed/repaired.

12 **A046 - Obtain Construction Certificate before commencement of works**

A **Construction Certificate** shall be obtained prior to commencement of any works.

13 **A Special (BLANK)**

The development shall be undertaken in accordance with the General Terms of Approval issued by the NSW Natural Resources Access Regulator (NRAR), dated 7 November 2019. In this regard, a Controlled Activity Approval shall be obtained from NRAR **prior to the issue of a Construction Certificate**.

14 **A Special (BLANK)**

The development shall be undertaken in accordance with the conditions outlined in the Roads & Maritime Services letter dated 31 October 2019. In this regard, relevant conditions shall be satisfied prior to the issue of a Construction Certificate and/or prior to the issue of an Occupation Certificate, as applicable.

15 **A Special (BLANK)**

Prior to the issue of a Construction Certificate, the location and position of any required hydrants, boosters and substations shall be submitted to and approved by the Development Services Manager of Penrith City Council.

16 **A Special (BLANK)**

Prior to the issue of a Construction Certificate, the Planning Agreement between the Minister for Planning and Public Spaces and Frank Nicholopoulos and Rose Nicholas for contributions to the provision of regional transport infrastructure and services for the Western Sydney Employment Area is to be registered on the land title of Lot 55 DP 1170183. Evidence that the Planning Agreement has been registered on the land title is to be submitted by way of a Certificate of Title to Penrith City Council and to the Minister for Planning and Public Spaces.

17 **A Special (BLANK)**

Prior to the issue of a Construction Certificate, Lot 1 DP 1071114 and Lot 55 DP 1170183 are to be consolidated as one lot. A copy of the registered plan of consolidation from NSW Land Registry Services is to be submitted to the Principal Certifying Authority (PCA) and Penrith City Council.

18 **A Special (BLANK)**

Prior to the issue of a Construction Certificate, a licence agreement for access and easements for stormwater infrastructure and maintenance are to be registered over Lot 24 DP 1120114 in accordance with the requirements outlined in the Department of Planning, Industry and Environment's letter dated 2 December 2019.

19 **A Special (BLANK)**

No materials, equipment or waste bins are to be stored in the landscaping areas along Lenore Drive and Erskine Park Drive.

20 [A Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate, a signage strategy for the complex shall be submitted to Council for approval. The strategy is to:

- (a) identify the preferred locations and quantum of all building identification and business identification signage;
- (b) include a palette of preferred materials, signage types and graphic style;
- (c) outline any illumination requirements and/or restrictions so as to consider its impact on adjacent properties and uses;
- (d) promote a high quality, coordinated approach to signage and minimise visual clutter; and
- (e) include details of any way-finding signage.

21 [A Special \(BLANK\)](#)

Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to ensure that:

- (a) User/sensor electronic security gates are installed at the basement car park entrance/exits, lifts, stairwells and other entry points.
- (b) All areas of the car parks are well-lit, with consistent lighting.
- (c) Basement car park surfaces, including walls and ceilings, are light coloured to assist in safety and visibility.

22 [A Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate, the approved plans shall be amended to ensure no boundary or site fencing encroaches on vehicle paths of travel or designated circulation areas.

23 [A Special \(BLANK\)](#)

Prior to the issue of a Construction Certificate, details of all proposed retaining walls, including height, materials and colours, are to be submitted to, and approved by, Council.

Heritage/Archaeological relics

24 [C003 - Uncovering relics](#)

If any archaeological relics are uncovered during the course of the works, no further work shall be undertaken until further directed by Penrith City Council or the NSW Heritage Office.

The applicant is advised that depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the Heritage Act 1977 may be required before any further work can be recommenced in that area of the site.

Environmental Matters

25 [D- Dust](#)

Dust suppression techniques are to be employed during construction activities to reduce any potential nuisances to surrounding properties.

26 [D001 - Implement approved sediment& erosion control measures](#)

Erosion and sediment control measures shall be installed **prior to the commencement of works on site** including approved clearing of site vegetation. The erosion and sediment control measures are to be maintained in accordance with the approved erosion and sediment control plan(s) for the development and the Department of Housing's "Managing Urban Stormwater: Soils and Construction" 2004.

The approved sediment and erosion control measures are to be installed prior to and maintained throughout the construction phase of the development until the landscaping, driveway and on-site parking areas have been completed for the development. These measures shall ensure that mud and soil from vehicular movements to and from the site does not occur during the construction of the development.

27 [D009 - Covering of waste storage area](#)

All waste materials stored on-site are to be contained within a designated area such as a waste bay or bin to ensure that no waste materials are allowed to enter the stormwater system or neighbouring properties. The designated waste storage areas shall provide at least two waste bays / bins so as to allow for the separation of wastes, and are to be fully enclosed when the site is unattended.

28 **D010 – Appropriate disposal of excavated or other waste**

All excavated material and other waste materials are to be disposed of at a lawful waste management facility. All receipts and supporting documentation must be retained in order to verify lawful disposal of materials and are to be made available to Penrith City Council on request.

The crushing and re-use on site of construction waste plasterboard, MDF and particle board for filling and landscaping purposes IS NOT PERMITTED. All waste plasterboard, MDF and particle board is to be disposed of off-site at a lawful waste management facility.

29 **D014 - Plant and equipment noise**

The operating noise level of plant and equipment shall not exceed 5dB(A) above the background noise level when measured at the boundaries of the premises. The provisions of the Protection of the Environment Operations Act 1997 apply to the development, in terms of regulating offensive noise.

30 **D026 - Liquid wastes**

Only clean and unpolluted water is to be discharged into Penrith City Council's stormwater drainage system. Liquid wastes suitable for discharge to the mains sewer are to be discharged in accordance with Sydney Water requirements.

If mains sewer is not available or if Sydney Water will not allow disposal to the sewer, then a licensed waste contractor is to remove the liquid waste from the premises to an appropriate waste facility.

The waste contractor and waste facility are to hold the relevant licenses issued by the NSW Environment Protection Authority.

31 **D06A – Approval for bulk earthworks/major filling operations (Use for bulk earthworks/ major filling operations)**

No fill material shall be imported to the site until such time as a Validation Certificate (with a copy of any report forming the basis for the validation) for the fill material has been submitted to Council. The Validation Certificate shall:

- state the legal property description of the fill material source site,
- be prepared by an appropriately qualified person (as defined in Penrith Development Control Plan) with consideration of all relevant guidelines (e.g. EPA, ANZECC, NH&MRC), standards, planning instruments and legislation,
- clearly indicate the legal property description of the fill material source site,
- provide details of the volume of fill material to be used in the filling operations,
- provide a classification of the fill material to be imported to the site in accordance with the Environment Protection Authority's "Environmental Guidelines: Assessment, Classification & Management of Non-Liquid Wastes" 1997, and
- (based on the fill classification) determine whether the fill material is suitable for its intended purpose and land use and whether the fill material will or will not pose an unacceptable risk to human health or the environment.

An appropriately qualified person/s (as defined in the Penrith Development Control Plan) shall:

- Supervise the filling works,
- (On completion of filling works) carry out an independent review of all documentation relating to the filling of the site, and shall submit a review findings report to Council and any Principal Certifying Authority,
- Certify by way of a Compliance Certificate or other written documentation that fill materials have been placed on the site in accordance with all conditions of this consent and that the site will not pose an unacceptable risk to human health or the environment. A copy of the Compliance Certificate or other documentation shall be submitted to Council and any Principal Certifying Authority.

The contact details of any appropriately qualified person/s engaged for the works shall be provided with the Notice of Commencement.

If the Principal Certifying Authority or Penrith City Council is not satisfied that suitable fill materials have been used on the site, further site investigations or remediation works may be requested. In these circumstances the works shall be carried out prior to any further approved works.

{Note: Penrith Development Control Plan defines an appropriately qualified person as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soilscience, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance."}

32 **D Special BLANK**

Should any "unexpected finds" occur during site excavation and earthworks, including, but not limited to, the identification/finding of contaminated soils, buried building materials, asbestos, odour and/or staining, works are to cease immediately and Council notified. Any such "unexpected finds" shall be addressed by an appropriately qualified environmental consultant.

All remediation works within the Penrith Local Government Area are considered to be Category 1 works under State Environmental Planning Policy No. 55 - Remediation of Land. Should any contamination be found during development works and should remediation be required, development consent is to be sought from Penrith City Council before the remediation works commence.

{An appropriately qualified person is defined as "a person who, in the opinion of Council, has a demonstrated experience, or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies. In addition, the person will be required to have appropriate professional indemnity and public risk insurance"}.

33 **D Special BLANK**

Prior to the issue of a Construction Certificate, a revised floor plan for the cafe, incorporating a waste collection room wholly within the building in accordance with the provisions of Penrith Development Control Plan 2014, Section C5 - Waste Management, is to be submitted to, and approved by, Council.

BCA Issues

34 E006 - Disabled access and facilities

Access and sanitary facilities for persons with disabilities are to be provided and maintained in accordance with the requirements of the Building Code of Australia and AS 1428 "Design for Access and Mobility". Details of compliance are to be provided in the relevant plans and specifications accompanying the Construction Certificate application.

35 E01A - BCA compliance for Class 2-9

All aspects of the building design shall comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community. Compliance with the performance requirements can only be achieved by:

(a) complying with the deemed to satisfy provisions, or

(b) formulating an alternative solution which:

- complies with the performance requirements, or
- is shown to be at least equivalent to the deemed to satisfy provision, or

(c) a combination of (a) and (b).

It is the owner's responsibility to place on display, in a prominent position within the building at all times, a copy of the latest fire safety schedule and fire safety certificate/statement for the building.

Health Matters and OSSM installations

36 F001 - General Fitout

The construction, fit-out and finishes of the cafe must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, and AS 4674-2004 *Design, Construction and Fitout of Food Premises*.

37 F022 - Commercial kitchen(exhaust system)

Cooking appliances which exceed a total maximum power input of 8kw for electrical, or a total gas input of 29MJ/h for a gas appliance, are required to have a kitchen exhaust system installed in accordance with Clause F4.12 of the Building Code of Australia and Australian Standard 1668, Parts 1 & 2.

Detailed plans together with calculations for the system must be provided as part of the Construction Certificate application.

The exhaust hood must completely cover the equipment to be ventilated and extended at least 200mm beyond the perimeter of the equipment. The exhaust hood must be provided with a condensation gutter around its base. The gutter must be at least 50mm wide by 25mm deep. Where abutting walls are located, the hood must be constructed so as to finish flat against the wall surface.

The low edge of a canopy type exhaust hood must be at least 2000mm above floor level.

Prior to the issue of an Occupational Certificate, and operation of the cafe, the exhaust system shall be certified by an appropriately qualified person to comply with the Building Code of Australia and Australian Standard, Parts 1 & 2. A copy of the certification and supporting documentation must be provided to Council's Environmental Health Department if Council is not the Principal Certifying Authority.

38 F025 - Food safety supervisor

A Food Safety Supervisor, with a current Food Safety Supervisor Certificate recognised by the NSW Food Authority, must be appointed by the business prior to commencement of the cafe use.

39 F027 - Hand basins

Hand basins in the cafe and staff toilets must be serviced with hot and cold water through a single outlet, able to be mixed at a temperature of at least 40°C and fitted with a hands free operation. Where sensor taps are installed, the basin must not be more than 6 metres from the hot water system. Disposable paper hand towels and soap must be provided and serviced from a dispenser adjacent to each hand basin.

40 F030 - Hot water service

Hot water services must be positioned at least 75mm clear of the adjacent wall surfaces, and mounted at a minimum 150mm above the floor level on a non-corrosive metal stand. The hot water system must be sized to meet the demands of the cafe during peak operating and cleaning periods and be able to provide sufficient hot water throughout the working day. Discharge from the hot water system must enter the sewer through a tongue dish in accordance with Sydney Water's requirements.

- 41 **F031 - Floor & floor waste**
The floor of the cafe must be finished in an approved non-absorbent material, evenly laid, or graded and drained to a trapped floor waste. All floor wastes in the food preparation, service and scullery areas must be fitted with a sump removable basket and grate, a minimum 200mm in diameter, and finished in all stainless steel.
- 42 **F032 - Floor covering**
Approved, recessed coving must be provided at all intersections of the floor with the walls within all food preparation, service, storage and scullery areas. All coving must have a minimum concave radius of 25mm and be installed so as to be integral to the surface finish of both floor and wall in such a manner as to form a continuous, uninterrupted surface.
- 43 **F033 - Walls – food prep area**
The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other approved material to a height of 2 metres. The intersection of tiles and render must have a flush finish, or be splayed at a 45 degree angle to eliminate a ledge that would allow dust and grease to accumulate.
- 44 **F034 - Walls – behind cooking appliances**
The walls at the rear of cooking appliances must be surfaced with an impervious material, such as stainless steel, which extends from the canopy to the floor. Where a cooking appliance is sealed to the wall, the material must be lapped over the top edge of the appliance to provide a grease and vermin proof seal. Cooking appliances must only be sealed to walls made of a non-combustible material.
- 45 **F035 - Ceilings**
The ceiling in the preparation, service and scullery areas must be constructed with a rigid, non-absorbent, smooth faced material free from open joints, cracks and crevices and be painted with a light coloured washable paint. The intersection of the walls and ceiling must be tight jointed, sealed and dust proofed. Drop-in panel style ceilings are not permitted.
- 46 **F036 - Service pipes**
Service pipes, electrical conduits and refrigeration condensate pipes shall be enclosed or chased into walls, floors or plinths. Where it can be demonstrated that this is not feasible, pipes and conduits fixed on brackets, providing a minimum of 25mm clearance from the adjacent wall and 100mm from the floor or adjacent horizontal surface, can be used. All openings in walls, floors and ceilings, through which service pipes and conduits pass, must be vermin proof.
- 47 **F037 - Temperature control**
Appliances used to store potentially hazardous food must have a capacity to keep foods hotter than 60°C, refrigerated foods less than 5°C, and frozen foods less than -18°C and be provided with a digital thermometer, accurate to 1°C that can be easily observed from outside the appliance.
- 48 **F042 - Dishwasher**
Details of the dishwashing/glass washing machines must be submitted to Council and approved prior to installation. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes.
- 49 **F043 - Hot & cold water at sinks**
All wash sinks and food preparation sinks must be serviced with hot and cold water through a single outlet. Wash sinks must be supplied with water at a temperature of not less than 54°C for washing.
- 50 **F045 - Food Prep Sink - clearance area**
The food preparation sink must be separated from all other sinks by a minimum distance of 2 metres or have an approved form of physical barrier that separates the sink.
- 51 **F046 - Cleaners sink**
The cleaner's sink must be serviced with hot and cold water through taps fitted with hose connectors. Cleaner's sinks must be located outside of areas where open food is handled.

52 **F047 - Fixtures & fittings**

All fixtures, fittings and equipment must be provided with smooth and impervious surfaces, free from cracks and crevices to enable easy cleaning.

All fittings and fixtures must be built into the wall and floor so as to be free from joint, gaps and cavities to enable easy cleaning or alternatively, supported on one of the following:

(a). Plinths – plinths must be an integral part of the floor, constructed of solid materials similar to the floor at least 75mm in height and coved at the intersection with the floor. All plinths must have a smooth and impervious finish. All fittings and fixtures must be properly sealed to the plinth so to be free from gaps, cracks and cavities.

(b). Wheels or castors – fittings and fixtures can be supported on wheels or castors. The wheels and castors must be capable of supporting and easily moving a full loaded fitting. All wheels and castors must be provided with a restraining device.

(c). Legs – fittings and fixtures can be supported on legs but must be constructed of a non-corrosive, smooth metal or moulded plastic. All legs must be free from cracks and crevices. All legs must have a clearance space between the floor and the underside of the fitting of at least 200mm.

NOTE: False bottoms under fittings are not permitted (AS 4674-2004 – Sections 4.2 and 4.3).

53 **F048 - Food prep benches**

All food preparation benches must be constructed in stainless steel or finished in a smooth and non-absorbent approved material that is free of joints.

54 **F049 - Storage cabinets**

All storage cabinets (internal and external surfaces) must be finished in a smooth and non-absorbent approved material that is free of joints.

55 **F050 - Light bulbs & tubes**

Light bulbs or tubes are to be shatterproof or fitted with approved light diffusers (covers or shields) to prevent contamination of food by glass from a broken light globe or tube. Light fittings must be free from any feature that would collect dirt or dust, harbour insects or make the fitting difficult to clean. Light fittings must be recessed into ceilings or equipment where possible. Heat lamps must be protected against breakage by a shield extending beyond the bulb.

56 **F051 - Shelving**

Shelves must be smooth and impervious; free from joints, cracks and crevices; and able to be easily cleaned. The lowest shelf must be at least 200mm off the floor to allow easy cleaning underneath. Approved materials must be used, such as galvanised piping, stainless steel or laminated plastic. Shelves are to be sealed to the wall or kept clear of walls to allow easy access for cleaning (>40 mm).

57 **F057 - Waste storage**

All garbage must be stored in accordance with the requirements of the Food Safety Standards of the Australian and New Zealand Food Standards Code and the *Protection of the Environment Operations Act 1997* to prevent the harbourage of vermin or generation of odours.

58 F Special BLANK

Prior to any fit-out works for the cafe, the cafe floor plan is to be amended to show the details below. The amended plan must be submitted to, and approved by, Council **prior to the issue of a Construction Certificate for the fit-out of the cafe unit.**

- Details of the finish of the walls and ceiling (note acoustic panels not permitted in food preparation areas);
- Details and location of coving to all floor wall joins;
- Details and location of shelving to the storage area for food and packaging;
- Construction material of shelving indicating lowest shelf at least 150mm above ground level;
- Details of materials used on benches in kitchen;
- Reference to the construction of the premises being in accordance with the Australian New Zealand Food Standards Code, Food Safety Standard 3.2.3 “Food Premises and Equipment” and AS 4674 – 2004 “Design, Construction and Fit Out of Food Premises”;
- Hand wash facilities fitted with a hands-free operation warm water through a common spout (hand washing facilities are for the sole purpose of hand washing in the kitchen);
- Location of separate sink for: (a) washing of vegetables and fruit; (b) hand washing; and (c) washing (required) and sanitizing sinks (if no dishwasher);
- Location of any floor wastes (if being installed) and cleaner's sink;
- Details and location of all equipment in the kitchen including, but not limited to, ovens, fridges, freezers, dishwasher, etc;
- Location of personal staff storage area;
- Any fluorescent light fittings being fitted with a smooth faced diffuser and identified on the plan;
- Location and information of mechanical ventilation for oven/stove in accordance with Section 2.5.2 of AS 4674 – 2004 “Design, Construction and Fit Out of Food Premises”;
- Details of the dishwashing/glass washing machines. All utensils and equipment must undergo a washing, sanitising and rinsing cycle. The sanitising rinse cycle must achieve a water temperature of 80°C for 2 minutes or 75°C for 10 minutes; and
- Location of dry goods storage (bulk food storage) and cool rooms and/or fridges and freezers.

No fit-out works for the cafe shall commence until Council has provided approval of the amended floor plan. The applicant is to provide documentation of the approval to the Certifying Authority.

Utility Services

59 G002 - Section 73 (not for

A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s website at www.sydneywater.com.au then the “e-developer” icon, or telephone 13 20 92.

The Section 73 Compliance Certificate must be submitted to the Principal Certifying Authority **prior to the issue of an Occupation Certificate.**

60 G004 - Integral Energy

Prior to the issue of a Construction Certificate, a written clearance is to be obtained from Endeavour Energy stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

In the event that a pad mounted substation is necessary to service the development, Penrith City Council shall be consulted over the proposed location of the substation before the Construction Certificate for the development is issued as the location of the substation may impact on other services and building, driveway or landscape design already approved by Council.

61 **G006 -**

Prior to the issue of a Construction Certificate, the Principal Certifying Authority shall be satisfied that telecommunications infrastructure may be installed to service the premises which complies with the following:

- The requirements of the Telecommunications Act 1997;
- For a fibre ready facility, the NBN Co's standard specifications current at the time of installation; and
- For a line that is to connect a lot to telecommunications infrastructure external to the premises, the line shall be located underground.

Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary pits and pipes, and conduits to accommodate the future connection of optic fibre technology telecommunications.

Prior to the issue of an Occupation Certificate, written certification from all relevant service providers that the telecommunications infrastructure is installed in accordance with the requirements above and the applicable legislation at the time of construction, must be submitted to the Principal Certifying Authority.

Construction

62 **H001 - Stamped plans and erection of site notice**

Stamped plans, specifications, a copy of the development consent, the Construction Certificate and any other Certificates to be relied upon shall be available on site at all times during construction.

The following details are to be displayed in a maximum of 2 signs to be erected on the site:

- the name of the Principal Certifying Authority, their address and telephone number,
- the name of the person in charge of the work site and telephone number at which that person may be contacted during work hours,
- that unauthorised entry to the work site is prohibited,
- the designated waste storage area must be covered when the site is unattended, and
- all sediment and erosion control measures shall be fully maintained until completion of the construction phase.

Signage but no more than 2 signs stating the above details are to be erected:

- at the commencement of, and for the full length of the, construction works on-site, and
- in a prominent position on the work site and in a manner that can be easily read by pedestrian traffic.

All construction signage is to be removed when the Occupation Certificate has been issued for the development.

63 H002 - All forms of construction

Prior to the commencement of construction works:

(a) Toilet facilities at or in the vicinity of the work site shall be provided at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be:

- a standard flushing toilet connected to a public sewer, or
- if that is not practicable, an accredited sewage management facility approved by Council, or
- alternatively, any other sewage management facility approved by Council.

(b) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with the appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

(c) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- must preserve and protect the building from damage, and
- if necessary, must underpin and support the building in an approved manner, and
- must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land, (includes a public road and any other public place).

(d) If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place:

- if necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place,
- the work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place, and
- any such hoarding, fence or awning is to be removed when the work has been completed.

64 H041 - Hours of work (other devt)

Construction works that are carried out in accordance with an approved consent that involve the use of heavy vehicles, heavy machinery and other equipment likely to cause offence to adjoining properties shall be restricted to the following hours in accordance with the NSW Environment Protection Authority Noise Control Guidelines:

- Mondays to Fridays, 7am to 6pm
- Saturdays, 7am to 1pm if inaudible on neighbouring residential premises, otherwise 8am to 1pm
- No work is permitted on Sundays and Public Holidays.

Other construction works carried out inside a building/tenancy that do not involve the use of equipment that emits noise are not restricted to the construction hours stated above.

The provisions of the Protection of the Environment Operations Act 1997 in regulating offensive noise also apply to all construction works.

Engineering

65 K100 - Easement

Prior to the issue of a Construction Certificate, an easement for drainage and overland flow a minimum of 2.5m wide over the 450mm diameter pipeline and variable width with 1.0m clearance around the headwall and outlet protection shall be provided over Lot 24 DP 1120114, and evidence of registration of the easement with Land Registry Services (LRS) shall be submitted to Penrith City Council. Easement widths shall be in accordance with Penrith City Council's adopted Design Guidelines.

66 **K202 - S138 Roads Act – Works and Structures - Minor Works in the public road DRIVEWAYS ROAD OPENINGS**

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, a Section 138 Roads Act application, including payment of application and inspection fees, shall be lodged with and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following:

- a) Road opening for utilities
- b) Road occupancy or road closures
- c) The placement of hoardings, structures, containers, waster skips, signs, etc in the road reserve
- d) Temporary construction access

All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice.

Contact Penrith City Council's City Works Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) Where Penrith City Council is the Certifier for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate or Subdivision Works Certificate.
- b) Separate approvals may also be required from the Roads and Maritime Services for classified roads.
- c) All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate, as applicable.
- d) On completion of any awning over the road reserve, a certificate from a practising structural engineer certifying the structural adequacy of the awning is to be submitted to Council before Council will inspect the works and issue its final approval under the Roads Act.

67 **K204 - S138 Roads Act – RMS CIVIL CONSTRUCTION IN THE STATE ROAD**

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifier shall ensure that any applicable application, including the payment of application and inspection fees, has been lodged with and approved by the Roads and Maritime Services for works within the Erksine Park Road and Lenore Drive road reserves.

A copy of the Roads and Maritime Services approval shall be submitted to Penrith City Council prior to Penrith City Council issuing any Roads Act approval.

68 **K205 - S68 Local Government Act – Stormwater drainage works CIVIL CONSTRUCTION IN LOTS**

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifier shall ensure that an application under Section 68 of the Local Government Act, including payment of application and inspection fees, has been lodged with, and approved by, Penrith City Council for provision of a stormwater discharge point and associated drainage infrastructure on Lot 24 DP 1120114.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Austroads Guidelines, and best engineering practice.

Contact Penrith City Council's Development Engineering Department on (02) 4732 7777 or visit Penrith City Council's website for more information.

Note:

- a) All works associated with the Section 68 Local Government Act Approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate, as applicable.

69 **K209 - Stormwater Concept Plan**

The stormwater management system shall be provided generally in accordance with the concept plan/s lodged for development approval and the commitments made in the Water Sensitive Urban Design Strategy prepared by Triaxial Consulting, reference number TX13092.02.RPT.JD, Issue 1, dated 11/12/2019.

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate.

Prior to the issue of a Construction Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design Policies.

70 **K210 - Stormwater Management**

The stormwater management system shall be provided generally in accordance with the concept plans lodged for development approval, prepared by Triaxial Consulting, as listed in the following table:

Drawing No.	Revision	Date	Description
TX13092.00 - C1.0	C	29/07/2019	Drawing Index & General Notes
TX13092.00 - C2.0	H	31/01/2020	Concept Stormwater Plan
TX13092.00 - C2.1	D	31/01/2020	Developed Site Catchment Plan
TX13092.00 - C2.2	E	31/01/2020	Stormwater Details
TX13092.00 - C3.0	F	31/01/2020	Basement Stormwater Plan
TX13092.00 - C4.0	B	30/08/2019	Stormwater Plan - Outlet Treatment

Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate or Subdivision Works Certificate.

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifier shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage Specification for Building Developments and Water Sensitive Urban Design (WSUD) Policy.

71 **K211 - Stormwater Discharge – Basement Car parks**

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifier shall ensure that the stormwater drainage system for the basement car park has been designed in accordance with the requirements for pumped systems in AS 3500.3 (or as amended) (Plumbing and Drainage – Stormwater Drainage).

72 **K225 - Performance Bond**

Prior to the issue of a Roads Act Approval, a Performance Bond is to be lodged with Penrith City Council for public domain works in Erskine Park Road and Lenore Drive.

The value of the bond shall be determined in accordance with Penrith City Council's adopted Fees and Charges.

Note:

Contact Penrith City Council's Development Engineering Department on (02) 4732 7777 for further information relating to bond requirements.

73 **K301 - Sediment & Erosion Control**

Prior to commencement of works, sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997.

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

74 [K405 - Turf to Verge](#)

Upon completion of all works in the road reserve, all verge areas fronting and within the development are to be turfed. The turf shall extend from the back of kerb to the property boundary, with the exception of concrete footpaths, service lids or other infrastructure which is not to be turfed over. Turf laid up to concrete footpaths, service lids or other infrastructure shall finish flush with the edge.

75 [K501 - Penrith City Council clearance – Roads Act/ Local Government Act](#)

Prior to the issue of any Occupation Certificate, the Principal Certifier shall ensure that all works associated with any Section 138 Roads Act approval or Section 68 Local Government Act approval have been inspected and signed-off by Penrith City Council.

76 [K502 - Works as executed – General and Compliance Documentation](#)

Prior to the issue of an Occupation Certificate, works-as-executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments Specification.

An original set of works-as-executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation Certificate where Council is not the Principal Certifying Authority.

77 [K504 - Stormwater Compliance](#)

Prior to the issue of any Occupation Certificate, the Principal Certifier shall ensure that the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Basement pump out system

- Have been satisfactorily completed in accordance with the approved Construction Certificate or Subdivision Works Certificate and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to be undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the works-as-executed drawings.

78 [K505 - Restriction as to User and Positive Covenant](#)

Prior to the issue of any Occupation Certificate, a restriction as to user and positive covenant relating to the:

- a) Stormwater management systems (including on-site detention and water sensitive urban design)
- b) Basement pump out system

shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater Drainage Specification for Building Developments.

79 [K601 - Stormwater Management system operation and maintenance](#)

The stormwater management systems shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan.

Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.

80 [K - Waterways - Storm water Management – sediment basin](#)

The bio-retention basin is to be maintained by the landowners as a sediment basin until 80% of building construction is completed. After 80% of building construction is completed, the sediment basin is to be decommissioned and the bio-retention basin completed. After completion of the bio-retention basin has occurred, the landowners are to maintain the bio-retention basin in perpetuity.

81 [K Special \(BLANK\)](#)

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that the land title includes a Restriction as to User such that the lot is not to be serviced or accessed by any vehicle greater than 10.5m in length. Semi-trailer and B-Double vehicles are strictly not permitted for the life of the development.

82 [K Special \(BLANK\)](#)

All vehicles are to enter and exit the site in a forward direction.

83 [K Special \(BLANK\)](#)

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the plans include dimensions of driveways, ramps, aisles, parking spaces, accessible parking, bicycle parking, internal and external footpaths and service vehicle manoeuvring and loading areas compliant with AS 2890, AS 1428, Penrith Development Control Plan 2014 (Section C10) and Council's requirements.

84 [K Special \(BLANK\)](#)

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the plans include provision for a 1.5 metre wide concrete footpath in Lenore Drive along the verge fronting the site and connecting to the existing footpath at the corner of Lenore Drive and Erskine Park Road.

85 [K Special \(BLANK\)](#)

Prior to the issue of any Occupation Certificate, appropriate signage, visible from the public road and on-site, shall to be installed to reinforce designated vehicle circulation and to direct staff / delivery vehicle drivers / service vehicle drivers / bicyclists / accessible parking / visitors to on-site parking, delivery and service areas to the satisfaction of the Certifying Authority.

86 [K Special \(BLANK\)](#)

The required sight lines around the driveway entrances and exits are not to be compromised by street trees, landscaping or fencing.

87 [K Special \(BLANK\)](#)

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the plans include compliant sight lines and sight distances at the driveways in accordance with AS 2890.1, Figure 3.2 and Figure 3.3 and AS 2890.2, Figure 3.3 and Figure 3.4.

88 [K Special \(BLANK\)](#)

Sub-leasing of car parking spaces is not permitted by this consent.

89 [K Special \(BLANK\)](#)

Prior to the issue of an Occupation Certificate, all vehicle parking and manoeuvring areas must be in accordance with AS 2890.1, AS 2890.2, AS 2890.3, AS 2890.5, AS 2890.6, Penrith Development Control Plan 2014 (Section C10) and Council's requirements, to the satisfaction of the Certifying Authority.

90 [K Special \(BLANK\)](#)

All car spaces, manoeuvring areas and loading areas are to be sealed, line marked and dedicated for the parking, manoeuvring and loading of vehicles only and are not to be used for storage of products, waste materials, etc.

91 [K Special \(BLANK\)](#)

Prior to the issue of an Occupation Certificate, accessible parking is to be provided with accessible paths of travel to the facility in accordance with AS 2890.6, to the satisfaction of the Certifying Authority.

92 [K Special \(BLANK\)](#)

Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the plans include complying numbers of secure, all weather bicycle parking spaces, any required end of journey facilities, change rooms, showers and lockers provided at convenient locations in accordance with Penrith Development Control Plan 2014 (Section C10.7), AS 2890.3 Bicycle Parking Facilities and the Planning Guidelines for Walking and Cycling (NSW Government, 2004).

93 [K Special \(BLANK\)](#)

Prior to the issue of an Occupation Certificate, the redundant driveway crossing along Lenore Drive is to be reinstated as kerb and guttering as per Council's specifications.

94 [K Special Condition BLANK](#)

All roadworks, stormwater drainage works, signage, linemarking, associated civil works and dedications, required to effect the consented development shall be undertaken by the applicant at no cost to Penrith City Council.

95 [K Special Condition BLANK](#)

An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate and/or Subdivision Works Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges.

An application form together with an information sheet and conditions are available on Council's website.

Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Council's website for more information.

96 **K Special Condition BLANK**

Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifier shall ensure that a Section 138 Roads Act application, including payment of application and inspection fees, has been lodged with, and approved by, Penrith City Council (being the Roads Authority under the Roads Act), for provision of public domain works in the verges of Erskine Park Road and Lenore Drive that are excluded from the Roads and Maritime Services' Section 138 Roads Act approval.

Engineering plans are to be prepared in accordance with the development consent, Penrith City Council's Design Guidelines for Engineering Works for Subdivisions and Developments, Engineering Construction Specification for Civil Works, Austroads Guidelines, and best engineering practice.

Contact Penrith City Council's Development Engineering Department on 4732 7777 to obtain a formal fee proposal prior to lodgement and visit Penrith City Council's website for more information.

Note:

- Where Penrith City Council is the Certifying Authority for the development, the Roads Act approval for the above works may be issued concurrently with the Construction Certificate or Subdivision Works Certificate.
- Separate approvals may also be required from the Roads and Maritime Services for classified roads.
- All works associated with the Roads Act approval must be completed prior to the issue of any Occupation Certificate or Subdivision Certificate, as applicable.

97 **K Special Condition BLANK**

Prior to the commencement of any works on-site (including demolition works) or prior to the issue of any Construction Certificate or Subdivision Works Certificate, whichever occurs first, a Construction Traffic Management Plan (CTMP) shall be submitted to Council's City Assets Department for endorsement. The CTMP shall be prepared by a suitably qualified consultant with appropriate training and certification from the Roads & Maritime Services (RMS). The CTMP shall include details of any required road closures, work zones, loading zones and the like. Approval of the CTMP may require approval of the Local Traffic Committee. Please contact Council's City Assets Department on 4732 7777 and refer to Council's website for a copy of the Temporary Road Reserve Occupancy Application Form.

98 **K Special Condition BLANK**

Prior to the commencement of any works at the site, the developer shall undertake a dilapidation report for all surrounding buildings and Council owned infrastructure to verify that no damage occurs due to the excavations associated with the development. If Council is not the Certifier for the development, then the dilapidation report shall be submitted to Council **prior to the issue of any Construction Certificate** and then updated and submitted **prior to the issue of any Occupation Certificate**, and is to outline and identify if any damage or changes have occurred.

Landscaping

99 **L001 - General**

All landscape works are to be constructed in accordance with the stamped approved plans and Penrith Development Control Plan 2014 (Section C6 - Landscape Design).

Landscaping shall be maintained:

- in accordance with the approved plans, and
- in a healthy state, and in perpetuity by the existing or future owners and occupiers of the property.

If any of the vegetation comprising that landscaping dies or is removed, it is to be replaced with vegetation of the same species and, to the greatest extent practicable, the same maturity as the vegetation which died or was removed.

100 **L002 - Landscape construction**

The approved landscaping for the site must be constructed by a suitability qualified and experienced landscape professional.

101 [L003 - Report requirement](#)

The following series of reports relating to landscaping are to be submitted to the nominated consent authority at the appropriate time periods as listed below. These reports shall be prepared by a suitability qualified and experienced landscape professional

i. [Implementation Report](#)

Upon completion of the landscape works associated with the development and prior to the issue of an Occupation Certificate for the development, an Implementation Report must be submitted to the Principal Certifying Authority attesting to the satisfactory completion of the landscaping works for the development. The report is to be prepared by a suitability qualified and experienced landscape professional.

An Occupation Certificate should not be issued until such time as a satisfactory Implementation Report has been received. If Penrith City Council is not the Principal Certifying Authority, a copy of the satisfactory Implementation Report is to be submitted to Council together with the Occupation Certificate for the development.

ii. [Maintenance Report](#)

On the first anniversary of the date of the Occupation Certificate issued for the development, a Landscape Maintenance Report is to be submitted to Penrith City Council certifying that the landscape works are still in accordance with the development consent and the plant material is alive and thriving.

This report is to be prepared by a suitability qualified and experienced landscape professional.

102 [L005 - Planting of plant](#)

All plant material associated with the construction of approved landscaping is to be planted in accordance with Penrith Development Control Plan 2014 (Section C6 - Landscape Design).

103 [L006 - Aust Standard](#)

All landscape works are to meet industry best practice and the following relevant Australian Standards:

- AS 4419 Soils for Landscaping and Garden Use,
- AS 4454 Composts, Soil Conditioners and Mulches, and
- AS 4373 Pruning of Amenity Trees.

104 [L007 - Tree protectionmeasures–no TMPwith DA](#)

All trees that are required to be retained as part of the development are to be protected in accordance with the minimum tree protection standards prescribed in Penrith Development Control Plan 2014 (Section C6 - Landscape Design).

105 [L008 - Tree PreservationOrder](#)

No trees are to be removed, ringbarked, cut, topped or lopped or wilfully destroyed (other than those within the proposed building footprint or as shown on the approved plans) without the prior consent of Penrith City Council and in accordance with Council's Tree Preservation Order and Policy.

106 [L Special \(BLANK\)](#)

Street tree planting at 10m centres is to be provided to all street frontages to the satisfaction of Penrith City Council. In this regard, concurrence must be obtained from Council's Landscape Architect prior to the planting of the trees, including the selection of species and pot size. Evidence of concurrence is to be provided to the Principal Certifying Authority. Where street trees need replacing or are to be re-located, the works are to be undertaken in consultation with Penrith City Council to confirm species, pot size (minimum 75L) and final locations.

The Principal Certifying Authority is to ensure that the street trees surrounding the development adjacent to the subject site, have been installed and are thriving **prior to the issue of an Occupation Certificate**.

Note: Works in the road reserve may require approval under the Roads Act and from the Roads and Maritime Services.

Subdivision

107 M008 - Subdivision Certificate requirements

Prior to the issue of a Strata Subdivision Certificate, an original final plan of subdivision and two (2) copies of the plan are to be submitted to the PCA. The plan of subdivision must indicate, where relevant:

- All drainage easements, rights of way, restrictions and covenants.
- All proposed dedications of roads/drainage/public reserve, which are to be undertaken at no cost to Penrith City Council.

The following information is to be shown on one (1) copy of the plan.

- The location of all buildings and/or other permanent improvements shall comply with any statutory boundary clearances or setbacks as defined by the Building Code of Australia and Council's resolutions.
- All existing services are wholly contained within the lot served and/or covered by an appropriate easement.

Prior to lodgement of the Subdivision Certificate application, street address numbering must be obtained/approved by Penrith City Council's Rates Team. Proposed street addresses can be forwarded to council@penrith.city for approval.

108 M Special (BLANK)

Prior to the issue of a Strata Subdivision Certificate, the approved strata plan of subdivision is to be amended to incorporate the proposed basement level and all car spaces shall be delineated as common property and/or proportionately allocated to respective units in the complex.

Development Contributions

109 N001 - Section 94 contribution (apply separate condition for each Contribution Plan)

This condition is imposed in accordance with Penrith City Council's Development Contributions Plan for Non-Residential Development. Based on the current rates detailed in the accompanying schedule attached to this Notice, \$90,000.00 is to be paid to Penrith City Council prior to a Construction Certificate being issued for this development (the rates are subject to quarterly reviews). If not paid within the current quarterly period, this contribution will be reviewed at the time of payment in accordance with the adopted Section 7.12 plan.

The projected rates of this contribution amount are listed in Council's Fees and Charges Schedule. Council should be contacted prior to payment to ascertain the rate for the current quarterly period. The Section 7.12 invoice accompanying this consent should accompany the contribution payment. The Section 7.12 Contributions Plan for Non-Residential Development may be inspected at Council's Civic Centre, 601 High Street, Penrith.

Note: The timing of contributions payable may be otherwise affected in accordance with Planning Circular PS20-003 dated 3 July 2020 and the associated NSW Government Ministerial Direction - Infrastructure Contributions.

Certification

110 Q009 - Strata Certificate

A Strata Subdivision Certificate shall be obtained from the Principal Certifier prior to lodgement of the strata plan with NSW Land Registry Services. The Strata Certificate will not be issued if:

- (a) any of the conditions in this consent are outstanding, and/or
- (b) if the Final Occupation Certificate for the buildings, the subject of the strata plan, has not been issued.

111 Q01F - Notice of Commencement & Appointment of PCA2 (use for Fast Light only)

Prior to the commencement of any earthworks or construction works on site, the proponent is to:

- (a) employ a Principal Certifying Authority to oversee that the said works carried out on the site are in accordance with the development consent and related Construction Certificate issued for the approved development, and with the relevant provisions of the Environmental Planning and Assessment Act and accompanying Regulation, and
- (b) submit a Notice of Commencement to Penrith City Council.

The Principal Certifying Authority shall submit to Council an "Appointment of Principal Certifying Authority" in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

Information to accompany the Notice of Commencement

Two (2) days before any earthworks or construction/demolition works are to commence on site (including the clearing site vegetation), the proponent shall submit a "Notice of Commencement" to Council in accordance with Section 81A of the Environmental Planning and Assessment Act 1979.

112 [Q05F - Occupation Certificate for Class10](#)

An Occupation Certificate is to be obtained from the Principal Certifying Authority on completion of all works and prior to the occupation/use of the development.

The Certificate shall not be issued if any conditions of this consent, but not the conditions relating to the operation of the development, are outstanding.

A copy of the Occupation Certificate and all necessary documentation supporting the issue of the Certificate is to be submitted to Penrith City Council, if Council is not the Principal Certifying Authority.

Appendix - Development Control Plan Compliance

Development Control Plan 2014

Part C - City-wide Controls

C1 - Siting and Design Principles

The siting and design of the proposal appropriately reflects the industrial use of the site and responds adequately to the site's topography, while maintaining the visual quality and amenity of the Erskine Business Park estate.

The application was supported by an Architect's Design Statement. The proposed design has been reviewed by Council's Urban Design Review Panel and Landscape Architect, both of which were supportive of the proposal.

C2 - Vegetation Management

There are 14 existing trees along the southern boundary which are proposed for removal. The application was supported by a Arboricultural Impact Report which assessed the trees for their health and condition and retention value, and made recommendations for removal of the trees. The recommendations of the report were supported by Council's Tree Management Officer, and it is noted significant compensatory tree planting is proposed as part of the submitted landscape plan.

C4 - Land Management

As part of the earthworks for the proposal, up to 1m of cut and up to 3.05m of fill is proposed. The cut is to accommodate the basement level and the fill is required to enable the southern building platform to align with the central access roadway. The extent of cut and fill is assessed to be acceptable due to the site's topography and proposed industrial land use. A condition of consent requiring full retaining wall details has been recommended.

C10 - Transport, Access and Parking

The application was supported by a Traffic Impact Assessment. The proposal was referred to Council's Traffic Engineer and the RMS who both raised no objection to the proposal. Penrith DCP 2014 requires car parking for industrial development at a rate of 1 space per 75 sq.m of GFA or 1 space per 2 employees, whichever is greater. As the individual use and employee rates for the units is unknown at this stage, the rate of 1 space per 75 sq.m has been applied for the industrial units (i.e. 6,637 sq.m / 75 sq.m = 89 car spaces). A car parking rate of 1 space per 30 sq.m of GFA applies to the cafe (i.e. 80 sq.m / 30 sq.m = 3 car spaces). The total car parking required is therefore 92 car spaces.

The proposal provides for 101 car parking spaces, of which 40 spaces are at-grade and 61 spaces are in the basement. This results in an excess of 12 car parking spaces, which is considered acceptable as the majority of spaces are located with the basement and given the location of the site is remote from public transport opportunities.

E6 Erskine Business Park

The subject site is within the northern precinct of the Erskine Business Park. The development proposal meets the aims and objectives outlined in the Penrith Development Control Plan 2014, Chapter E6 - Erskine Business Park, as well as the majority of the applicable controls, except as outlined below.

E6.3.2 - Site Coverage

The objectives of the site coverage controls are as follows:

- a) To limit the density of development; and*
- b) To encourage the provision of open space and landscaping on development sites, consistent with the landscape objectives in the Landscape Design of this Plan.*

The site coverage control which relates to this development proposal is that site coverage is not to exceed 50%. The proposal has a site coverage of 74%, being made up of building area and hardstand areas. Although the proposal exceeds the maximum requirement, the scale and density of the development along with the proposal achieving the landscaping objectives set out in Section E6.8 - Landscaping, has been assessed to be appropriate for the site and is consistent with outcomes on other sites in Erskine Business Park.

E6.3.3 - Setbacks

The objectives of the setback controls include:

- a) To provide an open streetscape with substantial areas for landscaping; and*
- b) To enhance the visual quality of development and the urban landscape.*

The required setbacks under Penrith DCP includes 20m to Lenore Drive and Erskine Park Road, and 5m to rear/side boundaries. Lot 1 DP 107114 is identified in Penrith DCP as a site where a variation to these controls can be considered if the type and scale of development is deemed appropriate for the site.

The proposal seeks a variation to each of the required setbacks, that being a minimum of 10m to Lenore Drive, 15m to Erskine Park Drive and 2m to the rear boundary. In this regard, it is noted that the proposed built form is highly articulated along the Lenore Drive and Erskine Park Road boundaries, and the setback areas are to be densely landscaped, which will reduce the impact of the proposed variation.

In consideration of the proposal's low scale and highly articulated built form, as well as a strong landscaping outcome along the Lenore Drive and Erskine Park Road frontages, the proposed variation to the front setback control has been assessed as appropriate for the site. Council's Urban Design Review Panel and Landscape Architect have reviewed the proposal and were supportive of the design.

In relation to the rear boundary setback non-compliance, which also includes rainwater tanks for each of the southern units sitting within the 2m rear boundary setback provided, this boundary adjoins a biodiversity conservation corridor of approximately 100m in width. The biodiversity conservation corridor is well vegetated, and in time will provide a landscaping buffer to the proposed development.

Setback controls also include the retention and enhancement of existing remnant vegetation. In this regard, there are 14 existing trees along the southern boundary which are proposed for removal. The application was supported by a Arboricultural Impact Report which assessed the trees for their health and condition and retention value, and made recommendations for removal of the trees. The recommendations of the report were supported by Council's Tree Management Officer, and it is noted significant compensatory tree planting is proposed as part of the submitted landscape plan.

DEVELOPMENT APPLICATION

PROPOSED INDUSTRIAL DEVELOPMENT AT 1-23 & 55 LENORE DRIVE & ERSKINE PARK ROAD, ERSKINE PARK NSW 2759 LOT 1 DP 1071114 & LOT 55 DP 1170183

Sheet Number	Sheet Name	Drawn By	Checked By	Current Revision Date	Current Revision
A0000	COVER SHEET & LOCATION PLAN	SP	HC	10.03.20	I
A0001	SITE ANALYSIS	HC	HC	31.01.20	G
A0002	PROPOSED SITE & ROOF PLAN	HC	HC	10.03.20	F
A0003	WASTE, SITE MANAGEMENT & SEDIMENT CONTROL PLAN	HC	HC	31.01.20	D
A0004	CONCEPT STRATA PLAN	SP	HC	10.03.20	E
A1001	PROPOSED BASEMENT PLAN	HC	HC	31.01.20	H
A1002	PROPOSED GROUND MASTER PLAN	SP	HC	10.03.20	L
A1003	PROPOSED MEZZANINE FLOOR PLAN	SP HC	HC	10.03.20	F
A2001	PROPOSED ELEVATIONS 01	HC	HC	31.01.20	G
A2002	PROPOSED ELEVATIONS 02	SP	HC	31.01.20	G
A2003	PROPOSED ELEVATIONS 03	HC	HC	31.01.20	F
A3001	PROPOSED SECTIONS	SP	HC	31.01.20	G
A4001	TYPICAL WAREHOUSE UNIT TYPES - GROUND FLOOR PLAN 01	SP HC	HC	10.03.20	H
A4002	TYPICAL WAREHOUSE UNIT TYPES - GROUND FLOOR PLAN 02	SP HC	HC	10.03.20	E
A4003	CAFE GROUND FLOOR PLAN & LANDSCAPE STRIP DETAIL	HC	HC	31.01.20	D
A4004	RAMP AND CROSSING LONGITUDINAL SECTION	HC	HC	31.01.20	A
A7001	3D PERSPECTIVES 01	HC	HC	31.01.20	F
A7002	3D PERSPECTIVES 02	HC	HC	31.01.20	F
A7003	3D PERSPECTIVES 03	SP	HC	31.01.20	D
A7004	FINISHES SCHEDULE	HC	HC	31.01.20	E

DEVELOPMENT DATA

LOT 1 DP 1071114 = 11,220m²
 LOT 55 DP 1170183 = 2,131m²
TOTAL SITE AREA = 13,351m²

5 X 422m² UNITS (INCL. 90m² OFFICE MEZZANINE) = 2,110m²

3 X 284m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 852m²

1 X 295m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 295m²

1 X 650m² UNITS (INCL. 120m² OFFICE MEZZANINE) = 650m²

2 X 340m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 680m²

1 X 300m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 300m²

2 X 375m² UNITS (INCL. 75m² OFFICE MEZZANINE) = 750m²

1 X 375m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 375m²

1 X 625m² UNITS (INCL. 135m² OFFICE MEZZANINE) = 625m²

TOTAL NO. FACTORY UNITS = 17 UNITS

1 CAFE = 80m²

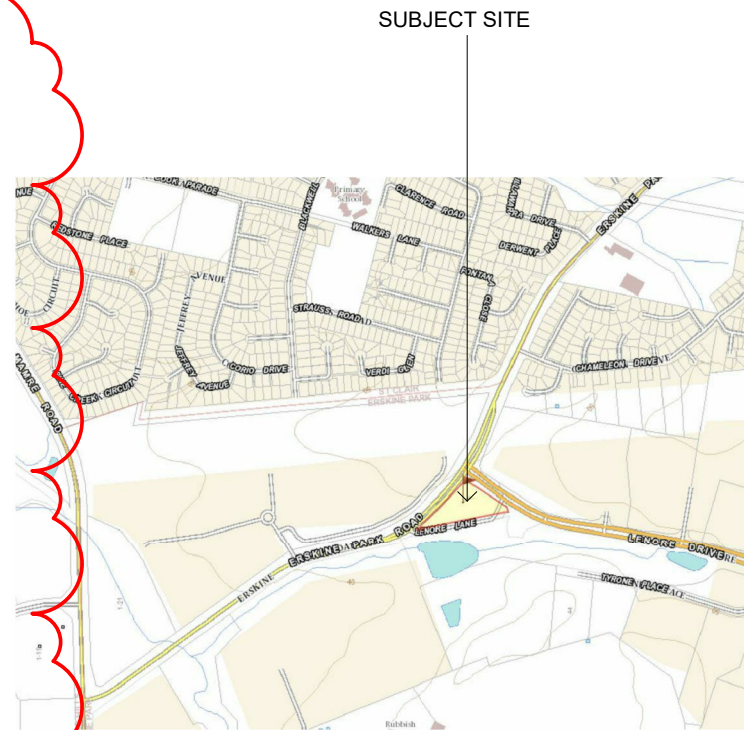
TOTAL GFA = 6,717m² (50.3% YIELD)

GROUND SITE COVER (Ground Floor only) = 5540m² (41.5%)

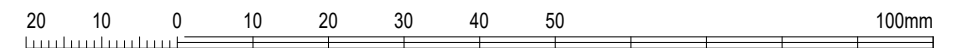
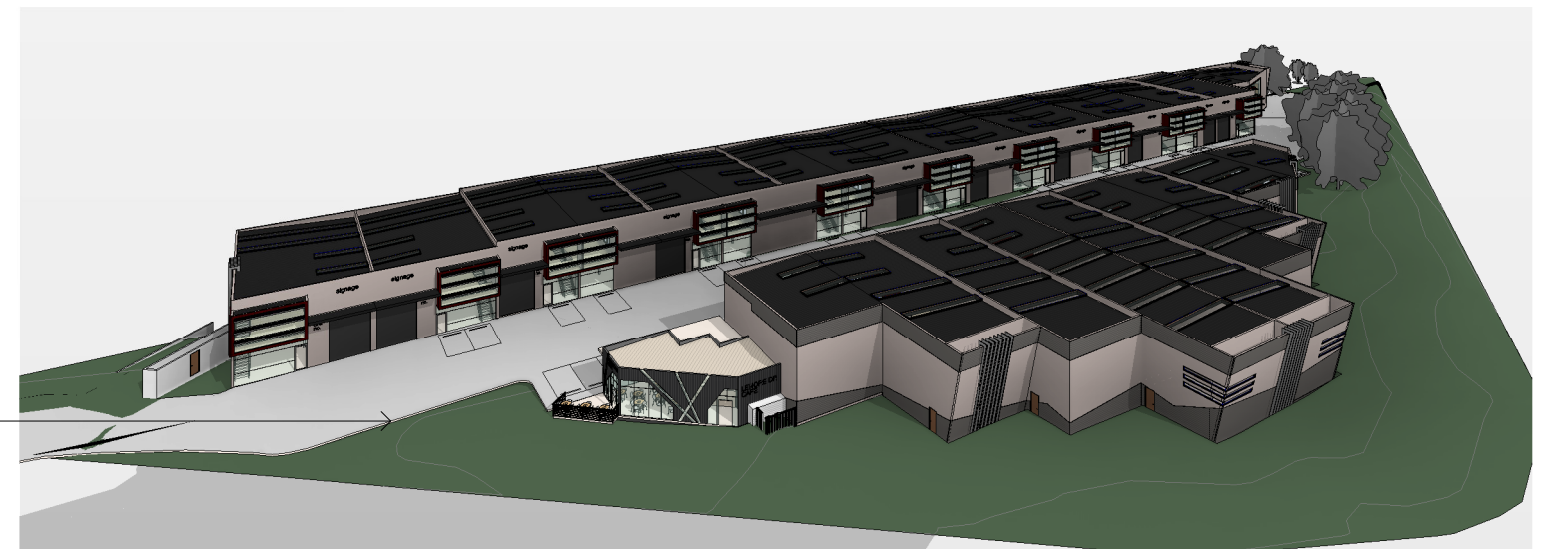
PARKING CALCULATION

FACTORIES (1 SPACE PER 75m²) = 6717 / 75 = 89.50
 CAFE (1 SPACE PER 6m² OF SEATING AREA + 1 SPACE PER EMPLOYEE)

TOTAL PARKING REQUIRED = 92
 TOTAL PARKING PROVIDED = 40 ON GRADE + 61 IN BASEMENT
= 101 (INCLUDING 4 ACCESSIBLE PARKING)

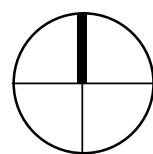


LOCATION PLAN
NTS



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ISSUE	DATE	REVISION
I	10.03.20	REVISED DA OPTION 2
H	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
G	25.09.19	NEW DA ISSUE
F	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
4	01.03.19	ISSUED FOR CONSULTANTS



ABN 80 621 185 064
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 NOMINATED ARCHITECT NSW 8921 - VIC 19176 - QLD 5464
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client: NICHOLOPOULOS

project:
INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE
 PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
**COVER SHEET &
 LOCATION PLAN**

print date: 10.03.20
 drawn: SP
 checked: HC
 scale: 1 : 500 @A3
 DA ISSUE

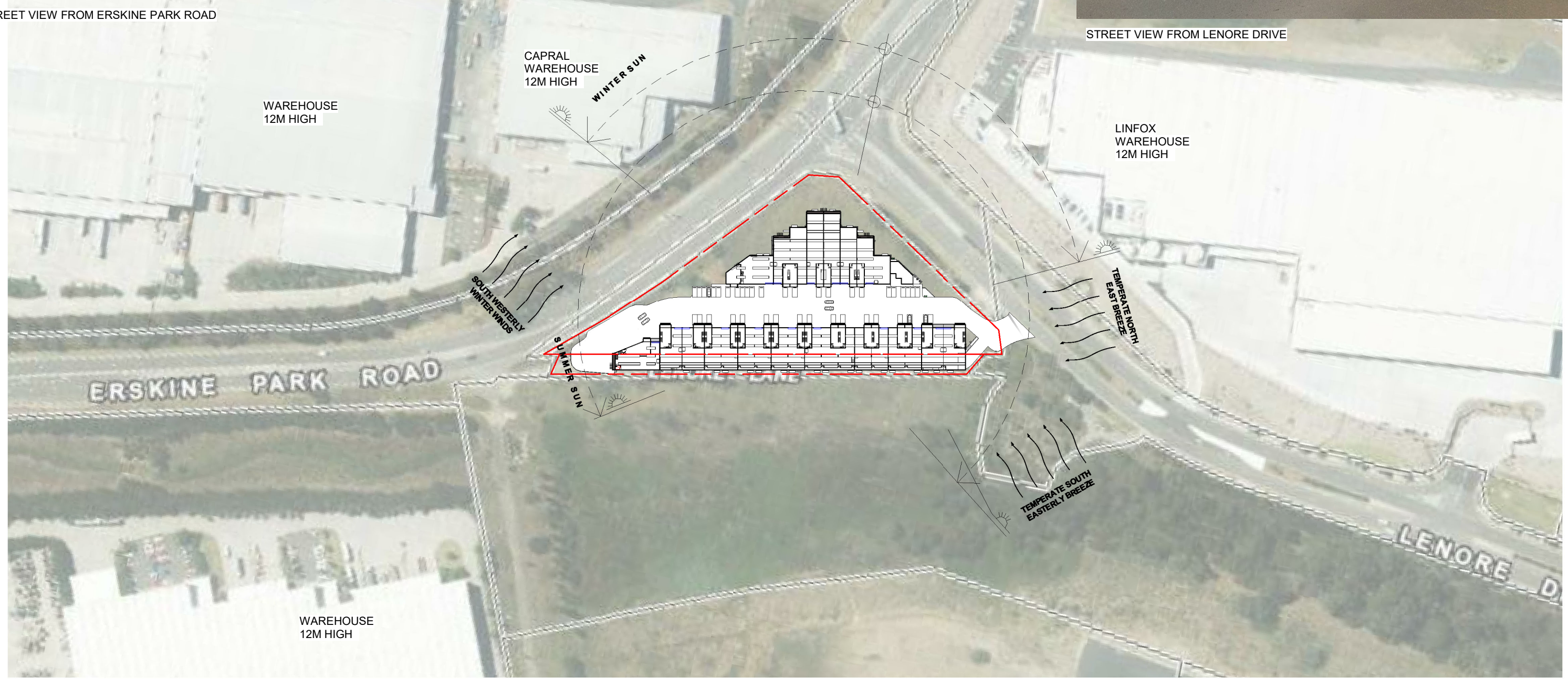
job no. 17221
 drawing no. I A0000
 issue.



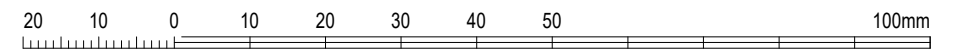
STREET VIEW FROM ERSKINE PARK ROAD



STREET VIEW FROM LENORE DRIVE

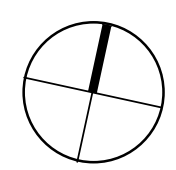


1 SITE ANALYSIS
1 : 2000



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ISSUE	DATE	REVISION
G	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
F	25.09.19	NEW DA ISSUE
E	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
D	20.04.18	DA ISSUE
2	11.04.18	ISSUED FOR COORDINATION



ABN 80 621 185 064
 NOMINATED ARCHITECT NSW 8921 - VIC 19176 - QLD 5464
 www.arkexpressdesign.com.au

client: NICHOLOPOULOS
 project: INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
SITE ANALYSIS

print date: 31.01.20
 drawn: HC
 checked: HC
 scale: 1 : 2000 @A3

DA ISSUE

job no.

17221

drawing no.

A0001

issue.

G

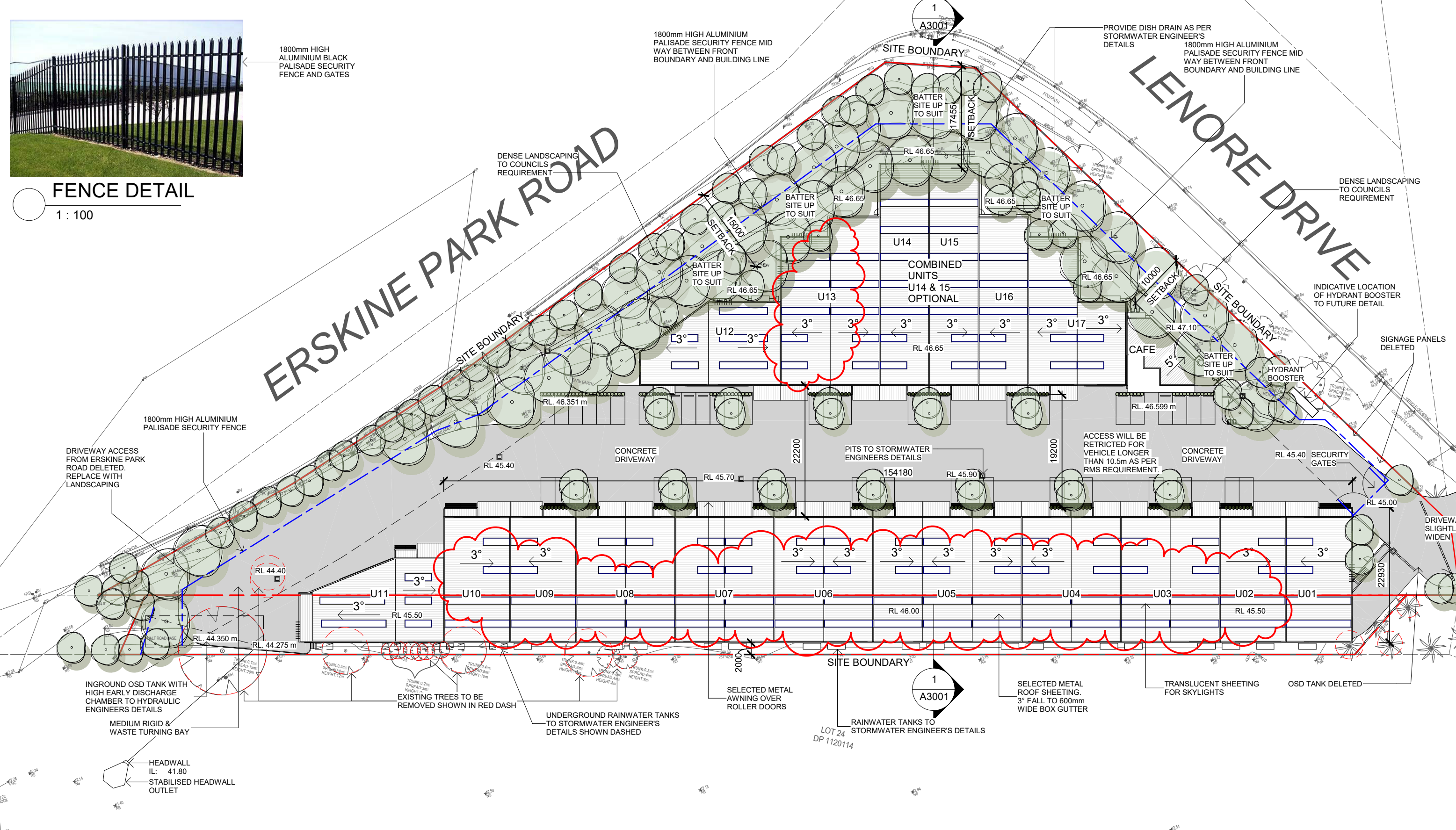


FENCE DETAIL

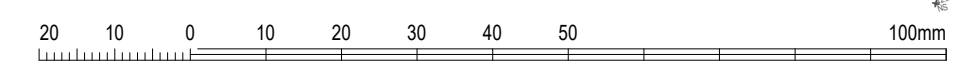
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ERSKINE PARK ROAD

LENORE DRIVE

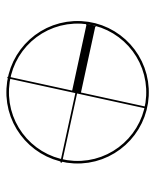


1 PROPOSED SITE & ROOF PLAN
1 : 600



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ISSUE	DATE	REVISION
F	10.03.20	REVISED DA OPTION 2
E	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
D	25.09.19	NEW DA ISSUE
C	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
2	01.03.19	ISSUED FOR CONSULTANTS



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client: NICHOLOPOULOS
drawing title: PROPOSED SITE & ROOF PLAN
project: INDUSTRIAL COMPLEX
PROPOSED INDUSTRIAL DEVELOPMENT
AT 1-23 & 55 LENORE DRIVE & ERSKINE PARK ROAD, ERSKINE PARK NSW 2759.
LOT 1 DP 1071114 & LOT 55 DP 1170183

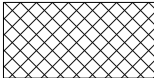
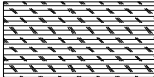
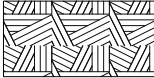
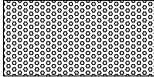
print date: 10.03.20
drawn: HC
checked: HC
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DA ISSUE

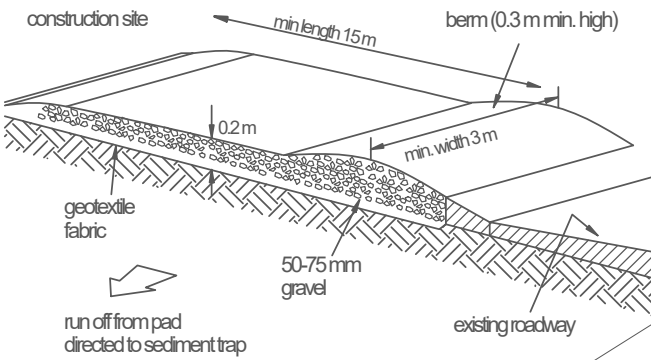
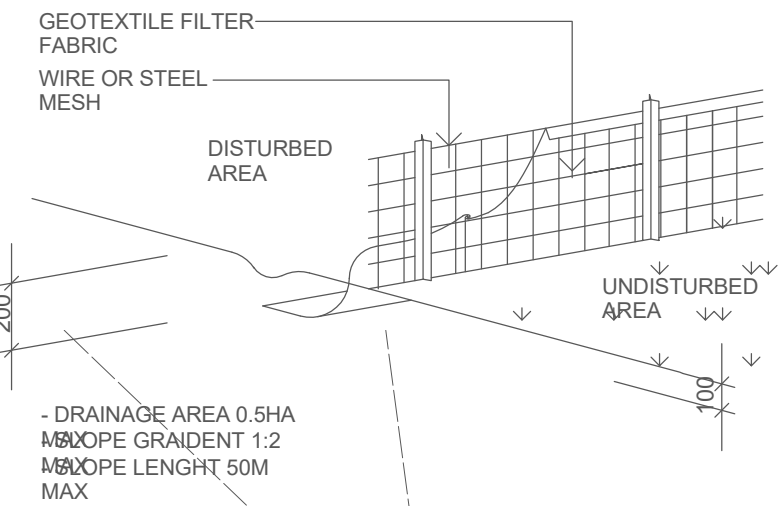
job no. 17221
drawing no. A0002
issue. F

SEDIMENT RUN-OFF CONTROL DURING EARTHWORKS:

THE CONTRACTOR SHALL INSTALL AND MAINTAIN SOIL EROSION AND SEDIMENT CONTROL MEASURES GENERALLY IN ACCORDANCE WITH GUIDELINES OF THE NEW SOUTH WALES SOIL CONSERVATION SERVICE AND AS NECESSARY TO PREVENT RUN OFF FROM THE SITE OF ANY SEDIMENT RESULTING FROM HIS WORKS ALL MEASURES ARE TO COMPLY WITH THE REQUIREMENTS OF THE APPROVING COUNCIL TRUCKS AND VEHICLES LEAVING THE SITE ARE NOT TO SPREAD SPOIL ONTO THE ROADWAY OR ALLOW SPOIL TO ENTER THE STORMWATER SYSTEM. ALL DISTURBED GROUND AREAS AND STOCKPILES OF EXCAVATED OR IMPORTED MATERIAL IS TO BE STABILIZED WITHIN 48 HOURS. DUST IS TO BE SUPPRESSED BY WATERING

WASTE LEGEND:

-  BRICK, TILE, CONCRETE DISPOSAL BIN 3 CUBIC METRES
-  TIMBER DISPOSAL BIN 3 CUBIC METRES
-  MIXED WASTE DISPOSAL BIN 3 CUBIC METRES
-  METALS DISPOSAL BIN 3 CUBIC METRES



TEMPORARY EXIT

ERSKINE PARK ROAD

INSTALL APPROVED EROSION AND SEDIMENT CONTROL BARRIER/FENCE (FULL EXTENT TO BE DETERMINED ON SITE TO ENSURE 100% CAPTURE)

STOCKPILING OF "STRIPPED" TOP SPOIL AND EXCAVATED MATERIAL TO BE ADEQUATELY PROTECTED WITH GOETEXTILE MATERIAL. SILT FENCES SHOULD BE PROVIDED IF ASSISTANCE IS NEEDED IN CONTAINING AND SEPARATING STOCKPILES

LOCATION OF WASTE BIN ON AFTER HOUR COLLECTION DAY. EACH TENANT TO WHEEL BINS BACK INSIDE OF UNITS

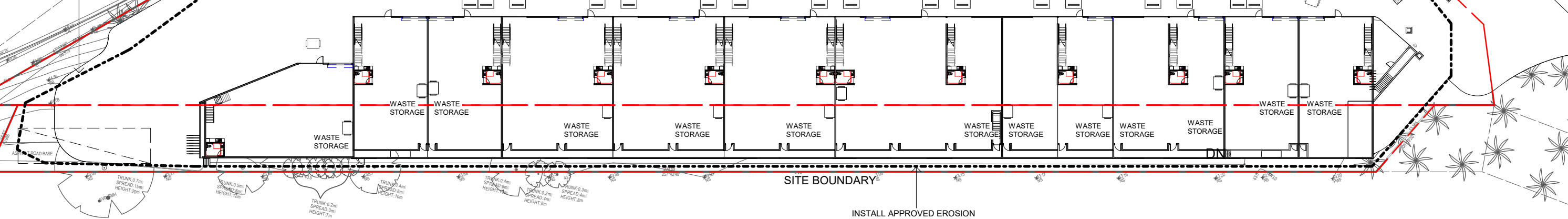
LOCATION OF WASTE BIN ON AFTER HOUR COLLECTION DAY. EACH TENANT TO WHEEL BINS BACK INSIDE OF UNITS

WASTE BINS FOR TIMBER, BRICK, TILE, CONCRETE, METALS AND MIXED WASTE

STOCKPILING OF "STRIPPED" TOP SPOIL AND EXCAVATED MATERIAL TO BE ADEQUATELY PROTECTED WITH GOETEXTILE MATERIAL. SILT FENCES SHOULD BE PROVIDED IF ASSISTANCE IS NEEDED IN CONTAINING AND SEPARATING STOCKPILES

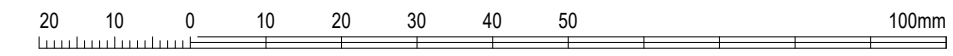
SILT FENCE

- DRAINAGE AREA 0.5HA
MAX SLOPE GRAIDENT 1:2
MAX SLOPE LENGHT 50M MAX



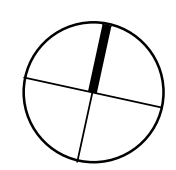
1 WASTE, SITE MANAGEMENT & SEDIMENT CONTROL PLAN

1 : 600



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D	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
C	25.09.19	NEW DA ISSUE
B	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
A	20.04.18	DA ISSUE
1	11.04.18	ISSUED FOR COORDINATION




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 project: INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE
 PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
**WASTE, SITE
 MANAGEMENT &
 SEDIMENT
 CONTROL PLAN**

print date: 31.01.20
 drawn: HC
 checked: HC
 scale: As indicated@A3

DA ISSUE

job no. 17221
 drawing no. A0003
D

DEVELOPMENT DATA

LOT 1 DP 1071114 = 11,220m²
 LOT 55 DP 1170183 = 2,131m²
TOTAL SITE AREA = 13,351m²

5 X 422m² UNITS (INCL. 90m² OFFICE MEZZANINE) = 2,110m²

3 X 284m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 852m²

1 X 295m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 295m²

1 X 650m² UNITS (INCL. 120m² OFFICE MEZZANINE) = 650m²

2 X 340m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 680m²

1 X 300m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 300m²

2 X 375m² UNITS (INCL. 75m² OFFICE MEZZANINE) = 750m²

1 X 375m² UNITS (INCL. 60m² OFFICE MEZZANINE) = 375m²

1 X 625m² UNITS (INCL. 135m² OFFICE MEZZANINE) = 625m²

TOTAL NO. FACTORY UNITS = 17 UNITS

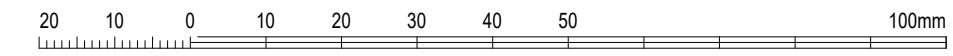
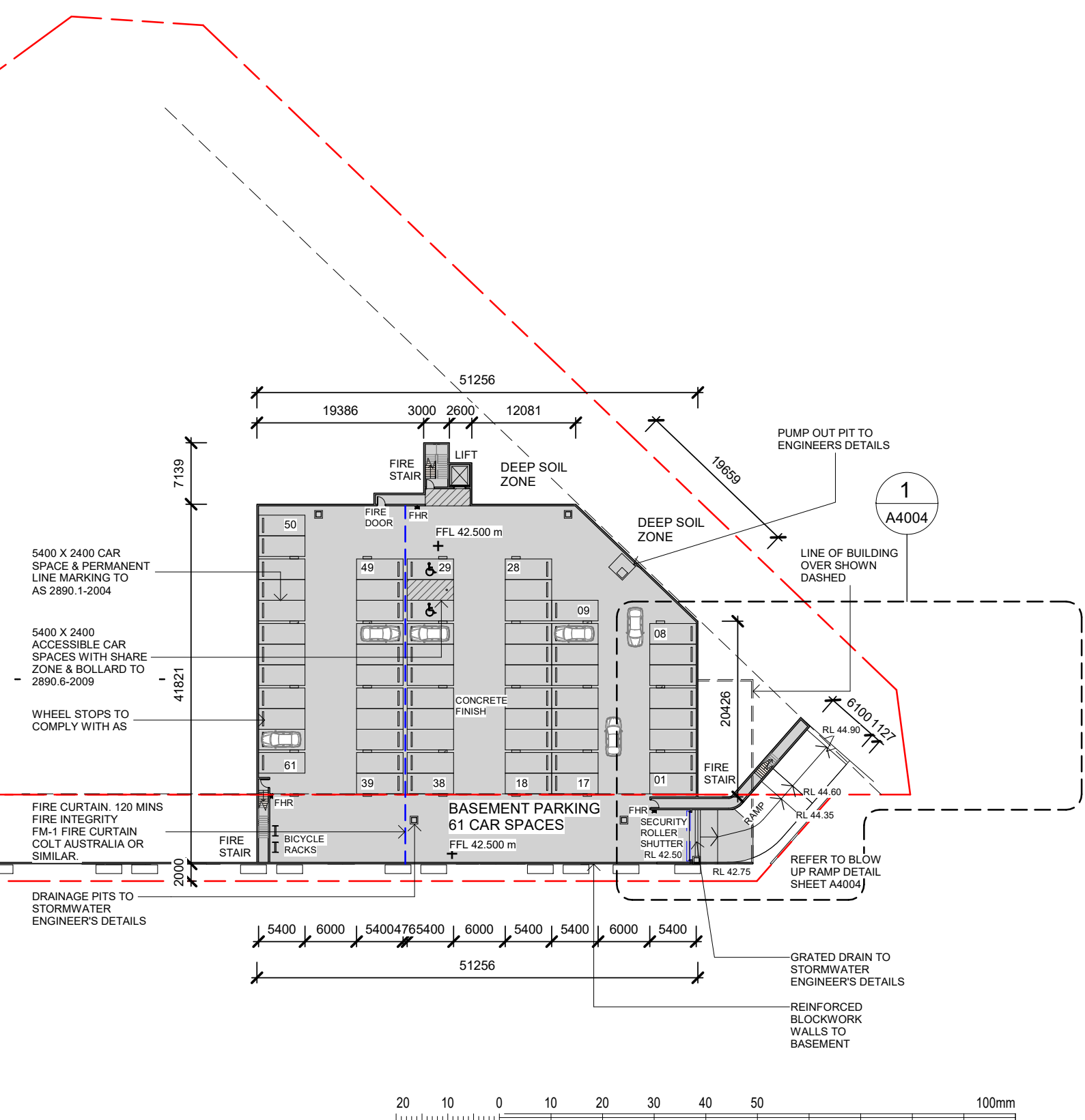
1 CAFE = 80m²

TOTAL GFA = 6,717m² (50.3% YIELD)

GROUND SITE COVER (Ground Floor only) = 5540m² (41.5%)

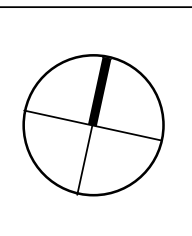
PARKING CALCULATION
 FACTORIES (1 SPACE PER 75m²) = 6717 / 75 = 89.50
 CAFE (1 SPACE PER 6m² OF SEATING AREA + 1 SPACE PER EMPLOYEE) = 8 (BASED ON 36m² OF SEATING AREA & 2 EMPLOYEE)
TOTAL PARKING REQUIRED = 92
 TOTAL PARKING PROVIDED = 40 ON GRADE + 61 IN BASEMENT
= 101 (INCLUDING 4 ACCESSIBLE PARKING)

1 PROPOSED BASEMENT FLOOR PLAN
 1 : 600



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F	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
4	01.03.19	ISSUED FOR CONSULTANTS
E	20.04.18	DA ISSUE

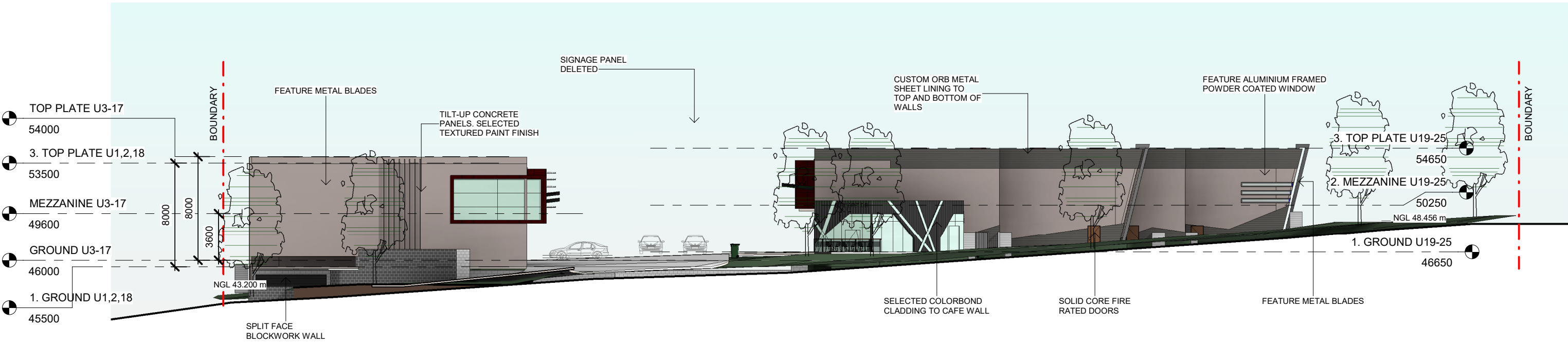


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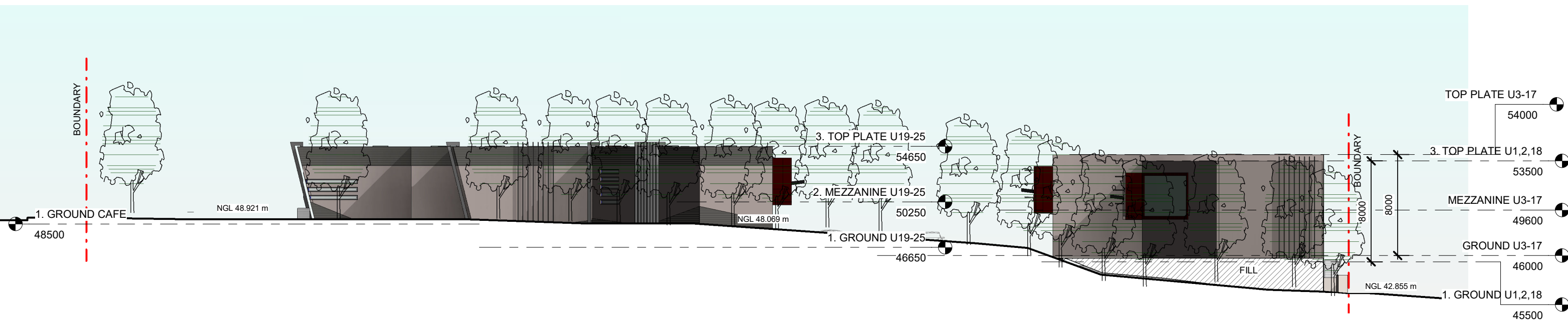
client: NICHOLOPOULOS
 project: INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE
 PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title: PROPOSED BASEMENT PLAN
 print date: 31.01.20
 drawn: HC
 checked: HC
 scale: As indicated@A3
 DA ISSUE

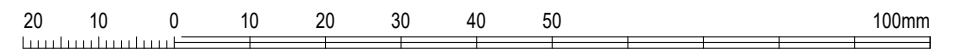
job no. 17221
 drawing no. A1001
 issue. **H**



1 ELEVATION - FROM LENORE DRIVE
1 : 300



2 ELEVATION - FROM ERSKINE PARK ROAD
1 : 300



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E	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
D	29.08.18	DA ISSUE FOR COORDINATION
C	20.04.18	DA ISSUE

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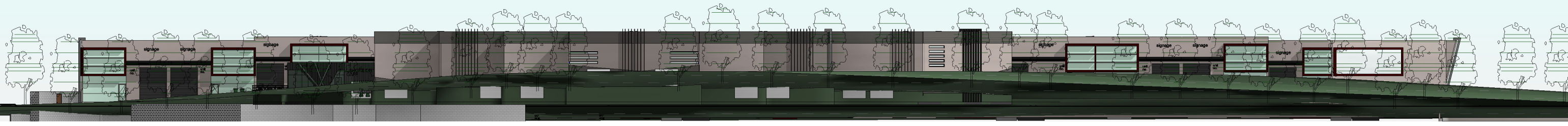
client: NICHOLOPOULOS
project: INDUSTRIAL COMPLEX
PROPOSED INDUSTRIAL DEVELOPMENT
AT 1-23 & 55 LENORE DRIVE & ERSKINE
PARK ROAD, ERSKINE PARK NSW 2759.
LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
**PROPOSED
ELEVATIONS 01**

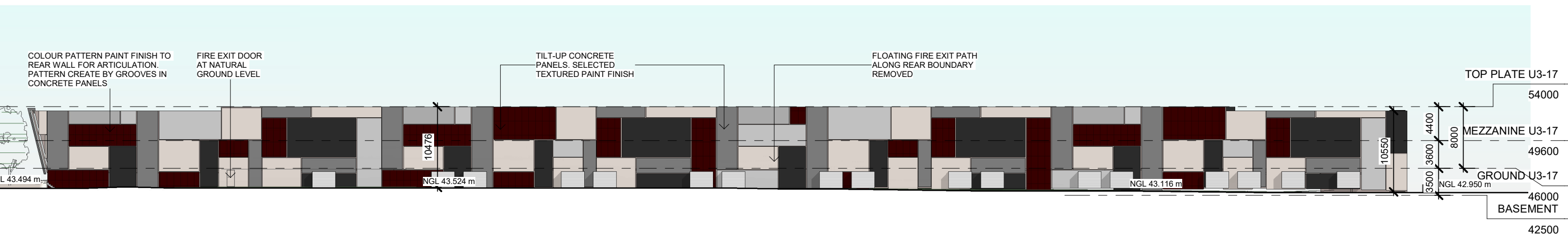
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DA ISSUE

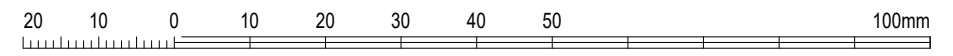
job no. 17221
drawing no. A2001
issue. **G**



1 ELEVATION - FROM CORNER ERSKINE PARK & LENORE DRIVE
1 : 500



2 ELEVATION - REAR - FROM WATER COURSE
1 : 500



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F	25.09.19	NEW DA ISSUE
E	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
3	07.03.19	ISSUED FOR DA REVIEW
2	01.03.19	ISSUED FOR CONSULTANTS

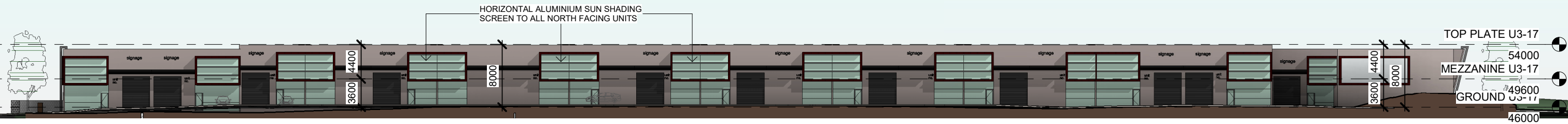
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 LOT 1 DP 1071114 & LOT 55 DP 1170183

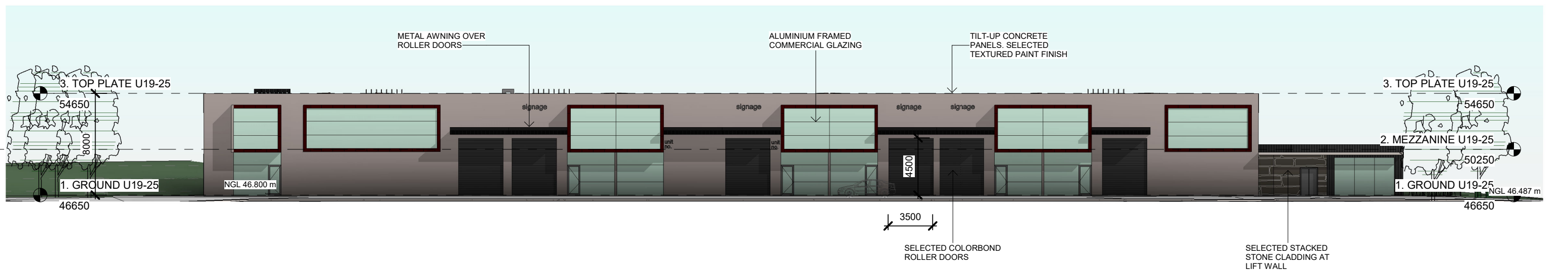
drawing title:
**PROPOSED
 ELEVATIONS 02**

print date: 31.01.20
 drawn: SP
 checked: HC
 scale: 1 : 500 @A3
 DA ISSUE

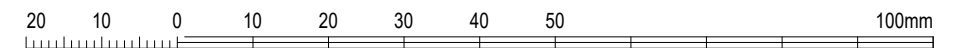
job no. 17221
 drawing no. A2002
 issue. **G**



1 ELEVATION - UNIT 1-18
1 : 500



2 ELEVATION - UNIT 19-25
1 : 300



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F	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
E	25.09.19	NEW DA ISSUE
D	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
C	20.04.18	DA ISSUE
1	11.04.18	ISSUED FOR COORDINATION

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client: NICHOLOPOULOS

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INDUSTRIAL COMPLEX
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AT 1-23 & 55 LENORE DRIVE & ERSKINE
PARK ROAD, ERSKINE PARK NSW 2759.
LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
PROPOSED
ELEVATIONS 03

print date: 31.01.20
drawn: HC
checked: HC
scale: As indicated@A3

DA ISSUE

job no.

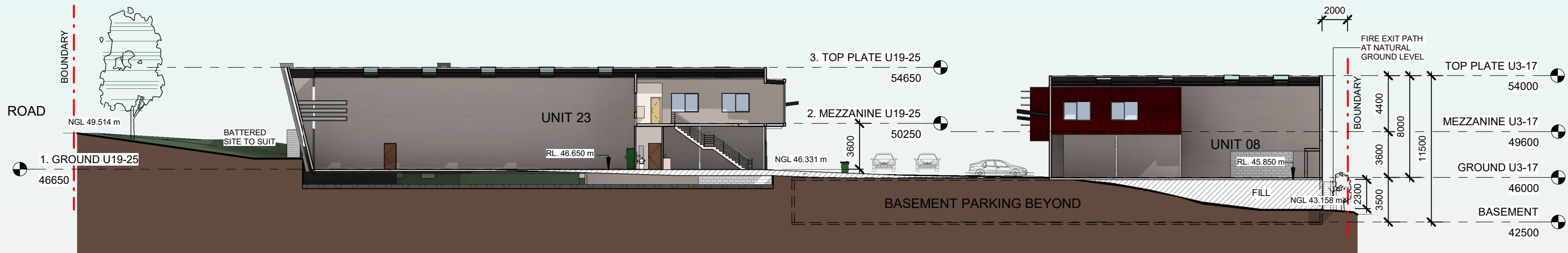
17221

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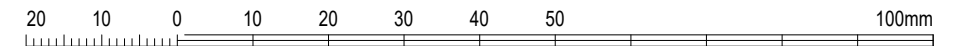
drawing no.

A2003

F



1 SECTION A-A
1 : 300



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G	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
F	25.09.19	NEW DA ISSUE
E	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
2	01.03.19	ISSUED FOR CONSULTANTS
D	29.08.18	DA ISSUE FOR COORDINATION

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client: NICHOLOPOULOS
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drawing title:
PROPOSED SECTIONS

print date: 31.01.20
 drawn: SP
 checked: HC
 scale: 1 : 300 @A3

DA ISSUE

job no.

17221

drawing no.

A3001

issue: **G**

FOOD BUSINESS COMPLIANCE NOTES

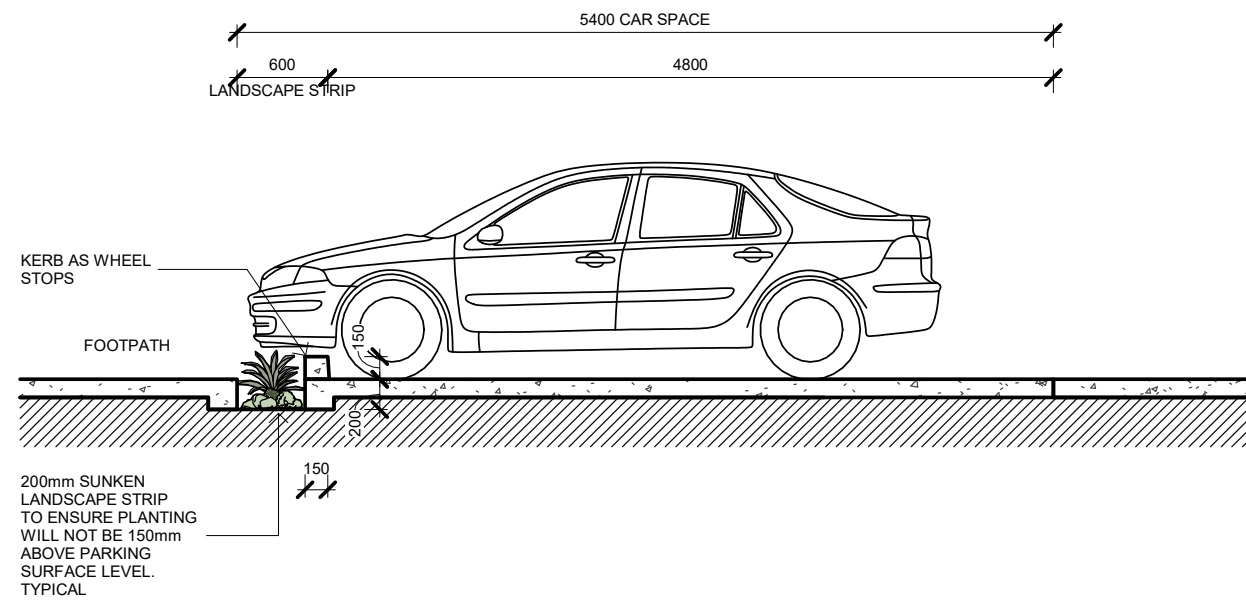
THE DESIGN IS IN ACCORDANCE WITH
 - AS4674-2004 – FITOUT OF FOOD PREMISES
 - AS1668.1-1998 AND AS1668.2-1991 – MECHANICAL VENTILATION;
 - BUILDING CODE OF AUSTRALIA (BCA), AND
 - STANDARD CONDITIONS OF DEVELOPMENT CONSENT

TOILET FACILITIES
 ACCESSIBLE TOILET PROVIDED

BASINS AND SINKS
 - HAND WASH BASINS WITHIN 5 METRES TRAVEL DISTANCE OF ALL FOOD HANDLING AND SERVICE AREAS; PROVIDED WITH HANDS FREE DELIVERY OF WARM RUNNING WATER THROUGH A SINGLE SPOUT;
 - HAND WASH BASINS ALSO PROVIDED TO TOILETS;
 - A DOUBLE BOWL SINK OR A SINGLE BOWL SINK WITH A DISHWASHER;
 - A FOOD PREPARATION SINK, WHERE FOOD WASHING IS CARRIED OUT AND A SEPARATE CLEANER'S SINK,

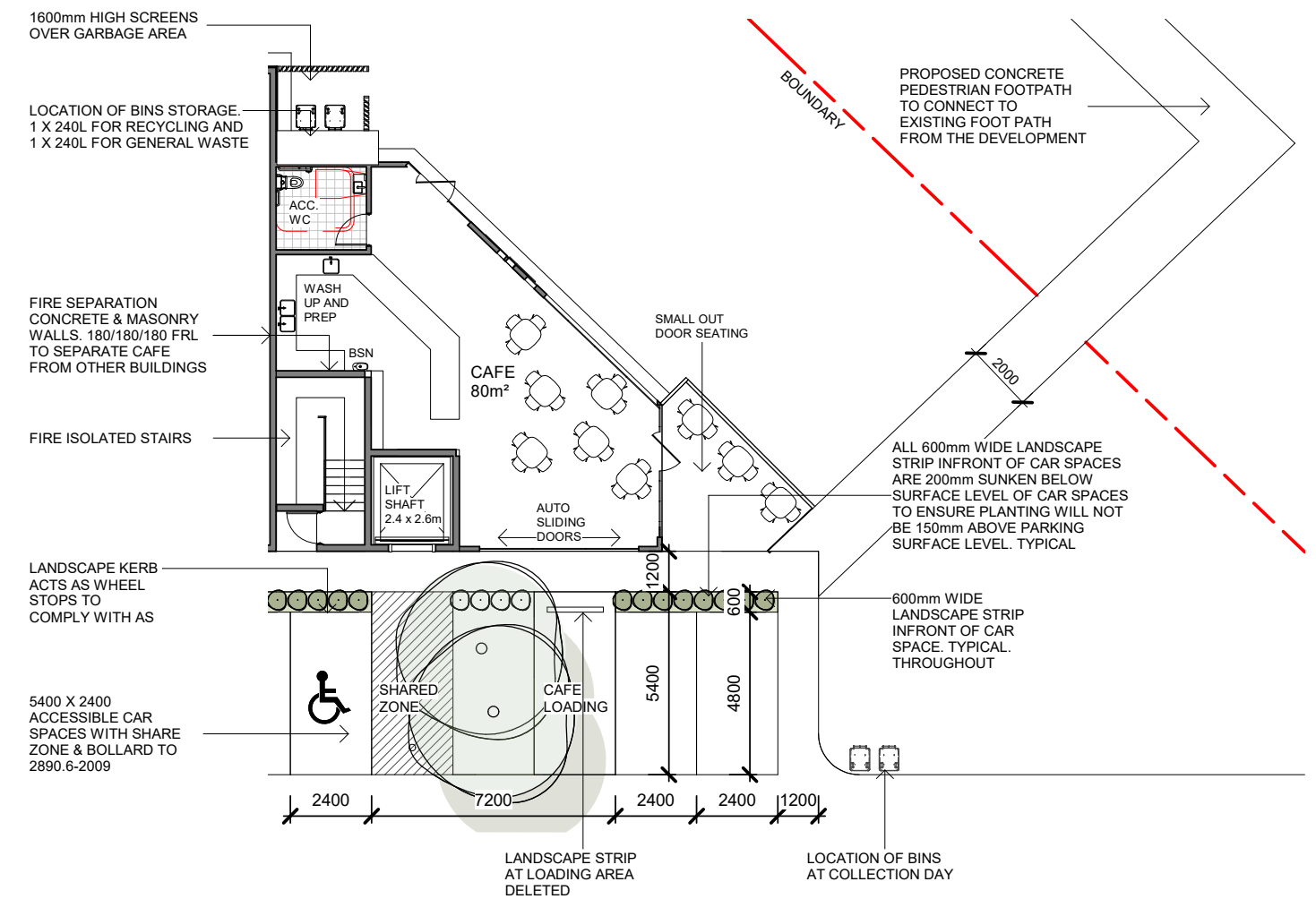
FLOOR, WALLS AND CEILINGS
 - ARE OF SMOOTH, IMPERVIOUS, DURABLE AND EASILY CLEANED, EVEN IN STORE AREAS;
 - WALLS ARE OF SOLID CONSTRUCTION;
 - COVING AT WALLS AND FLOORS JUNCTIONS;
 - KITCHEN FLOORS GRADED TO A FLOOR WASTE;
 - DURABLE FINISHES SUCH AS STAINLESS STEEL OR TILES FOR KITCHEN WALLS;
 - BENCHES AND OTHER EQUIPMENT RAISED 150MM ABOVE THE FLOOR, AND
 - PIPES AND DUCTING CONCEALED IN WALLS OR SEPARATED IN ACCORDANCE WITH AS 4674.

SIGNAGE PANEL DELETED



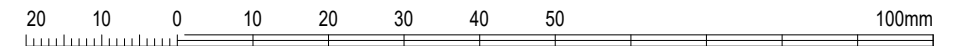
TYPICAL LANDSCAPE STRIP DETAIL

1 : 50



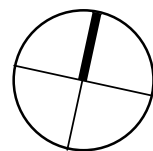
1 CAFE FLOOR PLAN

1 : 200



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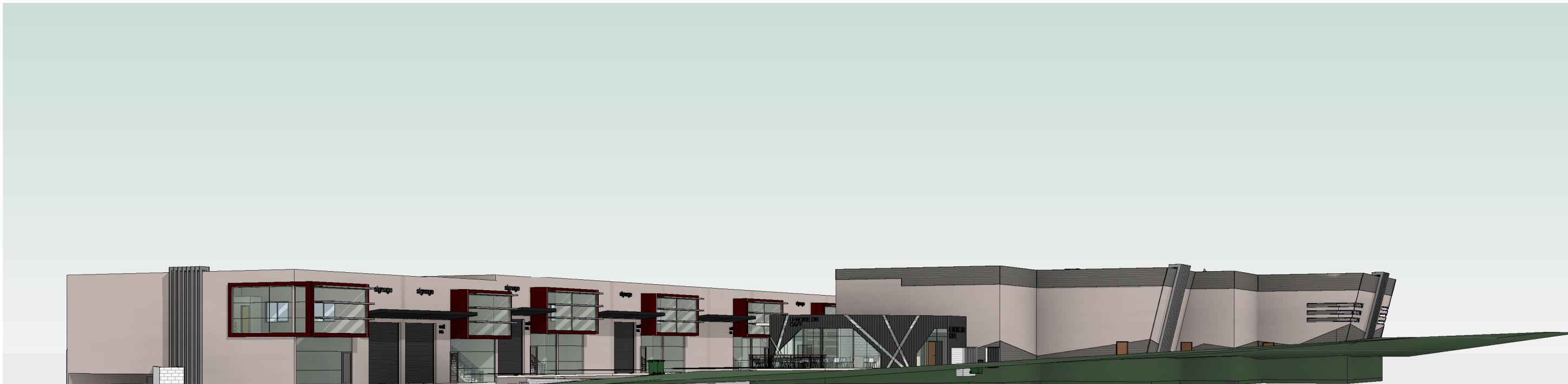
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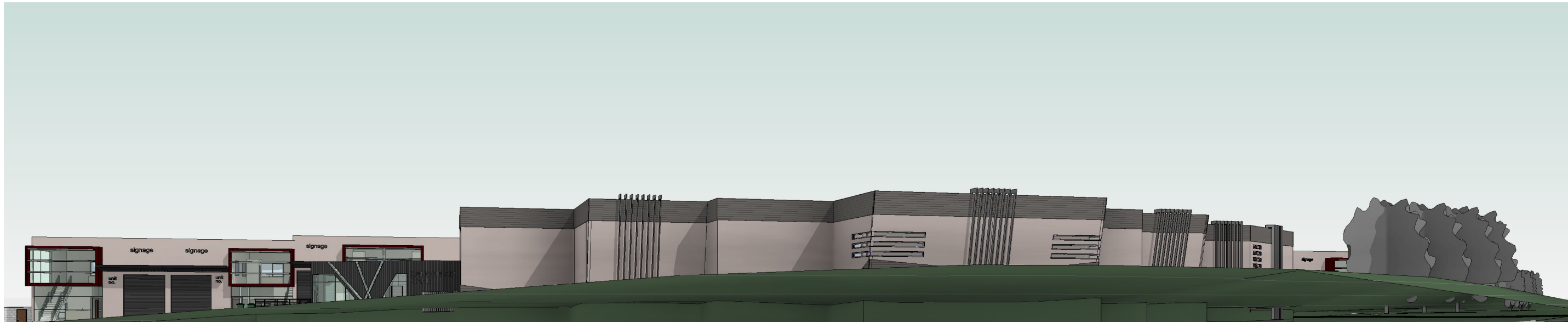
drawing title:
**CAFE GROUND
 FLOOR PLAN &
 LANDSCAPE STRIP
 DETAIL**

print date: 31.01.20
 drawn: HC
 checked: HC
 scale: As indicated@A3
 DA ISSUE

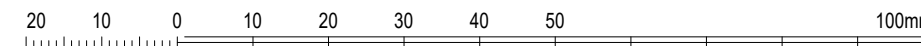
job no. 17221
 drawing no. A4003
 issue. **D**



1 3D View 1 - FROM LENORE DRIVE



2 3D View 2 - CORNER OF ERSKINE PARK RD & LENORE DR



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ISSUE	DATE	REVISION
F	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
E	25.09.19	NEW DA ISSUE
D	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
C	20.04.18	DA ISSUE
1	11.04.18	ISSUED FOR COORDINATION

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client: NICHOLOPOULOS

project:
INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE
 PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
3D PERSPECTIVES
 01

print date: 31.01.20
 drawn: HC
 checked: HC
 scale: @A3

DA ISSUE

job no.

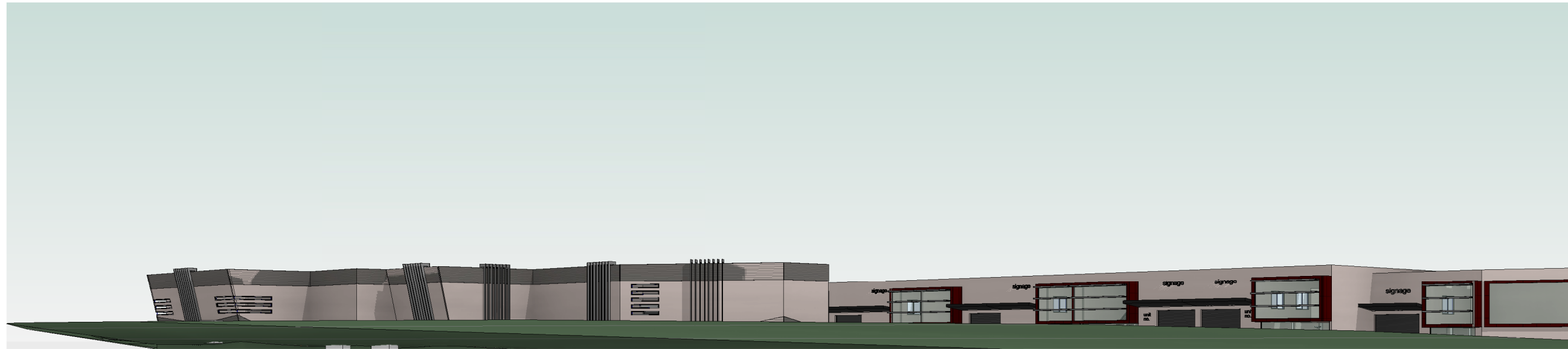
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drawing no.

A7001

issue.

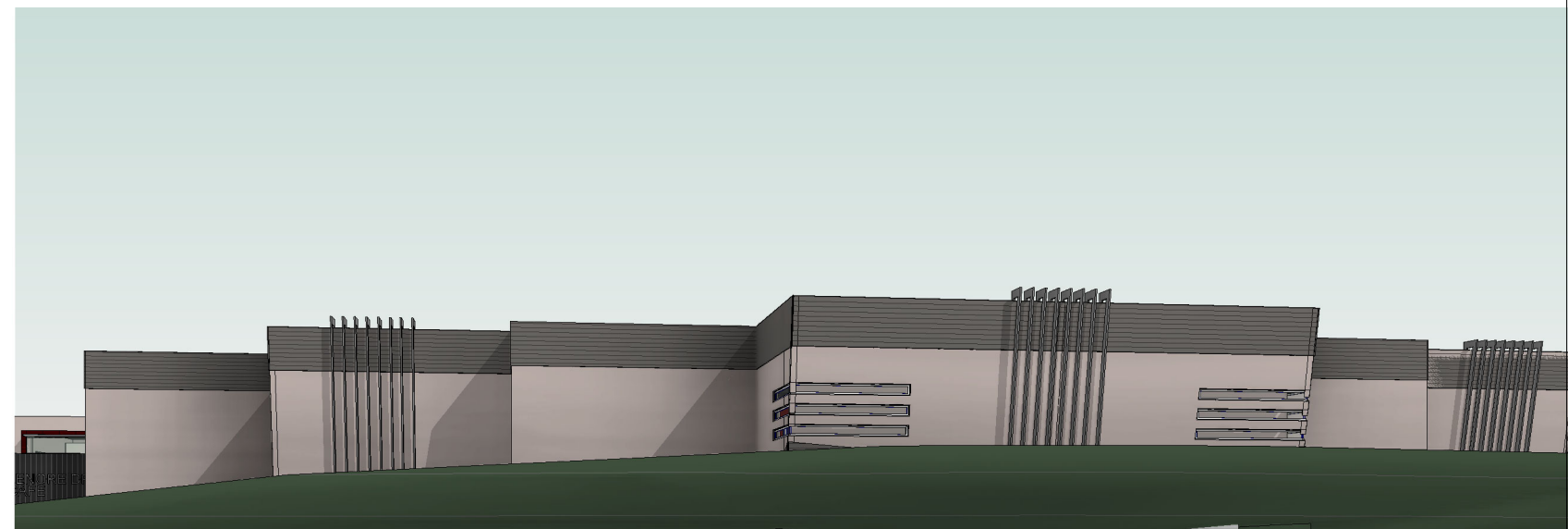
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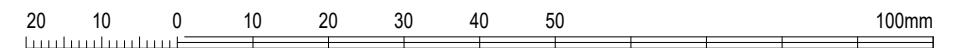
1 3D View 3 - FROM ERSKINE PARK ROAD



2 3D View 4 - LENORE DRIVE ACCESS



3 3D View 5 - CORNER OF ERSKINE PARK RD & LENORE DR



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D	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
C	20.04.18	DA ISSUE
1	11.04.18	ISSUED FOR COORDINATION

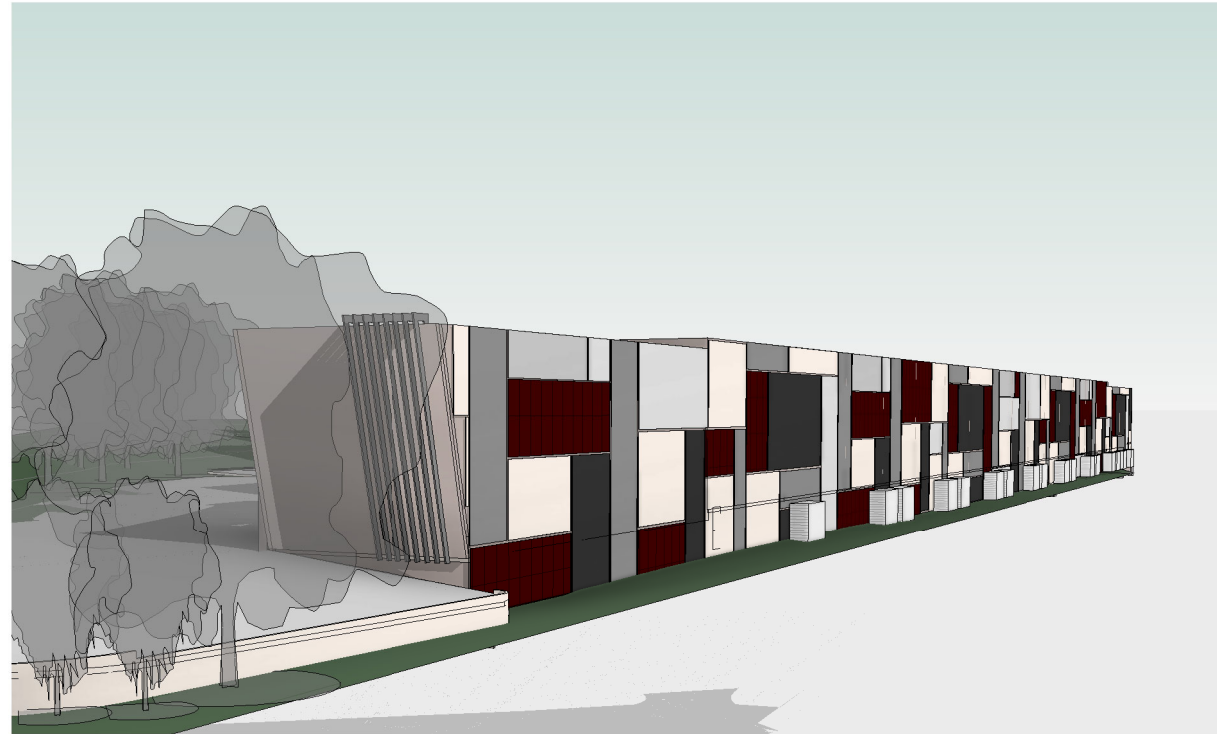
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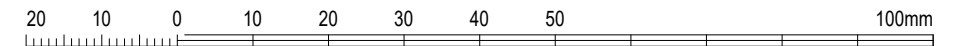
drawing title:
3D PERSPECTIVES
 02

print date: 31.01.20
 drawn: HC
 checked: HC
 scale: @A3
 DA ISSUE

job no. 17221
 drawing no. A7002
 issue. **F**



1 3D View 6 - FROM REAR OF ERSKINE PARK RD



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ISSUE	DATE	REVISION
D	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
C	25.09.19	NEW DA ISSUE
B	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
1	07.03.19	ISSUED FOR DA REVIEW
A	29.08.18	DA ISSUE FOR COORDINATION

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client: NICHOLOPOULOS
 project: INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 & 55 LENORE DRIVE & ERSKINE
 PARK ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
3D PERSPECTIVES
 03

print date: 31.01.20
 drawn: SP
 checked: HC
 scale: @A3

DA ISSUE

job no.

17221











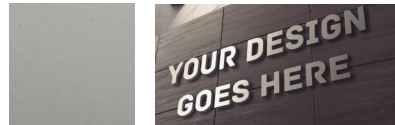







drawing no.

A7003

issue:

D

FINISHES SCHEDULE

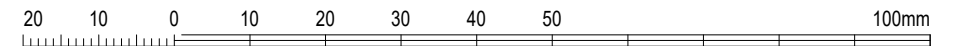
REINFORCED CONCRETE TILT-UP PANELS - TEXTURED PAINT FINISH. DULUX - BEIGE ROYAL A192 OR SIMILAR		STAINLESS STEEL HANDRAIL & STEEL CABLE BALUSTRADE OR SIMILAR AT SOUTHERN END FIRE ESCAPE ROUTE.	
ALUMINIUM FRAMED POWDERCOATED WINDOWS & DOORS - DULUX - MONUMENT OR SIMILAR		AWNING OVER ROLLER DOORS - PRESSED METAL FASCIA GUTTER AND DOWNPIPES - COLORBOND - MONUMENT OR SIMILAR	
METAL ROOF SHEETING - LYSAGHT KLIP-LOCK 406 - COLORBOND - WOODLAND GREY OR SIMILAR		SOFFIT UNDER AWNING - FC LINING - PAINT FINISH - DULUX - WHITE ON WHITE	
FEATURE CLADDING AT MEZZANINE & SIGNAGE PANEL - ALUMINIUM COMPOSIT PANEL - ALUCOBOND - RED FIRE OR SIMILAR		ROLLER DOORS - ALUMINIUM - COLORBOND - SHALE GREY	
METAL CLADDING FOR CAFE, SIGNAGE PANEL - COLORBOND - MINI ORB - MONUMENT OR SIMILAR	 	SIGNAGE PANEL LETTERING - BRUSHED ALUMINIUM INDIVIDUAL LETTERING 50mm DEEP.	
FEATURE METAL FINS & SUN SHADING SCREENS IN FRONT OF WINDOWS - ALUMINIUM - CLEAR ANODISED OR SIMILAR	 	CAFE ROOF CANOPY - CONCRETE - TEXTURE PAINT FINISH	
FEATURE WALL CLADDING - COLORBOND - CUSTOM ORB - MONUMENT OR SIMILAR		FIRE DOORS - PAINT FINISH - RED	
FACE BLOCKWORK - GREY BLOCKS AUSTRAL MASONRY - PALING COURT OR SIMILAR		FEATURE STONE CLADDING WALL ADJACENT LIFT SHAFT.	




1800mm HIGH ALUMINIUM BLACK PALISADE SECURITY FENCE AND GATES

FENCE DETAIL

1 : 100



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E	31.01.20	NEW DA ISSUE - RESPONSE TO COUNCIL LETTER DATED 21.11.19 AS CLOUDED
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C	15.03.19	DA ISSUE - RESPONSE TO COUNCIL LETTER 08.01.2019
B	20.04.18	DA ISSUE
1	11.04.18	ISSUED FOR COORDINATION

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PARK ROAD, ERSKINE PARK NSW 2759.
LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
**FINISHES
SCHEDULE**

print date: 31.01.20
drawn: HC
checked: HC
scale: 1 : 100 @A3

DA ISSUE

job no.

17221

issue.

drawing no.
A7004

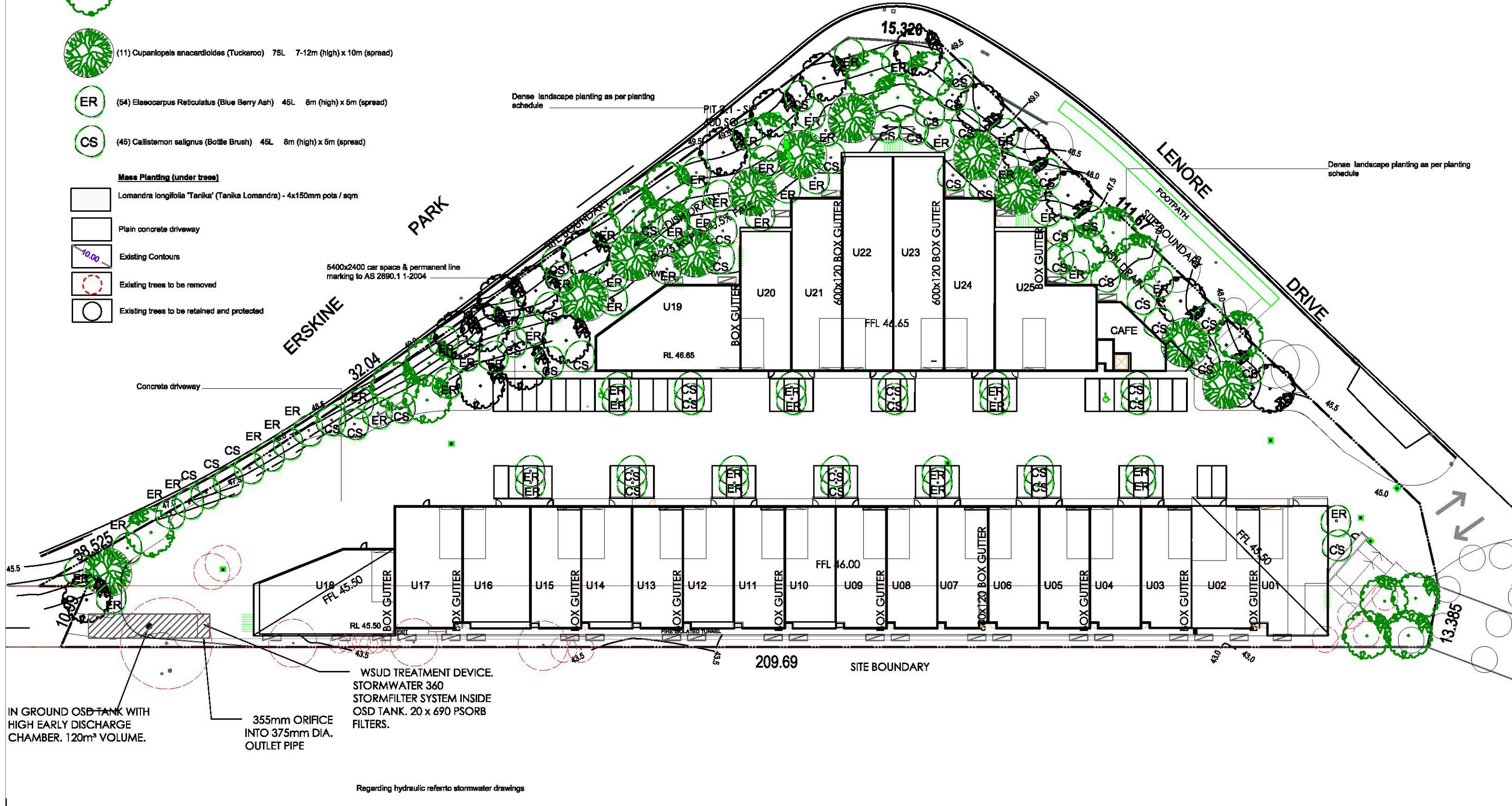
E

PLANT SCHEDULE

- (19) *Banksia serrata* (Old Man Banksia) 75L 8-15m (high) x 8m (spread)
- (20) *Eucalyptus haemastoma* (Scribbly Gum) 75L 7-10m (high) x 8m (spread)
- (11) *Cupaniopsis anacardioides* (Tuckeroo) 75L 7-12m (high) x 10m (spread)
- (ER) *Elaeocarpus Reticulatus* (Blue Berry Ash) 45L 8m (high) x 5m (spread)
- (CS) *Callistemon salignus* (Bottle Brush) 45L 8m (high) x 5m (spread)

Mass Planting (under trees)

- Lomandra longifolia* "Tanika" (Tanika Lomandra) - 4x150mm pots / sqm
- Plain concrete driveway
- Existing Contours
- Existing trees to be removed
- Existing trees to be retained and protected



Dense landscape planting as per planting schedule

Dense landscape planting as per planting schedule

5400x2400 car space & permanent line marking to AS 2890.1 1-2004

IN GROUND OSD TANK WITH HIGH EARLY DISCHARGE CHAMBER. 120m³ VOLUME.

355mm ORIFICE INTO 375mm DIA. OUTLET PIPE

WSUD TREATMENT DEVICE. STORMWATER 360 STORMFILTER SYSTEM INSIDE OSD TANK. 20 x 690 PSORB FILTERS.

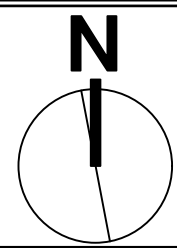
Regarding hydraulic referro stormwater drawings

general notes
do not scale off the drawing unless otherwise stated and use figures dimensions in preference. All dimensions are to be checked and verified by the CONTRACTOR on site before commencement of any works, all dimensions and levels are subject to final survey and set out. Discrepancies to be reported to designer prior to commencement.
no responsibility will be accepted by this company for any variations in design, builders method of construction or materials used. deviation from specification without permission or accepted work practices resulting in inferior construction.
Document Set ID: 5261583
all work to comply with relevant Australian standards or building code of australia.
Version 1.0 Date 20/08/2020
all work to be done by a suitably qualified person.

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issue	date	amendment
D	27.1.20	Revised as per Council letter request
C	15.3.19	Revised as per Council letter request
R	21.3.18	Added stormwater layout
A	5.9.17	Submitted to client for approval



abn:25 125 114 454
a: 6 Norman Ave, Thornleigh NSW 2120
o: (02) 9875 3489 m: 0414 540 518 e: emily@outtherelandscape.com.au

client: NICHOLOPOULOS
project: 1-23 LENORE DRIVE & ERSKINE PARK ROAD ERSKINE PARK
drawing title: Landscape Plan
scale: 1:600 @ A3
drawing no.: LP: 180219
drawn by: ER
rev no.: D
Member of the Australian Institute of Landscape Designers and Managers

PROPOSED DEVELOPMENT

1-23 LENORE DRIVE, ERSKINE PARK, NSW, 2759

LOT 1/DP1071114, LOT55/DP1170183

DRAWINGS INDEX	
Drawing No.	Drawings Title
C1.0	DRAWING INDEX & GENERAL NOTES
C2.0	CONCEPT STORMWATER PLAN
C2.1	OSD CATCHMENT PLAN
C2.2	STORMWATER DETAILS
C3.0	BASEMENT STORMWATER PLAN
C4.0	STORMWATER DISCHARGE DETAILS



PROPOSED SITE

LOCALITY PLAN

N.T.S.



GENERAL NOTES

GENERAL

- CG1 THESE DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL AND OTHER CONSULTANTS' DRAWINGS AND SPECIFICATIONS AND WITH SUCH OTHER WRITTEN INSTRUCTIONS AS MAY BE ISSUED DURING THE COURSE OF THE CONTRACT. ANY DISCREPANCY SHALL BE REFERRED TO THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
- CG2 ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH THE RELEVANT AND CURRENT STANDARDS AUSTRALIA CODES AND WITH THE BY-LAWS AND ORDINANCES OF THE RELEVANT BUILDING AUTHORITIES EXCEPT WHERE VARIED BY THE PROJECT SPECIFICATION.
- CG3 ALL DIMENSIONS SHOWN SHALL BE VERIFIED BY THE BUILDER ON SITE. ENGINEER'S DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS.
- CG4 UNLESS NOTED OTHERWISE ALL LEVELS ARE IN METRES AND ALL DIMENSIONS ARE IN MILLIMETERS.
- CG5 ALL WORKS SHALL BE UNDERTAKEN IN ACCORDANCE WITH ACCEPTABLE SAFETY STANDARDS & APPROPRIATE SAFETY SIGNS SHALL BE INSTALLED AT ALL TIMES DURING THE PROGRESS OF THE JOB.

SURVEY

- SU1 THE EXISTING SITE CONDITIONS SHOWN ON THE DRAWINGS HAVE BEEN INVESTIGATED BY OTHERS. THE INFORMATION IS SHOWN TO PROVIDE A BASIS FOR DESIGN.
- SU2 THE FOLLOWING ENGINEERING SURVEY SHALL NOT BE TAKEN AS A CADASTRAL OR BOUNDARY IDENTIFICATION SURVEY. BOUNDARY DATA SHALL BE TAKEN AS A GUIDE ONLY UNLESS NOTED OTHERWISE.
- SU3 SHOULD DISCREPANCIES BE FOUND BETWEEN THE SURVEY DATA AND ACTUAL FIELD DATA THE CONTRACTOR SHALL NOTIFY TRIAXIAL CONSULTING PRIOR TO COMMENCEMENT OF THE WORKS. THE CONTRACTOR SHALL ACCEPT ALL RESPONSIBILITY FOR ERRORS MADE DURING CONSTRUCTION WHERE SURVEY DISCREPANCIES WERE NOT RELAYED AND RESOLVED BY TRIAXIAL CONSULTING PRIOR TO COMMENCEMENT OF THE WORKS.

EXCAVATION

- EX1 REFER TO REPORT ON GEOTECHNICAL STABILITY ASSESSMENT FOR INFORMATION PERTAINING TO EXISTING SITE STABILITY, EXCAVATION AND GEOTECHNICAL ISSUES.
- EX2 ALL SITE EXCAVATION TO BE PERFORMED IN ACCORDANCE WITH ITEMS NOTED IN THE ABOVE LISTED REPORT.
- EX3 THE EARTHWORKS CONTRACTOR IS TO CONTACT OR MEET WITH THE GEOTECHNICAL ENGINEER PRIOR TO COMMENCEMENT OF ANY EXCAVATION TO DETERMINE APPROPRIATE TECHNIQUES AND HOLD POINTS.
- EX4 TEMPORARY BATTER CUT TO ROCK TO BE FORMED AT NO STEEPER THAN 1 V : 1 H. PERMANENT BATTER TO BE CONFIRMED ON SITE IN CONSULTATION WITH THE GEOTECHNICAL ENGINEER.

EXISTING UNDERGROUND SERVICES

- EU1 THE EXISTING UNDERGROUND SERVICES INDICATED ON THESE DRAWINGS HAVE BEEN OBTAINED FROM SURVEY AND SERVICE AUTHORITY INFORMATION. THE SERVICES INFORMATION SHOWN ARE THOSE OF KNOWN SERVICES ONLY. THE LOCATIONS SHOWN ON THE DRAWINGS ARE APPROXIMATE ONLY AND MAY NOT BE 'AS CONSTRUCTED' OR ACCURATE. THE PRESENCE OR ABSENCE OF SERVICES SHALL BE CONFIRMED BY THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- EU2 THE CONTRACTOR SHALL TAKE ALL DUE CARE WHEN EXCAVATING ON SITE INCLUDING HAND EXCAVATION WHERE NECESSARY.
- EU3 THE CONTRACTOR SHALL CONTACT ALL RELEVANT SERVICE AUTHORITIES PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION WORKS.
- EU4 THE CONTRACTOR SHALL UNDERTAKE A THOROUGH SERVICES SEARCH PRIOR TO THE COMMENCEMENT OF ANY EXCAVATION WORKS. THE RESULTS OF SERVICES SEARCHES SHALL BE RECORDED AND KEPT ON SITE AT ALL TIMES.

SITE PREPARATION

- SP1 REFER TO GEOTECHNICAL REPORT FOR EXISTING SOIL CONDITIONS.
- SP2 ALL ORGANIC & DELETERIOUS MATERIAL TO BE COMPLETELY CLEARED FROM SITE WORKS AREA.
- SP3 PRIOR TO THE COMMENCEMENT OF ANY CIVIL OR STRUCTURAL CONSTRUCTION THE ENTIRE SITE AREA IS TO BE COMPACTED AND TESTED IN ACCORDANCE WITH AS1289.5.1.1 OR .5.1.2 - 1993 TO PRODUCE THE FOLLOWING: -98.0% STANDARD COMPACTION AT THE SURFACE AND AT 200MM BELOW SURFACE LEVEL. FREQUENCY OF FIELD DENSITY TESTS SHALL BE CARRIED OUT IN ACCORDANCE WITH AS3798 - 2007 TABLE 8.1 TESTING SHALL BE EVENLY SPACED OVER THE ENTIRE SITE, AND AT RANDOM LOCATIONS. TEST RESULTS SHALL BE FORWARDED TO THE ENGINEER FOR APPROVAL PRIOR TO COMMENCEMENT OF WORKS.
- SP4 PROOF ROLL EXPOSED SUBGRADE PRIOR TO COMMENCEMENT OF CIVIL AND STRUCTURAL CONSTRUCTION. CONDUCTED UNDER GEOTECHNICAL SUPERVISION.
- SP5 BOX OUT ANY SOFT AREAS AND FILL AND COMPACT WITH IMPORTED FILL.
- SP6 PLACE IMPORTED FILL IN MAXIMUM 200 LOOSE LAYERS & COMPACT TO 98%STD >1m BELOW B.E.L.) AND 100%STD (<1m BELOW B.E.L.) AND TO WITHIN +/-2% OF OMC.
- SP7 IMPORTED FILL IS TO BE CRUSHED SANDSTONE OR RIPPED SHALE WITH A MINIMUM CBR OF 30%, PI 8% AND A MAX PARTICLE SIZE OF 75mm.

SITWORKS

- SW1 THE CONTRACTOR SHALL VERIFY ALL LEVELS AND DIMENSIONS PRIOR TO COMMENCEMENT OF THE WORKS. ANY DISCREPANCIES SHALL BE REPORTED TO TRIAXIAL CONSULTING FOR FURTHER INSTRUCTION.
- SW2 ALL CONNECTIONS WITH EXISTING WORKS SHALL BE MADE SMOOTH.
- SW3 ALL TRENCH BACKFILL MATERIAL SHALL BE COMPACTED TO ACHIEVE A DENSITY EQUIVALENT TO THE ADJACENT MATERIAL.
- SW4 ALL SERVICE TRENCHES SHALL BE BACKFILLED WITH SAND TO A LEVEL 300mm ABOVE THE PIPE. WHERE SERVICE TRENCHES ARE CONSTRUCTED UNDER VEHICULAR PAVEMENTS, BACKFILL THE REMAINDER OF THE TRENCH (TO UNDERSIDE OF PAVEMENT) WITH SAND OR APPROVED GRANULAR MATERIAL COMPACTED IN LAYERS NOT EXCEEDING 150mm DEPTH. BACKFILL MATERIAL SHALL BE COMPACTED TO A MINIMUM 98% MODIFIED MAXIMUM DRY DENSITY IN ACCORDANCE WITH AS 1289 5.2.1 (CURRENT EDITION) OR A DENSITY INDEX OF NOT LESS THAN 75.
- SW5 PROVIDE A 10mm WIDE EXPANSION JOINT BETWEEN ALL BUILDINGS AND CONCRETE OR UNIT PAVEMENTS.
- SW6 ALL BASE-COURSE MATERIAL SHALL BE MINIMUM 95% MODIFIED DRY DENSITY (UNO) IN ACCORDANCE WITH AS 1289 5.2.1 (CURRENT EDITION).

SEDIMENT AND EROSION CONTROL

- SE1 CONTROLS SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUAL "MANAGING URBAN STORMWATER, SOILS AND CONSTRUCTION" (2004) (THE BLUE BOOK).
- SE2 DISTURBANCE SHALL BE KEPT TO A MINIMUM AND WITHIN THE LIMITS OF THE CONSTRUCTION SITE.
- SE3 ADDITIONAL CONTROLS SHALL BE INSTALLED AS REQUIRED AND IN ACCORDANCE WITH "THE BLUE BOOK".
- SE4 ALL INSTALLED CONTROLS SHALL BE INSPECTED AT LEAST WEEKLY AND IMMEDIATELY FOLLOWING A RAIN EVENT. MAINTENANCE SHALL BE UNDERTAKEN AS REQUIRED.
- SE5 COMPLETED AREAS SHALL BE PROGRESSIVELY VEGETATED.
- SE6 CONTROL DEVICES, AS DETAILED, SHALL BE INSTALLED TO STORMWATER PITS IMMEDIATELY FOLLOWING THEIR CONSTRUCTION.

STORMWATER DRAINAGE

- SD1 PIPES UP TO 300mm DIAMETER SHALL BE SEWER GRADE UPVC WITH SOLVENT WELDED JOINTS.
- SD2 ALL "INTERNAL WORKS" WITHIN PROPERTY BOUNDARIES SHALL COMPLY WITH THE REQUIREMENTS OF AS/NZS 3500.3 (CURRENT EDITION).
- SD3 ALL STORMWATER PIPES SHALL BE PROVIDED WITH MINIMUM PIPE COVER TO COMPLY WITH THE REQUIREMENTS OF AS/NZS 3500.3 (CURRENT EDITION).
- SD4 INSTALLATION OF ALL BURIED CONCRETE STORMWATER PIPES SHALL COMPLY WITH THE REQUIREMENTS OF AS/NZS 3725 (CURRENT EDITION) DESIGN FOR INSTALLATION OF BURIED CONCRETE PIPES.
- SD5 ENLARGERS, CONNECTORS AND JUNCTIONS SHALL BE PREFABRICATED FITTINGS WHERE PIPES ARE LESS THAN 300mm DIAMETER.
- SD6 ALL STORMWATER DRAINAGE LINES SHALL HAVE A MINIMUM FALL OF 1% UNLESS NOTED OTHERWISE ON THE DRAWINGS. CARE SHALL BE TAKEN WITH SETTING LEVELS OF STORMWATER DRAINAGE LINES. GRADES SHOWN ON THE DRAWINGS SHALL NOT BE REDUCED WITHOUT THE WRITTEN CONSENT OF TRIAXIAL CONSULTING.
- SD7 GRATES AND COVERS SHALL COMPLY WITH THE REQUIREMENTS OF AS 3996 (CURRENT EDITION).
- SD8 AT ALL TIMES DURING THE CONSTRUCTION OF STORMWATER PITS, ADEQUATE SAFETY PROCEDURES SHALL BE DOCUMENTED AND EXECUTED TO MITIGATE THE RISK OF PERSONAL INJURY AS A RESULT OF FALLS INTO PITS.
- SD9 ALL EXISTING STORMWATER LOCATIONS, INCLUDING INVERTS, TO BE CONFIRMED BY THE BUILDER/CONTRACTOR PRIOR TO THE COMMENCEMENT OF CIVIL WORKS ON SITE.
- SD10 ALL EXISTING STORMWATER DRAINAGE LINES AND PITS THAT ARE TO REMAIN SHALL BE INSPECTED AND CLEANED. DURING THIS PROCESS ANY PART OF THE STORMWATER DRAINAGE SYSTEM THAT WARRANTS REPAIR SHALL BE REPORTED TO THE SUPERINTENDANT/ENGINEER FOR FURTHER DIRECTIONS.

NOTE:
THIS IS A PLANNING DRAWING ONLY. FOR THE PURPOSE OF CONCEPTUAL DESIGN AND/OR PLANNING. FURTHER DETAILED ENGINEERING DESIGN INCLUDING SPECIFICATIONS, SIZING AND STORMWATER INVERTS TO BE PROVIDED PRIOR TO BUILDING RULES ASSESSMENT AND CONSTRUCTION.

ISSUED FOR APPROVAL	DATE	ISSUE	BY
ISSUED FOR APPROVAL	29.07.19	C	J.D.
ISSUED FOR APPROVAL	20.03.18	B	J.D.
ISSUED FOR APPROVAL	22.02.18	A	J.D.
AMENDMENTS	DATE	ISSUE	BY
STATUS			

ISSUED FOR APPROVAL



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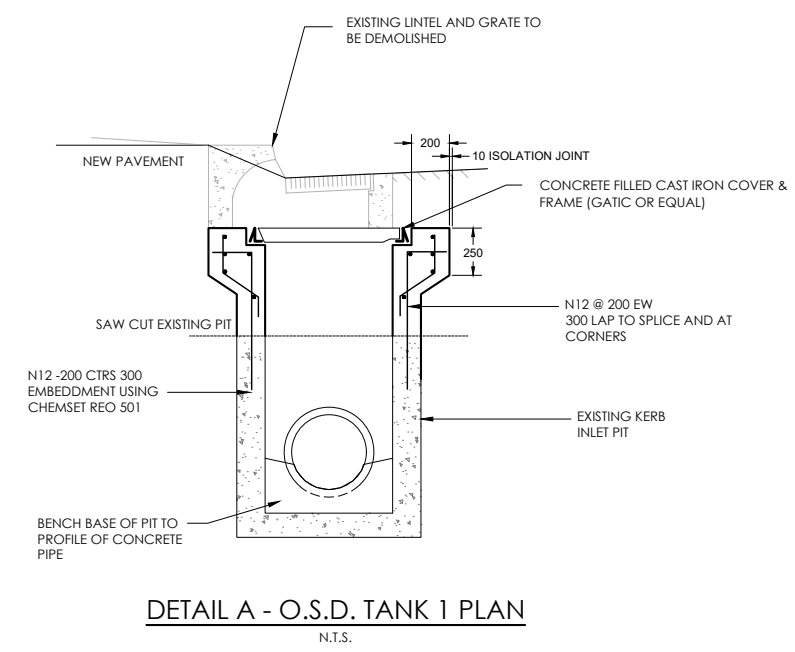
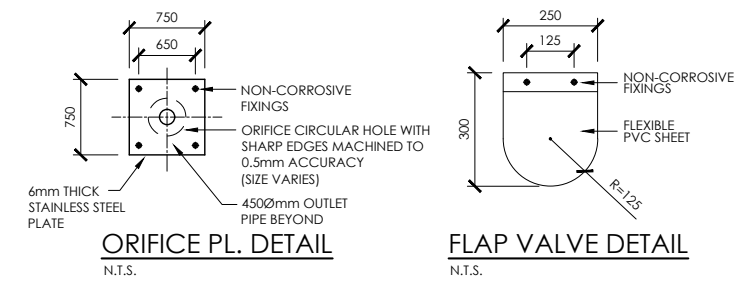
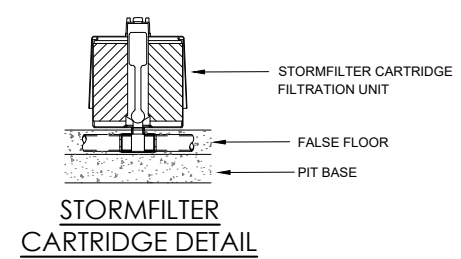
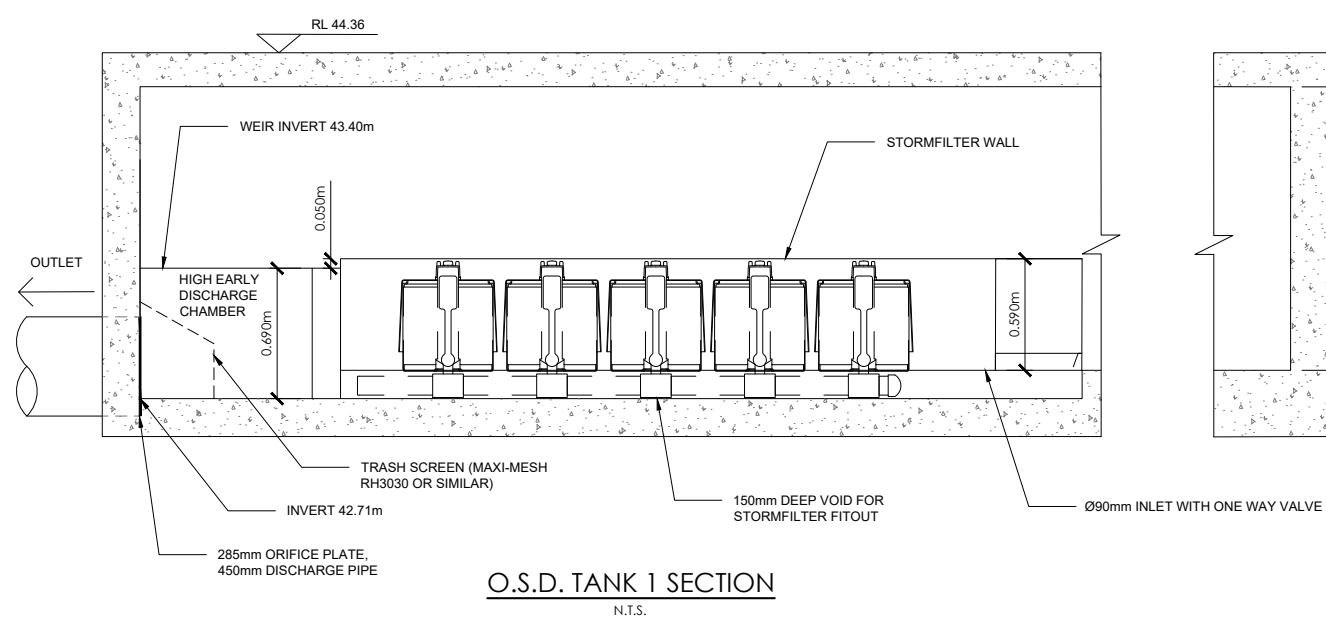
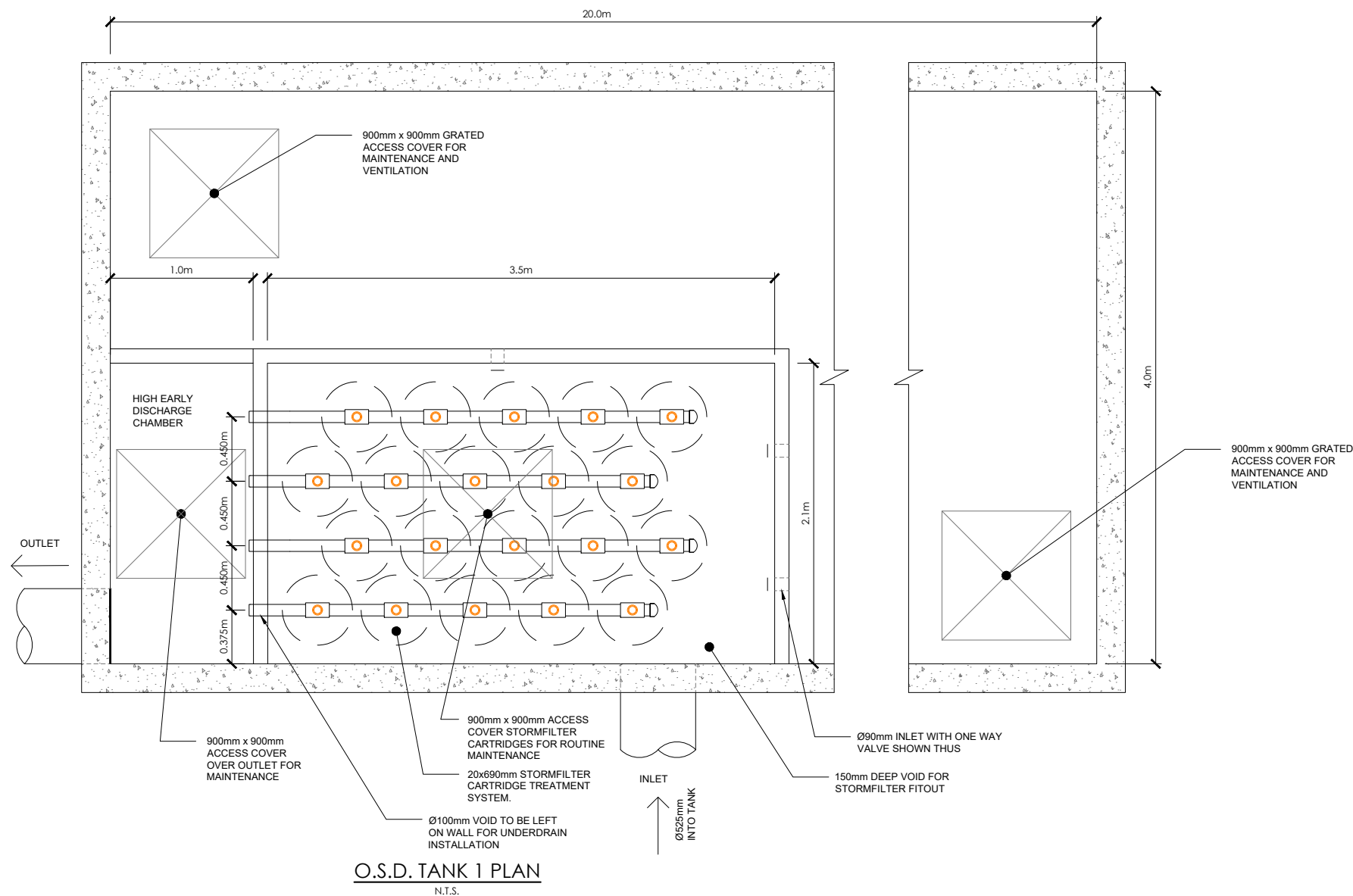
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PO BOX 6213
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CLIENT
FRANK NICHOLAS

PROJECT
PROPOSED DEVELOPMENT
1-23 LENORE DRIVE
ERSKINE PARK, NSW, 2759

DESIGNED	DRAWN	DATE	SIZE	CAD REF
J.D.	J.M.	19.02.18	A1	TX13092.00-C1.0

DRAWING TITLE
DRAWING INDEX & GENERAL NOTES

DRAWING NO
TX13092.00 - C1.0 ISSUE
C



STATUS	DATE	ISSUE	BY
ISSUED FOR APPROVAL	31.01.20	E	J.D.
ISSUED FOR APPROVAL	05.12.19	D	J.D.
ISSUED FOR APPROVAL	30.08.19	C	J.D.
ISSUED FOR APPROVAL	04.02.19	B	J.D.
ISSUED FOR APPROVAL	13.11.18	A	J.D.

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PO BOX A203, SYDNEY SOUTH, NSW 1235
SYDNEY | ADELAIDE | BAROSSA | DARWIN | MUDGEE

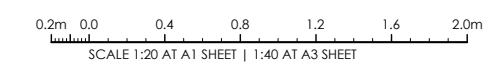
ARCHITECT
HY CHENG
ARKEXPRESS DESIGN PTY LTD
PO BOX 6213
CANLEY VALE NSW 2166

CLIENT
FRANK NICHOLAS

PROJECT
PROPOSED DEVELOPMENT
1-23 LENORE DRIVE
ERSKINE PARK, NSW, 2759

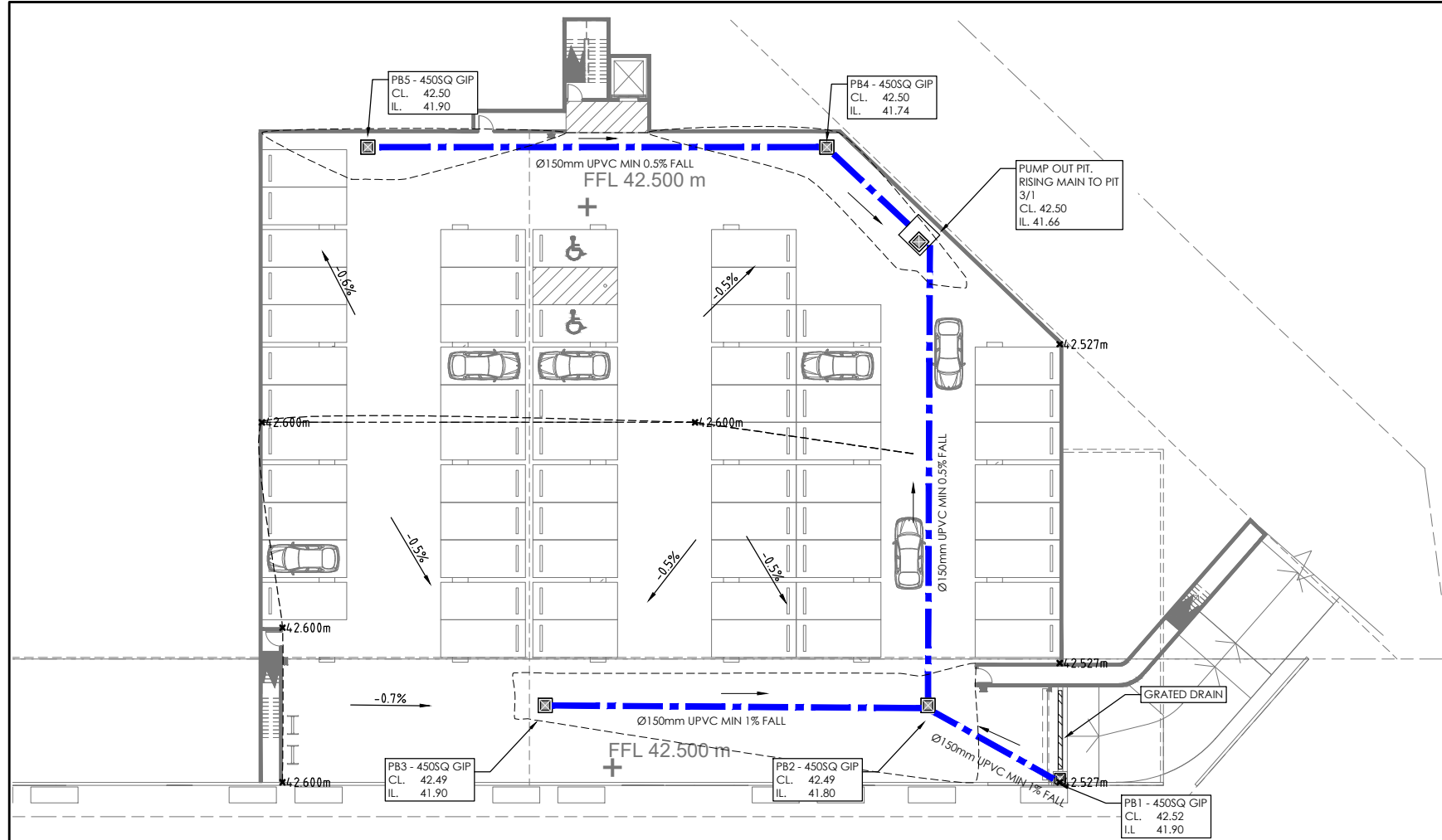
DESIGNED: J.D. DRAWN: J.M. DATE: 19.02.18 SIZE: A1 CAD REF: TX13092.00-C1.0

DRAWING TITLE
STORMWATER DETAILS



DRAWING No
TX13092.00 - C2.2

ISSUE
E

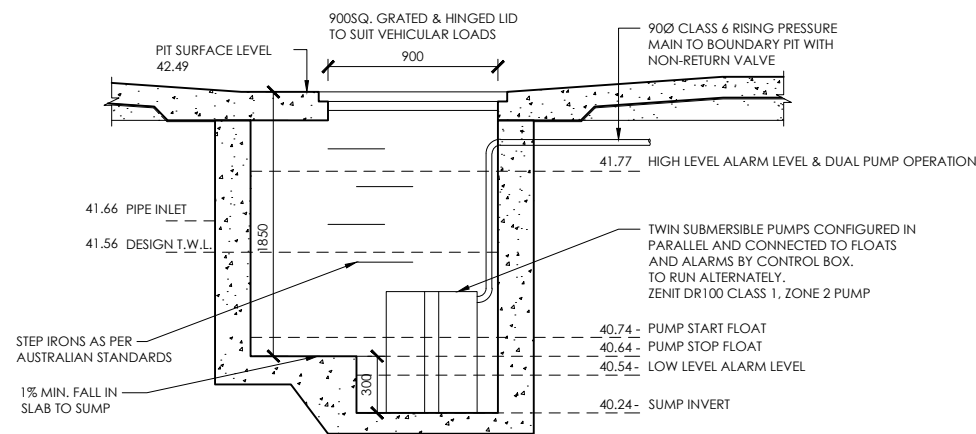


BASEMENT STORMWATER PLAN

SCALE 1:200 AT A1
SCALE 1:400 AT A3

SYMBOL	DESCRIPTION
	STORMWATER PIPE @ 1.0% MIN U.N.O.
	uPVC DOWNPIPE
	SURFACE INSPECTION OPENING
	(GS) GRATED SUMP (UNO)
	(JB) JUNCTION BOX (UNO)
	CONCRETE HEADWALL
	DESIGN LEVEL
	TOP OF KERB
	WATER TABLE
	PAVEMENT LEVEL
	FINISHED LEVEL
	COVER LEVEL
	INVERT LEVEL
	FINISHED FLOOR LEVEL
	BENCH LEVEL EXISTING
	SURFACE LEVEL
	TOP OF RETAINING WALL
	BOTTOM OF RETAINING WALL
	OVERLAND FLOWPATH
	RAINWATER RE-USE TANK EACH UNIT REFER SCHEDULE

- PUMP SYSTEM NOTES:**
- THE PUMPS SHALL BE PROGRAMMED TO WORK ALTERNATIVELY SO AS TO ALLOW BOTH PUMPS TO HAVE CONTINUOUS OPERATION.
 - A LOW LEVEL FLOAT SHALL BE PROVIDED TO ENSURE THAT THE MINIMUM REQUIRED WATER LEVEL IS MAINTAINED WITHIN THE SUMP AREA OF THE BELOW GROUND TANK. IN THE REGARD THIS FLOAT WILL FUNCTION AS AN OFF SWITCH FOR THE PUMPS.
 - A SECOND FLOAT SHOULD BE PROVIDED AT A HIGHER LEVEL, APPROX. 100mm ABOVE THE MINIMUM WATER LEVEL. ONE OF THE PUMPS WILL OPERATE & DRAIN THE TANK TO THE LOW-LEVEL FLOAT.
 - A THIRD FLOAT SHOULD BE PROVIDED AT A HIGH LEVEL. THIS ALARM LEVEL, WHICH IS APPROX. ROOF LEVEL OF THE BELOW GROUND TANK, SHOULD START THE OTHER PUMP THAT IS NOT OPERATING & SET OFF THE ALARM.
 - AN ALARM SYSTEM SHALL BE PROVIDED WITH A FLASHING STROBE LIGHT & A PUMP FAILURE WARNING SIGN WHICH ARE TO BE LOCATED AT THE DRIVEWAY ENTRANCE TO THE BASEMENT LEVEL. IN THIS REGARD THE ALARM SHALL BE PROVIDED WITH A BATTERY BACKUP IN CASE OF POWER FAILURE.
 - THE PUMPS SHALL HAVE A FLOWRATE OF 5 L/SEC @ 5m HEAD.
 - THE PUMPS SHALL HAVE A SUITABLE CLASSIFICATION FOR BASEMENT CAR PARKS.
 - NO VARIATIONS TO THIS DESIGN UNLESS CHECKED BY THE ENGINEER PRIOR TO CONSTRUCTION.



PUMPOUT PIT SECTION

N.T.S.

1900mm LONG x 1900mm WIDE x 1850mm DEEP PUMP OUT PIT. MINIMUM STORAGE VOLUME = 6.7m³ (AS PER AS3500.3:2018)

ISSUED FOR APPROVAL	DATE	ISSUE	BY
ISSUED FOR APPROVAL	31.01.20	F	J.D.
ISSUED FOR APPROVAL	11.12.19	E	J.D.
ISSUED FOR APPROVAL	05.12.19	D	J.D.
ISSUED FOR APPROVAL	30.08.19	C	J.D.
IFA - REVISED ARCH	05.03.19	B	J.D.
ISSUED FOR APPROVAL	13.11.18	A	J.D.
AMENDMENTS	DATE	ISSUE	BY
STATUS			

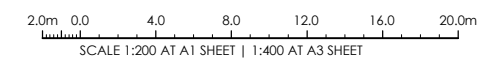
ISSUED FOR APPROVAL



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PO BOX A203, SYDNEY SOUTH, NSW 1235
SYDNEY | ADELAIDE | BAROSSA | DARWIN | MUDGEE

ARCHITECT
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CLIENT
FRANK NICHOLAS

PROJECT
PROPOSED DEVELOPMENT
1-23 LENORE DRIVE
ERSKINE PARK, NSW, 2759
DESIGNED DRAWN DATE SIZE CAD REF
J.D. J.M. 19.02.18 A1 TX13092.00-C1.0
DRAWING TITLE
BASEMENT STORMWATER PLAN



DRAWING No
TX13092.00 - C3.0 ISSUE
F

SYMBOL	DESCRIPTION
	STORMWATER PIPE @ 1.0% MIN U.N.O.
	uPVC DOWNPIPE
	SURFACE INSPECTION OPENING
	(GS) GRATED SUMP (UNO)
	(JB) JUNCTION BOX (UNO)
	CONCRETE HEADWALL
	DESIGN LEVEL
	TK. TOP OF KERB
	WT. WATER TABLE
	P. PAVEMENT LEVEL
	FL. FINISHED LEVEL
	CL. COVER LEVEL
	IL. INVERT LEVEL
	FFL. FINISHED FLOOR LEVEL
	BL. BENCH LEVEL EXISTING
	EL. SURFACE LEVEL
	TRW. TOP OF RETAINING WALL
	BRW. BOTTOM OF RETAINING WALL
	OVERLAND FLOWPATH
	RAINWATER RE-USE TANK EACH UNIT REFER SCHEDULE



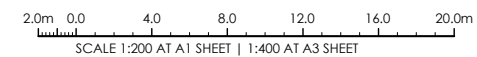
NOTE:
THIS IS A PLANNING DRAWING ONLY, FOR THE PURPOSE OF CONCEPTUAL DESIGN AND/OR PLANNING. FURTHER DETAILED ENGINEERING DESIGN INCLUDING SPECIFICATIONS, SIZING AND STORMWATER INVERTS TO BE PROVIDED PRIOR TO BUILDING RULES ASSESSMENT AND CONSTRUCTION.

SERVICES NOTE:
1. EXISTING SERVICES SHOWN ARE BASED ON SURVEY DATA RECEIVED BY THIS OFFICE.
2. ALL EXISTING SERVICES ARE SHOWN DIAGRAMMATIC ONLY. ALL SERVICES ARE TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.

WARNING:
BEWARE OF UNDERGROUND SERVICES. THE LOCATION OF SERVICES IF SHOWN, ARE INDICATIVE ONLY AND NO GUARANTEE IS GIVEN THAT ALL EXISTING SERVICES HAVE BEEN DOCUMENTED. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING ALL EXISTING SERVICES WITHIN THE WORKS AFFECTED AREAS PRIOR TO ANY ON-SITE EXCAVATION.



CONCEPT STORMWATER PLAN
SCALE 1:200 AT A1



ISSUED FOR APPROVAL	30.08.19	B	J.D.
ISSUED FOR APPROVAL	22.02.18	A	J.D.
AMENDMENTS	DATE	ISSUE	BY
STATUS			

ISSUED FOR APPROVAL



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FRANK NICHOLAS

PROJECT
PROPOSED DEVELOPMENT
1-23 LENORE DRIVE
ERSKINE PARK, NSW, 2759

DESIGNED	DRAWN	DATE	SIZE	CAD REF
J.D.	J.M.	27.07.19	A1	TX13092.00-C1.0

DRAWING TITLE
STORMWATER PLAN - OUTLET TREATMENT

DRAWING No
TX13092.00 - C4.0 ISSUE
B



TRECAS

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28.02.2018

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ARBORICULTURAL IMPACT REPORT

Site Address: 1-23 Lenore Drive, Erskine Park 2759

Prepared by Karen Marshall

AQF Level 5 Registered & Licensed Consulting Arborist
Cert V Arboriculture, Assoc. Dip App Sc. (Landscape), TRAQ Qualified
Member: Arboriculture Australia, ISA



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1 Introduction

This report has been prepared for the client, Mr Frank Nicholas, in response to a request for an Arboricultural Impact Report regarding 7 x trees surveyed to the south western corner of the site that may be affected by the proposed industrial development at 1-23 Lenore Avenue, Erskine Park.

It has been noted that within the same stand of 7 trees surveyed, there are a further 7 x trees that are protected by Council's Development Control Plan (DCP). Locations for these trees have been approximated and the trees have been included in the report. There are also a number of trees located toward the north eastern site boundary, however the Architect has advised that Council determined at the Pre-DA Meeting that these trees were not required to be included within the report.

2 Aim

The intent of the report is to provide an independent assessment of tree health, condition and retention value and review the potential impact of the proposed development upon the tree/s, making recommendations for removal or retention and protection including design changes as required.

3 Methodology

3.1 General

The site was attended on 18 February 2019 and an assessment of the trees and their growing environment was undertaken. Inspection of the trees has been carried out from the ground only. No aerial inspections, woody tissue testing, or root mapping has been undertaken at the time of inspection, however these may be recommended.

3.2 Visual Tree Assessment (VTA)

A Visual Tree Assessment for each tree has been carried out using standard industry practice. This includes research of the tree species origin and optimal growing conditions, visual assessment of the tree's roots, trunk, branches and canopy undertaken from the ground and research of the tree's growing environment including soil, topography and site history. Site measurements have been calculated as follows:

- Height and canopy spread have been approximated
- Diameter at Breast height (DBH) has been measured using a diameter tape at 1.4 metres above ground level
- Diameter at Base (DAB) has been measured using a diameter tape just above the root flare

3.3 Useful Life Expectancy Assessment (ULE)

An assessment of ULE has been carried out for each tree. A ULE is the life expectancy of the tree, modified by its age, health, condition, location, economics, effects on better trees and sustained amenity (Barrell). Please see Appendix A for further information.

3.4 Significance Assessment

An assessment of significance for each tree has been carried out using the Institute of Australian Consulting Arborists (IACA) Significance of a Tree, Assessment Rating System (STARS). Please see Appendix B for further information.

3.5 Tree Protection and Structural Root Zones

Tree Protection Zones (TPZ's) and Structural Root Zones (SRZ's) have been calculated for each tree by measuring the circumference of the tree at 1.4 metres above ground level and just above the root flare using the calculation formula as specified in *Australian Standard 4970-2009 Protection of Trees on Development Sites*.

Incursion of the development into the tree protection zone may impact upon the viability of the tree. Although incursion should be avoided wherever possible, an incursion of 10% or less is considered minor. Any incursion more than 10% of the tree protection zone area will require further Arborist investigation and may include root mapping and recommendations for construction methodologies to reduce impacts upon the tree.

3.6 Documentation

Documentation reviewed as part of the investigation for this report includes:

1. SEPP Vegetation in Non-Rural Areas 2017
2. Penrith Local Environment Plan (LEP) 2010
Clause 5.9 – Preservation of Trees or Vegetation
3. Penrith Development Control Plan (DCP) 2014
Part C2 – Vegetation Management
4. Architectural Drawings by ArkExpress, Project No. 17221:
A0002, Issue B, dated 20.04.2018 – Proposed Site & Roof Plan
A1002, Issue 3, dated 12.02.2019 – Proposed Ground Master Plan

4 Discussion of Trees and Proposed Development

4.1 Site and Trees - General

The site is currently vacant and appears to have been disturbed in the past. The ground area immediately to the north of the trees is currently occupied by a somewhat degraded bitumen and gravel road. The soil area over the northern portion of the root plates is likely to be compacted.

All trees are showing signs of varying degrees of stress likely due in the first instance to soil compaction, disturbance and poor growing conditions over an extended period, with secondary infestations of mistletoe and termite as well as extensive branch dieback, branch failure and poor wound wood development evident.

No hollows were observed and the only habitat identified is provided by a bird box which could be readily relocated to a semi-mature tree within the neighbouring allotment that appears to support an indigenous flora and wetland regeneration project.

4.2 Trees to be Removed

All 14 x trees assessed as part of this report are proposed to be removed as part of the proposed development. For detailed observations and calculations regarding each tree, impact of the proposed development and recommendations, please refer to Appendix C – Tree Impact and Assessment Table.

12 of the trees are *Eucalyptus moluccana* (Grey Box) at various stages of maturity. These trees show signs of stress with secondary infestations of mistletoe and termite as well as extensive branch dieback, branch failure and poor wound wood development evident and have been assessed as low or medium retention value.

The remaining 2 x trees are *Syagrus romanzoffianum* (Cocos Palm) and *Lagunaria patersonia* (Norfolk Island Hibiscus) which are exempt species under Council's DCP.

The proposed development represents major incursions into the TPZ areas for all 12 x *Eucalyptus moluccana* and also incurs into the SRZ for these trees. Given the current fair to poor health and condition of the trees, it is highly likely that any further disturbance would increase stress and contribute to a further decline in health and condition.

The trees have been assessed as low to medium retention value and the cost associated with nursing some of the trees back to optimum health along with the design changes and/or specialised construction techniques that would be required to retain them in the long term would be substantial. Given that there is more than adequate opportunity to establish a dense, healthy replacement tree canopy within the embankment areas to the north east and north west site boundaries, it is considered more appropriate to allow for the removal and replacement of these trees. Planting of locally indigenous trees, understory shrubs and grasses will also assist in the management of soil, improve biodiversity and provide food source and habitat for indigenous fauna.

5 Conclusion

The proposed industrial development requires the removal of 2 x exempt tree specimens and 12 x *Eucalyptus moluccana* (Grey Box) at various stages of maturity and in fair to poor health and condition with low to medium retention value. No hollows were observed and a habitat box could be easily relocated to a tree within the adjoining property that appears to support an indigenous flora and wetland regeneration project.

The cost associated with nursing the trees back to optimum health along with the design changes and/or specialised construction techniques that would be required to retain them in the long term would be substantial and as such it is considered more appropriate to remove and replace the trees within the proposed dense embankment planting areas to the north east and north west site boundaries.

6 Recommendations

6.1 Tree Removal and Replacement

All 14 x trees assessed as part of this report are recommended to be removed and replaced.

The habitat box attached to tree number 4 will be required to be carefully removed by an appropriately qualified professional and re-attached at a similar height to a semi-mature tree within the adjoining property. Note that permission from the property owner will be required.

Replacement tree planting proposed within the embankment areas to the north east and north west property boundaries should include a minimum of 14 x *Eucalyptus moluccana* (Grey Box).

7 Limitations of Liability & Validity

This report has been prepared by TREECAS on the understanding that its contents may not be disclosed to any other party except for the Local Government Authority for the site without prior written approval from TREECAS. This report must be read in its entirety. At no time, shall part of the written assessment be referred to unless taken in full context of the whole written report. If this written report is to be presented in a court of law or any legal situation TREECAS must be advised in writing prior to the event.

Care has been taken to ensure that all information is accurate, however TREECAS will not be held responsible for the accuracy of information provided by others.

This assessment and findings of this report are valid for a period of 12 months from the date of site inspection under normal conditions. The report is no longer valid in the following circumstances:

- The site is substantially altered by clearing, demolition, excavation or construction works
- Intense weather events that may include any of the following; heavy rain (40mm/hour or more), soil erosion, strong winds (50km/hour or more), lightning activity
- Tree works being undertaken on the trees including branch or root pruning, pest treatment and/or tree removal

8 References & Bibliography

Trees and Development

Matheny and Clark 1998

Evaluation of Hazard Trees in Urban Areas

Matheny and Clark 1994

Institute of Australian Consulting Arborists

www.iaca.org.au

International Society of Arboriculture

www.isa-arbor.com

Penrith Council

www.penrithcity.nsw.gov.au

Tree Risk Assessment Manual

International Society of Arboriculture 2013

Australian Standard for Protection of Trees on Development Sites AS4970-2009

(Incorporating Amendment 1)

9 Glossary of Terms

Age Class

Immature (IM) refers to a well-established but juvenile tree

Semi Mature (SM) refers to a tree at growth stages between immaturity and full size. A tree that has reached first adult form i.e. displays adult characteristics.

Mature (M) refers to a full-size tree with some capacity for further growth

Over Mature (OM) refers to a tree approaching decline or already declining

Crown Class

Dominant (D) refers to trees whose crowns are above the upper layer of the canopy and generally receiving some light from above and sides

Co-dominant (CO) refers to trees whose crowns form the upper edge of the canopy, touching the canopies of similar size trees or built structures and generally only receiving light from above.

Intermediate (IN) refers to trees whose crowns have been reduced or affected by surrounding trees or built structures, however they are still receiving some light from above.

Suppressed (SU) refers to trees whose crowns have been overtopped by other trees or built structures and occupy an understory position in the canopy.

Deadwood dead branches or limbs throughout the canopy

Diameter at Breast Height (DBH) expressed in millimetres refers to the trunk diameter at 1.4m above ground level.

Dieback death of foliage and upper branchlets in the canopy

Epicormic Growth stems or branches formed from dormant buds beneath the bark of a tree, usually activated into growth in response to some form of stress, injury or severe environmental condition

Height expressed in metres refers to the estimated overall height of the tree

Included Bark a weak branch union formed when bark becomes entrapped in the crotch/branch junction during subsequent growth

Spread expressed in metres refers to the estimated spread of the crown at the dripline

ULE a systematic pre-development tree assessment procedure. It gives the length of time that the Arborist feels a particular tree can be retained with an acceptable level of risk based on the information available at the time of inspection

Tree a perennial plant with a single woody trunk and more or less distinct and elevated head

Vigour Ability of tree to sustain its life processes. This is independent of the condition of the tree but may have an impact upon it. Vigour can appear to alter rapidly with change of seasons e.g. dormancy or deciduous and semi-deciduous trees

Appendix A - Useful Life Expectancy (ULE) Assessment Process

	1.LONG ULE Trees that appeared to be retainable at the time of assessment for over 40 years with an acceptable degree of risk, assuming reasonable maintenance.	2.MEDIUM ULE Trees that appeared to be retainable at the time of assessment for 15 to 40 years with an acceptable degree of risk, assuming reasonable maintenance.	3.SHORT ULE Trees that appeared to be retainable at the time of assessment for 5 to 15 years with an acceptable degree of risk, assuming reasonable maintenance.	4.REMOVALS Trees which should be removed within the next 5 years.	5.MOVED OR REPLACED Trees which can be reliably moved or replaced.
A	Structurally sound trees located in positions that can accommodate future growth.	Trees that may only live between 15 and 40 more years.	Trees that may only live between 5 and 15 more years.	Dead, dying, suppressed or declining trees through disease or inhospitable conditions.	Small trees less than 5 metres (m) in height.
B	Trees that could be made suitable for long-term retention by remedial tree care.	Trees that may live for more than 40 years but would be removed for safety or nuisance reasons.	Trees that may live for more than 15 years but would be removed for safety and nuisance reasons.	Dangerous trees through damage, structural defect, instability or recent loss of adjacent trees.	Young trees less than 15 years old but over 5 m in height.
C	Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long-term retention.	Trees that may live for more than 40 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	Trees that may live for more than 15 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	Dangerous trees through damage, structural defects including cavities, decay, included bark, wounds and poor form.	Trees that have been regularly pruned to artificially control growth.
D		Trees that could be made suitable for retention in the medium term by remedial tree care.	Trees that require substantial remedial care and are only suitable for retention in the short term.	Damaged trees that are clearly not safe to retain.	
E				Trees that may live for more than 5 years but should be removed to prevent interference with more suitable individuals or to provide space for new planting.	
F				Trees that are damaging or may cause damage to existing structure within 5 years.	
G				Trees that will become dangerous after removal of other trees for the reasons given in A) to F).	
H				Trees in categories A) to G) that have a high wildlife habitat value and, with appropriate treatment, could be retained subject to regular review.	

Appendix B - Tree Retention Value – Priority Matrix

		Significance				
		1. High	2. Medium	3. Low		
		Significance in Landscape	Significance in Landscape	Significance in Landscape	Environmental Pest/Noxious Weed Species	Hazardous /Irreversible Decline
Estimated Life Expectancy	1. Long > 40 years					
	2. Medium 15-40 years					
	3. Short <1-15 years					
	4. Dead					
Legend for Matrix Assessment						
	Priority for Retention (High) – These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4970 Protection of Trees on development sites. Tree sensitive construction measures must be implemented e.g. pier and beam etc. if works are to proceed within the tree Protection Zone.					
	Consider for Retention (Medium) – These trees may be retained and protected. These are less critical; however, their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted.					
	Consider for Removal (Low) – These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention.					
	Priority for Removal – These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development.					

IACA, 2010, IACA Significance of a Tree, Assessment Rating System (STARS), Institute of Australian Consulting Arboriculturists, Australia, www.iaca.org.au

REFERENCES

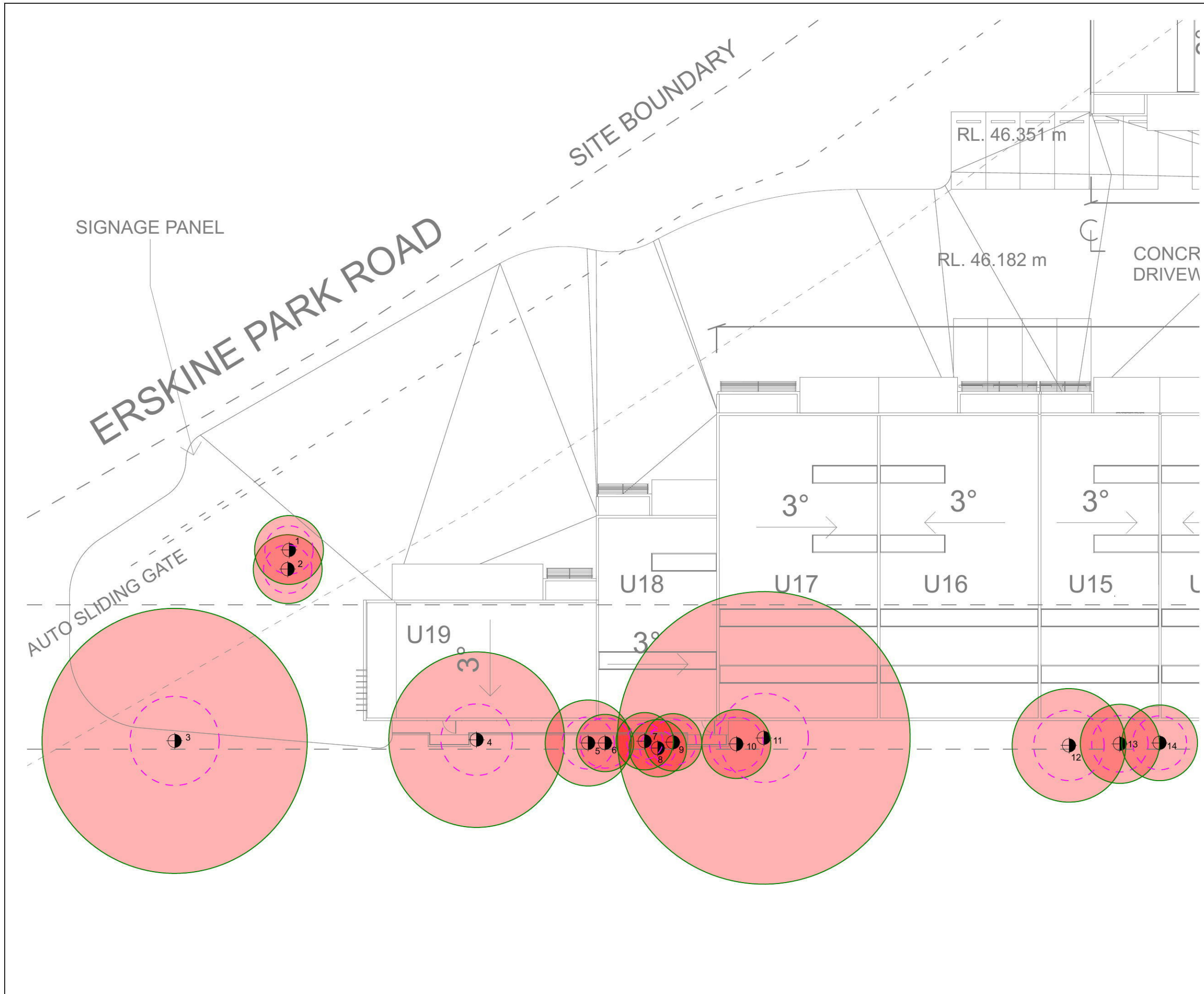
Australia ICOMOS Inc. 1999, The Burra Charter - The Australian ICOMOS Charter for Places of Cultural Significance, International Council of Monuments and Sites, www.icomos.org/australia
 Draper BD and Richards PA 2009, Dictionary for Managing Trees in Urban Environments, Institute of Australian Consulting Arboriculturists (IACA), CSIRO Publishing, Collingwood, Victoria, Australia.
 Footprint Green Pty Ltd 2001, Footprint Green Tree Significance & Retention Value Matrix, Avalon, NSW Australia, www.footprintgreen.com.au

Appendix C – Tree Impact and Assessment Table



Tree Number	Species	Age Class	Height (m)	Spread (m)	DBH (m)	Crown	Health & Condition	Comment	ULE	Retention Value	TPZ (m)	SRZ (m)	Incursion	Likely Impact	Action Required
1	<i>Syagrus romanzoffianum</i> (Cocos Palm)	SM	7	3	N/A	CO SYM	Good	The tree is an exempt species within the Penrith LGA.	4e	Low	N/A	N/A	N/A	N/A	REMOVE
2	<i>Lagunaria patersonia</i> (Norfolk Island Hibiscus)	M	8	4	N/A	CO ASYM	Fair	The tree is an exempt species within the Penrith LGA.	4e	Low	N/A	N/A	N/A	N/A	REMOVE
3	<i>Eucalyptus moluccana</i> (Grey Box)	M	17	7	0.77	D ASYM	Poor	A wound occurs to the lower trunk from the root crown to 0.8 metres above ground level and extends 30% circumference with fair wound wood development and termite damage evident. Multiple large branches to approximately 300mm diameter have failed within the canopy with termite damage evident at wound sites. An included branch junction with reaction wood development occurs at 2.5 metres above ground level. The canopy is sparse with multiple deadwood to approximately 80mm diameter, epicormic growth and mistletoe infestations.	3c	Low	9.24	3.11	MAJOR – 41.4%	Disruption of absorbing and structural root systems for the construction of the proposed entrance road within approximately 0.3 metres of the base of the tree trunk.	REMOVE
4	<i>Eucalyptus moluccana</i> (Grey Box)	SM	16	4	0.51	CO SYM	Fair	A habitat box is attached to the tree at approximately 5 metres above ground level with suspected bird inhabitants (bird calls heard in the immediate vicinity whilst on site). Multiple deadwood to 80mm diameter, a deadwood hanger, epicormic growth and mistletoe infestations occur within the canopy. Small branches to approximately 40mm diameter have previously failed within the canopy with termite damage evident at wound sites.	2d	Medium	6.12	2.49	MAJOR – 48.7%	Disruption of absorbing and structural root systems for the construction of the proposed unit 19 hard up against the tree trunk.	REMOVE
5	<i>Eucalyptus moluccana</i> (Grey Box)	SM	6	2	0.25 @1m	SU SYM	Poor	Location on plan is approximate only. The tree has been previously topped at 1.4 metres above ground level and the wound has not fully occluded.	3c	Low	3.00	1.82	MAJOR – 37.7% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 19 hard up against the tree trunk.	REMOVE
6	<i>Eucalyptus moluccana</i> (Grey Box)	SM	8	2	0.15	SU SYM	Poor	Location on plan is approximate only. Mistletoe infestation and foliar damage by chewing insect occurs within the canopy.	2d	Medium	2.00	1.75	MAJOR- 31.5% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 18 hard up against the tree trunk.	REMOVE

Tree Number	Species	Age Class	Height (m)	Spread (m)	DBH (m)	Crown	Health & Condition	Comment	ULE	Retention Value	TPZ (m)	SRZ (m)	Incursion	Likely Impact	Action Required
7	<i>Eucalyptus moluccana</i> (Grey Box)	SM	6	2	0.15	SU SYM	Fair	Location on plan is approximate only.	1b	Medium	2.00	1.50	MAJOR – 36.5% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 18 hard up against the tree trunk.	REMOVE
8	<i>Eucalyptus moluccana</i> (Grey Box)	SM	8	3	0.12	SU SYM	Fair	Location on plan is approximate only. Mistletoe infestation occurs within the canopy.	2d	Medium	2.00	1.61	MAJOR – 21.7% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 18 within approximately 0.5 metres of the base of the tree trunk.	REMOVE
9	<i>Eucalyptus moluccana</i> (Grey Box)	J	4	2	0.08	SU SYM	Fair	Location on plan is approximate only. A small wound occurs to the lower trunk and epicormic growth occurs within the canopy.	2d	Medium	2.00	1.50	MAJOR – 41% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 18 hard up against the tree trunk.	REMOVE
10	<i>Eucalyptus moluccana</i> (Grey Box)	SM	6	2	0.20 @1m	SU SYM	Poor	Location on plan is approximate only. The tree has been previously topped at 1.4 metres. A small wound occurs to the trunk. Epicormic growth and fused branches occur within the canopy.	3c	Low	2.40	1.88	MAJOR – 23.9% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed unit 18 hard up against the tree trunk.	REMOVE
11	<i>Eucalyptus moluccana</i> (Grey Box)	OM	13	6	0.85	CO ASYM	Poor	The tree has three co-dominant leaders from the base. 1 x eastern leader has completely died back to the root crown. The remaining eastern leader has 90% of its foliage comprising of mistletoe infestation and multiple previous branch failures to approximately 80mm diameter. The western leader has died back to 4 metres above ground level with multiple previous large branch failures, epicormic growth and termite damage evident.	4a	Low	10.2	3.11	MAJOR – 45%	Disruption of absorbing and structural root systems for the construction of the proposed units 16, 17 & 18 hard up against the tree trunk.	REMOVE
12	<i>Eucalyptus moluccana</i> (Grey Box)	SM	13	4	0.33	CO SYM	Poor	Multiple previous branch failures to approximately 100mm diameter and branch die back occur within the canopy. An included junction occurs at 4 metres above ground level. 40% of the foliage is mistletoe infestation and epicormic growth occurs within the canopy.	4a	Low	3.96	2.45	MAJOR – 20.5%	Disruption of absorbing and structural root systems for the construction of the proposed units 15 & 16 within approximately 1.2 metres of the base of the tree trunk.	REMOVE

Tree Number	Species	Age Class	Height (m)	Spread (m)	DBH (m)	Crown	Health & Condition	Comment	ULE	Retention Value	TPZ (m)	SRZ (m)	Incursion	Likely Impact	Action Required
13	<i>Eucalyptus moluccana</i> (Grey Box)	SM	13	3	0.23	CO SYM	Poor	Location on plan is approximate only. An included junction with reaction wood development occurs at 3 metres above ground level. Small mechanical wounds with kino seepage occur to the lower trunk. The canopy is asymmetrical and heavily biased to the north.	3c	Low	2.76	1.97	MAJOR – 11.6% (Approximately)	Disruption of absorbing and structural root systems for the construction of the proposed units 15 & 16 within approximately 1.2 metres of the base of the tree trunk.	REMOVE
14	<i>Eucalyptus moluccana</i> (Grey Box)	SM	12	2	0.22	CO SYM	Fair	A small mechanical wound occurs at 2 metres above ground level. Mistletoe infestation occurs within the canopy.	2d	Medium	2.64	1.88	MAJOR – 11%	Disruption of absorbing and structural root systems for the construction of the proposed units 14 & 15 within approximately 1.2 metres of the base of the tree trunk.	REMOVE



LEGEND

-  TREE FOR REMOVAL - TPZ
-  TREE FOR REMOVAL - SRZ



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CLIENT

MR FRANK NICHOLAS

SITE ADDRESS

1-23 LENORE DRIVE
ERSKINE PARK NSW 2759

NORTH POINT



SCALE

1:250@A3

DRAWN BY

KM

DATE

27.02.2019

NUMBER

ARB01

ISSUE

DA

PLAN TITLE

APPENDIX D
TREE IMPACT PLAN

25 September 2019

To Whom It May Concern

RE: Proposed Industrial Development at 1-23 Lenore Drive & Erskine Park Road, Erskine Park NSW 2759. Lot 1 DP 1071114 & Lot 55 DP 1170183

Dear Sir, Madam,

This design statement should be read in conjunction with the Statement of Environmental Effects report prepared by Planning Direction Pty Ltd.

This design statement is to confirm the compliance and consistency with clause 31 of the SEPP relating to the design principles;

- (a) The development is of a high quality design, and
- (b) A variety of materials and external finishes for the external facades are incorporated, and
- (c) High quality landscaping is provided, and
- (d) The scale and character of the development is compatible with other employment-generating development in the precinct concerned.

The proposed design solution maintains the block principle and has been derived from the site analysis and in consideration of the provisions in part E6 (Erskine Business Park) of the Penrith Development Control Plan 2014.

The uniqueness of this triangular site is exposed to two main road frontages, Erskine Park Road and Lenore Drive and backs onto a watercourse. Careful planning has been considered to ensure that the design addresses the street and at the same time not to exposed the loading area and roller doors to the street. The design is set out in a way that the roller doors to all loading areas do not face Erskine Park Road and Lenore Drive but rather faces the internal driveway.

The design is of high quality to relate both to the surround buildings and environment and to ensure that no large blank walls are exposed to the street fronts. There are a number of high quality materials and finishes being used to present an interesting form and façade considering that this site is in a prominent location. This includes the use of high quality colour tinted commercial glazing, aluminium composite panels or similar, feature colorbond metal sheet cladding, feature metal fins and sun shading devices and painted slanted concrete panels which we believe are consistent with the controls set out in 6.3.4 Urban Design part E6 of the Penrith DCP 2014. The external finishes are consistent with the Erskine Business Park palette of colours. Refer to the finishes schedule in the architectural drawings for details.

The external walls are well articulated to ensure that there are no large unrelieved walls or building masses. The stepped external wall towards the top half of the site with slanted walls is to further emphasis the corner at the intersection.

External material used does not have an index of reflectivity above 20%.

Sun shading devices to glazing areas facing north, awning roof over roller door openings and the wall system to the conditioned space is being used to ensure energy efficiency is employed throughout the development.

The allowed height limit is 12m however the average building height proposed is kept at the height of 8m which is deemed appropriate for the scale of the development. The scale and character of the development is compatible with other employment generating development in the precinct.

The entry to each unit has been highlighted with architectural features that are consistent with the overall design of the building.

The development is complimented by high quality landscape design and dense vegetation along the setback area which is designed in accordance with 6.8 of Part E6 Penrith DCP 2014 by a suitable registered landscape architect. Refer to the landscape plan for detail.

All of the above design form, features and finishes have been developed and supported by the senior urban design, town planning and landscape team during the urban design meeting held in late November 2017.

Conclusion

The proposed industrial development will be compatible with other industrial developments in the surrounding area and is unlikely to impact on any residential uses in the locality. The environmental impact of the proposal will be minimal or can be mitigated through:

- Compliance with statutory environmental protection requirements;
- Careful attention to building siting and design which utilises the topography of the site to minimise cut and fill;
- The design of the proposed building façade by incorporation of architectural treatments to enhance the visual appearance of development when viewed from Erskine Park Road and Lenore Drive.

The siting and design of the proposed development will enable the site to be appropriately used for industrial purposes without compromising the visual quality and amenity of the surrounding area and streetscape.

Should you have any questions or require further information please do not hesitate to contact me.

Yours Sincerely



Hy Chheng

Director & Principal Architect
ARB NSW 8921/ ARBV (VIC) 19176
ABN 80 621 185 064



Planning Direction Pty. Ltd.
Town Planning & Development Services

AMENDED STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Industrial Complex Development
Comprising of 17 Units & 1 Cafe tenancy
and Creation of a Strata Plan**

at

No 1-23 and 55 Lenore Drive Erskine Park

Prepared by: Nigel White - Bachelor of Applied Science (Environmental Planning)

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AMENDED STATEMENT OF ENVIRONMENTAL EFFECTS

March 2020

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1.0 **INTRODUCTION**

Planning Direction P/L has been engaged to prepare an amended Statement of Environmental Effects to accompany a development application to Penrith Council. The development application relates to land known as No 1-23 and 55 Lenore Drive Erskine Park including a strip of Council land previously known as Lenore Lane.

The applicant seeks development consent to undertake the following:

- Consolidate the site;
- Construct an industrial complex containing seventeen (17) industrial units of varied sizes serviced by at-grade parking and loading facilities, a cafe tenancy and a total of 101 car parking spaces including 61 car spaces in a basement level; and
- Create a Strata Plan over the completed development.

As a matter of background, Council has previously considered an application for a tavern and associated neighbourhood shops on the subject site. This approved development did not progress.

More recently the applicant has attended two pre DA meetings with Council and several post lodgement meetings with Council. After the first preDA meeting Council initially requested that the applicant consider acquiring the adjoining surplus Council land previously used as a road - unformed Lenore Lane situated to the south of the subject site. The applicant obliged by reviewing the whole scheme to include the surplus Council land in a consolidated construction site. Meetings with Council's property branch were had and Council's property division has provided tacit support for the proposal subject to satisfying Council's policy - *Unsolicited Request to Purchase Council Land*.

The applicant attended a Urban Design Review Panel meeting on the 22nd November 2017. At that meeting design issues were discussed and recommendations were made re adjustments to the design. The design solution has adopted all recommendations of the panel.

Discussions were also had with Gina Potter - Water Regulation Officer of the Crown Lands & Water Division of the Department of Industry re the proximity of the site to the natural water course adjoining the site to the south. The

Department is satisfied that the subject site is sufficiently distant from the watercourse corridor and that no issue arises with building close to the southern boundary. Such consideration is a requirement pursuant to the Integrated Development provisions. Matters raised by RMS were also resolved.

Accordingly, the applicant is seeking to develop the site with the Council surplus land, which effectively completes the 'land puzzle' of undeveloped land within the industrial precinct. The applicant proposes to erect a Strata Titled industrial warehouse complex across the consolidated sites.

The proposed industrial complex comprising of 17 industrial high span warehouse units of varying sizes. The proposed units typically incorporate a large warehouse or factory component with a ground level or mezzanine level office area. The units will all benefit from at-grade access and parking supplemented by basement car parking totaling 101 on-site car spaces.

This Statement of Environmental Effects is intended to assist Penrith Council in its assessment of the application, by including an evaluation of the proposal against the provisions of State Environmental Planning Policy - Western Sydney Employment Area and Council's Development Control Plan 2014 - Chapter E6 relating to Erskine Park (North). An assessment has also been undertaken against the heads of consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.

The statement of environmental effects should be read in conjunction with the following:

- Survey plan prepared by *OSUM Surveying Pty Ltd*;
- Architectural plans prepared by *Ark Express*;
- Traffic Report prepared by *Traffix*;
- Waste management plan prepared by *Ark Express and Grasshopper Environmental Services*;
- Landscape plan prepared by *Outthere Landscape and Design*;
- Stormwater design prepared by *Triaxial Consulting*;
- BCA report prepared by *BuildCert Consultants*;

2.0 SITE AND CONTEXT

2.1 Subject Site & Context

The subject site is known as No 1-23 and 55 Lenore Drive Erskine Park, including a strip of surplus Council land previously known as Lenore Lane.

The subject site is a triangular in configuration benefitting from a frontage to Lenore Drive to the east and Erskine Park Road to the west. The subject site is legally described as Lot 1 in DP 107 1114 and Lot 55 in DP 1170183 (Council surplus lot) and is known as No 1-23 Lenore Drive Erskine Park.

Lot 1 in DP 1071114 - 11,220sqm

Lot 55 in DP 1170183 - 2131dqm

The subject consolidated site forms a large allotment having a total site area of **13,351sqm**.



Subject Site

The subject land is currently vacant and includes a scattering of low vegetation and gum trees. The subject site is not heritage listed nor is the site located within a heritage conservation area.

With regards to topography, the subject site is effectively level with a gradual fall from north to south of approximately 3m. It is proposed to direct stormwater towards the creek which runs along the south of the subject site.

The subject site is situated within a precinct predominantly dominated by large industrial warehouse type uses. The subject site is ideally located adjacent to the newly formed Erskine Park link road connecting to the M7 and orbital motorways surrounding Sydney. The location characteristics of the precinct has contributed to a large increase of industrial development in recent times.

Nearby development includes a large depot and warehouse facility operated by Linfox with a number of other large storage and warehouse facilities including Coles in the immediate vicinity.

The site is not known to be contaminated, is not flood prone or constrained by acid sulfate soils.



View of the site from Lenore Drive



View of site from Erskine Park Road



View of site looking north from Erskine Park Road



View of the site from Lenore Drive

3.0 **PROPOSED DEVELOPMENT**

3.1 **The Proposal**

The applicant seeks development consent to undertake the following development at No 1-23 and 55 Lenore Drive Erskine Park:

- Consolidate the site;
- Construct an industrial complex containing seventeen (17) industrial units of varied sizes serviced by at-grade parking and loading facilities, a cafe tenancy and a total of 101 car parking spaces including 61 car spaces in a basement level; and

Create a Strata Plan over the completed development.

The proposed development may be numerically summarised as follows: -

17 industrial units ranging in size between 284sqm and 650sqm per unit	6,717sqm of floor space including mezzanine levels - 50.3% or 0.5:1 FSR
Ground floor site coverage	5,540sqm or 41.5%
1 cafe	80sqm
TOTAL No. UNITS	17 + 1 cafe

Parking Calculation

<p>FACTORIES (1 SPACE PER 75m²)</p> <p>CAFE (1 SPACE PER 6m² OF SEATING AREA + 1 SPACE PER EMPLOYEE)</p>	<p>= 6,717/ 75 = 89.5 car spaces</p> <p>= 8 (BASED ON 36m² OF SEATING AREA & 2 EMPLOYEE)</p>
TOTAL PARKING REQUIRED	98 car spaces
TOTAL PARKING PROVIDED	101 car spaces comprising of 40 at-grade and 61 within the basement. 4 accessible spaces are also provided



Images of the proposed development

The industrial units are designed to attract small business owners requiring affordable space within a well serviced industrial locality. Such small units are designed to complement the larger warehouse style industrial complexes within the catchment and better address vehicle access considerations.

A key issue of consideration with the application is vehicle access to and from the site. Given the triangular configuration of the site and corner location at a prominent intersection, access to the site will be limited to 'left in' and 'left out' from Lenore Drive only. The subject site fronts Lenore Drive and Erskine Park Road, which are main roads in this locality. RMS requirements for a slip lane along Erskine Park Road render access from Erskine Park Road also as being unachievable. Smaller units are considered to be more suitable for the site given that large semi-trailer vehicles will not be required to service the respective uses.

The provision of a single vehicle access point as proposed provides prospective tenants and visitors to enter and leave the site with reasonable ease. An existing vehicle crossing along Lenore Drive will be used, which is sufficiently distant from the main road intersection.

In addition the basement car parking assists with containing visitors and staff on-site in a safe and convenient manner.

Given the main road frontages, the design has been adjusted to provide varied setbacks to both streets incorporating on averaging compliance with the intent of the controls. In particular a substantial depth of planting opportunities has been a provided within the building alignments to assist with screening and beautification at the prominent intersection.

The facades of the development are well articulated and presented to achieve a high standard of development and finishes. Such complements the landscape treatment of the site and was generally well received by the Urban Design Panel.

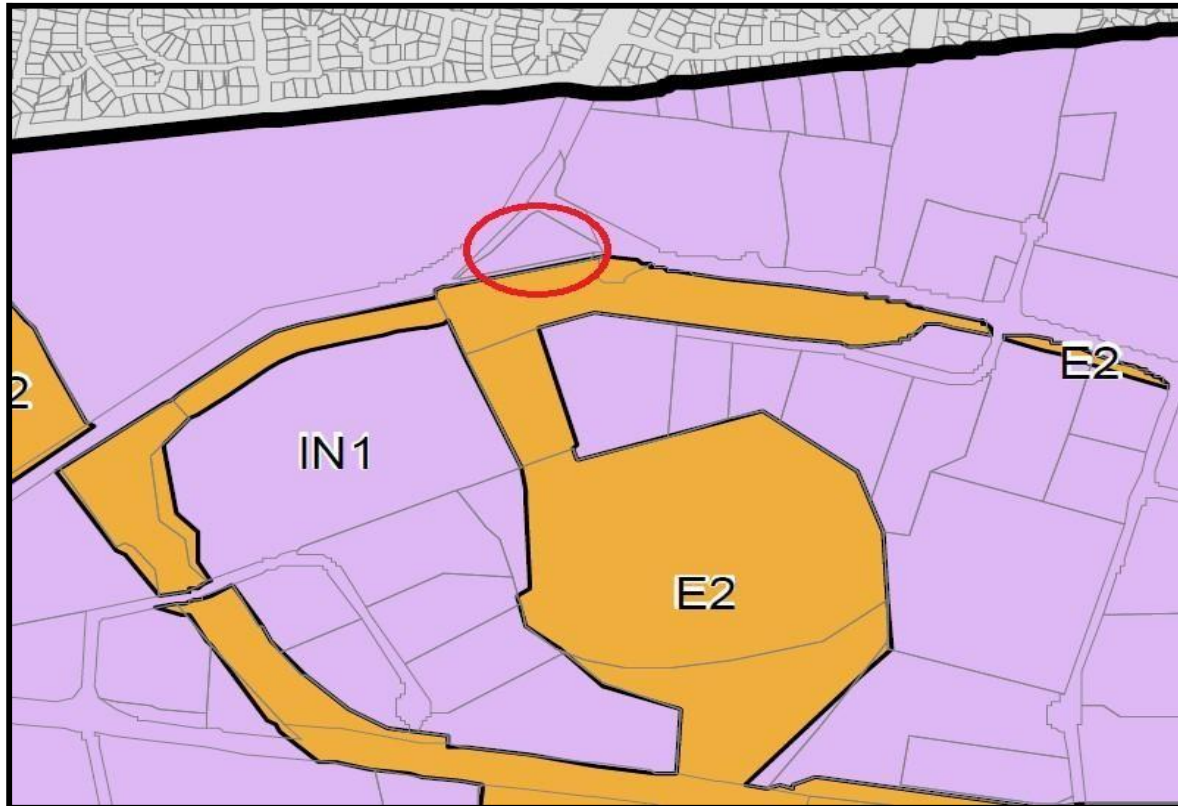
The inclusion of the Council land in the subject site assists by providing a level regular building platform on-site and with siting of the built form away from the main road frontages.

A detailed assessment of the proposal against the provisions of Council's planning instruments is provided in subsequent sections of this statement of environmental effects.

4.0 SEPP 2009 – Western Sydney Employment Area

4.1 Zone and Zone Objectives

The subject site is zoned IN1 General Industrial pursuant to the Western Sydney Employment Area 2009 SEPP.



Zone Extract

The land use table for the zone permits a broad range of uses:

2 Permitted without consent

Nil.

3 Permitted with consent

Depots; Food and drink premises; Freight transport facilities; Garden centres; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Industries (other than offensive or hazardous industries); Neighbourhood shops; Places of public worship; Roads; Service stations; Transport depots; Truck depots; Warehouse or distribution centres.

4 Prohibited

Any development not specified in item 2 or 3.

Permissible uses are defined as follows:

industry means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing or adapting, or the research and development of any goods, chemical substances, food, agricultural or beverage products, or articles for commercial purposes, but does not include extractive industry or a mine.

warehouse or distribution centre means 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.

food and drink premises means retail premises used for the preparation and retail sale of food or drink for immediate consumption on or off the premises, and includes restaurants, cafes, take away food and drink premises, milk bars and pubs.

industrial retail outlet means a building or place that:

- (a) is used in conjunction with an industry but not in conjunction with a warehouse or distribution centre, and
- (b) is situated on the land on which the industry is carried out, and
- (c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured on the land on which the industry is carried out.

Note.

See clause 30 for controls relating to the retail floor area.

Comment:

It is anticipated that future uses on-site will accord with one of the above definitions.

Adjoining the subject site to the south is land zoned E2 Environment Conservation including a creek running through a newly established green space corridor. Council's engineers have recommended that drainage from the site be directed to this creek. The Department of Planning, Industry and Environment has also granted owner's consent to drain storm water into the adjoining detention basin.

The industrial zoning objectives under the SEPP are as follows: -

- *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.*

Comment:

The proposal is encouraged by virtue of the zone objectives in particular the proposed development will create additional employment generating opportunities within the locality to the benefit of the local community and Council.

The first zone objective is to seek appropriate forms of development on land which lead to employment generating development offered by a variety of uses including manufacturing, warehousing, storage and research. The provision of a variety of building sizes promotes the attractiveness of the development to a range of end users unlike the limitations placed by one large static building on the site. A combination of smaller and larger tenancies is designed to meet market expectation for variety of unit sizes and avoid offering one larger unit type across the development.

The provision of 18 unrelated tenancies automatically employs 36 plus staff directly and engages existing businesses in the broader catchment indirectly resulting in the employment of more people. A high percentage of small businesses will source employees from the local work force and trade with local businesses. The smaller tenancies proposed have a similar effect of engaging employment and association with other businesses. The small and larger tenancies all encourage employment opportunities along motorway corridors.

The smaller and larger tenancies proposed on-site will be industrial related uses of a light industrial nature. Accordingly there should be a compatibility of use on-site between small and larger tenancies.

The subject site is suitably distant and from surrounding land uses and benefits from isolation. As such there will be no direct adverse effects caused to neighbouring businesses. It is understood that no submissions were received by Council raising objection to the proposal. There are no immediately adjoining industrial uses which can be offended by the proposed use and development of the site.

Had the site being developed as a large warehouse complex and given the high levels of automation and warehousing, the number of people employed directly and indirectly would be far less.

The main road network links have already been established around the subject site. The proposed development has been revised accounting for access requirements of RMS. Only one vehicle access point is being provided from Lenore Drive. The proposed amended to the design ensures minimal disruption will be caused to the function of Erskine Park Road. Sight distances along Lenore Drive are appropriate and traffic is slowing down in the vicinity of the subject site as vehicles slow down upon approach of the road intersection. Safe movement of vehicles can be achieved on entry and departure from the site.

The inclusion of smaller tenancies in the development ensures demand for large semi trailer transport is unlikely to service the respective future uses. Smaller tenancies are desirable as they encourage smaller service vehicles.

Minimal works are required to the respective main roads to facilitate the development of the site as proposed. An existing crossing is to be utilised for access from Lenore Drive. RMS welcomes this outcome.

Smaller industrial units will also compliment the large scale industrial complexes in the vicinity by utilising potentially product and services. There will be no direct competition and as such will not prejudice the sustainability of other enterprises.

Importantly, the zone objectives do not seek to limit the size of tenancies on-site.

The smaller industrial units are suited to this 'edge' development site constrained by access, site configuration and topography.

The provision of smaller industrial units activates the edge of the precinct and is likely to attract users from the nearby growing residential communities in search of smaller modern industrial units. Such is not offered in the larger industrial complexes existing in the precinct. A cafe use is included in the development to support the needs of businesses in the zone and on-site consistent with a objective.

The applicant's marketing arm has established a high demand for the scale of smaller units as proposed. Flexibility in the design remains to either subdivide or consolidate units should the demand be there upon completion and marketing of the development.

Forming part of the subject application/site is a disused laneway owned by Council. After much negotiation, the applicant has obtained consent of Council to include the land in this development project and future sale to the applicant.

Such is a significant initiative on behalf of the applicant, as the inclusion of Council's redundant land ensures that all remaining land parcels will be developed for industrial purposes in accordance with zone objectives. The environment will also be enhanced as the laneway has been the subject of dumping overtime. A Council maintenance issue will be removed with the development of the land as proposed and income will be generated by Council with the pending acquisition of a completed industrial unit in the complex.

The proposed design facilitates this transaction and appropriately ensures that no land parcels remain fragmented because of the proposal. This being a major principle of the SEPP.

The Environmental Planning and Assessment Act 1979

1.3 Objects of Act

(cf previous s 5)

The objects of this Act are as follows—

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,

- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) to promote the orderly and economic use and development of land.***
- (d) to promote the delivery and maintenance of affordable housing,*
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) to promote good design and amenity of the built environment.***
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) to provide increased opportunity for community participation in environmental planning and assessment.*

The Urban Design Panel of Council reviewed the design at the initial stage of the application. The panel recognised the architectural treatment of elevations as being a positive aspect of the application.

The panel recommended that an internal loop road proposed around the apex of the building be removed and replaced with landscaping. Such was undertaken to achieve an acceptable width of landscaping along the main road frontages of the site.

The Panel also endorsed the design as being a good fit in its environment.

The proposal is highly appropriate in terms of the zone, zone objectives and site considerations. The proposal represents orderly and economic use and development of land.

The proposal is ideally located adjacent to main arterial roads which lead directly to the M7.

The proposal is permissible within the zone and accords with the zone objectives.

Clause 14 of the SEPP relates to Subdivision—consent requirements and states the following:

(1) Land to which this Policy applies may be subdivided, but only with consent.

(2) However, consent is not required for a subdivision for the purpose only of any one or more of the following:

(a) widening a public road,

(b) a minor realignment of boundaries that does not create additional lots or the opportunity for additional dwellings,

(c) a consolidation of lots that does not create additional lots or the opportunity for additional dwellings,

(d) rectifying an encroachment on a lot,

(e) creating a public reserve,

(f) excising from a lot land that is, or is intended to be, used for public purposes, including drainage purposes, rural fire brigade or other emergency service purposes or public toilets.

Note.

If a subdivision is exempt development, the Act enables the subdivision to be carried out without consent.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies certain subdivision development as exempt development.

Comment:

There is no minimum lot size applicable.

The consolidation of lots as proposed does not require development consent.

The proposed creation of a Strata Plan over the completed development is permissible pursuant to this clause and consideration of clause 24 of the SEPP.

The proposal relates to strata subdivision of the completed industrial complex involving the allocation of spaces within building walls and external of the building as common property and/or spaces forming part of unit entitlement.

No new Torrens Title lots will be created as a result of the proposed development. In contrast the applicant proposes to consolidate two lots as part of the application thus fully utilising remaining land parcels north of the creek.

Clause 18 of the SEPP outlines the requirement for development control plans as follows: -

(1) Except in such cases as the Director-General may determine by notice in writing to the consent authority or as provided by clause 19, the consent authority must not grant consent to development on any land to which this Policy applies unless a development control plan has been prepared for that land.

(2) The requirements specified in Schedule 4 apply in relation to any such development control plan.

(3) For the purposes of section 74D (3) of the Act, a development control plan that is required by this clause may be prepared and submitted by 60% of the owners of the land to which the plan applies.

(4) The Minister is authorised, for the purposes of section 74D (5) (b) of the Act, to act in the place of the relevant planning authority in accordance with that section.

(5) Without limiting subclause (2), if a development control plan is required to be prepared for part of a precinct only, the development control plan must:

(a) demonstrate the manner in which it integrates with planning for the whole of the precinct, and

(b) take into account any other development control plans applying to the precinct.

(6) For the purposes of this clause, a development control plan is taken to have been prepared for so much of the land to which this Policy applies as is identified as the “Erskine Park Employment Area” under the Penrith Development Control Plan 2006 (approved 21 August 2006 and as in force on 15 December 2006).

Comment:

Penrith DCP 2014 applies to the site. The applicable parts of the DCP applying to the land include the special area controls and the transport and parking controls. The subject land is identified as being within the Erskine Business Park locality. The special area DCP controls are discussed under Section 5.0 of this SEE.

Clause 20 of the SEPP relates to Ecologically sustainable development and states the following:

The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:

- (a) the consumption of potable water, and*
- (b) greenhouse gas emissions.*

Comment:

The proposed development is designed to accommodate typical small business uses, which are not involved in excessive consumption of potable water or emission of green house gases.

Clause 21 of the SEPP relates to Height of buildings and states the following:

The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:

- (a) building heights will not adversely impact on the amenity of adjacent residential areas, and*
- (b) site topography has been taken into consideration.*

Comment:

A maximum building height for the zone has not been specified.

The subject site is suitably distant from residential properties.

The subject site offers a reasonably level building platform.

The subject buildings maintain a typical 2 storey building height which is consistent with built form in the industrial precinct. No issues arise in terms of building height.

Clause 22 of the SEPP relates to Rainwater harvesting and states the following:

The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.

Comment:

Rainwater harvesting forms part of the design process.

Clause 23 of the SEPP relates to Development adjoining residential land and states the following:

(1) This clause applies to any land to which this Policy applies that is within 250 metres of land zoned primarily for residential purposes.

(2) The consent authority must not grant consent to development on land to which this clause applies unless it is satisfied that:

(a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and

(b) goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and

(c) the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and

(d) noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and

(e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and

- (f) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and*
- (g) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.*

Comment:

The subject site at its closest point is approximately 246m away from the closest residential properties to the north. As evident from the image below the proposed development will not be visible or noticeable from the residential properties given the distance separating the site, the change in topography and the low scale nature of the proposed development.



View of the site from the closest residential property to the north

Clause 24 of the SEPP relates to Development involving subdivision and states the following:

The consent authority must not grant consent to the carrying out of development involving the subdivision of land unless it has considered the following:

- (a) the implications of the fragmentation of large lots of land,*

- (b) whether the subdivision will affect the supply of land for employment purposes,*
- (c) whether the subdivision will preclude other lots of land to which this Policy applies from having reasonable access to roads and services.*

comment:

The proposed consolidation of the two sites has the effect of utilising all available land and not isolating land parcels.

Upon completion the proposed development will attract 30 tenants and generate employment directly and indirectly. The creation of a Strata Plan over the industrial unit complex empowers small business operators with ownership and autonomy to make decisions and derive an investment in the business and property. Such is crucial to the success of the development, the ability to compete and attract investors.

The proposed consolidation of sites improves vehicle access opportunities from the respective main roads.

Clause 25 of the SEPP relates to Public utility infrastructure and states the following:

(1) The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.

(2) In this clause, public utility infrastructure includes infrastructure for any of the following:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the supply of natural gas,*
- (d) the disposal and management of sewage.*

(3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.

Comment:

The subject site is adequately serviced by existing utility services.

Clause 26 relates to Development on or in vicinity of proposed transport infrastructure routes and states the following:

(1) This clause applies to any land to which this Policy applies that is situated on or in the vicinity of a proposed transport infrastructure route as shown on the Transport and Arterial Road Infrastructure Plan Map.

(2) The consent authority must refer to the Director-General of the Department of Planning any application for consent to carry out development on land to which this clause applies.

(3) The consent authority must, before determining any such development application, consider any comments made by the Director-General as to the compatibility of the development to which the application relates with the proposed transport infrastructure route concerned.

Comment:

Erskine Park Road and Lenore Drive are identified as main roads and transport infrastructure routes.

Referral of the application is therefore required *to the Director-General of the Department of Planning*. The application was amended to address RMS requirements in relation to vehicle access from the site.

Clause 30 of the SEPP relates to Controls relating to miscellaneous permissible uses and states the following:

(1) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Policy, the retail floor area must not exceed:

(a) 20% of the combined gross floor area of the industrial retail outlet and the building or place on which the relevant industry is carried out, or

(b) 400 square metres, whichever is the lesser.

Comment:

Noted and the use may be considered at the use of buildings stage of the development.

Clause 31 of the SEPP relates to Design principles and states the following:

In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:

- (a) the development is of a high quality design, and*
- (b) a variety of materials and external finishes for the external facades are incorporated, and*
- (c) high quality landscaping is provided, and*
- (d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.*

Comment:

A design rationale has been prepared in line with Urban Design comments received from Council.

The proposal is appropriate in terms of design and will present an attractive built form in a landscaped environment at a prominent street intersection.

Clause 32 of the SEPP relates to Preservation of trees or vegetation and states the following:

- (1) The objective of this clause is to preserve the amenity of the area through the preservation of trees and other vegetation.*
- (2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made under Division 6 of Part 3 of the Act.*

Note.

Any such development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.

- (3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:*
 - (a) development consent, or*
 - (b) a permit granted by the Director-General as the relevant planning authority for the purposes of Division 6 of Part 3 of the Act.*
- (4) This clause does not apply to a tree or other vegetation that the relevant council or the Director-General (as the relevant planning authority for the purposes of Division 6 of Part 3 of the Act) is satisfied:*

- (a) is dying or dead and is not required as the habitat of native fauna, or*
- (b) is a risk to human life or property.*
- (5) This clause does not apply to or in respect of:*

- (a) the clearing of native vegetation that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003 or that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or*
- (b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or*
- (c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the Forestry Act 1916, or*
- (d) action required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying Act 2002, or*
- (e) plants declared to be noxious weeds under the Noxious Weeds Act 1993.*

Comment:

Noted. The subject site is essential devoid of established trees. A substantial landscape planting scheme however will form part of the application and is to include a depth of planting within the building alignment of both main roads.

5.0 PENRITH DEVELOPMENT CONTROL PLAN 2014

5.1 Weight to be Given to a DCP

The NSW Planning Circular PS 13-003 provides the following advice on recent legislative changes to the purpose, status and content of DCPs:

When DCPs were first introduced around 30 years ago, they were intended to be flexible guidelines which complemented the controls provided by a local environmental plan (LEP). A council's LEP is a legal document which is meant to be the primary instrument to guide local development.

Following a number of recent court cases, councils have felt obliged to treat DCPs as inflexible and rigid rule-books which must be consistently applied when considering development applications. This has caused delays and added to the complexity of the planning system.

DCPs are increasingly containing controls which are not consistent with those in the council's LEP. This adds significantly to development assessment times and red tape in the planning system.

These provisions change the way a consent authority (in most instances the council) is to consider a DCP when assessing a development application.

The objectives of the changes are to:

-reinforce the purpose and status of DCPs as guidance documents used in local planning decision-making, and

-introduce flexibility in the way in which provisions in DCPs are applied by consent authorities when assessing development applications.

Comment:

The Amendment Act makes it clear that the principal purpose of a DCP is to provide guidance to a consent authority and to people who are proposing to undertake development on land to which the DCP applies.

The following provides an assessment of the proposal in reference to the provisions of the DCP insofar as they can be 'reasonably applied' to the circumstances of the development proposal.

E6 Erskine Business Park

Clause 6.2 of the DCP relates to Subdivision and states the following:

A. Objectives

a) To achieve maximum flexibility for siting and location of buildings and to achieve an appropriate density of development;

b) To provide opportunities for parcels of land of varying size and dimensions to satisfy market demand and the needs of the development industry;

c) *To ensure that subdivision design takes into account biodiversity considerations and facilitates minimum impact development to protect remnant native vegetation on the site and on adjoining land;*

d) *To preserve the natural topography and physical characteristics of the land;*

e) *To provide opportunities for large lot subdivision;*

f) *To ensure that development occurs in a logical and staged manner;*

g) *To minimise the number of road entry points to designated roads and the northern access road, thereby allowing more efficient traffic management;*

h) *To create the opportunity for "individual" design solutions and innovative and efficient subdivision layout;*

i) To create opportunities for large land parcels to be developed in a co-ordinated, unified manner, featuring elements such as a common landscape theme/treatment, similar architectural treatments, and where possible, shared parking areas; and

j) *To protect, restore and enhance riparian corridors.*

B. Controls

1) *Lots fronting biodiversity areas or corridors are required to have on-site drainage controls in accordance with this section to prevent nutrient and erosion impacts on the bushland.*

2) *Lot design should maximise the conservation of the natural features of the site including important fauna habitats, rare or threatened plant habitats, and designated biodiversity areas.*

3) Lots adjoining or containing watercourses are required to maintain or establish native vegetation riparian zones.

4) Perimeter roads are desirable from the point of view of bushfire control but may not be feasible if site disturbance is to be minimised.

Comment:

As stated previously, the application is for the consolidation of two lots and the eventual creation of a Strata Plan over the built form.

The proposed design and Strata subdivision offers the necessary flexibility to achieve the desired density and satisfy market demand.

A varied size of Strata lot can be achieved to assist in meeting market demand and offer a range of affordability and client requirements.

The proposed design and Strata subdivision minimises the number of vehicle entry points to one per main road. Such is the desired outcome and removes existing crossovers/access points.

The proposed design and Strata subdivision achieves an efficiency of built form relative to landscape content and access arrangements on-site. Further all remaining lots capable of being developed are taken up with this application.

Clause 6.3.1 of the DCP relates to Height and states the following:

A. Objectives

a) To encourage building forms that respond to the topography of the site and the relative position of the allotment to other allotments and the street;

b) To ensure a scale of buildings which minimises the impact of development on adjoining residential areas; and

c) To minimise the impact of development on views from adjoining residential areas.

B. Controls

1) The maximum height for buildings and structures in the Northern Area shown in Figure E6.1 shall not exceed 12m.

- 2) *The maximum height for buildings and structures in the Southern Area shown in Figure E6.1 shall not exceed 15m.*
- 3) *Generally, buildings should be sited on mid-slope to avoid visual impact on ridges and to be in harmony with the existing landscape.*
- 4) *On sloping sites, the building or buildings should be designed, where possible, so as to "step" physically up or down the site to avoid visual impact on ridges.*

Comment:

The proposed development is predominantly two storey in height including high span industrial units, which accord with the maximum building height considerations of 12m.

Clause 6.3.2 of the DCP relates to Site Coverage and states the following:

A. Objectives

- a) *To limit the density of development; and*
- b) *To encourage the provision of open space and landscaping on development sites, consistent with the landscape objectives in the Landscape Design of this Plan.*

B. Controls

- 1) *Site coverage shall not exceed 50%.*
- 2) *Where land is included in Biodiversity Conservation Areas or Electricity Transmission Line Easements, that land can be included in site coverage calculations.*

Comment:

The proposed site coverage accords with the maximum site coverage controls of the DCP having a maximum site coverage of 41.5%.

Clause 6.3.3 of the DCP relates to Setbacks and states the following:

A. Objectives

- a) *To provide an open streetscape with substantial areas for landscaping; and*
- b) *To enhance the visual quality of development and the urban landscape.*

B. Controls

1) *The setback standards are outlined in the table below. Where the property has frontage to more than one road, Council will consider a variation to setbacks on the secondary road frontage, as shown in Table E6.2 below.*

<i>Northern Access Road (Lenore Drive and Erskine Park Link Road to Westlink M7)</i>	<i><u>20m</u></i>
<i>Other Road Frontages</i>	<i><u>15m</u></i>
<i>Rear and Side Boundaries</i>	<i><u>5m</u></i>
<i>Boundaries Adjacent E2 Environmental Conservation zone along the Ropes Creek Corridor.</i>	<i><u>10m</u></i>

2) *Notwithstanding Control (1) above, no development other than the following development is permitted within the defined setback for any road, other than Lenore Drive, Mamre Road and Erskine Park Road:*

- a) Car parking*
- b) landscaping in accordance with the provisions of the Landscape Design Section of this Plan;*
- c) maintenance/rehabilitation of biodiversity corridors or areas in accordance with the provisions of the Vegetation Management Section of this Plan;*
- d) utility services installation;*
- e) accessways and driveways (not permitted in setbacks to designated roads);*
- f) approved signage;*
- g) street furniture; and*
- h) drainage works.*

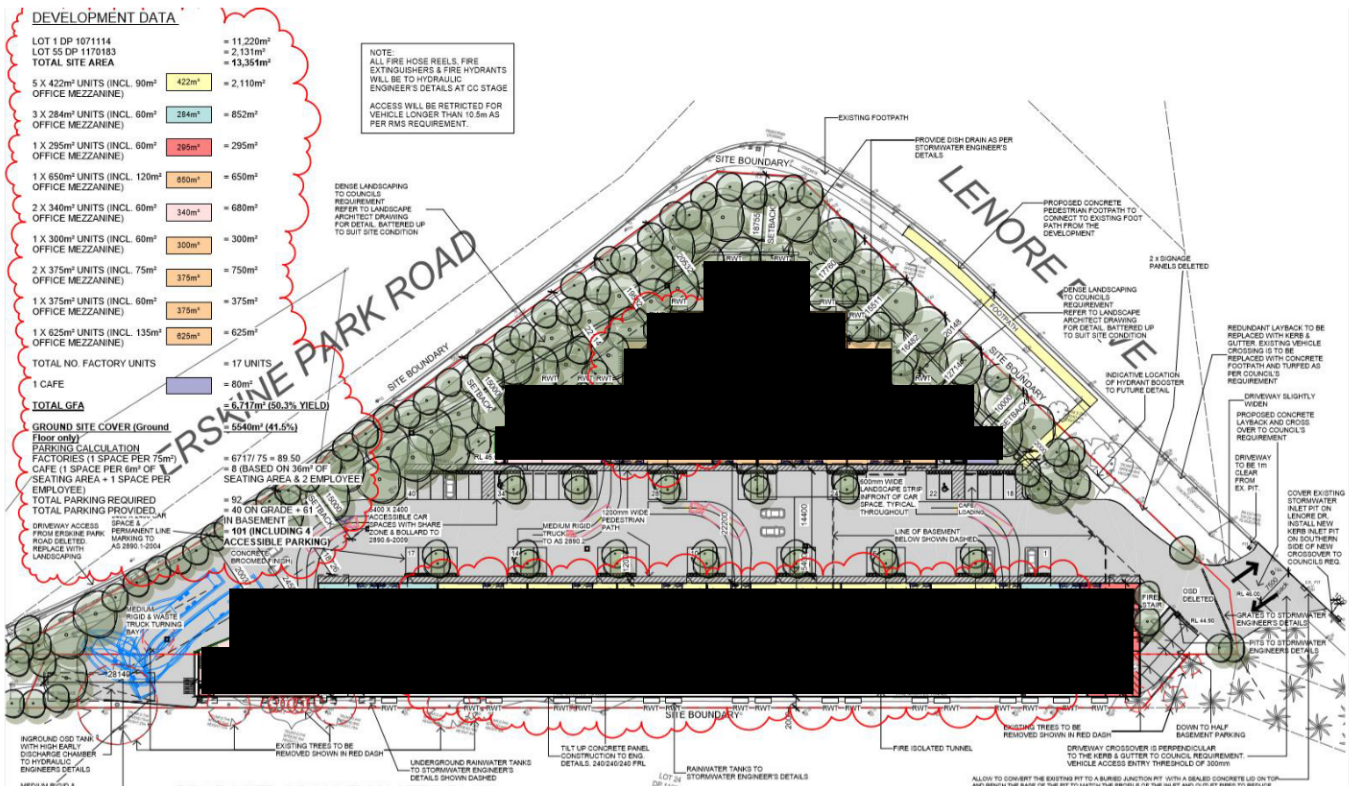
3) *Notwithstanding Control (2) above, Council may consider a variation to permit car parking within part of the setbacks to Erskine Park Road and*

Lenore Drive for 1 – 23 Lenore Drive, Erskine Park (Lot 1, DP 1071114), which is the site on the corner of Erskine Park Road and Lenore Drive. Council shall consider the type and scale of the development when assessing any such request for variation to either building or car parking setbacks.

Comment:

The subject site is unique being triangular in configuration effectively having 3 boundaries only. The subject site remains undeveloped owing to the complexity of issues imposed on the owner over time by various authorities including RMS, Council and the Department of Planning.

The subject site has the unfortunate circumstance of having two main road frontages and a significant numerical impost in terms of setbacks. On balance, the applicant has resolved the setback issues as illustrated over the page and through discussion with the Urban Design Panel .



Proposed setbacks to Erskine Park Road and Lenore Drive vary as follows:

Erskine Park Drive: Minimum setback of 8.65m and increasing to 18.75m

Lenore Drive: Minimum 10m and increasing to 18.75m.

Setback to the Creek: 2m

- j) landscaping in accordance with the provisions of the Landscape Design Section of this Plan;*
- k) maintenance/rehabilitation of biodiversity corridors or areas in accordance with the provisions of the Vegetation Management Section of this Plan;*
- l) utility services installation;*
- m) accessways and driveways (not permitted in setbacks to designated roads);*
- n) approved signage;*
- o) street furniture; and*
- p) drainage works.*

Notwithstanding Control (2) above, Council may consider a variation to permit car parking within part of the setbacks to Erskine Park Road and Lenore Drive for 1 – 23 Lenore Drive, Erskine Park (Lot 1, DP 1071114), which is the site on the corner of Erskine Park Road and Lenore Drive. Council shall consider the type and scale of the development when assessing any such request for variation to either building or car parking setbacks.

Comment:

The proposed landscape provision within the setback to the two main roads is consistent with the setback objectives in that substantial deep soil landscape opportunity is provided. Of note is the inclusion of a specific provision in the DCP, which recognises the constrained nature of the subject site and flagging the potential need for a setback variation due to the shape of the site and impost of having two main road frontages.

A saw tooth design ensures the depth of the setbacks vary and exceed the control in part. In balanced consideration of site circumstances, the proposed setbacks are reasonable and appropriate.

Notwithstanding, the depth of soil and width of the setback area is ample to sustain the growth of large trees coupled with shrub and ground cover planting. Ample distance can be retained between trees and foundations on and off the site.

It should be noted that car parking and driveways has not been provided within the setbacks to the main roads despite being permitted by the control. The proposed setbacks are substantial and relative to the low scale development proposed on-site. The raised road levels relative to site RLs also ensure the built form will not be prominent when viewed from the main roads.

With regards to the proposed rear setback of 2m, such was considered at the Urban Design Panel meeting and also by Gina Potter - Water Regulation Officer of Crown Lands & Water Division of the Department of Industry.

Mr Gavin Cherry noted in an email to the applicant dated 27/11/2017 the following:

The rear setback has addressed the URDP comments however I understand that you have a mapped watercourse at the rear and this may have been flagged in the PL notes. Any works within 40m of a mapped water course require concurrence from the NSW Office of Water. I would suggest you should raise and discuss this with them prior to lodgement of any DA.

Gina Potter advised the applicant on the 19th December 2017, that;

I have reviewed your lot - 1 DP1071114. From our perspective, there is ample room from your lot in which the watercourse corridor can exist. We can see no issue with you building to your boundary as it doesn't impact the riparian corridor.

Where you choose to drain your stormwater to is a matter between you and Council.

A large tract of landscaped detention basin exists to the south of the site. The inclusion of landscaping along the southern face of the building is therefore not essential or desirable given that plants will remain in shade for most parts of the year created by the building and site orientation. The existence of ample green space to the south negates the need for a landscaped edge along the southern boundary.

The Urban Design Panel was also supportive of the architectural treatment of the building generally as follows:

The architectural design and facade treatments are reflective of the desired architectural treatments to ensure that presentation of blank unarticulated faces to the public domain are not proposed.

Any increase in setback from the rear boundary would consume valuable land within the body of the site without any tangible gain. Landscaping is not necessary in this instance as the 2m setback provides sufficient room for fire egress and for maintenance purposes. An attractive facade to the south is proposed as the means of presenting an attractive built form within its industrial environment.

Overall the layout of buildings optimises landscaping opportunities and developable land within the confines of the site and in recognition of adjoining land attributes. The proposed setbacks have been derived after consulting experts and reducing hard stand area within the setbacks to the main roads. The intent of the setback controls has been satisfactorily met in this instance.



View of southern boundary and adjoining creek and rehabilitated green corridor

Clause 6.3.4 of the DCP relates to Urban Design and states the following:

A. Objectives

- a) To encourage a high standard of architectural design, utilising quality materials and finishes;*
- b) To establish varied and articulated frontages facing or visible from public roads;*
- c) To minimise perceived scale and mass and to prevent monotonous building forms resulting from poor design of walls or rooflines; and*
- d) To ensure that new development contributes to the creation of a visually cohesive urban environment.*

B. Controls

Architectural/Design

- 1) In assessing development proposals, Council will have regard to the quality of building design and materials (type and colour).*
- 2) Prominent elevations, such as those with a frontage to the street or public reserves or those that are visible from public areas, must present a building form of significant architectural and design merit. The construction of large, blank wall surfaces is not permitted.*
- 3) Large unrelieved expanses of wall or building mass will not be supported by Council, and as such should be broken up by the use of suitable building articulation, fenestration or alternative architectural enhancements.*
- 4) The use of large, uninterrupted areas of metal cladding or untreated concrete surfaces for wall construction is not supported. Applicants shall vary materials or finishes for external walls to provide attractive streetscapes and quality building designs. Council may limit the use of a single construction material to 50% of a wall surface area.*
- 5) All loading areas should be located towards the rear of allotments. Where possible, loading areas should be screened from the view of main road frontages through physical and/or vegetation screening.*
- 6) Details of samples of external materials and finishes shall be submitted with the Development Application.*
- 7) External materials should not have an index of reflectivity above 20%.*
- 8) Energy efficient design principles should be employed in all building designs.*
- 9) Walls shall be articulated to provide more varied streetscapes, where visible from public roads or adjacent residential areas.*

- 10) *Part of the cross-section of buildings shall be projected to reduce apparent height and scale of external walls, including:*
- a) awnings and/or upper storeys that project above footpaths;*
 - b) roofs with eaves that project beyond external walls;*
 - c) colonnades.*
- 11) *Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building.*
- 12) *Particular care should also be taken in:*
- a) designing roof elements; and*
 - b) locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations.*
- 13) *External material colours to be consistent with the following palette of colours developed for Erskine Business Park:*
- a) Earth Tones - stone colours, browns, muted greens, sand, dark red/plums; and*
 - b) Cool Tones - soft greys, grey/blues.*

Comment:

Appropriate architectural finishes can be incorporated so as to present well to the streets. A unique and attractive built form has been developed, which will contribute to the locality in terms of aesthetic appeal.

Clause 6.3.5 of the DCP relates to Signage and Estate Entrance Walls and states the following:

A. Objectives

- a) To promote an integrated design approach to all signage in character with the locality and its architectural and landscape features;*
- b) To provide a quality entrance statement and signage at each of the entrance points to the Estate;*
- c) To prevent the proliferation of signs;*
- d) To minimise the visual impact of signage;*
- e) To prevent distraction to motorists and minimise the potential for traffic conflicts;*

f) To permit the adequate display of information concerning the identification of premises, the name of the occupier and the activity conducted on the land; and

g) To encourage a coordinated approach to advertising where multiple occupancy of sites occur.

B. Controls

1) Signage on individual allotments will be required to comply with the provisions of the Advertising and Signage Section of this Plan.

2) In addition, all advertising is required to be:

a) constructed of high quality, durable materials;

b) considered in conjunction with the design and construction of buildings;

c) restricted generally to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and

d) contained wholly within the site.

3) Decorative masonry entrance walls and high quality Estate signage (indicating the name of the Estate) shall be provided, as shown on Figure E6.11 – Erskine Business Park Traffic Works, at the following entrance points to Erskine Business Park:

a) the intersections of Mamre Road and Erskine Park Road;

b) on Erskine Park Road for south-bound traffic leaving the Erskine Park residential area;

c) the intersection of Mamre Road and the proposed Western Access Road; and

d) on Lenore Drive at the future eastern entrance to the estate at Ropes creek when the link to the Western Sydney Orbital is constructed.

4) The entrance walls and signage referred to in Control (3) above are to be funded by contributions levied under the Contributions Plan for Erskine Business Park.

The proposed works for the Ropes Creek entrance to the estate will, however, be funded by a separate, second account within the Contributions Plan for this Estate.

5) *Any business directory signage installed by developers shall be of a high quality and shall have a consistent design throughout the Estate.*

6) *The official name of the Estate shall be determined by Council in conjunction with the landowners/developers and shall be utilised in a marketing/promotions campaign for the Estate.*

Comment:

A detailed signage scheme will be developed upon approval of the application and tenancy take-up.

A separate development application will be submitted for signage structures and tenancy identification.

Clause 6.4.5 of the DCP relates to Trading/Operating Hours of Premises and states the following:

A. Objectives

a) *To ensure the amenity of adjoining residential and rural areas is preserved; and*

b) *To ensure development is provided the flexibility in trading/operating hours to ensure it is competitive and productive.*

B. Controls

1) *Construction works (all development) shall generally be restricted to the following hours:*

a) *Monday to Friday, 7.00 a.m. to 6.00 p.m.*

b) *Saturday, 7.00 a.m. to 1.00 p.m.*

c) *No work on Sundays or Public Holidays*

2) *The hours of operation for premises involved in any type of employment generating activity shall be dealt with on a merits basis. Council appreciates that because of the nature of certain activities shift work may be essential to the viability of the development.*

3) *In considering applications Council shall have regard to the likely impact of the trading hours of a particular activity on the amenity of adjoining residential and rural areas.*

Comment:

Noted.

Clause 6.6 of the DCP relates to Transport Network and states the following:

A. Objectives

- a) To create a road network which enables a safe and efficient access for all users, while minimising through traffic on minor roads;*
- b) To incorporate sustainable landscape and drainage opportunities in the design of the transport network;*
- c) To encourage the use of efficient alternate transport, including public transport, bicycles, and pedestrians;*
- d) To provide traffic facilities to give safe and efficient access to Mamre Road and Erskine Park Road;*
- e) To provide for a future road link to the Westlink M7 and to provide all properties within this estate a direct connection to this link road;*
- f) To minimise the number of road entry points to designated roads and the northern access road thereby allowing more efficient traffic management;*
- g) To maintain the capacity of the State Arterial Roads (Erskine Park and Mamre) by minimising the number of access points; and*
- h) To provide better connectivity between Erskine Business Park and other parts of WSEA.*

B. Controls

Internal Road System

- 1) The two main access roads to Erskine Business Park indicated in Figure E6.11 are:
 - a) Lenore Drive (Northern Access Road)*
 - b) James Erskine Drive (Western Access Road)**
- 2) Access Road.*
- 3) The internal road system shall be provided in accordance with the principles and requirements set out below.*
- 4) Access points shall be located so as to optimise safety, traffic flow and landscape opportunity. The Northern Access Road shall be access controlled such that:*

*a) **North of Northern Access Road (existing location of Lenore Drive):** Access to Lenore Drive will be limited to one access point per lot. Upon redevelopment, the access point for Lot 5A, DP162129 shall be combined with one of the adjoining lots.*

*b) **South of Northern Access Road:** Access to Lenore Drive shall be limited to the three points as shown on Figure E6.10 of this Section.*

5) All parking shall be provided either on site or in centralised off-road locations.

6) Upgrading of Erskine Park Road and Mamre Road shall be undertaken to accommodate the increases in traffic generated by this development.

7) Direct vehicular access to Mamre Road shall only be permitted at the signalised intersections with Erskine Park Road and the James Erskine Drive. Direct vehicular access to Erskine Park Road shall only be permitted at the signalised intersection to Lenore Drive and at one combined intersection for the property north of Erskine Park Road and the eastern block for Lot 16 DP259146. No other direct vehicular access to these designated roads will be permitted.

8) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient traffic movement.

9) The proponent shall have regard to "Guide for Traffic Generating Development", Roads and Traffic Authority of NSW, October 2002.

10) Development shall, where appropriate, be designed to:

a) Allow all vehicles to either leave or enter the site in a forward direction;

b) Accommodate heavy vehicle parking and manoeuvring areas;

c) Avoid conflict with staff, customer and visitor vehicular movements; and

d) Ensure satisfactory and safe operation with the adjacent road system.

11) Full details of the volume, frequency and type of vehicle movements shall be submitted with the development application.

12) In general:

a) Turning circles will be required to be provided to accommodate the largest type of truck which could reasonably be expected to service the site

b) All developments must be designed and operated so that a standard truck may complete a 3-point or semi-circular turn on the site without interfering

with parked vehicles, buildings, landscaping or outdoor storage and work areas; and

c) Large-scale developments shall be designed to accommodate semi-trailers. In the case of the conversion of an existing development, should it appear that a truck turning circle may prove difficult; a practical demonstration may be required.

13) Council will assess the suitability of manoeuvring areas provided for large vehicles by reference to Australian Standard 2890 series.

14) Adequate space is to be provided within the site for the loading, unloading and fuelling (if applicable) of vehicles. These areas shall be screened from the road.

Comment:

The proposed development has been suitably designed to ensure the driveway access point is as far away from the intersection of the main roads as possible and sight lines are maximised.

The internal driveway as been appropriately designed to accommodate truck and car movements within the development and to ensure all vehicles can leave the site in a forward direction.

Adequate loading and unloading facilities are provided in each industrial unit and surplus car parking is provided in a basement. The parking layout and manoeuvring opportunities are provided in accordance with Australian Standard 2890.

Clause 6.9 of the DCP relates to Landscape Areas and states the following:

6.9.1 Objectives

a) To provide functional areas of planting that enhance the presentation of a building;

b) To screen undesirable views;

c) To reduce building energy consumption;

d) To provide outdoor staff amenity facilities;

e) To select tree species that are “low maintenance” planting to reduce the impact of green waste;

- f) To provide wildlife habitats; and*
- g) To contribute to the overall character of the locality.*

Comment:

A detailed landscape planting scheme is proposed with the application to compliment the built form and enhance the aesthetic appearance of the site, particularly along the main road frontages as encouraged by Council urban design team. In particular the northern and main road frontages of the site include a width and depth of planting which will assist in offsetting the mass of road networks and hard surfacing on-site.

The depth of planting provides opportunity for a varied layer of planting to suitably screen and compliment the built form.

Please refer to the landscape plan.

Clause 6.9.2 of the DCP relates to Controls Selection and Use of Planting Material and states the following:

- 1) A framework planting of endemic canopy and shrub species is to be established for all developments. This will enhance the sense of place for each development site. Consideration to be given to features such as bird attracting qualities, aromatic foliage and flowers, and habitat value as well as visual qualities, site suitability, and proximity to biodiversity corridors or areas. Habitat value is to be given high priority.*
- 2) Smaller scale and less visually prominent planting may include species other than those endemic to the area. This will produce variety and interest in the landscape at this scale. This does not apply to development adjoining Biodiversity Areas or within or adjoining Biodiversity Corridors.*
- 3) Property entrances may be highlighted with feature planting, and need not be limited to native or endemic species. No plant species shall be used on site that could become a weed within remnant bushland areas or creek lines.*
- 4) Plant species should be carefully selected to meet service authority requirements in easement locations.*
- 5) Plant material in car parks should be used to provide shade, ameliorate views of large expanses of paved areas and cars, and to identify entrances to car parks.*

6) *Trees providing shade in car parks should be given sufficient area for root development.*

7) *Narrow strips of landscaped area between an allotment boundary and building, or between parking areas and a building should be avoided.*

8) *Island planting beds should be interspersed throughout large parking areas. Planting should consist of ground covers, shrubs to 1m, shade producing and canopy species.*

9) *Plant material shall be a mix of super-advanced, advanced and normal nursery stock that will provide a quick effect especially in visually prominent areas. Larger plant sizes would be appropriate in some locations.*

Comment:

Please refer to the landscape plan.

Clause 26 of the DCP relates to Development on or in vicinity of proposed transport infrastructure routes and states the following:

(1) This clause applies to any land to which this Policy applies that is situated on or in the vicinity of a proposed transport infrastructure route as shown on the Transport and Arterial Road Infrastructure Plan Map.

(2) The consent authority must refer to the Director-General of the Department of Planning any application for consent to carry out development on land to which this clause applies.

(3) The consent authority must, before determining any such development application, consider any comments made by the Director-General as to the compatibility of the development to which the application relates with the proposed transport infrastructure route concerned.

Comment:

This clause is no longer applicable to the subject site with the Erskine Park Link Road and Lenore Drive upgrade is now complete.

6.0 SECTION 4.15 CHECKLIST

The following provides an summary of the proposal against the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

(1) Matters for consideration—general In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and

(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,

Comment:

SEPP 55 Remediation of Land- A contamination report accompanies the application. The report concludes that contamination is not significant on the subject site. Given that further land works are required to provide for foundations, basement parking and service provision, it is likely that soil will be removed from the site. The site will effectively be capped by buildings and hard surfacing and used for non residential purposes. The subject site is suitable for industrial use given the above circumstances and extent of detailed investigation.

SEPP (infrastructure) 2007

The subject site fronts two main roads.

The proposed industrial development is appropriate for the site subject to consideration of the matter by RMS.

(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.

Comment:

The proposed development will complement the existing built environment within the industrial zone.

The proposal has substantial streetscape appeal given the high level of landscape content proposed and architectural treatment of facades.

The proposal provides for diversity in industrial unit size and affordability.

The proposed development will complete the land 'puzzle' in the precinct with an appropriate built form which generates economic and social benefits. The site is essentially devoid of significant vegetation and will suitably flank the green corridor to the south.

(c) The suitability of the site for the development.

Comment:

The proposal provides for the orderly redevelopment of the land.

The subject land by virtue of its proximity to support services and public transport is ideally suited to an industrial development.

The subject land has an area and configuration, which is suitable for the development proposed.

(d) Any submissions made in accordance with the Act or theregulations.

Comment: Nil

(e) (e) the public interest.

Note.

See section 75P (2) (a) for circumstances in which determination of development application to be generally consistent with approved concept plan for a project under Part 3A.

Comment:

The proposal will not necessitate the investment of public money or have a significant adverse effect on a public place. The development proposes substantial improvements to the public domain and involves the removal of a disused laneway and driveway access points to a main road.

The proposed development is supportive of State government urban renewal initiatives.

(2) Compliance with non-discretionary development standards—development other than complying development If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:

(a) is not entitled to take those standards into further consideration in determining the development application, and

(b) must not refuse the application on the ground that the development does not comply with those standards, and

(c) must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards,

and the discretion of the consent authority under this section and section 4.16 is limited accordingly.

(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:

(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and

(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard.

Note.

The application of non-discretionary development standards to complying development is dealt with in section 4.28 (3) and (4).

Comment:

Not applicable.

(3A) Development control plans If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

(c) may consider those provisions only in connection with the assessment of that development application.

In this subsection, standards include performance criteria.

Comment:

The development control plan has been considered in the preparation of the design. Given the challenges of the site in terms of topography, site configuration and relating to vehicle access, an appropriate development has been generated, which meets the intent of the DCP.

(4) Consent where an accreditation is in force A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.

(5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection(4).

(6) Definitions In this section:

(a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and

(b) non-discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.

Comment:

Not applicable.

7.0 CONCLUSION

The proposed design has been derived after much consultation with Council officers and Council's Urban Design Panel.

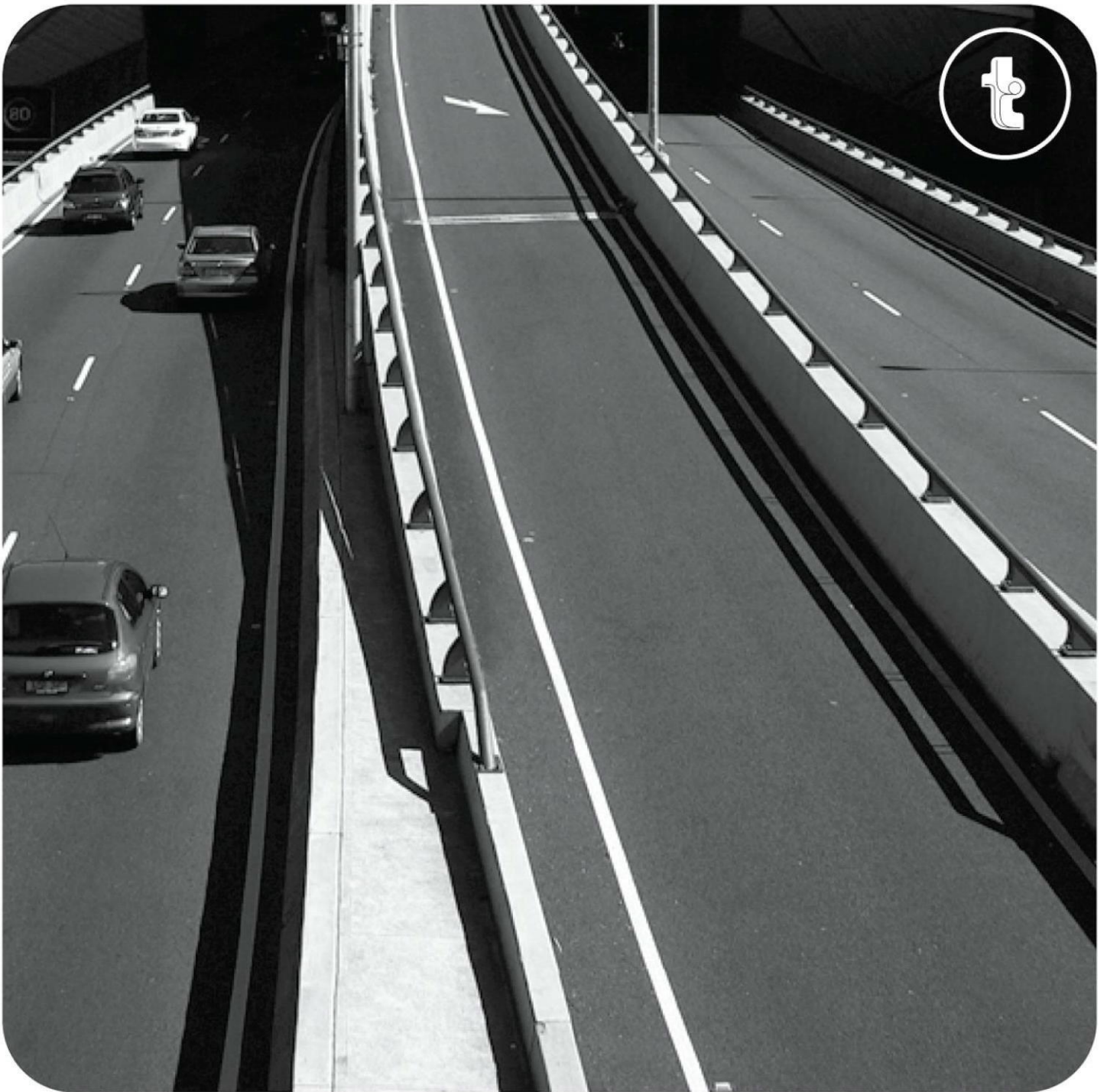
The proposal includes rather than isolates Council land ensuring that all available/remaining land is optimised.

The proposed design incorporates architectural interest to address the respective main roads and includes a high level of landscape content within the respective building alignments.

The proposed development achieves compliance with key controls of the LEP and DCP guidelines.

The proposed development is consistent with the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

The proposed development has architectural and town planning merit and approval of the application is therefore recommended.



Traffic Impact Assessment

Proposed Industrial Development
1-23 Lenore Drive and 55 Lenore Drive, Erskine Park

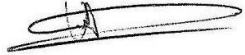
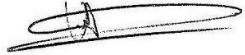
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Document Verification

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v01-DRAFT	12/04/2018	Hayden Dimitrovski	Vince Doan	
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Appendices

- Appendix A: Reduced Architectural Plans
- Appendix B: Swept Path Analysis



1. Introduction

TRAFFIX has been commissioned by Mr Frank Nicholopoulos to undertake a Traffic Impact Assessment of a Development Application relating to a proposed industrial development located at 1-23 Lenore Drive and 55 Lenore Drive, Erskine Park.

The property is situated in the Penrith Council Local Government Area and has been assessed under that Council's controls. It is noted that the proposed development is more than 4,000m² in area and requires referral of this DA to the Roads and Maritime Services (RMS) under the provisions of *State Environmental Planning Policy (Infrastructure) 2007*.

This report documents the findings of our investigations and should be read in the context of the Statement of Environmental Effects (SEE) prepared separately.

The report is structured as follows:

- Section 2: Describes the site and its location;
- Section 3: Documents existing traffic conditions;
- Section 4: Describes the proposed development;
- Section 5: Assesses the parking requirements;
- Section 6: Assesses traffic impacts;
- Section 7: Discusses access and internal design aspects;
- Section 8: Presents the overall study conclusions.



2. Location and Site

The site is located at 1-23 Lenore Drive and 55 Lenore Drive, Erskine Park and is legally known as Lot 1, DP 1071114 and Lot 55 DP 1170183. It is currently a vacant lot and is approximately 40 kilometres west of Sydney CBD. More specifically it is on the southern corner of Erskine Park Road and Lenore Drive.

The site is triangular in configuration having a total site area of 13,351m², with a northeast frontage to Lenore Drive and a northwest frontage to Erskine Park Road. The remaining southern boundary borders an environmental conservation area. The site currently has a total of two (2) vehicular accesses from Lenore Drive and Erskine Park Road.

A Location Plan is presented in **Figure 1**, with a Site Plan presented in **Figure 2**.



Figure 1: Location Plan



Figure 2: Site Plan



3. Existing Traffic Conditions

3.1 Road Network

The road hierarchy in the vicinity of the site is shown in **Figure 3**, with the following of particular interest:

- **Erskine Park Road:** an RMS Main Road (MR 629) that traverses in a northeast-southwest direction between the Western Motorway (M4) in the northeast and Mamre Road in the southwest. It is generally subject to a 70km/hr speed zoning and can accommodate two (2) lanes of traffic in both directions within the vicinity of the site.

- **Lenore Drive:** an RMS Main Road (MR 693) that traverses in an east-west direction between Old Wallgrove Road in the east and Erskine Park Road in the west. It is subject to an 80km/hr speed zoning and can accommodate two (2) lanes of traffic in both directions.

- **Mamre Road:** an RMS Main Road (MR 536) that traverses in a north-south direction between the Great Western Highway (HW 5) in the north and Elizabeth Drive in the south. It is subject to an 80km/hr speed zoning and can accommodate a single lane of traffic in both directions.

It can be seen from Figure 3 that the site is conveniently located with respect to the arterial and local road systems serving the region. It is therefore able to effectively distribute traffic onto the wider road network, minimising traffic impacts.



Figure 3: Road Hierarchy



3.2 Public Transport

The existing public transport services that operate in the locality are shown in **Figure 4**. This includes connections to Erskine Park, St Marys, Western Sydney University and Prairiewood. These bus stops are located within optimal walking distance (400 metres) of the site along Erskine Park Road with alternative bus stops also available on Lenore Drive.

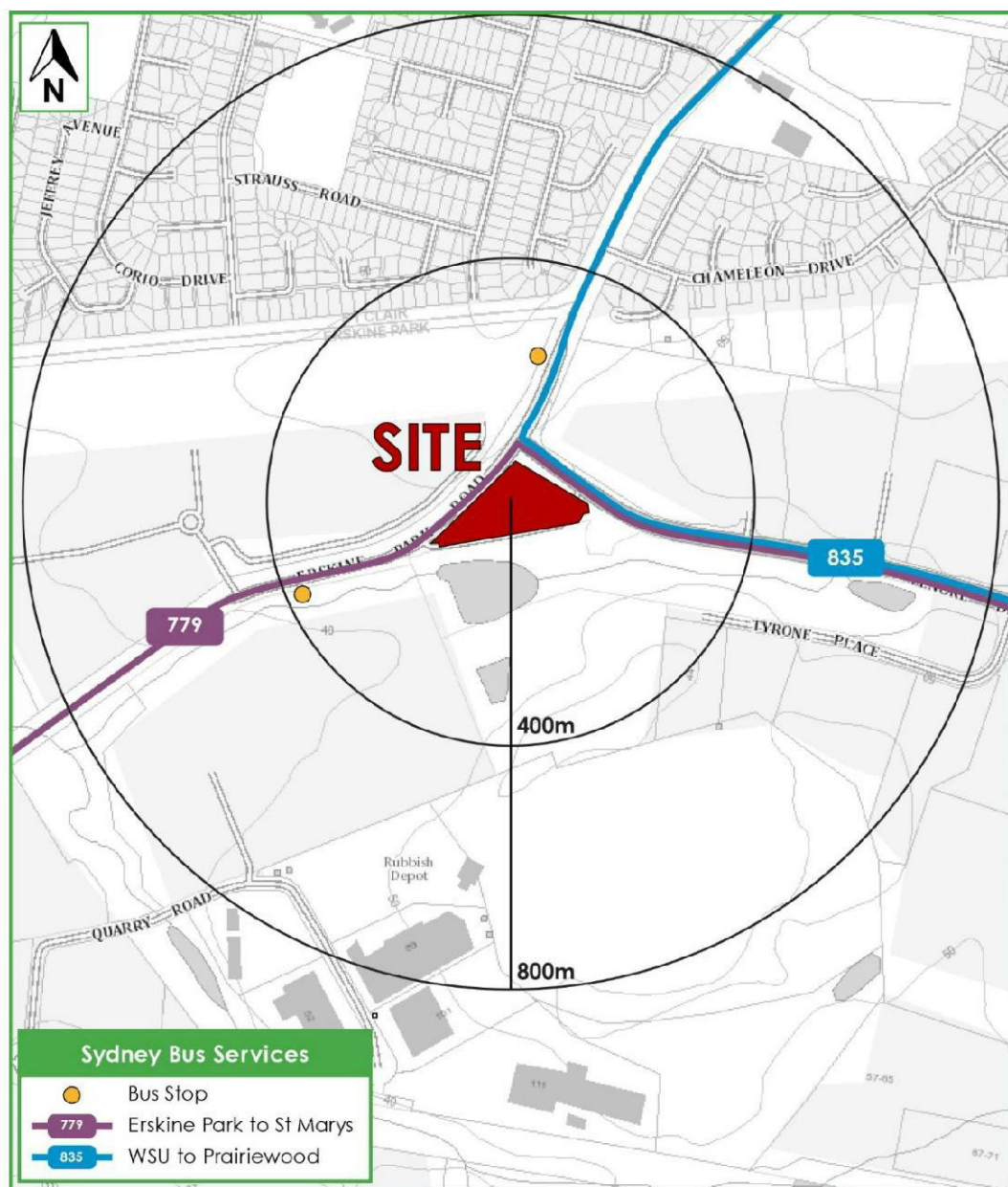


Figure 4: Public Transport



4. Description of Proposed Development

A detailed description of the proposed development is provided in the Statement of Environmental Effects prepared separately. In summary, the development for which approval is now sought comprises of the following components:

- ④ A total Gross Floor Area (GFA) of 6,955m² containing:
 - 6 x 150m² Units (including 30m² Office Mezzanine);
 - 13 x 225m² Units (including 45m² Office Mezzanine);
 - 6 x 300m² Units (including 60m² Office Mezzanine);
 - 2 x 250m² Units (including 55m² Office Mezzanine);
 - 2 x 375m² Units (including 75m² Office Mezzanine); and
 - An ancillary café with 80m².
- ④ A total car parking provision of 111 parking spaces containing:
 - 49 car parking spaces located at the at grade carpark; and
 - 62 car parking spaces located at the basement level carpark.

The parking requirements and traffic impacts arising from the development are discussed in **Section 5** and **Section 6** respectively. Reference should be made to the plans submitted separately to Council, which are presented at reduced scale in **Appendix A**.



5. Parking Requirements

5.1 Council Controls

The Penrith City Council DCP Part C10 (2014) requires a minimum parking provision to be provided at the following rates show in **Table 1**. The café (80m²) is considered an ancillary use to the proposed development and will not attract additional visitors itself but is provided for staff which are already accounted for within the development. Therefore, the car parking analysis does not take into account the parking requirements of the café area as no additional car parking is required and is considered acceptable.

Table 1: Council Parking Requirement

Use	Proposed GFA (m ²) / Staff	Council's Minimum Parking Rate	Parking Required*	Proposed Parking
Industries, including ancillary offices	6,875	1 space per 75m ² of GFA	92	111
	120	1 space per 2 employees	60	
Greater of the two provisions - TOTAL			92	111

* Parking numbers rounded up to the nearest whole number.

Council requires the greater of the two parking provisions, which results in a minimum requirement of 92 car parking spaces. The development proposes 111 car parking spaces which exceeds (superior to) Council's minimum requirement and is therefore considered acceptable.

5.2 Accessible Parking

The Penrith Council's DCP states that accessible parking is to be provided in accordance with the Access to Premises Standards. The rate for a commercial purpose building is one space per 100 car parking spaces or part thereof. The development proposes a provision of 111 spaces, therefore two (2) spaces must be provided as accessible spaces. The development proposes four (4) accessible spaces which satisfies the minimum requirement of this condition and is considered acceptable.



5.3 Bicycle Parking

The Penrith City Council's DCP requires bicycle parking in accordance with the New South Wales Government's Planning guidelines for walking and cycling. The rate for staff and visitor bicycle parking is provided in **Table 2** below.

Table 1 - Bicycle Parking Rates and Provision for Proposed Development

Type	No. of Staff	Rates	Range*
Staff	120	3% – 5% of total staff	4 – 6
Visitor		5% – 10% of total staff	6 – 12
Total			10 – 18

* Parking numbers rounded up to the nearest whole number.

Table 2 shows that a requirement of 10 – 18 bicycle parking spaces are required with 4 – 6 for staff and 6 – 12 for visitors. It is noted that the basement car park provides sufficient area to accommodate the bicycle parking. This can be dealt with prior to the release of a Construction Certificate as a condition of consent (if required).

5.4 Servicing and Refuse Collection

The industrial complex is proposed to contain a total of 29 loading docks (one for each unit). The units will be serviced by vehicles up to an 8.8 metre medium rigid vehicle (MRV). The site will be accessed via two (2) vehicular accesses with one on Erskine Park Road and the other on Lenore Drive, both allowing MRVs to pass.

It has been advised that waste collection will occur on site by Council's waste collection vehicle being a 10.5 metre long truck.



6. Traffic Impacts

6.1 Existing Traffic Generation

The site is currently vacant and therefore it is assumed to have no traffic generation.

6.2 Future Traffic Generation

In accordance with Roads & Maritime Services (RMS) Guide to Traffic Generating Development Technical Direction TDT 2013/04a (August 2013), the site would come under a business park and industrial estate. Therefore, application of rate set out in **Table 3** below is considered most suitable.

Table 3: RMS Guide to Traffic Generating Developments

Development Type	Peak Period	RMS Rate
Business Parks and Industrial Estates	AM peak period	0.52 trips per 100m ² of GFA
	PM peak period	0.56 trips per 100m ² of GFA

The proposed development will provide 6,875m² GFA (noting that the café is considered an ancillary use to the proposed development). Application of these rates to the proposed development will result in a traffic generation of 36 vehicle trips during the AM peak hour period and 39 vehicle trips in the PM peak hour period. When an 80/20 directional split is applied to these rates, the traffic generation of the proposed development will be as follows:

- 36 vehicle trips per hour during the AM peak period (29 in, 7 out); and
- 39 vehicle trips per hour during the PM peak period (8 in, 31 out).

It should be noted that the traffic generation for the development is likely to occur outside of the network peak. Therefore, the impact of the increase in traffic is considered minor and will be accommodated by the proposed road network. In addition, both access are left in and left out due to the medians on both Erskine Park Road and Lenore Drive which will minimise the impact of the increased traffic generation. Therefore, the above traffic generation is considered a minor impact to the surrounding road network.



7. Access & Internal Design Aspects

7.1 Access

The proposed development with a total of 111 User Class 1A car parking spaces is required to provide a Category 3 Driveway under AS 2890.1 (2004), being separated entry and exit driveways of width 6.0 metres for the entry and 4.0m – 6.0m for the exit. The Category 3 driveway is designed to cater for all movements to and from the site (being both left and right movements). Whilst compliance with AS 2890.1 is not technically achieved, the design of the access is considered acceptable as a median is provided along Lenore Drive and Erskine Park Road at the site frontage which in turns restricts all vehicular movements to left-in and left out. In response, the development proposes two (2) vehicular accesses to allow for the truck movements that will also occur on site.

7.1.1 Lenore Drive Access

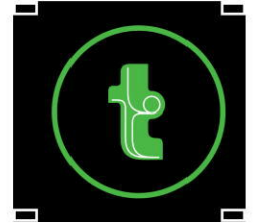
A combined 12 metre wide driveway from Lenore Drive is proposed for the development, which allows for left in entry and left out exit movements. In addition, the access also allows two 8.8m long Medium Rigid Vehicles (MRV) to pass entering and exiting the site therefore the access is considered acceptable.

7.1.2 Erskine Park Road Access

The development also proposes a separated entry and exit driveway from Erskine Park Road with a 13.4 metre wide entry driveway and a 5.2 metre wide exit driveway, which complies with the standard. This access also allows two 8.8m long Medium Rigid Vehicles to pass entering and exiting the site therefore the access is considered acceptable for the site.

7.1.3 Summary

The proposed accesses are considered satisfactory and will operate in accordance with the intent of the standard. In addition, swept path analysis of both accesses has been provided in **Appendix B** to show compliance with AS2890.2 (2002).



7.2 RMS Requirements

The development proposes two accesses to allow for vehicles travelling south on Erskine Park Road to access the site, which reduces unnecessary detours to allow vehicles travelling west on the M4 Motorway to access the site. In addition, the Lenore Drive access allows vehicles exiting to turn right on to Erskine Park Road. The Lenore Drive access also reduces pressure on the Erskine Park Road access and left turn slip lane at the intersection of Lenore Drive preventing unnecessary queuing. Therefore, it is considered appropriate to allow for the two accesses to the property.

As both accesses are on RMS classified roads the RMS must provide concurrence to allow access to the development. The RMS has provided pre DA advice says deceleration lanes should be considered for both accesses within the site boundary. The access on Lenore Drive is at the corner of the property boundary and therefore a deceleration lane within the boundary is not possible. The access on Erskine Park Drive has been assessed in accordance with the Austroads warrants during the critical AM peak which has approximately 712 vehicles per hour in the westbound direction (as surveyed in 2016). Therefore, Lenore Drive has approximately 312 vehicles per hour in the left lane and a turn volume of up to 15 vehicles per hour. From assessment of the above volumes in accordance with Austroads, Lenore Drive access does not warrant a deceleration lane. A deceleration lane would only be warranted if the turn volume was above 50 vehicles per hour. Therefore, deceleration lanes are not considered necessary for either access of the development.

7.3 Internal Design

The loading areas, at-grade and basement car park generally complies with the requirements of AS 2890.1 (2004), AS 2890.2 (2002) and AS 2890.6 (2009) with the following characteristics considered noteworthy:

7.3.1 Parking Modules

- All staff and visitor parking spaces meet the requirements for a Class 1A user under AS2890.1. The design includes the provision of a minimum space length of 5.4m a minimum width of 2.4m and a minimum aisle width of 5.8m.
- All spaces located adjacent to obstructions of greater than 150mm in height are provided with an additional width of 300mm.



- All accessible parking spaces are designed in accordance with AS2890.6. Spaces are provided with a clear width of 2.4m and located adjacent to a minimum shared area of 2.4m.
- A swept path analysis of all critical movements has been undertaken to confirm geometry and compliance with the relevant standards. The swept path assessment is included in **Appendix B**.

7.3.2 Clear Head Heights (Light Vehicles)

- A clear head height of 2.5m is required to be provided above all accessible spaces and shared areas as required by AS2890.6.
- A minimum clear head height of 2.2m is required to be provided for all other areas within the at-grade and basement car park as required by AS2890.1.

7.3.3 Other Considerations

- All columns are required to be located outside of the parking space design envelope shown in Figure 5.2 of AS 2890.1 (2004).
- Appropriate visual splays are provided in accordance with the requirements of Figure 3.3 of AS2890.1 at all accesses.
- A swept path analysis of all critical movements has been undertaken to confirm geometry and compliance with the relevant standards. The swept path assessment is included in **Appendix B**.
- The ramp to the basement level parking has been designed in accordance with AS2890.1 with a maximum grade of 1:5 (20%) and 2 metre transitions at each end with a maximum gradient of 1 in 8 (12.5%).

7.3.4 Service Area Design

- The internal design of the service area has been undertaken in accordance with the requirements of AS28090.2 for the maximum length vehicle permissible on-site being an 8.8m MRV. The separated access on Erskine Park Road has been designed to allow for Council's waste collection vehicle which will be the largest vehicle to traverse the site.
- The waste collection vehicle will be the largest vehicle to service the site. Swept path analysis showing compliance and is attached in **Appendix B**.
- A minimum clear head height of 4.5m is required to be provided within all areas trucks traverse and service areas.



- A swept path analysis has been undertaken as permissible under AS2890.2 and confirms the internal design. The swept path assessment is included in **Appendix B**.

In summary, the internal configuration of the car park and loading areas have been designed in accordance with both AS2890.1 and AS2890.2. It is however envisaged that a condition of consent would be imposed requiring compliance with these standards and as such any minor amendments considered necessary (if any) can be dealt with prior to the release of a Construction Certificate.



8. Conclusions

In summary:

- TRAFFIX has been commissioned by Mr Frank Nicholopoulos to undertake a Traffic Impact Assessment of a Development Application relating to a proposed industrial development located at 1 – 23 Lenore Drive and 55 Lenore Drive, Erskine Park.
- The development for which approval is now sought comprises a total Gross Floor Area (GFA) of 6,955m² comprised of 29 industrial units with ancillary office space and an ancillary café. In addition, a total car parking provision of 111 parking spaces containing 49 car parking spaces located at the at grade carpark; and 62 car parking spaces located at the basement level carpark.
- Penrith City Council's DCP requires the development to provide a minimum of 92 off-street car parking spaces for the proposed development. In response, the development provides a total of 111 car parking spaces. The proposed car parking provision therefore satisfies the requirement of Council's DCP and is considered acceptable.
- All servicing and waste collection will be contained on-site, with all vehicles entering and exiting in a forward direction. The units will be serviced by vehicles up to an 8.8m MRV and Council's waste collection vehicle will be the largest vehicle to service the site. This arrangement is considered acceptable.
- By applying RMS rates to the development, this will results in a traffic generation of 36 vehicle trips during the AM peak hour period and 39 vehicle trips in the PM peak hour period. It should be noted that the traffic generation for the development is likely to occur outside of the network peak. Therefore, the impact of the increase in traffic is considered minor and will be accommodated by the surrounding road network.
- The proposed internal car parking and loading dock arrangements generally comply with AS 2890.1 (2004), AS 2890.2(2002) & AS 2890.6 (2009). It is however envisaged that a condition of consent would be imposed requiring compliance with these standards and as such any minor amendments considered necessary (if any) can be dealt with prior to the release of a Construction Certificate.

It is therefore concluded that the proposed development is supportable on traffic planning grounds and will operate satisfactorily.



Appendix A

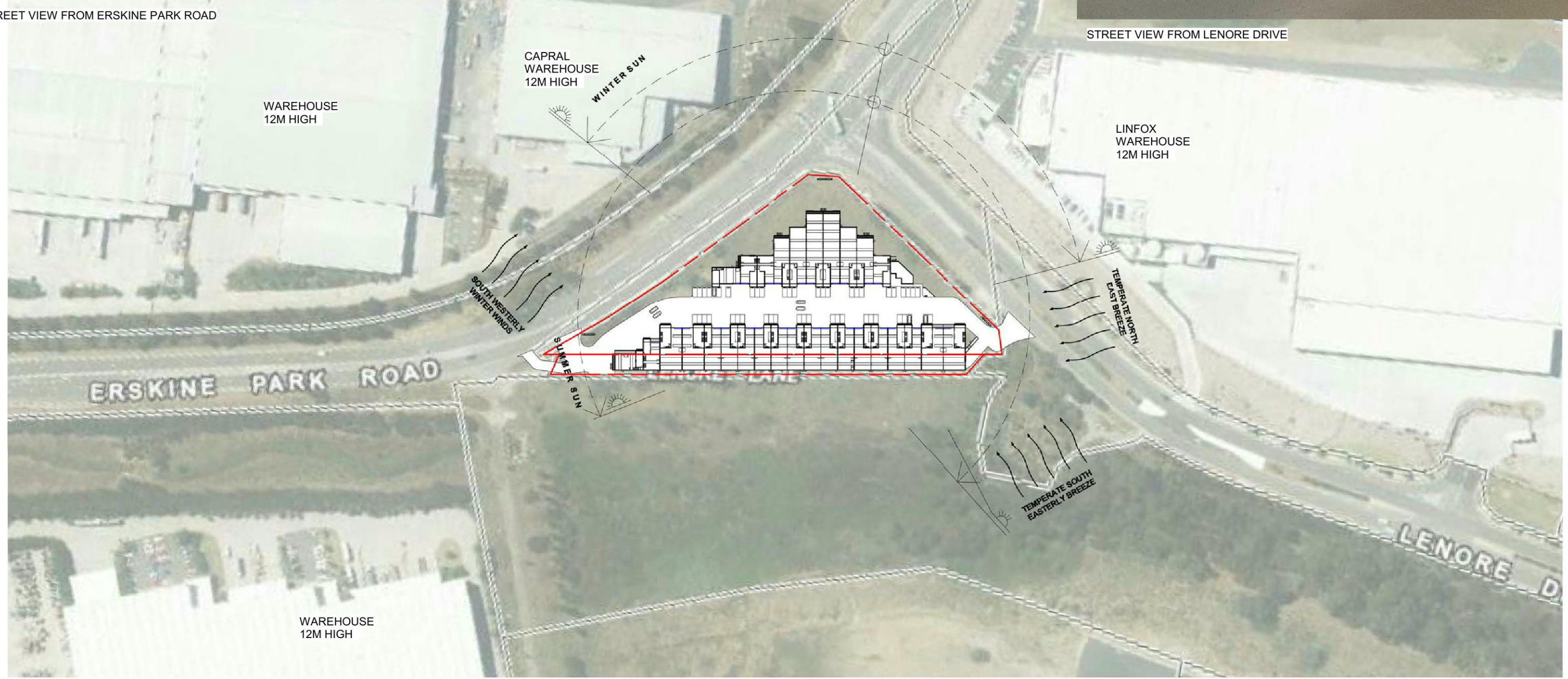
Reduced Architectural Plans



STREET VIEW FROM ERSKINE PARK ROAD



STREET VIEW FROM LENORE DRIVE

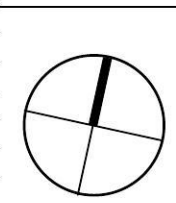


1 SITE ANALYSIS
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ISSUE	DATE	REVISION
2	11.04.18	ISSUED FOR COORDINATION
C	31.01.18	DRAFT DA ISSUE & CONS COORDINATION
B	14.11.17	ISSUED FOR URBAN DESIGN MEETING
A	27.03.17	PRE DA ISSUE - FOR COORDINATION
1	06.03.17	Preliminary issue



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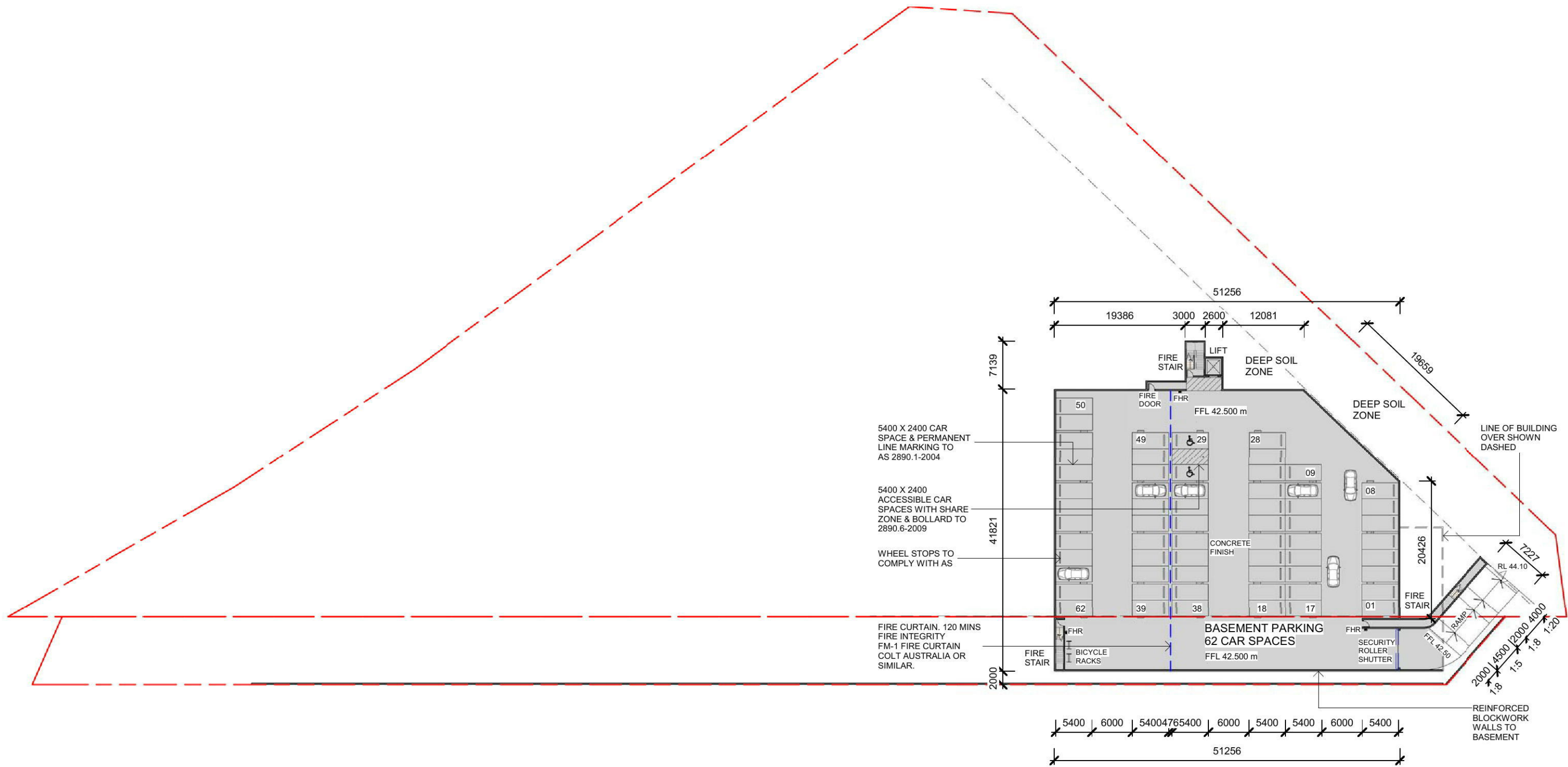
client: **NICHOLOPOULOS**
 project: **INDUSTRIAL COMPLEX**
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 LENORE DRIVE & ERSKINE PARK
 ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
SITE ANALYSIS

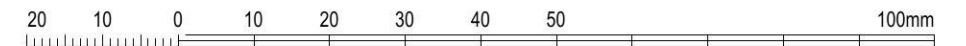
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 drawn: HC
 checked: HC
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DA ISSUE

job no. 17221
 drawing no. A0001
 issue. **2**

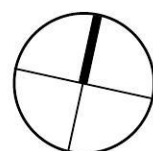


1 PROPOSED BASEMENT FLOOR PLAN
1 : 600



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ISSUE	DATE	REVISION
3	11.04.18	ISSUED FOR COORDINATION
D	31.01.18	DRAFT DA ISSUE & CONS COORDINATION
C	26.11.17	URBAN DESIGN AMENDMENT
B	14.11.17	ISSUED FOR URBAN DESIGN MEETING
A	11.09.17	PRE DA ISSUE
2	10.09.17	CONCEPT SKETCH ISSUE - OPTION 3
1	01.09.17	CONCEPT SKETCH ISSUE



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 www.arkexpressdesign.com.au

client: NICHOLOPOULOS
 project: INDUSTRIAL COMPLEX
 PROPOSED INDUSTRIAL DEVELOPMENT
 AT 1-23 LENORE DRIVE & ERSKINE PARK
 ROAD, ERSKINE PARK NSW 2759.
 LOT 1 DP 1071114 & LOT 55 DP 1170183

drawing title:
**PROPOSED
 BASEMENT PLAN**

print date: 11.04.18
 drawn: HC
 checked: HC
 scale: 1 : 600 @A3

DA ISSUE

job no.

17221

drawing no.

A1001

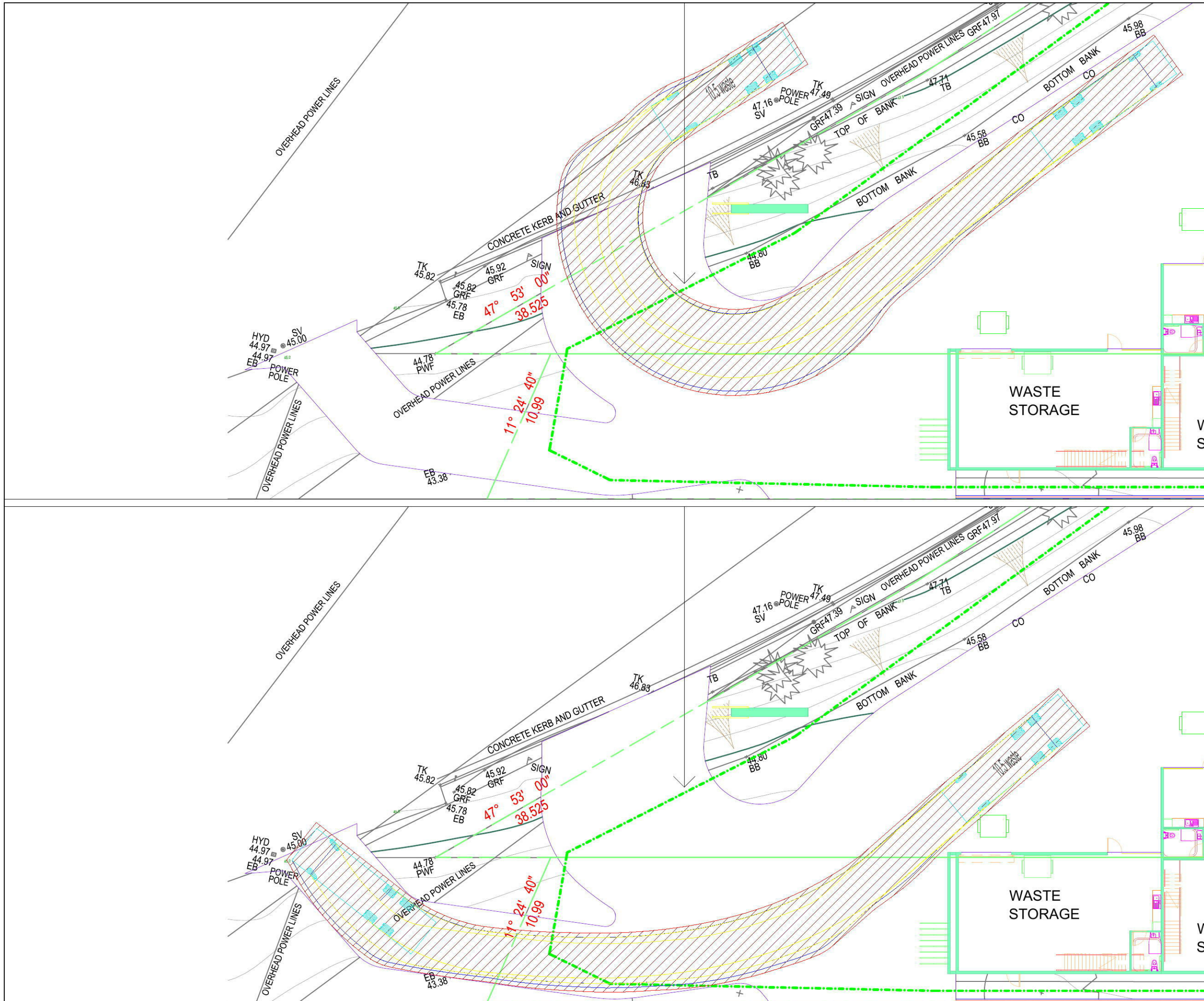
issue:

3



Appendix B

Swept Path Analysis



Notes

This drawing is prepared for information purposes only. It is not to be used for construction.

TRAFFIX is responsible for vehicle swept path diagrams and/or drawing mark-ups only. Base drawing prepared by others.

Vehicle swept path diagrams prepared using computer generated turning path software and associated CAD drawing platforms. Vehicle data based upon relevant Australian Standards (AS/NZS 2890.1-2004 Parking facilities - Off-street car parking, and/or AS 2890.2-2002 Parking facilities - Off-street commercial vehicle facilities). These standards embody a degree of tolerance, however the vehicle characteristics in these standards represent a suitable design vehicle and do not account for all variations in vehicle dimensions / specifications and/or driver ability or behaviour.

no.	revision note	by.	date

Swept Path Legend:

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

architect
 ArkExpress
 P.O. Box 6213
 CANLEY VALE NSW 2166

client
 Mr Frank Nicholopoulos
 40 Doncaster Avenue
 CLAREMONT MEADOWS NSW 2747

scale
 1:250 @ A3

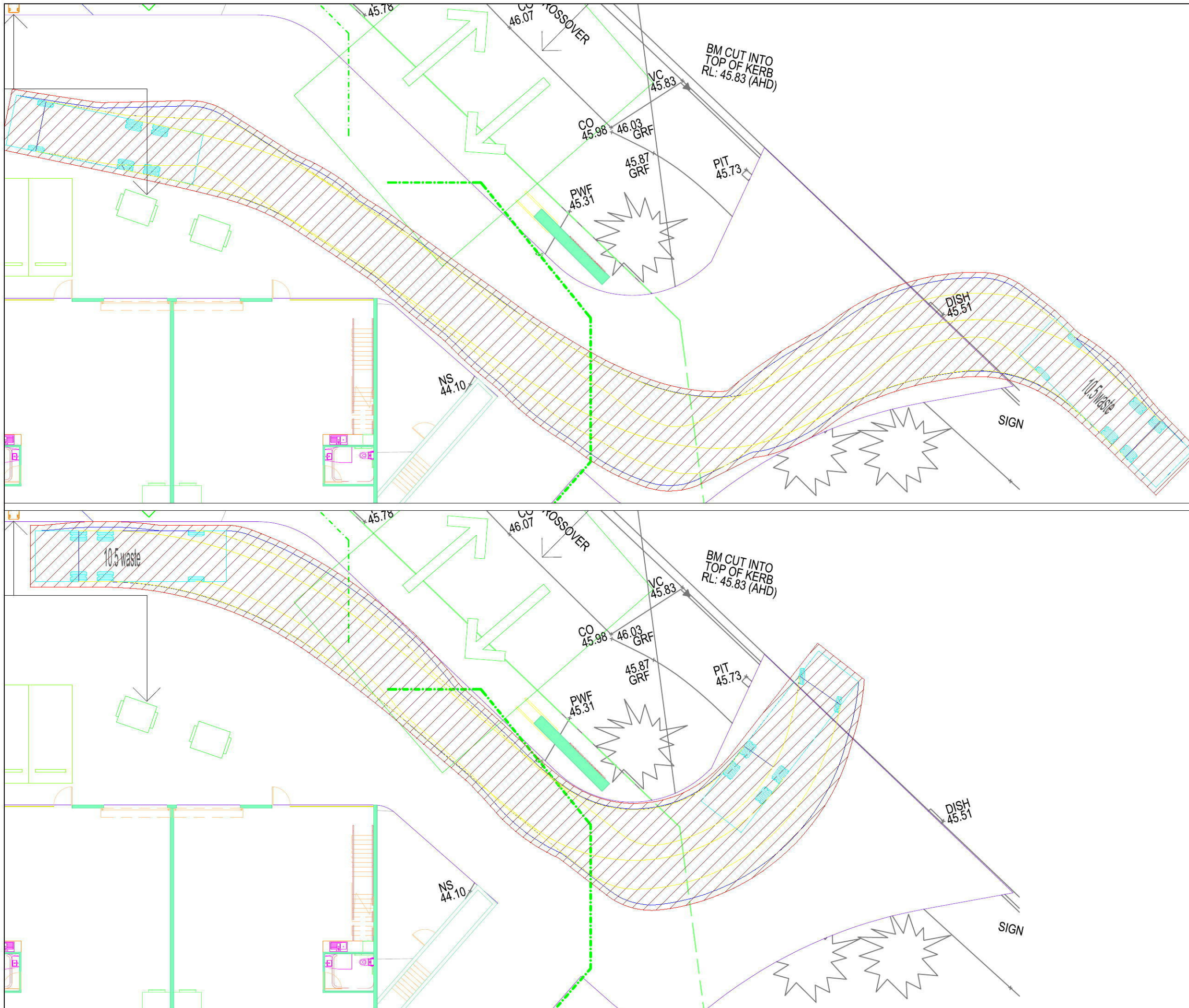
project
 1 - 23 Lenore Drive
 ERSKINE PARK NSW 2759

drawing prepared by
TRAFFIX
 traffic and transport planners
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 Surry Hills - NSW 2010
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drawing title
 10.5m Waste Collection Vehicle
 Erskine Park Road Access
 Entry and Exit

drawn: HD checked: VD date: 12-04-2018

18.069 - TX.01 -
 project no. drawing phase. drawing no. rev



Notes

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no.	revision note	by.	date
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Swept Path Legend:

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

architect
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client
 Mr Frank Nicholopoulos
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scale
 1:200 @ A3

project
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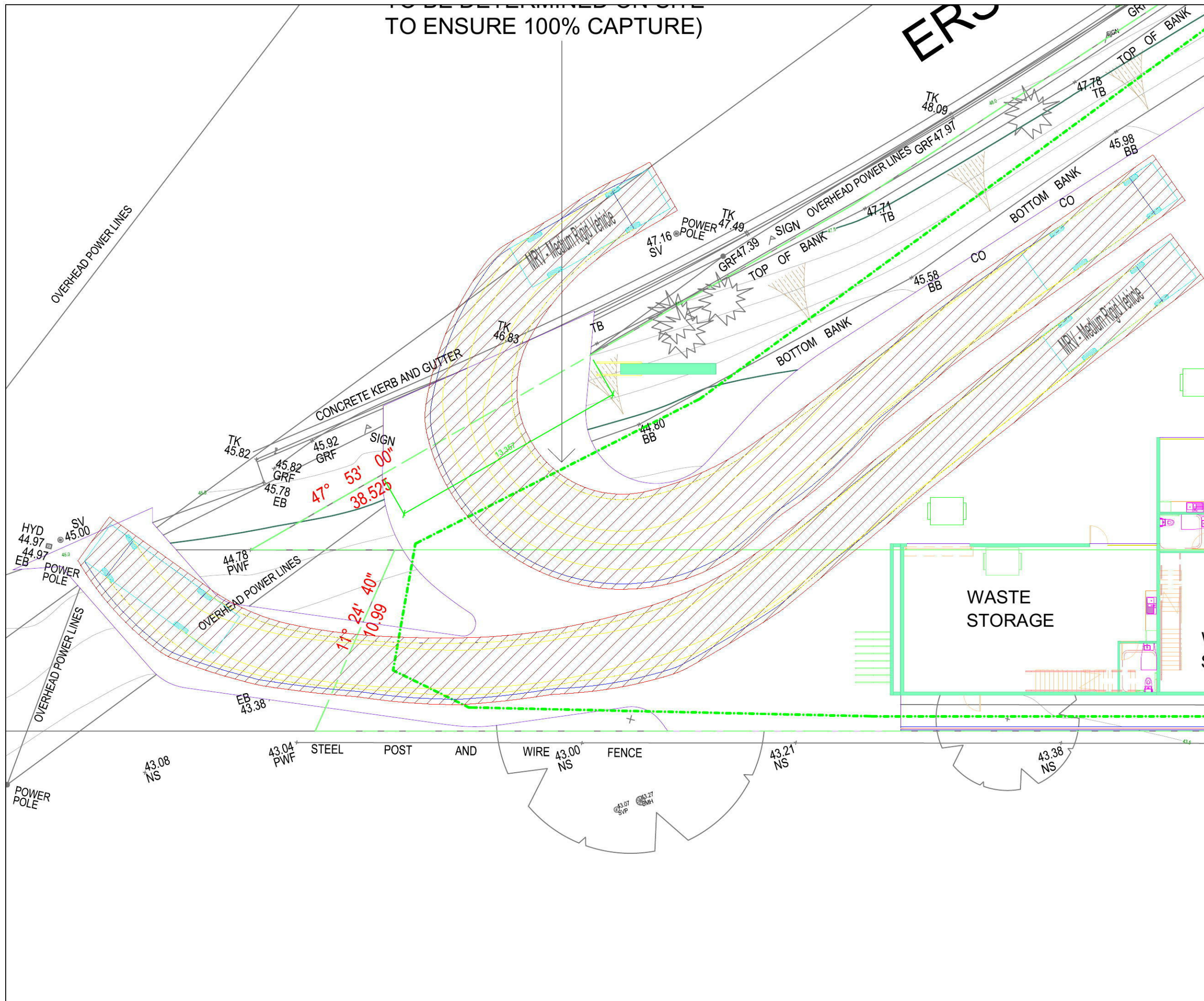
drawing title
 10.5m Waste Collection Vehicle
 Lenore Drive Access
 Entry and Exit

drawn: HD checked: VD date: 12-04-2018

18.069 - TX.02 -
 project no. drawing phase. drawing no. rev

TO BE DETERMINED ON SITE
TO ENSURE 100% CAPTURE)

ERSKINE PARK ROAD



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no.	revision note	by.	date

Swept Path Legend:

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

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client
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scale
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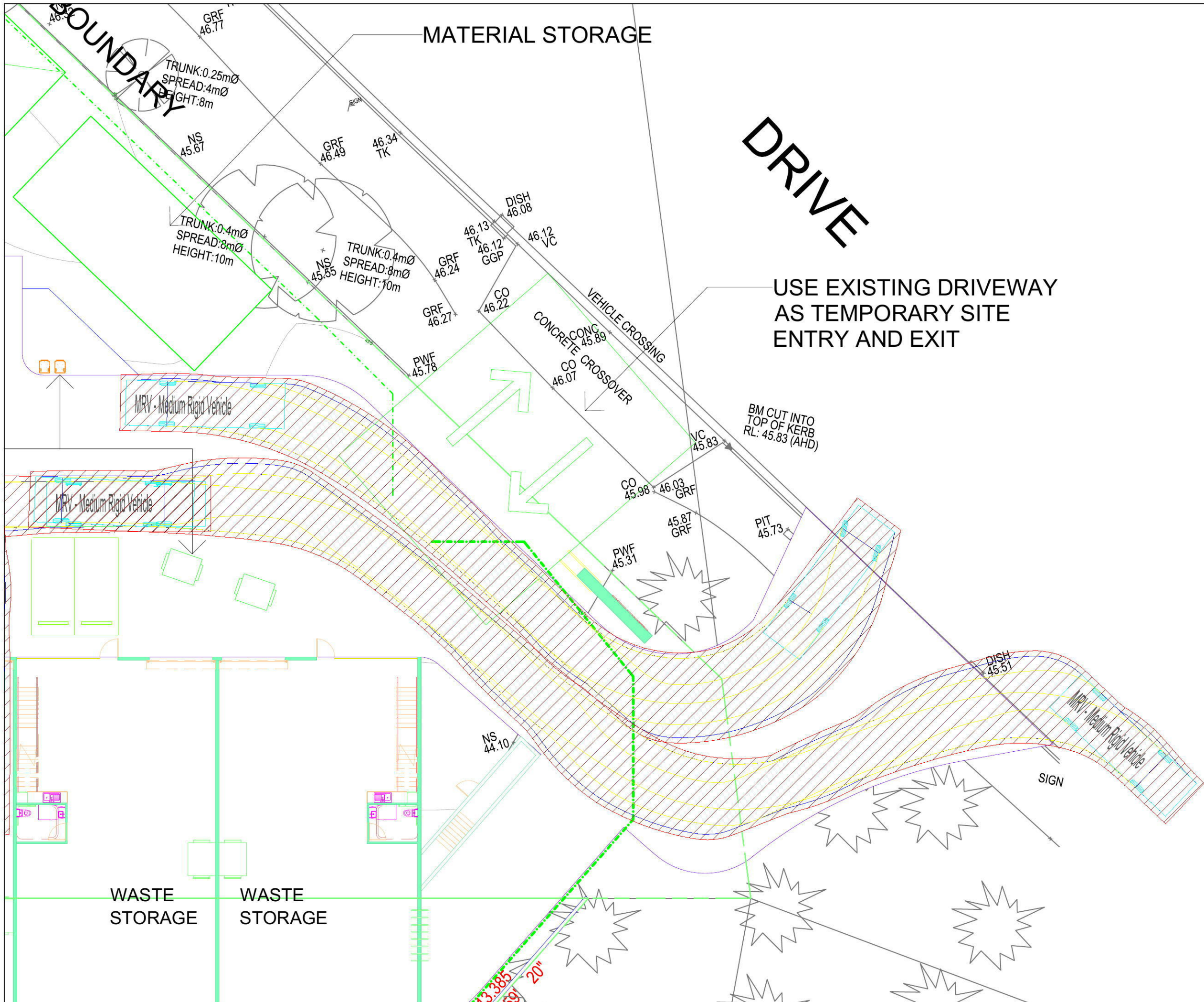
project
 1 - 23 Lenore Drive
 ERSKINE PARK NSW 2759

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drawing title
 8.8m Medium Rigid Vehicle
 Erskine Park Road Access
 Entry and Exit

drawn: HD checked: VD date: 12-04-2018

18.069 - TX.03 -
 project no. drawing phase. drawing no. rev



Notes

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no.	revision note	by.	date
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Swept Path Legend:

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

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client
 Mr Frank Nicholopoulos
 40 Doncaster Avenue
 CLAREMONT MEADOWS NSW 2747

scale
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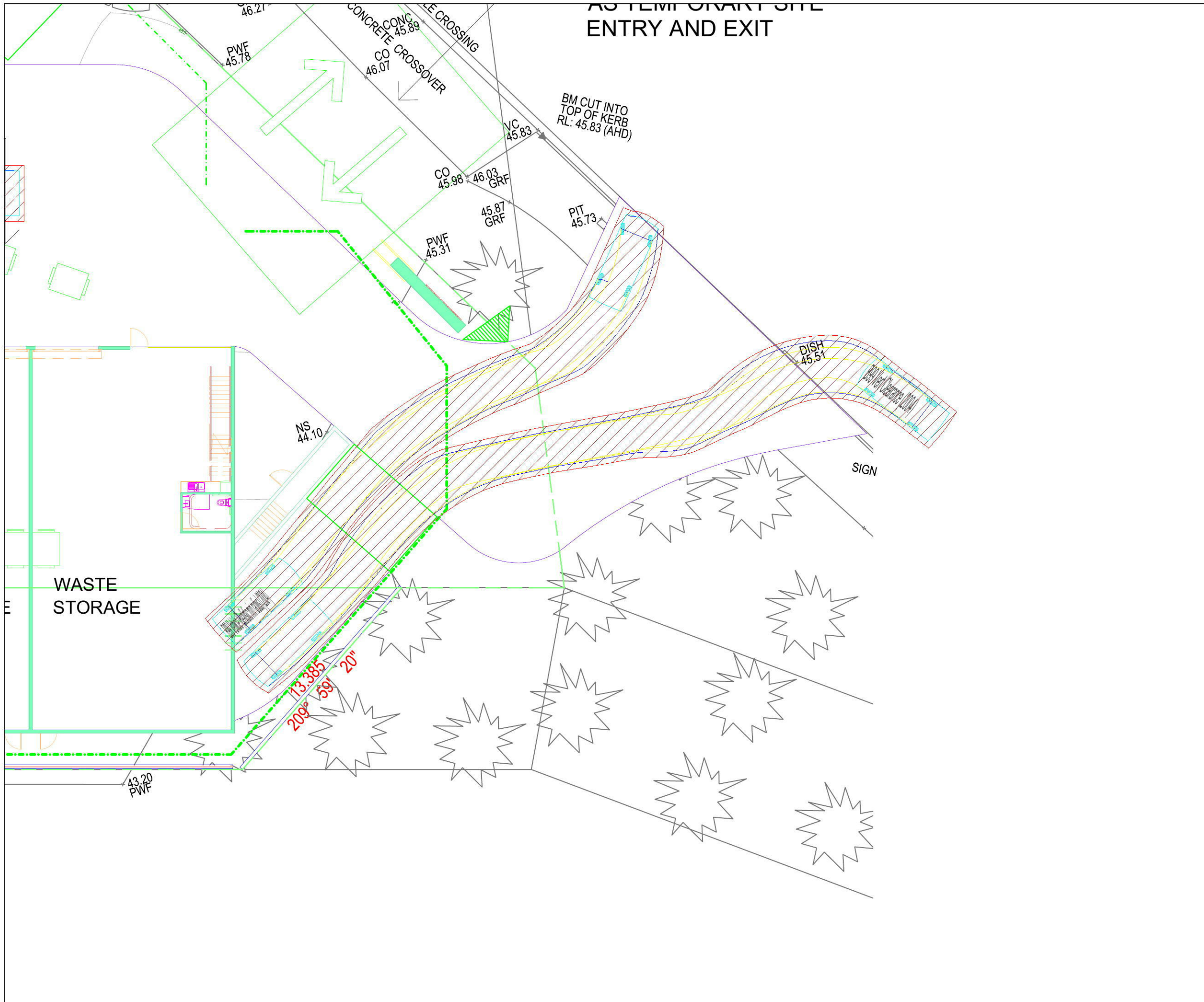
project
 1 - 23 Lenore Drive
 ERSKINE PARK NSW 2759

drawing prepared by
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 e: info@traffix.com.au

drawing title
 8.8m Medium Rigid Vehicle
 Lenore Drive
 Entry and Exit

drawn: HD	checked: VD	date: 12-04-2018
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18.069	-	TX.04	-
project no.	drawing phase.	drawing no.	rev



AS TEMPORARY SITE ENTRY AND EXIT

Notes

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no.	revision note	by.	date

Swept Path Legend:

- Wheel Path
- Vehicle Body Envelope
- Clearance Envelope (300mm)

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client
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 40 Doncaster Avenue
 CLAREMONT MEADOWS NSW 2747

scale

1:200 @ A3

project
 1 - 23 Lenore Drive
 ERSKINE PARK NSW 2759

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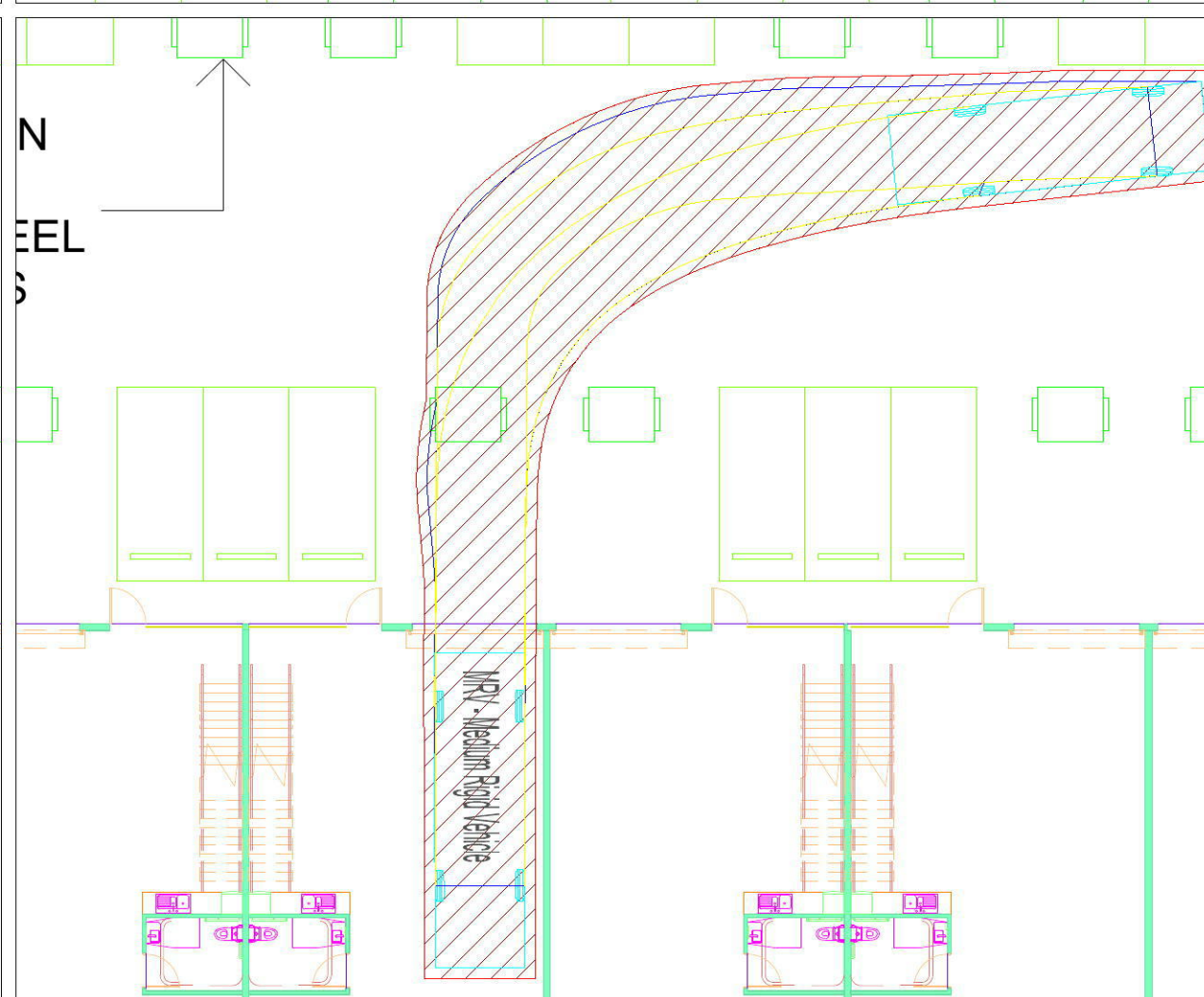
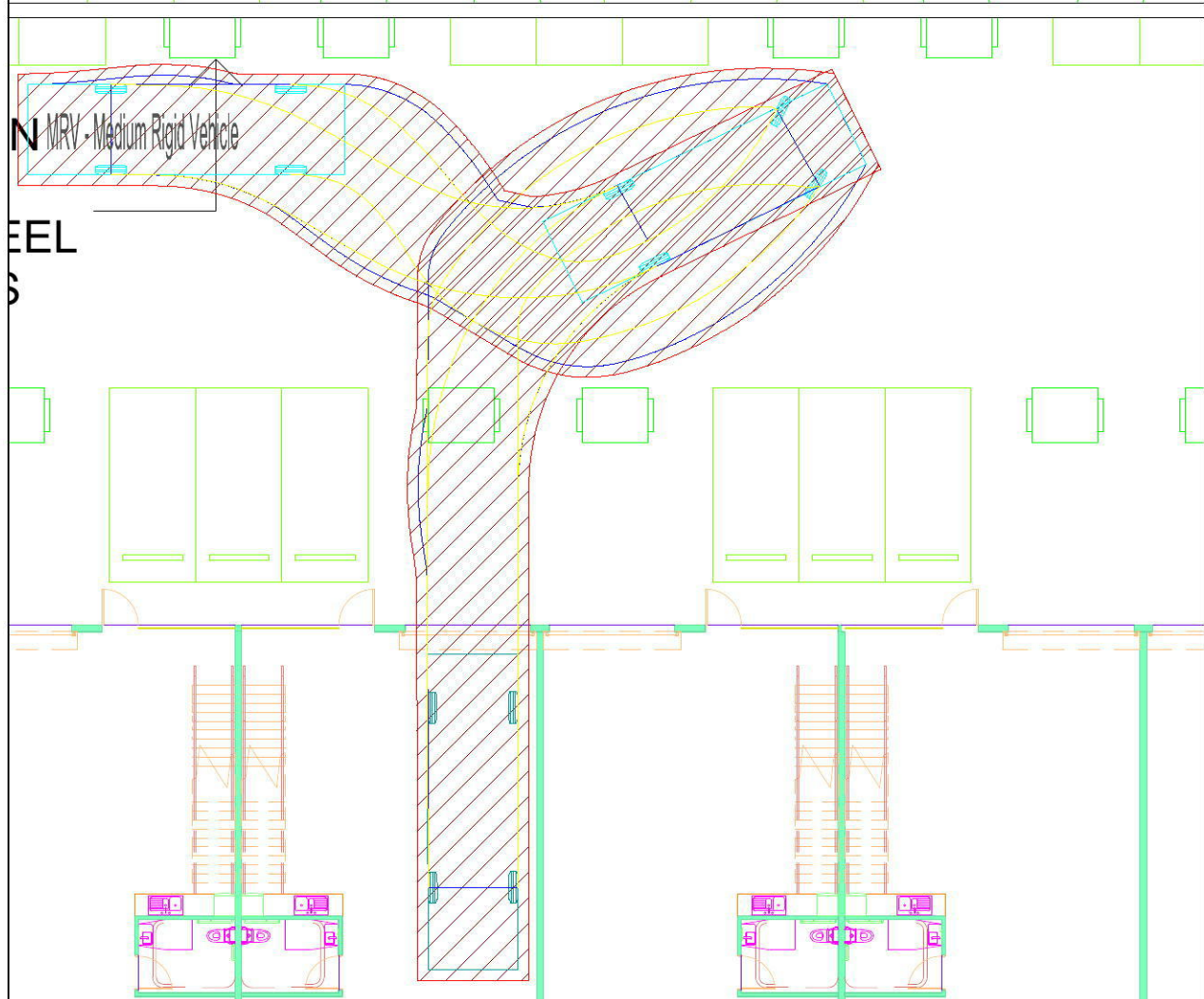
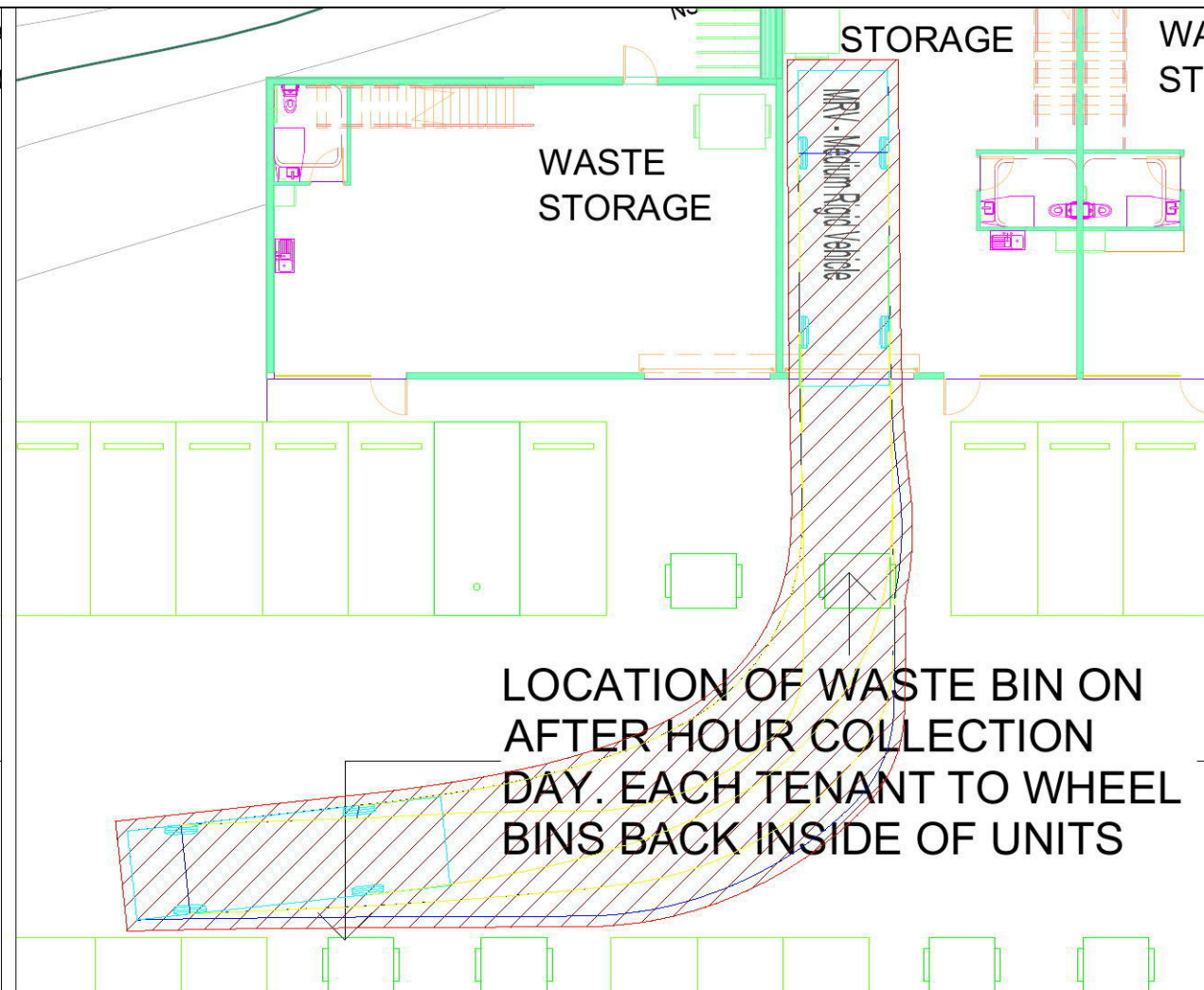
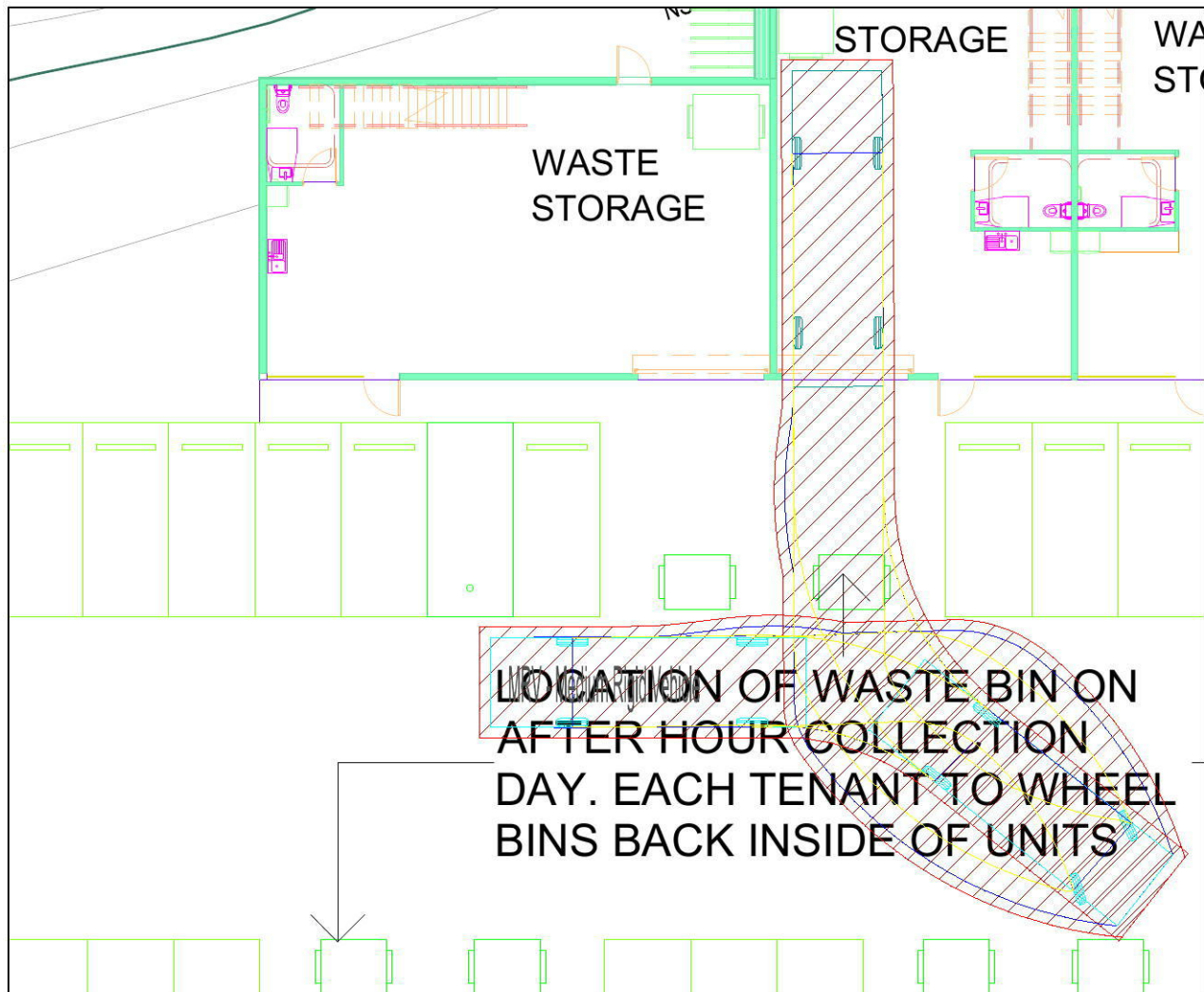
traffix
 traffic & transport planners

drawing title
 B99 Vehicle
 Lenore Drive and Basement 1
 Entry and Exit

drawn: HD	checked: VD	date: 12-04-2018
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18.069d2v01 TRAFFIX [180411 Plans] Design Review.dwg

18.069	-	TX.05	-
project no.	drawing phase.	drawing no.	rev



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no.	revision note	by.	date

Swept Path Legend:
 — Wheel Path
 — Vehicle Body Envelope
 ▨ Clearance Envelope (300mm)

architect
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client
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scale
 1:200 @ A3
 0m 1 2 4 6 8

project
 1 - 23 Lenore Drive
 ERSKINE PARK NSW 2759

drawing prepared by
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drawing title
 8.8m MRV Vehicle
 Vehicular Access to Units
 Entry and Exit

drawn: HD **checked:** VD **date:** 12-04-2018

18.06902v01 TRAFFIX [180411 Plans] Design Review.dwg

18.069	-	TX.06	-
project no.	drawing phase.	drawing no.	rev