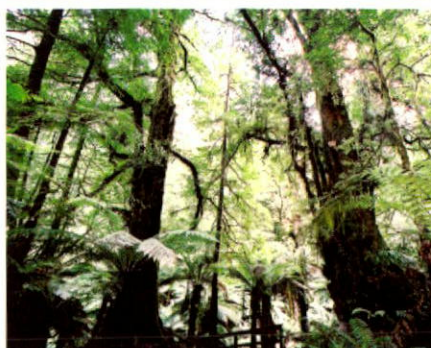


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ENVIRONMENTAL



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**STATEMENT OF ENVIRONMENTAL EFFECTS  
FOR A DEVELOPMENT APPLICATION FOR A RURAL  
SUPPLIES BUSINESS AT  
MAMRE RD KEMPS CREEK**

**Prepared for:** Penrith City Council  
Air Space Management Australia Pty Ltd

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**Prepared by:** Richard Benbow, Principal Consultant

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**Report No:** 158024\_SEE\_Rev1  
April 2015  
(Released: 7 April 2015)



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## 1. PROJECT DESCRIPTION

This proposal is for the following works:

- A new business to operate upon Lot 33 for the purposes of landscape supplies and rural supplies
- Installation of a hardstand area, structures and associated landscaping work to facilitate the new business.

The need for hardstand is to enable Lot 33 to have a surface suitable for vehicle manoeuvring.

The need to landscape the perimeter of Lot 33 is to enhance its appearance in support of its proposed use and to also ensure that as the adjacent lands are developed in the future (long term) for residential use, the noise emissions are not intrusive for residents.

The landscaping shown at the front and side of the site was requested in a previous DA #15/0237; this has not yet been Determined. Additional landscaping for privacy is requested as shown behind the office/amenities building. This building currently is a rural shed and would undergo minor internal modifications.

This is part of the site operator's approach to planning for the future.

This report has been prepared in support of the development application and outlines the proponent, the intended uses, the relevant statutory control and the environmental safeguards that are recommended.

### 1.1 PROPONENT

The firm developing the site is *Air Space Management Australia Pty Ltd*.

Air Space Management Australia Pty Ltd ("ASMA") is actively involved in developing the reuse of materials that are able to be converted into landscaping and construction materials for use on rural land e.g. bedding sand and roadbase materials.

ASMA is leading the reuse of this site for a new commercial venture to provide landscaping materials in bulk or also as palletted supplies or individual bags of these materials.

The nature of many of these materials would also aid the rural industry and broaden the product range that is offered.

The site is well suited to the proposal as it is located in close proximity to the developing residential precinct of St Clair and Erskine Park as well as the existing rural areas of the Penrith, Liverpool and Blacktown Shires.



## 1.2 SITE ADVANTAGES

The site is well suited for the proposed uses as it has the following advantages:

- Within the major growth area of Western Sydney.
- Within a Shire that is progressive and very supportive of employment generating businesses.
- The land has no impediments of any consequence to the intended use.
- The proposed land area of approximately 18,500 m<sup>2</sup> (1.85 ha) is more than adequate to provide the following:
  - ▶ Truck turning area;
  - ▶ Bunkers for storage of materials for loading into small trucks and trailers;
  - ▶ Bulk material stockpile area for large quantity deliveries;
  - ▶ Temporary stockpile areas located well outside of the 40 m buffer distance to Kemps Creek.
- The site lends itself for earth berms to be erected, vegetated to visually screen the site, serve as a windbreak and also adequately attenuate the noise from the occasional trucks manoeuvring and the small "bobcat" or front-end loader used to load out materials.
- Surface water runoff is collected via a table drain at the toe of the vegetated berms shown on the site plan and then directed to a gross pollutants trap. The vegetated berms would protect the table drain from sediment runoff.

## 1.3 DETAILS OF THE PROPOSED DEVELOPMENT

To enable use of the land the following limited infrastructure is required:

- Construct the base of the bulk material stockpile area.
- Construct the truck turning area.
- Form the grades of the site to cause surface water to flow to the earth berms and excess water to flow to the grass pollutant trap.
- Erect the earth berms – typically n.e 3.0 m in height and vegetate as shown on the site plan.
- A small office and amenities building for staff and visitors which utilises an existing rural shed.
- Visitors and customers' car parking – shown adjacent to the office building on the site layout.
- An application to erect a business sign at the entrance to the site will be the subject of a future development application.

## 1.4 HARDSTAND AREA

The hardstand area will be comprised of compacted road-base material. Engineering specifications for the depth of the hardstand will be provided at the Construction Certificate stage.

Drainage of the hardstand will be directed by table drains to a gross pollutant trap and then discharged to the existing system.



## 1.5 EARTH BERMS

The landscaping works include the erection of earth berms to the perimeter of the lots as shown on Site Plan (Figure 2-3).

The berms will not exceed 3.0 m high with a base of approximately 8.0 m.

The material to be used in the berm construction will be Virgin Excavated Natural Materials (VENM) or other materials that meet the current EPA's specifications to be classified as Excavated Natural Materials (ENM). These materials will be sourced from excavation and civil works. Material that does not meet the required Classification will not be permitted to enter the site.

The berms will be seeded with spray grass (by hydro-mulching) upon completion to assist in minimising dust generation and for the long-term erosion & sediment control purposes as well.

## 1.6 GENERALLY

There are no industrial activities proposed to be conducted on the site, the application is limited to the works described in this report which would include the following:

- Rural supplies.
- "Mums and Dads" in trailers or utes are expected to be able to obtain rural supplies.
- One area of avoidance will be the on-site blending of mushroom compost and chicken manure. If these materials are brought to site these would have already been blended to avoid odour nuisances experienced at other landscape suppliers.
- This would include a range of materials used by the rural industry. It would include water storage tanks. It would also extend to materials that are difficult to obtain.

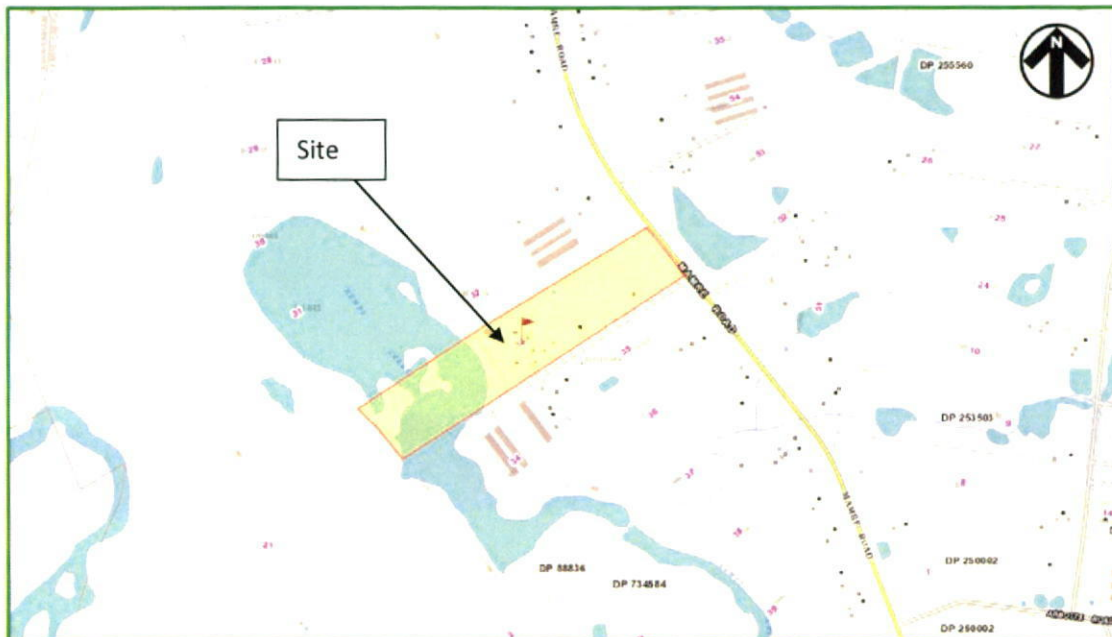
At this stage the materials proposed do not extend to liquids in bulk. Rural supplies in smaller containers and packages consisting of stockfeeds would be supplied.



## 2. LOCATION

The subject site is known as Lot 33, DP 258414, (901) Mamre Rd Kemps Creek.

Figure 2-1: Site Location



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

The land is generally described as rural land which contains a dwelling house, a number of rural sheds and outbuildings, fencing and internal roads. The land adjoins other rural holdings which are being operated for a variety of rural and rural-residential purposes. This land has access directly to Mamre Road. The Kemps Creek watercourse lies to the west (rear); no works are to be undertaken within 40 m of the vicinity of this body.

A stand of small native trees and scrub occupies part of the northern boundary; other than this vegetation the land is cleared.

Figure 2-2: Aerial Photo



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

Figure 2-3 and 2-4 presents a site layout. The site layout shows the following features:

- The general site layout and existing improvements.
- The intended uses of the site that is the subject of this development application.
- The rural supplies storage and display area.
- The truck turning area, car parking area and internal road layout.
- The temporary stockpile area.
- The existing shed which is to be converted into an office/amenities building.
- The table drains.
- The earth berms.
- The gross pollutant trap.



LOT 33  
DP258411

MAIN ROAD

HARDSTAND FOR  
DISPLAY OF  
RURAL GOODS

HARDSTAND FOR  
DISPLAY OF  
RURAL GOODS

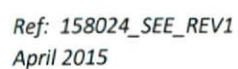
OFFICE &  
AUDITORIUM

KEY

TYPICAL EARTH BERM

LANDSCAPING WORKS

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26





### 3. STATUTORY PLANNING DOCUMENTS

#### 3.1 ENVIRONMENT PROTECTION AUTHORITY

Since the material used for the berms and the hardstand area is to meet the Classification Guidelines as Virgin Excavated Natural Material (VENM) and/or Excavated Natural Material (ENM), there are no other relevant EPA statutory requirements.

#### 3.2 PENRITH CITY COUNCIL

The relevant Penrith City Council planning documents are described hereunder.

##### 3.2.1 Penrith City Council LEP 2010

The land is zoned part RU2 Rural Landscape and part E2 Environmental Conservation in Penrith Local Environment Plan 2010 (PLEP2010). The section of the land where the proposed activity is to occur is entirely within the RU2 zone. The zone allows for the following activities:

##### *Zone RU2 Rural Landscape*

##### *1 Objectives of zone*

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To preserve and improve natural resources through appropriate land management practices.*
- *To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.*

##### *2 Permitted without consent*

*Extensive agriculture; Home occupations*

##### *3 Permitted with consent*

*Agricultural produce industries; Agriculture; Animal boarding or training establishments; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; **Rural supplies**; Schools; Secondary dwellings; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals*

##### *4 Prohibited*

*Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3*



The proposal is for the operation of a rural supplies business upon rural land, and the associated erection of earth berms, hardstand and car parking being ancillary matters to facilitate the main business. The proposal is an allowable activity and thus permissible with Consent.

The land is rural land; the application does not include any activity to be conducted upon the land except for that as described in this document.

The land is also mapped for *Scenic Character and Landscape Values*. This is in the following terms:

#### **6.5 Protection of scenic character and landscape values**

*(1) The objectives of this clause are as follows:*

- (a) to identify areas that have particular scenic value either from major roads, identified heritage items or other public places,*
- (b) to ensure development in these areas is located and designed to minimise its visual impact.*
- (2) This clause applies to land identified as "Land with scenic and landscape values" on the Scenic and Landscape Values Map.*
- (3) Development consent must not be granted for any development on land to which this clause applies unless the consent authority is satisfied that measures will be taken, including in relation to the location and design of the proposed development, to minimise the visual impact of the development from major roads, identified heritage items and other public places.*

The erection of an earth berm satisfies the objectives of the Clause as follows:

- The vegetated earth berm is visually inoffensive when viewed from Mamre Road, its scale and appearance being both sympathetic to and in context with the rural locality.
- The proposed hardstand and internal road is located behind the berm and thus cannot be seen from the public realm.
- The earth berm provides for visual amelioration for any rural supplies activity that is to be conducted upon the premises.



## **4. OTHER MATTERS**

### **4.1 HOURS OF OPERATION**

The proposed hours of operation of the landscaping and rural supplies business are:

- Monday to Friday 6.00 am to 6.00 pm
- Saturday 7.00 am to 1.00 pm
- Sunday – no trading.

### **4.2 STAFFING**

The proposed business to be conducted upon Lot 33 will employ 1 permanent and up to 2 casual staff.

### **4.3 ACCESS**

All deliveries, truck and car movements are to access the site off Mamre Road.

No vehicles will access the site outside of the trading hours as described in Section 4.1.

### **4.4 SERVICES**

Power and water are available to the site and are connected to the existing site office and amenities building.

Rainwater will be collected and stored in rainwater tanks and reused for dust suppression within the site activities.

The site is un-sewered and a small onsite recycling septic system is currently installed that services the amenities building.



## 5. ENVIRONMENTAL SAFEGUARDS AND RECOMMENDATIONS

The proposed uses would have minimal environmental impact with the safeguards that are proposed. Visual amenity is an issue that may affect certain nearby land holders and as the nature of the proposed use will generate the occasional noise emission, the building of vegetated earth berms is considered to be a useful safeguard.

Heavy vegetation/planting on specific areas of the site will achieve several objectives:

- Visual screening;
- Wind break to protect stockpiles and bunkers from wind erosion;
- Noise reduction if the berms are made 3 m in height.

The vegetated earth berms would also provide protection to the amenity of adjoining property owners and enable a successful business to continue operating with minimal to negligible nuisance.

An adequate supply of water whether from rain harvesting or mains supply will be needed for dust suppression and for the development of the examples of the use of rural supplies and landscaping materials that is proposed.

The temporary stockpiles are located at an elevated position outside of the 40 m buffer zones from the banks of Kemps Creek and with sedimentation control fencing erected on the down-slope.

## 6. SUMMARY

The proposal is to operate a rural supplies business and install hardstand areas and car parking to facilitate the business.

The proposal is consistent with the zoning and Council's relevant control policies. There are minimal works required to facilitate the proposed activity, limited to infrequent truck movements during specified business hours and earthmoving activity within the site.

As such we consider that there will be negligible additional social and environmental impacts resulting from the proposal and recommend approval.

Prepared by:

A handwritten signature in black ink, appearing to read 'Brent Winning'.

Brent Winning  
Project Manager

A handwritten signature in black ink, appearing to read 'R T Benbow'.

R T Benbow  
Principal Consultant



## 7. LIMITATIONS

Our services for this project are carried out in accordance with our current professional standards for site assessment investigations. No guarantees are either expressed or implied.

This report has been prepared solely for the use of Air Space Management Australia Pty Ltd, as per our agreement for providing environmental services. Only Air Space Management Australia Pty Ltd is entitled to rely upon the findings in the report within the scope of work described in this report. Otherwise, no responsibility is accepted for the use of any part of the report by another in any other context or for any other purpose.

Although all due care has been taken in the preparation of this study, no warranty is given, nor liability accepted (except that otherwise required by law) in relation to any of the information contained within this document. We accept no responsibility for the accuracy of any data or information provided to us by Air Space Management Australia Pty Ltd for the purposes of preparing this report.

Any opinions and judgements expressed herein, which are based on our understanding and interpretation of current regulatory standards, should not be construed as legal advice.