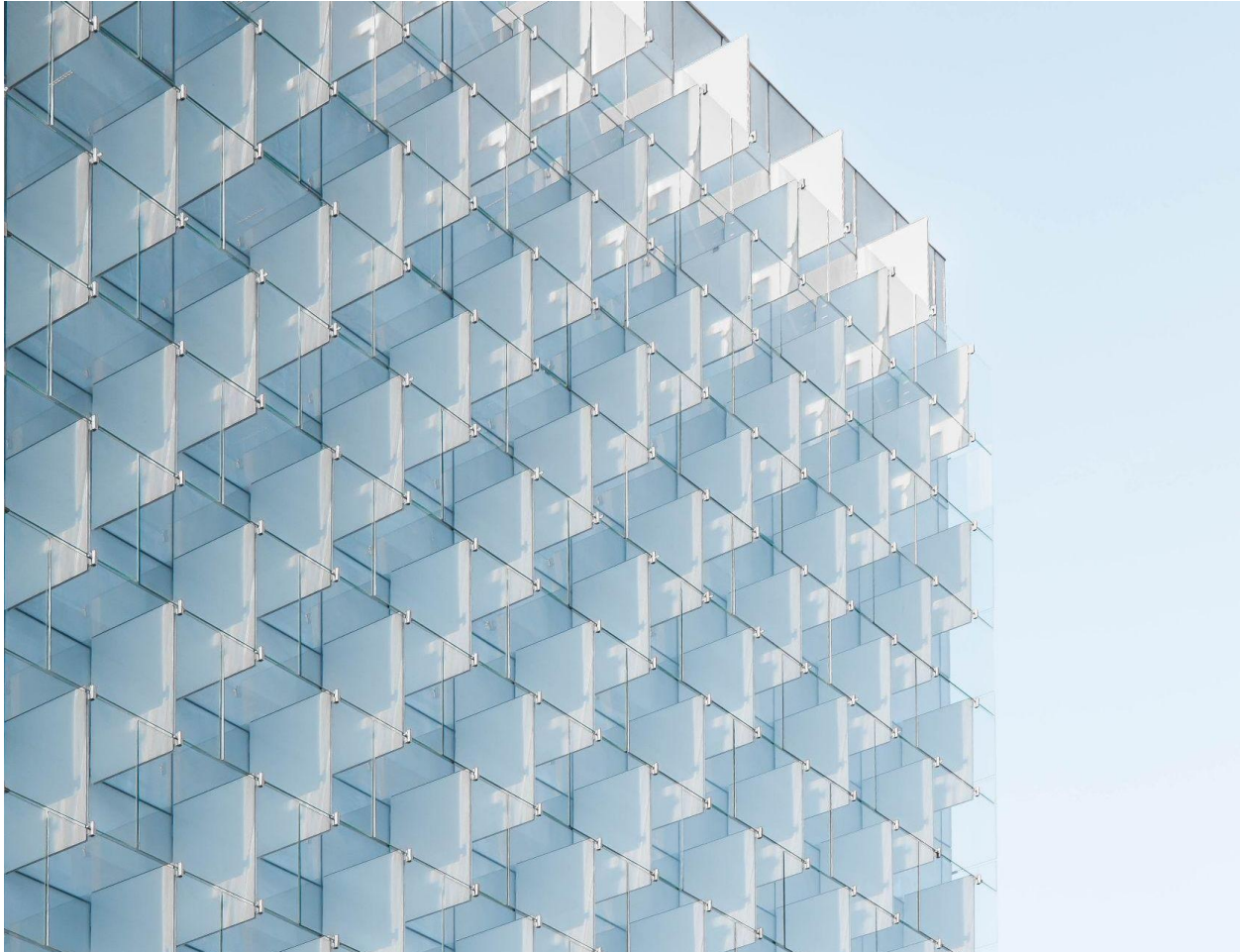


WILLOWTREE PLANNING



9 September 2021

Ref: WTJ21-327
Contact: Cameron Gray



STATEMENT OF ENVIRONMENTAL EFFECTS:

Proposed Extension of Existing Warehouse Facility

24-27 Lambridge Place, Penrith
Lot 11 & 12 DP 1087962

—
Prepared by Willowtree Planning Pty Ltd
on behalf of Vaughan Constructions

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DOCUMENT CONTROL TABLE			
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APPENDICES

Appendix	Document	Prepared by
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2	Operational Details	Foodboss Pty Ltd
3	Penrith Development Control Plan 2014 Assessment Table	Willowtree Planning
4	Detailed Site Investigation	LG Consult
5	Clause 4.6 Variation Request	Willowtree Planning
6	Water Sensitive Urban Design (WSUD) and Flood Management Report	Sparks + Partners
7	Traffic Report	Ason Group
8	DRAINS Model	Sparks + Partners
9	MUSICX Model	Sparks + Partners
10	Acoustic Report	BGMA Pty Ltd
11	Waste Management Plan	LG Consult
12	Building Code of Australia Assessment Report	MBC Group
13	Salinity Investigation Report	LG Consult

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PART A PRELIMINARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning on behalf of Vaughan Constructions, and is submitted to Penrith City Council (Council) to support a Development Application (DA).

This DA seeks development consent for expansion of the existing warehouse facility at 24-27 Lambridge Place, Penrith (the Site). The Site is legally described as Lot 11 & 12 DP1087962. The purpose of the development is to expand the warehouse operations on the Site, provide a hardstand truck parking yard and additional car parking whilst retaining the efficient and orderly use of the site.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 and Part 1 of Schedule 1 of the Environmental Planning and Assessment Regulations 2000. Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out.

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

1.2 PRE-LODGEMENT CONSULTATION

A request for a Pre-Lodgement meeting was issued to Council on 5 July 2021. At the time of writing, no formal correspondence has been received.





PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The Subject Site is identified as 24-27 Lambridge Place, Penrith, formally known as Lot 11 & 12 DP1087962. The Site is zoned IN1 General Industrial pursuant to the *Penrith Local Environmental Plan 2010* (PLEP 2010).

The Site is irregular in shape and is bound by Lambridge Place to the south and west. The Site comprises an area of approximately 12,561m². The western side of the Site has been developed and contains a two-storey industrial building with an associated office, serving as cold food storage/warehouse. The eastern side of the Site remains undeveloped and is currently used as a parking area for trucks and cars.

The surrounding development generally comprises industrial development being within the IN1 zone including warehouses, storage areas and specialised retail premises. The Site is located opposite the Penrith Valley Active Zone which contains a number of uses including a gym and aquatic centre.

The Site is located within the Penrith Local Government Area (LGA) and is subject to the provisions of PLEP 2010. The Site is located within an established industrial area, identified as Precinct 5 - North Precinct within the Penrith Development Control Plan 2014 (PDCP 2014).

The Site is serviced predominantly by Andrews Road, which is approximately 300m north of the Site and connects to the surrounding suburbs in the Penrith LGA, as well as to the wider area, via a series of further roadways.

The Site and surrounding area are shown in **Figure 1** and **Figure 2** below.





Figure 1: Cadastral Map (Source: SIX Maps, 2021)





Figure 2: Aerial Map (Source: Near Map, 2021)

2.2 DEVELOPMENT HISTORY

Table 1 below provides a summary of the DAs relating to the Site that have been determined or are under assessment.

TABLE 1: EXISTING CONSENTS		
DA Reference	Summary	Approval Date
DA15/1182	Industrial Development - Alterations and Additions to an Existing Facility to Incorporate a New Freezer and Transition Area	11/01/2016
DA17/1202	Industrial Development - Alterations to an Existing Building and Construction of New Building for Cold Food Storage with Associated Driveway, Parking and Landscaping Works	08/08/2018

A Deferred Commencement Consent (DA17/1202) was granted on 8 August 2018 at the Subject Site for alterations to an existing building and construction of a new building for cold food storage with associated





driveway, parking and landscaping works. The Deferred Commencement Consent condition required the submission of Remedial Action Plan (RAP) and Water Sensitive Urban Design (WSUD) Strategy.

The consent has since lapsed. The development as currently proposed seeks approval for similar works, however the extent of additional warehouse area has been significantly reduced and associated parking/hardstand areas increased.





PART C PROPOSED DEVELOPMENT

3.1 OVERVIEW

This DA seeks development consent for expansion of the existing warehouse facility at the Site. **Appendix 1** contains the detailed plans for the proposed development.

Specifically, the following works are proposed:

- Construction of a single storey warehouse extension including a battery recharge station, accessible bathrooms and kitchenette;
- Construction of a single storey storage shed;
- Construction of a hardstand truck parking area and additional car parking;
- Construction of a double swing gate at the easternmost driveway;
- Extension of the width of the easternmost driveway to allow two-way entry and exit;
- Relocation of one (1) street tree towards the west to accommodate the extension of the driveway; and
- Associated landscaping works.

3.2 DEVELOPMENT STATISTICS

The proposed expansion of the existing warehouse facility includes those works as identified in **TABLE 2** below.

TABLE 2: DEVELOPMENT STATISTICS	
Component	Proposed
Site Area	12,561m ²
Building Type	Warehouse
Gross Floor Area (Total)	4,010m ²
Floor Space Ratio	0:32:1
Building Height	14.62m (Warehouse Extension) 8.15m (Storage Shed)
Warehouse Extension	Freezer: 878m ² Battery Recharge: 136m ² Total: 1,013m ²
Storage Shed	306m ²
Tree Removal / Planting	Relocation of one (1) street tree
Hardstand Truck Parking	3,950m ²
Car Parking	23 spaces



Proposed Extension of Existing Warehouse Facility
 24-27 Lambridge Place, Penrith (Lot 11 & 12 DP 1087962)



Cost of works	\$3,948,000
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Figure 3: Site Plan (Source: Pace Architects, 2021)

3.1 OPERATIONAL DETAILS

No change to the existing operational details of the Site, including operating hours and staff, are proposed as part of the development. The operation details of the existing Site have been provided in **Appendix 2** of this SEE.





PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the Site in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act). The statutory planning framework relevant to the proposed development at the Site includes:

- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulation 2000*;
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*;
- *State Environmental Planning Policy No 55 – Remediation of Land*;
- *Sydney Regional Environmental Plan No.20 – Hawkesbury Nepean River*;
- *Penrith Local Environmental Plan 2010*; and
- *Penrith Development Control Plan 2014*.

4.2 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the principle planning and development legislation in New South Wales. Pursuant to Part 4, the proposal is considered local development.

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **Table 3** below.

TABLE 3: SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The principal EPI for the proposed development on the Subject Site is PLEP 2010.
Section 4.15(1)(a)(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 Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are currently no proposed EPIs that have been subject to public consultation which is relevant to the Site or proposal.
Section 4.15(1)(a)(iii) any development control plan, and	The applicable Development Control Plan (DCP) is PDCP 2014 with the relevant provisions discussed below in Section 4.9 of this SEE and Appendix 3 .
Section 4.15(1)(a)(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	There are no voluntary agreements (VPA) applicable to the Site.





Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The proposed development comprises local development.
Section 4.15(1)(b)-(c)	The potential environmental impacts and suitability of the Site for the proposed development are discussed in Part E of this SEE.

Pursuant to Section 4.5 of the EP&A Act, the consent authority for the proposed development is Penrith City Council. It is however noted that given the extent of the variation to the Height of Buildings Development Standard, the application will be required to be determined by the Independent Hearing and Assessment Planning.

Section 4.46 of the EP&A Act defines “Integrated Development” as matters which require consent from Council and one or more authorities under related legislation. In these circumstances, prior to granting consent, Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

It is noted that the proposed development does not trigger Integrated Development pursuant to Section 4.46 of the EP&A Act

4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

The proposal has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). Clause 50 and Part 1 of Schedule 1 of the EP&A Regulation stipulates how a DA must be “made”. This DA satisfies the relevant criteria of the Regulation as follows:

- 1) *A development application must:*
 - a) *be in the form that is approved by the Planning Secretary and made available on the NSW planning portal, and*

The DA includes all relevant information approved by the Planning Secretary and in accordance with the NSW Planning Portal guidelines.

- b) *contain all of the information that is specified in the approved form or required by the Act and this Regulation, and*

The DA is accompanied with all the relevant consultant reports as required under the EP&A Act and EP&A Regulation. This includes the appropriate application form provided by Penrith City Council which has been completed and utilised in the preparation of the DA.

- c) *be accompanied by the information and documents that are specified in Part 1 of Schedule 1 or required by the Act and this Regulation, and*

The DA includes all relevant information including details of the development, address and formal particulars, owner’s consent, supporting documents and Statement of Environmental Effects.





d) *be lodged on the NSW planning portal.*

The DA will be lodged via the NSW Planning Portal.

Further, the proposal does not trigger 'Designated Development' pursuant Schedule 3 of the EP&A Regulation.

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO 33 - HAZARDOUS AND OFFENSIVE

The proposed development, being the extension of a cold food storage/warehouse is not deemed to be "potentially hazardous industry" under *State Environmental Planning Policy No.33 - Hazardous and Offensive Development* (SEPP 33). The proposed development does not pose any risk in relation to the locality in human lift, property, the biophysical environment, or includes a hazardous industry or hazardous storage establishment.

4.5 STATE ENVIRONMENTAL PLANNING POLICY NO 55 - REMEDIATION OF LAND

Clause 7(1) of *State Environmental Planning Policy No 55 - Remediation of Land* (SEPP 55) requires that a consent authority must not grant development consent on land unless:

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

A Detailed Site Investigation has been undertaken (**Appendix 4**) on the Site which has collected and analysed soil samples across 15 locations on the Site. Based on the findings of the Detailed Site Investigation the following conclusions are provided:

- The surface fill materials comprised clay, gravel and minor traces of demolition at the locations investigated. The fill was underlain by natural clay;
- The soils at the location sampled and analysed did not contain concentrations of total recoverable hydrocarbons (TRHs); benzene, toluene, ethylbenzene and xylene (BTEX), polycyclic aromatic hydrocarbons (PAHs), organochlorine pesticides (OCPs), organophosphate pesticides (OPPs), polychlorinated biphenyl (PCBs) and heavy metals that were greater than the commercial/industrial land use criteria, at the time of testing, with the following exception:
 - Benzo(a)pyrene concentrations were detected above the Ecological Investigation Levels (EIL) D criteria, however benzo(a)pyrene concentrations in the soil were below the Health-Based Soil Investigation Levels (HIL) D criteria. It is therefore considered that further investigation or remediation of the EIL D exceedances is not required in order to meet land use suitability for the purposes of the proposed development.





- The assessment result indicate that the Subject Site is suitable for the proposed industrial development, consistent with the IN1 zoning.

Given the above, it is considered that the land is suitable in its current state for the purposes of the proposed development and no remediation works are required to be undertaken. As such the proposed development satisfies the requirements of SEPP 55.

4.6 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO.20 - HAWKESBURY NEPEAN RIVER

The aim of the *Sydney Regional Environmental Plan No.20 - Hawkesbury Nepean River* (SREP 20) is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Subject to the appropriate management of the Site during construction and operation, it is considered that the proposed development will not result in any adverse impacts on the river system.

4.7 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The *Penrith Local Environmental Plan 2010* (PLEP 2010) is the primary environmental planning instrument that applies to the Site.

The relevant provisions of PLEP2010 as they relate to the Subject Site are considered below:

4.7.1 Zoning and Permissibility

The Subject Site is zoned IN1 General Industrial pursuant to PLEP 2010. Refer to **Figure 4** below:



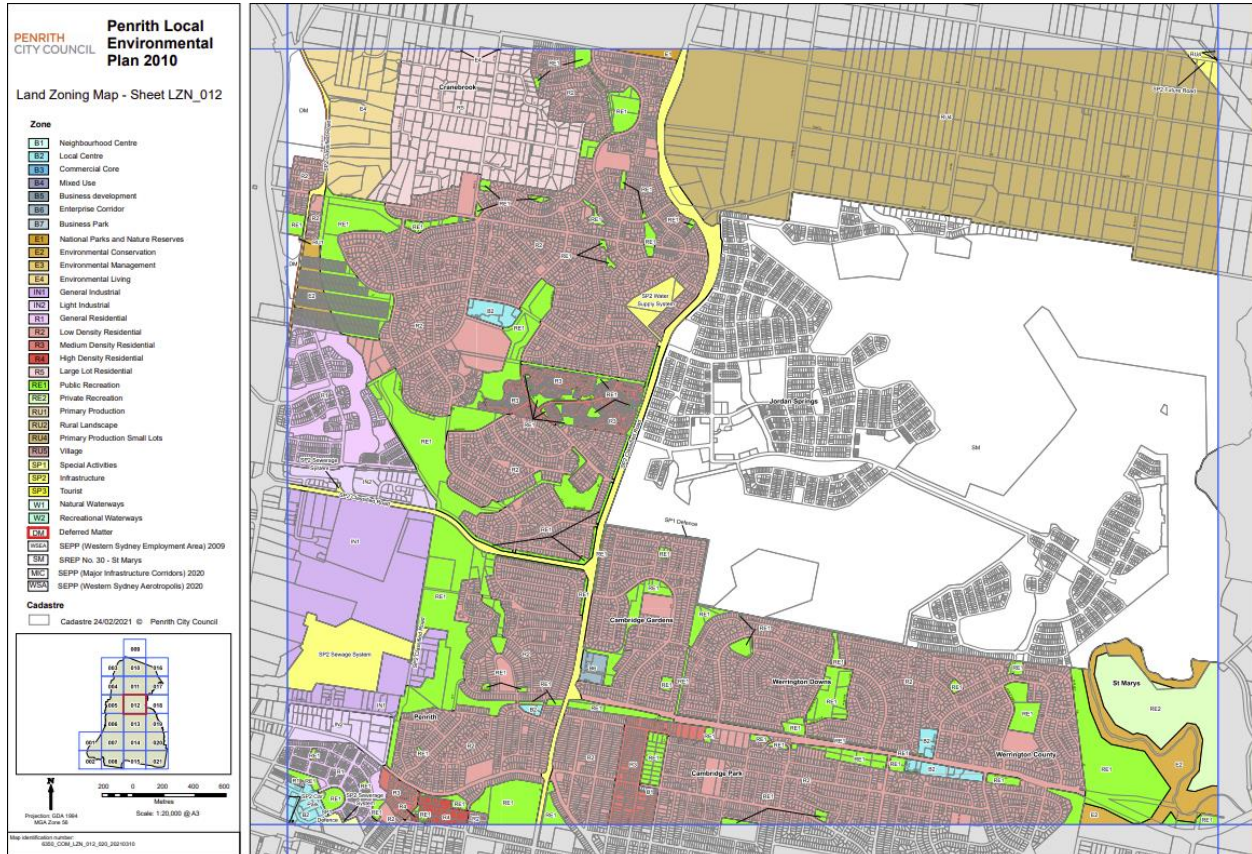


Figure 4: PLEP2010 Zoning Map (Source: NSW Legislation, 2021)

Zone Objectives

The objectives of the IN1 General Industrial zone are to:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To promote development that makes efficient use of industrial land.*
- *To permit facilities that serve the daily recreation and convenience needs of the people who work in the surrounding industrial area.*

The proposal is consistent with the objectives of the IN1 zone as the proposed use will remain as an industrial and warehouse land use and expand upon the eastern side of the Site which is currently vacant, resulting in a more efficient use of the Site. The development will not result in any adverse impacts on surrounding land uses and will promote the efficient use of the Site.





Further, as can be seen below, warehouse or distribution centers are permitted with consent in the IN1 zone pursuant to PLEP 2010:

2. Permitted with consent

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

Table 4 outlines the developments consistency and compliance with the relevant development standards and controls under PLEP 2010.

TABLE 4: DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 - Minimum Lot Size	The minimum lot size standard for the Site is 2,000m ² , pursuant to PLEP2010. The proposed development has a lot size of 12,561m ² which complies.
Clause 4.3 - Height of Buildings	The maximum building height for the Site is 12m, pursuant to PLEP 2010. The proposed development has a maximum building height of 14.62m which exceeds the development standard by 2.62m or 21.9%. A Clause 4.6 Request to vary the height of buildings development standard has been included in Appendix 5 .
Clause 4.4 - Floor Space Ratio	There are no FSR standards applicable to the Site. Notwithstanding, the proposed development result in a floor space ratio of 0.32:1 on the Site.
Clause 4.6 - Exceptions to development standards	A Clause 4.6 Request to vary the height of buildings development standard has been included in Appendix 5 .
Clause 5.10 - Heritage	The Site is not identified as a Heritage Item or within a heritage conservation area.
Clause 7.3 - Flood Planning	The Site is identified as "Flood Planning Land". Consideration of the flooding impact of the proposed development have been considered in the Water Sensitive Urban Design (WSUD) and Flood Management Report contained in Appendix 6 .





	<p><u>Nature of Flooding</u></p> <p>Council's flood information detailing the impacts of mainstream flooding estimates the 100 year ARI storm event flood level is to be RL25.000m AHD. It is noted that Council is currently undertaking an overland flow flood study for the Cranebrook catchment.</p> <p><u>Flood Storage Offset</u></p> <p>To manage flood waters without negatively impact neighboring sites, the proposed development has been designed such that the development does not reduce the flood storage volume from the existing Site. The existing Site condition provides a flood storage area of 1,908m³ and the proposed development provides a flood storage volume of 1,915m³, resulting in an additional 7m³ of flood storage.</p> <p><u>Building Floor Level</u></p> <p>The proposed warehouse building provides a finished floor level of RL26.300m, satisfying the 0.5m freeboard required from the 100 year ARI flood level for habitable floors. The proposed shed will only be used for storage purposes and has a finished floor level of RL25.100m, providing 0.1m freeboard from the 100 year ARI floor level.</p> <p><u>Risk to Person and Property</u></p> <p>In the event of a mainstream flood, it is likely Lambridge Place will be inundated due to flood water, where evacuation from the Site would not be possible in such an event. In the extreme event that flood waters inundate the building, persons may take refuge on the first floor located at RL29.300m AHD, approximately 4.3m above the 100 year ARI flood level.</p>
<p>Clause 7.5 - Protection of scenic character and landscape values</p>	<p>The Site is identified as "Land with scenic and landscape values".</p> <p>The proposed development has been designed to result in minimal adverse impacts on the existing landscape and scenic character of the area. Appropriate landscaping treatment has been provided within the front setback and the extension designed to be compatible with the built form in the surrounding locality.</p> <p>The proposed development exceeds the maximum building height permitted, however this is a result of the nature of the use and the existing Site constraints being flood prone land. Nonetheless, the proposed extension has been designed to be commensurate in form and scale with the extension warehouse and surrounding industrial</p>





	<p>development. Sympathetic finishes and materials have been employed to minimise visual impacts.</p> <p>Given the configuration and location of the Site, it is considered that the development will not impact scenic values when viewed from nearby major roads or public space.</p> <p>Given the above, the development is generally considered to satisfy Clause 7.5(3) of PLEP 2010.</p>
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4.8 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the Site.

4.9 PENRITH DEVELOPMENT CONTROL PLAN 2014

The *Penrith Development Control Plan 2014* (PDCP 2014) supplements the PLEP 2010 and provides more detailed provisions to guide development. A DCP control table is provided in **Appendix 3** which outlines the relevant development controls with apply to the proposed development.

The proposed development is largely compliant with the controls prescribed by the PDCP 2014. Where the proposal exhibits a non-compliance with the DCP requirements, it has been demonstrated that the objectives of the control have been met.

In this respect the Environmental Planning and Assessment Amendment Act 2012, which commenced on 1 March 2013, clarified the purpose and status of development control plans, being to **'provide guidance'** to proponents and Councils in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument. Furthermore, to assist in the assessment of development applications, the amended legislation states that where a proposal does not comply with DCP controls, the consent authority is to be **'flexible in applying those provisions'** and allow for **'reasonable alternative solutions'** that achieve the objectives of those standards for dealing with that aspect of the development.

In light of the above, it is respectfully submitted that it is pertinent to acknowledge the status and application of DCPs in the consideration of this development application, where any elements not achieving strict compliance have been designed and considered on their merits and in response to the objectives of the controls and providing a reasonable alternative solution.





4.10 PENRITH CITY SECTION 7.12 CITYWIDE DEVELOPMENT CONTRIBUTION PLAN FOR NON-RESIDENTIAL DEVELOPMENT

The proposed development will be subject to the 4.11 Penrith City Section 7.12 Citywide Development Contributions Plan for Non-Residential Development.





PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

The proposed development would promote the efficient use of the land intended for industrial purposes which satisfies the provisions, overarching aims and objectives set out within the PLEP2010.

The proposed development is compatible with the prevailing character of the area. Importantly, the proposed development is generally in accordance with the development standards specified by the PLEP 2010, with the exception of the building height development standard which has been appropriately supported by a Clause 4.6 Variation Request. In particular, the proposal demonstrates compliance with the majority of development controls specified under the PDCP 2014.

The proposal will not exhibit any undue environmental impacts and will not adversely impact the amenity of neighbouring properties. Therefore, the proposed development is considered compatible with the Site context.

5.2 BUILT FORM

The proposed has been architecturally designed and incorporates high quality materials and finishes and appropriate landscaping, so as to positively contribute to the visual character of the area.

The proposed development has a maximum building height of 14.62m which exceeds the development standard by 2.62m or 21.9%. A Clause 4.6 Request to vary the height of buildings development standard has been included in **Appendix 5** which appropriately demonstrates that built form of the development will not result in any unreasonable impacts on the adjoining properties or surrounding locality.

5.3 TRAFFIC & TRANSPORT

A Traffic Report has been provided (**Appendix 7**) which details compliance with the relevant Australian Standards and controls contained within Penrith Development Control Plan 2014 relating to car parking, vehicle manoeuvrability, vehicle movements, loading and access.

5.4 STORMWATER

The proposal adopts the principles of Water Sensitive Urban Design (WSUD) in the final stormwater design and management practices which are detailed in the Water Sensitive Urban Design (WSUD) and Flood Management Report contained in **Appendix 6**. The following integrated water management strategies have been considered and addressed for the proposed development:

- Employ an integrated water collection and recycling system for capturing and recycling roofwater;





- Control the quality of stormwater that is disposed from the Site;
- Control the quantity of stormwater that is discharged from the Site.

To demonstrate the above, concept stormwater drainage plans and associated details along with modelling using the Council endorsed MUSICX software package have been provided in **Appendices 6, 8** and **9**. The concept stormwater drainage plans detail the location of the water management infrastructure including pits, pipes, rainwater tank, above ground on-site stormwater detention, filter chamber and filter baskets.

Water Conservation

Water usage reduction is to be achieved throughout the development through the use of a minimum of AAA rated water fixtures. These fixtures in the development comprise of two (2) toilets, associated wash basins, showers and a kitchenette facility.

Rainwater Reuse

Through the reuse of collected roofwater for non-potable reuse, the proposed demand on potable water resources is reduced. The proposed development will capture roof water from part of the building roof are (1,111m²) and convey this to a rainwater tank with a minimum effective storage of 20,000 litre for storage and reuse throughout the development. Reuse purposes will primarily include toilet flushing and irrigation uses. A water balance of the proposed reuse system has been completed to model the effectiveness and efficient of the system, The water balance model was construction using the MUSICX software package with the following inputs:

- Penrith City Council MUSIC-link;
- Daily reuse demand = 0.17kL/day (2 toilets at 0.1kL/day over 6/7 days per week);
- Annual reuse demand = 178.4kL (445m² total irrigation area x 0.4kL/m² for sprinkler system irrigation)

Using the above determined non-potable demand the MUSICX model determines the rainwater tank has an approximate efficiency of 83.4%. This resultant efficiency is compliant with the minimum 80% requirement as per the PDCP 2014 and WSUD Guidelines. A MUSIC-link report is provided within the Water Sensitive Urban Design (WSUD) and Flood Management Report contained in **Appendix 6**.

Stormwater Quality

To ensure the quality of stormwater leaving the Site is acceptable and satisfies Council's requirements, specific water quality treatment measures are to be employed. These treatment measures are to treat the collected stormwater runoff prior to discharge to the Council drainage swale located in Lambridge Place. The treatment measures are consistent of a 20,000L rainwater tank, Ocean Protect precast stormfilter manhole DN2250 internal offline with 5 x 690m Psorb cartridges and 5 x Ocean Protect Oceaguards. The combination of these measures provides a treatment train approach to the treatment of stormwater runoff.

Modelling of the proposed treatment measures have been undertaken using MUSICX package version 1. The modelling inputs have been based on the pre-loaded PCC nodes using MUSIC-link. The modelling result of the water quality achieved for the Site are detailing below in **Table 5** and **Figure 5**.





TABLE 5: MUSIC MODEL RESULTS					
	Source Load	Residual Load	Reduction Achieved (%)	Reduction Requirement	Compliance
Total Suspended Solids (kg/yr)	971.7	126.7	86.5	85	Yes
Total Phosphorus (kg/yr)	1.68	0.6351	62.19	60	Yes
Total Nitrogen (kg/yr)	8.243	4.505	45.35	45	Yes
Gross Pollutants (kg.yr)	96.57	3.099	96.8	90	Yes

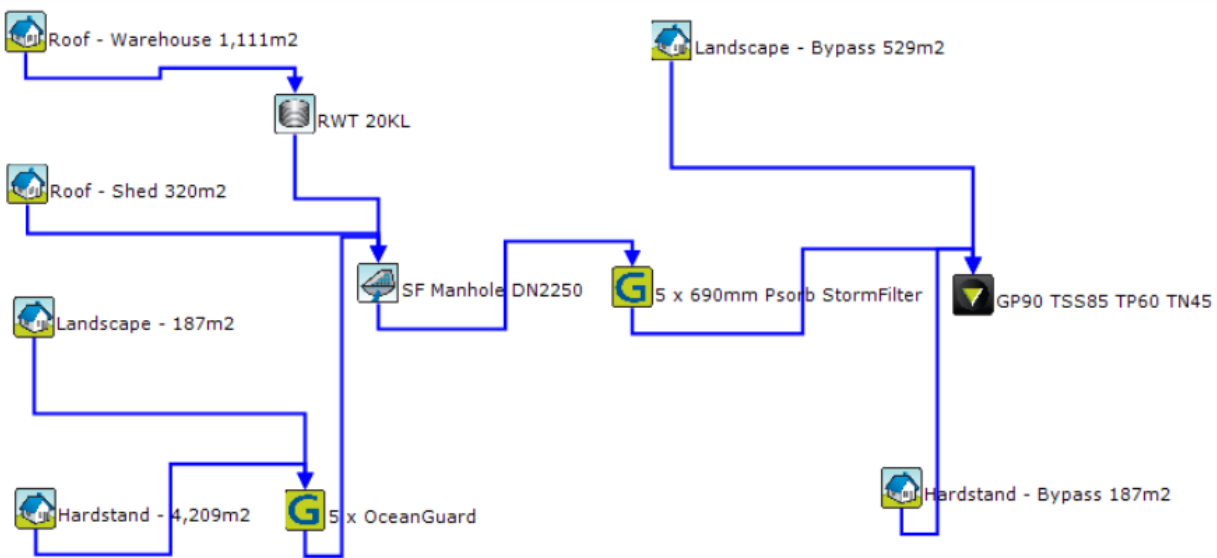


Figure 5: MUSIC Model Results (Source: Sparks + Partners, 2021)

Stormwater Quantity

The proposed development requires the implementation of on-site detention (OSD) as per Appendix D of Council’s Stormwater Drainage Policy to control stormwater discharge from the Site. The proposed development has an approximate area of 89% drainage to the proposed OSD facility which includes hardstand (4,209m²), roof (1,431m²) and landscaped (187m²) area. A catchment plan of the proposed development is included in the Civil Engineering Plans (**Appendix 6**).

As per Council’s Stormwater Drainage Policy, the stormwater modelling software DRAINS has been used to determine the required volume and discharge for the proposed development. The Site is flood affected and becomes inundated with flood waters during the 100 year ARI storm event. As this occurs, the OSD is ineffective and cannot discharge stormwater runoff due to the surrounding flood water conditions. The above ground OSD basin has been designed such that the post development rate for all storm events up to and including the 50 year ARI does not exceed the rate of runoff from the pre-developed Site, and





provide flood offset storage volume for the 100 year ARI storm event. A summary of the above analysis has been included in the Water Sensitive Urban Design (WSUD) and Flood Management Report (**Appendix 6**).

Maintenance and Monitoring

To ensure the continued efficient and correct operation of the proposed WSUD infrastructure a 'Maintenance and Monitoring Schedule' is included within the Water Sensitive Urban Design (WSUD) and Flood Management Report contained in **Appendix 6**. The schedule details the frequency of inspections, what is to be inspected and what rectifications to make if required for the water management infrastructure located within the proposed development. The schedule is to be implemented upon the commissioning of the water management infrastructure and remain in place for the life of the development; with all records kept on-site for inspection should the approval authority deem it necessary.

5.5 EROSION & SEDIMENT CONTROL

Concept Sediment and Erosion Control Plans and details have been included in **Appendix 6** which demonstrate compliance with Council's controls and that the Site can be effectively managed so as to minimise erosion and sediment runoff.

5.6 FLOODING

The Site is identified as "Flood Planning Land". Consideration of the flooding impact of the proposed development have been considered in the Water Sensitive Urban Design (WSUD) and Flood Management Report contained in **Appendix 6**.

Nature of Flooding:

Council's flood information detailing the impacts of mainstream flooding estimates the 100 year ARI storm event flood level is to be RL25.000m AHD. It is noted that Council is currently undertaking an overland flow flood study for the Cranebrook catchment.

Flood Storage Offset

To manage flood waters without negatively impact neighboring sites, the proposed development has been designed such that the development does not reduce the flood storage volume from the existing Site. The existing Site condition provides a flood storage area of 1,908m³ and the proposed development provides a flood storage volume of 1,915m³, resulting in an additional 7m³ of flood storage.

Building Floor Level

The proposed warehouse building provides a finished floor level of RL26.300m, satisfying the 0.5m freeboard required from the 100 year ARI flood level for habitable floors. The proposed shed will only be used for storage purposes and has a finished floor level of RL25.100m, providing 0.1m freeboard from the 100 year ARI floor level.





Risk to Person and Property

In the event of a mainstream flood, it is likely Lambridge Place will be inundated due to flood water, where evacuation from the Site would not be possible in such an event. In the extreme event that flood waters inundate the building, persons may take refuge on the first floor located at RL29.300m AHD, approximately 4.3m above the 100 year ARI flood level.

5.7 CONTAMINATION

A Detailed Site Investigation has been undertaken (**Appendix 4**) on the Site which has collected and analysed soil samples across 15 locations on the Site. Based on the findings of the Detailed Site Investigation the following conclusions are provided:

- The surface fill materials comprised clay, gravel and minor traces of demolition at the locations investigated. The fill was underlain by natural clay;
- The soils at the location sampled and analysed did not contain concentrations of total recoverable hydrocarbons (TRHs); benzene, toluene, ethylbenzene and xylene (BTEX), polycyclic aromatic hydrocarbons (PAHs), organochlorine pesticides (OCPs), organophosphate pesticides (OPPs), polychlorinated biphenyl (PCBs) and heavy metals that were greater than the commercial/industrial land use criteria, at the time of testing, with the following exception:
 - Benzo(a)pyrene concentrations were detected above the Ecological Investigation Levels (EIL) D criteria, however benzo(a)pyrene concentrations in the soil were below the Health-Based Soil Investigation Levels (HIL) D criteria. It is therefore considered that further investigation or remediation of the EIL D exceedances is not required in order to meet land use suitability for the purposes of the proposed development.
- The assessment result indicate that the Subject Site is suitable for the proposed industrial development, consistent with the IN1 zoning.

Given the above, it is considered that the land is suitable in its current state for the purposes of the proposed development and no remediation works are required to be undertaken. As such the proposed development satisfies the requirements of SEPP 55.

5.8 VISUAL PRIVACY

Given the nature of the proposal and its location within the Site, it is considered that the proposed development will not result in any adverse visual privacy impacts on the surrounding property.

5.9 NOISE

An Acoustic Report (**Appendix 10**) was undertaken as part of DA17/1202 which provided a detailed assessment of likely acoustic impacts of the expansion of the warehouse facility as originally proposed. The report concluded that based upon the on-site measurement of operational noise levels, upon on-site





operations and upon the predicted emissions, that the proposed expansion of the warehouse would not adversely impact on far distant residential area nor upon nearby commercial/industrial premises and will be within the noise limits indicated in the NSW Industrial Policy.

Given the development as now proposed results in an overall reduction in scale, it is considered that there will be no additional adverse noise impacts. Notwithstanding, an addendum to the Acoustic Report is being prepared at the time of writing which will be provided when available.

5.10 WASTE

A Waste Management Plan (**Appendix 11**) has been provided which:

- Documents the procedures that will be undertaken to manage the waste generated as part of the development works;
- Provides details of the quantities and classification of waste and wastewater to be generated on Site;
- Provides details on waste storage, handling and disposal, including the location of waste storage and management facilities; and
- Provides details of the measures to be implemented to ensure that the development is consistent with the aims, objectives and guidance in the *NSW Waste Avoidance and Resource Recovery Strategy 2014-2021*.

5.11 HERITAGE

The Site is not identified as containing a heritage item nor is it located within a conservation area. Accordingly, the proposed development would not result in any adverse impacts to heritage values and significance of heritage items by any means.

5.12 FLORA AND FAUNA

The Site is not identified as containing Biodiversity Values or any significant flora or fauna. Accordingly, the proposed development would not result in any adverse impacts to significant flora or fauna. The proposed development involves the relocation of one (1) street towards the west to accommodate the extension of the driveway and the provision of additional landscaping within the Site. The proposed landscaping is considered consistent and compatible with the landscaping in surrounding industrial development and will enhance the flora and fauna within the Site.





5.13 BUILDING CODE OF AUSTRALIA

A Building Code of Australia (BCA) Assessment Report has been provided (**Appendix 12**) which determines that the proposed development is capable of complying with the relevant provisions of the BCA, subject to performance solutions relating to fire safety and accessibility.

5.14 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within an established industrial area and is zoned for IN1 General Industrial under the PLEP 2010. The proposed development is permissible under the IN1 zone and suitable for the intended industrial use.

The proposed development is compatible with the prevailing character of the area as it will contribute to the variety of industrial land uses within an industrial environment.

As demonstrated throughout this SEE and the supporting appendices, the proposed dwelling would respect neighbouring amenity, integrate with the established streetscape and positively contribute to the character and efficient use of the area.

5.15 SUBMISSIONS

No submissions have been received in relation to the proposed development at the time of writing. However, the applicant is willing to address any submissions, should they be received by Council.

5.16 THE PUBLIC INTEREST

As demonstrated throughout this SEE, the proposed development is considered to be in the public interest for the following reasons:

- The proposal is consistent and compatible with land uses in the surrounding locality;
- The proposal supports the viability of the building for existing and future users; and
- No adverse social, economic or environmental impacts are to result from the proposal.

Accordingly, it is considered that the proposal will have no detrimental effect on the public interest.





PART F CONCLUSION

The purpose of this SEE has been to present the proposed expansion of the existing warehouse facility at 24-27 Lambridge Place, Penrith and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

The proposal has been prepared after taking into consideration the following key issues:

- The development history of the Site;
- The context of the site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act; and
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

The proposal is considered to warrant a favourable determination for the following reasons:

- The proposal would support additions to the existing warehouse on the Site within an industrial precinct, that would uplift the visual quality and efficiency of the Site and surrounding locality.
- The proposal has been designed to improve the effective use of the Site for the occupants, whilst respecting the amenity of neighbouring properties.
- The Site is zoned for the purpose of industrial uses, and the warehouse is permissible with consent in the IN1 zone pursuant to PLEP2010.
- The proposal has demonstrated compliance with the relevant State and Local planning policies and design requirements. Where full compliance with the development control has not been achieved, the proposal will satisfy the objectives of the control.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this Report, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.

