

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED CONSTRUCTION AND FIRST USE OF INDUSTRIAL UNITS

13 RENSHAW STREET
CRANEBROOK



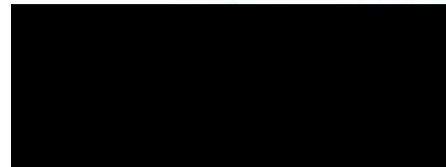
STATEMENT OF ENVIRONMENTAL EFFECTS

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Client and Land Details

Client: Better Built Homes
Subject Site: Lot 17 DP 286568, 13 Renshaw Street, Cranebrook
Proposal: Proposed Construction and First Use of Industrial Units



Warwick Stimson RPIA
Director



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Version	Date	Comment
1.0	12/8/2020	Final for lodgement

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1 INTRODUCTION

1.1 PROJECT OVERVIEW

Stimson Urban & Regional Planning has been engaged by Better Built Homes to prepare a Statement of Environmental Effects in relation to the proposed construction and use of an industrial development on the property known as 13 Renshaw Street, Cranebrook.

The proposed development includes the construction of four tenancies, one of which is proposed to be used as a takeaway food premises, two are to be used for the purposes of light industry, and one is to be constructed specifically for the client's needs as their main warehouse..

The site is zoned *IN2 Light Industrial* under *Penrith Local Environmental Plan 2010* with the proposal being permissible with consent.

The proposal is defined as *development* in Section 4 of the Act. The Act stipulates that the development must not be carried out on the subject site until consent has been obtained. Furthermore, the application does not trigger any of the 'integrated development' provisions of the Act and so no third-party approvals are required.

This report describes the proposed development and subject site in detail and undertakes an assessment of the proposal against the relevant aims, objectives, and development provisions of Council's LEP and DCP, and Section 4.15 of the Act.

1.2 REPORT STRUCTURE

This Statement of Environmental Effects is structured as follows:

- Section 1: Introduction – provides an overview of the proposal, planning history for the site and background to the application.
- Section 2: The Site and Surrounds – provides an analysis of the subject site, development within the locality and a consideration of the local and regional context.
- Section 3: Project Description – provides a detailed description of the proposed development and its characteristics.
- Section 4: Statutory Considerations – provides for an assessment of the proposal against the specific planning instruments and policies that are applicable.
- Section 5: Key Planning Issues – provides an assessment of the key issues identified in the preparation of the application.
- Section 6: Section 4.15 Assessment – provides an assessment against section 4.15 of the EPA Act.
- Section 7: Conclusion and Recommendation – summarises the report and presents a recommendation.

1.3 SUPPORTING DOCUMENTATION

The proposed is accompanied by the following documentation:

Documentation	Prepared by
Survey	Aspect Development & Survey P/L
Architectural Drawings	Kleyn Creations Pty Ltd
Stormwater Plans	ALW Design
Landscape Plan	Better Built Homes
Acoustic Report	Rodney Stevens Acoustics
Waste Management Plan	Stimson Urban & Regional Planning

1.4 LEGISLATION, ENVIRONMENTAL PLANNING INSTRUMENTS AND POLICIES TO BE CONSIDERED

- Biodiversity Conservation Act 2016
- State Environmental Planning Policy No 55—Remediation of Land: Land Application
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River
- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014

1.5 CONSENT AUTHORITY

The consent authority for this application is Penrith City Council.

2 THE SITE AND SURROUNDS

The subject site and its surrounds have the following characteristics.

Site Address	13 Renshaw Street, Cranebrook.
Lot/DP	Lot 17 DP 286568
Site Area	2346sqm approx.
Local Government Area	Penrith City Council
Zoning	IN2 Light Industry
Current Land Use	Vacant Block
Proposed Land Use	Industry
Surrounding Land Uses	North Residential South, East & West Industrial/Commercial,
Topography	Generally flat, with downwards slope at rear of site
Scenic Protection Land	Mapped as Scenic Protection Land
Heritage	Not mapped in LEP
Flooding/Overland Flow	Not mapped in LEP
Bushfire	Mapped



Figure 1 Subject Site - Aerial



Figure 2 Subject Site - Cadastre

2.1 SURROUNDING CONTEXT

The subject site is vacant and part of an industrial subdivision. Nearby allotments are currently being developed or have recently been developed. To the north of the site is the Waterside residential development.

3 PROJECT DESCRIPTION

3.1 OVERVIEW

Better Built Homes has acquired the subject site to construct a central warehousing facility for its business. Since it does not require the entire area of the site, an additional two factory units, and a takeaway food and drink premises is proposed.



Figure 3 Perspective

3.2 THE PROPOSED USE OF THE SITE

The development contains a number of elements. Units 1 and 2 are located centrally within the development, with each having some 276sqm and 275sqm gross floor area respectively. This floor space includes a mezzanine level for each unit, proposed to be used for storage purposes only.

Unit 3 is proposed to be the main warehousing and storage facility for Better Built Homes. The ground floor of this unit is some 410sqm, while the upper floor is some 557sqm, totalling 967sqm. A takeaway food and drink premises is proposed at the front of the site, measuring some 118sqm in gross floor area.

For this application, the following land uses under the LEP are sought to be approved.

Unit 1 – Light industries

Unit 2 – Light industries

Unit 3 – Warehouse or distribution centre

Take away – Take away food and drink premises.

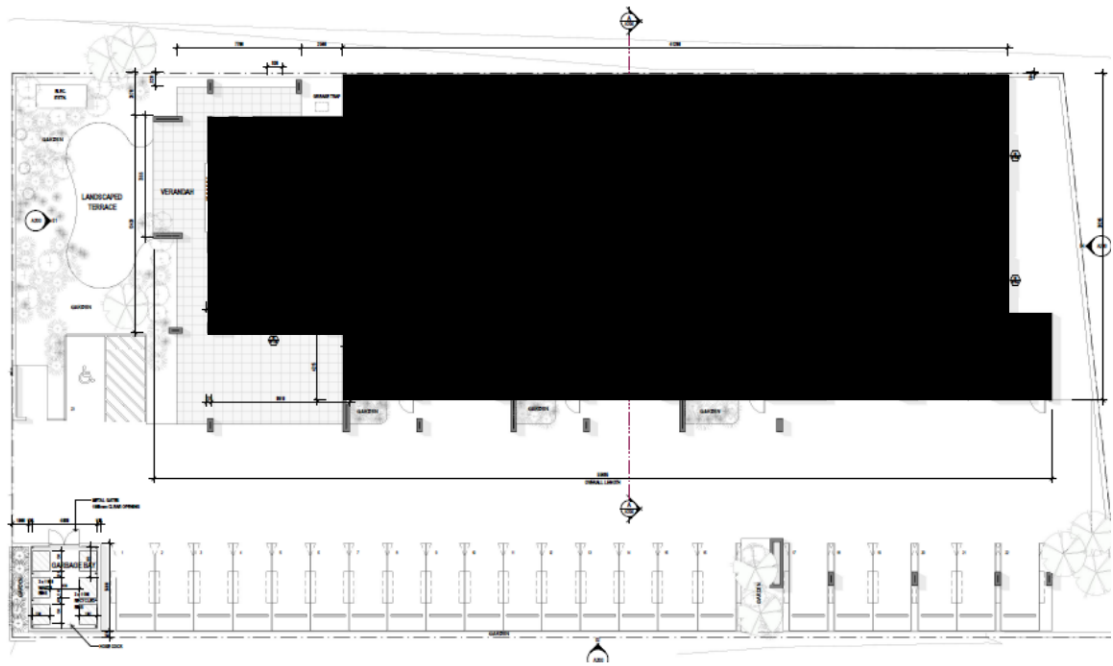


Figure 4 Ground floor plan

3.3 VEHICULAR ELEMENTS

The proposal includes on site parking for 23 car parking spaces, inclusive of one accessible space. The site is also able to be serviced by a medium rigid vehicle, although turning movements would need to be accommodated within each industrial unit.

3.4 LANDSCAPING AND OPEN SPACE

Soft landscaping is provided throughout the site, consistent with other industrial developments in the locality.

A landscaped terrace area is proposed within the front setback to provide general amenity to the development and the take way premise.

3.5 SIGNAGE

Signage for the owner is proposed at this point. Tenancy signage will be proposed under separate applications

3.6 STORMWATER DRAINAGE

A stormwater drainage concept plan accompanies the application and demonstrates compliance with Council's controls. Drainage is directed to an easement at the rear of the site.



Figure 5 Stormwater Concept Plan

Further information is appended to this report regarding the stormwater management on the site. MUSIC modelling has been carried out and accompanies the application.

3.7 UTILITIES

The site is appropriately serviced to accommodate the proposed development.

3.8 WASTE MANAGEMENT STRATEGY

A central waste room is proposed at the site entrance providing the necessary inclusions as required by Council, and is available to all tenancies.

3.9 NATIONAL CONSTRUCTION CODE COMPLIANCE

All works will be carried and comply with the National Construction Code (now incorporating the BCA). A Construction Certificate will be required in relation to the proposal and it is expected that Council will require matters relating to NCC compliance.

3.10 TREE REMOVAL

There is no vegetation on site required to be removed.

4 STATUTORY CONSIDERATIONS

The applicable statutory planning instruments and relevant guidelines have been considered below.

4.1 BIODIVERSITY CONSERVATION ACT 2016

The site is currently clear of any vegetation. No clearing is required. No further consideration of this Act is therefore needed.

4.2 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Under Clause 7(1)(A) the consent authority must not consent to a development application unless consideration has been given to whether the land is contaminated.

We assume matters relating to potential land contamination were addressed at the time of the rezoning and subdivision. No further assessment should be required on this issue.

4.3 STATE ENVIRONMENTAL PLANNING POLICY NO. 64 – ADVERTISING AND SIGNAGE

The only signage that forms part of this application is some business identification signage on the front façade of the building.



Figure 6 Front facade showing business identification signage

An assessment of that signage has been undertaken against the provisions of the SEPP.

Part 1 Preliminary	
Provision	Comments
3 Aims, objectives etc	
(1) <i>This Policy aims:</i>	
(a) <i>to ensure that signage (including advertising):</i>	
(a) <i>is compatible with the desired amenity and visual character of an area, and</i>	The signage proposed is consistent with other signage in the locality.
(ii) <i>provides effective communication in suitable locations, and</i>	Complies
(iii) <i>is of high quality design and finish, and</i>	Complies
(b) <i>to regulate signage (but not content) under Part 4 of the Act, and</i>	Noted
(c) <i>to provide time-limited consents for the display of certain advertisements, and</i>	Not applicable
(d) <i>to regulate the display of advertisements in transport corridors, and</i>	Not applicable
(e) <i>to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i>	Not applicable
(2) <i>This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</i>	Noted
6 Signage to which this Policy applies	
(1) <i>This Policy applies to all signage that:</i>	
(a) <i>can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and</i>	Noted
(b) <i>is visible from any public place or public reserve, except as provided by this Policy.</i>	Noted
(2) <i>This Policy does not apply to signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it, or that is exempt development under this Policy.</i>	Not applicable
Part 2 Signage generally	
Provision	Comments
8 Granting of consent to signage	
<i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</i>	
(a) <i>that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</i>	The proposed signage is consistent with the relevant objectives
(b) <i>that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</i>	Noted below.
Part 3 Advertisements	
Division 1 General	
9 Advertisements to which this Part applies	
(1) <i>This Part applies to all signage to which this Policy applies, other than the following:</i>	Business and Building identification signage is proposed, therefore this part does not apply.
(a) <i>business identification signs,</i>	
(b) <i>building identification signs,</i>	

(c) signage that, or the display of which, is exempt development under an environmental planning instrument that applies to it,

(d) signage on vehicles.

An assessment against Schedule 1 of the SEPP follows:

Schedule 1 Assessment criteria	
1 Character of the area	
<ul style="list-style-type: none"> · <i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i> · <i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i> 	<p>Signage proposed is consistent with other business signage in this industrial estate. The extent of signage is modest, and it has been designed as part of the front façade of the building.</p> <p>There is no particular theme for signage in this locality.</p>
2 Special areas	
<ul style="list-style-type: none"> · <i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i> 	<p>No, not applicable.</p>
3 Views and vistas	
<ul style="list-style-type: none"> · <i>Does the proposal obscure or compromise important views?</i> · <i>Does the proposal dominate the skyline and reduce the quality of vistas?</i> · <i>Does the proposal respect the viewing rights of other advertisers?</i> 	<p>No, not applicable.</p> <p>No, not applicable.</p> <p>No, not applicable.</p>
4 Streetscape, setting or landscape	
<ul style="list-style-type: none"> · <i>Is the scale, proportion, and form of the proposal appropriate for the streetscape, setting or landscape?</i> · <i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i> · <i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i> · <i>Does the proposal screen unsightliness?</i> · <i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i> · <i>Does the proposal require ongoing vegetation management?</i> 	<p>Yes, the scale of the signage is modest and it forms a part of the front façade of the building. It does not visually dominate the development when viewed from the public domain.</p> <p>The signage provides an additional visual element that contributes to the visual presentation of the site.</p> <p>Yes, the signage is limited to one part of the site.</p> <p>No, not applicable.</p> <p>No, not applicable.</p> <p>No, not applicable.</p>
5 Site and building	
<ul style="list-style-type: none"> · <i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i> · <i>Does the proposal respect important features of the site or building, or both?</i> · <i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i> 	<p>Yes, the signage fits comfortably within the scale of the overall development.</p> <p>Yes, it does not dominate the visual presentation of the development.</p> <p>Not applicable.</p>
6 Associated devices and logos with advertisements and advertising structures	
<ul style="list-style-type: none"> · <i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i> 	<p>No, not applicable.</p>
7 Illumination	
<ul style="list-style-type: none"> · <i>Would illumination result in unacceptable glare?</i> 	<p>No.</p>

- *Would illumination affect safety for pedestrians, vehicles, or aircraft?* No.
- *Would illumination detract from the amenity of any residence or other form of accommodation?* No.
- *Can the intensity of the illumination be adjusted, if necessary?* Not applicable.
- *Is the illumination subject to a curfew?* Not applicable.

8 Safety

- *Would the proposal reduce the safety for any public road?* No.
 - *Would the proposal reduce the safety for pedestrians or bicyclists?* No.
 - *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?* No.
-

The proposed signage forming part of this application will not negatively impact the visual presentation of the development and satisfy the provisions of the SEPP.

4.4 SYDNEY REGIONAL ENVIRONMENTAL PLAN NO 20 – HAWKESBURY NEPEAN RIVER

The aim of SREP 20 is to protect the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

Appropriate conditions of consent would normally be applied to any approval to ensure the health of the river system is not compromised by way of sediment or erosion from the works or use.

4.5 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

The Penrith LEP is the main environmental planning instrument applicable to the subject site. The objectives of the LEP are as follows:

- (a) to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,
- (b) to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,
- (c) to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,
- (d) to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills

of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,

- (e) to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,
- (f) to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,
- (g) to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,
- (h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

It is submitted that the proposed development is not inconsistent with these objectives.

The subject site is zoned *IN 2 Light Industrial* with the following zone objectives applying to that zone.

- To provide a wide range of light industrial, warehouse and related land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To support and protect industrial land for industrial uses.
- To promote development that makes efficient use of industrial land.
- To limit the impact of industrial development on adjacent residential areas, in terms of its built form, scale, acoustic and visual privacy and air quality.

The proposed development is consistent with the objectives of the zone in that:

- A range of land uses are proposed on this one site.
- Additional employment will arise from the proposal.
- The uses proposed are complementary to those that are being developed in the locality.
- The daily needs of workers in the area will be met.
- The design represents the most efficient layout on the land.

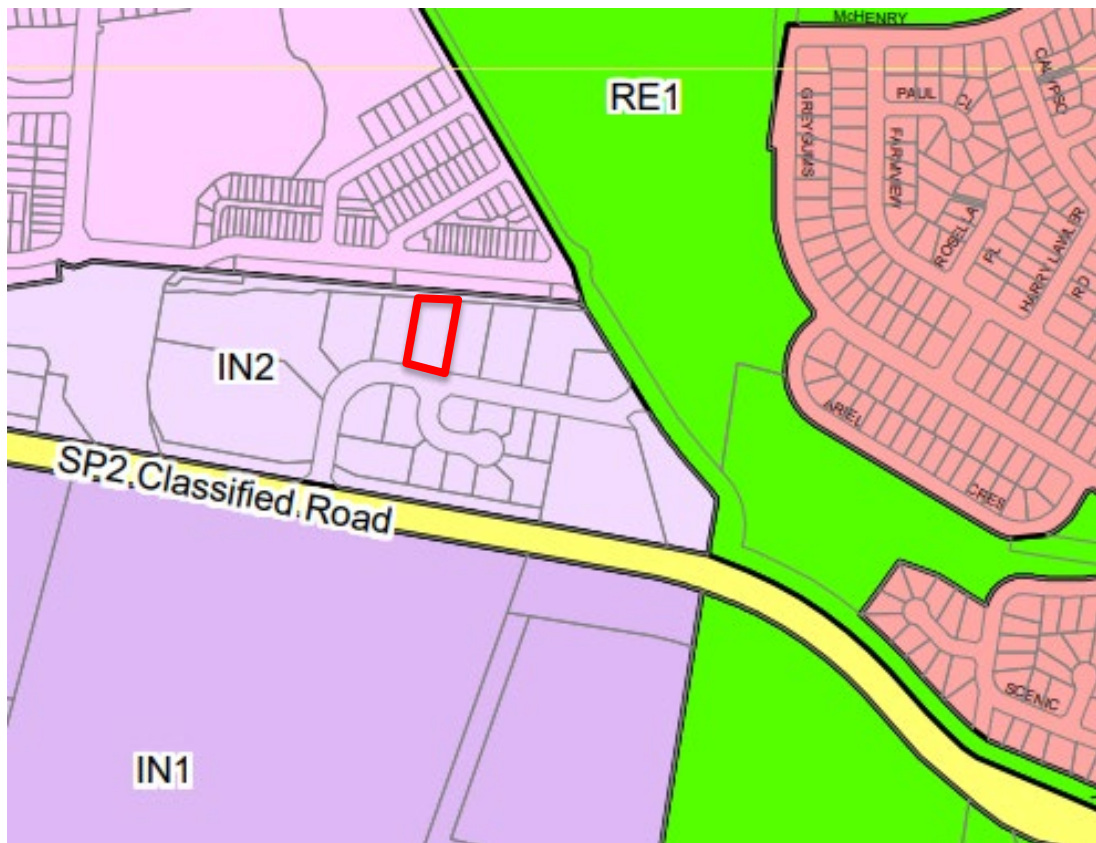


Figure 7 Land use zoning map

The LEP contains the following relevant land use definitions:

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following—

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry.

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, and includes local distribution premises.

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

The above uses are permissible with consent.

The following relevant clauses have also been considered in respect of this development proposal.

Part 4 Principal Development Standards:

Standard	Permitted	Proposed	Comment
4.1 Minimum subdivision lot size:	N/A	N/A	
4.2 Rural Subdivision:	N/A	N/A	
4.3 Height of Buildings:	12.0m	8.925m	Complies
4.4 Floor Space Ratio	N/A	N/A	

Part 5 Miscellaneous Provisions

Provision	Comment
5.1 Relevant acquisition authority	N/A
5.2 Classification and reclassification of public land	N/A
5.3 Development near zone boundaries	N/A
5.4 Controls relating to miscellaneous permissible uses	N/A
5.6 Architectural roof features	N/A
5.7 Development below mean high water mark	N/A
5.8 Conversion of fire alarms	N/A
5.10 Heritage conservation	N/A
5.11 Bush fire hazard reduction	N/A
5.12 Infrastructure development and use of existing buildings of the Crown	N/A
5.13 Eco-tourist facilities	N/A
5.14 Siding Spring Observatory—maintaining dark sky	N/A
5.15 Defence communications facility	N/A
5.16 Subdivision of, or dwellings on, land in certain rural, residential or environment protection zones	N/A
5.17 Artificial waterbodies in environmentally sensitive areas in areas of operation of irrigation corporations	N/A
5.18 Intensive livestock agriculture	N/A
5.19 Pond-based, tank-based and oyster aquaculture	N/A

Part 7 Additional Local Provisions		
Provision		Comment
7.1	Earthworks	N/A
7.2	Flood planning	N/A
7.3	Development on natural resources sensitive land	N/A
7.4	Sustainable development	Appropriate sustainability measures for this type of development have been incorporated into the design.
7.5	Protection of scenic character and landscape values	<p>The site is identified on the Scenic and Landscape Values Map.</p> <p>The objectives of this clause include the following:</p> <p><i>(a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places,</i></p> <p><i>(b) to ensure development in these areas is located and designed to minimise its visual impact.</i></p> <p><i>(2) This clause applies to land identified as "Land with scenic and landscape values" on the Scenic and Landscape Values Map.</i></p> <p><i>(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 development, to minimise the visual impact of the development from major roads and other public places.</i></p> <p>Development consent cannot be granted unless Council is satisfied the visual impact of the development will be minimised. In this regard we note the following:</p> <ul style="list-style-type: none"> • The development is less than the allowable height limit. • The design of the buildings is high in quality which will result in a positive visual impact on the streetscape. • The proposed development is considered 'infill' given adjoining sites have already been developed. <p>Accordingly, we consider the proposed development satisfies these LEP provisions.</p>
7.6	Salinity	N/A
7.7	Servicing	The site is appropriately serviced.
7.8	Active street frontages	N/A
7.9	Development of land in the flight paths of the site reserved for the proposed Second Sydney Airport	N/A
7.10	Dual occupancies and secondary dwellings in certain rural and environmental zones	N/A
7.11	Penrith Health and Education Precinct	N/A
7.12	Maximum gross floor area of commercial premises	N/A
7.13	Exhibition homes limited to 2 years	N/A
7.14	Cherrywood Village	N/A
7.15	Claremont Meadows	N/A
7.16	Glenmore Park Stage 2	N/A
7.17	Dwelling houses on certain land in Castlereagh, Cranebrook, Llandilo, Londonderry, Kemps Creek and Mulgoa	N/A
7.18	Mulgoa Valley	N/A

7.19	Villages of Mulgoa and Wallacia	N/A
7.20	Orchard Hills	N/A
7.21	Twin Creeks	N/A
7.22	Waterside	Acoustic matters relating to Waterside have been addressed through the construction of the acoustic barrier that has been in place for some years. No uses proposed within this application are expected to create any unacceptable acoustic impacts.
7.23	Location of sex services premises and restricted premises	N/A
7.24	Sydney Science Park	N/A
7.25	Warehouses and distribution centres on land zoned B7 Business Park	N/A
7.26	Serviced apartments	N/A

The proposed development satisfies the provisions of the LEP.

4.6 PENRITH DEVELOPMENT CONTROL PLAN 2014

The following assessment has been made in respect of the industrial development controls within the DCP.

Penrith Development Control Plan

Section

C1 Site Planning and Design Principles

The design of the building and development of the site is consistent with other industrial developments within this locality.

C2 Preservation of Trees and Vegetation

Not applicable as there is no relevant vegetation on the site.

C3 Water Management

Appropriate water management solutions have been proposed within the accompanying documentation.

C4 Land Management

Not applicable to this application.

C5 Waste Management

The development proposes a single waste storage and collection point at the front of the site. This is considered to be preferred than having waste storage and collection within each tenancy and can be managed by the proponent. The waste storage room contains enough room to accommodate larger waste bins that will be supplied by a commercial contract arrangement.

C6 Landscape Design

The application is accompanied by a Landscape Plan detailing the planting proposed and how that will contribute to the visual presentation of the site.

C7 Cultural and Heritage

Not relevant to this application.

C8 Public Domain

Not relevant to this application.

C10 Transport, Access and Parking

10.5 Parking, Access and Driveways

The following parking rates apply to the proposal.

Industrial	
Freight Transport Facilities	1 per transport vehicle present at peak vehicle accumulation plus 1 per 2 employees
Industries, including ancillary office	1 space per 75m ² of gross floor area or 1 space per 2 employees, whichever is the greater
Vehicle Body Repair Workshops/ Vehicle Repair Stations	3 spaces per 100m ² of gross floor area or 6 per work bay, whichever is the greater
Warehouses or distribution centres, including ancillary office	1 space per 100m ² of gross floor area (except as otherwise specified in this Table)
Other Uses	In accordance with RMS Guidelines or if there are no parking guidelines for a specific use, then a site specific car parking analysis will be required. This may require the applicant to submit a car parking report from a suitably qualified traffic consultant.

We calculate that based on the proposed land uses within this proposal, 19 spaces are to be provided. They comprise 3.6 spaces for both tenancies 1 and 2, 9.6 for tenancy 3, and 1.6 for the takeaway food offering. The proposal complies with 23 spaces being provided on site.

In terms of manoeuvring, a medium rigid vehicle is able to negotiate entry to and egress from the site, utilising each of the tenancies to dock and unload. This is considered an acceptable solution.

E3 Part A Waterside

3.1 Waterside Corporate

3.1.4 Built form controls

1)	All buildings on the site shall be designed and built such that their structural integrity can withstand flood flows generated by a flood equivalent to the Nepean River 'Flood of Record'- equating to the 0.5% AEP Flood Event.	Noted and incorporated into the design.
2)	All lots should have their finished surface at least 0.5m above the 1% AEP flood level generated by local catchment or Nepean River flood flows, whichever generates the higher flood levels.	Noted and provided.
3)	Where finished ground levels are not 0.5m above the 1% AEP flood event level, all floor levels shall be constructed a minimum of 0.5m above the flood level.	Not applicable.
4)	Finished surface and ground levels shall fall to property boundaries and along roads to achieve adequate drainage.	Noted.
5)	Stormwater from individual lots shall be captured and stored, where feasible, for future use in landscape maintenance. Dispersed points of discharge to the waterway system (using roads, paths, or open spaces) shall be provided. This may include a piped drainage system and grassed swales through open space areas.	Noted and provided.
6)	Roof and surface water not reused on each lot is to be discharged into the lake system in a controlled manner.	Noted and provided for.
7)	All stormwater being discharged into the lake system is to be free of harmful pollutants, contaminants, grass litter and biodegradable matter.	Appropriate measures are proposed to respond to this requirement.
8)	The stormwater system shall be designed and constructed in accordance with Council's engineering standards.	Noted and provided.
9)	A Stage 2 Environmental Site Assessment must be submitted to Council as part of any development application for bulk earthworks.	Not applicable for this application.

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| 10) Any contaminated land must be remediated in accordance with the land management requirements of this DCP. | Noted but not considered applicable for this application. |
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3.1.4.2 Access and parking

Controls

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| 1) The significant entries to Waterside Corporate shall be located generally in accordance with Figure E3.2: Key Design Elements (Waterside Corporate). The type, size and specific location of the entry must be supported by a detailed traffic analysis prepared by an appropriately qualified professional. | Not applicable to this application. |
| 2) Roads within Waterside Corporate shall be constructed above the 1% AEP flood level. | Not applicable to this application. |
| 3) Access to or from Andrews and Castlereagh Roads shall only be permitted via an approved road. Individual driveways for site-specific developments will not be permitted. | Not applicable to this application. |
| 4) Access to or from the neighbourhood facilities will be via Road 3 as shown in Figure E3.2: Key Design Elements. | Not applicable to this application. |
| 5) Bus bays/shelters are to be provided to specifications and at locations to be determined by Council. | Not applicable to this application. |
| 6) An evacuation plan for Waterside Corporate shall be developed in conjunction with the State Emergency Service. Details of this plan shall be submitted to Council prior to occupation of any building. | Not applicable to this application. |
| 7) Below ground parking is not permitted. | Noted. |
| 8) Parking within the front building setback may be considered where it can be shown that the objectives of Section 3.1.4.9 Landscaping and Open Space will be achieved. | We submit the proposed design satisfies the objectives and therefore the design can be supported. |
| 9) Publicly accessible bicycle/pedestrian paths are to be provided as indicated in Figure E3.2: Key Design Elements (Waterside Corporate). | Not applicable to this application. |
| 10) Pedestrian pathways and cycleways shall be linked to provide a safe, integrated and continuous pedestrian/cycle network around the lake system and within the site. | Not applicable to this application. |

3.1.4.3 Acoustic requirements

Controls

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| 1) All development applications are to be accompanied by an acoustic report or noise impact statement prepared by a qualified acoustic consultant as follows: <ul style="list-style-type: none"> a) Where development is to provide the principal acoustic buffer between residential and industrial development, an acoustic report is required to demonstrate the development will satisfy the noise criteria of Waterside Clause of Penrith LEP 2010; and b) All other development proposals are to be accompanied by a noise impact statement prepared in accordance with and demonstrating compliance with the noise and vibration requirements of this DCP. | An acoustic report accompanies this application. |
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3.1.4.4 Streetscape

Controls

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| 1) | Buildings adjacent to the residential zone are to be of a scale and design sympathetic to nearby residential dwellings. | Not applicable to this application. |
| 2) | Development adjacent to residential houses should reflect the change in both detailing and massing and should not overlook private open spaces. | Not applicable to this application. |
| 3) | Architectural design along Andrews Road should be of a high standard, utilising quality materials and finishes. | Not applicable to this application. |
| 4) | Development is to provide a general image of buildings within a green setting, through the combination of appropriate setbacks and landscaping. | Appropriate landscaping is proposed to assist in the visual presentation of the development. |
| 5) | The aesthetic appeal of the street is to be maintained while providing a primary service role for vehicular and pedestrian access. | Provided for in the design of this development. |
| 6) | Roof plant must be effectively screened from view | Noted and provided for. |
| 7) | To soften the effect of development, landscaping must be of an appropriate scale and size consistent with the bulk and scale of buildings. | Noted and provided for. |
| 8) | Service areas are to be placed to the rear or side of buildings, unless it can be established that they will not impact adversely on visual amenity or the acoustic requirements of this Section. | Noted and provided for. |
| 9) | An integrated design for lighting is to be implemented throughout the site that is also complementary to the Waterside Residential lands. | Noted. |

3.1.4.5 Building envelopes

Controls

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|----|--|---|
| 1) | The setbacks of buildings from the boundary are to be in accordance with Table E3.1: Building Setbacks below. | The proposal complies with these setbacks |
| 2) | Minor variations in setbacks will be considered where they will contribute to a varied and attractive streetscape and do not compromise relevant objectives. | Noted. |

Table E3.1: Building setbacks

Location	Minimum setback
Andrews Road	10m
Castlereagh Road	10m
Laycock Street	9m
Buildings fronting secondary and internal roads	5m
Buildings on lots adjoining residential land and riparian corridors	5m

3.1.4.9 Landscaping and open space

Controls

1)	The design of open space areas and buildings shall enhance existing views and create opportunities for additional views within and through the site.	Noted and provided for.
2)	The front building setback and setbacks to all public areas must be landscaped to soften building mass and roof forms.	Noted and provided for.
3)	The building setback adjoining residential development must be landscaped and used for that purpose only.	Not applicable to this application.
4)	Landscaping must comprise canopy trees under planted with suitable shrubs and/or Groundcover.	Can comply.
5)	Landscaping along the Castlereagh Road and Andrews Road frontages of the site is to be of a consistent theme, comprised predominantly of native species.	Not applicable to this application.

It is submitted that the proposed development satisfies the provisions of the DCP.

5 KEY PLANNING ISSUES

The following impacts have been considered in the preparation of this development proposal.

5.1 TRAFFIC GENERATION AND PARKING

The proposed development is consistent with the requirements for these types of developments in the context of the DCP provisions. Appropriate manoeuvring is proposed to enable entry and egress from the site in a forward direction, and a substantial amount of parking is proposed. Whilst future DA's will be required for the occupation of Tenancies 1 and 2, the development largely complies in a traffic and parking sense.

5.2 VISUAL IMPACT

The proposed development is designed with a high level of architectural merit that exceeds that of nearby and adjoining properties. Its visual impact will be positive on the streetscape.

5.3 SOCIAL AND ECONOMIC

The additional employment opportunities arising from the proposed development are positive. The addition of a takeaway food offering is considered to be positive, catering for the needs of local workers in the area. No negative economic or social impacts are considered relevant to the proposal.

5.4 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The consideration of CPTED issues has been prepared having regard to various published CPTED literature and academic works, and specifically includes the *“Crime Prevention and Assessment of Development Application Guidelines under Section 4.15 of the Environmental Planning and Assessment Act 1979”* published by the former Department of Urban Affairs and Planning.

The advice is structured in accordance with Part B of the above guidelines – *Principles for Minimising Crime Risk*. In this regard, the advice considers the responsiveness of the proposed design to each of the adopted four principles for CPTED (surveillance; access control; territorial reinforcement and space management).

CPTED principles have been adopted by the NSW Police Force, based on recognition that the design of spaces plays a pivotal role in facilitating the safety and security of its users. The NSW Police Force has identified key principles of CPTED being:

- Establish opportunities for **good surveillance**, both casually and technically.
- Provide legible barriers for **access control** for spatial definition.
- Create a sense of ownership over spaces that are also clearly demarcated between public and private ownership for **territorial reinforcement**.

- Establish spaces that are utilised appropriately through **proper space management**, relating to litter and graffiti removal, and ensuring lighting fixtures are working.

When implemented, these measures are likely to reduce opportunities for crime by using design and place management principles.

Surveillance

The proposed development will provide numerous opportunities for surveillance. The following casual surveillance opportunities have been provided through the design of the project:

- Opportunities for visual observance through a high percent of transparent glazing along all tenancy frontages allow normal space users to see and be seen by others.
- Entries are located in highly visible locations.
- Active communal areas at the front and rear of the building are well positioned.
- Clear visual pathways within resident areas as well as from public streets to private entrances.
- Areas of entrapment are limited due to multiple exit points from around the development.

Access Control

Access control to public, semi public and private areas of the development is considered to be well managed and effective. Access control to the tenancies can be effectively managed through lockable entry doors. Common areas can have access control measure in place. With respect to fire escape points and building services rooms, the location of these access points, the use of lockable doors and other environmental cues will make it clear that these are not public entry points. Access to the basement level will be via lockable roller door.

Territorial Reinforcement

Clear separation exists between public and private space in terms of the relationship between the proposal and the public domain. Appropriate signage, landscaping, site furnishings and paving will provide good environmental cues about the transition or movement from public to private domain.

Space Management

For most modern residential developments, space management is increasingly carried out in a professional manner, often by third party specialist building management businesses. Therefore, the effectiveness of management systems such as light globe replacement, removing graffiti, and fixing broken site furnishings will influence the perceived level of care of the project. In this case, the on-site manager will ensure that processes are established to respond to and fix services and structures and under whose responsibilities these services are assigned.

Site cleanliness is also a factor that influences the perceived and actual level of care of an area. This will be overseen by the on-site manager. The selection of lighting should also be vandal

proof, and materials facilitate ease of maintenance in the long-term, to delay the appearance of decay.

6 SECTION 4.15 ASSESSMENT

An assessment of the proposal has been undertaken in accordance with the statutory requirements of the EPA Act. The following assessment against Section 4.15 of the EPA Act has been undertaken.

6.1 SECTION 4.15(1)(A)(I) – ANY ENVIRONMENTAL PLANNING INSTRUMENTS

The relevant environmental planning instruments have been considered earlier in this report. These include the following:

- Biodiversity Conservation Act 2016
- State Environmental Planning Policy No 55—Remediation of Land: Land Application
- State Environmental Planning Policy No 64—Advertising and Signage: Land Application
- Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River
- Penrith Local Environmental Plan 2010
- Penrith Development Control Plan 2014

The proposal is permissible with consent and is considered satisfactory when assessed against the relevant controls.

6.2 SECTION 4.15(1)(A)(II) – ANY PROPOSED INSTRUMENT

There are no known draft Environmental Planning Instruments applicable to the subject site.

6.3 SECTION 4.15(1)(A)(III) – ANY DEVELOPMENT CONTROL PLAN

Compliance against the relevant DCP has been considered earlier in this report.

6.4 SECTION 4.15(1)(A)(IIIA) – ANY PLANNING AGREEMENT OR DRAFT PLANNING AGREEMENT ENTERED INTO UNDER SECTION 7.4

There are no known planning agreements that apply to the site or development.

6.5 SECTION 4.15(1)(A)(IV) – THE REGULATIONS

There are no sections of the regulations that are relevant to the proposal at this stage.

6.6 SECTION 4.15(1)(A)(V) – ANY COASTAL ZONE MANAGEMENT PLAN

Not relevant to the proposed development.

6.7 SECTION 4.15(1)(B) – THE LIKELY IMPACTS OF THAT DEVELOPMENT

6.7.1 *Natural Environment Impacts*

There are no negative environmental impacts identified with this application.

6.7.2 *Social and Economic Impacts*

Consideration of social or economic impacts have been provided in section 5.3 of this report.

6.7.3 *Built Environmental Impacts*

No negative built environmental impacts have been identified. In this regard compliance with the relevant controls has been noted.

6.8 SECTION 4.15(1)(C) – THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The proposal is generally consistent with the planning controls that apply in this zone. Moreover, the objectives of the zone have been satisfied, ensuring that the development would not result in any unacceptable impact on any adjoining landowners or buildings.

The site is considered to be suitable for the development for the reasons outlined below:

- The proposal is permissible with consent in the IN2 Light Industrial zone.
- The proposal represents an appropriate land use and built form located on an appropriately serviced site that is in an accessible location.
- The proposal is compatible with surrounding land uses which include other industrial and community uses.

6.9 SECTION 4.15(1)(D) – ANY SUBMISSION MADE

Council may undertake a notification process in accordance with its controls and policies. We welcome the opportunity to provide additional information in response to any submissions that may be received.

6.10 SECTION 4.15(1)(E) – THE PUBLIC INTEREST

Given the type of development, its general compliance with the planning controls, how the objectives are satisfied and the suitability of the site it is considered that the public interest would not be jeopardised as a result of this development.

7 CONCLUSION AND RECOMMENDATION

The proposed development has been assessed against the requirements of the Penrith LEP and DCP and is considered to represent a form of development that is acceptable.

The proposed development would not result in any unacceptable impact on the locality.

The site is considered quite suitable for a use of this nature and is consistent with nearby and adjoining development.

An assessment against Section 4.15 of the EPA Act has not resulted in any significant issues arising.

Accordingly, it is recommended that the proposed development be approved.