



**STATEMENT OF ENVIRONMENTAL EFFECTS**  
**FOR SUBDIVISION OF PROPOSED LOTS**  
**201 and 202 (a Residual Lot)**  
**TYRONE PLACE, ERSKINE PARK**



**STATEMENT OF ENVIRONMENTAL EFFECTS**

**FOR SUBDIVISION OF PROPOSED Lot 22 into LOT 201 and 202 (Residual)**

**TYRONE PLACE, ERSKINE PARK**

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## **1 Introduction**

### **1.1 Brief**

This Statement of Environmental Effects has been prepared on behalf of CSR Limited. The purpose of this statement is to consider the environmental effects of a Development Application ('DA') made to Penrith City Council ('the Council') for the subdivision of Lots part 201 and Residual Lot 202 in a subdivision of Part Lot 104 DP 1143935.

This statement should be read in conjunction with:  
Development Application Plans prepared by Brown Pty Limited – Revised Application Drawings  
2/5/2012

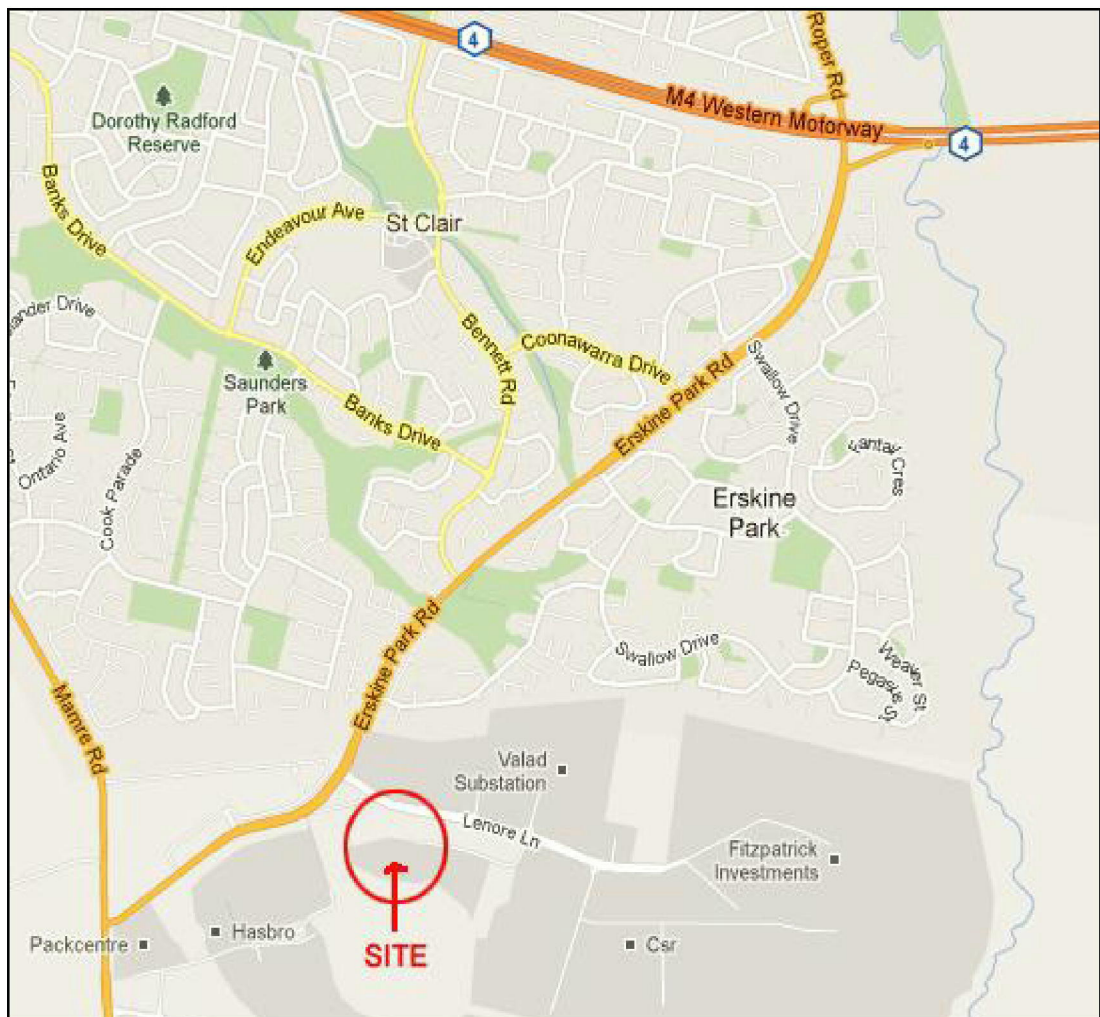
### **1.2 Scope of Statement**

This report describes the development, the site and environs. An assessment of the development in terms of the relevant instruments is made, together with the relevant matters set out in the Environmental Planning and Assessment Act 1979 (the Act) and the Environmental Planning and Assessment Regulation 2000 (the Regulation).

## 2 Description of Site, Locality and Development

### 2.1 The Site and Locality

The subject land is known as proposed Lot 22 in a subdivision of Lot 104 in DP 1143935 Tyrone Place, Erskine Park. The subject lots are located on the Eastern side of Mamre and Erskine Park Roads and within the identified Erskine Park Employment Area.



## 2.2 Background

The land the subject of this application is to be created by way of re-subdivision of proposed Lot 102 in DA 10/0708 being Lot 104 DP1143935 which was issued by Council under DA010/0787 in March 2011.

The site was previously used as a stockpile facility for overburden material taken from Erskine Park Quarry that operated next to the site (ESS 2010) and as a result contains large residual non-compacted material.

## 2.3 The Development

The proposed development the subject of this DA comprises a subdivision of part of the aforementioned Lot 22 into one (1) industrial lot and residual land. The development includes the construction and dedication of a permanent turning circle as an extension of Tyrone Place.

Development details are as follows:

Proposed Lot	Area (ha)	Dimensions
201	4.164	Approx depth north to south of 260m and approx east to west depth of 160. With a road frontage of 60m.
202 (Residual)	2.498	Road frontage of approx. 105m to Erskine Park Road, maximum depth of approx. 243m

Table 1 New Lot Details

Currently the only lot burdened by easements and rights of carriageway is the Residual Lands that are to be ultimately dedicated to the Department of Planning (refer to attached plan 31025/PSU Annexure D). Referring to the plan, it can be noted that (K, DC & WW) Right of Carriageway & Easement for water drainage are proposed to be retained. The remainder of the easements are no longer required and will ultimately be extinguished.

There is currently a dam located in the western portion of the site (see attached plan 303033\_46). This dam is required remain in service to the benefit of Enviroguard, and subject to development conditions associated with their operation. As the dam is situated in the residual lands it has no impact on the proposed development.

The proposed development intends to undertake significant works in the Biodiversity area including significant storm water works and re-vegetation works as outlined by Greening Australia for zones 1-5 (see Annexure F).

The proposed development intends to carry out minimal infrastructure works and minimal bulk earthworks for lot 22 as per the revised Brown Consulting design drawings. (see annexure H) and will not carry out any processing of the site to any specific geotechnical standard. Should any future owner wish to further develop the property for industrial use they may be required to carry out additional geotechnical works in line with the geotechnical overview of lot 22 provided by Consulting Earth Science. (see Annexure K)

The site has undergone an Environmental Site Assessment and found not to pose a risk to human health or the environment in its current condition (refer to Environmental Site Assessment report - annexure J)

### 3 Assessment of Relevant Controls and Policies -

#### THE SECTION 79C CONSIDERATIONS

##### 3.1 The Provisions of Any Planning Instrument

State Environmental Planning Policy (Western Sydney Employment Area) 2009 applies to the subject land.

The relevant Aim of the Policy as it relates to this application is as follows:

- a) *to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for the development including major warehousing, distribution, freight transport, industrial high technology and research facilities*

The proposed subdivision is being created to provide a site for industrial development and hence the Aim is satisfied, to the extent (refer plans and cross intersections of Annexure H).

The Land is zoned IN1 General Industrial in the SEPP. The relevant objectives of the zone are as follows:

- *To facilitate a wide range of employment generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.*
- *To facilitate road network links to the M7 and M4 Motorways.*

The proposed subdivision satisfies those objectives as it will create an additional industrial allotment and will ultimately contribute to the Erskine Business park connection to the M7.

Subdivision, as that proposed is permissible in the SEPP. Clause 24 of the SEPP provides as follows:

#### **24. Development involving subdivision**

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

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

Sub-clause (a) is satisfied to the extent that the parcel of land in its un-subdivided state requires significant earth works so as to establish the land's employment potential. There is no fragmentation only creation of development potential.

Sub-clause (b) is satisfied to the extent the subdivision will increase the supply of land for employment purposes.

Sub-clause (c) is likewise satisfied in that the proposed subdivision will, in fact, improve access to land which currently access is denied.

### 3.2 Regional Environmental Plan 20 - Hawkesbury-Nepean Rivers

The proposed subdivision proposes the initial creation of one additional lot and consequent ecological management work in the adjoining biodiversity corridor, as outlined in the Biodiversity Management Plan (BMP at Annexure F).

The BMP is designed to improve the quality of the corridor and hence, the biodiversity of the South Creek riparian system which feeds into the Hawkesbury-Nepean Rivers system.

The Aims and Objectives of the REP are satisfied by dint of the BMP which accompanies the application.

### 3.3 The Provisions of Any Development Control Plan

Erskine Park Employment Area Development Control Plan was prepared in December 2002.

The coming into operation of the SEPP (Western Sydney Employment Lands) had the effect of requiring amendments to that Control Plan.

Penrith Development Control Plan 2006 was amended 15 December 2006 (Amendment No 5).

The relevant objectives of the DCP which relate to subdivision are as follows:

- a) *To achieve maximum flexibility for siting and location of buildings and to achieve an appropriate density of development;*
- b) *To provide opportunities for parcels of land of varying size and dimensions to satisfy market demand and the needs of the development industry;*
- c) *To ensure that subdivision design takes into account biodiversity considerations and facilities minimum impact development to protect native vegetation on the site and on adjoining land;*
- d) *To preserve the natural topography of physical characteristics of the land;*
- e) *To provide opportunities for large lot subdivision;*
- f) *To ensure that development occurs in a logical and staged manner.*
- g) *To create the opportunity for "individual" design solutions and innovative and efficient subdivision layout;*
- h) *To create opportunities for large parcels to be developed in a coordinated, unified manner, featuring elements such as a common landscape theme/treatment, similar architectural treatments, and where possible, shared parking areas; and*
- i) *To protect, restore and enhance riparian corridors.*

The proposed subdivision seeks to activate the second of a two stage process as referenced in the DA010/787 as approved by Council whereby the residual lands as currently being excised to create the proposed Lot 21 be created as Stage 1, and now the further proposed subdivision of Lot 22 as created and considered as a Stage 2.

The reason for the staged approach was to enable proposed Lot 21 to meet an immediate need for a company wishing to establish a truck depot and maintenance facility, for civil works in the immediate vicinity.

Each of the objectives identified above are met and satisfied by the two stage approach, particularly when regard is had to the Biodiversity Management Plan for the restoration of the adjacent

biodiversity corridor. Section 8 of the DCP establishes the objectives for the Biodiversity Conservation Area which adjoins the proposed subdivision.

- a) *To promote the conservation of urban bushland;*
- b) *To protect and preserve native vegetation and biological diversity in accordance with the principles of ecologically sustainable development;*
- c) *To retain native vegetation in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term;*
- d) *Protect and enhance habitat for threatened species and endangered ecological communities;*
- e) *To provide a biodiversity corridor linking system linking remnant native vegetation across the site with the riparian biodiversity system within South Creek, the remnant native vegetation in Erskine Business Park and the Ropes Creek Riparian Biodiversity system; and*
- f) *To provide funding and management arrangements to enable the establishment of a biodiversity corridor and its ongoing maintenance.*

The Plan at Annexure E identifies the Biodiversity Conservation Area and its relationship with the subject land.

The Biodiversity Management Plan at Annexure F establishes how this part of the Corridor will be managed, as a result of the proposed subdivision. The above referred to objectives are satisfied by the proposed subdivision.

## **4 Likely Impacts of the Proposed Development**

### **4.1 Impacts on the Natural Environment**

The Subdivision of itself will not create any impact on the environment; however, the BMP will result in significant environment improvements within the adjoining biodiversity corridor.

### **4.2 Impacts on the Built Environment**

The Proposed subdivision will not create any impact on the built environment.

### **4.3 Impacts on the Social Environment**

There will be no social impacts on the environment.

### **4.4 Impacts on the Economic Environment**

The subdivision will deliver a two (2) serviced parcel of land which will provide the opportunity for the establishment of industry and warehousing resulting in the generation of significant jobs potential.

The Proposed Subdivision will have a significantly positive impact on the environment.

## **5 The Public Interest**

The test of whether the public interest has been satisfied as a result of development rests in the test as to whether the benefits outweigh the impacts of the proposed development.

In this instance those benefits far outweigh any impacts, which may flow from the subdivision.

## 6 Conclusion

The proposed development (addressed by this Statement) is for the subdivision of proposed Lot 22 in DP 10/0787 being Lot 104 DP 1143935 into proposed Lots 201 and 202 (residual), Erskine Park. The subdivision involves the creation of one (1) industrial lot in addition to the lot currently being excised from Lot 104 DP 1143935 currently referred to as Lot 21 in Development consent DA010/0787;

It is intended by this proposal that works are completed in the biodiversity corridor & residual land (lot 202) with the subsequent purchaser of lot 22 to carry out any necessary future civil and infrastructure works as part of the conditions of approval set by Penrith Council.

The relevant planning instruments are the Penrith LEP 1994 and SREP 20. The provisions of the Penrith Development Control Plan (DCP) 2006, is also required to be considered. The application does not offend their provisions.

The proposal is considered to be both reasonable and appropriate when assessed against the relevant heads of consideration listed in section 79C(1) of the Act. We therefore conclude that it is worthy of favourable consideration by Penrith City Council.

ANNEXURE A – PENRITH DCP 2006 TABLE

SECTION	REQUIREMENTS	COMPLIES
2.1.2 Drainage	<p>(a) Council’s preferred drainage/flooding/water quality control option is shown in Map 1 (this includes wetland treatment systems in combination with flood detention basin proposals). Whole of life costs and ease of maintenance will be critical considerations in determining the form of the final drainage option.</p> <p>(b) Where considered appropriate land, which forms part of the road frontage building setback areas, may be considered for inclusion within the functional drainage land.</p> <p>(c) All Pollution Control facilities shall be designed, installed and maintained in such a manner that they shall control runoff from the site and prevent accidental and deliberate discharges of harmful substances from reaching local waterways.</p> <p>(d) There are two distinct sub-catchments within the Employment Area, identified generally as the “Western” catchment discharging into South Creek and the “Eastern” catchment discharging into Ropes Creek, both of which discharge into the greater South Creek Catchment.</p>	<p><b>Temporary</b> drainage and sediment controls in accordance with Council’s requirements to be provided as part of the subdivision construction - can comply. Subsequent development of lot 22 will provide permanent drainage controls.</p> <p>See above comment</p> <p>See above comment</p> <p>See above comment</p>

SECTION	REQUIREMENTS	COMPLIES?
3.2 Subdivision	<p>(a) Lots fronting biodiversity areas or corridors are required to have on-site drainage controls in accordance with this section to prevent nutrient and erosion impacts on the bushland.</p> <p>(b) Lot design should maximise the conservation of the natural features of the site including important fauna habitats, rare or threatened plant habitats, and designated biodiversity areas.</p> <p>(c) Perimeter roads are desirable from the point of view of bushfire control but may not be feasible if site disturbance id to be minimised.</p> <p>(d) The Subdivision standards for - 4(e) and 4(e1) south of Erskine Park Road and Lenore Lane a minimum allotment size of 10,000m2 (1 hectare).</p>	<p><b>Temporary</b> Drainage controls in accordance with Council’s requirements to be provided as a part of the subdivision. Subsequent development of lot 22 will provide permanent drainage controls.- can comply</p> <p>The proposed subdivision is not in conflict with the Biodiversity Management Strategy for the Employment Area - complies</p> <p>From an access point of view, due to the lot configuration, perimeter roads - not a feasible option</p> <p>All of the proposed lots exceed the minimum lot size of 1ha - complies</p>
4.2 Internal Road System	<p>(a) The internal road system shall be provided in accordance with the principles and requirements set out below.</p>	<p>Proposed subdivision road complies with the requirements of the DCP in respect to the Western Access Road - complies</p>

SECTION	REQUIREMENTS	COMPLIES?
<p>5.8.2 Services</p>	<p>Council shall require as conditions of any development consent that arrangements satisfactory to:</p> <ul style="list-style-type: none"> <li>(a) Sydney Water will be made for the provision of water and sewerage services;</li> <li>(b) Integral Energy have been made for the supply of electricity</li> <li>(c) arrangements satisfactory to the relevant telecommunications authority will be made for the provision of telecommunications services;</li> <li>(d) Council have been made for the drainage of the land.</li> </ul> <p>Council will require as a condition of consent, that electricity and telecommunication mains be placed underground. Council also requires the co-location of services where this is technically feasible.</p> <p>Council will require that all new premises within the Erskine Park Employment Area be provided with state of the art telecommunications infrastructure utilising optic fibre or DSL technology to enable companies to access broadband services using high speed, high reliability telecommunications.</p>	<p>The constructed subdivision will be provided with services consistent with these requirements – All services have been provided to the boundary of lot 22 as part of lot 21 works. Future works to lot 22 will accommodate Councils requirements under conditions of consent.</p>

SECTION	REQUIREMENTS	COMPLIES?
6.2.2 Waste Management	<p>(a) Compliance with the requirements of Penrith Development Control Plan 2006 Part 2 Section 2.9 Waste Planning;</p> <p>(b) A waste management plan shall be submitted in accordance with the requirements of Penrith Development Control Plan 2006 Part 2 Section 2.9 Waste Planning;</p>	<p>See Waste Management Plan - complies</p> <p>See Waste Management Plan - Complies</p>
6.3.2 Soil Erosion And Sediment Control	<p>(a) Compliance with the requirements of Penrith Development Control Plan 2006 Part 2 Section 2.4 Erosion and Sediment Control accompanying Code of Practice for Soil Erosion and Sediment Control; and</p> <p>(b) Development consent will not be issued unless Council is satisfied that appropriate sediment control measures will be implemented during the construction phase of the development.</p>	<p>Soil erosion and sediment controls in accordance with Council's requirements to be implemented during the subdivision construction phase - can comply</p> <p>See above comment</p>









**ANNEXURE F – Biodiversity Management Plan (Restoration VMP)**

**ANNEXURE G – Stream Works Management Plan (Ecological Report)**

**ANNEXURE H – Engineering Design Drawings – (Markups) revised - 2/5/2012**

**ANNEXURE I – Indicative Elevation Illustration**

View from Intersection of Lenore Lane and Erskine Park Road looking South to Enviroguard Tip



NOTES: Yellow line indicated pad levels; Red line indicates road elevation; Orange Outline indicates built form elevations.

**ANNEXURE J – Environmental Site Assessment- Consulting Earth Science - 18<sup>th</sup> April 2012.**

**ANNEXURE K – Geotechnical Assessment of Overburden - Consulting Earth Science -  
30<sup>th</sup> April 2012**