

1st December 2016



STATEMENT OF ENVIRONMENTAL EFFECTS

ADDITIONS TO INDUSTRIAL BUILDING AT ROCLA PIPE FACTORY AT 158-164 OLD BATHURST ROAD, EMU PLAINS



Paul Lemm Planning
Consultant



PROJECT: Additions to Box Culvert Shed

ADDRESS: 158-164 Old Bathurst Road Emu Plains 2750

COUNCIL: Penrith City Council

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CLIENT: Rocla Group

Date	Purpose	Reviewed	Authorised
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1.0 EXECUTIVE SUMMARY

This Statement of Environmental Effects (SoEE) has been prepared in relation to a proposed extension to an existing industrial shed within the Rocla pipe making factory located at 15158-164 Old Bathurst Road, Emu Plains.

The proposed development includes the construction of a large colourbond annexure to the existing Box Culvert shed within the Rocla Manufacturing plant in order to improve the housing of current operations. The site is currently zoned IN1 –General Industry under Penrith Land Local Environmental Plan 2010, with additions and extensions to general industrial uses permissible with consent.

This report describes the subject site and proposal in detail and undertakes an assessment of the proposal against the provisions of the statutory framework relevant to the proposal. The proposed development is assessed in regard to the relevant aims, objectives and development provisions of relevant State Environmental Planning Policies (SEPPs), Council’s Local Environmental Plans (LEPs) and Development Control Plans (DCPs).

The assessment has found that the proposed development is generally consistent with the statutory requirements, which seek to achieve qualitative outcomes by ensuring some measure of quantitative controls are met.

The proposal is for a relatively minor addition within the existing operation and there will be no adverse impacts arising from the development. The site is suitable for the development on flooding grounds and there are no site contamination issues. The development will not introduce noise impacts or increase the existing traffic generated to and within the site. There will be no additional stormwater impacts arising from the construction of the annex as the area over which the building will be extended is already hardstand area. The proposed use will satisfy the scenic and visual criteria for this site as identified in Council’s Scenic and Landscape Values map.

The development will result in the following outcomes;

- Improvements to the operation and efficiency of the existing manufacturing plant;
- A development that is compliant with existing planning controls and planning objectives for the area;
- There being no impacts on adjoining properties due to the building envelope of the proposed extension being located centrally within the large industrial site;
- A building that is compatible with its surrounds.



Having regard for the public benefits of the proposal and considering that the development will not result in adverse environmental impacts, the proposal is deemed suitable for the site and submitted to Council for assessment. Approval of the application is recommended with appropriate conditions.

2.0 SITE AND LOCALITY

The subject site is located in the industrial area of west Emu Plains on the southern side of Old Bathurst Road. The property is approximately 1.7 km east of Emu Plains railway station. The property is bound on the southern side by the Western Railway line and by industrial uses in David Rd. The site is bound to the north west by David Road, to the north by Old Bathurst Road and to the east by vacant land also zoned for industrial purposes. The site is legally described as:

Street Address	Lot and DP	Area	Frontage to Old Bathurst Rd
158-164 Old Bathurst Rd Emu Plains 2750	Lot 1 DP 588919	81795.819m ²	231 m
	Lot 2 DP 588919	81378.581m ²	251 m
Totals		163,174.4m²	482m

The industrial use of the site is for the manufacture of culverts, pipes and other concrete supplies mainly associated with stormwater. Vehicular access is off Old Bathurst Road. Car parking for staff and visitors is provided in the front setback. There are trees and landscaping provided to the site along the road frontage. Internal roads provide access to the works and operation of the site which occurs across the two allotments.

Figure 1 - Locality Map





Figure 2- Existing Site



Entrance from Old Bathurst Road



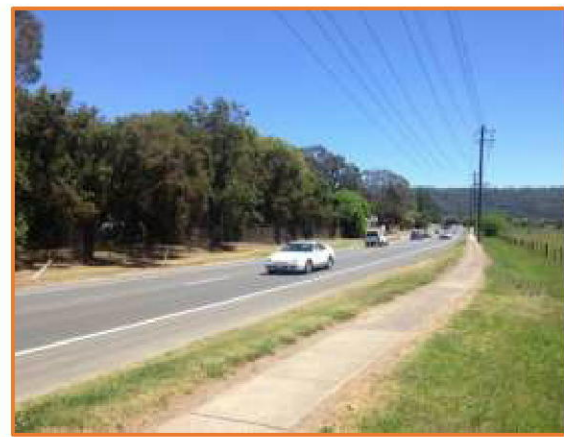
Internal site area west of existing box culvert shed



Inside the existing box culvert shed



Looking south



Looking west



3.0 PRE-LODGEMENT DISCUSSIONS

Prior to preparing documentation for the development application discussions were undertaken with Council's engineer and a counter enquiry was made with the duty planner and building surveyor.

The following comments were made in relation to the proposal:

- Engineering – the site is located in the flooding area for the Nepean River. The location of the proposed development site is higher than the rest of the site. The proposed additions will not adversely impact on or contribute to flooding in the locality.
- Planning – no major planning issues were raised in relation to the proposal.
- Building – compliance with fire safety regulations will need to be demonstrated.

4.0 THE PROPOSED DEVELOPMENT

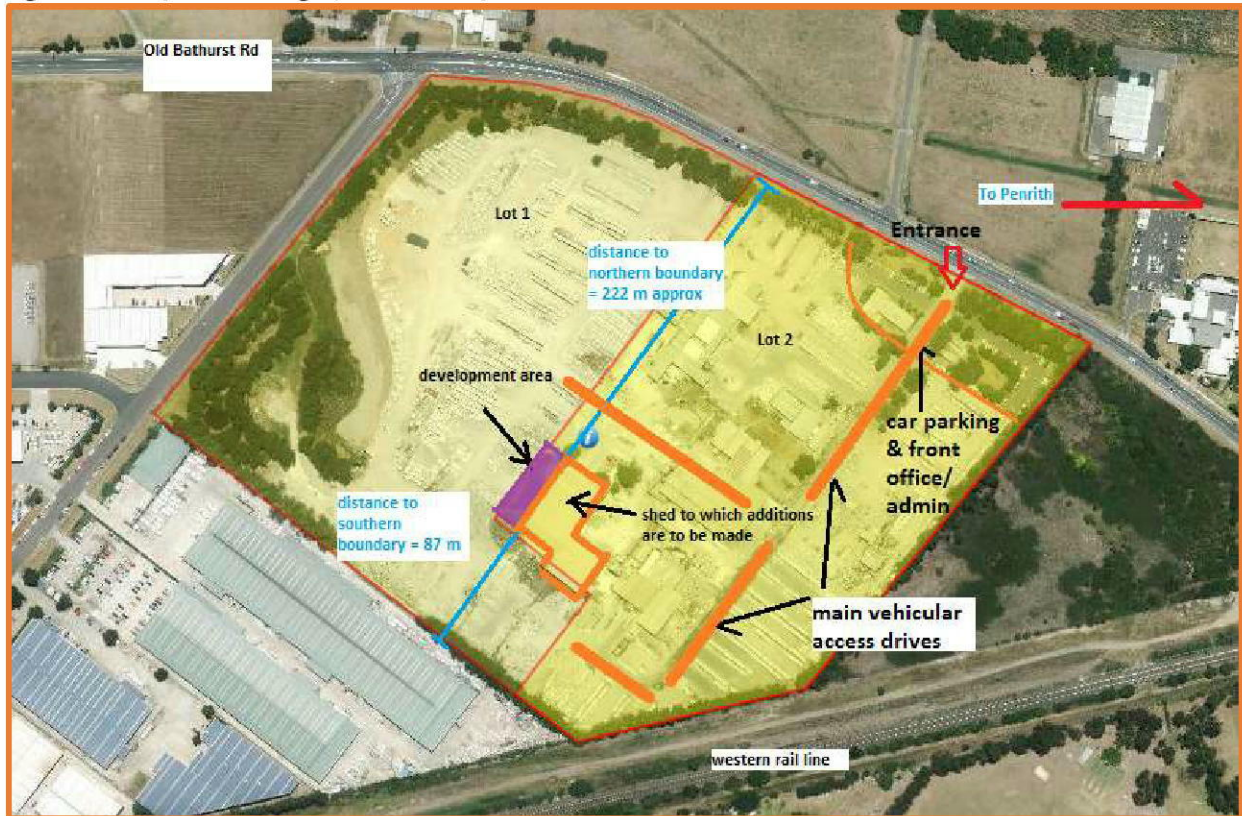
Rocla are seeking to make improvements to the accommodation of the manufacturing of box culverts performed at the site and have identified that additional shed space is required. The proposal will only affect the box culvert shed and the land adjacent to the shed which is currently an open area used for storage of materials. There are no plans to change any other part of the site or its operation. A separate space is required for the welding operations required for the steel reinforcements. It is proposed to make an extension or annex to the existing box culvert shed. The box culvert shed is located centrally on the site and straddles Lot 1 and Lot 2.

It is proposed to expand the box culverts shed to provide an additional floor space of 702m² to the existing floor area of approximately 3007m² – creating a total floor area of the shed of 3709m².

The annex will have large openings at each end and there will be exit doors along the western side. The cladding material will be Colourbond type steel and its colour will be a Colourbond green to match the existing building. The new annex will be attached to the existing shed on the western side of the building:

The annex will follow the shed's existing roof line as a skillion with a maximum height of 7.6 metres and a minimum height of 6.9 metres. The annex will be used to weld reinforcing cages for the precast concrete box culvert manufacture. Vehicular access to the shed will remain as existing.

Figure 3 - Proposed Siting of the Development



5.0 STATUTORY CONSIDERATIONS

The proposed development has been assessed against the suite of planning controls that regulate land use proposals on the site. These controls include the following;

- Sydney Regional Environmental Plan No. 20- Hawkesbury Nepean River
- Penrith Local Environmental Plan 2010.
- Penrith Development Control Plan 2015

Key to the merits of the proposal is State and Local environmental planning instruments, which detail matters that need to be demonstrated as being satisfied. State Environmental Planning Policies (SEPPs) generally usurp Local Environmental Planning Instruments where there is a discrepancy.

The proposal's ability to demonstrate compliance with the requirements of the State and Local Government planning instruments is detailed below.

Section 79c of the Environmental Planning and Assessment Act, 1979 (the Act) has been used as guide to the statutory considerations. This proposal has been assessed in



accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Regulations to that Act and the following components of this report address the relevant heads of consideration for the proposal and the site.

5.1 Section 79C(1)(a)(i) – Any Environmental Planning Instruments

5.1.1 Sydney Regional Environmental Plan No. 20 Hawkesbury Nepean River:

The site is within the catchment areas of SREP 20.

The General Planning considerations set out in Clause 5 have been considered in this report – in particular refer to Part C3 of the DCP compliance table.

The development will occur on lands that are already cleared and in use for industrial activities which are non-polluting. The proposal involves a relatively minor extension to one of the large sheds which produce box culverts. The building extension will be over land which is presently used for storage of materials and is generally compacted or developed with hard stand. As a result, the proposed development will not alter the stormwater impacts of the site or the water quality of the receiving catchments. It is important to note that the existing stormwater management of the site operates to mitigate impacts on adjoining waterways. A copy of the existing stormwater management plans for the site is submitted with this development application.

The use of the site does not involve pollutants. An erosion and sediment control plan is submitted with the application.

The proposed development will have a neutral impact on water quality within the receiving catchment of the Nepean River.

5.1.2 Penrith Local Environmental Plan 2010

The site is zoned IN1 General Industrial under the provisions of Penrith LEP 2010 (PLEP 2010). The objectives of the IN1 zone are:

- *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 proposed development is consistent with the objectives of the zone in that it will deliver the following outcomes:



- The proposal co-locates manufacturing operations on an existing site thereby promoting an efficient use of industrial land,
- The proposal will create efficiencies in the current operation of the site; thereby improving productivity and output and ensuring ongoing local employment opportunities
- The proposal is sited within a large industrial site and will have no adverse effect on any other land use in the locality.

The proposal is for additions to an existing industrial use and is permissible with consent in the zone. The definitional term for the existing use is General Industry which is defined as: “a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.”

Figure 4 - The Zoning for the Site - IN1



The following relevant clauses of PLEP 2010 have also been considered in respect of this development proposal.

Table 1 - Penrith Local Environmental Plan 2010 Compliance


Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	Comments	Compliance
Zoning – IN1 – General Industrial	Allows for Industrial Buildings.	Yes
Permitted Development		



Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	Comments	Compliance
2.3 Zone Objectives	The proposal is consistent with the objectives of the IN1 zone. The proposed additions will be a relatively minor addition to an existing industrial use on a large parcel of land within a non-residential area.	Yes
2.6 Subdivision	No subdivision proposed.	N/A
2.7 Demolition	The proposal will involve some minor alterations to the western wall of the existing shed to create openings to the new annex.	Yes
Development Standards		
Clauses 4.1 – 4.5	The maximum height for the site is 8 metres. The maximum height of the additions will be 7.6 metres.	Yes
4.6 Exception to Development Standards	No Development Standards require variation	N/A
Miscellaneous provisions		
5.9 Preservation of trees or vegetation	The proposal will not involve the removal of any trees from the site.	Yes
5.10 Heritage conservation	There are no heritage restrictions on the site.	N/A
Additional Provisions		
7.1 Earthworks	Minor earthworks are required to prepare a level building platform for the extensions.	Yes
7.2 Flood planning	The site is affected by mainstream flooding of the Nepean River and overland flow. Buildings will be constructed to accord with the Flood Planning Level.	Yes – See Section 5.4 of this SoEE.
7.4 Sustainable development	The proposal satisfies the LEP in that: <i>(a) conserving energy and reducing carbon dioxide emissions,</i> <i>(b) embodied energy in materials and building processes</i> <i>(c) building design and orientation,</i> <i>(d) passive solar design and day lighting,</i> <i>(e) natural ventilation,</i>	Yes



Penrith Local Environmental Plan 2010 – Compliance Table

Clause and Control	Comments	Compliance
	<p>The design of the building will enable adequate solar access and cross ventilation through the building.</p> <p><i>(f) energy efficiency and conservation,</i> <i>(g) water conservation and water reuse,</i></p> <p>The proposal incorporates principles of Water Sensitive Urban Design in that it will be managed within the existing stormwater systems operating within the site.</p> <p><i>(h) waste minimisation and recycling,</i> Waste management and recycling is addressed through waste management plan.</p> <p><i>(i) reduction of vehicle dependence</i></p> <p>The site is within 400 metres of Emu Plains railway station and bus services.</p> <p><i>(j) potential for adaptive reuse.</i> Not applicable for this proposal.</p>	
<p>7.5 Protection of Scenic Character and Landscape values</p>	<p>The site is within the area nominated on the Scenic and Landscape Values map SLV_005 as shown below.</p>  <p>The proposal complies with the objectives of the clause. The proposal will be located internal to a large site and will not be visually prominent within the landscape. The application is accompanied with a Visual Impact Assessment in Section 5.3.3 of this SoEE, which indicates that the proposed development is appropriate for the setting and will not undermine the key objectives of this clause, as it does not;</p>	<p>Yes</p>



Penrith Local Environmental Plan 2010 – Compliance Table		
Clause and Control	Comments	Compliance
	<ul style="list-style-type: none"> i. introduce any visual intrusion from major roads or public places; ii. be inconsistent with similar buildings located within the site. 	
7.7 Servicing	The site is well serviced by water and sewer and other utility services. All the necessary certificates and approvals verifying this will be provided in accordance with suitable conditions of consent.	Yes
7.9 Development of lands in the flight path	This clause applies to land in the ANEF contour of 20 or greater, or near Badgerys Creek. The Noise modelling tool on the western Sydney airport government site shows that the property is affected by ANEF levels of 20 or lesser.	Yes

5.2 Section 79C(1)(a)(iii) - Any Development Control Plan

Further consideration needs to be given to relevant Development Control Plans (DCP) where matters not captured by a SEPP or LEP, need consideration. Development Control Plans support the environmental planning instruments and have a greater degree of flexibility and interpretation in their implementation.

Table 2 - Penrith DCP Compliance

Penrith Development Control Plan 2014 – Compliance Table	
C1 – Site Planning and Design Principles	
1.1 Siting Planning	<p>The siting of the building and its associated uses have had regard to the site’s characteristic in respect to adjoining properties. There are generous setbacks for property boundaries and the scale of the building is consistent with the scale of existing development on the site.</p> <p>A Visual Impact Assessment has been undertaken due to the site being located within a nominated scenic and landscape view corridor. The visual assessment concluded that the proposed development is not likely to have any negative impact on this view corridor. See Section 5.3 of this SoEE.</p>
1.2 Design Principles	The objective of the proposed design is to provide a functional workspace for the manufacture of box



Penrith Development Control Plan 2014 – Compliance Table

culverts. The proposal will attach to the existing building as an annex and will be consistent with the form of the existing building. Materials and colours will match the existing building. The proposed extension will be energy efficient requiring limited energy to light the workspace and no heating or cooling requirements.

The DCP’s suggestions in clause 1.2.3 are all satisfied by the proposed development. The height, location and massing of the proposal are all consistent with the objectives of the DCP and will not create adverse impacts on neighbouring properties. These aspects are captured in the discussion about the merits of the proposed development in other sections of this SoEE.

Complies with C1 of DCP

Yes

C2 – Vegetation

2.1 Preservation of Trees and Vegetation

The site is identified as located within a ‘scenic character and landscape values’ area in the Penrith LEP 2010. Existing trees will be retained as indicated on the plans. The internal areas of the site are a functioning manufacturing plant and as such have limited landscaped areas internal to the site. Landscaping is provided around the perimeter of the site and the proposed development will not affect these areas.

2.2 Biodiversity Corridors

N/A

2.3 Bushfire Management

N/A

Complies with C2 of DCP

Yes

C3 – Water Management

3.1 The Water Cycle

The site is currently managed using principles of water sensitive urban design. Stormwater flows around the site are managed through a system of drainage lines that flow to an on-site pond where sediment is captured and disposed of before leaving the site. These details are submitted with the application. The proposed extension of the shed will be managed within the existing system. A roof garden is not feasible on this site – given that the extension will follow the roof line of the existing shed and have a slope.



Penrith Development Control Plan 2014 – Compliance Table

3.2 Catchment Management	The proposal will not result in additional impervious areas on the site as that part of the site proposed for the building envelope comprises hard stand and storage areas which have compacted the soil and reduced permeability. See point 3.2 for further details of site management.
3.3 Watercourses	N/A
3.4 Groundwater	N/A
3.5 Flood Planning	<p>The proposed development is slightly above the 1% AEP and the depth of flooding from local overland flow within the vicinity of the proposed building envelope is 300mm.</p> <p>The proposed additions will comply with the requirements of this clause as the development:</p> <ul style="list-style-type: none"> • is non-habitable and is not for an office • will not increase populations • is not located within a high hazard area with respect to depth of flows from mainstream flooding • is of an open structure and will permit the passage of any local overland flood flows <p>See Section 5.4 of the SoEE for further discussion.</p>
3.6 Stormwater Management	The stormwater plans that accompany this application detail how the stormwater flow is controlled and treated before leaving the site. Stormwater runoff from the proposed extension will be accommodated within the existing stormwater management system for the site. No additional stormwater runoff will be generated by the proposal.
3.7 Water Retention Basin	N/A
3.8 Rainwater tanks	Rainwater tanks are not proposed in this application as the stormwater management for the site currently incorporates effective catchment and management of stormwater runoff.
Complies with C3 of DCP	
Yes	
C4 - Land Management	
4.1 Site suitability and earthworks	There are limited earthworks required to create a level surface for the extension.
4.2 Landfill	As discussed above.
4.3 Erosion & Sedimentation	An erosion and sediment control plan has been prepared to accompany this application. These measures will be in place ahead of any works commencing on site and it is



Penrith Development Control Plan 2014 – Compliance Table	
	expected that this will be re-enforced by way of conditions of consent
4.4 Contaminated Lands	See Sections 5.1.1 and 5.4 of this SoEE.
4.5 Salinity	N/A
Complies with C4 of DCP Yes	
C5 Waste Management	
5.1 Controls	A Waste Management Plan accompanies this application. Waste will continue to be managed internal to the site. All waste associated with the development will be disposed of by a commercial contractor to a suitable location.
Complies with C5 of DCP Yes	
C6 Landscape Design	
6.1.1 Development Process	The development application would be deemed a Category 1 type for the purposes of the DCP and as such site analysis assessment is required. A site analysis has been prepared for the application. The proposal does not require additional landscaping given the size and use of the site.
6.1.2 Protection of the environment	The existing tree to be retained will be protected during construction works by barriers.
6.1.3 Neighbourhood amenity and character	The proposal will not affect the existing amenity and character of the locality.
Complies with C6 of DCP Yes	
C10 Transport access and parking	
10.2 Traffic management and safety	The proposal will not change the existing arrangement on site for access and traffic management. The proposal will not generate additional traffic to the site.
Complies with C10 of DCP Yes	
C12 Noise and vibration	
C12.4 Industrial and commercial development	The proposal does not constitute intrusive noise. The EPA Guidelines for industrial noise notes that the application of the criteria is required for <i>significant</i> modifications to existing development where complaints are received. The proposal is not a significant modification to the use of the site and the noise generated by welding tools is not intrusive especially given that the development is co-located with other industrial uses. The development will not adversely impact on the amenity of the area.
Complies with C12 of the DCP Yes	
D4 Industrial Development	



Penrith Development Control Plan 2014 – Compliance Table

D4.1 Key precincts	The site is located in precinct 8 – Emu Plains.
D4.2 Building height	The maximum building height of the proposed addition will be 7.6 metres complying with the LEP development standard. In addition, the addition will not adversely affect the scenic quality of the precinct as elaborated in Section 5.3.3
D4.3 Building setbacks and landscape	The minimum setback for new development is 15 metres. The additions to the existing shed will be setback 220 metres from the front boundary. The proposal complies with this requirement. Landscaping issues are further discussed in C6 and C2 of this Table.
D4.4 Building design	The proposal will be integrated with the existing shed and the roof form will slope away from the bulk of the shed. The addition will be unobtrusive and respond to the functional requirements of the operation.
D4.5 Storage of materials	The proposal does not involve the storage of chemicals on site.
D4.6 Accessing and servicing the site	The proposal will not change the existing access to and servicing of the site.
Complies with D4 of the DCP	
	Yes

5.3 Section 79C(1)(b) - The Likely Impacts of the Development

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

5.3.1 Traffic, Accessibility and Parking

The proposal will not alter the existing arrangements for vehicular access and parking on site. Existing car parking and access is provided within the front setback adjacent to the entrance off Old Bathurst Road. Internal access to the existing shed and the proposed annex is available via sealed driveways.

Penrith City Council's Development Control Plan 2014 suggests a parking requirement of 1 space per 100m² of gross floor area. The extension of the shed will result in an increase in 702m² gross floor area for the site; but will not increase the number of employees on site and will therefore not generate demand for additional on-site car parking. As has been mentioned in this report the extension will provide space to better house the ongoing operation of the plant. Provision of additional car parking spaces would be counterproductive; resulting in the loss of landscaped areas in the frontage to Old Bathurst Road and increasing hard surfaces on the site.



5.3.2 Noise Impacts

There will be no additional noise impacts generated through the use of the extension to the box culvert shed. The hours of operation of the plant are: 5am – midnight – Monday – Friday. The industry is located over 400 metres from the nearest residences in the correctional facility to the north east of the site; and will not affect the amenity through noise impacts.

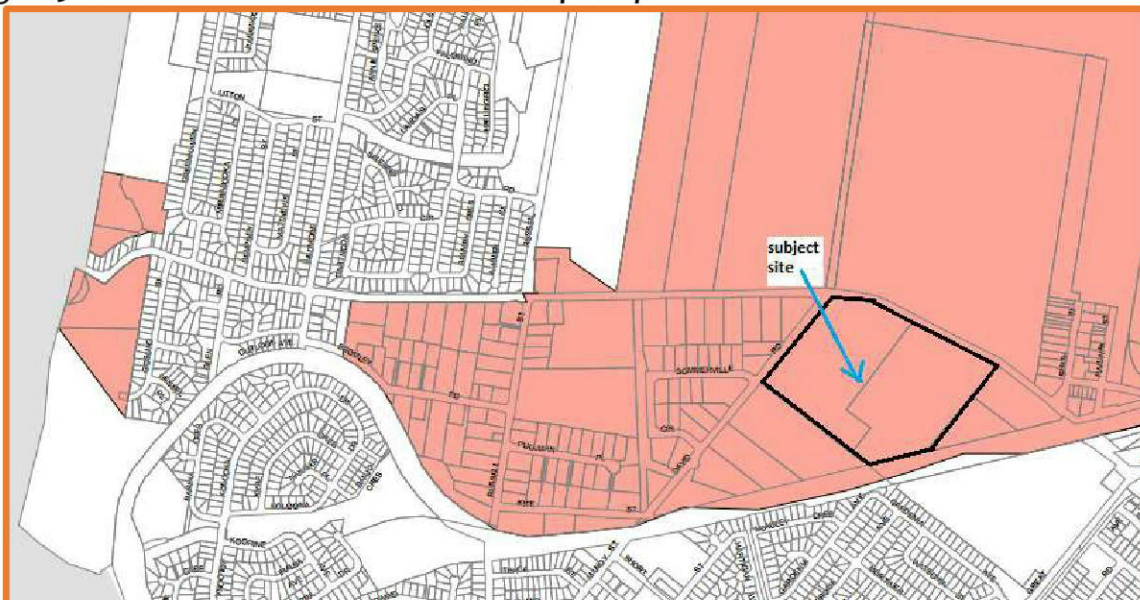
The manufacturing process is not a noise generating industry – cutting and measuring steel reinforcements is the extent of works to be carried out within the proposed extension. The existing noise levels mostly emanating from heavy vehicles loading and unloading materials is not affected by this proposal.

The proposal does not propose an intensification of use but additional space to undertake the daily operational duties currently being provided. Subsequently the proposal is not considered to be a noise generating use with no change to the existing conditions.

5.3.3 Visual Impacts

The site is identified as having Scenic and Landscape Values as detailed on the Council's mapping information that accompanies the Penrith Local Environmental Plan, 2010.

Figure 5 - The Site within the Scenic and Landscape Map



Clause 7.5 of the PLEP 2010, states that;

- (1) The objectives of this clause are as follows:
 - (a) to identify and protect areas that have particular scenic value either from major roads, identified heritage items or other public places,

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

In order to gauge an understanding of the site’s visual prominence, the following photographic montage was compiled to ascertain just how significant the site is when viewed from various vantage points.

Figure 6 - Photo Locations for view analysis



In accordance with Clause 7.5 of Penrith LEP 2010 and Penrith DCP 2014 the following statement provides an assessment of the potential visual impacts of the proposed extension to an existing shed at the abovementioned address.

The proposal in regards to scenic impact

The maximum height of the proposed extension will be 7.6 metres to a minimum of 6.9 metres. The building envelope is located 222 metres from the Old Bathurst road frontage, 86 metres from the south western boundary; 218 metres to the eastern boundary and 206metres to the western boundary. The location of the new extension will be isolated from adjoining lands. The existing box culvert shed will provide a physical block to views



from the east and provides a good measure for scenic assessment. If the box culvert shed in situ can be seen from high points in the locality – then it would also be possible that the extension to it will be seen; and this provides a good reference point for the following photographic assessment of the surrounds.

Figure 7 - The Site and Proposal



The topography of the locality further aids in reducing visual impacts of all buildings within the site as the land is generally lower than surrounding roads thereby reducing the visual impact from public spaces. As can be seen from the aerial photo; the site has a perimeter embankment and landscaping which provides screening to the site. The scale and extent of the operation is surprisingly well screened from public view.

The scenic values of the locality

The locality is characterized by low lands containing rural and industrial uses on large allotments which afford expansive views of the Blue Mountains escarpment when looking west from public lands and enables a sense of place and direction. The locality is a part of a bookend of Sydney; the counter to the Pacific Ocean. The area is important in a broader geographic and cultural sense and it is important that the sense of place is retained when planning new buildings in the locality.



As well; views to the east are important; descending from the Blue Mountains one is afforded expansive views towards Penrith and Sydney and landmarks such as the river and Penrith City Centre are easily identifiable and also contribute to a sense of place.

Photographic assessment

The following photographic survey of the area has taken images from the following locations as indicated on the plan below.

Figure 8 - Photo Location Map



For the purposes of assessing the potential impacts on the scenic values of the locality a survey of the surrounds was undertaken to ascertain the high points of the locality. Due to the locality being quite flat; the only high points publicly accessible were Emu Plains Cemetery and on top of the pedestrian bridge across Emu Plains railway station and looking east from Old Bathurst Road.

In addition; photos of the surrounds from ground level were taken to demonstrate the real viewable impacts of the site for passers-by. The following photos are numbered according to the locations indicated on the map above.



Views from Location 1 in Figure 8

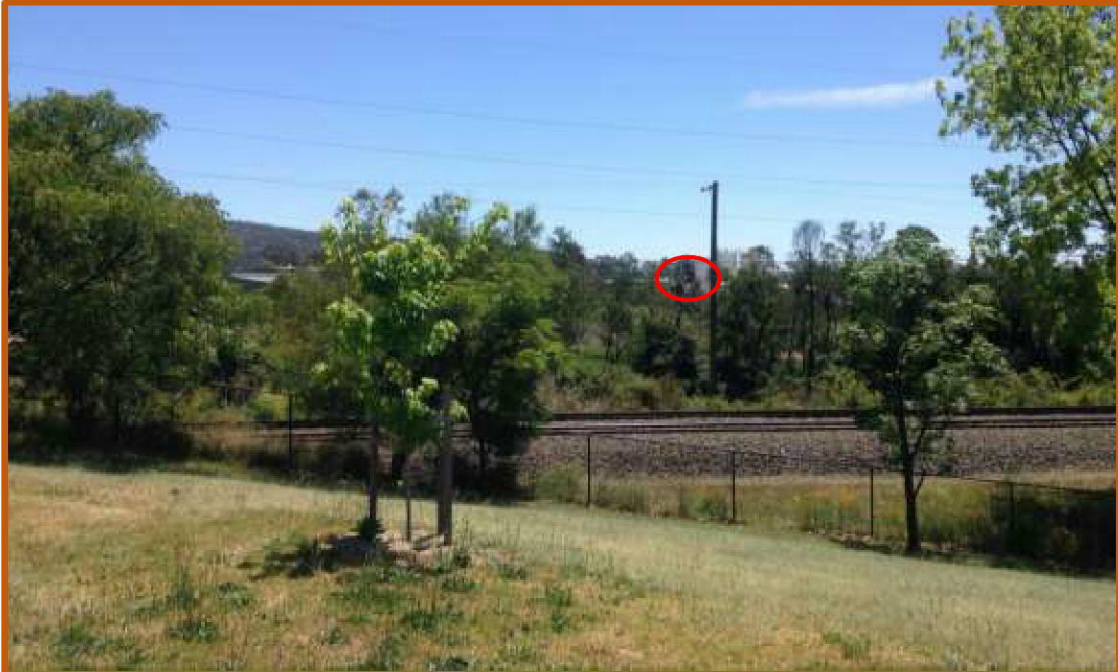


Photo 1.1 – looking north from Emu Plains Cemetery. From this point, you can just see the storage containers on the site – which are the tallest structures on the property.



Photo 1.2: zoomed in shot from highest point of the cemetery – looking north – the Rocla factory is obscured by the adjacent industrial use to the south of the subject site.



Views from Location 1 in Figure 8



Photo 1.3: Looking north from the central part of the cemetery – the silos and storage buildings only can be seen from this vantage.

Views from Location 2 in Figure 8



Photo 2.1 – Looking west from Emu Plains station – Roclá site is obscured by trees



Views from Location 1 in Figure 8

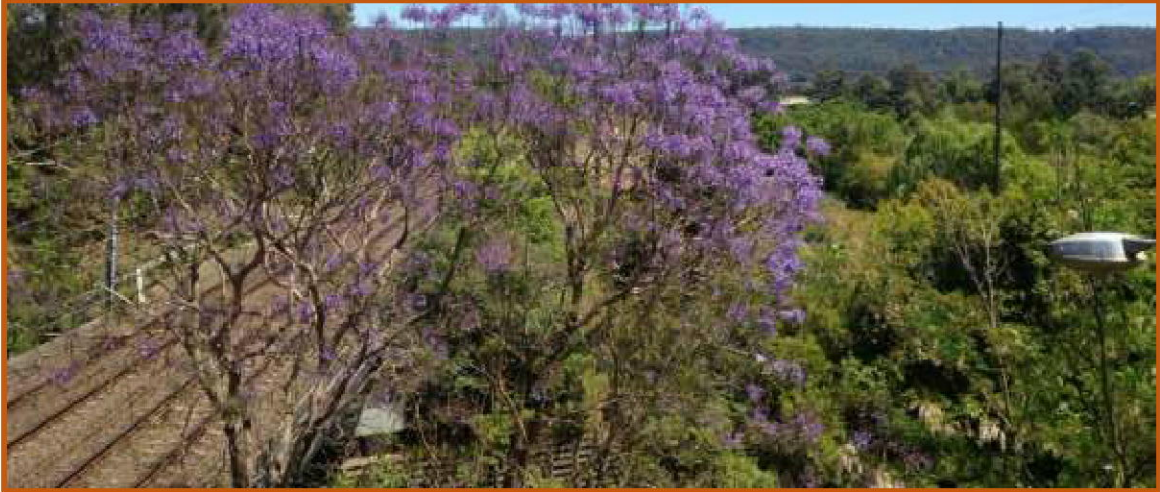


Photo 2.2 – looking west from Emu Plains Station

Views from Location 3 in Figure 8



Photo 3: Looking west from ground level – adjacent to correctional centre entrance



Views from Location 4 in Figure 8



Photo 4: Looking south adjacent to the proposed building site – note that the existing shed to which the extensions will be attached is not visible.

Views from Location 5 in Figure 8

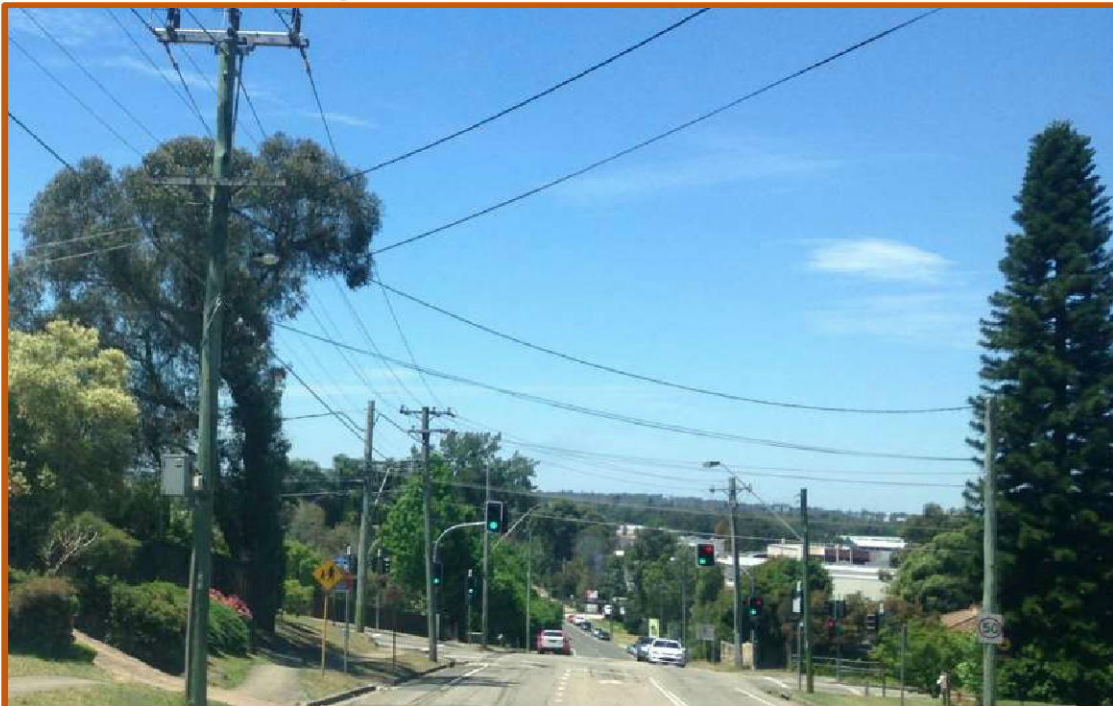


Photo 5: Looking east from Old Bathurst Road – industrial buildings west of Russel Street are visible; Rocla factory obscured by trees and topography.



Outcome of the Visual Assessment

The proposal will not be visible from any high points around the site and neither will it be visible adjacent to the site. The siting and location of the proposed building envelope adjacent to the existing box culvert shed which has a greater height than the proposed extension ensures that there will be no visual impacts arising from the development. The proposal complies with the height limits prescribed for the site and this report has demonstrated that the proposal is consistent with the objectives and development standards for key areas with scenic and landscape values within the Penrith DCP.

The accompanying Visual Impact Assessment revealed that the site is not very prominent from many points such as the Emu Plains railway overpass. The following responses to the site's setting have been incorporated in to the design;

- The site is surrounded by a low embankment and landscape planting which effectively screens the development from public lands;
- The proposed shed is situated in the central part of the site and not visually prominent from public lands;
- A low key development that is typical of the industrial development in the locality;
- Materials and finishes that are non reflective and compatible with the existing colours of the shed.

For these reasons, it is considered that the proposed development satisfies Clause 7.5 of Penrith LEP 2010 and the provisions of the Penrith DCP 2014.

5.3.4 Accessibility

The proposal is a Class 8 building – access is available to and within all parts of the building normally used by the occupants. The proposal achieves the spatial requirements to provide access for people with a disability. The proposed development will suitably cater for people with a disability.

5.3.5 Safety and Security

There are four principles that need to be used in the assessment of development applications to minimise the opportunity for crime: surveillance; territorial reinforcement, access control and space management

The proposed development complies with the principles of crime prevention through design because of the following attributes;

- Access to the site is regulated and restricted. There is only one entrance via the driveway through the front of the site. Security over access to and within the site is monitored at all times for safety reasons;



- There is no change proposed to the existing access arrangements as a result of the proposal;
- The property has a clear delineation of boundaries providing territorial reinforcement.

5.3.6 BCA issues and Worksafe matters

The proposal can comply with all requirements of the BCA. There are no requirements for fire separation between the extension and the existing shed; the space will operate for a single purpose; openings in the walls will allow for the conveyance of goods between one process and the next. Evacuation points are provided as required.

5.4 Section 79C(1)(c) - The Suitability of the Site

The site's location, proximity to adjoining lands and the implication of natural and physical constraints are matters for consideration. The following comments are made in respect to the site suitability for this development.

5.4.1 Location and Context

The site is located in the industrial area of west Emu Plains on the southern side of Old Bathurst Road. The property is approximately 1.7 km east of Emu Plains railway station. The property is bound on the southern side by the Western Railway line and by industrial uses in David Rd. The site is bound to the north west by David Rd, to the north by Old Bathurst Road and to the east by vacant land also zoned for industrial purposes.

The site is relatively flat and entirely cleared, except for a few remnant trees which will be retained, and landscaping along the boundaries of the property.

The following site characteristics are positive attributes for this type of development;

- The site is already developed for industrial and manufacturing purposes and all services and utility infrastructure are available to accommodate the extension;
- The location of the proposed building envelope for the extension is in the middle of the large property and will not be visible from Old Bathurst Road.
- The site does not require major earthworks to facilitate the building;
- Stormwater management systems are already in place and can accommodate the additions;
- The location of the proposed extension is on a higher part of the site and has a reduced risk of flooding impacts.

For these reasons the site is considered suitable, appropriate and capable of accommodating the proposed development without any adverse impacts to adjoining properties, while at the same time providing improved working conditions for the existing manufacturing process.

5.4.2 Flooding Characteristics

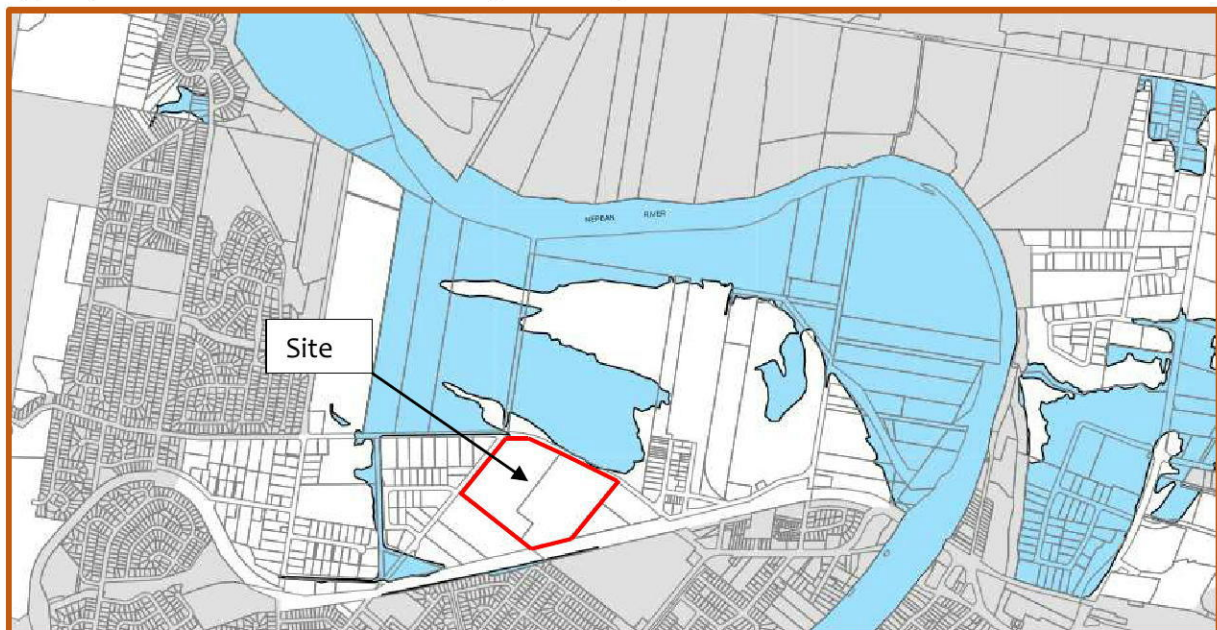
The Rocla Pipe Factory site is affected by mainstream flooding from the Nepean River due to the flood island effect in major flood event. The site is also affected by flooding by local overland flows from the local catchment.

With regards to flooding from local overland flows; the depth of water within the vicinity of the proposed extension to the shed is approximately 300mm deep.

With regards to mainstream flooding from the Nepean River; the property is affected by flooding from the Nepean River and is located within the Emu Plains low flood island.

The actual location of the proposed extension to the shed is slightly higher than other locations on the property and this location is slightly above the 1% Annual Exceedance Probability (AEP) flood event from the Nepean River.

Figure 9 - The site and the Flood Planning Land Map in Penrith LEP



The development will not increase flood hazard to other properties – the building is sited a minimum of 103 metres to the nearest structure on an adjoining property which is upstream and is also an industrial building.



The structure of the proposed extension will be designed to accommodate flooding situations and comply with standards for construction of buildings in flood hazard areas. The annex will be open at both ends and flood waters would be able to travel through the building.

In addition, the proposal will not increase impervious surfaces – the current use of the area proposed for the building has been compacted over time from storage of materials and hardstand surfaces.

The nature of the manufacturing business is suitable for a flood prone area with minimal risk to production equipment and materials as a result of flooding. The manufacture of pipes does not pose a risk to pollution in the event of flooding – with materials being inert and insoluble in water.

The siting and use of the proposal alleviates the need for raising floor levels and the design of the building will be consistent with the existing building to which it will be attached. Only minor cut and filling will be required for this development for ensure the building level is at or above the FPL and for levelling area.

The flood impact of the development has been considered to ensure that the development will not increase flood affects elsewhere. The following items have been assessed:

- (i) loss of flood storage:
- (ii) changes in flood levels and velocities caused by alterations to the flood conveyance: and
- (iii) the cumulative impact of multiple potential developments in the floodplain.

Details are provided below:

- a. *loss of flood storage* – only minor cut and filling will occur for this development, therefore any effects are negligible in comparison to the size of the Catchment. The building will be open and allow for flood storage in the event of a flood.
- b. *changes in flood levels and velocities caused by alterations to the flood conveyance* - As stated previously, flood conveyance will not be affected by the proposed extension and will be constructed above the 100 year flood level plus freeboard. Cut and fill works would provide for an equal balance of flood storage for the post development arrangement.
- c. *the cumulative impact of multiple potential developments in the floodplain* - The site is located among existing developments of similar to the proposed; i.e. industrial and agricultural uses. The proposed use of the building is appropriate within the flood plain



Evacuation of the site in the event of flooding is possible via Old Bathurst Road and thence to Emu Heights Primary School or other area specified by State Emergency. The evacuation routes are well formed with sealed bitumen roads.

The proposed development is expected to have a negligible impact on flood levels and flow velocities and so will have little impact on adjacent properties. Compliance with the Flood Risk Assessment by Strategic Environmental and Engineering Consulting would enable the development to be in compliance with Penrith City Council's 'Development Control Plan, specifically Section 3.5 'Flood Planning' and also in accordance with the NSW Government's 'Floodplain Development Manual, 2005'.

5.4.3 Site Contamination

The proposed building will house manufacturing works consistent with the surrounding existing uses. The site does not house contaminants.

5.5 Section 79C(1)(d) - Any Submissions made in accordance with this Act or Regulation

Council will undergo its own process of seeking feedback and submissions through its formal assessment process. Should issues arise following this process then further information can be provided on request.

5.6 Section 79C(1)(e) - The Public Interest

The development will bolster the existing successful operation of the Rocla manufacturing plant and will provide economic benefits to the community through jobs and growth. The land use complies with the planning controls along with site suitability and capability considerations. The proposal will allow for operations at the site to grow and provide improved working spaces for employees at the plant.

The development has been properly considered and designed in response to the site constraints. It is considered that the public interest would not be jeopardised as a result of this development.

5.7 Section 79C(3A) – Development Control Plans

Section 79C (3A) has been considered in respect of this development application. The proposal is satisfactory when considered against the provisions of the DCP and not more onerous than the LEP. The DCP assessment indicated that that the proposed development was consistent with the intent and objectives of these controls. Should Council's assessment conclude otherwise, it is requested that Council apply those controls flexibly.



6.0 CONCLUSION

The proposed development has been assessed against the requirements of the Penrith Local Environmental Plan 2010 and Penrith Development Control Plan, 2014 and is considered to represent a type of development that is acceptable for the site and the area generally. The proposed development is consistent with the zoning objectives for the site and represent orderly development in terms of the Objects of the Environmental Planning and Assessment Act 1979.

The proposed extensions to the industrial shed would not result in any unacceptable impact on the locality. The site is considered quite suitable for a use of this nature and is compatible with nearby and adjoining development. The development would result in land use that;

- facilitates the manufacturing process at the site more effectively;
- Is compliant with existing planning controls and planning objectives for the area;
- Is suitably located due its position within the middle of the property on slightly higher ground;
- Is compatible with its surrounds and will not impact on important vistas of the locality;
- Is in the public interest

Accordingly, it is recommended that the proposed development for extensions to the industrial shed be approved.