



STATEMENT OF ENVIRONMENTAL EFFECTS TO ACCOMPANY A DEVELOPMENT APPLICATION FOR THE CONSTRUCTION OF A WAREHOUSE, LANDSCAPING, ACCESS PARKING AND ASSOCIATED WORKS

**No 93 LOCKWOOD ROAD, ERSKINE PARK
(proposed)**

Also known as No. 68 Lockwood Road

**Prepared for
Fitzpatrick Investments Pty Ltd**

**By
BBC Consulting Planners**

Job No. 22-102
SEE 93 Lockwood Road Erskine Park
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1. INTRODUCTION

1.1 Overview

This Statement of Environmental Effects (“SEE”) has been prepared on behalf of Fitzpatrick Investments Pty Ltd (“the Applicant”) to accompany a Development Application (“DA”) lodged pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979 for the construction of a warehouse, associated office space, landscaping, access, parking and civil works at Lot 102 in DP 1268632, otherwise known as No’s 177 – 299 Lenore Drive (“the site”).

1.2 Purpose of Statement of Environmental Effects

The purpose of this SEE is to:-

- describe the site to which the DA relates;
- describe the characteristics of the surrounding locality and in particular adjoining and adjacent development;
- describe the proposal;
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposal in light of all the relevant heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

2. THE SITE AND CONTEXT

2.1 Location

The site to which this SEE relates is Pt Lot 102 in DP 1268632 located at 68 Lockwood Road, Erskine Park (see **Figure 1**). That part of Lot 102 on which the development is located is known as 93 Lockwood Road. The site is located to the south of Lenore Drive at the intersection with Compass Drive and is bounded by Lockwood Road to the south. The site is located within the Erskine Business Park in the Western Sydney Employment Area. The area provides a central location for employment generating activities whilst providing strong links with major transportation infrastructure to facilitate the movement of goods regionally, nationally and internationally.

2.2 Real Property Description and Ownership

The site comprises part of Lot 102 in Deposited Plan 1268632 as shown on **Figure 2**.

The site is owned by Fitzpatrick Investments Pty Ltd. A certificate of title and deposited plan for the site is provided in **Appendix 1**. An easement for underground cables 9 metres wide and variable runs along the northern boundary.

2.3 Area and Frontages

The site has a total area of approximately 4.9 ha. The site has frontages of approximately 191.56 metres to Lenore Drive, 161.37 metres to Compass Drive and 244.94 metres to Lockwood Road.

2.4 Improvements

The site has not yet been developed and is currently devoid of any significant vegetation or trees. Earthworks have been undertaken on the site as part of previous consents to create a grade suitable for industrial development and to implement stormwater controls for the wider precinct.

The site, in its present condition, is gently sloping to the north east with a cross fall of approximately 4 metres. A mound approximately 2 to 3 metres high adjoins the northern boundary of the site adjacent to Lenore Drive capable of landscaping and providing screening from Lenore Drive. The existing pad falls away to Compass Drive and Lockwood Road and to the adjoining property to the east.

A site survey is contained in **Appendix 2**.

2.5 Access and Parking

Access to the site is to be provided from Lockwood Road via Compass Drive and Lenore Drive. The site has not been developed and no parking/access is currently provided.

2.6 Public Transport

The site is accessible via public transport, with bus routes 779 and 835 running along Lenore Drive connecting the site form Kingswood to Fairfield West and Liverpool.

2.7 Recent Development History

The has been the subject of works as part of previous approvals including:

- DA19/0818 (Bulk earthworks for the Subject Site and construction of trunk stormwater drainage to an Artificial Water Body to the east of the site); and
- DA21/0801 (Extension of Lockwood Road facilitating public road access and construction of trunk stormwater drainage to a future basin).

3. THE SURROUNDING LOCALITY

The context of the site relative to its immediate surroundings is evident on the detailed aerial photograph in **Figure 3A**. The wider context of the site is shown in **Figure 3B**.

The site is located approximately 15 km to the west of the Blacktown CBD close to the suburbs of Erskine Park, Oxley Park and Mount Druitt. The site is surrounded predominately by industrial uses mostly in the form of warehouse and distribution centres. The residential suburb of Erskine Park is located to the north of the site.

The Erskine Business Park forms part of the Western Sydney Employment Hub, as identified by the Department of Planning and Environment, due to the area's strategic importance within the Sydney Metropolitan Area. The area provides a central location for employment generating activities whilst providing strong links with the major transportation infrastructure to facilitate the movement of goods regionally, nationally and internationally.

3.1 To the north

To the north of the site on the southern side of Lenore Drive is AutoNexus, Erskine Park, a vehicle fulfilment centre specialising in the distribution of vehicles to suppliers. Further north is the residential suburb of Erskine Park.

3.2 To the east

To the east, adjoining the site is a vacant development lot with a frontage to Lenore Drive. Further east, Erskine Business Park is bounded by Ropes Creek and an area of undeveloped green open space, partly zoned for Environmental Conservation and general industrial uses.

3.3 To the south

To the south of the site, along Compass Drive is Lindsay Transport, a freight and logistics warehouse and distribution centre. Further south, an overground Warragamba water pipeline traverses the landscape from east to west, beyond which are established sites for industrial development known as Oakdale West.

3.4 To the west

To the west of the site, along Lenore Drive are warehouse and distribution centres including Followmont Transport and the manufacturing facility for Rondo Building Services. The Erskine Business Park extended further to the west.

4. PROPOSAL

4.1 Overview

The proposed development comprises localised earthworks to establish detail pad levels, construction of a warehouse building, access driveways, carparking, loading dock aprons, retaining walls, landscaping, stormwater drainage infrastructure and provision of utility services.

The warehouse building comprises two tenancies with a GFA of 15,419m² (Warehouse 1) and 13,350m² (Warehouse 2) and ancillary two storey offices are 770m² and 300m² respectively.

The car parking areas for staff and visitors on site has two entry/exit points and provides for 146 car parking spaces in two separate parking areas. The hardstand area which will be used for loading/unloading goods has two entry/exit points and can accommodate up to 18 large vehicles at any one time. The hardstand area will be covered by a projecting awning which will provide weatherproof conditions for the safe and dry handling/storage of goods, reduce the effects of urban heat and designing for the impact of climate change by removing the box gutter typical in canter levered awnings.

The development is shown on the architectural drawings (**Appendix 3**), landscape drawings (**Appendix 4**) and civil drawings (**Appendix 5**).

4.2 Development Metrics

Key development metrics are as follows:

Site Area	48,846m ²
Proposed Use	Warehouse and distribution centre comprising two tenancies
GFA	Warehouse 1 – 15,419m ² plus 770m ² office Warehouse 2 – 13,350m ² plus 300m ² office Total – 28,769 m ² warehouse and 1,070 m ² office = 29,839 m ² .
FSR	0.61:1
Building height	16.6 metres (maximum building height to ridge above existing ground level)
Site coverage	59%
Car parking spaces	146
Bicycle spaces	12 (6 at each end)

4.3 Earthworks

Previous bulk earthworks on the site established as part of DA19/0818 have formed an area for building. Earthworks proposed as part of this DA generally consist of detail cut and fill operations to establish proposed pavement and warehouse pad levels. These minor earthworks result in approximately 8,910m³ of surplus material being removed from the site.

Retaining walls external to the building footprint are proposed to the north of the site within the existing mounded area and offset sufficiently from an existing 132kV electrical transmission easement.

4.4 Building Design

4.4.1 Building Design

The building has been designed having regard to the sites frontage to three streets with the main address to Lockwood Road and present an attractive frontage to other streets. The design maximises flexibility in site layout and configuration to accommodate a range of potential end users.

4.4.2 Material and Colours

Materials and colours are shown on the DA drawings and include pre-cast panels at the base of the building and profiled metal sheeting and metal roof. Office elements articulate the building and include glazing elements.

The development proposes a 38 metre wide metal awning designed as an extension of the roof to avoid the requirement for a box gutter and providing shade and weather protection to the loading area.

4.4.3 BCA and Access

The development has been designed to meet the requirements of the NCC as outlined in the BCA report accompanying the application (**Appendix 7**).

4.5 Use

Warehouses 1 and 2 are to be used as warehouses and/or distribution centres with ancillary office spaces either combined or as two tenancies and with operations 24 hours a day, seven days a week.

4.6 Fit Out

Racking and office layout will be installed to suit tenant requirements and will be subject to separate approval.

4.7 Access and parking

4.7.1 Loading

Separate accesses for heavy and light vehicles are provided with car parking separated from loading docks and manoeuvring areas for each warehouse. All access points and internal driveways, service and circulation areas are designed to be compliant with AS 2890.1 and 2890.2 and accommodate the turning paths of B-Double vehicles (the largest proposed vehicle to access the site). Access is from Lockwood Road.

It is proposed that loading dock use will be in accordance with a Loading Dock Management Plan.

4.7.2 Car parking

146 parking spaces are provided in two primary locations on the eastern and western sides of the building with separate access points. Carpark and hardstand geometry will be designed in accordance with AS2890.1 and AS2890.

4.8 Signage

No signage is proposed as part of this application.

4.9 Landscaping

Landscaping is to be provided as outlined in the landscape drawings accompanying the development application. Planting to the frontages will consist of a variety of mostly native trees and a mix of native and exotic shrubs and groundcovers.

4.10 Fencing

Palisade style fencing will be provided to each street frontage integrated into the design of the landscape. Black PVC coated chain wire with 3 rows of barb to a height of 2100mm is proposed for the eastern boundary.

4.11 Lighting

Lighting will be provided in accordance with all relevant Australian Standards. LED lighting will be provided internally and externally. Car parking areas and loading areas will be lit and security lighting provided around the perimeter of the building.

External lights will be on timers with sensors provided internally and in the office areas where possible.

4.12 Stormwater Management

Stormwater management measures consistent with the local stormwater management strategy developed under separate approval DA19/0817 which included the construction of an artificial water body adjacent Ropes Creek to manage post-development stormwater flows from the site and adjoining development land to the east. Details of the measures proposed for this development are outlined in the Engineering Assessment Report prepared by enspire (**Appendix 6**) and the civil drawings accompanying the development application. This includes measures for erosion and sedimentation control during construction.

4.13 Utilities

Extensive existing utility infrastructure has been provided in the adjacent streets as part of the previous development with water, wastewater, telecommunications and energy services available to the site.

4.14 Sustainability

The building will be constructed using the standard Fitzpatrick Building Brief which would achieve a 4 Star rating equivalent should we provide the necessary paperwork and registration. (see advice from Northrop in **Appendix 8**).

The project will include the following ESD measures:

- Rainwater Harvesting and Re-use (toilet flushing, irrigation);
- LED lighting throughout the Warehouse and lighting control measures including motion sensors;
- Translucent roof sheeting to maximise natural light;
- Provision for future installation of roof mounted PV Solar System/s;
- Provision for future installation of electric vehicle charging;
- Solar Hot Water System.

4.15 Waste Management

A construction waste management plan accompanies the application and seeks to implement waste reduction targets for construction projects (**Appendix 10**).

An operational waste management plan will be prepared by new tenants.

5. STATUTORY PLANNING CONTROLS

5.1 State Environmental Planning Policy (Resilience and Hazards) 2021

State Environmental Planning Policy (Resilience and Hazards) 2021 provides that a consent authority must not consent to the carrying out of development on land unless it has considered whether the land to which the DA relates is contaminated.

There is nothing in the land use history of the site which would indicate that it might be contaminated.

The risk of contamination is therefore very low. Accordingly, Council can be satisfied that the site is suitable for its use as a warehouse and distribution centre.

5.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

Section 2.119 of this SEPP deals with development with frontage to classified road. Lenore Drive is a classified road.

2.119 Development with frontage to classified road

(1) The objectives of this section are—

(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and

(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—

(a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and

(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—

(i) the design of the vehicular access to the land, or

(ii) the emission of smoke or dust from the development, or

(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and

(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to

ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

Access to the site is from Lockwood Road. The nature of development proposed is that envisaged by the zoning of the land and the adjoining road network has been designed to accommodate traffic generated by development on the site and adjoining land. The development will not create a nuisance by way of smoke or dust and is not sensitive to traffic noise. A landscaped mound is proposed to the Lenore Drive frontage of the site to provide an appropriate presentation to Lenore Drive.

Section 2.121 of the Transport and Infrastructure SEPP 2021 applies to development specified in Column 1 of the Table to Schedule 3 that involves proposed works to construct a new premises.

The table in Schedule 3 specifies that development for the purpose of a warehouse or distribution centre with a site area greater than 8000m² is development specified for this section. The site has an area of 4.8ha (48,846 m²).

Clause 4 of Section 2.121 states:

(4) Before determining a development application for development to which this section applies, the consent authority must—

(a) give written notice of the application to TfNSW within 7 days after the application is made, and

(b) take into consideration—

(i) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, TfNSW advises that it will not be making a submission), and

(ii) the accessibility of the site concerned, including—

(A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and

(B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and

(iii) any potential traffic safety, road congestion or parking implications of the development.

Council may need to notify Transport for New South Wales for comment on the proposed development.

5.3 State Environmental Planning Policy (Industry and Employment) 2021

5.3.1 Zoning and Permissibility

The site is zoned IN1 – General Industrial under the provisions of Chapter 2 of the Industry and Employment SEPP 2021 (see **Figure 5A**).

Zone Objectives

Section 2.10(2) of the Industry and Employment SEPP 2021 requires that:

“(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.”

The objectives of the IN1 – General Industrial zone are set out below:

“To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.

- To encourage employment opportunities along motorway corridors, including the M7 and M4.*
- To minimise any adverse effect of industry on other land uses.*
- To facilitate road network links to the M7 and M4 Motorways.*
- To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.*
- To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.”*

The proposal is relevantly consistent with these zone objectives. The proposed development will provide an employment generating development in the form of a warehousing and distribution centre, creating employment opportunities in close proximity to the M4 and M7 motorway corridors.

Permissibility

The following development is permissible with consent in the IN1 – General Industrial zone:

“Building identification signs; Business identification signs; Depots; Environmental facilities; Environmental protection works; Food and drink premises; Freight transport facilities; Garden centres; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Industries (other than offensive or hazardous industries); Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Roads; Service stations; Storage premises; Transport depots; Truck depots;

*Vehicle body repair workshops; Vehicle repair stations; **Warehouse or distribution centres.*** (Our emphasis)

Any other uses are prohibited.

The use of the site for the purpose of a Warehouse and Distribution Centre is permissible with consent in the IN1 – General Industrial zone.

5.3.2 Requirement for Development Control Plan

In accordance with Section 2.17(1) of the Industry and Employment SEPP 2021, the consent authority must not grant development consent on any land unless a Development Control Plan has been prepared for that land.

The relevant Development Control Plan for the site is Chapter E6 – Erskine Business Park of Penrith Development Control Plan 2014.

5.3.3 Ecologically Sustainable Development

Section 2.19 of the Industry and Employment SEPP 2021 sets out provisions for ecologically sustainable development to minimise the consumption of potable water and greenhouse gas emissions.

As stated in Section 4.12, the building will be constructed using the standard Fitzpatrick Building Brief which would achieve a 4 Star rating equivalent should we provide the necessary paperwork and registration (see advice from Northrop in **Appendix 8**).

5.3.4 Height of Buildings

Section 2.20 of the Industry and Employment SEPP 2021 states:

“2.20 Height of buildings

The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that—

(a) building heights will not adversely impact on the amenity of adjacent residential areas, and

(b) site topography has been taken into consideration.”

The proposed warehouse has a maximum building height above existing ground level of 16.6 metres, which occurs at the peak of the roof ridge above the lowest part of the site. The maximum height to the roof ridge above ground floor level is 14.6 metres. The two storey office buildings have a height of 8 metres. The building height is consistent with the character of the surrounding industrial area which is comprised almost entirely of similar warehouse buildings.

5.3.5 Rainwater harvesting

Section 2.21 deals with rainwater harvesting and provides:

The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Secretary.

Rainwater harvesting forms part of the design process. There is no regional rainwater harvesting scheme approved by the Secretary.

5.3.6 Public Utility Infrastructure

Section 2.24 of the Industry and Employment SEPP 2021 states:

“2.24 Public utility infrastructure

(1) The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.”

The site will be readily augmented with the required public utility infrastructure including:

- The supply of water;
- The supply of electricity; and
- The disposal and management of sewage.

5.3.7 Transport Infrastructure Routes

Section 2.25 of the Industry and Employment SEPP 2021 applies to any land which is situated in the vicinity of a proposed transport infrastructure route as shown on the Transport and Arterial Road Infrastructure Plan Map. It states:

2.25 Development on or in vicinity of proposed transport infrastructure routes

(1) This section applies to any land to which this Chapter applies that is situated on or in the vicinity of a proposed transport infrastructure route as shown on the Transport and Arterial Road Infrastructure Plan Map.

(2) The consent authority must refer to the Secretary of the Department of Planning any application for consent to carry out development on land to which this section applies.

(3) The consent authority must, before determining any such development application, consider any comments made by the Secretary as to the compatibility of the

development to which the application relates with the proposed transport infrastructure route concerned.

The site is located adjacent to “proposed roads” being Lenore Drive and Compass Drive (see **Figure 5B**). These roads have been constructed and the proposed development will not have any adverse impact on the routine operations of this infrastructure asset. No access is proposed from Lenore Drive or Compass Drive.

5.3.8 Industrial Release Area – satisfactory arrangements for the provision of regional transport infrastructure and services

The site is located within the Industrial Release Area Map (see **Figure 5D**).

5.3.9 Design Principles

Section 2.30 of the Industry and Employment SEPP 2021 provides generic design principles that the Consent authority must take into consideration when considering a Development Application.

Section 2.30 of the Industry and Employment SEPP 2021 states:

“In determining a development application that relates to land to which this Chapter applies, the consent authority must take into consideration whether or not—

(a) the development is of a high quality design, and

(b) a variety of materials and external finishes for the external facades are incorporated, and

(c) high quality landscaping is provided, and

(d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.”

The proposed development is relevantly consistent with these design principles for the following reasons:

- The proposed warehouse units are of the highest architectural design, providing façade articulation, a high quality and diversified material and colour palette and building scale and form cognisant of the site and its surrounding environment;
- A detailed landscaping plan has been provided;
- The design, form, scale and landscaping features of the proposal are entirely consistent with similar developments within the Erskine Park Business Park. The proposed warehouse units will integrate into the landscape and will provide a modern and architecturally interesting building on a prominent corner lot.

5.4 Penrith Local Environmental Plan (PLEP) 2010

The site is a Deferred Matter (DM) pursuant to Penrith Local Environmental Plan 2010, as such consideration of the LEP is not required for the assessment of this Development Application.

5.5 Penrith Development Control Plan (PDCP) 2014

5.5.1 City Wide Controls

C1 Siting and Design Principles

The siting and design of the proposal reflects the location of the site at a key intersection and on a site with variable boundary alignments reflecting the surrounding road network. The building responds to the site's topography and maintains the mound along Lenore Drive to enhance the visual quality and amenity of the site and the industrial estate.

C2 Vegetation Management

No trees are to be removed from the site. Four recently planted street trees would be removed to make way for the new driveways to Lockwood Road. Significant additional planting is proposed within the site as indicated on the landscape plan.

C4 Land Management

Relatively minor earthworks are proposed given that the site has been subject to earthworks as part of subdivision works to providing a building site. As part of the earthworks for the proposal, up to 1m to 2m of cut and fill is proposed with a balance of 8,900m³ to be removed from this site and placed elsewhere in the locality.

C10 Transport,

The application is accompanied by a Traffic Report. Penrith DCP 2014 requires car parking for industrial development at a rate of 1 space per 100 square metres GFA which would require 299 spaces for the development which is significantly in excess of requirements. RTA parking rates results in a need for 100 spaces with 146 spaces provided. This is consistent with the level of provision at other similar recently approved development within proximity to the subject site, within the Erskine Park Employment Area. The parking provision is considered adequate.

5.5.2 Erskine Park Controls

A detailed assessment of the relevant development controls specified under Section E6 Erskine Business Park of Penrith Development Control Plan (PDCP) 2014 is provided in the following table.

Penrith Development Control Plan 2014	
Control	Compliance
Chapter E6 – Erskine Business Park	
6.1.1 Aims and Objectives of this Section	
a) To enable a diversity of employment generating development to locate within the Erskine Business Park;	Complies. The development provides employment generating development.

Penrith Development Control Plan 2014	
Control	Compliance
b) To ensure that the standard of development does not detract from or unduly impact upon the existing built environment in adjoining rural and residential areas; and	Complies. The development is well removed from development in residential and rural areas.
c) To ensure that development occurs in an environmentally responsible manner and future development limits adverse impacts upon significant biodiversity.	Complies. The development has no impact on biodiversity areas.
d) To provide a framework that will lead to a high standard of development by encouraging local employment and creating an area which is pleasant, safe and efficient to work in;	Complies in that the development is well designed and located on the site with substantial boundary landscaping.
e) To ensure that development takes account of the physical nature of the local environment, particularly Ropes Creek, ridgelines and the natural landscape;	Complies. The development has no significant impact on natural features of the area.
f) To ensure that development does not result in pollution of waterways and in particular of Ropes Creek and South Creek;	Complies. Erosion and sedimentation controls are included in the design and the development will drain to catchment wide detention and water quality features.
g) To promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of the existing residential areas;	Complies. The development has no impact on the amenity of residential areas, provides significant landscaping to street frontages and is compatible with the character of the area.
h) To identify and provide for public amenities and service infrastructure to accommodate development;	Complies. Service infrastructure is provided to meet the needs of the development.
i) To promote the creation of a landscaped area within the electricity transmission easement to act as a buffer between the employment zones and the residential communities;	N/A
j) To establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised;	Complies. The development is towards the centre of the business park and has no impact on the environmental qualities of adjoining areas.
k) To ensure that development is consistent with the objectives of the Threatened Species Conservation Act with particular regard to the endangered ecological communities, flora and fauna present on the site;	Complies.
l) To facilitate conservation of urban bushland; and	Complies.
m) To protect, restore and enhance riparian corridors within Erskine Business Park.	Complies.
6.3.1 Height	

Penrith Development Control Plan 2014	
Control	Compliance
A. Objectives	
a) To encourage building forms that respond to the topography of the site and the relative position of the allotment to other allotments and the street;	Complies – The proposed building conforms to the existing topography of the site and responds appropriately to the street frontages.
b) To ensure a scale of buildings which minimises the impact of development on adjoining residential areas; and	Complies – The scale of the proposed building is entirely suitable for the site and will have no impact on residential receivers due to its location within Erskine Park.
c) To minimise the impact of development on views from adjoining residential areas.	Complies – The proposed building will have no impact on existing views from residential areas.
B. Controls	
1) The maximum height for buildings and structures in the Northern Area shown in Figure E6.1 shall not exceed 12m.	N/A – The Site is located in the southern area of Erskine Park as per Figure E6.1.
2) The maximum height for buildings and structures in the Southern Area shown in Figure E6.1 shall not exceed 15m, unless otherwise specified below	Does not comply – The maximum height of buildings will be 16.6 metres at the ridge height and measured at the lowest point of existing ground level under the building. The building has a ridge height above ground floor of 14.6 metres which complies with the control. There is an area of exceedance when viewed from the east of the site around the middle of the building and is not visible from all street frontages. The development respects the topography of the site and utilises the undercroft area along the eastern boundary for undercover car parking. The building has a height and character that is consistent with the character of the area.
3) Generally, buildings should be sited on mid-slope to avoid visual impact on ridges and to be in harmony with the existing landscape.	Complies – Site levels established following earthworks in accordance with previous consent establishing the levels for the purpose of this DA. The development will have no visual impact on ridges. The site will be integrated within the existing landscaping of Erskine Park.
4) On sloping sites, the building or buildings should be designed, where possible, so as to "step" physically up or down the site to avoid visual impact on ridges.	N/A – The site is generally level.
6.3.2 Site Coverage	

Penrith Development Control Plan 2014					
Control	Compliance				
A. Objectives					
a) To limit the density of development; and	Complies – The density of development is eminently suitable for the site and the locality.				
b) To encourage the provision of open space and landscaping on development sites, consistent with the landscape objectives in the Landscape Design of this Plan.	Complies – The site will provide a landscaped buffer to Lenore Drive, Compass Drive and Lockwood Road.				
B. Controls					
1) Site coverage shall not exceed 50%, unless otherwise specified below.	Does not comply – The site coverage is 59%. However, the development includes substantial and continuous areas of landscaping along the main frontages of Lenore Drive, Compass Drive and Lockwood Road. The provision of a landscaped mound to Lenore Road reduces the scale of the building and provides enhanced screening. The building and its landscape setting are appropriate for the site and are consistent with the character of other sites in Erskine Business Park.				
6.3.3 Setbacks					
A. Objectives					
a) To provide an open streetscape with substantial areas for landscaping; and	Complies – The site will provide a landscaped buffer to Lenore Drive, Compass Drive and Lockwood Road.				
b) To enhance the visual quality of development and the urban landscape.	Complies – The proposed building will be of a high architectural quality.				
B. Controls					
1) The setback standards are outlined in the table below. Where the property has frontage to more than one road, Council will consider a variation to setbacks on the secondary road frontage, as shown in Table E6.2 below.	Noted – The site has three road frontages and a relaxation of the setbacks is sought.				
Table E6.2 Setback Requirements <table border="1"> <tr> <th>Setback Type</th><th>Setback</th></tr> <tr> <td> </td><td> </td></tr> </table>	Setback Type	Setback			Setback to Lenore Drive: The development provides a variable setback to Lenore Drive influenced by the curved boundary alignment to Lenore Drive. The setback varies from 28 metres to 12.5 at the closest point. This
Setback Type	Setback				

Penrith Development Control Plan 2014		
Control		Compliance
Northern Access Road (Lenore Drive and Erskine Park Link Road to Westlink M7)	20m	setback is considered acceptable for the following reasons: - The landscaped mound along the northern boundary of the site provides a good visual screen enabling the objectives of the controls to be met; - A continuous landscaped buffer of a minimum of 10 metres increasing to 25 metres along Lenore Drive provides an effective and consistent landscape treatment to the frontage establishing the landscaped character of this section of Lenore Drive and complementing the wide footpath in the vicinity of the site. Setback to Compass Drive: The setback exceeds the 15 metre control to Compass Drive except in the north west corner of the building where the setback reduces to a minimum of 8 metres at the closest point. A continuous landscaped buffer is provided in this section of the site of approximately 7 metres enabling significant screen planting to be established. The location of the building is consistent with that on the south west corner of Lenore and Compass although the proposal includes a wide screen planting zone. For the majority of the frontage to Compass Drive, the setback exceeds the minimum requirement, and a continuous landscaped zone is provided along the frontage of variable width. Setback to Lockwood Road: With the exception of the awning, the warehouse building is setback some 45 metres from Lockwood Road. The awning is some 38 metre wide and 160 metres long. The awning provides weather protection to loading and unloading vehicles from the inclement south westerly winds and rains and also shade to the concrete loading apron providing amenity for workers and drivers and reducing heat load. The awning is integrated into the design of the roof and reduces in height towards the southern boundary. It is not enclosed on its three sides with views from the surrounding roads remaining towards to building.
Other Road Frontages	15m	
Rear and side boundaries	5m	

Penrith Development Control Plan 2014	
Control	Compliance
	A wide landscaped zone is provided along the southern boundary varying in width from approximately 5 to 9 metres and occupying the full frontage except for driveway crossings. Conclusion: It is considered that the setbacks proposed are acceptable given the alignment of site boundaries, the requirement for efficient warehouse floor designs, the proposed boundary landscaping including the mound to Lenore Drive and the function of the adjoining roads .
2) Notwithstanding Control (1) above, no development other than the following development is permitted within the defined setback for any road, other than Lenore Drive, Mamre Road and Erskine Park Road: a) Car parking b) landscaping in accordance with the provisions of the Landscape Design Section of this Plan; c) maintenance/rehabilitation of biodiversity corridors or areas in accordance with the provisions of the Vegetation Management Section of this Plan; d) utility services installation; e) accessways and driveways (not permitted in setbacks to designated roads); f) approved signage; g) street furniture; and h) drainage works.	Complies.
4) Existing remnant vegetation within front, rear and side setback areas shall be retained and enhanced as an integral part of the landscaping proposals for each development.	Complies – The site is devoid of any remnant vegetation.
5) Where sites back onto designated roads or the main access roads, those setback areas shall be provided with mounded landscape screens.	Complies.

Penrith Development Control Plan 2014	
Control	Compliance
Existing remnant vegetation shall be retained and enhanced as part of those landscaping proposals.	
6.3.4 Urban Design	
A. Objectives	
a) To encourage a high standard of architectural design, utilising quality materials and finishes;	The proposed development is consistent with these objectives providing a high quality architecturally designed facility with articulated facades and substantial landscaping. Darker colours have been used on the lower precast sections of the external walls with lighter colours above to further reduce the perceived scale
b) To establish varied and articulated frontages facing or visible from public roads;	
c) To minimise perceived scale and mass and to prevent monotonous building forms resulting from poor design of walls or rooflines; and	
d) To ensure that new development contributes to the creation of a visually cohesive urban environment.	
B. Controls	
Architectural/Design	
1) In assessing development proposals, Council will have regard to the quality of building design and materials (type and colour).	Complies – The proposed development will integrate quality building design and high quality materials.
2) Prominent elevations, such as those with a frontage to the street or public reserves or those that are visible from public areas, must present a building form of significant architectural and design merit. The construction of large, blank wall surfaces is not permitted.	Complies – The northern elevation of the building will face Lenore Road and will be architecturally enhanced with varying materials and colours to break up the façade. The landscaped mound screens views of the building.
3) Large unrelieved expanses of wall or building mass will not be supported by Council, and as such should be broken up by the use of suitable building articulation, fenestration or alternative architectural enhancements.	Complies – The massing of the northern elevation will be broken up by the use of colour variations and enhancements to provide building articulation. There is also a significant extent of landscaping provided to the Compass Drive frontage.
4) The use of large, uninterrupted areas of metal cladding or untreated concrete surfaces for wall construction is not supported. Applicants shall vary materials or finishes for external walls to provide attractive streetscapes and quality building designs. Council may limit the use of a single construction material to 50% of a wall surface area.	Complies to the extent that the proposed development will include a variation of colours materials to provide improved building articulation. Profiled metal sheeting is the dominant building form and occupies more than 50% of walls with articulation provided by colour change and views of the building softened by landscaping.

Penrith Development Control Plan 2014	
Control	Compliance
5) All loading areas should be located towards the rear of allotments. Where possible, loading areas should be screened from the view of main road frontages through physical and/or vegetation screening.	Complies – Loading areas will be provided to the south of the site and accessed off Lockwood Road.
6) Details of samples of external materials and finishes shall be submitted with the Development Application.	Complies – A material schedule is included in the Architectural Plans provided with this application.
7) External materials should not have an index of reflectivity above 20%.	Complies – Materials/colours have been chosen to reduce reflectivity.
8) Energy efficient design principles should be employed in all building designs.	Complies. Refer to the Sustainability report prepared by Northrop.
9) Walls shall be articulated to provide more varied streetscapes, where visible from public roads or adjacent residential areas.	Complies – The proposed development will include a variation of materials to provide improved building articulation.
10) Part of the cross-section of buildings shall be projected to reduce apparent height and scale of external walls, including: a) awnings and/or upper storeys that project above footpaths; b) roofs with eaves that project beyond external walls; c) colonnades.	Complies. An awning is included on the Lockwood frontage which projects beyond the external wall.
11) Entrances to buildings must be highlighted by architectural features consistent with the overall design of the building.	Complies – The entrance to the building will be architecturally enhanced through the use of glazing and other architectural elements.
12) Particular care should also be taken in: a) designing roof elements; and b) locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations.	Complies – Plant and mechanical equipment will be suitable screened and located in areas not visible from the public realm.
13) External material colours to be consistent with the following palette of colours developed for Erskine Business Park:	Complies – External material colours will be neutral earth tones.

Penrith Development Control Plan 2014	
Control	Compliance
a) Earth Tones - stone colours, browns, muted greens, sand, dark red/ plums; and b) Cool Tones - soft greys, grey/blues.	
Siting/ Building Orientation	
1) Building elevations oriented towards residential areas shall be minimised. Where site constraints create difficulties in complying in this regard, elevations shall be appropriately detailed using windows, broken building planes and other architectural devices.	Complies – The proposed development will include a variation of materials to provide improved building articulation.
2) Design and layout of buildings shall give consideration to local climatic conditions. For example: a) where possible, buildings should take advantage of a north or north easterly aspect; b) western orientations should be avoided; c) trees should be planted around the building to create shade, screening and wind breaks.	Complies – A large awning has been provided to protect the southern elevation of the building to protect the operations from the prevailing South Westerly weather experienced locally.
3) Development should not seriously impede the access of solar radiation to surrounding land and development.	Complies – There will be no adverse impacts in terms of solar access as a result of the proposed development.
6.3.5 Signage and Estate Entrance Walls	
	Signage not proposed as part of this application
6.3.6 Lighting	
A. Objectives	
a) To provide adequate security lighting for business establishments, whilst ensuring there is no adverse impact upon the use and enjoyment of adjoining premises and surrounding areas, particularly residential and rural areas; and b) To provide suitable lighting along the road network to enhance landscaping.	Will comply with no surrounding residential and rural areas.
B. Controls	
1) Lighting details shall be provided as part of any relevant Development Application.	Complies. Lighting will be provided in accordance with all relevant Australian Standards. LED lighting

Penrith Development Control Plan 2014	
Control	Compliance
2) Lighting design should address the principles of Crime Prevention through Environmental Design (CPTED), where there is significant pedestrian activity, late night work-shifts or safety and security issues. These principles are outlined in the Site Planning and Design Principles Section of this Plan. 3) Adequate lighting should be provided to meet security requirements without excessive energy consumption. Lighting powered by solar batteries or other renewable energy sources is encouraged. The use of sensor lighting, both internally and externally, should be considered.	will be provided internally and externally. Car parking areas and loading areas will be lit and task lighting provided around the perimeter of the building. External lights will be on timers with sensors provided internally and in the office areas where possible.
6.3.7 Fencing	
A. Objectives	
a) To ensure that the security needs of the development are satisfied in a manner which complements the surrounding landscape design and streetscape quality; and	Complies – The building will be separated from road frontages by a landscape buffer and appropriate, visually permeable fencing.
b) To ensure that fencing is consistently located behind the landscaped front setback and is of a consistent high quality.	Complies.
B. Controls	
1) No fencing other than a low ornamental type may be erected at the front site boundary. Should an applicant elect to use high security fencing, such fencing must be located either behind the landscape setback or alternatively within the landscaped area midway between the site front boundary and the building line.	Complies. Palisade style fencing will be provided to each street frontage integrated into the design of the landscape.
2) Security fencing shall generally be of an "open" nature and of a dark colour, such as green or black plastic coated mesh fencing, which blend better with screening vegetation than galvanised wire.	Complies. Palisade style fencing will be provided to each street frontage integrated into the design of the landscape.
6.3.8 Services	
A. Objectives	

Penrith Development Control Plan 2014	
Control	Compliance
a) To ensure that adequate services are available to facilitate development; and	Complies – The building will be adequately serviced with water, electricity, internet, fire boosters and other associated services.
b) To ensure the co-location of services where possible.	N/A
B. Controls	
1) Council shall require as conditions of any development consent that arrangements satisfactory to: a) Sydney Water will be made for the provision of water and sewerage services; b) Integral Energy have been made for the supply of electricity; c) arrangements satisfactory to the relevant telecommunications authority will be made for the provision of telecommunications services; d) Council have been made for the drainage of the land.	Noted.
2) 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.	Noted.
3) Council will require that all new premises within the Erskine Business Park be provided with state of the art telecommunications infrastructure utilising optic fibre or DSL technology to enable companies to access broad band services using high speed, high reliability telecommunications.	Noted.
6.4.1 Noise Pollution	
A. Objectives	
a) To establish design criteria for noise emissions from industrial or other employment-generating development;	Complies.
b) To establish acoustic environmental goals for existing and future adjacent residential areas; and	Noted

Penrith Development Control Plan 2014	
Control	Compliance
c) To establish noise contributions for individual allotments within the employment zones when related to residential boundaries.	Noted
B. Controls	
1) Any machinery or activity considered to produce noise emissions from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the <i>Protection of the Environment Operations Act 1997</i> .	No significant machinery proposed other than typical for a warehousing use.
2) The use of mechanical plant and equipment may be restricted in the Northern Area (Figure E6.1). Developers in all areas should ensure through design of their development that no offensive noise is emitted.	Site is in the southern area at the centre of the business park and well removed from any noise sensitive receivers.
3) Where it is considered likely that a development may cause an adverse impact on nearby rural or residential areas, a noise impact statement from a qualified acoustical engineer will be required to be submitted to Council for consideration with the Development Application. A noise impact statement will need to demonstrate that the proposed development will not create any adverse impact.	Noise Impact Assessment not considered necessary in this instance as the development is over 500 metres from the nearest residential use to the north and separated by intervening industrial buildings, Arterial Roads and uses.
4) All development shall comply with the requirements of relevant Australian Standards and State Government policies and guidelines relating to Noise.	Can comply.
6.4.4 Energy Conservation	
A. Objectives	
a) To encourage development designed to minimise energy usage; and	Complies. Refer to sustainability report (Appendix 8).
b) To encourage development to consider the application of energy efficient technology and systems.	
B. Controls	
1) Development must demonstrate that the following have been taken into account in the design process:-	Generally, complies. Refer to sustainability report. No potential for effluent re-use.

Penrith Development Control Plan 2014	
Control	Compliance
a) Potential for effluent re-use b) Water minimisation techniques, including water recycling c) Waste minimisation techniques, including recycling.	
6.4.5 Trading/ Operating Hours of Premises	
A. Objectives	
a) To ensure the amenity of adjoining residential and rural areas is preserved; and	There are no adjoining residential areas with the site more than 500 metres from the nearest residential property.
b) To ensure development is provided the flexibility in trading/operating hours to ensure it is competitive and productive.	
B. Controls	
1) Construction works (all development) shall generally be restricted to the following hours: a) Monday to Friday, 7.00 a.m. to 6.00 p.m. b) Saturday, 7.00 a.m. to 1.00 p.m. c) No work on Sundays or Public Holidays	Noted.
2) The hours of operation for premises involved in any type of employment generating activity shall be dealt with on a merits basis. Council appreciates that because of the nature of certain activities shift work may be essential to the viability of the development.	Noted. The application seeks approval for 24 hour use 7 days a week for warehouse and logistics purposes
3) In considering applications Council shall have regard to the likely impact of the trading hours of a particular activity on the amenity of adjoining residential and rural areas.	Noted.
6.5.1 Drainage – Introduction	
A. Objectives	

Penrith Development Control Plan 2014	
Control	Compliance
a) To ensure that an adequate and environmentally acceptable method of removing surface water and stormwater is implemented; b) To ensure that development does not result in the pollution of waterways and that the transportation of pollutants is minimised; c) To ensure that development does not create or exacerbate problems relating to saline or highly erodible soils; d) To protect, restore and maintain the physical and biological integrity of the waterways; and e) To ensure the overall drainage system is designed to minimise, to acceptable levels, the risk of local flooding.	Complies as outlined in the Engineering Assessment Report (Appendix 6).
B. Controls	
1) The provision of drainage shall be in accordance with the Water Management Section of this Plan.	Complies as outlined in the Engineering Assessment Report (Appendix 6).
2) Council's preferred drainage/flooding/water quality control option for the Erskine Business Park is shown in Figure E6.10 - Erskine Business Park Drainage Works. Whole of life costs and ease of maintenance will be critical considerations in determining the form of the final drainage option.	Complies in that drainage is directed to Ropes Creek via water quality control devices.
3) There are two distinct sub-catchments within Erskine Business Park, 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.	Noted. The site is in the eastern catchment.
4) The greater South Creek Catchment is subject to the criteria contained within <i>Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (No. 2 – 1997)</i> and the Water Management Section of this Plan.	
6.5.3 Eastern Catchment – Ropes Creek	
B. Controls	
1) Development within the sub-catchment, which drains directly into Ropes Creek, will be required to direct its stormwater runoff into a detention basin facility. Special attention will need to be	Complies. Stormwater is directed to a new artificial water body that serves to provide water detention and water quality treatment.

Penrith Development Control Plan 2014	
Control	Compliance
given to this aspect of the development during the subdivision design process.	
2) Developments in this area will be required to design environmentally sensitive stormwater management solutions consistent with the constraints specific to the site.	Complies.
3) All drainage infrastructure required in this catchment, shall be provided with the development of the land, at the developer's cost.	Noted. Infrastructure is in place to accommodate this development.
4) Management of stormwater quantity and quality close to its source has the potential to limit the impact of major drainage works on the endangered vegetation throughout this area. Consequently, at-source, on-site controls are the preferred treatment strategy in this catchment and their implementation will be encouraged.	Noted. Detention and treatment is provided in the facility adjacent to Ropes Creek.
5) No regional water quality or water quantity controls have been identified in this Plan, however there will be a requirement for the runoff from the Eastern Catchment to conform to Council's standard. This will be the responsibility of individual developers in that part of the estate. It is envisaged that these facilities will be provided near the Ropes Creek interface. There will be no levies associated with this Eastern Catchment.	Noted and complies.
6) The drainage solution shall include provision for water quality and quantity for all roads. This water quality/quantity system shall be clear of the 1 in 100 year flood line and biodiversity corridor.	Noted. Roads are not proposed as part of this application.
7) Land identified by Council as performing a significant drainage function and where not specifically identified in that plan is to be covered by an appropriate "restriction as to user" as deemed by Council.	N/A
6.6 Transport Network	
A. Objectives	
a) To create a road network which enables a safe and efficient access for all users, while minimising through traffic on minor roads;	Complies – The proposed development will be accessible from Lockwood Road and will not disrupt traffic movements along Lenore Drive.

Penrith Development Control Plan 2014	
Control	Compliance
b) To incorporate sustainable landscape and drainage opportunities in the design of the transport network;	Noted and complies.
c) To encourage the use of efficient alternate transport, including public transport, bicycles, and pedestrians;	N/A – The site is located in an area generally accessible by cars. Adequate parking provision is provided on the site.
d) To provide traffic facilities to give safe and efficient access to Mamre Road and Erskine Park Road;	N/A
e) To provide for a future road link to the Westlink M7 and to provide all properties within this estate a direct connection to this link road;	N/A
f) To minimise the number of road entry points to designated roads and the northern access road thereby allowing more efficient traffic management;	Complies – There will be one entry and one exit to the hardstand and a separate entry exit point provided for each carpark allowing for vehicles to enter and egress the site in a forward motion. No access is proposed from Lenore Drive or Compass Drive.
g) To maintain the capacity of the State Arterial Roads (Erskine Park and Mamre) by minimising the number of access points; and	Noted.
h) To provide better connectivity between Erskine Business Park and other parts of WSEA.	Noted.
B. Controls	
1) The two main access roads to Erskine Business Park indicated in Figure E6.11 are: a) Lenore Drive (Northern Access Road) b) James Erskine Drive (Western Access Road)	Noted.
3) The internal road system shall be provided in accordance with the principles and requirements set out below.	Noted.
4) Access points shall be located so as to optimise safety, traffic flow and landscape opportunity. The Northern Access Road shall be access controlled such that: a) North of Northern Access Road (existing location of Lenore Drive): Access to Lenore Drive will be limited to one access point per lot. Upon redevelopment, the access point for Lot 5A,	Complies – Access will not be provided to Lenore Drive.

Penrith Development Control Plan 2014	
Control	Compliance
DP162129 shall be combined with one of the adjoining lots.	
b) South of Northern Access Road: Access to Lenore Drive shall be limited to the three points as shown on Figure E6.11 of this Section.	
5) All parking shall be provided either on site or in centralised off-road locations.	Complies – 146 car parking spaces will be provided on site.
8) All intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient traffic movement.	Complies.
6.8.1 Landscaping Objectives	
a) To retain and enhance locally and regionally significant cultural and ecological values;	Noted. The site does not contain any areas of locally or regionally significant cultural or ecological value.
b) To create a landscape character and amenity that is appropriate to the scale and nature of the development; and	Complies in that significant landscaping is provided to the street frontages particularly Lenore Drive and Compass Drive where continuous landscaping is provided.
c) To develop an overall landscape character that is derived from natural and cultural landscape features contained within the site and immediate environs.	Complies in that the landscape plan includes a significant number of native trees.
6.8.2 Landscaping Controls	
Removal of existing vegetation can result in a lower take up of water contributing to a rising ground water table and potential problems with salinity. Saline soils can damage roads, parking areas and buildings as well as ultimately causing scouring and effecting vegetation growth. Once soils have become saline it is virtually impossible to reverse the effects. Preservation of existing vegetation, particularly larger trees on ridgelines can help reduce or delay the impact of salinity. Existing trees are to be preserved wherever possible. The siting and layout of a development at the initial concept stage must consider the location of trees with a view to their preservation. Existing trees shall not be removed prior to the written consent of Council being obtained.	Noted. No substantial trees are to be removed from the site as part of this application and a significant number of trees will be planted. Four recently planted street trees will be removed to provide access.
The existing vegetation to be retained must be protected from soil compaction, root, trunk and limb damage, soil contamination and changes in surface level that will affect the health of the	

Penrith Development Control Plan 2014	
Control	Compliance
specimen. Protection measures are to be installed prior to the commencement of any earthworks. A man-proof, sturdy and durable chain-wire fence of sufficient height shall be erected 1m beyond the dripline of each specimen for the full circumference of all vegetation to be protected.	
6.9.1 Landscape Areas Objectives	
a) To provide functional areas of planting that enhance the presentation of a building;	Complies. Functional areas of landscaping are provided including continuous landscaping along the Lenore Drive frontage that includes a landscape mound of 2 to 3 metres in height to assist in screening the development and softening the appearance of the northern building façade. A continuous landscaped area is provided along Compass Drive with a width adequate to support substantial tree growth. The provision of access to the site prevents a continuous landscaped buffer to Lockwood Road. However landscaped areas generally between 5 and 8 metres wide capable of supporting substantial tree growth are provided.
b) To screen undesirable views;	Noted. Landscaping provides an appropriate setting for the development.
c) To reduce building energy consumption;	Noted.
d) To provide outdoor staff amenity facilities;	Opportunities for staff breakout spaces in the landscaped area are provided.
e) To select tree species that are “low maintenance” planting to reduce the impact of green waste;	Noted
f) To provide wildlife habitats; and	Noted
g) To contribute to the overall character of the locality.	Noted
6.9.2 Landscape Area Controls	
1) A framework planting of endemic canopy and shrub species is to be established for all developments. This will enhance the sense of place for each development site. Consideration to be given to features such as bird attracting qualities, aromatic foliage and flowers, and habitat value as well as visual qualities, site suitability, and proximity to biodiversity corridors or areas. Habitat value is to be given high priority.	Complies. A mix of native and exotic canopy and shrub planting is proposed.

Penrith Development Control Plan 2014	
Control	Compliance
2) Smaller scale and less visually prominent planting may include species other than those endemic to the area. This will produce variety and interest in the landscape at this scale. This does not apply to development adjoining Biodiversity Areas or within or adjoining Biodiversity Corridors.	Complies.
3) Property entrances may be highlighted with feature planting, and need not be limited to native or endemic species. No plant species shall be used on site that could become a weed within remnant bushland areas or creek lines.	Complies.
4) Plant species should be carefully selected to meet service authority requirements in easement locations.	Noted.
5) Plant material in car parks should be used to provide shade, ameliorate views of large expanses of paved areas and cars, and to identify entrances to car parks.	Noted.
6) Trees providing shade in car parks should be given sufficient area for root development.	Complies. Canopy trees are provided along the western and southern boundaries of the site adjacent to the main car parking areas.
7) Narrow strips of landscaped area between an allotment boundary and building, or between parking areas and a building should be avoided.	A side boundary landscaped area of some 2.5 metres wide is provided along the eastern boundary which can complement a similar landscaped setback on the adjoining site.
8) Island planting beds should be interspersed throughout large parking areas. Planting should consist of ground covers, shrubs to 1m, shade producing and canopy species.	Island planting beds are not proposed with canopy trees in the boundary landscape zones providing shade to parking areas. Shade is provided to the loading area by the provision of a 38m wide awning.
9) Plant material shall be a mix of super-advanced, advanced and normal nursery stock that will provide a quick effect especially in visually prominent areas. Larger plant sizes would be appropriate in some locations.	Complies.
10) Groundcovers should be considered as a grass alternative in areas not specifically designed for pedestrian use.	Complies.
11) Presentation of a building facade to the street should be complemented with appropriate enframing or screening vegetation. The visual impact of large expanses of wall should be reduced in scale by architectural treatment as well as by	Screening vegetation is provided to the streets, particularly Lenore Drive and Compass Drive.

Penrith Development Control Plan 2014	
Control	Compliance
dense grove planting or other landscape design solutions.	The 2 to 3 metre mound to Lenore Drive will reduce the visual impact of the facades, particularly to the north and west.
12) Consideration should be given to solar access and energy conservation, with the appropriate use of deciduous trees.	Noted. .
6.9.3 Hard Landscape Requirements	
1) Paving, structures and wall materials should complement the architectural style of buildings on the site and be of local origin where possible.	Complies. Refer to landscape drawings.
2) Materials should cause minimal detrimental visual impact, and the use of subtle coloured materials and block or brick paving is encouraged.	Complies.
6.9.4 Performance Standards and Maintenance	
1) Landscape works are generally constructed at the completion of building works.	Noted.
2) However, Council may require by way of conditions of development consent, that tree bonds be placed over existing significant trees on a proposed development site. Any such existing trees and all landscape works from the approved development should be maintained throughout the duration of the construction works and in perpetuity for the life of the development. The onus for satisfactory maintenance is on the applicant until the development has been completed and on the owner thereafter.	Noted.
3) These requirements should be read in conjunction with the Landscape Design Section of this Plan.	

5.5.3 Urban Heat Controls

An assessment of compliance with the urban heat controls of the Penrith Development Control Plan (PDCP) 2014 is provided in the following table.

Penrith Development Control Plan 2014	
Control	Compliance
C14 Urban Heat Management	
1.1 Landscape Design	
Objectives	
a) To ensure outdoor areas incorporate cooling design elements to provide cool refuge during hot weather events.	Complies in that the development incorporates significant boundary landscaping capable of accommodating mature shade trees and with an awning providing shade to the loading and unloading areas and hardstand areas.
b) To reduce the contribution of development on the Urban Heat Island Effect in Penrith through: i) integration of grey, green, and blue infrastructure in development, ii) adequate and appropriate provision of landscaping, and iii) Incorporating permeable materials into landscape design.	Complies in that significant landscaping is proposed, sustainability measures have been incorporated into the design and deep soil landscaped areas are provided. Rainwater harvesting will provide water for irrigation and toilet use.
c) Retain and enhance existing vegetation and canopy coverage to reduce the impact of urban heat on the community.	Complies. Vegetation in the site is to be significantly enhanced.
d) Deliver appropriate quality and quantity of vegetation as green infrastructure with an integrated design approach to reduce development's contribution to the urban heat island effect.	Complies in that significant landscaping is proposed capable of shading car parking areas, the building and the public domain. Rainwater harvesting for irrigation and amenities is provided.
e) To ensure development provides long term solutions to address the Urban Heat Island Effect in Penrith by: i) Delivering green infrastructure which positively contributes to the amenity of the locality, while recognising the context and existing development patterns. ii) Ensuring adequate and appropriate vegetation and conditions for healthy growth are provided, including vegetation that contributes to increasing the amount and health of the local tree canopy. iii) Supporting passive design principles with landscaping to deliver landscaping that contributes to the conservation of energy and supports thermal comfort.	Complies in that landscaping is provided around the perimeter of the site, the development drains to, and supports, a new waterbody to the east of the site functioning as a detention and water quality control basin, the proposed awning provides shade to loading and unloading areas.
Controls	
1) All required Landscape design plans are to be prepared in accordance with appendix F3. Plans are to demonstrate that: a) Trees are supported by understorey planting.	Complies in that trees are supported by understorey planting, tree planning assists in providing shade to the building, trees will provide shading to the western car parking area and the

Penrith Development Control Plan 2014	
Control	Compliance
b) Internal and external passive solar access is managed through tree and vegetation selection and location. c) Shading is provided to exposed Western façades. d) Adequate solar access has been provided to the dwelling and any proposed or future solar panels. e) Where feasible, there is shading to parking spaces and paved surfaces. f) Vegetation is co-located with existing trees, and/or clustered to improve its cooling effect, where this is not in conflict with other controls such as planning for bushfire prevention. g) Plantings include drought tolerant and heat resilient varieties and contribute to canopy coverage. h) Where feasible, permeable materials such as dry laid paving, permeable pavers, unbound aggregate, or bound paving are utilised and are appropriate for site conditions.	building will provide shade to the eastern car parking area.
2) Developments are to be designed to ensure that existing mature trees including street trees can be retained.	N/A
3) Tree species selection and location must demonstrate consideration of the Landscape Design and Vegetation Management sections of this DCP, the List of Appropriate Trees, as well as the following: a) Shading effect, including location and maximisation of possible canopy size and density, b) Heat and extreme heat resilience, c) The character and constraints of the locality, d) Planting density, e) Nearby services, public authority requirements, easements, and hardstand areas, f) The availability of tree stock and species that are locally endemic and appropriate to the site, g) Tree pot sizes and mature growth sizes are appropriate for the site and ensure longevity, h) The site conditions, including soil type and salinity, i) NATSPEC 'Specifying Trees – a Guide to Assessment of Tree Quality' (Clark, R. 2003), j) Australian Standard AS2303, k) Council's Street and Park Tree Management Plan, l) any disruption of solar access for solar panels on existing or adjoining present and future development should be minimised, and	Tree species are located on the landscape plan and are typical of landscape planting in the business park. Trees along the western boundary will provide shade to car parking areas.

Penrith Development Control Plan 2014	
Control	Compliance
m) Any services or utilities infrastructure within the road reserve, such as power poles, overhead wires, drainage inlet pits, existing street trees and any existing driveways.	
1.2 Green Roofs and Walls	
Objectives	
a) Deliver appropriate quality and quantity of vegetation that will contribute to green infrastructure with an integrated design approach to reduce development's contribution to the urban heat island effect.	Complies in that significant boundary landscaping is proposed.
b) To ensure development provides long term solutions to address the Urban Heat Island Effect in Penrith by: i) Delivering green infrastructure which positively contributes to the amenity of the locality, while recognising the context and existing development patterns. ii) Ensuring adequate and appropriate vegetation and conditions for healthy growth are provided, including vegetation that contributes to increasing the amount and health of the local tree canopy.	Complies in that the development includes additional landscaping to a site presently largely devoid of vegetation. Perimeter landscaping, particularly to the northern and western sides provided shade to the building. Landscape areas are wide and capable of accommodating substantial tree growth.
Controls	
1) Where the use of green walls and roofs is proposed, developments should demonstrate consistency with technical guidelines provided in Appendix F4 of this DCP, and ensure: a) Roofs and walls include appropriate load bearing and waterproofing to support installation of green features. b) Plants selected provide coverage and are resilient to extreme heat and drought if provided outside buildings. c) Automatic watering systems are installed to irrigate green roofs and walls, and are connected to sustainable, non-potable water supplies. d) The cooling benefit of green walls should be maximised by co-locating functions within the site that benefit from the cooling effect of the green infrastructure to reduce reliance on mechanical cooling systems. e) Green walls and roofs must be delivered by a landscape architect or designer with experience in successfully delivering this type of infrastructure. Examples of the landscape architect or designer's previous work should be supplied with the landscape design. f) The landscape architect or designer should demonstrate in their plans how wind exposure,	Green walls not proposed on warehouse buildings.

Penrith Development Control Plan 2014																			
Control		Compliance																	
local temperature variations and rainfall have been considered in the designs. g) A maintenance plan must be supplied with applications which include green roofs or walls that demonstrates long-term viability and access for maintenance.																			
1.3 Soil Volumes																			
Objectives																			
a) To ensure development provides long term solutions to address the Urban Heat Island Effect by ensuring the longevity of tree plantings through provision of adequate and appropriate conditions for healthy growth, including sufficient deep soil area and structure.																			
Controls																			
1) Minimum soil volume and planting area to be provided is to be based on minimum tree sizes, in accordance with Table 1: TABLE 1: Tree size and planting site area		Complies to the extent that wide and continuous planting areas are provided.																	
<table><tr><th>Maximum tree size at maturity</th><th>Planting site area required</th><th>Planting site depth required</th><th>Soil Volume per tree</th></tr><tr><td>Small (less than 8m tall or under 4m wide)</td><td>Less than 9.5m²</td><td>1.0 to 1.3m</td><td>30m³</td></tr><tr><td>Medium (9-12m tall or under 4-8m wide)</td><td>9.5m² to 18.5m²</td><td>1.3m to 2.5m</td><td>35m³</td></tr><tr><td>Large (Taller than 13m or wider than 8m)</td><td>More than 18.5m²</td><td>>2.5m</td><td>80m³</td></tr></table>		Maximum tree size at maturity	Planting site area required	Planting site depth required	Soil Volume per tree	Small (less than 8m tall or under 4m wide)	Less than 9.5m ²	1.0 to 1.3m	30m ³	Medium (9-12m tall or under 4-8m wide)	9.5m ² to 18.5m ²	1.3m to 2.5m	35m ³	Large (Taller than 13m or wider than 8m)	More than 18.5m ²	>2.5m	80m ³		
Maximum tree size at maturity	Planting site area required	Planting site depth required	Soil Volume per tree																
Small (less than 8m tall or under 4m wide)	Less than 9.5m ²	1.0 to 1.3m	30m ³																
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Large (Taller than 13m or wider than 8m)	More than 18.5m ²	>2.5m	80m ³																
1.4 Tree Planting Specifications																			
Objectives																			
a) To ensure development provides long term solutions to address the Urban Heat Island Effect in Penrith by: i) Delivering green infrastructure which positively contributes to the amenity of the locality, while recognising the context and existing development patterns. ii) Ensuring adequate and appropriate vegetation and conditions for healthy growth are provided, including vegetation that contributes to increasing the amount and health of the local tree canopy. iii) Delivering appropriate quality and quantity of vegetation as green infrastructure, with an integrated design approach to reduce development's contribution to the urban heat island effect.		Complies in that landscaping has been designed to provide shade to the western carparking area. Species to be planted contribute to the amount and health of the local tree canopy.																	
Controls																			
1) Tree Planting location and numbers are to be provided in accordance with development type as detailed in Table 2:																			

Penrith Development Control Plan 2014	
Control	Compliance
Industrial, Business, Tourism and Commercial Development Open car parks on private land a) A minimum of 40% tree canopy cover must be provided over the total combined area of all car parking spaces, where car parking is to be provided on the development site. b) Canopy cover is to be calculated by finding: The percentage of the specified area covered by the anticipated canopy at 2/3 of the selected species total maximum width, when fully grown. Figure 2 provides an example of how canopy cover should be calculated. c) Trees should be provided across the car park area and can be located within landscaped setbacks and deep soil zones. d) Where tree roots are expected to grow beneath car parking spaces, engineered tree pits or vaults and aeration infrastructure must be provided and designed in accordance with design guidance provided in engineering design guidelines, the Penrith Street and Park Tree Management Plan and this DCP. e) Wherever possible, canopy trees are to be orientated to the north, east or west of parking spaces to maximize shade during the day. f) Trees and woody plants above 200mm high should be planted a minimum of 600mm back from the wheel stop, measured from their trunks. Low planting should be provided in this space. Additional controls for Industrial, Business, Commercial and Tourism development where landscaped setbacks are required. a) Landscape setbacks must provide adequate soil area for tree planting and be filled with as many large trees as possible. Canopy from large trees should be supported with medium and small trees and vegetation to provide a collective cooling effect, where they will not obstruct views, signage, or impact safety. 2) All trees, including street trees, should be located to consider: a) integration with development design to produce improved cooling effects through measures such as maximisation of shade provided to exposed building walls, hard surfaces, and pedestrian walkways,	The landscape architect has calculated that the proposed landscaping along the western boundary will provide shade to 40% of the western car parking area. The eastern car parking area is provided with shade by the building as an undercroft area. Landscaped areas are irrigated by rainwater harvested on site and trees are located in deep soil zones within boundary setbacks.

Penrith Development Control Plan 2014	
Control	Compliance
b) any disruption of solar access for solar panels on existing or adjoining present and future development should be minimised, c) whether there is appropriate soil area for root volume, d) any services or utilities infrastructure within the road reserve, such as power poles, overhead wires, drainage inlet pits, existing street trees and any existing driveways, and e) requirements in the Penrith Street and Park Tree Management Plan.	
1.5 Irrigation	
Objectives	
a) To reduce demand on potable water resources through an appropriate and sustainable supply of non-potable water for irrigation for cooling.	
b) To ensure vegetation is irrigated, enabling it to better withstand urban heat impacts and enable the cooling effects of evaporation and evapotranspiration.	Complies.
Controls	
1) All development not covered by the State Environmental Planning Policy – BASIX is to provide drip irrigation or passive irrigation to private vegetated landscaped areas, that are: a) serviced by sustainable supply of non-potable water that is of a scale that sufficient to supply a minimum of 80% of non-potable demand for the development, including indoor and outdoor use, toilets and laundry, b) designed to be gravity fed, and c) passive irrigation must be provided to turf areas, street trees and landscaping where a drip irrigation system is not feasible.	Rainwater harvesting provided for irrigation purposes. Gravity fed where possible, but some pumping will be required.
1.6 Cooling with water	
Objectives	
a) To reduce the contribution of new development on the urban heat island effect by minimising impermeable surfaces to increase rainwater infiltration and allow improved cooling effects of evaporation.	
b) To retain and provide design elements that retain water in landscapes to support cooling and allow for increased rainwater infiltration and evaporation.	
Controls	
1) All development must consider and incorporate features to store water in the landscape.	A combined water detention/water quality facility is provided adjacent to Ropes Creek that provides a body of water and ecological feature.

Penrith Development Control Plan 2014	
Control	Compliance
These features must be incorporated into Landscape Plans to create cool zones and support vegetation. This can include: a) swimming pools, subject to controls in this DCP and state legislation, b) fountains and bird baths, c) water play features, subject to Council agreement and asset maintenance requirements when on public land, d) rain gardens, wetlands, ponds, or e) shallow trenches or swales within or near garden beds, where erosion is not an issue. The selected feature/s should be of an appropriate scale to maximise retention of rainwater on the site without affecting operation.	
1.7 Street Trees	
Objectives	
a) To ensure development provides long term solutions to address the Urban Heat Island Effect in Penrith by: i) Delivering green infrastructure which positively contributes to the amenity of the locality, while recognising the context and existing development patterns. ii) Ensuring that there is adequate and appropriate provision of trees and that conditions for healthy growth and canopy are provided. iii) Delivering appropriate quality and quantity of vegetation as green infrastructure.	Street trees removed to provide access to the site will be replaced.
Controls	
1) Street trees are to be provided at a rate of one tree for every 10m of site frontage, rounded down to the nearest 10m. At least one tree must be provided. Where possible, trees should be of a scale sufficient to produce interlocking canopies, unless specific requirements are provided elsewhere in this DCP	Recently planted street trees removed to provide access from Lockwood Road will be replaced.
2) Street trees planted on the streets running in an East to West direction are to be native trees and trees planted on streets running from North to South are to be deciduous.	Noted
Cool Colours and Materials	
Objectives	
a) To ensure new development provides long term solutions to the Urban Heat Island effect.	
b) Design and construct roofs and exterior walls and hardscaping with consideration of the impacts of material selection on urban heat.	
c) Limit negative impacts of heat absorption by demonstrating that materials used are appropriate	Roof materials reflect heat. Larger awning provides shade to the hardstand area for loading

Penrith Development Control Plan 2014	
Control	Compliance
for the climate and their intended use, such as using green roofs/walls or cool roofs/walls and materials of low Solar Reflectivity Index to ensure high reflectivity and/or high thermal emittance, and that design responses are the most effective for the site.	and unloading and external work areas. Light coloured roof materials provide thermal benefits.
Controls	
1) A materials and finishes schedule is to be provided, and must include: a) product specifications where certain materials are relied upon to address the criteria of BASIX, Section J of the NCC or this DCP. b) Product specifications should include energy efficiency properties, such as: i) thermal mass, ii) effect on air flow, iii) appropriate colour and reflectivity, and iv) material permeability in landscape design.	Materials and colour schedule provided with the application drawings.
2) Dark coloured roofs which retain heat will not be supported. All buildings and ancillary development are to minimise their contribution to the urban heat island effect by meeting the following requirements for cool roofs: a) Achieve the nominated Solar Reflectance Index (SRI) minimums: i) for roof pitches less than 15, a SRI minimum of 64, with a minimum 3 year manufacturer guarantee. ii) for roof pitches greater than 15, a SRI minimum of 34, with a minimum 3-year manufacturer guarantee. iii) for rooftop terraces a SRI minimum of 28, with a minimum 3-year manufacturer guarantee. b) At least 75% of the roof area is to meet nominated SRI values and/or be designed as a green roof. Areas where solar panels (PV) are mounted flat on a roof are excluded, all other roof areas with PV count toward the Cool Roof area calculation. c) Buildings in Mixed Use, Business, Tourism, and Industrial zones are to provide roof product cut sheets to confirm the materials used are within the required SRI. Other buildings may demonstrate consistency by illustrating materials and colours to be used within plans and design drawings and providing this information in their Schedule of Materials and Finishes. Assessing officers may request further product information, if required. d) Roofs that are 'downslope' from the publicly accessible places, such as in hilly areas, scenic	Noted. Roofs are not dark coloured.

Penrith Development Control Plan 2014	
Control	Compliance
areas or which are in view from taller adjacent buildings should avoid reflective white or very light-coloured finishes that could cause glare. e) Thermally massive surfaces such as concrete should be avoided as a roofing material where shade or other coverage is not provided, or where roofs are not light in colour. f) Roof tiles may be used, providing that the roofing is insulated in addition to ceiling insulation and provides a sufficient gap between insulation layers to allow for access and air movement. This is to be certified on any plan showing materials and finishes.	
3) Walls, car parking spaces, driveways and landscaping materials should have a high albedo (be as light as possible) so that heat can be reflected into the landscape and absorbed, or where shade is provided.	A range of colours are used in the façade with mostly of lighter colour.
4) Medium colours and materials with high thermal emittance (which release heat quickly) and/or permeable materials should be used in pedestrian areas where no shade is provided to minimise heat reflection and to mitigate heat retention.	
Cooling through Building Design	
Objectives	
a) To ensure development in zones which are vulnerable to urban heat island impacts incorporates additional design responses to effectively manage increased heat loads on hot and extreme heat days.	
b) To reduce carbon emissions from the development, considering both construction and operational emissions.	
c) Design buildings for high passive thermal performance, to reduce reliance on energy for cooling and heating.	
d) To ensure buildings are thermally comfortable by designing: i) Floor plans that respond to the site and building use and orientation, ii) Climate appropriate windows and glazing and the appropriate location of windows, iii) Thermal mass orientated and situated to retain cool temperatures, iv) Improved air movement and ventilation, particularly to encourage the flow of cool north-easterly breezes and night air and to extract hot air, v) Passive cooling features, vi) Improved insulation and management of air exchanges,	

Penrith Development Control Plan 2014	
Control	Compliance
vii) Appropriate shading, and viii) Efficient operation of mechanical cooling systems.	
e) To deliver internal spaces within every new development where temperatures remain thermally comfortable all year round.	
Controls	
Air circulation 1) Building design must demonstrate how it responds to the following considerations affecting air movement and ventilation: a) Capture and direction of north-easterly prevailing cool breezes (north-easterly) and internal circulation should be prioritised for window and door design, number, size, and location, and considered in building orientation. b) Shading devices and/or window glazing should be provided to support: i) Minimisation of solar heat gain during summer, and ii) optimisation of solar heat gain during winter. c) Minimising air gaps by ensuring all openings can be closed and sealed when necessary, and that the building is well insulated. Window and door seals should be provided. d) The ability to isolate spaces through zoning sections of the floor area and building services to provide individual control of heating and cooling, particularly where mechanical systems regulate temperature. e) Security screens or fly screens should be provided over openings, where feasible and consistent with safety and fire controls. f) Promoting air circulation. g) Support for any other passive design elements.	Buildings are designed for warehouse function. Louvres are provided in facades to allow natural ventilation and air change. Lighter roof and awning colours reflect heat. Shading devices provided in the form of a large awning over the hardstand area and shades over worker breakout areas adjoining the offices.
External Building Design 2) Buildings should be designed on passive solar design principles which: a) Respond to orientation to maximise the northerly aspect and solar access in the cooler periods. Where the site permits, designs should deliver long, thin buildings with increased northern and southern exposure and limited exposure on eastern and western-facing facades and moderate depths. b) Reduce overheating in summer and promote solar gain in winter.	The proposed building has longer northern and southern facades.
3) Development below 3 storeys must provide eaves with a minimum of 450mm overhang (measured to the fascia board) and a minimum	N/A

Penrith Development Control Plan 2014			
Control	Compliance		
600mm overhang on western-facing elevations, except where any walls are permitted to be built to the boundary. Alternative solutions to eaves may be considered, where it can be demonstrated that these provide appropriate sun shading and are integrated with the design of the development and have architectural merit.			
4) Design for moderate size and number of openings with the majority to the north.	N/A		
5) Where east and west facing residential walls are proposed to be brick or concrete and are exposed to summer sun, these walls should either be double brick or wall insulation should be provided and walls should be shaded.	N/A		
6) Where concrete is used for walls in industrial, business, and commercial development and western walls are exposed, at least 50% of western elevations must be shaded from summer afternoon sun using either design features or vegetation. Where there is a zerolot setback, this control does not apply.	Concrete panelling to lower levels with some shading provided by landscaping.		
7) Ensure roof design maximises opportunities for future installation of solar power and hot water adaptation through the consideration of: a) North-facing surface, b) Overshadowing, and c) Structural support.	Complies		
Internal Building Design 8) Cool Refuges for certain buildings are to be provided in accordance with Table 3, and must be identified on floor plans: <table><tr><td>Business, industrial, and commercial development</td></tr><tr><td> • Provide indoor and outdoor staff break areas that act as cool refuges. • Where feasible, workspaces should be designed to maintain thermal comfort. This is of particular importance to high density workplaces and commercial spaces </td></tr></table>	Business, industrial, and commercial development	• Provide indoor and outdoor staff break areas that act as cool refuges. • Where feasible, workspaces should be designed to maintain thermal comfort. This is of particular importance to high density workplaces and commercial spaces	Noted and can be provided.
Business, industrial, and commercial development			
• Provide indoor and outdoor staff break areas that act as cool refuges. • Where feasible, workspaces should be designed to maintain thermal comfort. This is of particular importance to high density workplaces and commercial spaces			
9) In addition to the ability to be mechanically cooled (i.e., air conditioned), a cool refuge must demonstrate the following design criteria have been addressed to support thermal comfort: a) Use of passive shading principles that considers the location of the refuge within the dwelling and use of moveable shade structures, window boxes or wider eaves, b) Use of insulation and type in the walls, floor, and ceiling with the highest r-value appropriate for the			

Penrith Development Control Plan 2014	
Control	Compliance
site, or that the materials provide sufficient insulative properties so that insulations are not required, c) Use of cross-ventilation is focused to channel cool north-easterly breezes through the space and provide optimal cooling effects, d) Minimising air exchanges so that spaces can also be enclosed when required.	
10) At least three of the following design measures are to be provided in a cool refuge: i) be located on the southern side of the building. ii) have increased shade on walls or windows that are exposed to the north or west. iii) have thermal mass levels appropriate to the amount of passive cooling available (cool north-easterly breezes, consistent diurnal variations) and use thermal mass to delay peak cooling needs until after the peak demand period. iv) have appropriate glazing of windows. v) provide efficient mechanical cooling or ceiling fans. vi) have space that is zoned to reduce air exchange. vii) use of photovoltaic, solar, biomass or wind-powered cooling mechanisms to regulate air temperatures and movement, such as solar chimneys, evaporative cooling or earth coupling.	Cool refuge with shade screens provided on the southern side of the building adjacent to offices. Façade louvres, lighter coloured roof and roof insulation provides natural ventilation and thermal control for the warehouse. Office areas airconditioned.
11) If a cool refuge is provided as an ancillary structure, roofing must be insulated.	
Optimising Mechanical Heating and Cooling	
Objectives	
a) To minimise excess power usage and heat gain from mechanical heating and cooling systems.	
b) To reduce the impact of heat rejection from heating, ventilation, and cooling systems from contributing to the urban heat island effect and prevent impacts to thermal comfort.	
c) To reduce peak demand on the electricity grid and support a robust electricity network, by improving energy efficiency.	
Controls	
1) To mitigate the impact of heat rejection from mechanical cooling, units should not vent into areas where they may result in the heating of the public or private domain. This includes venting onto outdoor recreation spaces, windows of adjoining properties and hard surfaces that may retain heat including, paths, balconies, and courtyards.	Noted and can be achieved.
2) Where it cannot be demonstrated that heat rejection cannot be achieved without venting into	Noted

Penrith Development Control Plan 2014	
Control	Compliance
these spaces, this area must be excluded from any calculation of private and communal open space.	
3) Mechanical cooling systems must be sited so that: a) airflow isn't impeded from and around units, b) there is ease of maintenance access, and c) any structure complies with controls for cool roofs and finishes.	Noted
4) Mechanical cooling systems must be shaded by: a) an awning or shade structure, or b) locating the unit on the southern side of a dwelling where possible.	Noted

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS

6.1 Section 4.15(1)(a) – Statutory Planning Considerations

Section 4.15(1)(a) requires the consent authority to take into consideration the following matters:-

“(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*
- (iv) (Repealed)*

that apply to the land to which the development application relates”

The relevant provisions are addressed below.

6.2 Section 4.15(1)(a)(i) – Environmental Planning Instruments

In relation to **Section 4.15(1)(a)(i)**, the relevant matters are addressed in Sections 5.1 to 5.4 of this SEE.

In relation to **Section 4.15(1)(a)(ii)**, the relevant matters are addressed in Section 5.5 of this SEE.

In relation to **Section 4.15(1)(a)(iii)**, relevant matters are addressed in Section 5.6 of this SEE.

In relation to **Section 4.15(1)(a)(iiia)**, no planning agreement pursuant to Section 7.4 of the Act is proposed.

In relation to **Section 4.15(1)(a)(iv)**, there are no matters arising out of the proposed development which raise compliance issues with any relevant Regulations.

6.3 Section 4.15(1)(b): Impacts on the Environment

Section 4.15(1)(b) requires the consent authority to take into consideration the following:-

“(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality”

6.3.1 Impacts on the natural and built environment

The proposal will not have any unacceptable impacts upon the natural or built environment. The proposed warehouse is consistent with the surrounding industrial development in terms of proposed use, character, bulk and scale. The development will not require the clearing of any vegetation or habitat from the site and will provide significant additional planting. Four recently planted street trees in Lockwood Road would be removed for driveway access.

6.3.2 Social and economic impacts in the locality

The proposed development will have a positive social and economic impact, providing employment opportunities in the Western Sydney Employment Area.

6.3.3 Acoustic Impacts

The development is approximately 500 metres from the nearest residential use in Erskine Park. There are a number of industrial developments on the northern side of Lenore Drive providing a buffer to the proposed development.

The proposed use is warehouse and logistics and is expected to be similar to other like developments in the area in terms of noise generation.

It is expected that the development would have no impacts on the acoustic amenity of nearby residential uses.

6.3.4 Traffic and Parking Impacts

The application is accompanied by a Traffic Report (**Appendix 9**) that concludes as follows:

In light of the information contained within this report, it is considered that the proposal is satisfactory from a traffic operations perspective, and it is recommended that the development application be approved from a traffic engineering perspective.

6.4 Section 4.15(1)(c) – Suitability of the Site

Section 4.15(1)(c) requires the consent authority to take into consideration the following:-

“(c) the suitability of the site for the development”

The site is highly suitable for the proposed development as it is located within an industrial area which is characterised by warehouses similar to the proposal. The development fulfils the aims of the Western Sydney Employment Area under SEPP (Industry and Employment) 2021 as it provides employment in an industrial facility within the employment area.

6.5 Section 4.15(1)(d) – Submissions

Section 4.15(1)(d) requires the consent authority to take into consideration the following:-

“(d) any submissions made in accordance with this Act or the regulations”

Any submissions made when the development application is notified for public comment will need to be considered by Council in the determination of the application.

6.6 Section 4.15(1)(e) – The Public Interest

Section 4.15(1)(e) requires the consent authority to take into consideration the following:-

“(e) the public interest.”

The proposed development will be in the public interest as it will increase employment opportunities in the Western Sydney Employment Area, both within the construction and operational phases.

7. CONCLUSION

The proposal is for the construction and operation of a pair of warehouses, ancillary offices and parking at 93 Lockwood Road, Erskine Park. The proposed development is consistent with the aims of the Western Sydney Employment Area under the SEPP (Industry and Employment) 2021, which seek to promote warehouse and industrial uses in order to create employment opportunities.

The proposed development will not have any significant adverse impacts on the surrounding area as it is in character with the industrial nature of the area. It will not have any significant adverse impacts on the streetscape as it is in character with the surrounding area. The proposed development will have a positive social and economic impact as it will contribute to the employment opportunities in the Western Sydney Employment Area in both the construction and operational phases.

The proposal is both reasonable and appropriate when assessed under the relevant heads of consideration listed in Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.



FIGURES



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



STATEMENT OF ENVIRONMENTAL EFFECTS
Lot 102 in DP 1268632

FIGURE 1
Location

Prepared For - Fitzpatrick Investments Pty Ltd



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

STATEMENT OF ENVIRONMENTAL EFFECTS
Lot 102 in DP 1268632

FIGURE 2
Site

Prepared For - Fitzpatrick Investments Pty Ltd

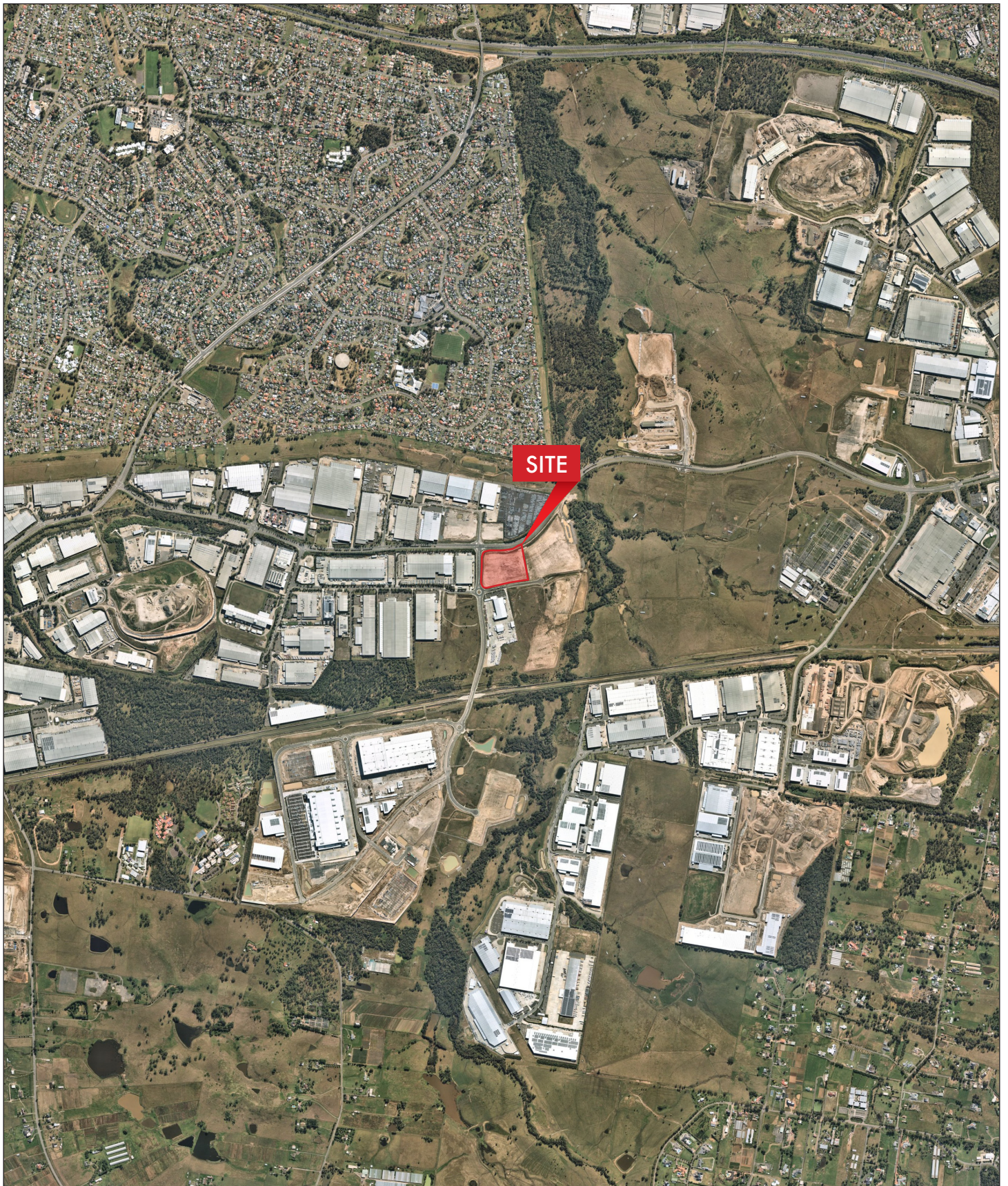


Source: NearMap 16 April 2022

STATEMENT OF ENVIRONMENTAL EFFECTS
Lot 102 in DP 1268632

FIGURE 3A
Aerial Photo - Detail

Prepared For - Fitzpatrick Investments Pty Ltd

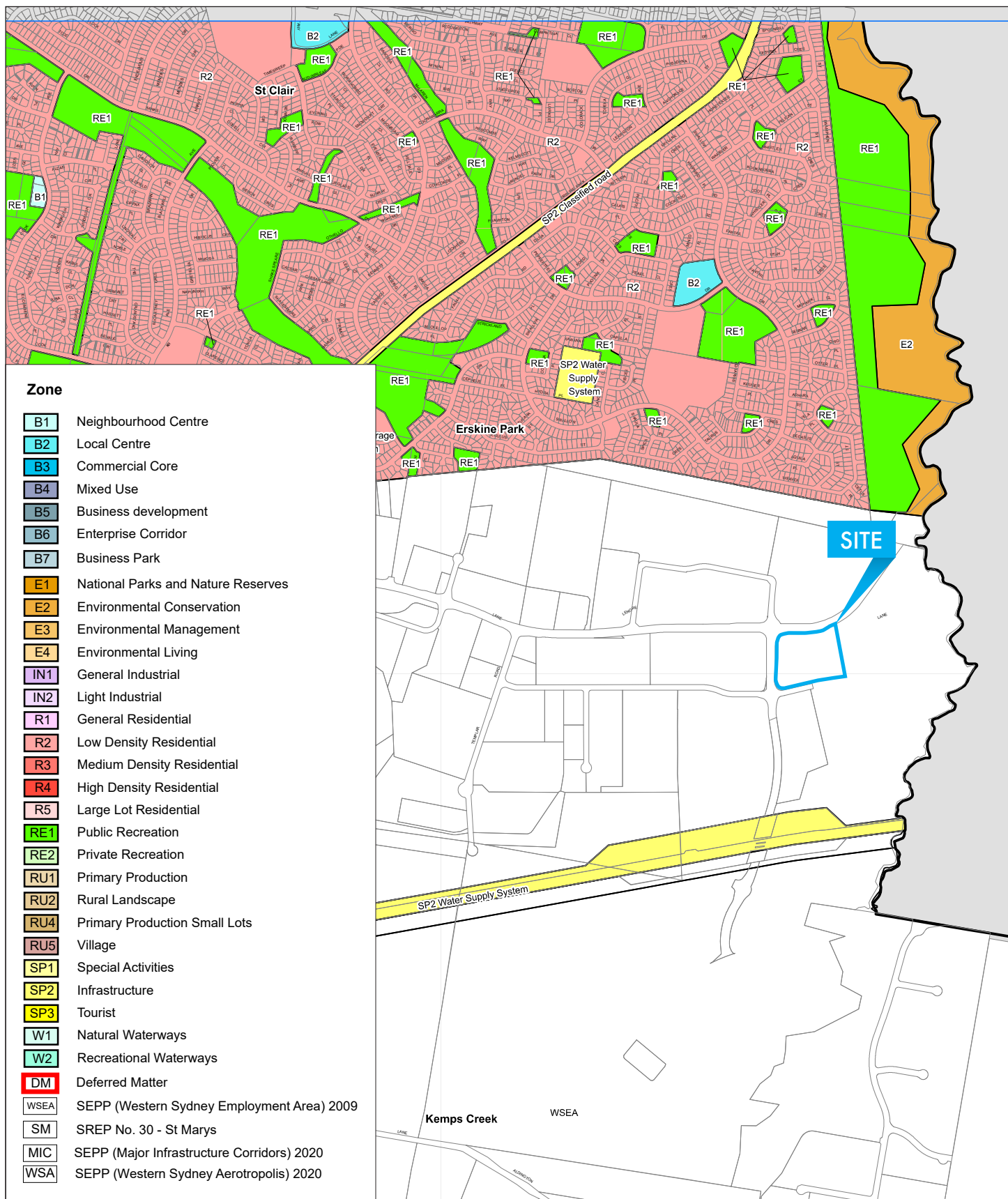


Source: NearMap 16 April 2022

STATEMENT OF ENVIRONMENTAL EFFECTS
Lot 102 in DP 1268632

FIGURE 3B
Aerial Photo - Wider Area

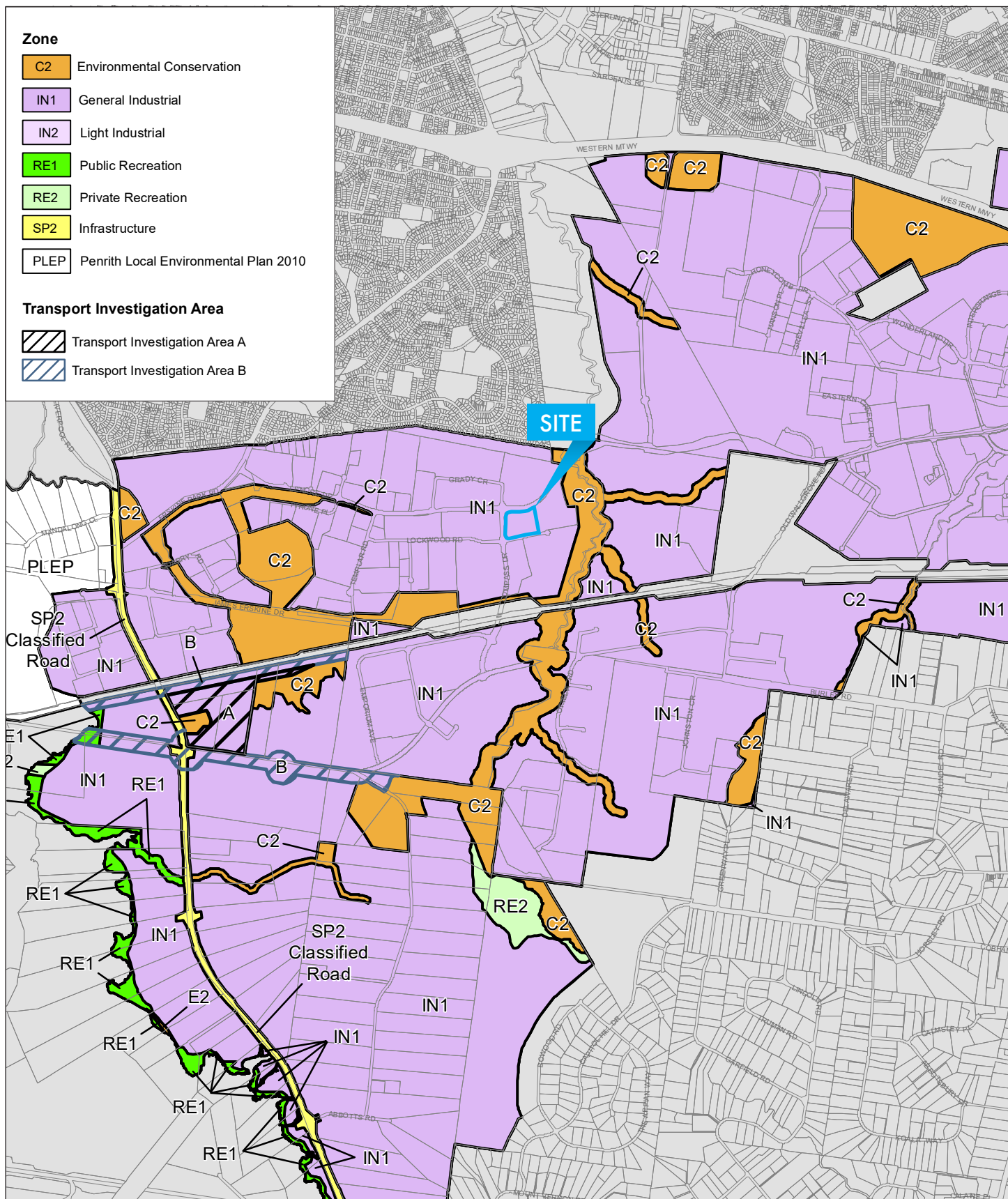
Prepared For - Fitzpatrick Investments Pty Ltd



STATEMENT OF ENVIRONMENTAL EFFECTS
Lot 102 in DP 1268632

FIGURE 4
Zoning Map - Penrith LEP 2010

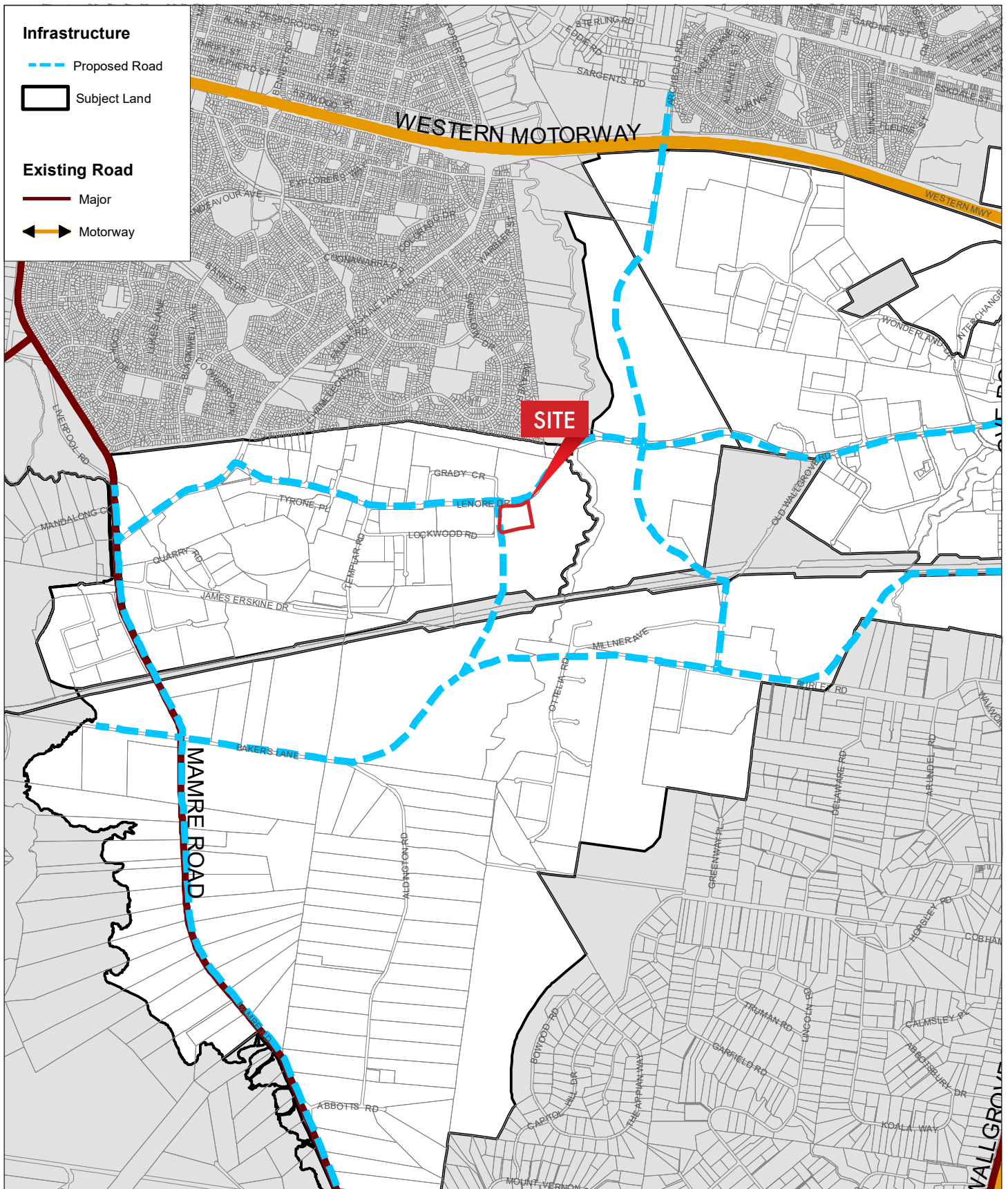
Prepared For - Fitzpatrick Investments Pty Ltd



STATEMENT OF ENVIRONMENTAL EFFECTS
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FIGURE 5A
Zoning Map - SEPP (Industry and Employment) 2021

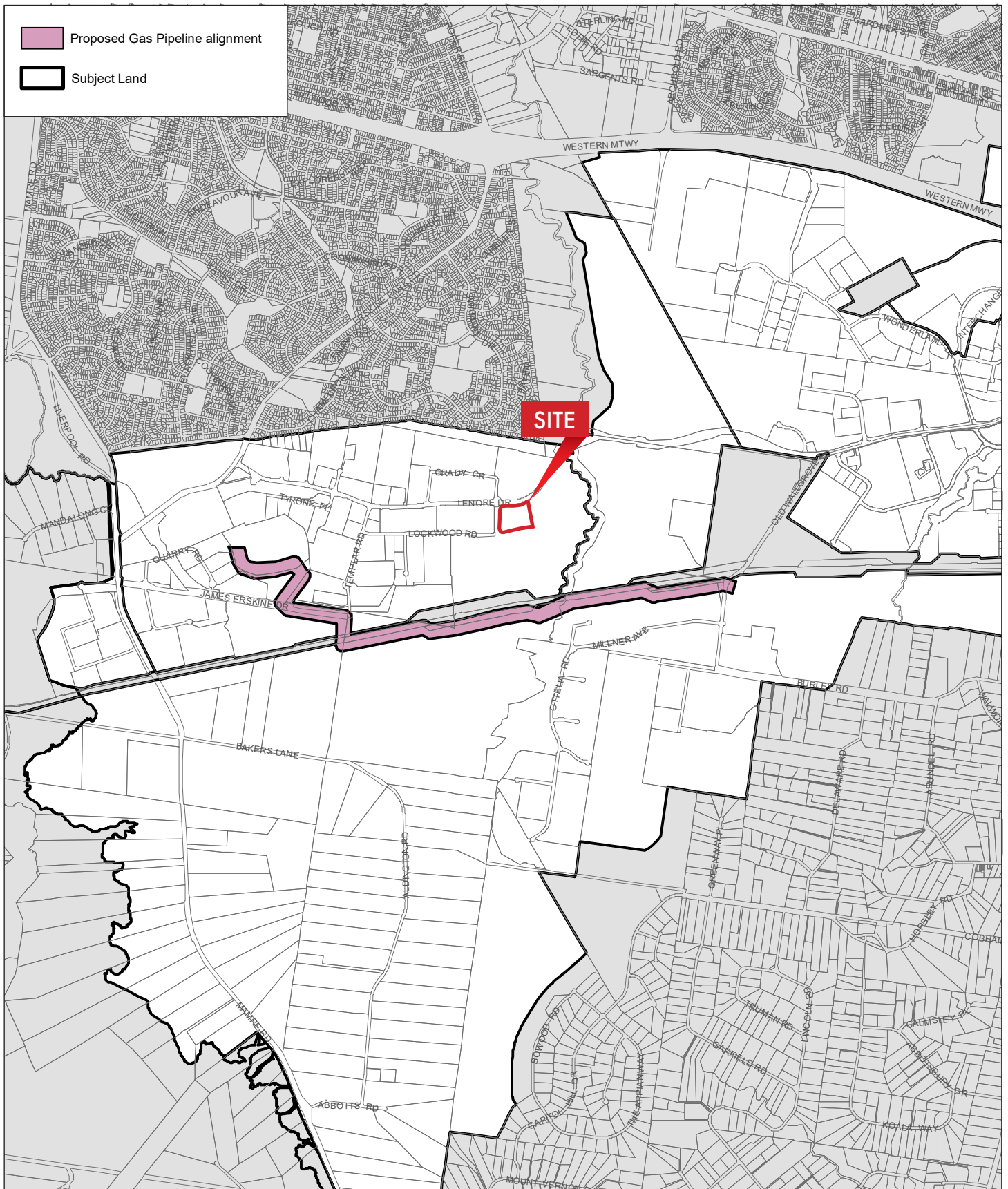
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STATEMENT OF ENVIRONMENTAL EFFECTS
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FIGURE 5B
Transport and Arterial Road Infrastructure Plan Map - SEPP (Industry and Employment) 2021

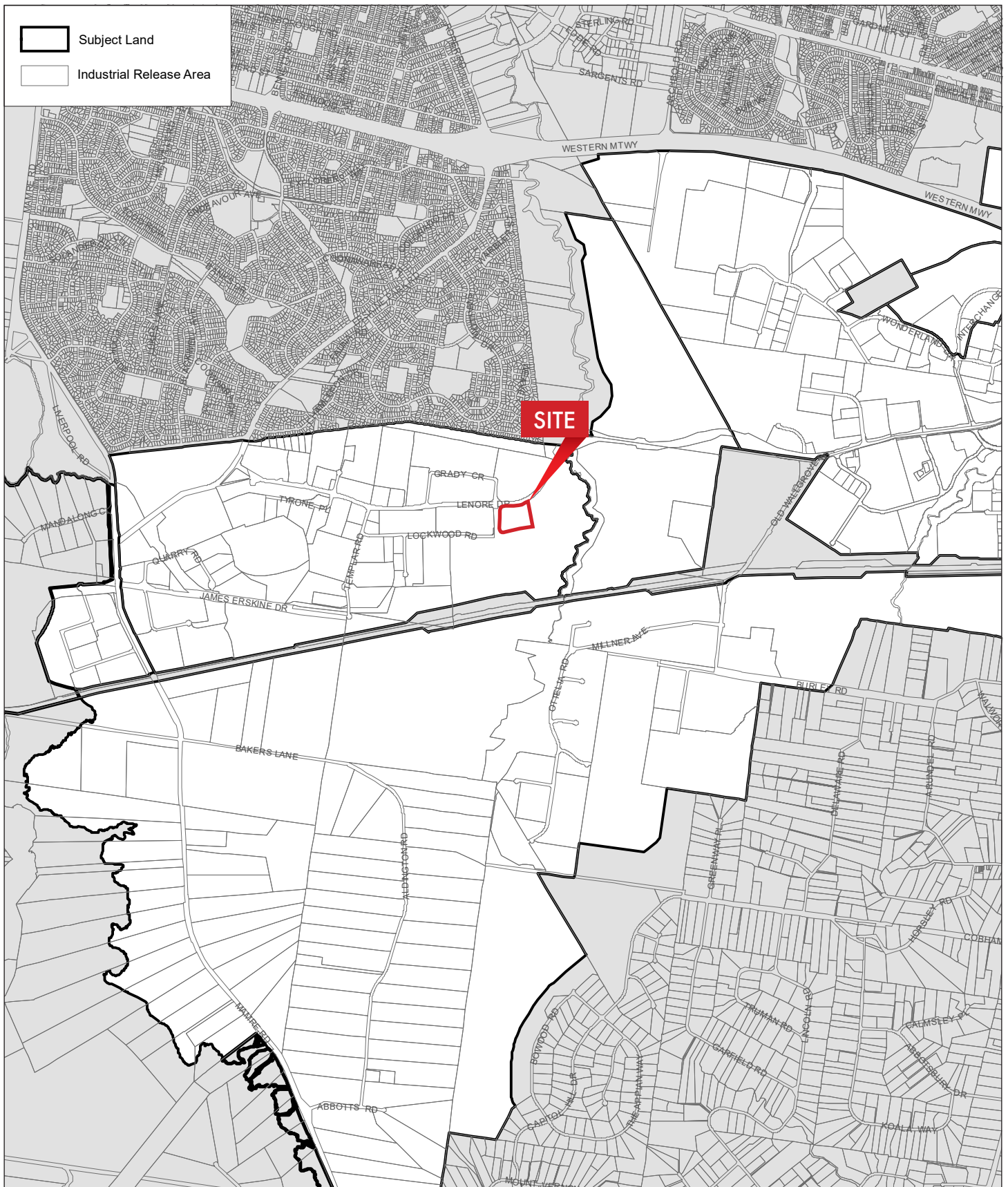
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STATEMENT OF ENVIRONMENTAL EFFECTS
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FIGURE 5C
 Additional Permitted Uses Map - SEPP (Industry and Employment) 2021

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STATEMENT OF ENVIRONMENTAL EFFECTS
 Lot 102 in DP 1268632

FIGURE 5D
 Industrial Release Area Map - SEPP (Industry and Employment) 2021

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APPENDICES
