



Planning &  
Environment

**STATE SIGNIFICANT DEVELOPMENT ASSESSMENT  
OF THREE WAREHOUSE AND DISTRIBUTION  
CENTRES (SSD 6078) AND A CONCURRENT SECTION  
75W MODIFICATION TO THE OAKDALE CENTRAL  
CONCEPT PLAN (MP08\_0065 MOD 3)**



Secretary's Environmental Assessment Report  
Section 89E and Section 75W of the  
*Environmental Planning and Assessment Act 1979*

March 2015

## ABBREVIATIONS

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Applicant	Goodman Property Services (Aust) Pty Ltd
CIV	Capital Investment Value
Department	Department of Planning and Environment
EIS	Environmental Impact Statement titled <i>Warehouse and Distribution Facilities, Oakdale Central, Horsley Park</i> , prepared by McKenzie Group and dated November 2013
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPI	Environmental Planning Instrument
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RTS	Report titled <i>Response to Submissions State Significant Development (6078) Oakdale Central Horsley Park Construction of Warehouse and Distribution Facilities (version 2)</i> , prepared by McKenzie Group Consulting Planning and dated 8 August 2014
NOW	NSW Office of Water
Secretary	Secretary of the Department
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State significant development
SCA	Sydney Catchment Authority
Supplementary Reports	<i>Environmental Impact Statement Addendum Report – Old Wallgrove Road Upgrade Works</i> , prepared by McKenzie Group Consulting Planning dated 1 July 2014, <i>Summary Report – State Significant Development EIS 6078 - Construction of Warehouse and Distribution Facilities and Old Wallgrove Road Upgrade – Oakdale Central, Horsley Park</i> prepared by McKenzie Group Consulting Planning, dated 17 November 2014, and <i>Addendum Report – State Significant Development 6078 – Austral Internal Driveway Works (Lot 1 in DP 843901)</i> prepared by McKenzie Consulting Planning and dated 19 December 2014.
TNSW	Transport for NSW
VPA	Voluntary Planning Agreement
WSEA	Western Sydney Employment Area

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Published March 2015  
NSW Department of Planning and Environment  
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## EXECUTIVE SUMMARY

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Goodman Property Services (Aust) Pty Ltd (the Applicant), is seeking consent to construct three new warehouse and distribution centres ranging in size between 27,505 m<sup>2</sup> and 88,295 m<sup>2</sup> at Horsley Park in the Fairfield local government area (LGA). The site is located within an approved Concept Plan area (Oakdale Central Concept Plan), which forms part of the broader Oakdale Industrial Precinct in the Western Sydney Employment Area (WSEA).

The proposed development will provide additional warehouse, distribution and freight transport facilities for Goodman customers. The site will operate 24-hours-per-day, seven-days per-week.

Goodman is also seeking approval to upgrade Old Wallgrove Road to a four lane road between Lenore Drive and Milner Avenue, as described in the Environmental Impact Statement (EIS) and the Voluntary Planning Agreement (VPA) between the Minister for Planning and Goodman Property Services (Aust) Pty Ltd, executed on 12 March 2015. It should be noted that in order to facilitate the upgrade of Old Wallgrove Road, the application is also seeking approval to undertake consequential site rectification works on the Austral Bricks site at 224-398 Burley Road.

In addition, Goodman has lodged a concurrent section 75W modification to the Oakdale Central Concept Plan (MP08\_0065 MOD 3) to resolve permissibility issues associated with the construction and use of stormwater management devices on land zoned 'E2 Environmental Conservation'. In addition, the section 75W modification seeks approval to revise the approved subdivision layout and building envelopes to facilitate the construction of the building on proposed Lot 3.

The development has a capital investment value (CIV) of \$88 million and will generate approximately 2,500 jobs during construction and 550 full-time equivalent jobs during operation.

The proposal is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it involves the construction of a warehouse and distribution center with a CIV in excess of \$50 million, and as such meets the criteria in clause 12, Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (the SRD SEPP). Consequently, the Minister for Planning is the consent authority for the proposal.

The Department exhibited the EIS for the SSD application between 14 November 2013 and 16 December 2013, and received a total of 11 submissions, including submissions from Fairfield, Blacktown and Penrith City councils, six submissions from other government agencies and two submissions from the general public.

None of the agency or public submissions objected to the application, however, a number of issues were raised in relation to the application of State infrastructure and section 94 contributions, stormwater management, impacts on public infrastructure (including Sydney Catchment Authority's pipelines), the works to Old Wallgrove Road, planting within the riparian zone, and dust management on the adjoining Austral Bricks site. It should also be noted that the submissions demonstrate that the proposed road works have the in-principle agreement of the relevant road authorities (Blacktown Council, Fairfield Council, and the RMS) and the affected landowners.

The Department also placed the section 75W modification for the Oakdale Central Concept Plan (MP08\_0065 MOD 3) on the Department's website in accordance with Section 75X(2) of the EP&A Act. No agency or public submissions were received in relation to this modification application.

Goodman prepared a Response to Submissions (RTS) report to address the issues raised in submissions. In addition, Goodman provided three supplementary reports that assessed the environmental impacts of the proposed upgrade to Old Wallgrove Road and the site rectification works required on the Austral Bricks site.

In its assessment of the applications, the Department has considered the planning report prepared to support the section 75W modification, the EIS prepared to support the SSD application, the submissions received, the RTS, and the additional supplementary information submitted on 1 July

2014, 17 November 2014, and 12 December 2014. In addition, the Department has assessed the applications in accordance with all relevant matters under section 75W and section 79C of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development.

The Department has carefully considered the potential impacts of the development, particularly in relation to the proposed upgrade of Old Wallgrove Road. On balance, the Department's assessment has concluded that the application has significant benefits as it will:

- ensure Old Wallgrove Road is upgraded from a rural road to an 'Interim Regional Road' to accommodate heavy vehicle movements within the WSEA road network. Furthermore, these works will be fully funded by the Applicant via the provisions of the VPA executed on 12 March 2015;
- facilitate the future development of 659 ha of strategically identified employment lands in precincts 8 and 11 of the WSEA, which are currently not suitable for development due to current deficiencies in the regional road network and a broader lack of servicing infrastructure; and
- facilitate the construction of three warehouses for logistics and distribution purposes on existing employment lands, which will create 2,500 construction jobs and 550 full-time jobs during operation.

The Department has concluded that these impacts can be managed to an acceptable standard subject to a suite of strict approval conditions. These recommended conditions require the Applicant to:

- manage all construction and operational traffic in accordance with the traffic management plans approved by the Secretary;
- obtain a section 138 Roads Act approval from the relevant road authority/(s) prior to the commencement of construction works;
- undertake a Road Safety Audit to the satisfaction of the Secretary to ensure construction and operational traffic will not impact on the safety of other road users, and to confirm that the temporary and final site access arrangements for the SCA, Transgrid and Austral are designed to an appropriate standard;
- pay all relevant State and local development contributions in accordance with the conditions of this consent and the terms of the VPA between the Minister for Planning and Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 9 Pty Ltd and BGAI 2 executed on 12 March 2015;
- implement the approved noise, air quality, waste management, and vegetation management plans over the life of the development; and
- implement the sustainability and energy efficiency measures outlined in the Sustainability Plan approved by the Secretary.

The Department considers that the proposed development is in the public interest and should be approved, subject to conditions.

# 1. BACKGROUND

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## 1.1. Introduction

Goodman Property Services (Aust) Pty Ltd (the Applicant), is seeking development consent to construct and operate three warehouse facilities ranging in size between 27,505 m<sup>2</sup> and 88,295 m<sup>2</sup> at Horsley Park in the Western Sydney Employment Area (WSEA). The warehouses will be used by Goodman customers for distribution purposes. The proposed hours of operation are 24-hours-per-day, seven-days-per-week.

The application also seeks approval to upgrade Old Wallgrove Road to a four-lane road between Lenore Drive and Milner Avenue, as described in the Environmental Impact Statement (EIS) prepared to support the development application, and a Voluntary Planning Agreement (VPA) between the Minister for Planning and Goodman Property Services Pty Ltd, executed on 12 March 2015.

It should be noted that the Applicant provided supplementary information on 1 July 2014 and 19 December 2014, to assess the environmental impacts of the works associated with the proposed upgrade of Old Wallgrove Road, and to include demolition and construction works on the Austral Bricks site located at 224-398 Burley Road. The works on the Austral Bricks site are necessary on the basis that Austral Bricks obtains its sole access from Old Wallgrove Road, and these access arrangements need to be reconfigured to facilitate the proposed upgrade of Old Wallgrove Road.

In addition, on 12 November 2013, Goodman lodged a concurrent section 75W modification to the Oakdale Central Concept Plan (MP08\_0065 MOD 3) which sought approval to amalgamate lots 3A and 3B to facilitate the construction of an 88,295 m<sup>2</sup> warehouse, revise the location of the turning head on Estate Road 1 to enable safe access to proposed Lot 3, and re-word Statement of Commitment (SOC) C.4 to facilitate the creation of a biobanking scheme on-site. This application was subsequently amended on 12 June 2014 and 11 August 2014 to:

- remove the request to modify SOC C.4; and
- permit the construction and use of stormwater management infrastructure on land zoned 'E2 Environmental Conservation'.

## 1.2. Regional Context

### 1.2.1 Western Sydney Employment Area (WSEA)

In 2005, the NSW Government announced the creation of the WSEA for the purpose of creating additional industrial and employment lands to cater for transport logistics, warehouse and office uses.

The WSEA comprises approximately 2,450 hectares (ha) of land near the intersection of the M4 and the M7 Motorways, and is identified in *A Plan for Growing Sydney* as being critical to achieving the projected growth in jobs and economic development in Western Sydney, with approximately 36,000 additional jobs expected from this area.

In August 2009, the WSEA SEPP was gazetted and established a suite of permissible land uses and development controls for 10 Precincts across the Fairfield, Penrith, Blacktown, and Holroyd local government areas. The subject site is located within Precinct 8 of the WSEA (see **Figure 1**).

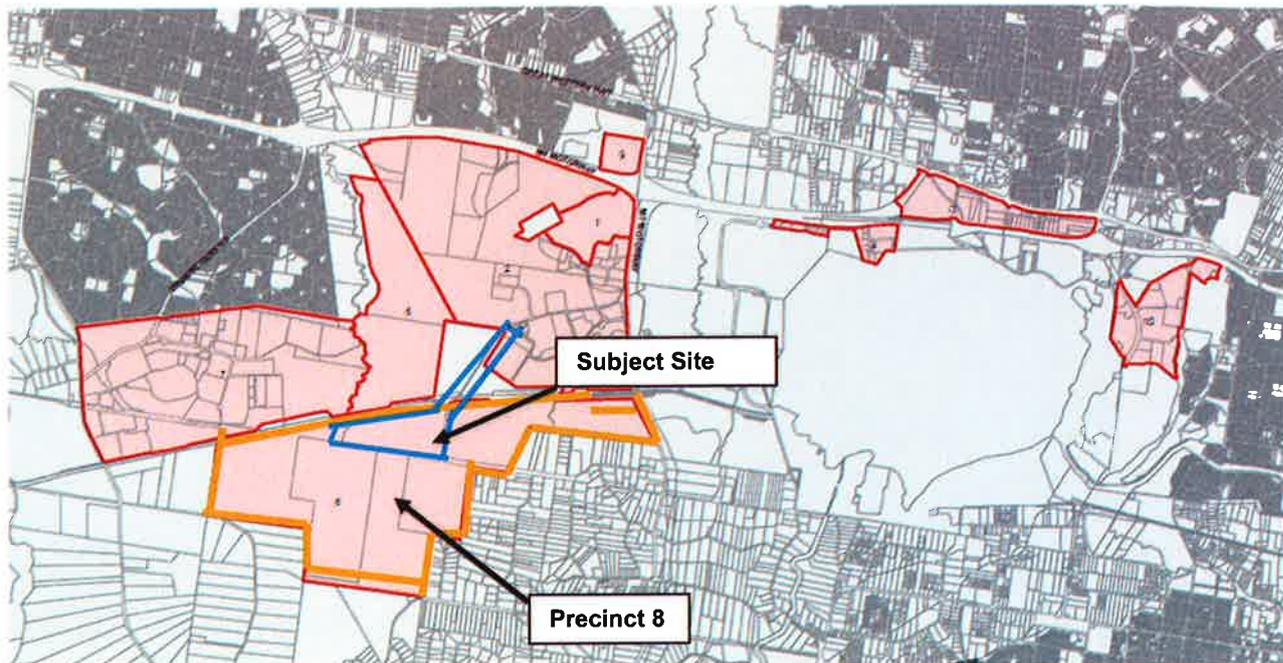


Figure 1: Western Sydney Employment Area

The WSEA SEPP also identifies the conceptual regional road alignment for the Erskine Park Link Road (Lenore Drive) and the Southern Link Road Network (SLRN) (see **Figure 2**). The Erskine Park Link Road is fully constructed and provides the primary east-west connection between the precincts located north of the Sydney Water pipeline.

The SLRN will provide the road infrastructure required to accommodate the travel demand generated by the precincts located south of the Warragamba Pipeline, and is comprised of the following connections:

- an east-west route providing access between the suburbs of Kemps Creek and Horsley Park, which are located within the Broader WSEA Structure Plan area, and Precinct 8 of the WSEA;
- a potential connection to Wallgrove Road or the M7 interchange; and
- two north-south link roads (an eastern and western north-south link road) between the Erskine Park Link Road and the Southern Link Road.

To date, none of the SLRN has been constructed.

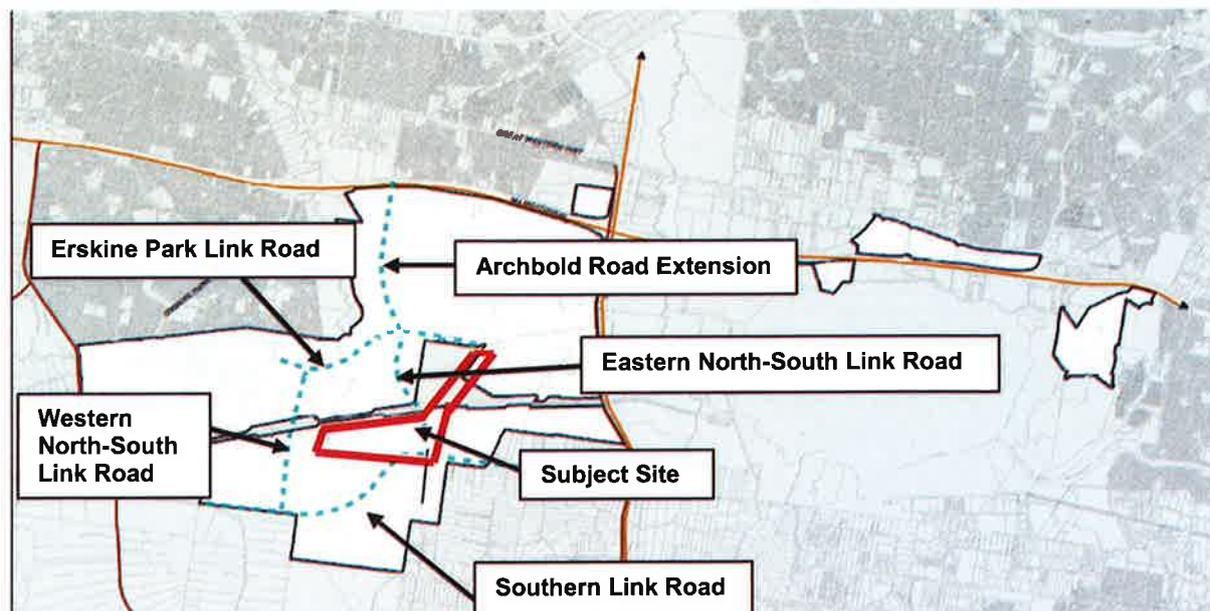


Figure 2: WSEA SEPP Transport and Arterial Road Infrastructure Plan Map

It should be noted that to date most of the development within the WSEA has occurred in the precincts north of the Warragamba pipeline. This is primarily due to the lack of existing north-south road connections south of the pipeline.

### 1.2.2 Amendment to the State Environmental Planning Policy (Western Sydney Employment Area) 2009 – Transport and Arterial Road Infrastructure Plan Map

On 29 October 2014, the Department commenced the exhibition of a proposed amendment to the WSEA SEPP which seeks to amend the Transport and Arterial Road Infrastructure Plan Map to amend the conceptual alignment of the SLRN and the Archbold Road extension to provide greater certainty for councils, agencies and developers within the WSEA area. The proposed conceptual alignment of the SLRN is identified in **Figure 3** below.

The subject site is located adjacent to the portion of Old Wallgrove Road south of the Warragamba Pipeline which is proposed for inclusion in the SLRN in the SEPP amendment. The proposed development has been designed so that it is consistent with the proposed alignment of the SLRN south of the pipeline.

To date, the proposed amendment has not been referred to the Minister for determination.

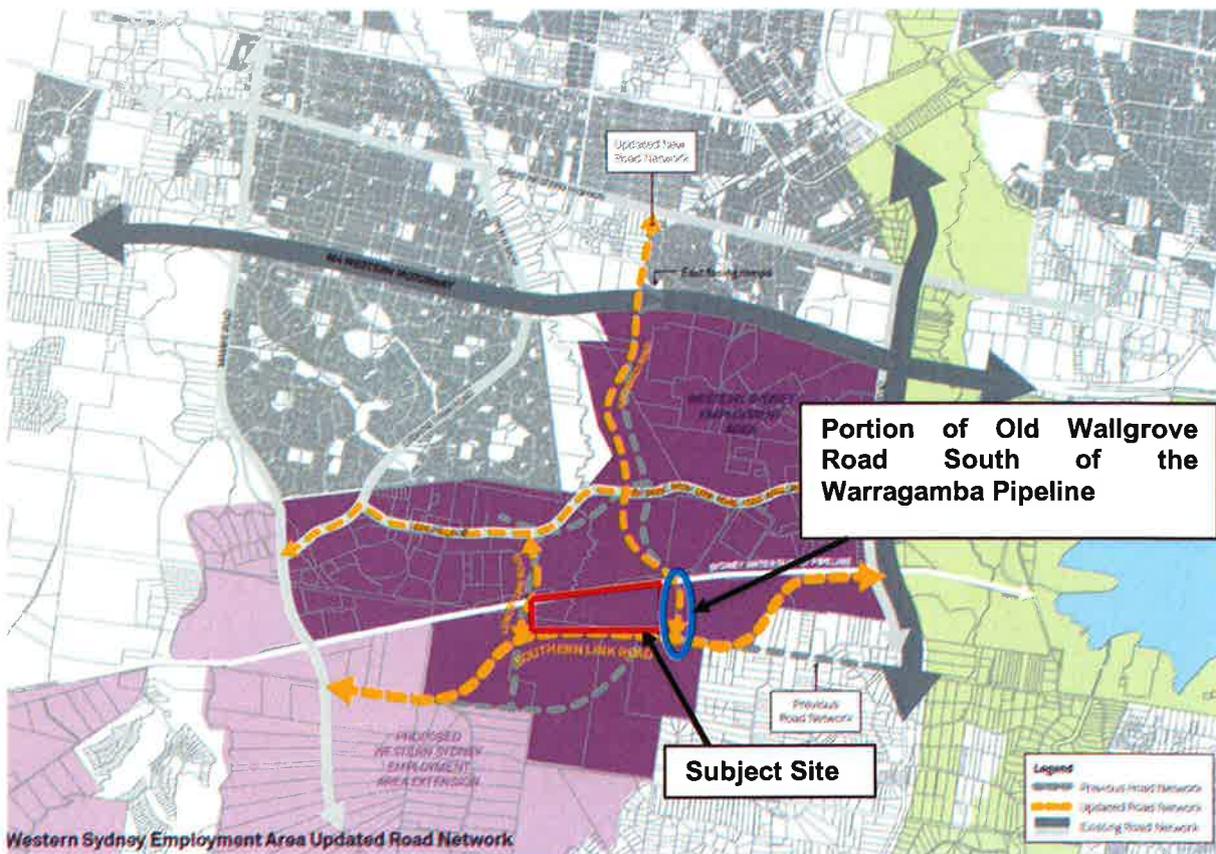
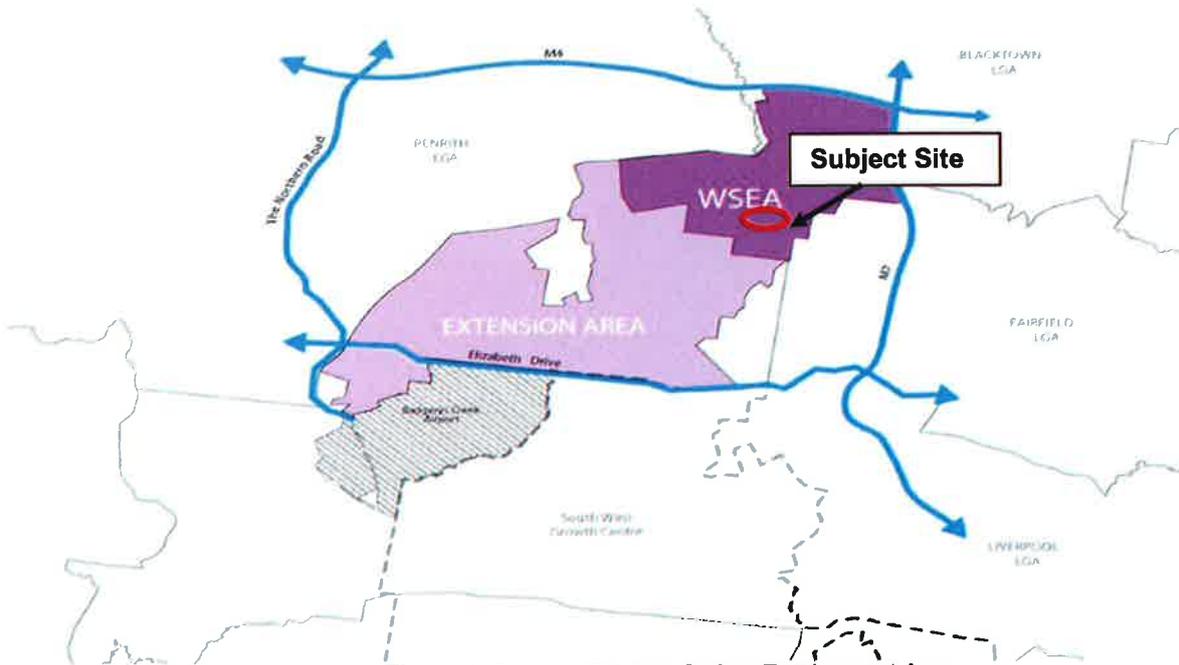


Figure 3: Proposed SLRN Alignment

### 1.3 Broader Western Sydney Employment Area

In June 2013, the Broader Western Sydney Employment Area Draft Structure Plan was released (Broader WSEA Draft Structure Plan). It outlines a broad framework for the redevelopment of 4,573 ha of land immediately south and south-west of the WSEA, including the location of future employment land and centres, road networks, potential freight and transport corridors, and staging scenarios. It is anticipated that the broader WSEA will be incorporated into the WSEA SEPP via a SEPP amendment in the near future. Notwithstanding, the proposed SEPP amendment will not identify zones or permissible uses within the broader WSEA, as it is intended that this will occur

following further detailed planning. The area proposed for inclusion into the WSEA SEPP is identified in **Figure 4**.



**Figure 4: Broader Western Sydney Employment Area**

### 1.3. Local Context

The subject site is located within the Oakdale Central Concept Plan area (MP08\_0065) approximately 40 km west of the Sydney central business district in the Fairfield local government area (see **Section 1.5** for further details).

Oakdale Central is bounded by Ropes Creek to the west, the Warragamba-Prospect Pipelines to the north, Old Wallgrove Road to the east, and the CSR/PGH quarry/brickmaking plant and vacant employment land to the south. Surrounding land uses include:

- residential areas to the north;
- industrial zoned land at Eastern Creek to the north and Erskine Park to the north-west; and
- rural and rural-residential development to the south-east, south and west.

The closest residential receiver is approximately 0.5 kilometres (km) to the south-east at Burley Road, Horsley Park. Other nearby residential areas include the Horsley Park rural-residential area, the Erskine Park residential area, and the Kemps Creek rural-residential area (see **Figure 5**).



Figure 5: Local Context

The site is located within close proximity to key transport corridors including the Westlink M7 and the M4 Motorway. Other key infrastructure in the area includes:

- the Warragamba-Prospect pipelines to the north, which provide critical public infrastructure for Sydney's water supply; and
- TransGrid's Sydney West substation, located to the north-east of the site, which provides electricity to the majority of western Sydney and parts of the Sydney basin area.

#### 1.4. Site Description

The SSD application relates to land known as lots 1C, 2B, 3A and 3B within the Oakdale Industrial Estate, a portion of Old Wallgrove Road between Milner Avenue and Lenore Drive, a 0.25 ha portion of Lot 82 in Deposited Plan 752041 which is located within Oakdale South, and a 1.5 ha portion of the Austral Bricks site, which is described as Lot 1 in Deposited Plan 843901 (see **Figure 6**).

The majority of the site is within the Oakdale Central Industrial Estate, which is wholly located within the Oakdale Central Concept Plan area. Lots 1C, 2B, 3A, 3B and biodiversity lots B and C have a combined area of 34.32 ha. Lots 1C, 2B, 3A and 3C are currently vacant, however, earthworks have been undertaken in accordance with the Project Approval for the DHL logistics hub (MP08\_0066) and a development consent issued by Fairfield Council (DA652.1/2013). Biodiversity lots B and C contain bio-retention basins and are proposed to be revegetated in accordance with an approved Vegetation Management Plan (VMP).

Milner Drive, the main road through the Estate, provides access to each lot from Old Wallgrove Road. The land immediately east of the lots has been developed and the warehouses located on lots 1A, 1B and 2A are operational.

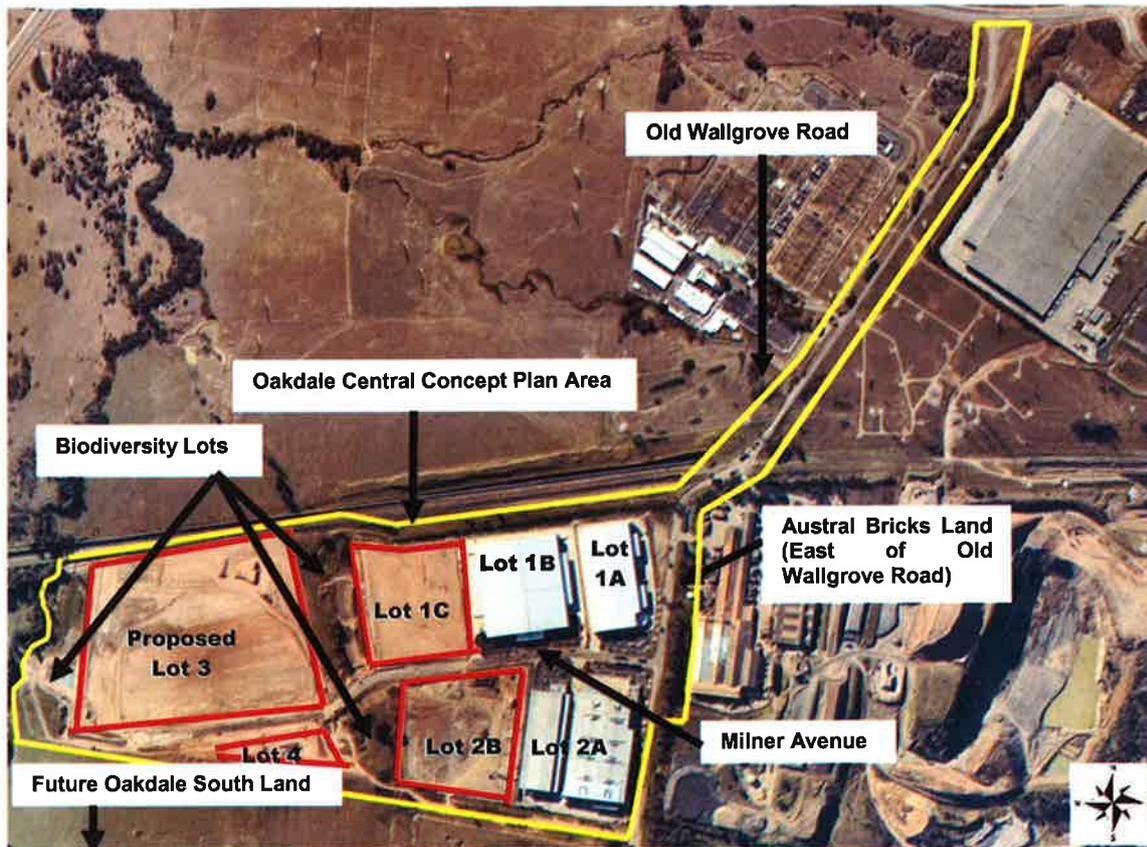


Figure 6: Application Area (Source: Nearmaps 2014)

## 1.5. Approval History

### 1.5.1 Concept Plan and Project Approval

On 2 January 2009, the then Minister for Planning approved the Oakdale Central Concept Plan (MP 08\_0065) which permitted:

- the subdivision of the site into 11 lots and five road corridors;
- bulk earthworks;
- development of warehouses, distribution centres and freight logistics facilities comprised of:
  - 40 ha of employment generating uses;
  - 8.0 ha of regional road reserves;
  - 1.0 ha for services;
  - 4.6 ha of environmental conservation lands; and
  - 7.4 ha of regional open space.
- the upgrade of Old Wallgrove Road and the Old Wallgrove Road/Wallgrove Road intersection;
- provision of a range of infrastructure and services; and
- provision of ancillary development including child care facilities, neighbourhood shops, and recreational facilities.

The Concept Plan has been modified on two occasions to:

- amend the subdivision layout;
- reconfigure the internal estate roads;
- convert the recreation lots into conservation lots; and
- allow minor changes to the stormwater basin adjacent to Lot 1C.

The Concept Plan, as modified is depicted in **Figure 7** below.

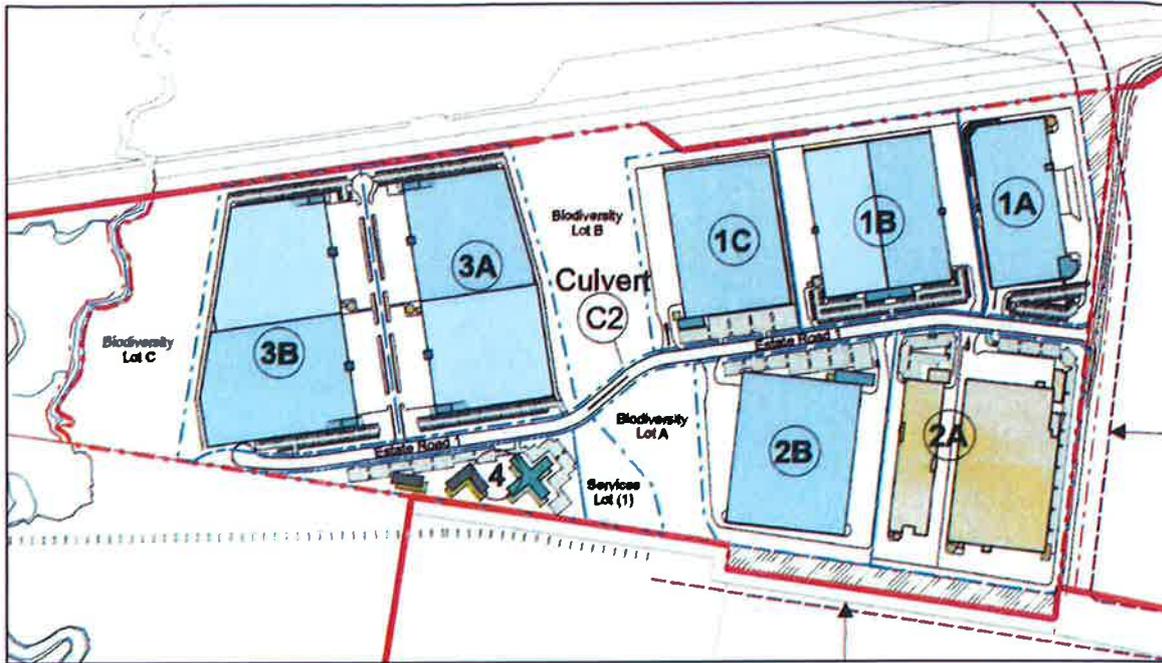


Figure 7: Concept Plan (08\_0065, as modified)

On 2 January 2009, the then Minister for Planning also approved a Stage 1 Project Application (MP 08\_0066) for the establishment of a logistics hub and associated infrastructure within the Oakdale Central Concept Plan area. The Project Approval permitted:

- subdivision of the site into six industrial lots, one service lot, four environmental conservation/recreation lots, and five road corridors;
- bulk earthworks across the site;
- the construction of warehouses on Lots 1A and 2A (see **Figure 7**); and
- internal roads and car parking.

The Project Application has been modified on eight occasions to:

- amend the layout, appearance and internal configuration of the warehouses;
- alter the road configuration and lot layout;
- defer the execution of the VPA to prior to the issue of an Occupation Certificate, or Subdivision Certificate (whichever occurs first);
- alter the extent of bulk earthworks and the design of the creek crossing; and
- alter the type and contaminant thresholds for imported fill.

The project, as modified currently permits:

- subdivision of the site into eight industrial lots, one service lot, three environmental conservation/recreation lots, and two road corridors;
- bulk earthworks; and
- the construction and operation of warehouses on lots 1A and 2A.

To date, Occupation Certificates have been issued for the warehouse buildings on Lots 1A and 2A.

### 1.5.2 Council Approvals

On 12 August 2013, Fairfield City Council (FCC) approved a development application (DA1084.1/2011) for the construction and operation of a warehouse and distribution centre on Lot 1B, including associated parking and landscaping. In addition, FCC approved a modification of the approved stormwater design for this application on 18 August 2014 (DA 1084.2/2011 MOD 1).

The Council has also approved development applications 652.1/2013, 396.1/2013 and 371.1/2013 to facilitate bulk earthworks (including retaining walls), the construction of stormwater bio-retention basins in biodiversity lots B and C, and estate road extensions within the Concept Plan area. A detailed description of the development approved under these consents is provided at **Appendix F**.

## 2. PROPOSED DEVELOPMENT

### 2.1. Development Summary

#### 2.1.1 SSD 6078

Goodman is seeking consent to construct and operate three buildings for warehouse and distribution purposes. The buildings will be constructed on lots 1C, 2B and proposed Lot 3 of the Oakdale Industrial Estate (see **Figure 6**). The application, as amended, also seeks approval to:

- upgrade Old Wallgrove Road between Lenore Drive and Milner Avenue to a four lane road, with works to be undertaken in two stages;
- use of the existing bio-retention basins in biodiversity lots B and C for on-site detention purposes; and
- construct a turning head on Lot 82 in Deposited Plan 752041, which is located outside the Concept Plan area.

As the road works on Old Wallgrove Road necessitate the demolition and relocation of the crossover on the adjoining Austral Bricks site, the application also seeks consent to:

- decommission the existing cross over;
- demolish the weigh-bridge, oil tank and gate house;
- reconstruct and extend the existing hardstand; and
- construct a new crossover on Old Wallgrove Road to facilitate access to the Austral Bricks site.

#### 2.1.2 Modification to the Concept Plan

As the application requires the reconfiguration of the subdivision layout and building envelopes approved under the Oakdale Central Concept Plan, Goodman has also lodged a concurrent Section 75W to facilitate these changes (MP 08\_0065 Mod 3). In this regard, the modification application, as amended seeks approval to:

- consolidate Lot 3A and 3B into a single lot (proposed Lot 3) with an area of 15.59 ha;
- permit the construction of a single warehouse on proposed Lot 3 with a gross floor area of 88,295 m<sup>2</sup>;
- permit the construction of a turning head on Lot 82 in Deposited Plan 75204, to allow traffic to enter and exit the site in a forward direction; and
- permit the use of the existing bioretention basins within biodiversity lots B and C for on-site stormwater detention.

The key components of the SSD and section 75W modification are summarised in **Tables 1** and **2**, and are illustrated in **Figures 8** to **10**.

**Table 1: SSD Main Development Components**

Aspect	Description
<b>Summary</b>	<ul style="list-style-type: none"> <li>• construction and operation of three warehouse buildings;</li> <li>• upgrade of a 1600 m section of Old Wallgrove Road between Milner Road and Lenore Drive, including subdivision and land acquisition; and</li> <li>• consequential works on the Austral Bricks site required to facilitate the upgrade of Old Wallgrove Road.</li> </ul>
<b>Development Area</b>	26.1 ha comprising: <ul style="list-style-type: none"> <li>• Lot 1C – 4.64 ha;</li> <li>• Lot 2B – 6 ha; and</li> <li>• proposed Lot 3 – 15.5 ha.</li> </ul>
<b>Upgrade of Old Wallgrove Road</b>	Staged upgrade of the section of Old Wallgrove Road between Milner Avenue and Lenore Drive to a four lane road including: <ul style="list-style-type: none"> <li>• property acquisitions and adjustment, including consequential works on the Austral Bricks site;</li> <li>• utility services relocations;</li> <li>• demolition of existing pavements and structures;</li> <li>• stormwater infrastructure works;</li> <li>• pavements and kerb and gutter;</li> </ul>

Aspect	Description				
	<ul style="list-style-type: none"> <li>street lighting;</li> <li>installation of new traffic signals at the intersection of Old Wallgrove Road and Milner Avenue, and the creation of right turn lanes/pockets at the entrance of the Transgrid site on Old Wallgrove Road and at the intersection of Old Wallgrove Road and Lenore Drive; and</li> <li>landscaping.</li> </ul>				
<b>Estate Road</b>	Extension of the estate road to provide a new turning head on Lot 82 in Deposited Plan 752041. The turning head will be constructed as a right of carriageway rather than a public road.				
<b>Gross Floor Area</b>	<ul style="list-style-type: none"> <li>construction of a 27,505 m<sup>2</sup> warehouse and distribution centre and a 9,455 m<sup>2</sup> hardstand on Lot 1C;</li> <li>construction of a 33,025 m<sup>2</sup> warehouse and a 20,175 m<sup>2</sup> hardstand on Lot 2B; and</li> <li>construction of a 88,295 m<sup>2</sup> warehouse and distribution centre and a 42,048 m<sup>2</sup> hardstand on proposed Lot 3.</li> </ul>				
<b>Parking</b>	865 permanent car parking spaces, including 51 provisional car parking spaces comprising: <ul style="list-style-type: none"> <li>158 permanent parking spaces in Lot 1C, and 11 provisional parking spaces;</li> <li>154 permanent parking spaces in Lot 2B, and 40 provisional parking spaces; and</li> <li>502 permanent parking spaces in Lot 3.</li> </ul>				
<b>Signage</b>	<ul style="list-style-type: none"> <li>Signage zones for the provision of estate wide signs and building identification signs.</li> </ul>				
<b>Hours of Operation</b>	<table border="1"> <thead> <tr> <th>Construction</th> <th>Operation</th> </tr> </thead> <tbody> <tr> <td> <ul style="list-style-type: none"> <li>7 am to 6 pm (Monday to Friday);</li> <li>8 am to 1 pm (Saturday); and</li> <li>no work on Sunday or public holidays.</li> </ul> </td> <td> <ul style="list-style-type: none"> <li>24-hours-per-day, seven-days-per-week.</li> </ul> </td> </tr> </tbody> </table>	Construction	Operation	<ul style="list-style-type: none"> <li>7 am to 6 pm (Monday to Friday);</li> <li>8 am to 1 pm (Saturday); and</li> <li>no work on Sunday or public holidays.</li> </ul>	<ul style="list-style-type: none"> <li>24-hours-per-day, seven-days-per-week.</li> </ul>
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<b>Capital Investment Value</b>	<ul style="list-style-type: none"> <li>\$88 million</li> </ul>				
<b>Employment</b>	<ul style="list-style-type: none"> <li>2,500 employees during construction and 550 employees during operation.</li> </ul>				

Table 2: Major Components of the 75W Modification

Aspect	Description
<b>Subdivision</b>	<ul style="list-style-type: none"> <li>alteration to the approved Subdivision Plan to consolidate Lots 3A and 3B into one lot of 15.55 ha; and</li> <li>creation of an 88,292 m<sup>2</sup> building envelope on proposed Lot 3.</li> </ul>
<b>Permissible Uses</b>	<ul style="list-style-type: none"> <li>modification to the Concept Plan to permit on-site detention within the 'E2 Environmental Conservation' zone.</li> </ul>
<b>Extension of Milner Avenue</b>	<ul style="list-style-type: none"> <li>extension of the estate road alignment to enable the provision of a turning head within Lot 82 in Deposited Plan 752041.</li> </ul>

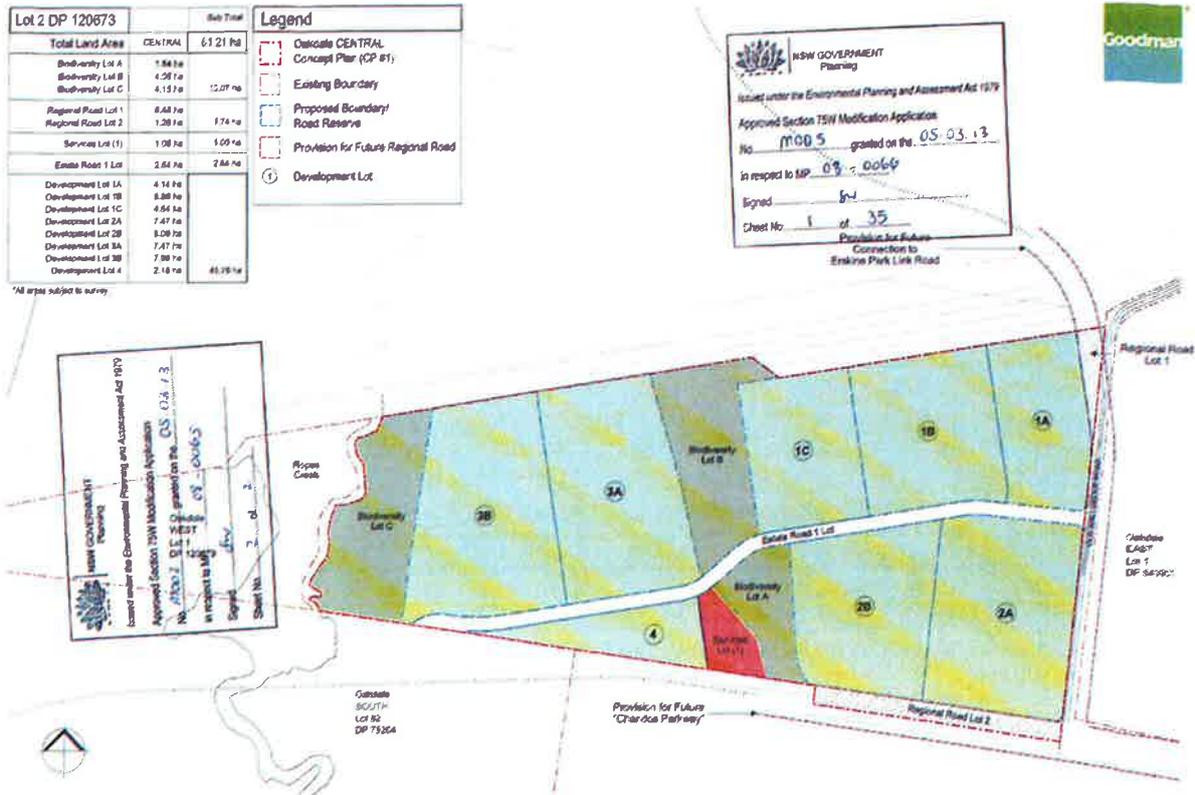


Figure 8: Approved Subdivision Layout

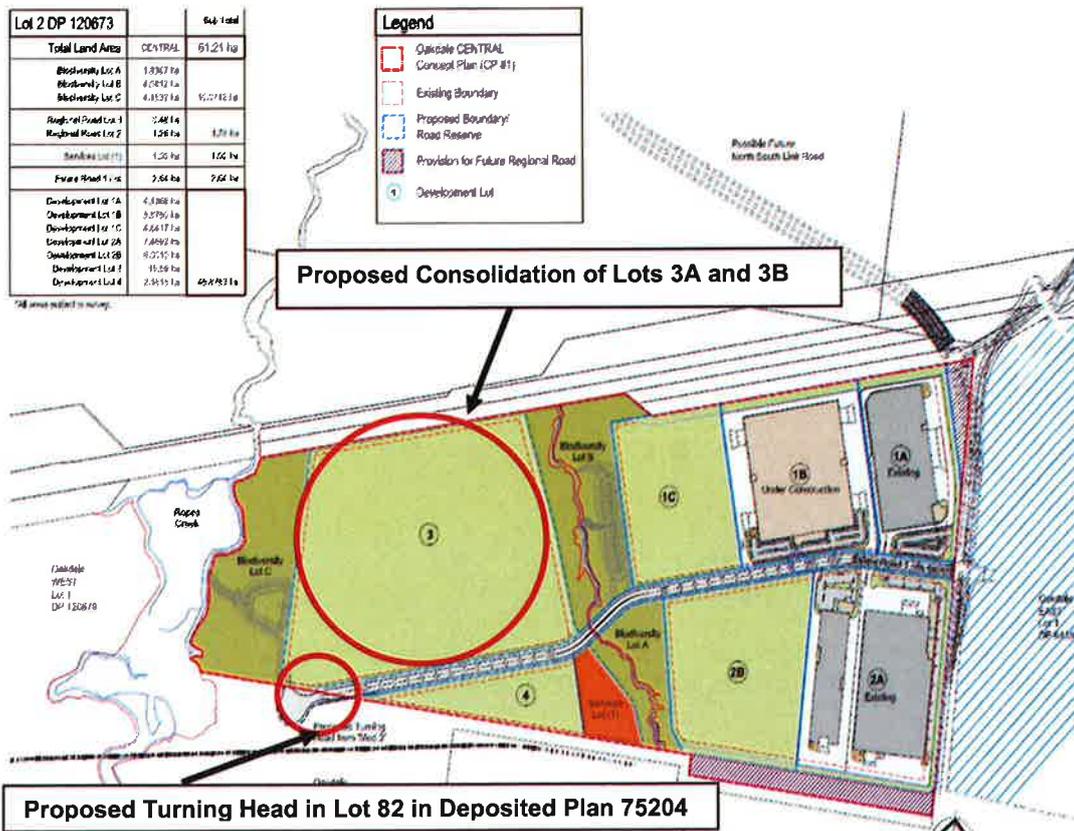


Figure 9: Proposed Subdivision Layout

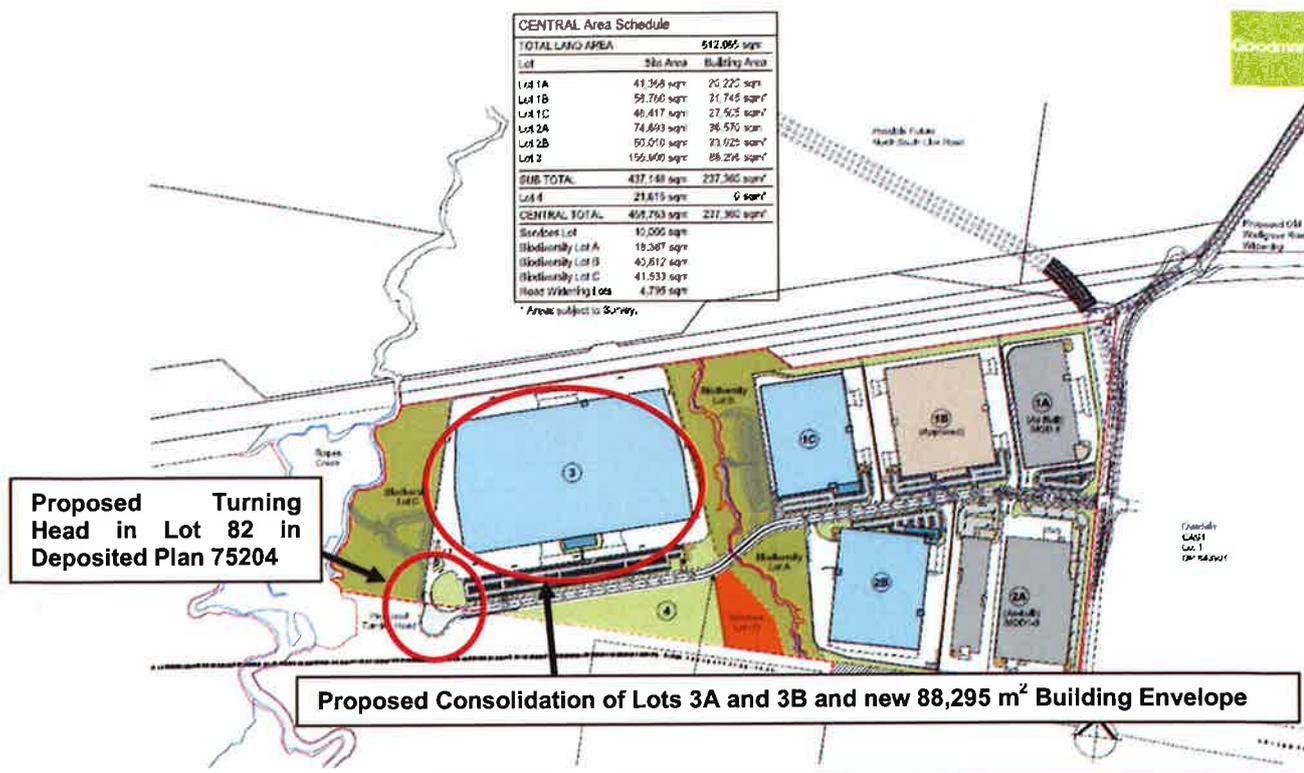


Figure 10: Proposed Site Layout

## 2.2 Project Need and Justification

The proposal will assist in achieving the employment targets identified in the NSW Government's *A Plan for Growing Sydney* and the strategic planning priorities identified for the Western Sub-Region through the provision of new transport infrastructure and the creation of 2,500 construction jobs and 550 operational jobs, thereby representing an appropriate use of strategically located employment land.

Further, the proposal contributes to the development of the regional road network infrastructure, a key strategic objective for the area.

## 3. STATUTORY AND STRATEGIC CONTEXT

### 3.1. SEPP (State and Regional Development) 2011

The proposal is classified as State Significant Development (SSD) under Division 4.1, Section 89C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is development for the purpose of a warehouse and distribution centre with a CIV of more than \$50 million, and therefore satisfies the criteria in clause 12, Schedule 1 of the *State Environmental Planning Policy (State and Regional Development) 2011*. Consequently, the Minister for Planning is the consent authority for the proposal.

### 3.2. Approval Authority

#### 3.2.1 SSD

On 16 February 2015, the Minister for Planning delegated responsibility for the determination of State significant development applications to Executive Directors who report to the Deputy Secretary, Planning Services where:

- the relevant local council has not made an objection; and

- there are less than 25 public submissions in the nature of objections; and
- a political disclosure statement has not been made.

The relevant council (Fairfield Council) did not object to the proposal, no submissions of objection were received, and no political disclosure statement was made for this or any previous related applications. Accordingly, the Executive Director, Infrastructure and Industry Assessments can determine the application in accordance with the Minister's delegation.

### 3.2.2 Section 75W Modification

In accordance with Clause 12 of Schedule 6A of the EP&A Act, Section 75W of the Act as in force immediately before its repeal on 1 October 2011, continues to apply to transitional Part 3A projects. Consequently, the Minister for Planning is the approval authority for the proposed modification of the Oakdale Central Concept Plan.

On 16 February 2015, the Minister for Planning delegated responsibility for the determination of section 75W modification applications to Executive Directors who report to the Deputy Secretary, Planning Services where:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are less than 10 public submissions in the nature of objections.

The proposal complies with the terms of the delegation as Fairfield Council did not object to the proposal, a political disclosure statement has not been made in relation to this application or any previous Concept Plan modification, and less than 10 public submissions were received. Accordingly, the Executive Director, Infrastructure and Industry Assessments may determine the section 75W modification of the Concept Plan in accordance with the Minister's delegation.

### 3.2.3 Permissibility

The site is zoned 'IN1 General Industrial' and 'E2 Environmental Conservation' in the WSEA SEPP. In addition, the portion of Old Wallgrove Road included within the application area is zoned '5(a) Special Uses – General Zone' within the *Blacktown Local Environmental Plan 1998* (BLEP 1998). It is also important to note that the portion of Old Wallgrove Road within the application area is proposed to be rezoned 'SP2 Infrastructure' in the *Draft Blacktown Local Environmental Plan 2013* (Draft BLEP 2013).

Warehouse development and public roads are permissible with consent in the existing and proposed zones. Notwithstanding, the use of bioretention basins and stormwater management infrastructure is prohibited on E2 zoned land. The Applicant has lodged a concurrent section 75W modification to the Concept Plan to overcome this prohibition. The proposed modification to the Concept Plan is discussed in greater detail in **Section 5.2** of this report.

### 3.3. Objects of the EP&A Act

In determining an SSD application, the consent authority must consider whether the proposal is consistent with the relevant objectives of section 5 of the EP&A Act, which are as follows:

- (a) *to encourage:*
- (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
  - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) *the protection, provision and co-ordination of communication and utility services,*
  - (iv) *the provision of land for public purposes,*
  - (v) *the provision and co-ordination of community services and facilities,*

- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats,*
- (vii) *ecologically sustainable development,*
- (viii) *the provision and maintenance of affordable housing,*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department has considered the objects of the EP&A Act, including the encouragement of ecologically sustainable development (ESD), in its assessment of the proposal.

The Department considers that objects 5(a) (i), (ii), (vi) and (vii), 5(b) and 5(c) are most relevant to the merit assessment of the SSD application. The Department has duly considered these objects in its assessment of the proposal and has concluded that the proposed development will facilitate development consistent with the zoning of the site without resulting in any significant adverse environmental impacts (see **Table 3** below).

**Table 3: Assessment of the Relevant Objectives of the EP&A Act**

<b>Object</b>	<b>Consideration</b>
<b>5(a)(i)</b>	The application will ensure the proper management and development of suitably zoned (industrial) land for the economic enhancement of the community, including the provision of approximately 550 full-time equivalent jobs at Horsley Park.  In addition, the application has generally been designed in accordance with the approved Concept Plan (08_0065), and to meet current best practice environmental management standards. The potential impacts of the proposal, including impacts to the 'E2 Environmental Conservation' zone, will be minimised through appropriate site layout, design and environmental control measures.
<b>5(a)(ii)</b>	The site is located on land zoned for industrial purposes, and includes the upgrade of a section of Old Wallgrove Road between Milner Avenue and Lenore Drive, which will facilitate the redevelopment of land located south of the Sydney Catchment Authority (SCA) pipelines. The application will also provide approximately 2,500 construction jobs and ensure the on-going employment of approximately 550 staff.
<b>5(a)(vi)</b>	The Department's assessment demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure that the environment is protected.
<b>5(a)(vii)</b>	The site preparation works, including site clearing and earthworks, have been completed in accordance with MP08_0066 and DA 652.1/2013. In addition, existing on-site vegetation and riparian zones will be protected via the creation of three biodiversity lots approved under the Concept Plan (08_0065). Stormwater infrastructure within these lots will not preclude its function as a riparian corridor, and the impact of the works to Old Wallgrove Road can be managed to mitigate the impacts on existing flora and fauna. The proposal is therefore unlikely to have an adverse impact on native flora or fauna, including threatened species, populations and ecological communities, or their habitats.
<b>5(b)</b>	The Department has assessed the application in consultation with other government authorities (including the Fairfield, Blacktown and Penrith councils) (see <b>Section 4</b> ). This promotes the sharing of responsibility for environmental planning between the different levels of government in the State.
<b>5(c)</b>	The application was exhibited in accordance with section 89F(1) of the EP&A Act to provide public involvement and participation in the environmental planning and assessment process.

### 3.4. Compliance with Clause 3B of Schedule 6A of the EP&A Act

Clause 3B(2)(d) of Schedule 6A the EP&A Act specifies that a consent authority must not grant consent under Part 4 unless it is satisfied that a development is generally consistent with the terms of an approved Concept Plan.

The Department considers that this application is generally consistent with the Oakdale Central Concept Plan as it will facilitate the construction of warehouses for freight and logistic purposes. Notwithstanding, the application proposes some minor departures from the approved Concept Plan layout. These departures have been addressed in the section 75W modification to the Concept Plan, and subject to the approval of the modification application, the Department is satisfied that the proposed development is consistent with the Concept Plan.

### 3.5. Ecologically Sustainable Development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991* (PEA Act). Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes, and that ESD can be achieved through the implementation of the four following principles:

- (a) *the precautionary principle;*
- (b) *inter-generational equity;*
- (c) *conservation of biological diversity and ecological integrity; and*
- (d) *improved valuation, pricing and incentive mechanisms.*

The proposal is located within the Oakdale Central Concept Plan area, and consideration was given to the principles of ESD in the assessment of the Concept Plan (08\_0065). This assessment concluded that that the environmental impacts of development proposed for the area could be mitigated and or managed to ensure an acceptable level of performance. Notwithstanding, the Department has also considered the principles of ESD in the assessment of this development application, as detailed in **Table 4** below:

**Table 4:** Consideration of the Proposal against the ESD Principles of the PEA Act

<b>Principle</b>	<b>Consideration</b>
<i>Precautionary Principle</i>	The Department has carried out a thorough and cautious assessment of the development as set out in <b>Section 5</b> of this report. The potential impacts of the development have been predicted using well known and reliable methods. Where required, the proposed mitigation measures are also well known and reliable. There are neither threats of serious or irreversible environmental damage, or areas of scientific uncertainty about potential harm to the environment associated with the development.
<i>Intergenerational Equity</i>	The site is located on land formerly used for grazing and quarry uses. The Department considers the development would provide on-going employment accessible to residents of the western Sydney region. This supports the objectives of the NSW Government's <i>A Plan for Growing Sydney</i> to provide job growth within the WSEA.
<i>Conservation of Biological Diversity and Ecological Integrity</i>	The application seeks to protect the riparian zones along Ropes Creek and its tributaries via the implementation of the approved Vegetation Management Plan (VMP). Furthermore, as demonstrated by the Department's assessment (see <b>Section 5</b> ), this proposal would have little or no adverse impacts on native flora or fauna, including threatened species, populations and ecological communities, or their habitats.
<i>Improved Valuation, Pricing and Incentive Mechanisms</i>	The Applicant has entered into a Voluntary Planning Agreement (VPA) with the NSW Government to facilitate the upgrade the section of Old Wallgrove Road between Milner Avenue and Lenore Drive. This will allow further development of land in an area which would otherwise remain undeveloped due to road network capacity constraints.

### 3.6. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) have been complied with.

### 3.7. Strategic Context

The development has a CIV of \$88 million and would generate approximately 2,500 construction jobs and 550 operational jobs upon completion.

The development is consistent with the goals and priorities of *NSW 2021*, particularly Chapter 1, as it will contribute to building the NSW economy by promoting economic and employment growth in the Sydney Metropolitan Region.

The proposal is also consistent with the NSW Government's *A Plan for Growing Sydney*, as it would support jobs growth and provide new transport infrastructure on designated employment lands in the WSEA.

### 3.8. Considerations under Section 79C of the EP&A Act

Under section 79C of the EP&A Act, a consent authority is required to take a number of matters into consideration. The Department has duly considered the prescribed matters.

The Department's detailed consideration of the development against the provisions of section 79C of the EP&A Act is provided at **Appendix B**.

### 3.9. Environmental Planning Instruments

Under section 79C of the EP&A Act, the consent authority must consider the provisions of any environmental planning instrument (EPI) and draft EPI when determining a development application.

The Department has assessed the proposed development against the relevant provisions of the following EPIs:

- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *Fairfield Local Environmental Plan 2013;*
- *Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River;*
- *Penrith Local Environment Plan 2010; and*
- *Blacktown Local Environmental Plan 1998.*

The Department is satisfied that, subject to the implementation of the recommended conditions of consent, the application is generally consistent with the aims, objectives and provisions of the relevant EPIs (see **Appendix C**).

### 3.10. Integrated Approvals

Under Section 89K of the EP&A Act, an applicant may be required to obtain further approvals from Councils and/or other government agencies. These approvals cannot be refused if they are necessary for carrying out an approved SSD.

In this case, the proposed road works are within the Blacktown, Fairfield and Penrith LGAs and will require approval from the RMS and the relevant councils under Section 138 of the *Roads Act 1993* (Roads Act). The Department has consulted with the RMS and all three councils during the assessment process, and has concluded that the issues associated with the proposed road works can be managed through the recommended conditions of consent, which require the Applicant to obtain an approval from the relevant road authorities prior to the commencement of construction works, and implement the approved construction management plans. Furthermore, the upgrade of Old Wallgrove Road will be carried out in accordance with the VPA, which has the in-principle agreement of the relevant councils and the RMS.

## 4. CONSULTATION AND SUBMISSIONS

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### 4.1. Public Exhibition of the Section 75W Modification to the Concept Plan

Under Section 75X(2)(f) of the Act, the Secretary is required to make the modification request publicly available. The modification request was made publicly available on the Department's website on 12 August 2014.

Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means.

No agency or public submissions were received in relation to the proposed modification to the Concept Plan.

### 4.2. Public Exhibition of the Development Application

Under section 89F(1) of the EP&A Act, the Secretary is required to make a State significant development application (DA) and any accompanying information publicly available for at least 30 days. After accepting the EIS, the Department:

- made it publicly available between Thursday 14 November 2013 and Monday 16 December 2013:
  - on the Department's website;
  - at the Department's Information Centre (Sydney and Parramatta Regional Office);
  - at the Nature Conservation Council; and
  - at the Penrith City and Fairfield Council offices.
- notified nearby landowners; in the vicinity of the proposed development about the exhibition;
- notified relevant State government authorities, the State Member of Parliament, Penrith City Council, Blacktown City Council and Fairfield City Council; and
- advertised the exhibition in the Blacktown Advocate, Fairfield City Champion and the Penrith Press.

The Department received a total of 11 submissions, including one submission from each of the three Councils (Fairfield, Blacktown and Penrith City Council), six submissions from public authorities and two submissions from members of the general public.

The relevant agencies and councils raised no objection to the application, however comments and recommended conditions of consent were provided. Of the two public submissions, one submission supported the application, and the other submission requested the imposition of conditions to restrict stockpiling on the adjoining Austral Bricks site.

A summary of the issues raised in submissions is provided below. Each submission is provided in full at **Appendix E**.

### 4.3. Public Authorities

No government authority objected to the application. However, most raised issues to be addressed in the assessment of the application. These issues are summarised below.

**Fairfield City Council (FCC)** raised the following concerns:

- stormwater detention should be provided in accordance with the Council's standards and should cater for all impervious surfaces on-site;
- the proposed use of the biodiversity lots for stormwater detention is not considered appropriate on the basis that on-site detention is not permissible on land zoned 'E2 Environmental Conservation'. In addition, the Council did not approve on-site detention works under development applications 396.1/2013 or 652.1/2013, as outlined in the Applicant's EIS;
- the use of the biodiversity lots for on-site detention is not supported, and it is the Council's preference that all on-site detention occurs within the boundaries of lots 1C, 2B and proposed Lot 3; and

- the EIS does not specify whether the southern section of Old Wallgrove Road will be upgraded by Jacfin as part of its Ropes Creek Project Approval (MP10\_0127).

In addition, Council requested that the Department impose a condition requiring the Applicant to pay a Section 94A development contribution in accordance with the *Fairfield City Council Indirect Section 94A Development Contribution Plan 2011*.

The Department has reviewed the Council's comments and agrees that the use of the existing bioretention basins for on-site stormwater detention is not permissible within the 'E2 Environmental Conservation' zone. The Department requested that the Applicant address this issue in its Response to Submissions. This is further addressed in **Section 5.1** of this report.

In regard to the upgrade of the southern section of Old Wallgrove Road, the Department advised the Council that the upgrade of Old Wallgrove Road will be the responsibility of the Department and Roads and Maritime Services.

**Blacktown City Council (BCC)** provided the following comments:

- the application should address the stormwater detention methods for Lot 4;
- post-development water flows should be limited to the two year ARI pre-development event to ensure that the development will not result in scouring of creek systems within the Blacktown LGA;
- the detention basins should be increased in size, and the bioretention design parameters should be revised to ensure that the detention basins have an appropriate infiltration capacity in the long-term;
- the Applicant should be required to upgrade Old Wallgrove Road in a single stage to ensure that sufficient capacity is provided to accommodate the additional traffic generated by the proposed development; and
- the northern portion of Old Wallgrove Road should be realigned to form a T-intersection with the Erskine Park Link Road as per the requirements of the *WSEA Southern Link Road Network Strategic Transport Assessment*.

The Department reviewed BCC's submission and has requested that the Applicant address the potential downstream impacts of the proposed stormwater management system, and the Council's concerns with the proposed upgrade of Old Wallgrove Road in its Response to Submissions (RTS). This is further considered in **Section 5.4** of this report.

**Penrith City Council (PCC)** did not object to the application, or raise any issues or concerns.

**NSW Office of Water (NOW)** advised that the design of the detention basin in Biodiversity Lot B may constrain the biodiversity offset options approved under Council's development consent (DA 369.1/2013). In addition, NOW advised that the application does not include the 30 m wide riparian corridor on the northern boundary of Biodiversity Lot B as previously agreed to by the Applicant.

The Department requested that the Applicant address these issues as part of its Response to Submissions. This matter is further addressed in **Section 4.5** of this report.

**Crown Lands** advised that there are a number of Crown owned roads within the application area that need to be transferred to the relevant Council prior to the commencement of construction works. In addition, Crown Lands advised that the Applicant will need to obtain the approval of the Crown prior to the commencement of the proposed road works.

**Roads and Maritime Services (RMS)** advised that the VPA should be amended to remove references to the RMS on the basis that Fairfield Council is the relevant roads authority.

The **Sydney Catchment Authority (SCA)** requested a number of conditions to maintain the integrity of the twin water pipelines connecting Warragamba Dam to Prospect during the construction and operational phases of the development. The Department has recommended the inclusion of conditions to maintain the integrity of the relevant pipelines in the development consent.

**Transgrid** requested a number of conditions to ensure that the impacts on Transgrid's infrastructure are minimised. The Department has recommended conditions to ensure the impacts of the development on Transgrid's transmission lines are managed appropriately.

**NSW Office of Environment and Heritage (OEH)** advised that it would not be commenting on the application.

#### 4.4. Public Submissions

The Department received two public submissions in relation to the proposed development. Neither submission objected to the application, however the following concerns were raised:

- Austral Bricks has been stockpiling soil associated with the construction of the warehouses approved under MP08\_0065 and DA 1084.1/2011 on its site at 224-398 Burley Road. These stockpiles have created adverse visual and dust impacts, and it is requested that the Department impose a condition preventing Austral Bricks and Goodman from stockpiling any materials associated with the proposed development on the Austral Bricks site;
- the payment of Section 94A contributions for the future maintenance of Old Wallgrove Road as requested by the Council is not acceptable on the basis that section 94A contributions are not intended to fund maintenance works; and
- regional contributions should only be used to fund those parts of the application that form permanent works associated with the Southern Regional Road Network.

The Department has reviewed these submissions and has concluded that:

- the application does not seek to stockpile soils on the adjacent Austral Bricks site;
- the Applicant should be required to pay Section 94A contributions in accordance with Council's *Indirect (Section 94A) Development Contributions Plan 2011* on the basis that the application will generate the demand for additional local infrastructure; and
- given the current state of Old Wallgrove Road and the uncertainty surrounding the timing of the preferred north-south link road outlined in the WSEA SEPP, the decision to apply regional contributions to the upgrade of Old Wallgrove Road is warranted and has the support of Transport for NSW, the RMS and the Department.

#### 4.5. Response to Submissions (RTS) and Supplementary Information

The Applicant provided the following documents to address the issues raised by the Department, and in the government and public submissions:

- *Response to Submissions State Significant Development (6078) Oakdale Central Horsely Park Construction of Warehouse and Distribution Facilities*, dated 17 January 2014;
- *State Significant Development 6078 – Oakdale Central, Horsely Park (Lot 21 in Deposited Plan 1173181)*, dated 23 June 2014;
- *Environmental Impact Addendum Report – Old Wallgrove Road Upgrade Works*, dated 1 July 2014;
- *Response to Submissions State Significant Development (6078) Oakdale Central Horsely Park Construction of Warehouse and Distribution Facilities*, dated 8 August 2014;
- *Summary Report – State Significant Development 6078 Construction of Warehouse and Distribution Facilities and Old Wallgrove Road Upgrade – Oakdale Central Horsely Park*, dated 17 November 2014; and
- *Addendum Report – State Significant Development 6078 Austral Internal Driveway Works (Lot 1 in DP 843901)*, dated 12 December 2014.

The abovementioned documents did not alter the scope of the proposed development, however the documents provided additional technical information to enable the Department and the relevant government authorities to assess the impacts of the Old Wallgrove Road upgrade works, and the site rectification works required on the Austral Bricks site. The consolidated Response to Submissions (dated 8 August 2014) was made publicly available on the Department's website on 26 August 2014.

The Department referred the RTS to Fairfield and Blacktown Council, Crown Lands, the OEH, NOW and SCA for comment. A summary of the agency submissions is provided below.

**BCC** confirmed the issues raised in its submission had been adequately resolved. However, BCC advised that all drainage and stormwater management infrastructure required to facilitate the upgrade of Old Wallgrove Road should comply with the relevant Council standards.

In addition, BCC advised that appropriate sinking funds should be provided to the Council to ensure on-going maintenance of the drainage infrastructure for Old Wallgrove Road over the life of the asset.

The Department has reviewed the Council's comments and notes that the VPA requires the Applicant to demonstrate that the relevant councils agree to the road upgrade works. As such, the Department is satisfied that Council's concerns in relation to the design of the Old Wallgrove Road Upgrade will be adequately addressed during the final design stage.

**FCC** advised that it is generally satisfied that its concerns in relation to the levying of section 94A contributions and the upgrade of the southern section of Old Wallgrove Road have been addressed. However, FCC reiterated its concerns in relation to the permissibility and appropriateness of using the bioretention basins for on-site stormwater detention.

FCC also advised that the use of the bioretention basins for on-site detention may impact on the implementation of the Vegetation Management Plan (VMP) required in the Office of Water's General Terms of Approval for DA652.1/2013. In addition FCC was concerned that the Applicant may not be able to satisfy the conditions in DA396.1/2013, which preclude works being carried out within 40 m of the Ropes Creek tributary until a Controlled Activity Approval has been issued by the Office of Water. Furthermore, FCC advised that should the application require amendments to the scope of the VMP, these amendments should be fully funded by the Applicant.

The Department has reviewed the Council's concern and is satisfied that:

- the RTS includes sufficient information to demonstrate that appropriate planting will be undertaken within the riparian zone in accordance with the provisions of the VMP; and
- the application will not alter the requirements of the VMP approved by the Office of Water under the Controlled Activity Permit dated 5 March 2014.

**Crown Lands** advised that it has reviewed its previous comments and has concluded that the application will not affect any Crown roads south of Lot 21 in Deposited Plan 1173181.

**OEH** advised that it has no comments on the supplementary information provided by the Applicant.

**NOW** acknowledged that MP08\_0065 MOD 2 approved the encroachment of the stormwater basin into the outer riparian zone of the Ropes Creek tributary.

In addition, NOW requested that the Applicant confirm that:

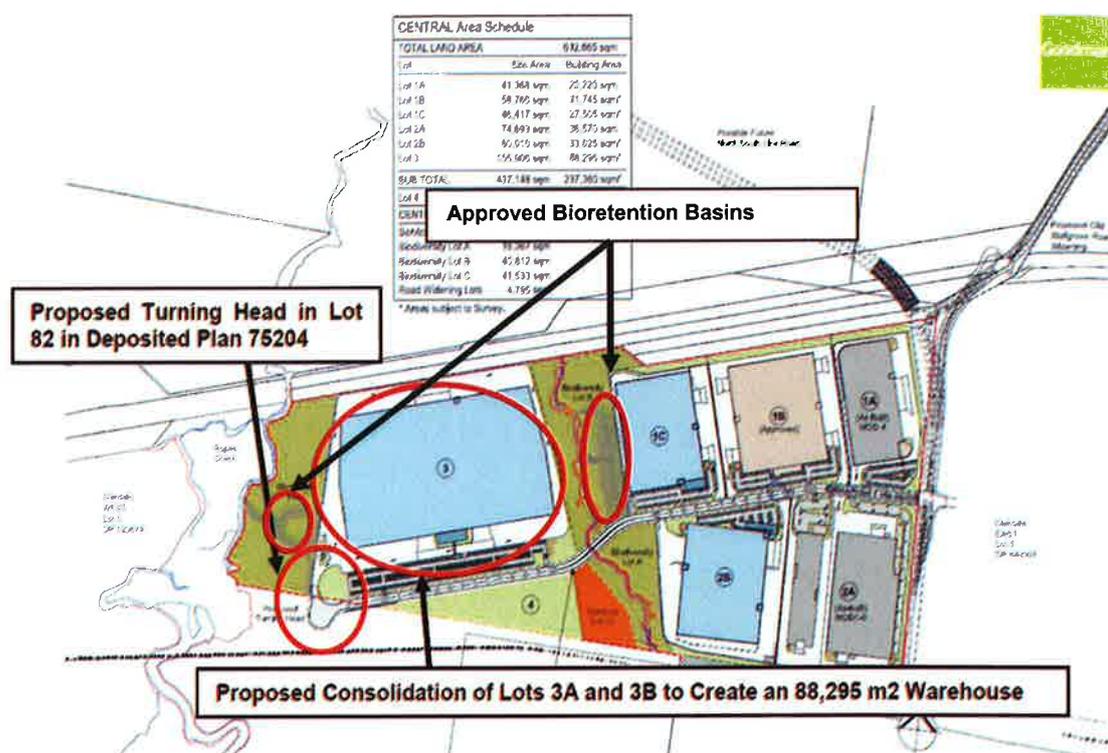
- the road works on Old Wallgrove Road will not impact on the groundwater table;
- where the non-potable water proposed for use during the proposed road works will be sourced from; and
- the volume of water proposed for use during the construction phase of the development.

The Department notes that the geotechnical report dated 1 September 2014, confirmed that groundwater would not be intercepted during the construction of the Old Wallgrove Road road works. In addition, the Applicant has indicated that it will investigate whether non-potable water will be used to manage dust associated with the Old Wallgrove Road construction works.

The **SCA** requested that the conditions include a requirement for the Applicant to undertake a road safety audit to refine the detailed design of the vehicular access points into SCA land. The Department has recommended a condition to this effect.

A detailed assessment of the impacts of the proposed development is provided in **Section 5** of this report.





**Figure 12: Proposed Modifications to the Concept Plan**

The proposed modifications have been sought to:

- enable the construction of a single warehouse facility on proposed Lot 3 consistent with current market demands;
- facilitate safe and efficient vehicle access to proposed Lot 3 until Milner Avenue is extended as part of a future development application on the adjoining lots; and
- overcome a prohibition in the WSEA SEPP which prohibits the construction and use of dry detention basins and stormwater management infrastructure on land zoned 'E2 Environmental Conservation'.

The Department has assessed the proposed modifications to the subdivision layout and the building envelope for proposed Lot 3 and has concluded that:

- the proposed lot size is generally consistent with the existing pattern of subdivision with the Oakdale Central Concept Plan area;
- the building envelope proposed for proposed Lot 3 is generally consistent with the development contemplated under the approved Concept Plan and Design Guidelines, and any visual impacts can be mitigated via the use of appropriate architectural treatments and landscaping; and
- the modification will facilitate the creation of additional floor space for warehousing and distribution uses consistent with the aims and objectives of the WSEA SEPP.

The proposed modification to the layout of Milner Road is also considered appropriate on the basis that the revised design will ensure the safe ingress and egress of heavy rigid vehicles to proposed Lot 3 until Milner Road is extended when Oakdale South is developed in the future.

The Department has also assessed the proposed modification to permit on-site stormwater detention within the dry detention basins located in the 'E2 Ecological Conservation' zone and has concluded that this revision can be supported on the basis that:

- the Applicant has demonstrated that the dry detention basins can be used to facilitate on-site detention without compromising the ecological values of vegetation within the conservation lots;

- the detention basins have already been constructed in accordance with the development consents issued by the Council (DA652.1/2013 and DA396.1/2013); and
- the proposed modification is administrative in nature, as it clarifies that the construction and operation of stormwater infrastructure that is consistent with the Water Sensitive Urban Design Strategy approved under the Concept Plan is permitted on land zoned 'E2 Ecological Conservation'.

Given the above, the Department's assessment concludes that the proposed modifications to the Concept Plan are acceptable.

## 5.2. Consistency with the Concept Plan

Clause 3B2(d) of Schedule 6A of the EP&A Act specifies that a consent authority must not grant consent under Part 4 of the EP&A Act unless it is satisfied that the proposed development is generally consistent with the terms of an approved concept plan.

The Department has reviewed the terms of the Oakdale Central Concept Plan and has concluded that the Applicant must demonstrate that the proposed development is generally consistent with:

- the noise limits specified for future developments in Term 6 of the Concept Plan;
- the design requirements for industrial buildings specified in Term 9 of the Concept Plan;
- the design requirements for sewerage systems specified in Term 11 of the Concept Plan; and
- the Statement of Commitments approved in Appendix 2 of the Concept Plan.

The Department has assessed the Development Application against the requirements of the Concept Plan and is satisfied that:

- the cumulative noise impacts associated with the operation of the proposed warehouses comply with the noise limits set out in Term 9 of the Concept Approval;
- the EIS includes appropriate technical reports that address the design criteria specified in terms 9 and 11 of the Concept Approval; and
- the application has addressed all of the relevant requirements outlined in the Statement of Commitments included in Appendix 2 of the Concept Approval.

A full assessment of compliance against the relevant conditions of the Concept Plan is provided at **Appendix E**.

Accordingly, the Department's assessment concludes that subject to the approval of the proposed section 75W modification, the proposed development is generally consistent with the approved Concept Plan.

## 5.3 Road Network and Site Access

### 5.3.1 Road Network and Current Site Access Arrangements

The subject site is located within close proximity to the M7 Motorway, Lenore Drive, Wallgrove Road, and Old Wallgrove Road (see **Figure 13**). The M7 and Lenore Drive are major arterial roads under the control of the RMS, with the M7 providing an orbital north-south connection to the M4 and M5 motorways, and Lenore Drive providing an east-west connection between Erskine Park and Old Wallgrove Road.

Wallgrove Road is a classified road which is located east of the site and provides a north-south connection between Elizabeth Drive in Cecil Park and the Great Western Highway in Minchinbury. Old Wallgrove Road is a local road located to the north-east of the site, and is under the control of both the Fairfield and Blacktown City councils. It provides localised access within Precinct 2 of the WSEA and is identified as a 'Sub-Arterial' road in the *Stage 3 Eastern Creek Precinct Plan*.

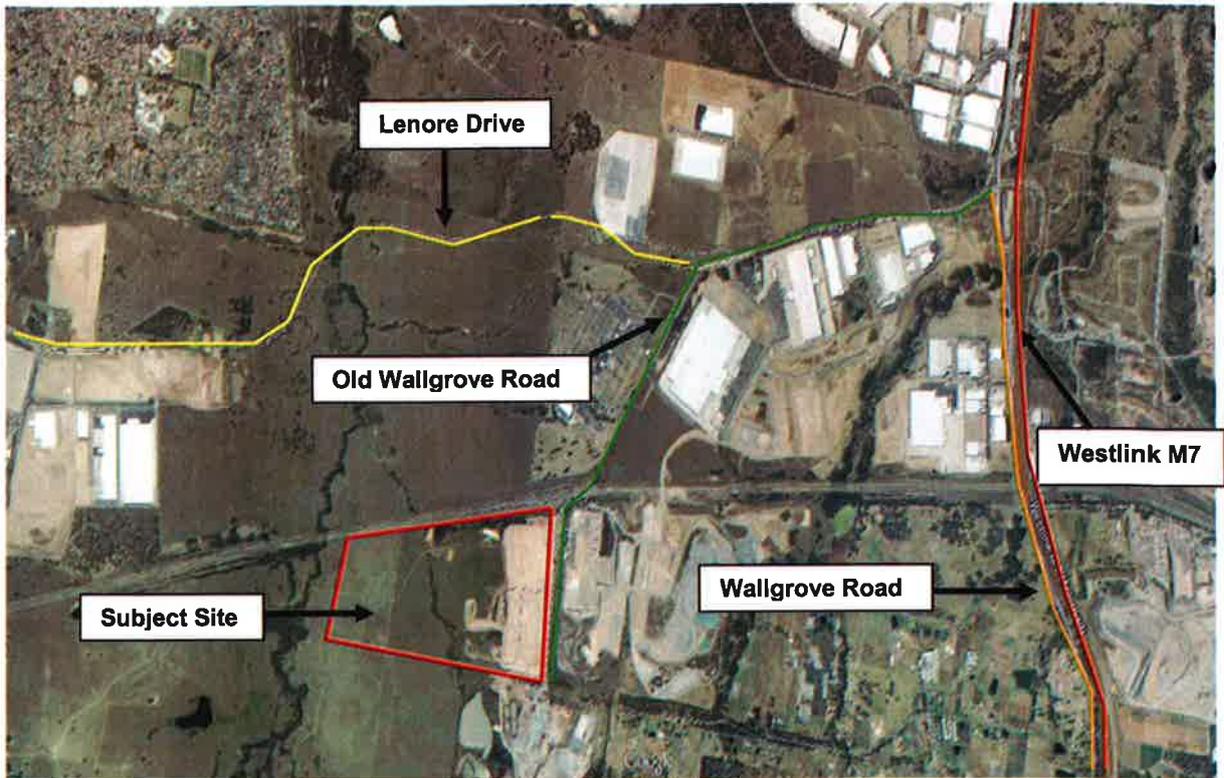


Figure 13: Road Network

The subject site is afforded access to the surrounding road network via a local road (Milner Avenue) which connects to Old Wallgrove Road (see Figure 14).



Figure 14: Approved Site Access Arrangements

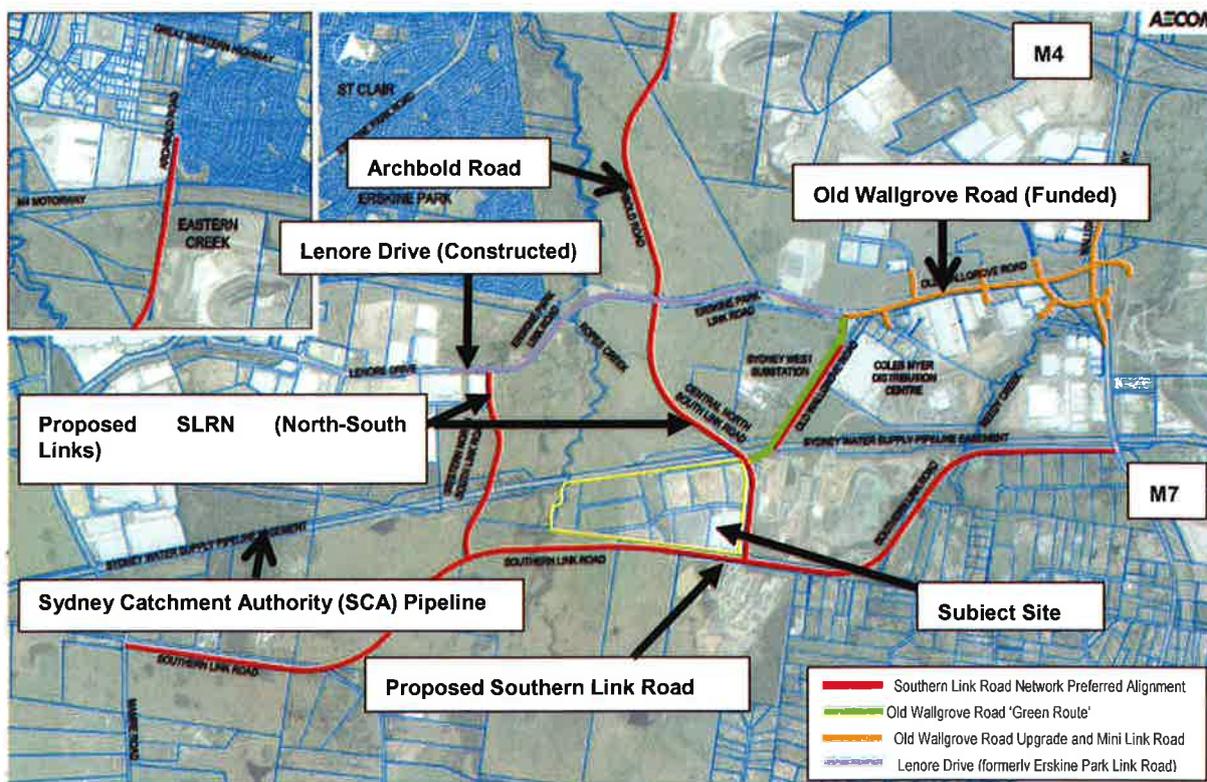
**5.3.2 Proposed Modifications to the Regional Road Network**

As discussed in **Section 1.2**, the WSEA SEPP identifies the conceptual regional road alignment required to accommodate the redevelopment of the entire WSEA area. This network is comprised of:

- Lenore Drive (formerly known as the Erskine Park Link Road), which links Lenore Drive with Old Wallgrove Road;
- Old Wallgrove Road which links Roberts Road and M7 Motorway; and
- the Southern Link Road Network (SLRN) which provides north-south and east-west linkages between the land south of the Warragamba Pipeline and the suburbs of Minchinbury and Erskine Park.

To date, Lenore Drive has been constructed, and funding has been secured for the upgrade to the section of Old Wallgrove Road between Roberts Road and the M7. Construction of this upgrade commenced in late 2014 and it is anticipated that the works will be complete some time in 2016.

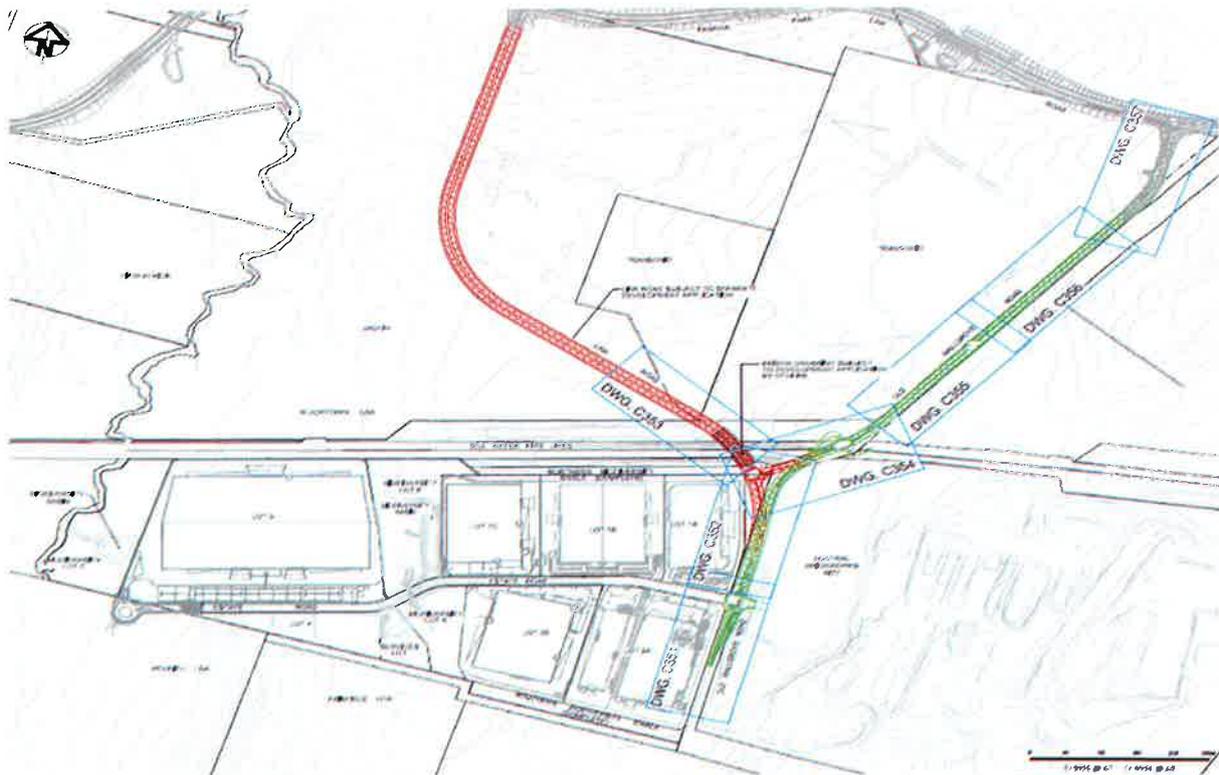
The SLRN, which is required to accommodate the demand generated by development to the south of the Warragamba pipeline, is comprised of the Southern Link Road (SLR) and two north-south roads connecting the SLR to Lenore Drive and the M4 Motorway (see **Figure 15**). In order to fund the regional road network identified in the WSEA SEPP, the Department has been collecting regional road infrastructure contributions within the WSEA at a rate of \$180,000 per net developable hectare in accordance with the *Draft State Infrastructure Contributions (SIC) for the WSEA*. These funds, secured through satisfactory arrangements and Voluntary Planning Agreements, are currently being used by the RMS to construct the regional road network in stages.



**Figure 15: WSEA Regional Road Network**

It should be noted that the Department and the RMS are currently working with affected landowners to determine the final alignment and staging arrangements for the proposed north-south links within the SLRN.

As the final alignment and timing for the construction of the north-south SLRN connections are not fully resolved, the Applicant is proposing to upgrade the section of Old Wallgrove Road between Milner Avenue and Lenore Drive to a four lane road to create an 'Interim Regional Road' to service the proposed development, as well as the remainder of the sites located within Precinct 8 and Precinct 11, south of the Warragamba pipeline within the WSEA (see **Figure 17** overleaf).



**Figure 16:** Location of the Proposed Old Wallgrove Road Upgrade Works (note: the Green Route is the Route Proposed for Construction)

As the proposed road upgrade will service the remainder of the developable sites within precincts 8 and 11 of the WSEA, the Applicant is also seeking approval to undertake these works as works-in-kind and have these works credited against its SIC contributions for Oakdale Central and Oakdale South developments via a Voluntary Planning Agreement (see **Section 5.5**). It should be noted that the proposed works include the construction of:

- a single carriageway with a variable width (average width of 7 m), to facilitate the creation of a four lane 'Interim Regional Road';
- 12 m wide access points on sites affected by the road upgrade works (Transgrid, SCA, and Austral Bricks);
- uniform shoulders;
- stormwater infrastructure;
- a raised concrete median ranging in width between 1 m and 5 m;
- a shared path along one side of Old Wallgrove Road for the length of the road affected by the road widening works; and
- sign posting to identify a speed limit of 70 km/hr along the length of the road the subject of the proposed upgrade.

These works are anticipated to be completed within 12 months of the issue of this consent. The construction impacts associated with these works are discussed in detail in **Section 5.3.4** and **Table 7** of this report.

The proposed upgrade of Old Wallgrove Road to an 'Interim Regional Road' is supported by a Traffic Impact Assessment (TIA) prepared by Traffix, which assesses the impacts of the development based on the travel demand generated by the proposed warehouses, as well as the remainder of the vacant land within precincts 8 and 11 south of the Warragamba Pipeline. In this regard, the TIA outlined the number of car parking spaces required to service the development as required under Condition 9(m) of the Concept Plan, and assessed the impact of the proposed development on the levels of service at the following key intersections:

- Wallgrove Road and Old Wallgrove Road;
- Old Wallgrove Road and Lenore Drive;
- Old Wallgrove Road and the future north-south SLRN connection; and
- the future north-south SLRN connection and Lenore Drive (see **Figure 17**).



Figure 17: Location of Key Intersections Modelled in the Applicant's TIA

The TIA concluded that:

- a minimum of 834 car parking spaces are required to service the proposed development (see **Table 5** below);
- based on a maximum of 865 car parking spaces being provided, the proposed development will generate a maximum of 2,150 vehicle trips per day comprised of 1,825 light vehicles and 322 heavy vehicles, and maximum of 275 vehicle trips per hour (vtp/h) comprised of approximately 247 car movements and approximately 28 heavy vehicles in the AM and PM peak periods; and
- subject to the proposed upgrade of Old Wallgrove Road, the surrounding intersections will operate at a level of service 'D' (operating near capacity) or above in the AM and PM peak periods if all of the land south of the Warragamba Pipeline is developed in accordance with the provisions of the WSEA SEPP (see **Table 6** overleaf).

**Table 5: Car Parking Requirements based on the Current RMS Guidelines for Traffic Generating Developments**

Lot	Land Use	Area (m <sup>2</sup> )	Concept Plan Approved Parking Rate	Parking Requirement	Provision
Lot 1C	Warehouse	26,700	1 space per 200m <sup>2</sup>	134	134
	Office	805	1 space per 40m <sup>2</sup>	20	35
Lot 1C Total				154	169 <sup>1</sup>
Lot 2B	Warehouse	31,530	1 space per 200m <sup>2</sup>	157	154
	Office	1,495	1 space per 40m <sup>2</sup>	37	40
Lot 2B Total				194	194 <sup>2</sup>
Lot 3	Warehouse	86,280	1 space per 200m <sup>2</sup>	431	447
	Office	2,190	1 space per 40m <sup>2</sup>	55	55
Lot 3 Total				486	502*

1: Parking provision includes 11 Provisional Spaces to be constructed if necessary

2: Parking provision includes 40 Provisional Spaces to be constructed if necessary

**Table 6: Performance at Surrounding Intersections**

Intersection Description	Control Type	Period	Design Year 2021		Design Year 2031	
			Delay	Level of Service	Delay	Level of Service
Intersection 1*	Signals	AM	41.5	C	46.5	D
		PM	23.6	B	25.8	B
Intersection 2**	Signals	AM	17.1	B	18.0	B
		PM	25.1	B	27.3	B
Intersection 3**	Signals	AM	23.3	B	46.9	D
		PM	25.3	B	51.9	D
Intersection 4**	Signals	AM	34.5	C	43.6	D
		PM	45.9	D	53.2	D

\* Source: Old Wallgrove Road Upgrade (Roberts Road – M7 Motorway) Response to REF Submissions, GHD 21 February 2013

\*\* Source: Old Wallgrove Road Extension – Traffic and Transport Analysis, Summary of Modelling Findings GHD 18 July 2013

The Department notes that none of the government authorities objected to the proposed upgrade to Old Wallgrove Road, however both the SCA and Transgrid in their submissions advised that the proposed works may impact on their site access arrangements and the integrity of their existing infrastructure (SCA's regional pipelines and Transgrid's transmission tower). The SCA and Transgrid have subsequently advised the Department that the ultimate site access arrangements have been resolved via the provisions in the VPA. Notwithstanding, both agencies have requested conditions be imposed to ensure that heavy vehicles utilising Old Wallgrove Road will not impact on the integrity of their assets once the road has been upgraded. The Department has recommended conditions of consent to:

- ensure appropriate traffic barriers are erected by the Applicant along Old Wallgrove Road to restrain B-double vehicles; and
- ensure that vehicles utilising Old Wallgrove Road will not impact on SCA or Transgrid's ability to maintain their infrastructure.

Both the SCA and Transgrid have reviewed the recommended conditions and have advised that they are acceptable.

In addition, the Department notes that one public submission was received which raised concerns with the proposed upgrade of Old Wallgrove Road, and the crediting of the proposed works-in-kind against the Applicant's SIC contribution. In particular the submission outlined that:

- the Department has previously committed to the early construction of the Archbold Road extension to provide access to the land south of the Warragamba pipeline;
- Jacfin has committed to dedicating the land required for the Archbold Road extension that runs through its property, as well as funding the first stage of its construction;
- SIC contributions should only be used for permanent works required to construct the SLRN; and
- the use of SIC contributions to fund temporary road works will divert funds otherwise available for the construction of the SLRN.

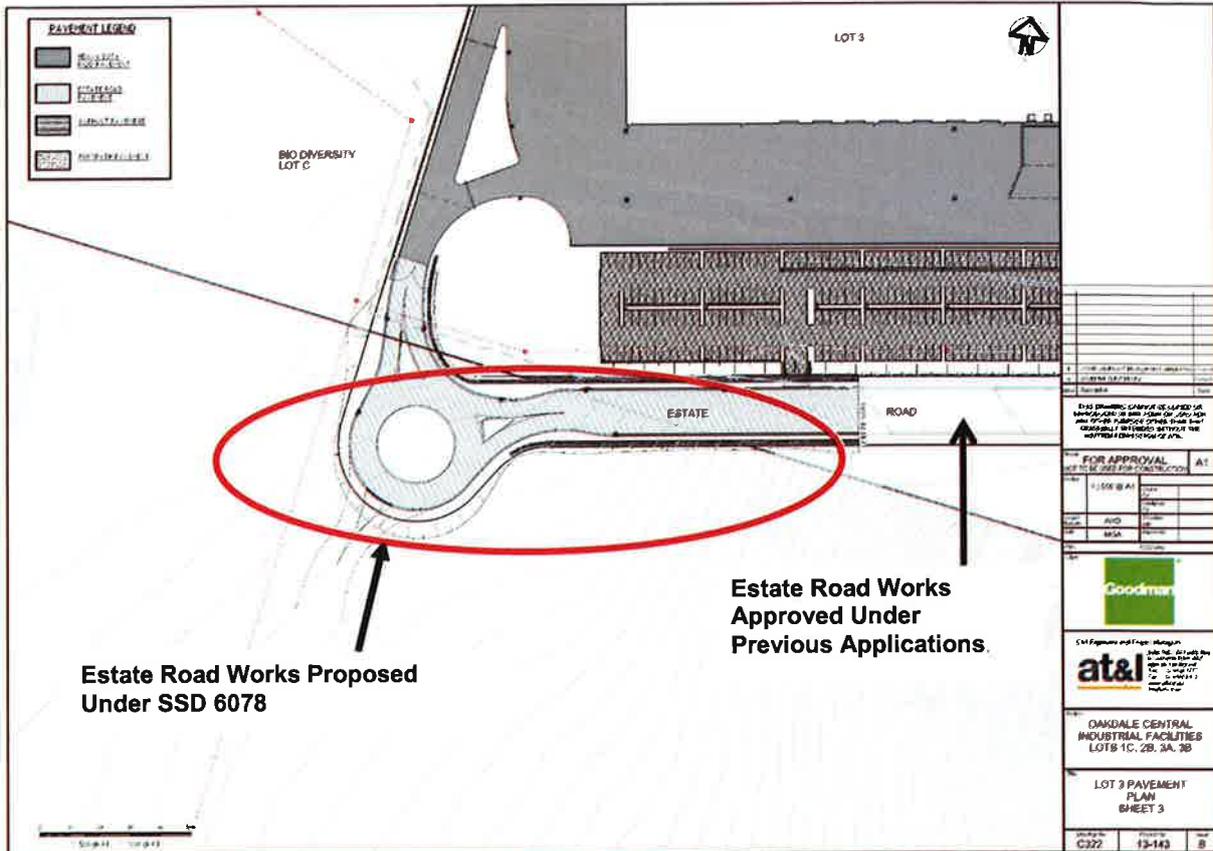
The Department has reviewed the agency and public submissions and has concluded that:

- subject to the road being constructed in accordance with the arrangements outlined in the VPA, and the recommended conditions of consent, the proposed road works will not adversely impact on the SCA or Transgrid's ability to access and maintain their assets;
- Old Wallgrove Road will function as an 'Interim Regional Road' until the north-south SLRN link (known as the Archbold Road extension) is constructed, and will facilitate the development of key employment land within precincts 8 and 11 of the WSEA (the land south of the Warragamba Pipeline) while the funding and timing of the ultimate road network is resolved. Furthermore, the development of land south of the Warragamba Pipeline will open up the opportunity to draw upon contributions from those lands for the purpose of funding regional road infrastructure;
- TNSW and the RMS support the proposed upgrade of Old Wallgrove Road to a four lane 'Interim Regional Road' on the basis that it will enable appropriate levels of accessibility to key employment lands and will mitigate existing deficiencies in the existing road network. In addition, both agencies support the Applicant obtaining a credit against its SIC contribution for the proposed road upgrade works;
- Old Wallgrove Road has been designed in consultation with Transport for NSW, RMS, the relevant local councils and the land owners affected by the proposed road upgrade. Further, a condition of consent has been recommended to ensure the Applicant obtains a section 138 Roads Act approval from the relevant roads authority(s) prior to the commencement of works;
- the proposed road upgrade is complementary to the Archbold Road extension and will not affect its delivery or functionality. In addition, the Department is still committed to the extension of Archbold Road through the Jacfin Ropes Creek site, and has engaged RMS to project manage the delivery of the Archbold Road corridor from the Great Western Highway to the employment land south of the Warragamba pipeline to ensure this occurs;
- the traffic modelling prepared to support the current amendment to the WSEA SEPP demonstrates that Old Wallgrove Road will need to be upgraded to a four lane road to ensure appropriate levels of service are maintained at surrounding intersections once the Jacfin land is redeveloped;
- the proposed north-south link along Old Wallgrove Road will provide additional connectivity and accessibility beyond that envisaged under the WSEA SEPP. In particular, it will provide a more direct route for vehicles travelling to and from the M7; and
- the upgraded road would have the potential to be used as a future bus route servicing sites within the WESA.

Given the above, the Department's assessment concludes that the proposed upgrade of Old Wallgrove Road and the crediting of the works-in-kind against the Applicant's SIC contribution is acceptable.

### 5.3.3 Proposed Modifications to the Local Road Network

The application seeks approval to construct the remaining section of Milner Avenue, which is located within the Oakdale Central Concept Plan area. These works include the construction of a temporary turning head to facilitate appropriate access for heavy rigid vehicles on proposed Lot 3 (see **Figure 18**).



**Figure 18:** Modifications to the Local Road Network Proposed under SSD 6078

The Department has assessed the proposed road extension in consultation with the Department's Employment Lands Release Team and is satisfied that the design would not impede the delivery of the Southern Link Road or future development within Oakdale South. The Department has recommended conditions of consent to ensure the turning head is designed and constructed in accordance with the Council's standards, and is maintained by the Applicant until the road is extended into Oakdale South.

### 5.3.4 Construction Traffic

The application will result in additional traffic associated with the construction of the proposed warehouses, as well as the construction of the Old Wallgrove Road upgrade works. It should be noted that the Application proposes to construct the warehouses and road works concurrently.

The Applicant has advised that the construction of the warehouses is likely to take 8 to 12 months, and that during peak construction approximately 60 trucks would need to access the site per day. No information has been provided in relation to the number of construction vehicles associated with the construction of Old Wallgrove Road, however the Applicant has advised that these works are likely to take between 10 and 12 months.

To ensure access along Old Wallgrove Road is maintained for the duration of the works, the Applicant proposes to divert traffic flows around the construction zone via the existing carriageway and new temporary pavement, which would be constructed adjacent to the existing roadway. The road would be constructed in two stages so that there will always be two lanes open. In addition, concrete

barriers would be installed to ensure separation of the road works from the diverted traffic. In addition, gaps would be provided in the barriers to enable safe vehicle access to the SCA, Transgrid and Austral Bricks sites.

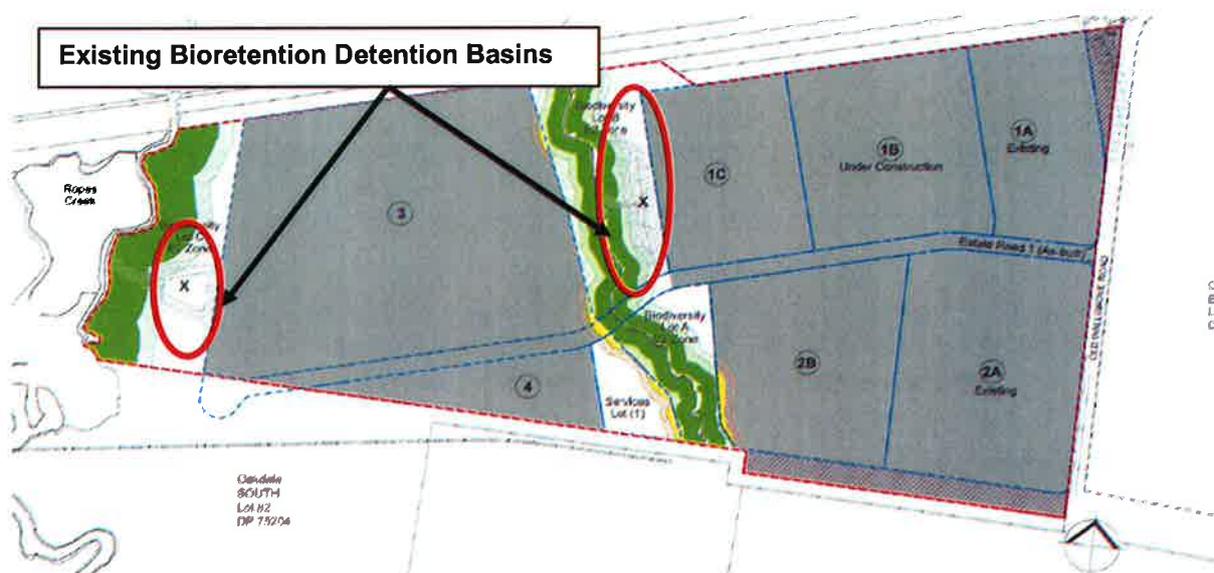
The Department's assessment concludes that access to Old Wallgrove Road during the construction works can be managed subject to conditions requiring the Applicant to:

- prepare a Construction Traffic Management Plan (CTMP) for the development which would detail all relevant traffic management practices and procedures to be followed during construction works associated with the development;
- provide a Road Safety Audit for the approval of the Secretary prior to the commencement of construction works to ensure that Transgrid and the SCA's sites are provided safe access for the duration of the construction works; and
- provide a Road Safety Audit for the approval of the Secretary prior to the issue of an Occupation Certificate for each warehouse to ensure that the operation of each warehouse will not impact on the safety of the road network in the event that the Applicant seeks to occupy the buildings prior to the completion of the Old Wallgrove Road upgrade works.

The recommended conditions are supported by the Council, the SCA and Transgrid.

#### 5.4 Stormwater Management

The application seeks consent to use the eastern and western bioretention basins and outlets for on-site detention purposes. In this regard, it is proposed that Lot 1C and 2B will drain into the adjacent bioretention basin located within Biodiversity Lot B, while proposed Lot 3 and a portion of the estate road will drain into the bioretention basin within Biodiversity Lot C (see **Figure 19**).



**Figure 19:** Stormwater Infrastructure within the E2 zone of Biodiversity Lots B and C

The Department notes that Fairfield Council advised that it does not support the use of precinct wide stormwater detention basins in lieu of on-site stormwater detention. In addition, the Council was concerned that it would be burdened with the long term management of the stormwater infrastructure required to service the development.

The Department acknowledges that on-site detention is often preferred to a precinct wide system, however, given that the infrastructure has been constructed in accordance with the consents issued by Fairfield Council (DA652.1/2013 and DA396.1/2013), and is consistent with the Water Sensitive Urban Design Strategy approved under the Concept Plan, the Department considers that an alternate system is not warranted.

To ensure the stormwater infrastructure operates as intended, the Department has recommended a condition requiring the Applicant to prepare and implement a Stormwater Management and Drainage

Plan which includes monitoring and contingency measures. It should also demonstrate that stormwater management is consistent with the requirements of the Concept Plan and the relevant Council guidelines.

In order to ensure that FCC is not burdened by the long-term management of the stormwater infrastructure, the Department has recommended a condition of consent requiring the Applicant to manage and maintain the stormwater detention basins over the life of the development.

### 5.5 Other Issues

The Department's assessment of other issues, including soil and water, noise, air quality and odour, development contributions, waste, biodiversity greenhouse gas and energy efficiency, signage, heritage and visual impacts is provided in **Table 7** below.

**Table 7: Assessment of Other Issues**

Consideration	Recommended Conditions
<i>Development Contributions</i>	
<ul style="list-style-type: none"> <li>A VPA, executed on 12 March 2015, will facilitate the construction of regional road infrastructure as works-in-kind and the payment of State infrastructure contributions.</li> <li>The Department has reviewed the terms of the VPA and is satisfied that it provides suitable contributions toward regional road infrastructure (a cash contribution and works-in-kind) as required under clause 29 of the WSEA SEPP. Accordingly, the Secretary issued a Satisfactory Arrangements Certificate on 11 March 2015 to certify that satisfactory arrangements have been made for State Significant Development 6078.</li> <li>As the VPA does not preclude the payment of S94A contributions, the Department has recommended a condition requiring the Applicant to pay a Section 94A contribution in accordance with the <i>Fairfield City Council Indirect S94 Development Contribution Plan 2011</i>, prior to the issue of a Construction Certificate for each stage of the development.</li> <li>Fairfield Council is satisfied with this recommendation.</li> </ul>	<p>Conditions are recommended to require the Applicant to:</p> <ul style="list-style-type: none"> <li>pay regional development contributions in accordance with the VPA between the Minister for Planning and Goodman Property Services, as executed on 12 March 2015;</li> <li>pay section 94A contributions in accordance with the Fairfield City Council Indirect S94 Development Contribution Plan 2011 prior to the issue of a Construction Certificate for each stage of the development.</li> </ul>
<i>Soil and Water</i>	
<i>Construction Impacts</i>	
<ul style="list-style-type: none"> <li>Site preparation works, including bulk earthworks and the construction of bio-retention basins, have been undertaken in accordance with consents issued by Fairfield Council (DA652.1/2013 and DA396.1/2013) and the Stage 1 Project Approval for Oakdale Central (subdivision works and construction of warehouses on Lots 1A and 2A) issued by the Department (MP 08_0066). Notwithstanding earthworks are required to facilitate the construction of the estate road and the upgrade of Old Wallgrove Road.</li> <li>The Phase 1 Contamination Assessment undertaken for the OWR upgrade identified that the potential for soil and groundwater contamination is low. Notwithstanding, the Applicant has committed to assessing the contamination status of any spoil produced prior to off-site disposal.</li> <li>The Applicant has also agreed to update the Salinity Assessment and Management Plan approved under the Oakdale Central Stage 1 Project Approval (Lots 1A and 2A) to ensure that potential impacts from salinity are minimised and managed for the proposed development.</li> <li>The Department's assessment concludes that construction impacts on soil and water can be adequately managed, however, it is recommended that the above commitments be included in a Construction Environmental Management Plan. The Department has recommended a condition of approval to ensure this occurs.</li> </ul>	<p>Conditions are recommended to require the Applicant to:</p> <ul style="list-style-type: none"> <li>prepare and implement a CEMP;</li> <li>connect the whole of Oakdale Central to the Sydney Water Sewerage network within 12 month of the development consent, unless alternate arrangements are made to the satisfaction of the Secretary; and</li> <li>create easements to allow water from the road network to drain into the</li> </ul>

Consideration	Recommended Conditions
<p><u>Flooding</u></p> <ul style="list-style-type: none"> <li>Detailed flood investigations have previously been carried out for the pad levels approved under the development consents issued by the Council (DA652.1/2013 and DA396.1/2013), and the applicant has confirmed that the warehouse floor levels will be located above the 100-year ARI flood level, and will include the 300 mm minimum freeboard as required by Fairfield City Council.</li> <li>A review of the probable maximum flood (PMF) indicates that there is potential for localised flooding along the estate road and within a portion of proposed Lot 3 during a PMF event, however, safe refuge for persons within Lot 3 is available as the majority of Lot 3 is above the PMF level.</li> <li>Based on the above, the Department's assessment has concluded that the development has been designed to ensure no adverse flooding impacts will occur on or off-site (as a result of the proposal).</li> <li>Fairfield Council raised no concerns in relation to flooding.</li> </ul> <p><u>Wastewater</u></p> <ul style="list-style-type: none"> <li>The application proposes to connect all lots to Sydney Water's existing sewer system.</li> <li>In addition, the application proposes to detain the stormwater generated by the proposed development within the existing bioretention basins located in biodiversity lots B and C, and within the Old Wallgrove Road road reserve.</li> <li>The Department's assessment concludes that the existing infrastructure on-site is appropriate and able to manage stormwater and that the application includes appropriate measures to manage the disposal of wastewater. The Department has recommended conditions of consent to ensure all wastewater is managed appropriately on-site.</li> </ul>	<p>bioretention basins in biodiversity lots B and C.</p>
<p><u>Noise</u></p> <ul style="list-style-type: none"> <li>Construction of the project is expected to take approximately 12 months. The closest residents are approximately 500 m to the south-east. Construction noise is predicted to comply with the design goals under the <i>Interim Construction Noise Guidelines</i> (ICNG).</li> <li>Operational noise impacts from the facility would be dominated by on-site truck activities, including the loading/unloading of trucks at the delivery dock.</li> <li>Operational noise impacts were assessed in accordance with the <i>NSW Industrial Noise Policy</i> (INP) and compared against criteria in the Concept Plan.</li> <li>The development would comply with the project specific noise goals at the nearest residential receivers, except during Class F temperature inversions, where noise impacts were predicted to exceed the criteria by up to 3dBA at two locations. These results are based on an absolute worst case operating scenario, which is unlikely to occur.</li> <li>Notwithstanding, the noise assessment recommended a number of management and mitigation measures to minimise noise impacts, including preparation of a Noise Management Plan, on-going noise monitoring, enclosing noisy equipment, and maintaining equipment.</li> <li>The Department's assessment has concluded that the noise impacts of the development can be managed subject to the imposition of conditions requiring the Applicant to prepare and implement an appropriate Noise Management Plan. Conditions requiring the above have been included in the development consent.</li> </ul>	<p>Conditions are recommended requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>comply with site specific noise criteria;</li> <li>prepare and implement a Noise Management Plan,</li> <li>undertake ongoing noise monitoring, enclosing noisy equipment, maintain equipment, train workers in noise mitigation; and</li> <li>prepare a Driver Code of Conduct which also includes measures to minimise noise impacts from truck movements at night time.</li> </ul>
<p><u>Air Quality and Odour</u></p> <ul style="list-style-type: none"> <li>The EIS included an Air Quality Impact Assessment prepared by SLR which assessed the construction and operational impacts of the proposed development.</li> <li>The report concluded that the application would comply with the relevant air quality and odour assessment criteria.</li> <li>The Department has recommended standard conditions requiring the Applicant to implement best management practice, implement all reasonable and feasible measures to minimise dust and erosion from the site, and comply with the <i>Protection of the Environment Operations Act 1997</i> (POEO Act) for odour impacts.</li> </ul>	<p>Conditions are recommended requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>implement best management practice and all reasonable and feasible measures to minimise dust emissions;</li> <li>implement and</li> </ul>

Consideration	Recommended Conditions
	<p>maintain suitable erosion and sediment control measures on-site during construction works; and</p> <ul style="list-style-type: none"> <li>ensure that odour from the site complies with the POEO Act.</li> </ul>
<u>Waste</u>	
<ul style="list-style-type: none"> <li>Site preparation works have been largely completed.</li> <li>Waste generated during the construction of the buildings would typically include timber, plastics, cement sheeting and other general construction waste.</li> <li>Operational waste would be minimal as the majority of processing undertaken at the site involves pre-packaged parcels. It would typically include general office waste (paper, food, and waste associated with building maintenance).</li> <li>The EIS included a Waste Management Plan (WMP) which identifies measures to minimise and manage waste. It is anticipated that 70 per cent of operational waste can be recycled.</li> <li>The Department's assessment has concluded that all construction and operational waste can be managed via the imposition of conditions of consent.</li> </ul>	<p>Conditions are recommended requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>ensure that waste is classified in accordance with the EPA's Waste Classification Guidelines; and</li> <li>ensure that waste is monitored and minimised in accordance with the WMP.</li> </ul>
<u>Biodiversity</u>	
<ul style="list-style-type: none"> <li>A flora and fauna assessment was previously undertaken in relation to the Concept Plan (MP 08_0065) and Project Application (08_0066 as modified), as well as for the applications submitted to Council (see <b>Section 1.4</b>).</li> <li>The approvals permitted the removal of some existing site vegetation, however some of the remnant Swamp Oak Floodplain Forest, Cumberland Plain Woodland and Wetland vegetation was required to be retained on-site.</li> <li>A Vegetation Management Plan (VMP) for this vegetation has been submitted and approved.</li> <li>Although the VMP does not relate to this application, concerns were raised over the use of the bioretention basins for on-site detention and its potential impacts on the implementation of the approved VMP.</li> <li>The Applicant has confirmed that the proposed development would not affect the proposed planting of the area of the basin located within the riparian zone.</li> </ul>	<p>Conditions are recommended requiring the Applicant to prepare and implement a CEMP.</p>
<u>Old Wallgrove Road Upgrade</u>	
<ul style="list-style-type: none"> <li>The RTS report included a Flora and Fauna Assessment which assessed the potential impact of the Old Wallgrove Road upgrade.</li> <li>Although the majority of the site is cleared, patches of vegetation remain. The road works would require the removal of some, primarily exotic, vegetation. In addition, some foraging habitat for the Cumberland Plain Land Snail and individual trees on the margins of remnant Cumberland Plain Woodland patches would also require removal.</li> <li>The assessment considered the significance of these impacts under the <i>Threatened Species Conservation Act 1995</i>, and concluded that the impacts would not be significant as vegetation to be removed is highly fragmented and degraded, and the majority of fauna foraging habitat would be retained outside of the subject site.</li> <li>The OEH concurred with this conclusion.</li> <li>Notwithstanding, the Assessment included a range of mitigation measures to manage unnecessary vegetation removal, and impacts from runoff and sedimentation. The Applicant has included these measures in its Management and Mitigation measures.</li> <li>Given the above, the Department's assessment has concluded that the impacts on flora and fauna can be managed via the recommended conditions of development consent.</li> </ul>	
<u>Greenhouse Gas and Energy Efficiency</u>	
<ul style="list-style-type: none"> <li>The Application includes a Sustainability Report prepared by Cundall which assessed the energy consumption and greenhouse gas emissions associated</li> </ul>	<p>Conditions are recommended requiring</p>

Consideration	Recommended Conditions
<p>with the proposal. It also recommended a range of environmentally sustainable design (ESD) initiatives to minimise energy consumption and greenhouse gas emissions.</p> <ul style="list-style-type: none"> <li>• Some of the proposed energy efficiency measures considered for the facility include LED lighting, zoned lighting, double glazed windows, photovoltaic panels, and passive exhaust options.</li> <li>• Based on implementation of the proposed measures, the development would emit 8,746 tonnes of CO<sub>2</sub> per annum. This is 33 per cent lower than the benchmark for industrial warehouses in Section J of the Building Code of Australia (BCA).</li> <li>• The emissions would be Scope 1 and 2 emissions from electricity and gas used by lighting, hot water, and ventilation and cooling systems.</li> <li>• The report does not commit to any specific ESD or energy savings measures, and it is therefore recommended that the Applicant be required to prepare a Sustainability Plan for the development, which commits to energy savings measures.</li> <li>• Subject to the imposition of the condition recommended above, the Department's assessment concludes that the GHG emissions for the project would be acceptable.</li> </ul>	<p>the Applicant to prepare and implement a Sustainability Plan for the development, prior to construction.</p>
<p><i>Visual</i></p> <ul style="list-style-type: none"> <li>• Oakdale Central is surrounded by industrial zoned land in the middle of the WSEA, which is 2,450 ha in size.</li> <li>• The warehouses proposed on lots 1C and 2B would be of similar bulk and scale to existing warehouses in the WSEA. However, the warehouse on proposed Lot 3, although of similar height, would be larger than the rest of the buildings within the Concept Plan area. Notwithstanding, the proposed building would still comply with the Concept Plan minimum setbacks and maximum site coverage of 65 per cent.</li> <li>• The Applicant seeks approval for the estate wide identification signage, however, approval for individual building signage would be sought separately.</li> <li>• The signage plan submitted with the EIS includes a description of the location of the signage and includes a SEPP 64 assessment. However, there are no detailed plans to enable the full assessment of the impacts of the proposed signs. In order to address this issue the Department recommends a condition requiring the submission of detailed architectural plans and a more detailed SEPP 64 assessment for the approval of the Secretary prior to the installation of the signage.</li> <li>• The Department's assessment concludes that the visual impacts of the development would be minimal due to distance to residents and the location of industrial land uses in between.</li> </ul>	<p>Conditions are recommended requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>• to provide detailed architectural drawings for the signs identified in the Estate Signage Plan OAK DA 05 (A) as well as evidence of consultation with Fairfield City Council and an assessment against SEPP 64; and</li> <li>• update its Landscape Management Plan to integrate with the approved VMP.</li> </ul>
<p><i>Aboriginal Heritage</i></p> <ul style="list-style-type: none"> <li>• An Aboriginal Cultural Heritage Assessment was undertaken for the site as part of the Concept Plan approval.</li> <li>• Although all site preparation works have been completed in accordance with an Aboriginal Heritage Management Plan, the Applicant has agreed to adopt the mitigation strategies contained in the approved report.</li> <li>• An Aboriginal Heritage Due Diligence Assessment was undertaken by GML Heritage for the proposed upgrade to Old Wallgrove Road. The report identified that the study area has been subject to a high level of disturbance and that there are no known recorded Aboriginal Heritage sites located within the land to be acquired for the Old Wallgrove Road upgrade.</li> <li>• Given the above, the Department has concluded that Aboriginal heritage can be managed via the recommended conditions of consent.</li> </ul>	<p>Conditions are recommended requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>• cease work in the immediate vicinity of an Aboriginal object, if uncovered during the course of the development, until further approvals obtained;</li> <li>• undertake works in accordance with the management and mitigation measures contained in the approved reports.</li> </ul>

## 6 CONCLUSION

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The Department has assessed the merits of the proposed modification to the Concept Plan and the SSD development application having regard to the objects of the EP&A Act and the principles of ecologically sustainable development.

This assessment has concluded that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance.

It has found that the development is consistent with the intent and objectives of the NSW Government's *A Plan for Growing Sydney*, the provisions of the WSEA SEPP, and the approved Concept Plan, as it will provide employment opportunities on suitably zoned land that has been strategically identified for warehouse and logistics uses.

The Department also considers that the proposed upgrade of Old Wallgrove Road will have significant benefits as it will improve the functionality of the regional road network, and will unlock the development potential of 659 ha of strategically identified employment land located south of the Warragamba Pipeline, which is currently constrained due to the lack of suitable road infrastructure. In addition, the road works will be fully funded by the Applicant in accordance with the terms of the VPA.

Finally, it has found that the development offers significant economic and social benefits to the Western Sydney region as it would attract up to \$88 million worth of capital investment and create up to 2,500 construction jobs, and 500 operational jobs close to homes in Western Sydney.

Consequently, the Department considers that the development is in the public interest and should be approved, subject to conditions.

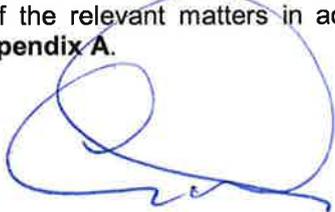
## 7 RECOMMENDATION

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It is recommended that the Executive Director, Infrastructure and Industry Assessments:

- (a) **consider** all the relevant matters prescribed under section 75W of the EP&A Act, as outlined in the findings and recommendations of this assessment report;
- (b) **approve** the proposed modification to the Oakdale Central Concept Plan (MP08\_0065 MOD 3) under section 75W of the EP&A Act, by signing the Instrument of Modification at **Appendix A**;
- (c) **consider** the relevant matters prescribed under section 79C of the EP&A Act, as contained in the findings and recommendations of this assessment report and the appended documentation; and
- (d) **grant consent** to development application SSD 6078, subject to conditions, under section 89E of the EP&A Act, having regard to all of the relevant matters in accordance with the above by signing the development consent at **Appendix A**.

  
Chris Ritchie  
Manager  
Industry Assessments  
18/3/15.

  
Chris Wilson  
Executive Director  
Infrastructure and Industry Assessments  
18-3-15





**APPENDIX A**

**Concept Plan Instrument of Modification and Development Consent for SSD 6078**

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