ENVIRONMENTAL ASSESSMENT TO ACCOMPANY A CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

STORAGE AND DISTRIBUTION FACILITIES AND SITE PREPARATION WORKS

Part of CSR Limited Land Holdings within the Erskine Park Employment Area being part of Lot 5 in DP 1094504, Lenore Lane, Erskine Park

24 August 2006

Prepared for
CSR Limited

By
BBC Consulting Planners

Job No. 05-093
Final Environmental Assessment.doc

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APPENDICES

Appendix 1: Director-General's Environmental Assessment Requirements
Appendix 2: Bulk Earthworks Report, prepared by Brown Consulting;
Appendix 3: South Eastern Creek Streamworks Report, prepared by Brown Consulting;
Appendix 4: Stormwater Concept Plan for Concept Plan, prepared by Brown Consulting;
Appendix 5: Stormwater Concept Plan for Storage and Distribution Building, prepared by Brown Consulting;
Appendix 6: Acoustic Report, prepared by ERM Australia;
Appendix 7: Flora and Fauna Impact Assessment, prepared by HLA-Envirosciences;
Appendix 8: Non-Indigenous Heritage Assessment, prepared by HLA-Envirosciences;
Appendix 9: Phase 1 Environmental Site Assessment, prepared by HLA-Envirosciences;
Appendix 10: Bushfire Impact Assessment, prepared by HLA-Envirosciences;
Appendix 11: Traffic Impact Assessment, prepared by TRAFFIX Traffic and Transport Planners;
Appendix 12: Vegetation Management Plan, prepared by GHD;
Appendix 13: Indigenous Heritage Report, prepared by Navin Officer Heritage Consultants;
Appendix 14: Indigenous Heritage Report on Crown Road Reserve, prepared by Navin Officer Heritage Consultants;
Appendix 15: Section 90 Permit;

Appendix 16: Compliance Table – Erskine Park Employment Area Development Control Plan; and

Appendix 17: Correspondence from Department of Natural Resources, Department of Environment and Conservation and Greening Australia in relation to creek realignment and biodiversity conservation.

PROJECT APPLICATION DRAWINGS (submitted under separate cover)

1. Concept Plan;
2. Storage and Warehouse Facility Plans;
3. Subdivision Plan; and
4. Engineering Works Plans:-
    - Bulk Earthworks Drawings
    - South Eastern Creek Streamworks Drawings
    - Stormwater Concept Plan Drawings

STATEMENT OF VALIDITY

Submission of Environmental Assessment

Prepared under Part 3A of the *Environmental Planning and Assessment Act, 1979*

Environmental Assessment prepared by

Name	Daniel Brindle (Director)
Qualifications	Daniel Brindle - B Ec, Dip Ag Ec, M Sc, MPIA
Address	BBC Consulting Planners Level 2, 55 Mountain Street Broadway NSW 2007
In respect of	Concept Plan and Stage 1 Project Application for Storage and Distribution Facilities on CSR Land, Erskine Park

Applicant and Land Details

Applicant name	CSR Limited
Applicant address:	9 Help Street, CHATSWOOD NSW 2067
Land to be developed	CSR Erskine Park Estate Eastern Lands
Lot and DP	Part Lot 5, DP 1094504
Environmental Assessment	An environmental assessment is attached.
Statement of Validity	I certify that I have prepared the contents of the environmental assessment in accordance with the Director-General's requirements (dated 8 August 2006) and that to the best of my knowledge, the information contained in the environmental assessment is neither false nor misleading.

Signature – Dan Brindle

Date: 24 August 2006

EXECUTIVE SUMMARY

This Environmental Assessment has been prepared to accompany two applications under Part 3A of the Environmental Planning and Assessment Act 1979:

- an application for concept plan approval for the development of the site including earthworks and subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development and the erection of buildings to be used for warehousing and distribution on the land.

- an application for project approval for Stage 1 of the project being earthworks and subdivision and associated infrastructure works and the construction of a building for storage and distribution purposes.

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area. This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and
- land managed by the Department of Natural Resources (Lands) for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The site is accessed from Lenore Lane which is a major access road within the Erskine Park Employment Area (EPEA) connecting with Erskine Park Road and Mamre Road.

The Concept Plan for the site is for the provision of serviced industrial land suitable for a variety of employment opportunities and for the development of this serviced land for storage and distribution and associated uses incorporating a maximum of 191,500m^2 gross floor area generally in the locations as shown on the Concept Plan. This will involve earthworks and subdivision works to provide building platforms and services to proposed industrial lots and the subsequent construction of buildings, parking, site landscaping and associated works.

A concurrent application is lodged for project approval for the first stage of the project being the earthworks and associated works to form the building pads. These works include the relocation of a creek on the site. The project application for Stage 1 Works also includes the construction of a building for storage and distribution.

The Minister for Planning declared the project to be a project to which Part 3A of the Act applies and has authorised the submission of a concept plan.

The project has been designed to allow the staged provision of serviced industrial land in a form suitable for subsequent development. It has been designed having regard to relevant environmental planning instruments and development controls adopted by Penrith City Council.

The concept plan and project application are based on the EPEA Biodiversity Management Plan and Biodiversity Restoration and Implementation Plan approved in principle by the Department of Planning, Department of Environment and Conservation and Penrith City Council. This establishes a framework for the on-going management of lands set aside for biodiversity within and adjoining the EPEA.

An assessment of the impacts of the proposed development indicates that subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental impacts.

The Environmental Assessment concludes that the site is suitable for the project and the proposed project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

1. INTRODUCTION

1.1 Overview

This Environmental Assessment report ("EA") has been prepared on behalf of the proponent, CSR Limited, in relation to two applications under Part 3A of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") lodged concurrently. These applications are:

(i) an application lodged pursuant to S75M of the Act for approval of a Concept Plan for the project comprising earthworks, subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development; and the subsequent erection of buildings to be used for storage and distribution and associated uses; and

(ii) an application lodged pursuant to S75E for project approval of Stage 1 of the project which is earthworks, subdivision and associated infrastructure works including stormwater management and the construction of an industrial building for storage and distribution purposes.

The Minister for Planning has expressed an opinion that the project is of a kind described in Schedule 1 of State Environmental Planning Policy (Major Projects) 2005 ("the Major Projects SEPP"), and declared the project to be a project to which Part 3A of the EP&A Act applies for the purpose of section 75B of that Act. The Minister has authorised the submission of a concept plan for the proposal under section 75M of the EP&A Act.

The Director-General of the Department of Planning has issued Environmental Assessment Requirements for the project ("the DGEARs"), a copy of which is attached as Appendix 1. This Environmental Assessment report addresses these requirements.

A draft Statement of Commitments for the project has been prepared and is contained in Section 6.

An assessment of the impacts of the proposed development indicates that subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental impacts.

The Environmental Assessment concludes that the site is suitable for the project and the proposed project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

1.2 The Land to which the Applications Relate

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area (**Figure 1**). This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and

- land managed by the Department of Natural Resources (Lands) for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The project is located within central and eastern portions of Lot 5. The earthworks will occupy an area of approximately 38 hectares. The associated stormwater works on the adjoining Crown Road Reserve to the south will occupy an area of approximately 1.1 hectares. The proposed area subject to works associated with the applications is referred to in this report as **the site** and is indicated on **Figure 2**.

1.3 Summary of Development for which Approval is Sought

1.3.1 Concept Plan

The concept plan for the site is included as **Figure 3**. The development concept reflected in the concept plan includes the following elements:

- earthworks, subdivision and associated infrastructure works, including stormwater management to provide serviced and level land for subsequent development (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the provision of an integrated stormwater management system to drain the site and approved and proposed roads, including the realignment of an existing creek towards the southern part of the site (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the use of the site for storage and distribution and associated uses generally in accordance with the Concept Plan (**Figure 3**);
- the construction of buildings with a maximum of 191,500m^2 of gross floor area plus associated access, parking, stormwater management, services and landscaping generally in the locations as shown on the Concept Plan (the construction and use of one of these buildings for storage and distribution is also the subject of the project application and is part of the first stage of the project); and
- access arrangements generally in accordance with the Concept Plan (the construct ion of a cul-de-sac at the end of Road No 1 is also the subject of the project application and is part of the first stage of the project.

1.3.2 Project Application for Stage 1 Works

Application is made for approval for Stage 1 of the development envisaged in the Concept Plan being earthworks, subdivision and associated infrastructure works, including stormwater management and the construction of a building on Site Area H of the Concept Plan. The development comprises:

- the subdivision of Lot 5 into three lots – two lots for future industrial development and a residual lot and for the dedication of land as public road;
- cut and fill across 38 hectares of the CSR lands to create suitable building pads to enable future development for industrial uses;
- stormwater management works including the realignment of a creek line to the south-eastern corner of the site to enable a new drainage channel on the southern CSR boundary and the northern boundary of the adjoining Crown Road Reserve;
- the construction of a cul-de-sac head on the end of an approved road (Road 1 as approved by DA 04/1599) to be dedicated to the Council as a public road; and
- the construction of an industrial building having a gross floor area of 46,000m2 comprising 45,000m2 of storage and distribution space and 1,000m2 ancillary office space and associated car parking, truck loading areas, utility services stormwater management works, landscaping and associated site works (refer Figure 4).

The purpose of the project is to prepare land for future employment generating development permissible under the current zoning. The project application has been made under S75E of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.4 Relationship to Quarry Rehabilitation

Consent was granted in 1992 for the rehabilitation of the existing Erskine Park Quarry through non-putrescible waste disposal. The waste disposal operations currently continue on land that adjoins the site to the west.

CSR have been negotiating with the operators of the quarry in relation to the co-ordination between the completion of the waste disposal operations and the proposed earthworks to ensure that the proposed development does not inhibit the completion of the quarry rehabilitation and to ensure the quarry rehabilitation does not unnecessarily delay the development of the EPEA.

The quarry rehabilitation operation interacts with the land that is the subject of the present applications in a number of ways including:

1. access to the waste disposal and quarry rehabilitation operation is from Mamre Road on access roads constructed for this purpose; and
2. materials for use in covering waste or capping the final landform is to be extracted from the northern, eastern and western portions of the CSR Erskine Park Estate as shown in the Bulk Earthworks Report prepared by Brown Consulting.

In relation to the capping materials required to line the Quarry on completion of landfill activities, an agreement has been entered into by CSR and Enviroguard for suitable clay materials to be sourced from the CSR Erskine Park Estate to cap the Quarry. Although a 1992 Environmental Impact Statement[1] associated with an application to rehabilitate the

[1] Mitchell McCotter (1992) *Environmental Impact Statement: Rehabilitation of Erskine Park Quarry using Non-putrescible Waste Disposal.*

Quarry indicated that a total of 1.54 million cubic metres of cover material would be needed to line the Quarry mouth, 900,000m³ of which could be sourced from the CSR Erskine Park Estate, a 2004 report by URS Australia[2] indicated that only approximately 200,000m³ of capping materials would be required due to the amount of suitable overburden material around the Quarry.

The existing Quarry has been partially (over 50%) filled with non-putrescible waste further negating the need for material sourced from the CSR Estate. Accordingly, the amount of impervious clay material required from the CSR lands to line the Quarry on final closure of the landfill operations is currently estimated to be between 100,000m³ and 150,000³. Investigations undertaken by Brown Consulting (Appendix 2) show that there is sufficient supply of suitable quality clay materials on the eastern portions of the CSR lands (including the land subject to this project application) to cap the Quarry. As such, earthworks associated with this project can occur in tandem to the stockpiling of materials for future use in capping the Quarry if required.

At the time the consent to the quarry rehabilitation was granted it was envisaged that the EPEA would be half developed within 10 years and fully developed within 15 to 25 years. Consequently attempts were made in the design of the waste depot to provide enough flexibility to be able to accommodate the development of the EPEA with a minimum of constraints. Consistent with this intention, discussions have been held with the operators of the quarry to ensure that the proposed development can occur without affecting the ability to complete the waste disposal development. This includes:

- The proposed development is clear of any land required for the support of the quarry fill;
- The proposed development has no impact on access to the waste depot from Mamre Road;
- The proposed development can protect and/or relocate groundwater monitoring boreholes as required; and
- Material suitable for capping the fill which is located on the proposed site will be extracted from the site and stockpiled in the vicinity of the quarry for use in Quarry capping if required. The Bulk Earthworks Report at Appendix 2 provides specific details with respect to how cut and fill are to be managed.

1.5 Relationship to Developments on CSR Lands at Erskine Park

The development proposed by the project application and Concept Plan application interact with five DAs already approved by Penrith Council and the Minister for Planning. These developments include:

[2] URS Australia (2004) *Landform Concept Plan – Erskine Park Landfill.* Final Draft.

1. **The upgrading of Lenore Lane as the northern access road within the Erskine Park Employment Area subsequent to development consent granted to Penrith City Council.**

Lenore Lane is currently being upgraded in accordance with this consent and consistent with the provisions of the S94 Contributions Plan for Erskine Park Employment Area. The previous unsealed local rural road has been upgraded to a 2 lane dual carriageway industrial standard road for 1.4km and the installation of traffic signal controls at the intersection of Lenore Lane and Erskine Park Road. This length of Lenore Lane has been dedicated to Penrith Council. The project gains access from the upgraded Lenore Lane.

2. **The approved DA for the subdivision of Lots 91, 92 and 93 in DP 838541 into 5 allotments pursuant to Penrith Council's DA 04-1599 in November 2004.**

This consent is referred to as the BlueScope Subdivision and has the following implications for the proposed development:

- the consent to DA 04-1599 established pad levels over approximately 26 hectares of land to the immediate north and west of the site. Works which were approved have been completed and are excluded from the current project with surplus materials from this site being managed though this project. The subdivision has been registered and title issued in respect of this subdivision;
- the consent to DA 04-1599 created a construction vehicle access point and site office off Lenore Lane which will be used for the proposed development; and
- the consent to DA 04-1599 approved to the construction of an access road (Road No. 1) into the centre of the CSR Erskine Park Estate. Construction of the road has been completed and dedicated to Penrith City Council. It is known as Templar Road.

3. **The approved DA for the re-subdivision of Proposed Lot 1 in the abovementioned approval into 4 allotments pursuant to Penrith Council's DA 05-0829 in September 2005.**

This consent is otherwise known as the Lot 1 Re-Subdivision and provides for the construction of a road through the Lot 1 of the above subdivision and the subdivision of Lot 1.

4. **The approved Warehouse and Distribution Centre DA pursuant to the Minister for Planning's approval to DA No. 284-11-2004 which has been approved for the erection of a warehouse and distribution facility with associated bulk earthworks, stormwater works, parking and landscaping.**

This consent is for a portion of the CSR Erskine Park Estate immediately east of the site and has the following relationship with the proposed development:

- the approved development (now completed) established a new pad level for the site which created a surplus amount of fill materials to be accommodated within the proposed development, on other portions of

the CSR lands and as potential capping for the Erskine Park Quarry; and

- a proposed road (Road No. 3) which is currently under construction will be drained by the proposed stormwater management system under these applications and will create fill materials for filling the proposed site area and as potential capping for the Erskine Park Quarry.

1.6 Planning Process

Section 75B of the *Environmental Planning and Assessment Act, 1979* ("the EP&A Act") provides that Part 3A of the EP&A Act applies to the carrying out of development that is declared to be a project to which this Part applies.

The Minister for Planning has formed the opinion that the Concept Plan and Stage 1 Project Application are a project to which Part 3A applies. The Minister has authorised the submission of a concept plan.

The Director-General of the Department of Planning has issued the Environmental Assessment Requirements ("DGEARs") for the project, a copy of which is attached at Appendix 1. This Environmental Assessment report addresses the issue raised in the DGEARs in the sections indicated in the following table:

Requirement	**Where addressed**
GENERAL REQUIREMENTS	
The Environmental Assessment must include:	
• an executive summary;	Page 2 - 3.
• a detailed description if the proposed concept plan and Stage 1 of the project applications for the project, including the: - need for the project; - alternatives considered; and - various components and stages of the project, including the provision of utilities to the site;	Section 3.
• considerations of any relevant statutory provisions;	Section 4.

Requirement	Where addressed
• a general overview of the environmental impacts of the proposal identifying the key issues for further assessment, and taking into consideration any issues raised during consultation;	Section 5.
• a detailed assessment of the key issues specified below and any other significant issues identified in the general overview of the environmental impacts of the proposal (see above) which includes: - a description of the existing environment; - an assessment of the potential impacts of the project, including any cumulative impacts; - a description of the measures that would be implemented to avoid, minimise, offset, manage and/or monitor the impacts of the project;	Section 5.
• a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;	Section 6.
• a conclusion justifying why the project should be approved; and	Section 7.
• a signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading.	Page 1.
KEY ISSUES	
Layout/Design – demonstrate that the proposal is generally consistent with the *Erskine Park Employment Area Development Control Plan,* and justifying any inconsistencies between the proposal and the DCP.	Section 4.5 and Appendix 16.

Requirement	Where addressed
Planning agreement/developer contributions – review the proposal against the requirements in the Erskine Park Employment Area Section 94 Contributions Plan, particularly in relation to the proposed changes to the Biodiversity Management Strategy for the Erskine Park Employment Area and either include a draft planning agreement for the redevelopment of the site, or describe what development contributions are proposed to be paid for the redevelopment of the site;	Section 5.4.2.
Soil and Water – including detailed plans for the proposed diversion of the creek on site; the proposed erosion and sediment controls (during construction); the proposed stormwater management system including detailed consideration of any potential offsite drainage impacts; flooding; water supply including consideration of the potential for rainwater harvesting; and wastewater disposal;	Section 5.5.1.
Traffic and Parking – including details of the traffic volumes likely to be generated during construction and each stage of operations; an assessment of the predicted impacts of this traffic on the safety and efficiency of the surrounding road network; and suitable evidence demonstrating that the proposal would not compromise the access arrangements for any adjoining landowners;	Section 5.5.2.
Flora and Fauna – demonstrate what measures would be implemented to offset the proposed clearing of vegetation on-site, including riparian vegetation;	Section 5.5.3.
Noise – including construction, operational and traffic noise.	Section 5.5.4.
Aboriginal Heritage; and	Section 5.5.5.
Visual – including landscaping, design, signage and lighting.	Section 5.5.6.

Requirement	Where addressed
REFERENCES	
The Environmental Assessment must take into account relevant State government technical and policy guidelines. List attached to requirements.	These are considered in the EA and the specialist reports contained in the Appendices.
CONSULTATION	
During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular, you must consult with the: • Department of Natural Resources; and • Penrith City Council. The consultation process and the issues raised during this consultation should be described in the EA.	Section 1.8.

1.7 Application Checklist

Draft Department of Planning Guideline, "Steps in the Assessment and Approval of Major Projects under Part 3A", dated 14 September 2005, lists the matters to be addressed in a Project Application. The following table sets out the matters and notes where or how each requirement is addressed:

Requirement	Where addressed
(a) A written and graphical description of the project and any ancillary components, including relevant preliminary plans	Section 3 and Project Application drawings lodged under separate cover.
(b) The location(s) and a map identifying the site(s) / alignment / corridor	Section 3 and all Figures.
(c) The capital investment value and other relevant information in relation to parameters set out in the Major Project SEPP or any relevant order	Section 3.8 and Section 4.2.

Requirement	Where addressed
relevant for determining whether Part 3A applies to the project.	
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPIs, DCPs, policies etc, and if the project is inconsistent with such instruments/plans/policies	Section 4.
(e) The views of the other agencies, local council and/or the community if known	Section 1.8.
(f) List any other approvals required in particular if a licence from the Department of Environment and conservation under the Protection of the Environment Operations Act is required	Section 4.
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A, taking into consideration the relevant criteria	Not relevant.
(h) A preliminary assessment to identify the likely environmental issues	A Preliminary Environmental Assessment has been submitted and reviewed by the Department.
(i) A completed application form	A completed application form is provided under separate cover.
(j) The prescribed application fee	The required application fee has been paid with the Environmental Assessment.
(k) The number of copies of application documents requested by the Department, including documents in electronic format	A total of 10 hard copies of the Environmental Assessment and supporting documents and two electronic copies of the application on CD are provided.
(l) Any other matters required by the Director-General, following consultation with the Department	Section 5.

1.8 Consultation

1.8.1 Environmental Assessment Requirements

The DGEARs require the following in relation to consultation:

> "*During the preparation of the Environmental Assessment, you should consult with the relevant local, State of Commonwealth government authorities, service providers or affected landowners.*
>
> *In particular you must consult with the:*
>
> - *Department of Natural Resources; and*
> - *Penrith City Council.*
>
> *The consultation process and the issues raised during this consultation should be described in the EA."*

1.8.2 Department of Natural Resources

In the preparation of the proposed Concept Plan and Stage 1 Project Application, extensive discussion have been held with the DNR regarding the flora and fauna impacts and hydrogeological impacts of the project. These discussions have been held between CSR and their representatives and DNR staff Paul Bourne and Brian Graham. The DNR has given its "in principle" support to the relocation of the south-eastern creek within the CSR Estate. A copy of this letter is contained in Appendix 17.

1.8.3 Penrith City Council

A development application was previously lodged with Penrith City Council for bulk earthworks being part of the development that comprises the project application.

Penrith Council and CSR have had long consultations through the assessment of previous DAs for the CSR Erskine Park Estate and the preparation of the abovementioned DA. Council Officers Craig Butler and Warwick Stimson have been consulted regarding the concept plan and project applications.

1.8.4 Other Consultation

There has been extensive consultation and in-principle agreements with the DNR and Department of Environment and Conservation in relation to the proposed stormwater management works and in particular the relocation of the existing creek in the southern part of the site. DEC staff member Ray Fowke has been party to these discussions. In addition, the Department of Natural Resources (Lands), as landowner of the Crown Road Reserve to the south of the CSR Estate have been involved in discussions throughout the preparation of the project application. CSR's consultation with the Department of Natural Resources (Lands) has occurred through John Filacamo.

Numerous discussions have been held with, and in-principle agreements obtained from, the NSW Department of Planning and the Department of Environment and Conservation, and the Commonwealth Department of Environment and Heritage in relation to the Biodiversity Strategy for Erskine Park.

Discussions have been held with servicing authorities and the RTA in relation to the provision of utility services and traffic management. In this regard, CSR and its subconsultants such as Brown Consulting, Pyramid Pacific, Eastview and K.R Stubbs and Partners have discussed servicing needs with Sydney Water, Telstra, Integral Energy and Agility.

CSR have also discussed the project application with other landowners in the vicinity of the site.

2. SITE AND CONTEXT

The site is located in Erskine Park in Western Sydney, approximately 45 kilometres from the Sydney CBD, 8 kilometres south-east of the Penrith town centre and 9 kilometres north-west of the Liverpool town centre (refer to Location Plan at **Figure 1**). It is part of the original 161ha CSR landholding in the Erskine Park Employment Area (EPEA).

The site is west of land being released in Eastern Creek under State Environmental Planning Policy No. 59 for employment generating purposes and has been identified in Sydney's Metropolitan Plan "City of Cities" as integral in the release of land for the creation of 100,000 jobs in Sydney's west.

The EPEA is an important regional hub for major logistics, distribution and production industries. With the recent completion of major infrastructure and services, the EPEA is able to accommodate significant demand for employment generating uses.

The site is located approximately 800m from the intersection of Lenore Lane with Erskine Park Road. Erskine Park Road connects with Mamre Road in the south. Mamre Road provides an arterial road function and connects the M4 Motorway in the north with Elizabeth Drive in the south at Mount Vernon. Mamre Road also connects with the Great Western Highway in the north which provides access to neighbourhoods between Penrith and Blacktown.

Erskine Park Road extends to the north to become Roper Road at Minchinbury and later Carlisle Avenue at Mount Druitt. The route is an arterial road that connects Erskine Park Road to both the M4 Motorway and the Great Western Highway.

The M7 Western Sydney Orbital road has recently been completed 2.5km east of the subject site parallel to Wallgrove Road, Eastern Creek. The M7 Motorway intersects with Old Wallgrove Road to the north-east of the site and Elizabeth Drive to the south-east. The EPEA Section 94 Contributions Plan proposes that Lenore Lane to the immediate north of the site be upgraded to a four lane industrial road standard for a distance of 2.3 kilometres to Ropes Creek for possible extension to the M7. Construction of Lenore Lane has been completed to just beyond the BlueScope access road – a distance of approximately 1.1km – and the Minister has recently announced a Part 3A Concept Plan Application for the regional road network for the area between the EPEA and the M7.

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area. This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and
- land managed by the Department of Lands for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The project is located within central and eastern portions of Lot 5. The earthworks will occupy an area of approximately 38 hectares. The associated stormwater works on the adjoining Crown Road Reserve to the south will occupy an area of approximately 1.1 hectares. The proposed area subject to works associated with the applications is referred to in this report as **the site** and is indicated on **Figure 2**.

The site is largely unused and mostly grass covered with some areas used for the stockpiling of topsoil and excess material from surrounding approved developments, which is proposed to be used as part of this proposal. The majority of the site comprises paddocks and bushland that are not utilised for any specific purpose and have had no history of industrial development.

3. PROJECT DESCRIPTION

3.1 Background – The Need for the Project

The Erskine Park Employment Area (EPEA) was created and zoned in 1993 as a major employment area in western Sydney. It has an area of approximately 540 hectares extending from Mamre Road in the west to the boundary of Ropes Creek in the east. Since 1993 planning has progressed and infrastructure augmented to the point today where the EPEA is zoned and fully serviced (including water, sewer, gas and electricity) and ready for development.

An increasing number of industries are establishing in this area with many recent approvals including the BlueScope Steel and Lysaght developments and a number of warehouse and distribution facilities. The BlueScope Steel development will provide approximately 120,000tpa of Colourbond steel for the building and manufacturing sectors. There are also other industries which will locate in the area to gain access to raw materials given BlueScope's presence. A major client of BlueScope Steel – Stramit Industries – has already located in Erskine Park indicating the synergies that are possible for industries co-located in the overall employment precinct.

Over the next few years, the CSR Limited lands at Erskine Park will be transformed into a major industrial precinct in Western Sydney. Major state significant developments have been approved by the Minister on the CSR lands at Erskine Park under the former State Environmental Planning Policy No. 34 – Major Employment Generating Industrial Development including:-

- BlueScope Steel Paintline and Service Centre (DA-206-8-2004-i), capital cost $170 million, approved December 2004;
- Coles Myer National Distribution Centre (DA-284-11-2004-i), capital cost $100 million, approved June 2005; and
- Lysaght Manufacturing and Distribution Centre (DA-255-10-2004-i), capital cost >$55 million, approved September 2005.

The CSR Erskine Park land is the largest land holding within the Erskine Park Employment Area, occupying some 112 hectares of land zoned for employment generating development. The EPEA forms part of the Western Sydney Employment Zone, incorporating the Eastern Creek Precinct of SEPP No. 59 (Eastern Creek Employment Area) and the Erskine Park Employment Area. This is the largest single employment precinct in metropolitan Sydney comprising some 1,370 hectares.

The need for new land releases in Sydney's west to provide employment opportunities for new residential communities has been a key feature of successive metropolitan planning strategies including Sydney Region Outline Plan (1968), Sydney into its Third Century (1988), Cities of the 21st Century (1995), Shaping Our Cities 1998, and Shaping Western Sydney. The recent strategy document, City of Cities – A Plan for Sydney's Future (the Sydney Metropolitan Strategy) identifies the NSW Government's 25 year plan for growth in Sydney. A target of 100,000 new jobs has been set for the North-West Sector, including the

Penrith Local Government Area. The Strategy identifies the Erskine Park Employment Area to be regionally important for future job creation, aimed to significantly assist in achieving the Metropolitan Strategy's job targets. Having the benefit of current zoning for employment generating uses, Erskine Park is immediately ready for development to fulfil this strategy objective.

3.2 Concept Plan Application

The project has the following objectives:

- To provide high quality serviced industrial land for subsequent development for employment generating uses;
- To provide the opportunity for an industrial neighbourhood that integrates with the emerging urban form;
- To provide potential for greater choice in industrial land;
- To design earthworks that achieve, as much as possible, a balance of cut and fill across the CSR lands to minimise the movement of fill material to and from the site;
- To facilitate the capping of the existing Erskine Park Quarry;
- To provide a development that incorporated principles of ecologically sustainable development;
- To provide a stormwater management strategy for the site that integrates with an overall strategy for the Erskine Park Employment Area;
- To comply with the planning controls applying to the site;
- To co-ordinate future industrial subdivision with the rehabilitation of the quarry and temporary works associated with the Estate.

Figure 3 presents the development concept for the site and provides for the provision of serviced, developable industrial land and the construction of a series of storage and distribution facilities on that land. The development reflected in the concept plan includes the following elements:

- earthworks, subdivision and associated infrastructure works, including stormwater management to provide serviced and level land for subsequent development (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the provision of an integrated stormwater management system to drain the site and approved and proposed roads, including the realignment of an existing creek towards the southern part of the site (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the use of the site for storage and distribution and associated uses generally in accordance with the Concept Plan (**Figure 3**);

- the construction of buildings with a maximum of 191,500m^2 of gross floor area and associated access, parking, stormwater management, services and landscaping generally in the locations as shown on the Concept Plan (the construction and use of one of these buildings for storage and distribution is also the subject of the project application and is part of the first stage of the project); and
- access arrangements generally in accordance with the Concept Plan (the construction of a cul-de-sac at the end of Road No 1 is also the subject of the project application and is part of the first stage of the project.

The Concept Plan process provides the opportunity for strategic issues associated with the development of the land including access, stormwater management, earthworks, other infrastructure requirements and the suitability of the site for development to be identified and resolved up front allowing for more detailed design and assessment of individual buildings and uses to take place as a subsequent stage in the development.

It is expected that approvals for buildings and works, other than buildings and works that form part of the Stage 1 Works Project Application, will require the subsequent approval of Penrith City Council under the provisions of Part 4 of the EP & A Act.

3.3 Stage 1 Works Project Application – Earthworks and Stormwater Management

The Stage 1 works comprise:

- cut and fill across 38 hectares of the CSR lands to create suitable building pads to enable future development for industrial uses;
- stormwater management works including the realignment of a creek line to the south-eastern corner of the site to enable a new drainage channel on the southern CSR boundary and the northern boundary of the adjoining Crown Road Reserve;
- the construction of a cul-de-sac head on the end of an approved road (Road 1 as approved by DA 04/1599) to be dedicated to the Council as a public road; and
- the construction of an industrial building having a gross floor area of 46,000m^2 comprising 45,000m^2 of storage and distribution space and 1,000m^2 ancillary office space and associated car parking, truck loading areas, utility services stormwater management works, landscaping and associated site works (refer **Figure 4**);
- the subdivision of Lot 5 into three lots to create two lots for future industrial development and a residual lot and the dedication of land as public road.

3.3.1 Earthworks

Earthworks are required to construct pads suitable for future industrial development, to manage stormwater and to form a turning area at the southern end of Road No 1. Earthworks have been designed to achieve a balance of cut and fill and to provide a source of clay for quarry capping following the completion of landfill activity on the adjoining quarry site.

The report by Brown Consulting (Appendix 2) describes the proposed earthworks and the processes to minimise site disturbance and double handling of materials. Plans of the proposed earthworks accompanying the project application are contained in the separate volume of drawings.

There is estimated to be a deficiency of some 125,000^3 from earthworks on the site with this material sourced from existing materials stockpiles resulting from work undertaken on the remaining areas of the CSR Erskine Park Estate east of the quarry in accordance with existing approvals for these sites. In this regard, the following pad levels, stockpiles and roadworks in the eastern portions of the CSR Erskine Park Estate will become sources of fill for the proposed development area. Pads 1, 2 and 3 have been created in accordance with consent to DA-04-1599 and Pad 6 and Road 3 were approved by DIPNR (DA-284-11-2004). A reference to soil stockpiles means the materials which have already been stockpiled on proposed pads 5 and 9.

Off-site Bulk Earthworks and Road Earthworks Sources

Source	**Materials Available (m^3)**
Pads 1, 2 and 3	85,000
Lot 21	61,000
Site Stockpiles	92,000
Road 3	81,000
	Total: 319,000

On the basis of the above, it is evident that there is more than sufficient material for fill for the pads proposed under this application. There is also a requirement for CSR to provide suitable materials to cap the existing Erskine Park Quarry. This requirement for between 100,000m^3 and 150,000m^3 of materials has been factored into the balance of cut and fill across the eastern portions of the CSR Estate. An indication of how the earthworks across the eastern portions of the CSR Estate balances is provided in the table below:

Source	**Balance (m^3)**
Pads 4, 5, 7, 8 and 9	- 122,491
Pad 21	+ 61,000
Pad 1, 2 and 3	+ 85,000
Road 3	+ 81,000
Site Stockpiles	+ 92,000
Quarry Capping	- 150,000
	Total: + 46,509

The balance of materials left as part of the bulk earthworks is proposed to be placed to reduce existing batter slopes and/or stockpiled to the south of the Quarry. On the basis of this minimal amount of surplus material, that the project achieves the objective of minimising earth movement to and from the site by providing independent management of areas to the east of the CSR lands, including obligations to the Erskine Park Quarry.

Section 2.2 of the Bulk Earthworks Report provides details on the sequencing of site works. Additional material may be required to be trucked to the site such as stabilising sandstone materials.

Due to the sloping nature of the site and the need to provide level building pad levels for subsequent industrial development, various pad levels will be established. These levels range in elevation from RL 49.5 up to RL 61.3. Details of each of the pad levels can be found in the Engineering and Bulk Earthworks Plans prepared by Brown Consulting in the drawings submitted as a separate volume to this EA.

3.3.2 Stormwater Management

A Stormwater Concept Plan has been prepared by Brown Consulting to accompany the applications (Appendix 4) and integrating with the stormwater management concept for the balance of the CSR eastern lands. This identifies the strategy for managing stormwater across the site and includes the relocation of an existing creek with the site and the management of stormwater after the formation of the proposed building pad levels. The stormwater concept plan involves a range of measures to controls minor and major flows on individual development lots and public roads. A combination of water quantity and water quality controls is proposed. Specific works incorporated into the project application are detailed in the plans contained in a separate volume and as outlined in the report.

Brown Consulting have modelled the existing and proposed stormwater conditions on the site and surrounding catchment. It was found that the modelled peak flows will be equal or less than the current flows while the rate and height of flow will rise more steeply due to the increase in the speed of runoff from greater impervious areas modelled. Modelling has been extended to adjoining downstream properties, including Lot 11 in DP 229784. The conclusion drawn by the stormwater report is that the On-Site Detention proposals associated with the development will maintain or lessen existing peak flows and the increase in velocity of stormwater flow in the realigned creek will be mitigated by extensive riparian revegetation and landscaping aimed at raising the roughness of the existing creekbed to slow water flows.

3.3.3 Creek Realignment

The stormwater works forming part of the Stage 1 project application include the realignment of an existing creek in the southern part of the site to the south-eastern corner. The report prepared by Brown Consulting at Appendix 3 describes these works. The proposed creek alignment will cover some 3 hectares in area (approximately 34m x 900m) and affect approximately 1.1 hectares on the northern side of the Crown Road Reserve. The creek will be diverted from the south-eastern corner of the CSR Erskine Park Estate to rejoin the existing creek south of the Erskine Park Quarry.

Works associated with the creek realignment include tree removal, earthworks to form an artificial drainage channel, installation of water quality and quantity treatments and comprehensive landscaping within and surrounding the new creek line. The new creek line, upon completion, will form a natural watercourse to provide for suitable wetland and dryland biodiversity conservation and a seamless integration with the existing creek downstream.

Landscape Plans for the planting of wetland, shrubs and dryland species adjacent to the formed banks of the creek have been prepared by John Lock and Associates. These plans are contained in streamworks report in Appendix 3. A Vegetation Management Plan has been prepared by GHD indicating principles for the control of weeds and revegetation of the creek bed and is located at Appendix 12. The VMP also includes a description of works required in two small areas located away from the Creek line to compensate for the reduced length of vegetated stream on the site. Both the Landscape Plans and Vegetation Management Plan are consistent with the Biodiversity Management Plan and Biodiversity Restoration and Implementation Plan and proposals prepared by Greening Australia NSW for the biodiversity conservation corridor.

3.3.4 Access and Internal Circulation

Access is provided from roads constructed under consents to DA 04-1599 and DA 284-11-2004 and a proposed temporary access road along the north-eastern boundary between Lenore Lane and the turning head of the approved road under DA 284-11-2004 (Road No. 3). This project application proposes the construction of a cul-de-sac at the end of an approved entry road to the CSR Estate (Templar Road) and the dedication of that cul-de-sac to Council.

The proposed building pads can be readily accessed from the existing road network.

3.3.5 Access to Adjoining Lands

The registration of DP1094504 created an easement in gross in favour of Penrith City Council for access over part of proposed Lot 5. This easement provides access from Road No. 1 (under construction) to Lot 11 in DP 229784. The proposed subdivision under this project application retains the above easement. The provision of this access from Road No. 1 to Lot 11 in DP 229784 provides for improved and effective access to Lot 11 in DP 229784. At the present time, the only access to this site is via a Crown Road Reserve, some 900m from the formed road pavement near Mamre Road.

3.3.6 ESD Initiatives

The following Ecologically Sustainable Development features, which are fundamentally riparian in nature, are inclusive in the design of the proposal:

- Provision of on site detention and stormwater quantity management devices;
- On site water quality ponds;
- Gross pollutant control measures for stormwater discharge;
- Early facilitation of an easily traversed internal road hierarchy to encourage public transport, pedestrian and bicycle usage.

3.3.7 Utilities

Services such as electricity, water and sewerage are available to the site and can be easily augmented for the proposed development. Details of existing services and means to provide new services are below.

Water Supply Strategy

Water will be supplied from mains in Mamre Road. It has been confirmed by Brown Consulting that drinking and fire service water can be supplied at a sufficient rate for street hydrants and normal water usage. Subsequent construction of buildings with sprinkler systems will most likely require a storage tank and booster pump.

Sewer

Investigations with Sydney Water indicate that sewage from the development can gravity feed to existing Sydney Water mains. Sydney Water's sewer drainage has the capacity to accept all the flows from the proposed development.

Electricity

Electricity services are available at a new substation constructed by Integral Energy on Erskine Park Road. High voltage lines will be laid within the CSR Estate and the individual requirements for each development of the proposed pads will determine the needs of each end user.

Communications

Telephone services will be reticulated underground within the site. Discussions with Telstra have shown that they envisage no difficulty in providing services.

Gas

Gas services are presently available in Templar Road to the north of the site.

3.3.8 Waste Management Strategy

Minimal waste is expected to be created from the proposed bulk earthworks. The works comprise the handling of soils and landscaping materials. If necessary, details on expected green waste generation in the land clearing and construction phases of the development will be supplied in the context of a site Construction Management Plan which forms part of the statement of commitments.

3.4 Subdivision

The proposed subdivision creates two lots for industrial development and a residual lot. A plan of the proposed subdivision is submitted with the project application drawings.

3.5 Stage 1 Works Project Application – Storage and Distribution Building

3.5.1 Description of the Building

The Stage 1 Project includes the construction of a warehouse and distribution facility with a gross floor area of some 46,000m^2 with associated landscaping, car parking and services on one of the pads (Pad H) created by the earthworks. The development comprises the

construction of a storage and distribution facility comprising one central warehouse building with associated surrounding outbuildings (gatehouse and fire water storage), employee car and heavy vehicle/trailer loading and comprehensive landscaping.

The building has been designed with loading and delivery areas to the north with loading potentially on the northern, eastern and western sides of the northern part of the building. This provides flexibility in loading and unloading activities with storage focussed on the main (southern) part of the building. The building dimensions are flexible to accommodate a variety of storage and racking and movement systems as might be required by subsequent tenants. The warehouse has an area of 45,000m².

Because no specific tenant has been identified, it is proposed that the use and occupation of the building will require subsequent approval.

Office Areas

A two storey office component is located at the north-east corner of the building. This provides attractive articulation of the building when viewed from the entry road and minimises the movements through the site of visitors and office staff. Together with the articulation provided by the loading dock structures and awnings, the office element results in a development that has an attractive presentation to the Road No 1 being a main entry road to the CSR lands.

The office and amenities area comprises 1,000m² of floorspace. Entry to the office space is proposed through a general reception area at the north east corner of the building with lift access to the upper level.

Gatehouse

A small gatehouse is processed from the street entry and provides sufficient space for on site queuing of arriving vehicles.

Building Height

The buildings will have a maximum height above ground floor level of approximately 13.55 metres to the ridge of the roof.

Setbacks

The following building setbacks have been observed around the site:

Side	Required Setback (Erskine Park DCP)	Proposed Setback
North	5m	5m
South	5m	7m
East	15m	15m
West	5m	10m

Site Coverage

The proposed buildings occupy approximately 45% of the identified site area.

External Materials and Colours

The proposed main building is to be constructed of structural steel with external concrete panel walls. The office component will comprise a mix of materials including glazing elements, panel and blockwork elements in the colours indicated on the application drawings. The roof will be a metal colorbond roof.

The colours and finishes of the buildings will be in accordance with the earthy tones as required by the Erskine Park Development Control Plan and will be subject to the preparation of further details prior to the release of a Construction Certificate for the development.

External Lighting

External lighting will be provided to enable staff and heavy vehicles to move around the site with safety. Lighting will be located primarily on the northern side of the building and will be designed in accordance with the minimum requirements of the current Australian Standards. A relatively lower level of ambient lighting shall be provided around the building perimeters to enable general surveillance and circulation lighting to enable safe circulation and amenity to staff while providing a reasonable level of surveillance. Luminaries will possess cut off angles to minimise spill lighting (upwards and adjacent) and avoid glare.

3.5.2 Access, Internal Circulation and Parking

Site access and parking arrangements are described and assessed in the Traffic Impact Assessment prepared by Traffix and contained in Appendix 11. The proposed building is accessed from the new cul-de-sac at the southern end of a new industrial road recently named Templar Road. Separate accesses are proposed for cars and heavy vehicles with the staff and visitor entry serving a separate and discrete car parking area.

The heavy vehicle entry serves the loading docks and associated hardstand manoeuvring areas. In this way there is effective and very clear separation of car and heavy vehicle traffic movement.

The internal circulation arrangements are designed to accommodate all classes of vehicles up to and including B-Doubles.

The existing internal road network at Erskine Park is designed to accommodate public transport movements should services be extended in the future.

Parking is proposed for 264 cars including disabled parking. These spaces are located in two areas to the east and south west of the main building. This parking is considered suitable for the proposed use of the building for storage and distribution and is based on actual tenant enquiries. Parking is discussed further in the Traffic Impact Report contained in Appendix 11.

3.5.3 Signage

No signage is proposed as part of this application. Separate application will be made for building identification signage if required.

3.5.4 Proposed Landscaping

Landscape concept design is shown on the project application drawings. It is proposed that a detailed landscape plan will be prepared in accordance with Council's Landscape Development Control Plan for the approval of Penrith City Council prior to a Construction Certificate being issued. The landscape concept submitted with the application indicates extensive landscaping around all boundaries of the site and within car parking and staff breakout areas. Proposed landscape treatment for this site has been formulated in order to:

- Visually soften the built structures yet maintain clear sight lines from the proposed road into the site.
- Enhance the human scale and human psychological comfort within an otherwise large and open physical environment;
- Establish an aesthetically attractive landscape setting which exhibits clean, strong, contemporary lines, to compliment the architectural form and the contemporary design of the proposed building;
- Ameliorate the physical environment, especially;
    - o solar penetration to buildings and parking areas; and
    - o wind
- in order to enhance and maximize human physical comfort; and
- Highlight vehicular and pedestrian access points.

3.5.5 Stormwater Management

A stormwater management concept for the proposed building and its site has been developed by Brown Consulting and is contained in Appendix 5. A series of measures are proposed to manage minor and major flows from the site and the roof of the building. Surplus roof water will be discharged without treatment and will be detained in on-site detention tanks to ensure that post-development flows do not exceed pre-development flows. Run-off from hardstand areas will be directed to a bio-retention basin adjacent to the proposed on-site detention for treatment prior to discharge off-site.

3.5.6 Employment

It is estimated that the proposed facility will employ approximately 250 persons during its initial operation.

3.5.7 Hours of Operation

The proposed storage and distribution facility is likely to be used 24 hours a day and 7 days per week.

3.5.8 Waste Management Strategy

During Construction

A Construction Management Plan (CMP) will be prepared by the contractor prior to commencement of construction activity to comment upon waste generation and processing during demolition and construction phases of the development. This CMP will outline waste processing strategies for a range of matters including building materials recycling and building waste handling.

During Operation

A Waste Management Plan will be prepared by the subsequent tenant or owner of the building. As stated above, it is proposed that the occupation of the building will be the subject of a separate application and approval.

3.5.9 ESD Initiatives

The following Ecologically Sustainable Development features are inclusive in the design of the proposal:

- Orientation of the building to maximise solar access and thereby reduce energy consumption;
- Provision of on site detention and roof water reuse is encouraged;
- On-site water quality ponds;
- Gross pollutant control measures for stormwater discharge; and
- Water sensitive irrigation of landscaping.

3.5.10 Utilities

Water Supply Strategy

Water will be supplied from mains in Templar Road and will be extended as required to meet the needs of the development. New reticulation mains will be extended from the existing internal mains to service the new buildings as required. Initial investigations suggest that domestic booster pumps will be required, as the pressure within Sydney Water mains is not sufficient. On-site storage of fire water is likely to be required

Sewer

Investigations with Sydney Water indicate that sewage from the development can gravity feed to existing Sydney Water mains. Sydney Water's sewer drainage has the capacity to accept all the flows from the proposed development.

Electricity

Electricity services to the proposed building will be provided via an underground service from the local supply authority network. Emergency electricity supplies can be provided from a generator within the building if required by a subsequent tenant or owner.

Communications

Telephone services will be reticulated underground within the site to the proposed building as required. There will be separate conduits for each communications company carrier.

Gas

Gas has been being extended to the area to serve the BlueScope development on the adjoining site to the north. At this stage it is not proposed to extend this service to the proposed building.

3.6 Staging of the Project

The earthworks will be undertaken in stages to ensure a balance of cut and fill and to utilise existing stockpiles from surrounding approved developments. The objective of the staging is to minimise the potential for a large amount of surplus material following completion of work within the CSR Erskine Park Estate. The Bulk Earthworks Report contained in Appendix 2 contains details of the proposed project staging.

The development on the building pads formed by the earthworks will occur in accordance with market demand. The first building is being constructed as a speculative building suitable to a wide range of potential tenants in storage and distribution. It is envisaged that subsequent DAs will be lodged for other storage and distribution facilities in the remaining area covered by the Concept Plan. A determination to this effect by the Minister for Planning in relation to the approval of the Concept plan is invited.

3.7 Construction Management

A construction management plan will be prepared for the development. This will incorporate soil erosion and sedimentation control measures as outlined in the Stormwater Management Plan prepared by Brown Consulting contained in Appendix 3. Construction (including earthworks) is expected to take 20 months.

3.8 Capital Investment Value

The capital investment value of the Concept Plan is $200 million and the Stage 1 Project Application is $43 million.

3.9 Alternatives Considered

The preparation of the Concept Plan and the Stage 1 Project Application is the culmination of an extensive period of investigation, discussion and review over the last 3 years. Over this time a number of developments have been approved adjoining the site that has resulted in the site that is the subject of this application. A number of elements in the development of the site have been fixed, including the location of Templar Road (Road 1) being the main access road on the southern side of Lenore Lane to the CSR eastern landholding.

Development consents for the BlueScope development and the previous proposal for the Coles Myer Distribution Facility define the north-western and south-eastern boundaries of the site.

The process of discussion and review with public authorities has resulted in agreement in principle to the Biodiversity Management Plan and the realignment of the south-eastern creek to be located within the proposed biodiversity corridor. Agreement to the corridor and its management regime has enabled the resulting employment lands to be confirmed. The project is consistent with the Biodiversity Management Plan.

The Concept Plan has been designed to allow considerable flexibility in future development by providing building pads that can be adapted to a variety of uses and subsequent subdivision patterns. This will assist in enabling the site to respond to the needs of industry and facilitate the creation of buildings and jobs in the area.

4. LEGISLATIVE FRAMEWORK

4.1 Relevant Acts

Environmental Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 ("the EPBC Act") commenced on 16 July 2000. The Act introduces a new assessment and approvals system for:-

- actions that have a significant impact on matters of national environmental significance;
- actions that have a significant impact on the environment of Commonwealth land; and
- actions carried out by the Commonwealth Government.

Under the assessment and approval provisions of the EPBC Act, actions that are likely to have a significant impact on a matter of national environmental significance are subject to a rigorous assessment and approval process. An action includes a project, development, undertaking, activity, or series of activities.

The Act identifies seven matters of national environmental significance:-

- World Heritage properties;
- National Heritage places;
- Ramsar wetlands of international significance;
- nationally listed threatened species and ecological communities;
- listed migratory species;
- Commonwealth marine areas; and
- nuclear actions (including uranium mining).

The Commonwealth Government is considering amendments to the EPBC Act and its regulations to include "greenhouse triggers" and "access to biological resources".

There are no relevant World Heritage properties, National Heritage places, Ramsar wetlands, Commonwealth marine areas or Commonwealth lands on or near to the site.

The Flora and Fauna Report prepared by HLA-Envirosciences contained in Appendix 7 has identified that the proponent is required to refer the proposed action to the Commonwealth Environment Minister. The Minister will determine whether the project is a "controlled action" (i.e. an action that requires the approval of the Environment Minister).

4.2 State Environmental Planning Policies

State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 was gazetted in May 2005 and aims to identify development of economic, social or environmental significance to the State or regions of the State, so as to provide a consistent and comprehensive assessment and decision-making process for that development. The Minister for Planning is the consent authority for development of the type, value or in a location, generally as identified in the SEPP, and Part 3A of the Act applies to the development, referred to as "projects" or "major projects".

Subsection 6(1) of the SEPP specifies that:-

> *"Development that, in the opinion of the Minister, is development of a kind:*
>
> *(a) that is described in Schedule 1 or 2 …*
>
> *is declared to be a project to which Part 3A of the Act applies."*

Schedule 1 of the SEPP is entitled "Part 3A Projects – Classes of Development". Clause 12 of Schedule 1 of the SEPP contains the following description:-

> *"Development for the purposes of container storage facilities, or storage or distribution centres, with a capital investment value of more than $30 million"*

The Minister has expressed an opinion that the project is a major project to which Part 3A applies.

State Environmental Planning Policy No. 11 (Traffic Generating Developments)

State Environmental Planning Policy No. 11 (Traffic Generating Developments) ("SEPP 11") establishes the Roads and Traffic Authority as the traffic management authority to be consulted in relation to development proposals, and ensures it is given the opportunity to make a representation on a development application before the consent authority decides whether to approve a proposal. Schedules 1 and 2 of SEPP 11 identify forms of development which are required to be subject to varying levels of consultation.

Based on the amount of parking likely to be generated by the eventual development of the site, the schedules of SEPP 11 may require that subsequent applications be referred to varying levels of authorities for comment.

State Environmental Planning Policy No. 55 (Remediation of Land)

State Environmental Planning Policy No. 55 (Remediation of Land) ("SEPP 55") aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying that certain

considerations be made by the consent authority when determining development applications in general, and by requiring that remediation work meets certain standards.

A Phase 1 Environmental Site Audit (ESA) for the CSR Erskine Park Estate has been undertaken of the site and surrounding lands. The eastern part of the CSR lands has been predominantly undeveloped except for low impact activities such as grazing and aero club activities. The report (Appendix 9) finds no evidence of any contamination related constraint to future industrial development of the site.

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

The NSW Government has exhibited a package of planning guidelines and policies for public comment, collectively known as the Integrating Land Use and Transport Policy Package ("the policy package"). The policy package, prepared by Planning NSW in association with Transport NSW and the Roads and Traffic Authority, applies primarily to the Sydney Greater Metropolitan Region, and has been developed with the primary aim of reducing car dependency and providing more equitable access to jobs and services.

The policy package has been prepared in order to implement strategies and achieve the aims identified in earlier strategies including Shaping Our Cites (the metropolitan planning strategy for the Greater Metropolitan Region of Sydney), Action for Air (the State government's air quality management plan), Action for Transport 2010 (the NSW transport plan), and the National Greenhouse Strategy. Further, the policy package aims to achieve a range of social, environmental and economic goals including equity, improved neighbourhood amenity and lower road congestion.

The policy package comprises the following components:

- Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport (draft SEPP 66);
- The Right Place for Business and Services: Planning Policy ("the Planning Policy");
- Improving Transport Choice: Guidelines for planning and development ("the Guidelines"); and
- Employment and Journey to Work Patterns in the Greater Metropolitan Region.

<u>Aims</u>

Clause 2 of draft SEPP 66 states as follows:

> *"This policy aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve the following planning objectives:*
>
> *(a) improving accessibility to housing, employment and services by walking, cycling, and public transport,*
>
> *(b) improving the choice of transport and reducing dependence solely on cars for travel purposes,*

(c) moderating growth in the demand for travel and the distances travelled, especially by car,

(d) supporting the efficient and viable operation of public transport services,

(e) providing for the efficient movement of freight."

The proposed development is not inconsistent with these aims. The site is in a location with good access to the existing and proposed motorway system and to arterial roads. It is an identified employment zone and a focus for public and private investment. Improvements to the surrounding road system will make the site more accessible and more attractive to public transport operators. The potential connection from Lenore Lane to Old Wallgrove Road and the M7 provides improved opportunities for better public transport from Blacktown to St Marys and Mt Druitt town centres.

Matters to be Considered in the Determination of an Application

When in force, the draft SEPP will require various matters to be taken into account in the determination of an application. These matters are listed in Clause 3(2)(a)-(g). They include:

a) the aim and planning objectives of the policy;

b) the Integrated Land Use and Transport Policy Package;

c) the need to moderate and manage travel demand, particularly in the way traffic impacts are studied, assessed and acted upon; and

d) *the provision of an urban structure that will assist the viability of, and encourage walking, cycling and public transport use.*

Guiding Principles

Clause 9 of the draft SEPP requires that when determining a DA to which the policy relates, the consent authority must consider a number of matters including whether carrying out the development will further the aims and the planning objectives of the policy and whether the development is consistent with the policy on location of specific land uses and the general policies in the Integrated Land Use and Transport Policy Package or "complies with Clause 10".

Clause 10 provides that a development need not be consistent with the Policy if it is justified by a detailed strategy or plan:

a) that clearly supports the inconsistency because of local or regional circumstances; and

b) that will further the aim and the planning objectives of the policy.

The proposed development is consistent with the provision of the Integrated Land Use and Planning Policy package for the reasons outlined above.

4.3 Regional Environmental Plans

Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River

The CSR land falls within the area covered by Sydney Regional Environmental Policy (SREP) 20 Hawkesbury-Nepean River (No.2 –1997).

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

SREP 20 identifies that the site is located in the South Creek catchment. The site does not fall within any other areas of significance (e.g. wetlands, cultural heritage sites, or national parks and nature reserves) pursuant to the REP.

Part 3 of the REP lists various specific land uses and indicates whether any of the listed uses require consent, are prohibited and/or require the concurrence of another authority. None of the land uses specified are relevant to the development proposed with the exception of filling of land which forms part of the earthworks for the project.

It should be noted that the site of the proposed development does not fall within an "environmentally sensitive area", as defined in Part 2 of the SREP 20 (No. 2 – 1997).

General Planning Considerations

The REP has the following general planning considerations that are relevant to the proposal:

- to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context;
- whether there are any feasible alternatives to the development;
- the relationship between the different impacts of the development and the environment, and how these impacts will be addressed.

One of the other general planning considerations of the REP is to take into consideration the strategies listed in the Action Plan for the Hawkesbury-Nepean Environmental Planning Strategy. These strategies are in the main the same as those within the REP.

Specific Planning Policies and Recommended Strategies

In relation to specific policies and recommended strategies, the following are considered relevant to the project:

Total Catchment Management

This policy provides that total catchment management is to be integrated with environmental planning for the catchment. The following considerations are highlighted in the REP policies:

- Strategy (a) – "Impact on adjacent local government areas" – the site is close to the Blacktown Council area. The site is approximately 870 metres west of Ropes Creek which forms the boundary between the Cities of Penrith and Blacktown.

- Strategy (b) – "Impact on the catchment" – Given the nature of the development and the principles to be incorporated in the stormwater management system, the proposed development is not expected to lead to a significant impact on the water catchment.

- Strategy (c) – "Cumulative environmental impact" – The cumulative impacts of the proposed development with other development in the area has been considered in the investigations leading to the rezoning and the preparation of the EPEA DCP. The impact on the existing stormwater drainage system of the proposed development is considered in the stormwater management plan prepared by Brown Consulting.

Environmentally Sensitive Areas

This policy provides that the environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of land use changes and through management and remediation of existing uses. The site has not been identified in the REP as an environmentally sensitive area.

Water Quality

This policy provides that future development must sustain the goals of primary contact recreation and aquatic ecosystem protection in the river system. Relevant recommended strategies and the implications for the site include:

(a) Quantify, and assess the likely impact of, any predicted increase in pollutant loads on receiving waters.

(b) Consider the need to ensure that water quality goals for primary contact recreation and aquatic ecosystem protection are achieved and monitored.

(c) Approve development involving primary contact recreation or the withdrawal of water from the river for human contact (not involving water treatment), such as showers, only in locations where water quality is suitable (regardless of water temperature).

(d) Do not carry out development involving on-site disposal of sewage effluent if it will adversely affect the water quality of the river or groundwater. Have due regard to the nature and size of the site.

(e) Develop in accordance with the land capability of the site and do not cause land degradation.

(f) Consider the need for an Erosion and Sediment Control Plan (to be in place at the commencement of development) where the development concerned involves the disturbance of soil.

(g) Minimise or eliminate point source and diffuse source pollution by the use of best management practices.

(h) Site and orientate development appropriately to ensure bank stability. Plant appropriate native vegetation along banks of the river and tributaries of the river, but

not so as to prevent or inhibit the growth of aquatic plants in the river, and consider the need for a buffer of native vegetation.

(i) Consider the impact of the removal of water from the river or from groundwater sources associated with the development concerned.

(j) Protect the habitat of native aquatic plants.

In relation to the above recommended strategies, the proposed development adopts suitable environmental controls and principles, such as best practice sewerage and stormwater management and erosion and sedimentation controls (see Appendix 4 in this regard).

Water Quantity

This policy provides that aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment.

It is considered that the proposed development will achieve the recommended strategies of the policy, where relevant, as follows:

(a) Future development must be consistent with the interim or final river flow objectives that are set for the time being by the Government.

(b) Ensure the amount of stormwater run-off from a site and the rate at which it leaves the site does not significantly increase as a result of development. Encourage on-site stormwater retention, infiltration and (if appropriate) reuse.

(c) Consider the need for restricting or controlling development requiring the withdrawal or impoundment of water because of the effect on the total water budget of the river.

(d) Consider the impact of development on the level and quality of the water table.

Flora and Fauna

This policy provides that the ecological processes of the catchment must be managed so that the diversity of flora and fauna communities, species and genetics is conserved and enhanced. Key strategies are as follows:

(a) Conserve and, where appropriate, enhance flora and fauna communities, particularly threatened species, populations and ecological communities, aquatic habitats, wetland flora, rare flora and fauna, riverine flora, flora with heritage value, habitats for indigenous and migratory species of fauna, and existing or potential fauna corridors.

(b) Locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land.

(c) Minimise adverse environmental impacts, protect existing habitat and, where appropriate, restore habitat values by the use of management practices.

(d) Consider the impact on ecological processes, such as waste assimilation and nutrient cycling.

(e) Consider the range of flora and fauna inhabiting the site of the development concerned and the surrounding land, including threatened species and migratory

species, and the impact of the proposal on the survival of threatened species, populations and ecological communities, both in the short and longer terms.

(f) Consider the need to provide and manage buffers, adequate fire radiation zones and building setbacks from significant flora and fauna habitat areas.

(g) Consider the need to control access to flora and fauna habitat areas.

(h) Consider the need to maintain corridors for fish passage, and protect spawning grounds and gravel beds.

The impacts of the proposed development on flora and fauna of the site is discussed in Section 5.5.3 and Appendix 7. The impacts of the project on existing flora and fauna is assessed in the context of the mitigative measures incorporated into the EPEA Biodiversity Strategy 2005 to be implemented through the Biodiversity Management Plan.

4.4 Local Environmental Plans

Penrith Local Environmental Plan - Erskine Park Employment Area LEP 1994

General LEP Objectives

Penrith Local Environmental Plan 1994 (Erskine Park Employment Area) ("the LEP") has the following objectives.

Aims:

(a) to make land available for economic and employment generating development in the City of Penrith, and

(b) to promote development which is consistent with the council's vision for the City of Penrith contained in its Strategic Management Plan, namely, one of a region having a harmony of urban and rural qualities with a strong commitment to environmental protection and enhancement, and

(c) to promote development which observes responsible and environmentally sound management practices to minimise any adverse environmental impact of that development on surrounding localities.

Objectives:

(a) to provide a planning framework which allows development control plans and a staging plan to supplement the controls embodied in this plan, and

(b) to preserve the amenity of the residential communities of Erskine Park and St Clair, and

(c) to require development to be assessed in accordance with, and to observe, sound environmental planning principles, and

(d) to require development to observe relevant environmental performance criteria, and

(e) to promote the development of land for industrial land uses which require a variety of land types, and

(f) to promote a variety of employment based activities whilst protecting the viability of existing business centres, and

(g) to create an environmentally attractive and safe work environment, and

(h) to promote development which is efficient in terms of transportation, energy and land utilisation, and

(i) to make land available to accommodate all required special land uses including roads, drainage and other infrastructure, and

(j) to facilitate the appropriate provision of, or of funding for, major infrastructure works, and

(k) to limit the potential risk to life and property from flood events, and

(l) to maximise conservation of urban bushland, and

(m) to prohibit offensive and hazardous industries and other industries specified in this plan, and

(n) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road.

The proposed development is consistent with the aims and objectives of the LEP. The development provides for the promotion of large-scale employment activities in the locality without significant adverse effects on environmental factors such as infrastructure, transport, access, contamination, biodiversity, flooding, salinity, noise, views, etc. This Environmental Assessment and its accompanying specialist studies demonstrate that the proposal can be undertaken without significant adverse environmental impacts. As the aims and objectives of the LEP include considerations of environmental protection/conservation, we note that flora and fauna impact assessment for the site and the adjacent Crown Road Reserve have been prepared by HLA-Envirosciences and demonstrate that the development will not have any significant impacts on the ecology of the locality.

With respect to impacts on surrounding localities, all matters relating to the adjoining lands, including flora and fauna, flooding and road access impacts have been addressed in this EA.

Zoning and Zone Objectives

The site is located primarily on land within Zone No 4(e) (Employment Zone) and partly on land within Zone No 4(e1) (Employment – Restricted Zone) – see **Figure 5**.

The objectives of Zone No 4(e) (Employment Zone) are:

(a) to prohibit certain development which is likely to have an adverse environmental effect on the amenity of adjoining localities, and

(b) to provide opportunities for a diverse range of employment generating activities, and

(c) to accommodate office and retail activities, which are primarily intended to service persons working in the Erskine Park Employment Area, and

(d) to permit development for the purposes of recreation facilities, child care centres or community facilities in association with, or independent of, other permitted development to serve the needs of the workforce of the Area and the adjoining residential communities, and

(e) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road, and

(f) to promote development of land with frontage to Mamre Road and Erskine Park Road if all buildings or works resulting from the carrying out of development will, by their architectural and landscape design, enhance the rural scenic character of those roads and their roles as gateways to the City of Penrith.

The objectives of Zone No 4(e1) (Employment - Restricted Zone) are:

(a) to prohibit certain development which is likely to have an adverse environmental effect on the amenity of adjoining localities, and

(b) to promote development which does not have an adverse environmental effect on the adjoining residential and rural communities arising from air, noise or other pollution, and

(c) to permit retail activities which are:

(i) compatible with the concept of the employment area, and

(ii) unlikely to prejudice the viability of existing business centres,

or are primarily intended to service persons working in the Erskine Park Employment Area, and

(d) to permit office development of a type which:

(i) would not be readily located in a traditional business zone, and

(ii) would be unlikely to prejudice the viability of existing business centres, and

(e) to permit development for the purposes of recreation facilities, child care centres and community facilities in association with, or independent of, other permitted development to serve the needs of the workforce of the Area and the adjoining residential and rural communities, and

(f) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road, and

(g) to promote development of land with frontage to Mamre Road and Erskine Park Road if the buildings or works resulting from the carrying out of the development will, by their architectural and landscape design, enhance the rural scenic character of those roads and their roles as gateways to the City of Penrith.

The proposal is considered to be consistent with each of the objectives of the 4(e) and 4(e1) zones where relevant. The environmental goals of the LEP are observed by the proposed development.

Permissible Uses

A wide range of uses are permissible with Zone No. 4(e) and Zone No. 4(e1). The prohibited developments in each of the zones are listed in the following table:

Zone No. 4(e)	*Zone No. 4(e1)*
Amusement parks; boarding houses; camp or caravan sites; dwellings (other than those used in conjunction with other land uses that are not prohibited in this zone and situated on the land on which such other uses are conducted); general stores; generating works; industries listed in Schedule 2; junk yards; motor showrooms; offensive or hazardous industries; offensive or hazardous storage establishments; office premises (other than those ancillary to, and used in conjunction with, another land use that is not prohibited in this zone or which are primarily intended to service persons working in the Erskine Park Employment Area); shops (other than those primarily intended to service persons working in the Erskine Park Employment Area).	*Amusement parks; boarding houses; camp or caravan sites; dwellings (other than those used in conjunction with other land uses that are not prohibited in this zone and situated on the land on which such other uses are conducted); general stores; generating works; industries listed in Schedule 2; junk yards; materials recycling yards; motor showrooms; offensive or hazardous industries; offensive or hazardous storage establishments; shops (other than those primarily intended to service persons working in the Erskine Park Employment Area or shops trading principally in bulky goods or motor vehicle parts and accessories); vehicle body repair workshops; waste disposal.*

Further to the above, the Schedule 2 industries of the LEP include:

> *abattoirs, chemical factories or works, crushing, grinding or milling works, extractive industries, gasholders, liquid, chemical, oil or petroleum waste works, liquid fuel depots, metallurgical works in which more than 100 tonnes per annum of ferrous or non-ferrous metals or their ores are processed, mines, oil refineries, paper or pulp works, petroleum product storage and processing works, pre-mix bitumen works, rubber or plastic works, sawmills and scrap recovery or drum reconditioning works.*

The proposed development does not include any of the above prohibited or Schedule 2 uses.

Development in Zone No. 4(e1)

Clause 19 of the LEP specifically applies considerations to development in the 4(e1) zone. These considerations are listed below.

(a) *wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and*

(b) *goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and*

(c) *the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and*

(d) *noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and*

(e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and

(f) windows facing residential areas, or from which residential areas might be viewed, have been treated to avoid overlooking of private yard space or windows in residences, and

(g) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and

(h) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.

Within this zone the proposed development is located some 320m to the north of the nearest residential land use located with rural land to the south of the Sydney Water Catchment water pipelines. The proposed warehouse and distribution building has been designed to ensure that loading activity is on the northern side of the building and screened by the building itself from the existing residential uses some distance to the south. The separation distance and the intervening vegetation will mean that the proposed development is not visible from these residential uses to the south.

4.5 Development Control Plans

The following sections provide an assessment of the proposal against the objects and provisions of the Erskine Park Employment Area DCP 2002 and other DCPs relevant to the application.

An assessment against the Erskine Park Employment Area DCP is required by the Director-General's Environmental Assessment requirements, a copy of which is found in Appendix 1.

A draft Development Control Plan for the Penrith LGA was exhibited during March and April 2006. The Erskine Park Employment Area DCP has been reproduced in full as a component of this draft DCP.

Erskine Park Employment Area Development Control Plan 2002

In December 2002, Penrith City Council gazetted the Erskine Park Employment Area Development Control Plan ("the DCP"). An assessment of the proposal against the objectives and specific controls of the DCP is contained below.

Clause 4(5) of the Erskine Park LEP states that development consent must not be granted unless the Council is satisfied that the proposed development is consistent with the provisions, and the objectives, of any development control plan prepared in respect of the land to which the development application relates.

Objectives of the DCP

The objectives of the plan are to:

(a) provide a framework that will lead to a high standard of development in the Erskine Park Employment Area encouraging local employment and creating an area which is pleasant, safe and efficient to work in;

(b) ensure that development takes account of the physical nature of the local environment, particularly Ropes Creek, ridgelines and the natural landscape;

(c) ensure that development does not result in pollution of waterways and in particular of Ropes Creek and South Creek;

(d) promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of the existing residential areas;

(e) identify and provide for public amenities and service infrastructure to accommodate development in the Erskine Park Employment Area;

(f) promote the creation of a landscaped area within the electricity transmission easement to act as a buffer between the employment zones and the residential communities;

(g) establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised;

(h) ensure that development is consistent with the objectives of the Threatened Species Conservation Act with particular regard to the endangered ecological communities, flora and fauna present on the site; and

(i) facilitate conservation of urban bushland;

(j) protect, restore and enhance riparian corridors within the Erskine Park Employment Area.

The concept plan and project application are in keeping with each of the above objectives as follows:

(a) the development provides a framework for high quality development in the EPEA by the provision of appropriate servicing infrastructure and a building pad layout responding to the local environmental context;

(b) The proposed pad levels take into account the physical context of the area in that the natural landscape and watercourses have been considered. The physical form of development in the future will dictate the response of the built form to ridge lines and view sheds of the site;

(c) The proposed stormwater control design and associated gross pollutant treatment strategies, including the realignment of the creek, ensure that pollution of waterways, including discharge to South Creek, will be minimised;

(d) The proposed storage and distribution building has been design to present an attractive and modelled façade to Templar Road, the main entry road. Existing and proposed landscaping will screen the view of the building from the south and west;

(e) All utility services are available and can be readily augmented to meet the needs of the development;

(f) Not applicable;

(g) The DCP objectives and controls for "Environmental Quality" have established the criteria under which the proposed development is to be assessed. This assessment is contained in Appendix 16 of this Environmental Assessment;

(h) The Flora and Fauna Impact Assessment contained within Appendix 7 has addressed these issues;

(i) The proposed development is consistent with the agreed management strategies in the Biodiversity Management Plan which puts in place specific provisions for the restoration and conservation of bushland; and

(j) The proposed development includes the establishment and revegetation of a riparian corridor to the south of the site and additional compensatory planting areas as outlined in the Vegetation Management Plan accompanying this application.

Specific Objectives and Development Controls of the DCP

The table in Appendix 16 assesses the project application and concept plan against the objectives and controls in the DCP where relevant.

Contaminated Land Development Control Plan 1999

Objectives and Policy Statement

The Contaminated Land DCP contains the following objectives:

- to enable Council to more adequately identify, record and manage known and potentially contaminated land.
- to provide direction for Council in the gathering and assessment of information in relation to previous land use activities that may have resulted in contamination.
- to assist Council in the discharge of its functions and responsibilities in relation to existing and potential land contamination with reasonable care and due diligence to minimise potential risk to both public health and the environment.
- to inform the community, particularly those interested or involved in the planning and development process, of Council's procedures relating to existing or potential land contamination
- to ensure that all stakeholders are aware of their responsibilities for the ongoing management of contaminated land.

Section 9.1 of the DCP states that Council's Policy Statement in relation to Development Applications is as follows:

> *In determining applications for rezoning or development, Council will fully consider the possibility of land contamination and the implications it has for ant proposed future use of the land. A precautionary approach will be taken to ensure that any land contamination issues are identified and dealt with early in the planning process. Accordingly, Council will:*

(a) proceed with the rezoning or development applications according to its usual practice if the site has been proven suitable for the proposed uses without the need for further testing or treatment; or

(b) proceed with the rezoning or development application according to its usual practice if the site has been proven to be capable of being remediated to a standard that is suitable for the proposed use either in its contaminated state or after remediation; or

(c) request the applicant to provide additional information; or

(d) refuse the application with stated reasons.

Recommended Procedures

Clause 9.3 of the DCP states the following:

> If contamination is, or may be, present the proponent must investigate the site and provide Council with the information it needs to carry out its planning functions. The appropriate level of investigation will depend on the circumstances and may involve one or more of the following stages:

Stage 1 – Preliminary Investigations

The objectives of a *preliminary investigation* are to identify any past or present potentially contaminating activities; to provide a preliminary assessment of any site contamination; and to provide the basis for a more detailed investigation if required. It should contain a detailed site history and include results of a visual site inspection and assessment.

A Phase 1 Environmental Site Audit (ESA) for the CSR Erskine Park Estate has been undertaken of the site and surrounding lands. The eastern part of the CSR lands has been predominantly undeveloped except for low impact activities such as grazing and aero club activities. The report (Appendix 9) finds no evidence of any contamination related constraint to future industrial development of the site.

Advertising Development Control Plan

No application is made for any signage within the site. Accordingly, the provisions of the Advertising Development Control Plan will not apply until subsequent applications are lodged for corporate signage and directional signage associated with industrial developments.

Crime Prevention Through Urban Design (CPTED) Development Control Plan

Application is made for project approval for the construction of a storage and distribution facility. The facility has been designed to ensure safety of staff and visitors with active areas overlooking the street and parking areas. Landscaping will be designed in detail to minimise opportunities for hiding spots.

Landscape Development Control Plan 2002

Objectives

- Implement Penrith Council's Vision Statement "a harmony of urban and rural qualities with a strong commitment to the environmental protection and enhancement offering a cosmopolitan lifestyle with a casual rural character".
- Promote landscape planning and design as part of a fully integrated approach to site development.
- Encourage the development of quality landscapes associated with new developments that are consistent with industry best practice.
- Adopt the principles of Ecologically Sustainable Development in the protection and enhancement of Penrith's landscape structure, diversity, amenity and character.
- Retain and protect the long term viability of remnant bushland, existing trees, canopy cover and landscape features.
- Ensure landscaping proposals adequately complement the proposed built forms and minimise the impacts of scale, mass and bulk of the development on the existing area and surrounding streetscapes, view sheds and neighbourhood amenity.
- Ensure that proposed landscape designs provide functional attributes such as privacy, shade and wind protection which at the same time discourages the opportunity for crime and vandalism.
- Advise that Council will require quality landscape works for all relevant developments and that the landscaping must be maintained to a high standard for the life of that development.

Categorisation

Pursuant to Section B2 of the DCP, the proposed development is classified as a Category 3 development , comprising works in excess of $2M. This means that the landscape designer should be listed on Council's Approved Landscape Consultant's Register. The landscape design firm John Lock and Associates, is listed on the register. It is proposed that detailed landscape concepts for the proposed storage and distribution facility will be provided for the approval of Council prior to Construction Certificate.

Heritage Management Development Control Plan

Please refer to Section 5.5.8 of this Environmental Assessment. In summary, no heritage items were identified by the non-indigenous heritage assessment prepared for the site and accordingly, heritage provisions do not apply to the site.

5. ENVIRONMENTAL ASSESSMENT

5.1 Introduction

The following environmental assessment has been undertaken having regard to the matters raised in the DGEARs and all factors considered reasonable to a consideration of the impacts of the proposal.

The environmental impacts have been identified through:-

- consultation with key stakeholders;
- the relevant legislative framework; and
- a detailed site analysis.

5.2 Surrounding Development

Immediately to the north of the site are rural and rural-residential uses along Lenore Lane, with allotment areas between approximately 8 - 10 hectares. Industrial developments are planned for the northern side of Lenore Lane, including current developments by PacLib and Grice Developments for large lot subdivision, infrastructure works and building works. An electricity transmission line traverses the allotments in the north from the Sydney West Substation which is toward the east of the EPEA. Further north are the residential suburbs of St Clair and Erskine Park. The separation distance between the northern boundary of the site (the Lenore Lane frontage) and the residential allotments in St Clair and Erskine Park ranges from approximately 350m at the closest point to 800m at the furthest. The St Clair and Erskine Park suburbs contain single detached dwellings, open space areas, schools and suburban shopping centres.

The southern boundary of the site comprises (in part) a Crown Road Reserve within a 60m wide easement. Further south are the Trinity Catholic Primary School, Mamre Christian College and Emmaus Retirement Village, each having access off Bakers Lane which intersects with Mamre Road. The Emmaus Village is located on the southern side of the Sydney Water Pipeline some 320m south of the site.

To the immediate east of the site is land approved for use as warehouse and distribution centre. This proposal was approved by the Department of Planning (formally DIPNR). Beyond the approved warehouse site is land zoned for industrial purposes owned by Fitzpatrick Investments up to Ropes Creek. Further east of the site, and on the eastern side of Ropes Creek, are the Austral bricks quarry; the Sydney West Substation; the Eastern Creek Waste Recycling Facility; and the former Australia's Wonderland Amusement Park along Wallgrove Road. Of note is that the Roads and Traffic Authority's "Westlink M7" motorway was recently completed parallel to Wallgrove Road some 2.5 kilometres east of the site.

To the west of the site is the former Erskine Park Quarry site. The former quarry has been partially filled with waste materials and covered with soils. Landfill operations are continuing at the Erskine Park Quarry and are being undertaken by Enviroguard Pty Ltd. Also west of the site are sites presently cleared and being developed for major metal manufacturing industries BlueScope and Lysaght. Further west of the quarry site is land which is owned by CSR Limited and currently used for administrative and maintenance activities ancillary to the landfill operations at the Quarry. Further west is Mamre Road, thence rural residential allotments within the Orchard Hills suburb. South Creek, tributaries of which extend through the site, winds its way west of the site thence southward. Further west is the Orchard Hills Royal Australian Air Force (RAAF) base with access from The Northern Road approximately 1 kilometre away.

The proposed development it totally consistent with the emerging character of the area as reflected in the land use zoning controls that envisage and encourage the change of land use from rural urban fringe land uses to employment uses.

5.3 Statutory Planning Considerations

Compliance of the project with the provisions of the relevant Acts and State Environmental Planning Policies, Local Environmental Plans and Development Control Plans is discussed in Section 4 of this Environmental Assessment report. The proposed development is permissible with the approval of the Minister.

5.4 Environmental Assessment Requirements – General Considerations

5.4.1 Layout and Design

> *"Demonstrate that the proposal is generally consistent with the Erskine Park Employment Area Development Control Plan, and justify and inconsistencies between the proposal and the DCP."*

An assessment of the compliance of the concept plan and project application with the EPEA DCP is contained in Appendix 16. This confirms that the development is generally consistent with the provisions of the DCP as it relates to the concept plan and project application.

5.4.2 Planning Agreement / Developer Contributions

Erskine Park Employment Area Development Contribution Plan 2005

Penrith Council has adopted a Section 94 Contributions Plan for Erskine Park. The current plan was adopted by Council at its meeting on the 7 March 2005. The plan sets down Council's policy for raising, holding and expending Section 94 Contributions within the Erskine Park Employment Area. Contributions are levied on developable area, on a per hectare basis for the following services and facilities:

1. Drainage / Water quality;
2. Roads and traffic management; and
3. Plan Administration.

Contributions are required from developable areas which, for the purposes of determining contribution rates, in the plan means "the total site area of any particular site less certain specific land to be excluded. Developable area is indicated by Map 3 of the plan."

As a consequence of the implementation of the Biodiversity Strategy and Biodiversity Management Plan, the amount of developable area is likely to increase. The implementation of the Biodiversity Strategy would result in the site being counted as developable area and being liable to imposition of Section 94 levies.

The proponent, CSR Limited proposes to pay the contribution at the rate currently indicated under the plan. This payment may be staged in accordance with the development of the site and will have regard to works-in-kind undertaken such as the construction of Lenore Lane and the Bushfire Shed. There is a works-in-kind arrangement between CSR and Penrith City Council for the construction of Lenore Lane and the Bushfire Shed.

5.5 Environmental Assessment Requirements – Key Impacts of the Development

5.5.1 Soil and Water Impacts

Water Quality, Quantity and Flooding Impacts

A Stormwater Concept Plan has been prepared by Brown Consulting to accompany the applications (Appendix 4). This identifies the strategy for managing stormwater across the site. This strategy forms part of the Concept Plan. Specific elements of this strategy are proposed as part of the Stage 1 project application.

A separate report has been prepared describing the proposed creek relocation to the southern part of the site (Appendix 3). The report summarises the findings of a Geomorphic Assessment of the proposed realigned creek prepared by Dr. Mark Taylor, Senior Lecturer in Environmental Science at Macquarie University.

The design of the realignment of the south eastern reach of the southern creek was a collaborative effort between the proponent, DEC, DNR and Greening Australia (see letters attached as Appendix 17). Detailed analysis of the hydrological, hydraulic and geomorphologic implications of the realignment have been undertaken and are described in the report contained in Appendix 3.

The riparian zone containing the realigned creek will be revegetated in accordance with a Vegetation Management Plan prepared by GHD. The VMP covers the restoration of approximately 5.95 hectares of the relocated ephemeral creek. Further additional compensatory planting is proposed as outlined in the VMP.

The proponent commits to the works included in the VMP including compensatory planting areas.

The realignment of the creek has been approved in principle by the Department of Natural Resources (see Appendix 17).

Erosion and Sediment Control

The Stormwater Concept Plan contained in Appendix 4 includes proposals for erosion and sediment controls for the earthworks proposed as part of the Stage 1 Works project application. The engineering bulk earthworks drawings show the concept sediment and erosion control plan for the development. Measures include:

- A single all weather access way at the front of the property consisting of 50-75mm aggregate or similar material at a minimum thickness of 150mm, laid over geo-fabric and constructed prior to commencement of works.
- A shaker pad will be used at the entrance to the site to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
- A sediment control basin located where the proposed water quality basin is to be constructed immediately to the west of the site. Once the majority of the site has been constructed the basin should then be converted to its ultimate use as a water quality control basin.
- Disturbed areas will be rehabilitated with indigenous plant species, landscaped and treated by approved methods of erosion mitigation such as mulching, revegetation with native grasses or other suitable stabilising processes within fifteen days of the completion of works.
- All runoff and erosion controls will be installed before any works are carried out at the site.
- Upslope clean surface runoff will be diverted via diversion drains and sediment fencing around the disturbed areas.
- Installing SoilLocker at the down-slope of the disturbed areas to capture sediment and debris escaping from the site.
- SoilLocker shall be installed on the boundary of the creek buffer area.
- Topsoil stockpiling stripped from the construction site shall be diverted away from drainage lines, stormwater inlets and be suitably covered by impervious membrane material and screened by sediment fencing.
- Sediment end erosion controls shall be inspected weekly or after each storm event for litter, sediment, and organic waste accumulation. All sediment/debris shall be removed within two (2) working days.

Potential for Rainwater Harvesting

Discussions have been held with Sydney Water Catchment Authority, Sydney Water, DNR and DOP in relation to harvesting rainwater from the site and augmenting Sydney's water supply via the water supply mains to the south of the site. Arrangements with authorities could not be put in place on a catchment wide basis in time for the development of the EPEA and consequently this proposal has not progressed further.

Harvesting of rainwater from roofs of buildings for re-use on individual development sites is proposed however with harvested water used for fire water purposes and other non-potable uses such as toilet flushing, vehicle washing and the like. These measures will be incorporated into individual development proposals.

Soil Contamination Issues

The Penrith 1:100,000 Geological Map Series (NSW Department of Minerals and Energy, 1991) indicates that the site is mainly underlain by the Bringelly Shale of Triassic age, locally intruded by a volcanic breccia pipe of Jurassic age and mantled in the western portions of the site by recent import of alluvium. The Bringelly Shale comprises shale, carbonaceous shale and claystone, laminite and fine to medium grained lithic sandstone with rare coal and tuff. The breccia pipe comprises a mixture of country rock in a matrix of fine grained basalt. The alluvium comprises fine grained sand, silt and clay.

The Penrith 1:100,000 Soil Landscape Sheet indicates that the soils developed on the alluvial sediments in the western portions of the site are part of the South Creek Landscape. Structured plastic clay and red or yellow podsolic soils are the predominant soil groups. These are characterised by high erodibility, generally low surface movement potential and saline conditions in clay subsoils. Soils of the Blacktown Soil Landscape underlie the disturbed terrain about the breccia pipe within the eastern parts of the site. The Blacktown Soil Landscape includes shallow to moderately deep (<1 metre) red brown podsolic soils on crests, grading to yellow podsolic soils on lower slopes and drainage lines. These are characterised by moderately reactive subsoils with poor soil drainage, localised salinity or sodicity, moderate erodibility and low soil fertility.

On the basis of the above, the natural soils on the site are expected to contain stiff clays derived from the in-situ weathering of the underlying bedrock.

Results of soil testing of the original CSR Lots 92 and 93, DP 838541 between December 2002 to October 2003 are provided in a Phase 1 Environmental Site Assessment prepared by HLA-Envirosciences.

With regard to soil salinity, the Salinity Potential in Western Sydney Map (DIPNR) indicates that the site has moderate salinity potential. Details of the measurements of salinity across the site are contained in a Report on Salinity Assessment prepared by Douglas Partners Pty Ltd. While it is noted that high salinity is natural for the area and that there are no management techniques which can eliminate this problem, a number of site management options are proposed to reduce the offsite environmental effects of saline soils. In this regard, saline soil conditions present within some alluvial and residual soils will require due consideration in the design and construction of stormwater systems/earthworks and in-ground services. A series of mitigative works have been listed by Douglas Partners and will be implemented for the project.

The site is current unused, as it is an area of either open paddocks or bushland.

A Phase 1 ESA of Lots 92 and 93 in DP 838541 (the CSR Erskine Park Estate) was undertaken by HLA-Envirosciences Pty Limited (HLA) to identify opportunities and constraints to site development (see Appendix 9). The objectives of the ESA were to:

- document the history of the Site;
- identify potential contamination areas and types;
- discuss the site condition;
- provide a preliminary assessment of site contamination; and
- evaluate any potential liabilities with regard to contamination;

The ESA included a desktop study, review of statutory information, site inspection and preparation of report. Research into historical activities conducted on-site was undertaken to identify past and present potentially contaminating activities that may have occurred.

The report comments that the eastern parts of the CSR lands (including all of the proposed project area) have been predominantly undeveloped, other than in relation to clay extraction activities, dam construction and removal and low-impact activities such as farming. There is no evidence to suggest that any contamination-related constraints will affect the proposed earthworks and later industrial development. Whilst some uncontrolled tipping of soil fill, construction spoil, motor vehicle bodies and assorted rubbish has previously occurred at the site, these areas have been removed by the land owner. The report highlights that the potential for encountering waste materials or contaminated soil is considered to be low. On this basis, no specific contamination-related management measures or safeguards are considered necessary by HLA and the site is considered suitable for the proposed earthworks, stormwater works and subsequent industrial development.

5.5.2 Traffic and Parking Impacts

The traffic and access implications of the proposed development have been considered in the Traffic Impact Assessment prepared by TRAFFIX Traffic and Transport Planners (Appendix 11).

Traffic Volumes

The site is currently accessed off Lenore Lane. An access road, Templar Road, has been approved by Penrith Council in November 2004 under DA No. 04-1599 and is now complete. The road forms the primary means of access into the eastern side of the CSR Erskine Park Estate and the site. The traffic investigations conclude:

- *The site enjoys excellent access to and from the arterial road network, using the road network that has been developed;*
- *The adopted road system is unchanged from the planned system and hierarchy;*
- *The expected generation from the various development sites within the area covered by the project as well as the traffic from surrounding development (that also relies on Road 1 for access) is comparable to that in the strategic assessments that underpin the EPEA generally, so that the road system as planned will operate satisfactorily;*

- *The proposed storage and distribution building on Site Area H is a low order industrial use, with traffic demands at peak times that have been assumed to be the same as the average 'generic' rate published by the RTA. In practice, many development sites that are occurring have lower generation rates than the average, including the BlueScope Steel and Lysaght sites that are both served by Road 1;*
- *Notwithstanding this, the road system has been previously assessed on the basis of increased trip rates established by Council and the RTA and will operate satisfactorily in 2016 subject to the construction of all identified road improvements. In the short to medium term, the development will therefore be supported by a staged road system to be provided under the BlueScope Steel subdivision DA approval. The upgrading of Lenore Lane and the intersection of Lenore Lane with Erskine Park Road has been completed;*
- *The proposed access arrangements are satisfactory, with a one-way clockwise internal flow pattern. In addition, cars and trucks have been physically segregated to maximise safety;*
- *The resulting total floor area within the Site Area H Building requires between 154 spaces and 475 spaces based on RTA and Council requirements respectively. In response to this, the development proposes 264 spaces which is within this range and is based on the carparking requirements of actual tenant inquiries and is therefore acceptable; and*
- *The access and internal design arrangements comply with AS2890.1 and AS2890.2.*

It is concluded that the proposed development is supportable on traffic planning grounds.

Access Arrangements to Adjoining Properties

Adjoining properties include:

- properties forming part of the CSR lands including the adjoining BlueScope site and Lysaght site and future building pads as proposed under the Stage 1 Works project application;
- land to the south of the site is currently accessed from the existing Crown Road Reserve.

The location and design of the building pads and the location of access points to the proposed storage and distribution building proposed as part of the Stage 1 works project application is such that there will be no adverse impact on access arrangements to existing sites within the CSR lands. Access points are well spaced and the building pads proposed have long frontages to Templar Road providing a range of locations for the design and construction of safe and efficient access points.

Access to adjoining land to the south is discussed in Section 3.3. The registration of DP1094504 created an easement in gross in favour of Council for access over part of proposed Lot 5. This easement provides access from Road No. 1 (under construction) to Lot 11 in DP 229784. The proposed subdivision under this project application retains the above easement. The provision of this access from Road No. 1 to Lot 11 in DP 229784 provides for

improved and effective access to Lot 11 in DP 229784. At the present time, the only access to this site is via a Crown Road Reserve, some 900m from the formed road pavement near Mamre Road.

5.5.3 Flora and Fauna Impacts

Studies of the existing flora and fauna of the site have been undertaken by HLA-Envirosciences and are found in their Flora and Fauna Impact Assessment in Appendix 7.

HLA have found that the study area contains five general flora communities being Grey Box – Forest Redgum Open Forest; Broad-leaved Ironbark; Open Dry Grassland; Riparian Forest dominated by Swamp Oak and Eucalyptus; and Aquatic Herblands and Wetlands. These species were found to be in sparse to very sparse cover, with grasses and herbs dominating the vegetation cover. Thirteen fauna species were found to be present or likely to be present in the site, consisting of nine avian species (Noisy Minor, Magpie-Lark, Magpie, Pied Butcherbird, Eastern Rosella, White-winged Chough, Brown Goshawk and Australian Hobby), three mammal species (Eastern Grey Kangaroo, European Fox and Rabbit) and one species of amphibians (Eastern Froglet). While each of these species were identified, three threatened species were identified during surveys of the site, being the flora species Grevillea Juniperina, the mammal species the Grey-headed Flying Fox and the mollusc species Cumberland Land Snail.

HLA's flora and fauna investigations found two Threatened Ecological Communities (being Cumberland Plain Woodland and Shale/Gravel Transition Forest.

The proposed development includes the clearing of the site to allow for earthworks and the creation of a new drainage channel along the southern boundary of the CSR Estate. Relevant impacts associated with development in and adjacent to areas containing known Cumberland Plain Woodland and Shale/Gravel Transition Forest EECs involve:

- Removal of trees, shrub and groundcovers characteristic of the listed EECs; and
- Removal of fallen timber from the forest floor.

The proposed project is likely to result in the removal of Cumberland Plain Woodland EEC, some Shale/Gravel Transition Forest EEC and specimens of Grevillea juniperina spp. juniperina identified in the northern part of the Study Area.

It is considered that as a consequence of the implementation of the proposed Biodiversity Management Plan as agreed in principle by the Department of Planning, the Department of Environment and Conservation and Penrith City Council, the likely net impact of the proposed development on Cumberland Plain Woodland, Shale/Gravel Transition Forest EECs and Grevillea juniperina spp. juniperina will be low and insignificant.

Other mitigation measures which have been developed in accordance with the principles of ecologically sustainable development are recommended to be incorporated to offset the impacts of proposed development. These include:

- Erect appropriately dimensioned and designed nest boxes in suitable locations within the proposed Biodiversity Conservation Corridor to offset the loss of trees containing

hollows. These artificial hollows should be designed to favour roosting habitat for indigenous species;

- Utilise Grevillea juniperina ssp. juniperina within the landscape planting scheme of the proposed developed areas;
- Relocate tree trunks felled during the establishment of the development footprint for use in the proposed Biodiversity Conservation Corridor, to improve the complexity of ground fauna habitats, particularly for the Cumberland Plain Land Snail (M. corneovirons);
- Carry out salvage survey, prior to clearing and earthworks, to relocate any live specimens of the Cumberland Plain Land Snail (*M. corneovirens*) to the proposed Biodiversity Conservation Corridor (it is noted that no specimens of the Cumberland Plain Land Snail were identified in the area of the proposed works in the Study Area); and
- Establishment of a Biodiversity Conservation Corridor in accordance with the proposal contained in the Biodiversity Management Plan endorsed in principle by PCC and DEC.

The Flora and Fauna Report for the site concludes:

"The results of the field survey and impact assessment support the following conclusions.

- *One threatened species (Grevillea juniperina ssp. juniperina) of State environmental significance was observed within the Study Area during the survey period. The Greyheaded Flying Fox (P. poliocephalus) and Cumberland Plain Land Snail (M. cornevirens) have been observed in the Study Area during previous surveys;*
- *No EPs or critical habitat occurs within the Study Area;*
- *Two EECs (Cumberland Plain Woodland and Shale/Gravel Transition Forest) were observed within the Study Area during the survey period;*
- *The extent of native vegetation clearing associated with this development proposal would be offset through the establishment of the proposed biodiversity conservation corridor;*
- *Mitigation is required to offset the biological impacts of the proposed development on the Cumberland Plain Land Snail (M. cornevirens), Cumberland Plain Woodland and Shale/Gravel Transition Forest EECs;*
- *The establishment of a Biodiversity Conservation Corridor, as endorsed in principle by PCC and DEC, is a key element of any mitigation measures."*

5.5.4 Noise Management

The report contained in Appendix 6 investigates the acoustic impacts of the project during construction and operation. This includes traffic noise and the cumulative impacts of development.

The nearest affected residences are isolated residential dwellings on lots on the northern side of Lenore Lane. These are on land earmarked for industrial development and largely in the ownership of industrial developers. It is expected that this northern side of Lenore Lane will be fully developed for employment uses in the near future.

The residential suburbs of St Clair and Erskine Park area located approximately 350 metres to the north of Lenore Lane. The nearest residential receiver to the proposed Stage 1 Project Application works is located on land within an industrial zone earmarked for future industrial development and approximately 30 metres north-west of the site.

Approximately 320m south of the site, beyond the water supply pipeline, is the Emmaus Retirement Village. Further south on Bakers Lane are the Emmaus Catholic College, Trinity Catholic Primary School and Mamre Christian College.

The acoustic environment at the site is currently dominated by the activities associated with landfilling, land preparation, construction activities and traffic noise on Mamre and Erskine Park Roads. The site and immediately surrounding areas are classified as being semi-rural, rural residential and residential areas.

The proposed works have the potential to impact on the ambient noise levels in the area. The proposed works, including vegetation clearance, earthworks, land reshaping , installation of infrastructure and services and construction and operation of a storage and distribution facility would involve the use of a number of noise generating plant and equipment.

The nearest sensitive receivers to the proposed works are located to the north on Lenore Lane (approximately 30m from the site). As the area of the site is large (38 hectares) and land preparation works and infrastructure installation works would not be undertaken over the whole area simultaneously, the noise impact on receivers would be variable.

Construction Noise

Observed background noise in the vicinity of the site indicates that the ambient noise environment is typical of a semi-rural residential area. The proposed works would involve the use of a number of noise generating plant and equipment, including, but not limited to: excavators, graders, bulldozers, trucks and watercarts.

The NSW EPA's (now DEC) *Environmental Noise Control Manual* (1994) provides guidelines that may be specified in a development consent for sites where there is a likelihood of annoyance due to noise from construction activities. The ENCM states that for construction periods greater than 26, the LA_{10} level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10dB(A).

It is expected that the overall period of works for the proposal will exceed the 26 week guideline. However, It is not anticipated that noise generating activities would not be concentrated in the one area for the entire construction period, and, as works would be staged, the noise impact on any receivers would not continue for any lengthy period of time.

Therefore it is concluded by the Acoustic Assessment that the noise level restriction appropriate to the proposed works would be for a construction period of greater than 26 weeks, with a limited potential for annoyance because:

- construction would take place over a limited period of time;
- the likelihood of annoyance is diminished by the types of activities proposed (potentially annoying activities like piling and blasting are not proposed); and
- the distance to sensitive receivers such as schools and hospitals is significant.

Warehouse Operational Noise

The Acoustic Impact Assessment considered the acoustic impacts of the operation of the proposed storage and distribution building. The analysis has shown that noise from the site with all loading docks operational will be within noise goals at all receiver locations.

Traffic Noise

Potential road traffic noise impacts as a result of the proposed development would include noise from trucks, equipment and workforce vehicles entering and leaving the site. The majority of noise impact from large construction equipment and trucks would not be a constant noise impact as the works would be limited to the site. Additionally, construction equipment such as excavators and bulldozers would generally remain on the site for the life of the project and contractors are likely to use light vehicles to access the site. As many as 300 car and truck movements have been assessed in the Acoustic Assessment for the construction and operational phases of the Stage 1 Project Application, including the storage and distribution facility. The Acoustic Assessment advises that although there may be a marginal exceedance of the relevant traffic noise criteria for the worst affected dwellings (i.e. the dwellings along Lenore Lane), these dwellings are located on land zoned for industrial purposes and the proposed construction and operation of the works will not be dissimilar to traffic along Lenore Lane associated with development already approved.

Assessment of Noise Impacts

ERM investigations have concluded that:

"While there is the potential for construction noise to exceed the recommended criterion (without mitigation) at the potentially closest residences, there are several mitigation measures that may be employed to reduce noise impacts. These include:

- *Scheduling construction activities such that concurrent operation of plant is limited;*
- *Preparation of a construction noise management plan (to be included in the project Environmental Management Plan) prior to construction to ensure that all employees understand and take responsibility for noise control at the site;*
- *Properly maintaining plant to ensure rated noise emissions levels are not exceeded;*
- *Undertaking construction activities guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites;' and*

- *Providing a contact telephone via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintended in a responsive manner."*

The following mitigative measures may be employed during construction:

- all noise generating equipment would be operated only within the daytime operating hours – 7am to 6pm Monday to Friday and 7am to 4pm Saturday;
- operators of equipment would adhere to a schedule which avoids operating all noise generating machinery at the same time, wherever practicable;
- heavy equipment would be maintained on site for the duration of site works; and
- trucks and equipment would enter the site via the most direct route, during daytime hours.

There is not considered to be a likelihood of continued annoyance as a result of the proposed works because construction noise levels would be temporary, daytime activities, with no potential for sleep disturbance. Construction activities would not involve potentially annoying activities such as piling and blasting and would not be limited to the one area for extensive periods of time. Additionally, the worst affected and few residences along Lenore Lane are zoned for industrial use. It is therefore probably that these residential properties are developed for industrial land uses.

In relation to operational noise from the proposed storage and distribution building, the following mitigative measures may be employed:

- Scheduling truck movements and loading dock operations such that concurrent operation of vehicles is minimised. This would include limiting onsite vehicles idling while loading; and
- Preparation of an operational noise management plan (to be included in the project Environmental Management Plan) prior to operation to ensure that all employees understand and take responsibility for noise control at site.

5.5.5 Aboriginal and European Heritage Impacts

Aboriginal Heritage

Navin Officer Heritage Consultants were appointed to undertake a program of archaeological subsurface testing to determine the nature and significance of archaeological deposits on the site. Reports on these investigations are contained in Appendices 13 and 14.

The results of Navin Officers research found that the Aboriginal cultural material present within the site comprised low-density subsurface artefact occurrences. Accordingly, Navin Officer recommended that no further archaeological assessment was required for the CSR land at Erskine Park and the Crown Road Reserve.

An application to destroy under Section 90 of the National Parks Act has been approved by the former National Parks and Wildlife Service for the Eastern Lands of the CSR Erskine

Park Estate, including land within the CSR Estate subject to the project application (Appendix 15).

European Heritage

A Non-Indigenous Heritage Assessment of Lots 92 and 93 in DP 838541 (the original title to the CSR lands at Erskine Park) was undertaken by HLA-Envirosciences (Appendix 8). The aim of the report was to identify previously recorded heritage sites, potential sites, and provide management recommendations for these sites in accordance with existing heritage legislation.

HLA's report highlights that the following sites were identified within the subject lands by the Non-Indigenous Heritage Assessment:

Sundry Farm Dams	Two dams were identified to be in the same location as a 1919 plan of the CSR lands, however, both of the dams were identified as being larger in size. The dams were identified to be located within the development area for the project application. It is noted, however, that each of the dams have been recently dug out and reconstructed and no longer exist on the site. HLA-Envirosciences note that the sundry farm dams no longer exist on the site and there will therefore be no interaction between the proposed development and these items.
An Airstrip	An airstrip consisting of a strip of mown lawn and compacted land approximately 50m wide and is partially located within the area of the proposed subdivision and site works. The airstrip runs on an angle of 45º to 225º. There is no evidence of a made surface such as was used on World War Two dispersal strips. The construction of the airstrip dates from after 1955 and before 1961. With respect to the airstrip, this area has been identified in the Non-Indigenous Heritage Assessment as having no heritage significance.

On the basis of the above descriptions, the Non-Indigenous Heritage Assessment highlights that the project will have no adverse impact on any items of non-Indigenous heritage. No specific management safeguards are required.

5.5.6 Views and Visual Impacts

Visual Characteristics of the Site and Surrounding Landscape

The generally cleared open character of the site is characteristic of surrounding lands, particularly to the north, east and west. Generally these lands are cleared and grazed or have been developed for market gardening activities. The transmission line easement to the north of the site and immediately to the south of the St Clair/Erskine Park residential area is a

significant feature in the visual landscape. Land uses along Lenore Lane in the area immediately to the north of the site are rural residential in nature, however, it is noted that industrial developments are destined for these areas.

The new warehouse building recently built on Erskine Park Road provides an example of the likely nature of future development in the immediate vicinity of the site.

Site topography generally falls from the east at Lenore Lane to the west toward Mamre Road. The majority of the site comprises paddocks presenting a landscape which is open in character, with low groundcover and little evidence of shrub understorey. Isolated stands of trees exist across the site.

The site is elevated above the surrounding area yet slopes very gently internally. It is characterised by grass covered hills and undulations formed by natural water flows. The ground is generally covered by either grasses or unvegetated soil. There are trees on the site toward the northern boundary along the Lenore Lane frontage and toward the eastern end of the site from Lenore Lane in the north to the southern boundary. The Crown Road Reserve is also vegetated.

Site topography falls from the east at Lenore Lane to the west toward Mamre Road. The majority of the site comprises paddocks presenting a landscape which is open in character with low groundcover and little evidence of shrub understorey. Isolated stands of trees exist across the site.

Visual Impacts

Development attracted to the Erskine Park Employment Area comprises a variety of building forms as a result of site area, floor plate size, client requirements and the Council's requirements for architectural design. The project application provides for the establishment of suitable building pad levels for subsequent industrial development and subsequent stages of the project application will assess visual and landscape impacts are thoroughly addressed.

The proposed storage and distribution facility addresses Templar Road by including the office and loading dock elements on the northern and north eastern end of the building providing a more attractive and modelled façade and ensuring that activity is focused on this corner near the main entry. The visual impact of the development is softened by a landscape zone of at least 5 metres wide fronting the street road and the proposed biodiversity corridor on the southern elevation that is approximately 200 metres wide. While Lenore Lane does not constitute a street frontage to the site, the northern eastern facade of the development addresses Lenore Lane by incorporating a variety of colours and materials. Additionally, the non warehouse aspects of the development e.g. the offices are highlighted by glazing. The glazed areas visually reinforce the office components of the development.

The site is located within land identified to encourage industrial development and the surrounding topography will minimise any visual impact of built form upon the site.

The retention and restoration of the vegetated buffer to the south of the site will act to screen views of the building from the south. From the north the proposed development would be screened from residential areas in St Clair by intervening vegetation and buildings. The

proposed development will be visible from only generally the immediate area as the EPEA develops. When viewed from major land uses to the south (such as the retirement village and schools) it is apparent that the proposed development will not be visible due to vegetation along the southern boundary of the site.

When viewed from the residential communities to the north (about 350 metres from the proposed development, views of the buildings will be obscured by trees and other intervening buildings and features.

The development is located in the southern part of the Erskine Park Employment Area. The height of the building is moderate at 13.5 metres and although the building occupies a large footprint, it is capable of being screened from adjoining non-industrial areas. The building is set back from site boundaries and perimeter landscaping is proposed. It is considered that the proposed development is consistent with the desired future character of the industrial area as reflected in the planning controls that are in place and will have no significant impact on the visual qualities of the area.

5.5.7 Bushfire Impacts

HLA-Envirosciences have prepared an Bushfire Assessment of the project (Appendix 10). This report addresses the bushfire risks of the proposed storage and distribution facility forming part of the Stage 1 Works project application.

The report finds that:

- The proposed project will be surrounded by industrial development to the north, northeast and west. The former landfill area to the west will be capped and rehabilitated, primarily with low growing species which will not compromise the cap. Accordingly, there will be little vegetation on three sides of the site which would be likely to host or initiate a bushfire that might threaten the proposed project.
- Land to the south of the proposed project forms part of the Biodiversity Conservation Corridor. This land is to be revegetated using locally endemic species and will form part of an east-west corridor of lands containing remnant and new vegetation.
- Buildings to be located on the site are to be set back from the southern boundary of the site. This setback will provide access for fire fighting vehicles and will serve as an Asset Protection Zone. The bulk earthworks for the proposed project will also create a building platform which is elevated above the lands of the Biodiversity Conservation Corridor.
- Vegetation to be planted in the section of the Biodiversity Conservation Corridor adjoining the site is to be staggered, with taller species located to the south, away from the site.
- The bushfire risk likely to affect the proposed project is considered to be low based on the following:
    - Buildings within the proposed project will be set back from the boundary (biodiversity conservation corridor) by a minimum of 6 metres.

- The area between the proposed buildings and the Biodiversity Conservation Corridor will be hardstand with little or no vegetation.
- Vehicle access will be available to the industrial development/Biodiversity Conservation Corridor interface.
- The building pad for the proposed project will be elevated above the Corridor lands.
- Vegetation within the Corridor will comprise lower growing species adjacent to the proposed project, with taller species being located further to the south within the corridor.
- The taller species to be planted in the Corridor would be located at a distance that would not enable them to fall on the proposed development if they were subject to a bushfire when fully mature.

5.5.8 Air Quality Impacts

There is potential for the proposed works including benching and site preparation to impact upon the local air quality should the proposed works generate significant levels of dust, particularly during dry and windy conditions. Emissions would also be generated by vehicles and machinery used in the undertaking of the project works.

These impacts, however, can be managed to ensure the potential impacts to the local air quality are insignificant. The following measures will be adopted:

- trucks entering and leaving the site carrying loads of potentially dust generating material would be covered;
- stockpiles of soil or other materials temporarily established would be covered or sprayed with water on a regular basis, particularly during dry or windy conditions;
- the site, particularly trafficable areas and stockpiles would be watered using a water cart or water spray to minimise dust emissions;
- all equipment used on site and trucks associated with the proposal should be maintained in an efficient operating condition and operated in a proper and efficient manner. Service records should be maintained;
- emissions generated by vehicles and machinery on site would be in accordance with DEC (formerly EPA) requirements;
- significant dust generating activities (i.e. surface grading) would be avoided in dry and windy conditions; and
- dust monitoring, such as the implementation of a series of dust deposit gauges (DDGs) and High Volume Air Samplers to identify dust sources would be undertaken if required.

Incorporation of air quality measures for the proposed works would ensure that the proposal meets air quality objectives as follows:

- to maintain existing air quality and improve local air quality where possible; and
- to ensure future development does not adversely affect existing air quality.

5.5.9 Services

Investigations undertaken by Brown Consulting have indicated that all utility services are accessible to the site and can be readily augmented and extended to the proposed development. Further details of the proposed strategies for the future provision of such utilities as water, electricity and sewerage are contained in the Bulk Earthworks Report prepared by Brown Consulting.

5.5.10 Social and Economic Effects

The proposed development will have positive social and economic impacts through the expansion of employment lands in the City of Penrith.

6. DRAFT STATEMENT OF COMMITMENTS

6.1 Introduction

Under Section 75F(6) of the EP&A Act, a Proponent may be required to include a draft Statement of Commitments within the Environmental Assessment, outlining the measures the Proponent is prepared to make in respect of environmental management and mitigation at the site. The draft Statement of Commitments for the project below specifies how the project will be managed to minimise potential impacts both during construction and operation.

6.2 General

A. The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices.

B. The development will be undertaken generally in accordance with the following drawings:

Plan No.	***Plan Name***	***Revision***
Concept Plan, *prepared by CSR*		
03103-ST-20	Concept Plan	P02
Subdivision Plan, *prepared by Lean and Hayward Pty Ltd*		
75793.01.P34	Plan of Proposed Subdivision of Lot 5	B
Stage 1 Storage and Distribution Facility Drawings, *prepared by Morris Bray Architects*		
DA-01	Context and Development Data	P08
DA-02	Existing Survey	P08
DA-03	Site Plan	P08
DA-04	Floor Plans	P08
DA-05	Elevations and Sections	P08
SK-06	Perspective 1	P08
SK-07	Perspective 2	P08
SK-08	Perspective 3	P08
Bulk Earthworks Drawings, *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 101	Overall Engineering Plan	01
W03033.12 - DA 102	Bulk Earthworks Plan	07
W03033.12 - DA 103	Bulk Earthworks Section 1	05

W03033.12 - DA 104	Bulk Earthworks Section 2	05
W03033.12 - DA 105	Bulk Earthworks Section 3	05
W03033.12 - DA 106	Bulk Earthworks Section 4	05
W03033.12 - DA 107	Bulk Earthworks Section 5	05
W03033.12 - DA 108	Bulk Earthworks Section 6	05
W03033.12 - DA 109	Bulk Earthworks Section 7	05
W03033.12 - DA 110	Erosion and Sediment Control Plan	05
W03033.12 - DA 111	Erosion and Sediment Control Details	05
W03033.12 - DA 112	Basin 3 Retaining Wall Longsection	02
Streamworks Drawings *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 201	Southern Creek Overall Plan – South Eastern Reach	07
W03033.12 - DA 202	Southern Creek Plan and Longsection CH 0- 345	07
W03033.12 - DA 203	Southern Creek Plan and Longsection CH 330 – 675	07
W03033.12 - DA 204	Southern Creek Plan and Longsection CH 660 – 919.2	07
W03033.12 - DA 205	Southern Creek, Creek 02 Plan and Longsection	07
W03033.12 - DA 206	Southern Creek, Creek 03 Plan and Longsection	07
W03033.12 - DA 207	Access Road and Swale Lot 3 & 4 Plan, Swale Longitudinal Section	07
W03033.12 - DA 208	Southern Creek, Typical Sections	07
W03033.12 - DA 209	Southern Creek, Creek Sections CH 0 - 75	07
W03033.12 - DA 210	Southern Creek, Creek Sections CH 90 – 180	07
W03033.12 - DA 211	Southern Creek, Creek Sections CH 195 - 255	07
W03033.12 - DA 212	Southern Creek, Creek Sections CH 270 – 375	07
W03033.12 - DA 213	Southern Creek, Creek Sections CH 381.428 - 450	07
W03033.12 - DA 214	Southern Creek, Creek Sections CH 465 – 512.405	07
W03033.12 - DA 215	Southern Creek, Creek Sections CH 525 – 630	07
W03033.12 - DA 216	Southern Creek, Creek Sections CH 645 – 750	07
W03033.12 - DA 217	Southern Creek, Creek Sections CH 765 – 840	07
W03033.12 - DA 218	Southern Creek, Creek Sections CH 855 – 901.224	07
W03033.12 - DA 219	Southern Creek, Creek Sections CH 904.716 – 926.631, Pool and Riffle Detail	07
W03033.12 - DA 220	Southern Creek, Branch 2 Cross Sections	07
W03033.12 - DA 221	Southern Creek, Branch 3 Cross Sections	07

Stormwater Concept Plan Drawings, *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 301	Overall Plan	03
W03033.12 - DA 302	Road 1 Cul-de-sac Plan and Drainage Longsection	03
W03033.12 - DA 303	Road 1 Detention and Biofiltration Basin Plan	03
W03033.12 - DA 304	Road 1 Longsection and Basin Details	03
W03033.12 - DA 305	Pipe Outlet Plan and Details	03
W03033.12 - DA 306	Detail Plan, Longitudinal Section CH 1110 – 1368.15 for Lenore Lane Channel Ultimate Design	03
W03033.12 - DA 307	Detail Plan, Longitudinal Section CH 1110 – 1368.15 for Lenore Lane Channel Interim Design	03
W03033.12 - DA 308	Typical Stormwater Control Basin, Pad 4	03
W03033.12 - DA 309	Typical Stormwater Control Basin, Pad 5	03
W03033.12 - DA 310	Typical Stormwater Control Basin, Pad 7	03
W03033.12 - DA 311	Typical Stormwater Control Basin, Pad 8	03
W03033.12 - DA 312	Typical Stormwater Control Basin, Pad 9	02
Landscape Plans, *prepared by John Lock and Associates*		
1219 LP 01 (Rev D)	Landscape Plan, Creek Realignment	
1219 LP 02 (Rev D)	Landscape Section and Details	

C. CSR Limited will develop a program of informing key stakeholders including the Department of Planning, Department of Natural Resources, Department of Environmental and Conservation and Penrith City Council, of demolition, excavation and construction staging and activities throughout the development process.

6.3 Further Approvals

A. CSR Limited will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.

B. The Proponent will obtain a Construction Certificate prior to the implementation of the engineering and building works.

C. Prior to the issue of a construction certificate for the proposed storage and warehouse building, the proponent will prepare and submit to Penrith Council for approval a landscape concept plan prepared in accordance with Council's Landscape DCP

D. Should Aboriginal objects be found during the works envisaged by the development the Department of Environment and Conservation will be informed (as required by the provisions of the National Parks and Wildlife Act 1974 (NSW)). The Proponent acknowledges that subject to an assessment of the extent, integrity and significance

of any exposed objects, applications under either Section 87 or Section 90 of the National Parks and Wildlife Act may be required before work could resume.

6.4 Urban Design

A. Development will take place generally in accordance with design guidelines contained in the Erskine Park Employment Area DCP.

6.5 Environmental Management

A. Prior to construction commencing, the proponent will establish a complaints handling procedure available for community complaints.

B. The proponent will prepare and implement a Construction Environmental Management Plan to outline all environmental management practices and procedures to be followed during the construction of the project. The CEMP is to contain the following plans:

    a. an Erosion and Sediment Control Plan incorporating the principles outlined in the Stormwater Concept Plan prepared by Brown Consulting accompanying the EA;

    b. a Noise Management Plan and Noise Monitoring Program;

    c. a Dust Management Plan and Dust Monitoring Program;

    d. a Construction Waste Management Plan;

    e. a Vegetation Clearing Program incorporating the recommendations of the Flora and Fauna Impact Assessment prepared by HLA Envirosciences accompanying the EA

    f. a Salinity Management Plan;

    g. a Construction Traffic Management Plan; and

    h. a Construction Staging and Management Plan.

C. The proponent will prepare and implement a Operation Environmental Management Plan to outline all environmental management practices and procedures to be followed following the completion of construction. The OEMP is to contain the following plans:

    a. a Stormwater Management Plan indicating the means of managing stormwater run-off from the site and from each development site; and

    b. a water reuse plan indicating means of harvesting rainwater from the site and the uses to which this rainwater will be put.

D. The construction contractor will establish a Safety Plan before work commences on-site to detail safe work methods and procedures to be followed on-site and to ensure

compliance with OH&S and statutory requirements. Such a plan to address safety risks during demolition, excavation and construction activity, including:-

- stability of adjacent structures;
- excavation support;
- falls from heights;
- protection of the public;
- traffic controls around the perimeter of the site; and
- working with high voltage electrical supply.

6.6 Services

A. The proponent will comply with the requirements of relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development.

6.7 Contributions

A. The proponent will pay contributions in accordance with the current S94 Contributions Plan for Erskine Park Employment Area (2005) for the development area as identified in the project application. The payment of contributions may be staged and paid prior to the release of Subdivision Certificate for the site.

7. CONCLUSION

This Environmental Assessment relates to two applications under Part 3A of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") lodged concurrently. These applications are:

(i) an application lodged pursuant to S75M of the Act for approval of a Concept Plan for the project comprising earthworks, subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development; and the subsequent erection of buildings to be used for storage and distribution and associated uses; and

(ii) an application lodged pursuant to S75E for project approval of Stage 1 of the project which is earthworks, subdivision and associated infrastructure works including stormwater management and the construction of an industrial building for storage and distribution purposes.

An assessment of the impacts of the proposed development indicates that, subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental outcomes.

The Environmental Assessment concludes that the site is suitable for the project and that the project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

The provision of industrial land in the locality will make a significant positive contribution to the economic base and social diversity of the City of Penrith. This Environmental Assessment finds that project can occur in a manner which is sustainable, recognises biodiversity qualities and that has no significant impact on the environment. On this basis, approval of the concept plan and the Stage 1 Works project application is warranted.

ENVIRONMENTAL ASSESSMENT TO ACCOMPANY A CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

STORAGE AND DISTRIBUTION FACILITIES AND SITE PREPARATION WORKS

Part of CSR Limited Land Holdings within the Erskine Park Employment Area being part of Lot 5 in DP 1094504, Lenore Lane, Erskine Park

24 August 2006

Prepared for
CSR Limited

By
BBC Consulting Planners

Job No. 05-093
Final Environmental Assessment.doc

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FIGURES

Figure 1: Location Plan
Figure 2: Site Plan
Figure 3: Concept Plan
Figure 4: Proposed Storage and Distribution Facility
Figure 5: Zoning Map – Penrith LEP 1994 (Erskine Park Employment Area).

APPENDICES

Appendix 1: Director-General's Environmental Assessment Requirements
Appendix 2: Bulk Earthworks Report, prepared by Brown Consulting;
Appendix 3: South Eastern Creek Streamworks Report, prepared by Brown Consulting;
Appendix 4: Stormwater Concept Plan for Concept Plan, prepared by Brown Consulting;
Appendix 5: Stormwater Concept Plan for Storage and Distribution Building, prepared by Brown Consulting;
Appendix 6: Acoustic Report, prepared by ERM Australia;
Appendix 7: Flora and Fauna Impact Assessment, prepared by HLA-Envirosciences;
Appendix 8: Non-Indigenous Heritage Assessment, prepared by HLA-Envirosciences;
Appendix 9: Phase 1 Environmental Site Assessment, prepared by HLA-Envirosciences;
Appendix 10: Bushfire Impact Assessment, prepared by HLA-Envirosciences;
Appendix 11: Traffic Impact Assessment, prepared by TRAFFIX Traffic and Transport Planners;
Appendix 12: Vegetation Management Plan, prepared by GHD;
Appendix 13: Indigenous Heritage Report, prepared by Navin Officer Heritage Consultants;
Appendix 14: Indigenous Heritage Report on Crown Road Reserve, prepared by Navin Officer Heritage Consultants;
Appendix 15: Section 90 Permit;

Appendix 16: Compliance Table – Erskine Park Employment Area Development Control Plan; and

Appendix 17: Correspondence from Department of Natural Resources, Department of Environment and Conservation and Greening Australia in relation to creek realignment and biodiversity conservation.

PROJECT APPLICATION DRAWINGS (submitted under separate cover)

1. Concept Plan;
2. Storage and Warehouse Facility Plans;
3. Subdivision Plan; and
4. Engineering Works Plans:-
    - Bulk Earthworks Drawings
    - South Eastern Creek Streamworks Drawings
    - Stormwater Concept Plan Drawings

STATEMENT OF VALIDITY

Submission of Environmental Assessment

Prepared under Part 3A of the *Environmental Planning and Assessment Act, 1979*

Environmental Assessment prepared by

Name	Daniel Brindle (Director)
Qualifications	Daniel Brindle - B Ec, Dip Ag Ec, M Sc, MPIA
Address	BBC Consulting Planners Level 2, 55 Mountain Street Broadway NSW 2007
In respect of	Concept Plan and Stage 1 Project Application for Storage and Distribution Facilities on CSR Land, Erskine Park

Applicant and Land Details

Applicant name	CSR Limited
Applicant address:	9 Help Street, CHATSWOOD NSW 2067
Land to be developed	CSR Erskine Park Estate Eastern Lands
Lot and DP	Part Lot 5, DP 1094504
Environmental Assessment	An environmental assessment is attached.
Statement of Validity	I certify that I have prepared the contents of the environmental assessment in accordance with the Director-General's requirements (dated 8 August 2006) and that to the best of my knowledge, the information contained in the environmental assessment is neither false nor misleading.

Signature – Dan Brindle

Date: 24 August 2006

EXECUTIVE SUMMARY

This Environmental Assessment has been prepared to accompany two applications under Part 3A of the Environmental Planning and Assessment Act 1979:

- an application for concept plan approval for the development of the site including earthworks and subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development and the erection of buildings to be used for warehousing and distribution on the land.

- an application for project approval for Stage 1 of the project being earthworks and subdivision and associated infrastructure works and the construction of a building for storage and distribution purposes.

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area. This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and
- land managed by the Department of Natural Resources (Lands) for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The site is accessed from Lenore Lane which is a major access road within the Erskine Park Employment Area (EPEA) connecting with Erskine Park Road and Mamre Road.

The Concept Plan for the site is for the provision of serviced industrial land suitable for a variety of employment opportunities and for the development of this serviced land for storage and distribution and associated uses incorporating a maximum of 191,500m^2 gross floor area generally in the locations as shown on the Concept Plan. This will involve earthworks and subdivision works to provide building platforms and services to proposed industrial lots and the subsequent construction of buildings, parking, site landscaping and associated works.

A concurrent application is lodged for project approval for the first stage of the project being the earthworks and associated works to form the building pads. These works include the relocation of a creek on the site. The project application for Stage 1 Works also includes the construction of a building for storage and distribution.

The Minister for Planning declared the project to be a project to which Part 3A of the Act applies and has authorised the submission of a concept plan.

The project has been designed to allow the staged provision of serviced industrial land in a form suitable for subsequent development. It has been designed having regard to relevant environmental planning instruments and development controls adopted by Penrith City Council.

The concept plan and project application are based on the EPEA Biodiversity Management Plan and Biodiversity Restoration and Implementation Plan approved in principle by the Department of Planning, Department of Environment and Conservation and Penrith City Council. This establishes a framework for the on-going management of lands set aside for biodiversity within and adjoining the EPEA.

An assessment of the impacts of the proposed development indicates that subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental impacts.

The Environmental Assessment concludes that the site is suitable for the project and the proposed project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

1. INTRODUCTION

1.1 Overview

This Environmental Assessment report ("EA") has been prepared on behalf of the proponent, CSR Limited, in relation to two applications under Part 3A of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") lodged concurrently. These applications are:

(i) an application lodged pursuant to S75M of the Act for approval of a Concept Plan for the project comprising earthworks, subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development; and the subsequent erection of buildings to be used for storage and distribution and associated uses; and

(ii) an application lodged pursuant to S75E for project approval of Stage 1 of the project which is earthworks, subdivision and associated infrastructure works including stormwater management and the construction of an industrial building for storage and distribution purposes.

The Minister for Planning has expressed an opinion that the project is of a kind described in Schedule 1 of State Environmental Planning Policy (Major Projects) 2005 ("the Major Projects SEPP"), and declared the project to be a project to which Part 3A of the EP&A Act applies for the purpose of section 75B of that Act. The Minister has authorised the submission of a concept plan for the proposal under section 75M of the EP&A Act.

The Director-General of the Department of Planning has issued Environmental Assessment Requirements for the project ("the DGEARs"), a copy of which is attached as Appendix 1. This Environmental Assessment report addresses these requirements.

A draft Statement of Commitments for the project has been prepared and is contained in Section 6.

An assessment of the impacts of the proposed development indicates that subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental impacts.

The Environmental Assessment concludes that the site is suitable for the project and the proposed project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

1.2 The Land to which the Applications Relate

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area (**Figure 1**). This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and

- land managed by the Department of Natural Resources (Lands) for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The project is located within central and eastern portions of Lot 5. The earthworks will occupy an area of approximately 38 hectares. The associated stormwater works on the adjoining Crown Road Reserve to the south will occupy an area of approximately 1.1 hectares. The proposed area subject to works associated with the applications is referred to in this report as **the site** and is indicated on **Figure 2**.

1.3 Summary of Development for which Approval is Sought

1.3.1 Concept Plan

The concept plan for the site is included as **Figure 3**. The development concept reflected in the concept plan includes the following elements:

- earthworks, subdivision and associated infrastructure works, including stormwater management to provide serviced and level land for subsequent development (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the provision of an integrated stormwater management system to drain the site and approved and proposed roads, including the realignment of an existing creek towards the southern part of the site (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the use of the site for storage and distribution and associated uses generally in accordance with the Concept Plan (**Figure 3**);
- the construction of buildings with a maximum of 191,500m^2 of gross floor area plus associated access, parking, stormwater management, services and landscaping generally in the locations as shown on the Concept Plan (the construction and use of one of these buildings for storage and distribution is also the subject of the project application and is part of the first stage of the project); and
- access arrangements generally in accordance with the Concept Plan (the construct ion of a cul-de-sac at the end of Road No 1 is also the subject of the project application and is part of the first stage of the project.

1.3.2 Project Application for Stage 1 Works

Application is made for approval for Stage 1 of the development envisaged in the Concept Plan being earthworks, subdivision and associated infrastructure works, including stormwater management and the construction of a building on Site Area H of the Concept Plan. The development comprises:

- the subdivision of Lot 5 into three lots – two lots for future industrial development and a residual lot and for the dedication of land as public road;
- cut and fill across 38 hectares of the CSR lands to create suitable building pads to enable future development for industrial uses;
- stormwater management works including the realignment of a creek line to the south-eastern corner of the site to enable a new drainage channel on the southern CSR boundary and the northern boundary of the adjoining Crown Road Reserve;
- the construction of a cul-de-sac head on the end of an approved road (Road 1 as approved by DA 04/1599) to be dedicated to the Council as a public road; and
- the construction of an industrial building having a gross floor area of 46,000m2 comprising 45,000m2 of storage and distribution space and 1,000m2 ancillary office space and associated car parking, truck loading areas, utility services stormwater management works, landscaping and associated site works (refer Figure 4).

The purpose of the project is to prepare land for future employment generating development permissible under the current zoning. The project application has been made under S75E of the Environmental Planning and Assessment Act 1979 (EP&A Act).

1.4 Relationship to Quarry Rehabilitation

Consent was granted in 1992 for the rehabilitation of the existing Erskine Park Quarry through non-putrescible waste disposal. The waste disposal operations currently continue on land that adjoins the site to the west.

CSR have been negotiating with the operators of the quarry in relation to the co-ordination between the completion of the waste disposal operations and the proposed earthworks to ensure that the proposed development does not inhibit the completion of the quarry rehabilitation and to ensure the quarry rehabilitation does not unnecessarily delay the development of the EPEA.

The quarry rehabilitation operation interacts with the land that is the subject of the present applications in a number of ways including:

1. access to the waste disposal and quarry rehabilitation operation is from Mamre Road on access roads constructed for this purpose; and
2. materials for use in covering waste or capping the final landform is to be extracted from the northern, eastern and western portions of the CSR Erskine Park Estate as shown in the Bulk Earthworks Report prepared by Brown Consulting.

In relation to the capping materials required to line the Quarry on completion of landfill activities, an agreement has been entered into by CSR and Enviroguard for suitable clay materials to be sourced from the CSR Erskine Park Estate to cap the Quarry. Although a 1992 Environmental Impact Statement[1] associated with an application to rehabilitate the

[1] Mitchell McCotter (1992) *Environmental Impact Statement: Rehabilitation of Erskine Park Quarry using Non-putrescible Waste Disposal.*

Quarry indicated that a total of 1.54 million cubic metres of cover material would be needed to line the Quarry mouth, 900,000m³ of which could be sourced from the CSR Erskine Park Estate, a 2004 report by URS Australia[2] indicated that only approximately 200,000m³ of capping materials would be required due to the amount of suitable overburden material around the Quarry.

The existing Quarry has been partially (over 50%) filled with non-putrescible waste further negating the need for material sourced from the CSR Estate. Accordingly, the amount of impervious clay material required from the CSR lands to line the Quarry on final closure of the landfill operations is currently estimated to be between 100,000m³ and 150,000³. Investigations undertaken by Brown Consulting (Appendix 2) show that there is sufficient supply of suitable quality clay materials on the eastern portions of the CSR lands (including the land subject to this project application) to cap the Quarry. As such, earthworks associated with this project can occur in tandem to the stockpiling of materials for future use in capping the Quarry if required.

At the time the consent to the quarry rehabilitation was granted it was envisaged that the EPEA would be half developed within 10 years and fully developed within 15 to 25 years. Consequently attempts were made in the design of the waste depot to provide enough flexibility to be able to accommodate the development of the EPEA with a minimum of constraints. Consistent with this intention, discussions have been held with the operators of the quarry to ensure that the proposed development can occur without affecting the ability to complete the waste disposal development. This includes:

- The proposed development is clear of any land required for the support of the quarry fill;
- The proposed development has no impact on access to the waste depot from Mamre Road;
- The proposed development can protect and/or relocate groundwater monitoring boreholes as required; and
- Material suitable for capping the fill which is located on the proposed site will be extracted from the site and stockpiled in the vicinity of the quarry for use in Quarry capping if required. The Bulk Earthworks Report at Appendix 2 provides specific details with respect to how cut and fill are to be managed.

1.5 Relationship to Developments on CSR Lands at Erskine Park

The development proposed by the project application and Concept Plan application interact with five DAs already approved by Penrith Council and the Minister for Planning. These developments include:

[2] URS Australia (2004) *Landform Concept Plan – Erskine Park Landfill.* Final Draft.

1. **The upgrading of Lenore Lane as the northern access road within the Erskine Park Employment Area subsequent to development consent granted to Penrith City Council.**

Lenore Lane is currently being upgraded in accordance with this consent and consistent with the provisions of the S94 Contributions Plan for Erskine Park Employment Area. The previous unsealed local rural road has been upgraded to a 2 lane dual carriageway industrial standard road for 1.4km and the installation of traffic signal controls at the intersection of Lenore Lane and Erskine Park Road. This length of Lenore Lane has been dedicated to Penrith Council. The project gains access from the upgraded Lenore Lane.

2. **The approved DA for the subdivision of Lots 91, 92 and 93 in DP 838541 into 5 allotments pursuant to Penrith Council's DA 04-1599 in November 2004.**

This consent is referred to as the BlueScope Subdivision and has the following implications for the proposed development:

- the consent to DA 04-1599 established pad levels over approximately 26 hectares of land to the immediate north and west of the site. Works which were approved have been completed and are excluded from the current project with surplus materials from this site being managed though this project. The subdivision has been registered and title issued in respect of this subdivision;
- the consent to DA 04-1599 created a construction vehicle access point and site office off Lenore Lane which will be used for the proposed development; and
- the consent to DA 04-1599 approved to the construction of an access road (Road No. 1) into the centre of the CSR Erskine Park Estate. Construction of the road has been completed and dedicated to Penrith City Council. It is known as Templar Road.

3. **The approved DA for the re-subdivision of Proposed Lot 1 in the abovementioned approval into 4 allotments pursuant to Penrith Council's DA 05-0829 in September 2005.**

This consent is otherwise known as the Lot 1 Re-Subdivision and provides for the construction of a road through the Lot 1 of the above subdivision and the subdivision of Lot 1.

4. **The approved Warehouse and Distribution Centre DA pursuant to the Minister for Planning's approval to DA No. 284-11-2004 which has been approved for the erection of a warehouse and distribution facility with associated bulk earthworks, stormwater works, parking and landscaping.**

This consent is for a portion of the CSR Erskine Park Estate immediately east of the site and has the following relationship with the proposed development:

- the approved development (now completed) established a new pad level for the site which created a surplus amount of fill materials to be accommodated within the proposed development, on other portions of

the CSR lands and as potential capping for the Erskine Park Quarry; and

- a proposed road (Road No. 3) which is currently under construction will be drained by the proposed stormwater management system under these applications and will create fill materials for filling the proposed site area and as potential capping for the Erskine Park Quarry.

1.6 Planning Process

Section 75B of the *Environmental Planning and Assessment Act, 1979* ("the EP&A Act") provides that Part 3A of the EP&A Act applies to the carrying out of development that is declared to be a project to which this Part applies.

The Minister for Planning has formed the opinion that the Concept Plan and Stage 1 Project Application are a project to which Part 3A applies. The Minister has authorised the submission of a concept plan.

The Director-General of the Department of Planning has issued the Environmental Assessment Requirements ("DGEARs") for the project, a copy of which is attached at Appendix 1. This Environmental Assessment report addresses the issue raised in the DGEARs in the sections indicated in the following table:

Requirement	**Where addressed**
GENERAL REQUIREMENTS	
The Environmental Assessment must include:	
• an executive summary;	Page 2 - 3.
• a detailed description if the proposed concept plan and Stage 1 of the project applications for the project, including the: - need for the project; - alternatives considered; and - various components and stages of the project, including the provision of utilities to the site;	Section 3.
• considerations of any relevant statutory provisions;	Section 4.

Requirement	Where addressed
• a general overview of the environmental impacts of the proposal identifying the key issues for further assessment, and taking into consideration any issues raised during consultation;	Section 5.
• a detailed assessment of the key issues specified below and any other significant issues identified in the general overview of the environmental impacts of the proposal (see above) which includes: - a description of the existing environment; - an assessment of the potential impacts of the project, including any cumulative impacts; - a description of the measures that would be implemented to avoid, minimise, offset, manage and/or monitor the impacts of the project;	Section 5.
• a draft Statement of Commitments, outlining environmental management, mitigation and monitoring measures;	Section 6.
• a conclusion justifying why the project should be approved; and	Section 7.
• a signed statement from the author of the EA certifying that the information contained in the report is neither false nor misleading.	Page 1.
KEY ISSUES	
Layout/Design – demonstrate that the proposal is generally consistent with the *Erskine Park Employment Area Development Control Plan,* and justifying any inconsistencies between the proposal and the DCP.	Section 4.5 and Appendix 16.

Requirement	Where addressed
Planning agreement/developer contributions – review the proposal against the requirements in the Erskine Park Employment Area Section 94 Contributions Plan, particularly in relation to the proposed changes to the Biodiversity Management Strategy for the Erskine Park Employment Area and either include a draft planning agreement for the redevelopment of the site, or describe what development contributions are proposed to be paid for the redevelopment of the site;	Section 5.4.2.
Soil and Water – including detailed plans for the proposed diversion of the creek on site; the proposed erosion and sediment controls (during construction); the proposed stormwater management system including detailed consideration of any potential offsite drainage impacts; flooding; water supply including consideration of the potential for rainwater harvesting; and wastewater disposal;	Section 5.5.1.
Traffic and Parking – including details of the traffic volumes likely to be generated during construction and each stage of operations; an assessment of the predicted impacts of this traffic on the safety and efficiency of the surrounding road network; and suitable evidence demonstrating that the proposal would not compromise the access arrangements for any adjoining landowners;	Section 5.5.2.
Flora and Fauna – demonstrate what measures would be implemented to offset the proposed clearing of vegetation on-site, including riparian vegetation;	Section 5.5.3.
Noise – including construction, operational and traffic noise.	Section 5.5.4.
Aboriginal Heritage; and	Section 5.5.5.
Visual – including landscaping, design, signage and lighting.	Section 5.5.6.

Requirement	Where addressed
REFERENCES	
The Environmental Assessment must take into account relevant State government technical and policy guidelines. List attached to requirements.	These are considered in the EA and the specialist reports contained in the Appendices.
CONSULTATION	
During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth government authorities, service providers, community groups or affected landowners. In particular, you must consult with the: • Department of Natural Resources; and • Penrith City Council. The consultation process and the issues raised during this consultation should be described in the EA.	Section 1.8.

1.7 Application Checklist

Draft Department of Planning Guideline, "Steps in the Assessment and Approval of Major Projects under Part 3A", dated 14 September 2005, lists the matters to be addressed in a Project Application. The following table sets out the matters and notes where or how each requirement is addressed:

Requirement	Where addressed
(a) A written and graphical description of the project and any ancillary components, including relevant preliminary plans	Section 3 and Project Application drawings lodged under separate cover.
(b) The location(s) and a map identifying the site(s) / alignment / corridor	Section 3 and all Figures.
(c) The capital investment value and other relevant information in relation to parameters set out in the Major Project SEPP or any relevant order	Section 3.8 and Section 4.2.

Requirement	Where addressed
relevant for determining whether Part 3A applies to the project.	
(d) The planning provisions applying to the site and whether the project is permitted under the prevailing EPIs, DCPs, policies etc, and if the project is inconsistent with such instruments/plans/policies	Section 4.
(e) The views of the other agencies, local council and/or the community if known	Section 1.8.
(f) List any other approvals required in particular if a licence from the Department of Environment and conservation under the Protection of the Environment Operations Act is required	Section 4.
(g) If relevant, justification as to why the project should be considered to be a major project under Part 3A, taking into consideration the relevant criteria	Not relevant.
(h) A preliminary assessment to identify the likely environmental issues	A Preliminary Environmental Assessment has been submitted and reviewed by the Department.
(i) A completed application form	A completed application form is provided under separate cover.
(j) The prescribed application fee	The required application fee has been paid with the Environmental Assessment.
(k) The number of copies of application documents requested by the Department, including documents in electronic format	A total of 10 hard copies of the Environmental Assessment and supporting documents and two electronic copies of the application on CD are provided.
(l) Any other matters required by the Director-General, following consultation with the Department	Section 5.

1.8 Consultation

1.8.1 Environmental Assessment Requirements

The DGEARs require the following in relation to consultation:

> "*During the preparation of the Environmental Assessment, you should consult with the relevant local, State of Commonwealth government authorities, service providers or affected landowners.*
>
> *In particular you must consult with the:*
>
> - *Department of Natural Resources; and*
> - *Penrith City Council.*
>
> *The consultation process and the issues raised during this consultation should be described in the EA."*

1.8.2 Department of Natural Resources

In the preparation of the proposed Concept Plan and Stage 1 Project Application, extensive discussion have been held with the DNR regarding the flora and fauna impacts and hydrogeological impacts of the project. These discussions have been held between CSR and their representatives and DNR staff Paul Bourne and Brian Graham. The DNR has given its "in principle" support to the relocation of the south-eastern creek within the CSR Estate. A copy of this letter is contained in Appendix 17.

1.8.3 Penrith City Council

A development application was previously lodged with Penrith City Council for bulk earthworks being part of the development that comprises the project application.

Penrith Council and CSR have had long consultations through the assessment of previous DAs for the CSR Erskine Park Estate and the preparation of the abovementioned DA. Council Officers Craig Butler and Warwick Stimson have been consulted regarding the concept plan and project applications.

1.8.4 Other Consultation

There has been extensive consultation and in-principle agreements with the DNR and Department of Environment and Conservation in relation to the proposed stormwater management works and in particular the relocation of the existing creek in the southern part of the site. DEC staff member Ray Fowke has been party to these discussions. In addition, the Department of Natural Resources (Lands), as landowner of the Crown Road Reserve to the south of the CSR Estate have been involved in discussions throughout the preparation of the project application. CSR's consultation with the Department of Natural Resources (Lands) has occurred through John Filacamo.

Numerous discussions have been held with, and in-principle agreements obtained from, the NSW Department of Planning and the Department of Environment and Conservation, and the Commonwealth Department of Environment and Heritage in relation to the Biodiversity Strategy for Erskine Park.

Discussions have been held with servicing authorities and the RTA in relation to the provision of utility services and traffic management. In this regard, CSR and its subconsultants such as Brown Consulting, Pyramid Pacific, Eastview and K.R Stubbs and Partners have discussed servicing needs with Sydney Water, Telstra, Integral Energy and Agility.

CSR have also discussed the project application with other landowners in the vicinity of the site.

2. SITE AND CONTEXT

The site is located in Erskine Park in Western Sydney, approximately 45 kilometres from the Sydney CBD, 8 kilometres south-east of the Penrith town centre and 9 kilometres north-west of the Liverpool town centre (refer to Location Plan at **Figure 1**). It is part of the original 161ha CSR landholding in the Erskine Park Employment Area (EPEA).

The site is west of land being released in Eastern Creek under State Environmental Planning Policy No. 59 for employment generating purposes and has been identified in Sydney's Metropolitan Plan "City of Cities" as integral in the release of land for the creation of 100,000 jobs in Sydney's west.

The EPEA is an important regional hub for major logistics, distribution and production industries. With the recent completion of major infrastructure and services, the EPEA is able to accommodate significant demand for employment generating uses.

The site is located approximately 800m from the intersection of Lenore Lane with Erskine Park Road. Erskine Park Road connects with Mamre Road in the south. Mamre Road provides an arterial road function and connects the M4 Motorway in the north with Elizabeth Drive in the south at Mount Vernon. Mamre Road also connects with the Great Western Highway in the north which provides access to neighbourhoods between Penrith and Blacktown.

Erskine Park Road extends to the north to become Roper Road at Minchinbury and later Carlisle Avenue at Mount Druitt. The route is an arterial road that connects Erskine Park Road to both the M4 Motorway and the Great Western Highway.

The M7 Western Sydney Orbital road has recently been completed 2.5km east of the subject site parallel to Wallgrove Road, Eastern Creek. The M7 Motorway intersects with Old Wallgrove Road to the north-east of the site and Elizabeth Drive to the south-east. The EPEA Section 94 Contributions Plan proposes that Lenore Lane to the immediate north of the site be upgraded to a four lane industrial road standard for a distance of 2.3 kilometres to Ropes Creek for possible extension to the M7. Construction of Lenore Lane has been completed to just beyond the BlueScope access road – a distance of approximately 1.1km – and the Minister has recently announced a Part 3A Concept Plan Application for the regional road network for the area between the EPEA and the M7.

The land to which the applications relate is located south of Lenore Lane at Erskine Park, within the Penrith Local Government Area. This land is described as:

- Part of Lot 5 in DP 1094504, being 38.09 hectares in area. Lot 5 has a total area of 94.4 hectares; and
- land managed by the Department of Lands for the purposes of a Crown Road Reserve to the immediate south of the CSR Erskine Park Estate. This land has a total area of approximately 7.4 hectares, however, the construction works included in the project application only affects approximately 1.1 hectares.

The project is located within central and eastern portions of Lot 5. The earthworks will occupy an area of approximately 38 hectares. The associated stormwater works on the adjoining Crown Road Reserve to the south will occupy an area of approximately 1.1 hectares. The proposed area subject to works associated with the applications is referred to in this report as **the site** and is indicated on **Figure 2**.

The site is largely unused and mostly grass covered with some areas used for the stockpiling of topsoil and excess material from surrounding approved developments, which is proposed to be used as part of this proposal. The majority of the site comprises paddocks and bushland that are not utilised for any specific purpose and have had no history of industrial development.

3. PROJECT DESCRIPTION

3.1 Background – The Need for the Project

The Erskine Park Employment Area (EPEA) was created and zoned in 1993 as a major employment area in western Sydney. It has an area of approximately 540 hectares extending from Mamre Road in the west to the boundary of Ropes Creek in the east. Since 1993 planning has progressed and infrastructure augmented to the point today where the EPEA is zoned and fully serviced (including water, sewer, gas and electricity) and ready for development.

An increasing number of industries are establishing in this area with many recent approvals including the BlueScope Steel and Lysaght developments and a number of warehouse and distribution facilities. The BlueScope Steel development will provide approximately 120,000tpa of Colourbond steel for the building and manufacturing sectors. There are also other industries which will locate in the area to gain access to raw materials given BlueScope's presence. A major client of BlueScope Steel – Stramit Industries – has already located in Erskine Park indicating the synergies that are possible for industries co-located in the overall employment precinct.

Over the next few years, the CSR Limited lands at Erskine Park will be transformed into a major industrial precinct in Western Sydney. Major state significant developments have been approved by the Minister on the CSR lands at Erskine Park under the former State Environmental Planning Policy No. 34 – Major Employment Generating Industrial Development including:-

- BlueScope Steel Paintline and Service Centre (DA-206-8-2004-i), capital cost $170 million, approved December 2004;
- Coles Myer National Distribution Centre (DA-284-11-2004-i), capital cost $100 million, approved June 2005; and
- Lysaght Manufacturing and Distribution Centre (DA-255-10-2004-i), capital cost >$55 million, approved September 2005.

The CSR Erskine Park land is the largest land holding within the Erskine Park Employment Area, occupying some 112 hectares of land zoned for employment generating development. The EPEA forms part of the Western Sydney Employment Zone, incorporating the Eastern Creek Precinct of SEPP No. 59 (Eastern Creek Employment Area) and the Erskine Park Employment Area. This is the largest single employment precinct in metropolitan Sydney comprising some 1,370 hectares.

The need for new land releases in Sydney's west to provide employment opportunities for new residential communities has been a key feature of successive metropolitan planning strategies including Sydney Region Outline Plan (1968), Sydney into its Third Century (1988), Cities of the 21st Century (1995), Shaping Our Cities 1998, and Shaping Western Sydney. The recent strategy document, City of Cities – A Plan for Sydney's Future (the Sydney Metropolitan Strategy) identifies the NSW Government's 25 year plan for growth in Sydney. A target of 100,000 new jobs has been set for the North-West Sector, including the

Penrith Local Government Area. The Strategy identifies the Erskine Park Employment Area to be regionally important for future job creation, aimed to significantly assist in achieving the Metropolitan Strategy's job targets. Having the benefit of current zoning for employment generating uses, Erskine Park is immediately ready for development to fulfil this strategy objective.

3.2 Concept Plan Application

The project has the following objectives:

- To provide high quality serviced industrial land for subsequent development for employment generating uses;
- To provide the opportunity for an industrial neighbourhood that integrates with the emerging urban form;
- To provide potential for greater choice in industrial land;
- To design earthworks that achieve, as much as possible, a balance of cut and fill across the CSR lands to minimise the movement of fill material to and from the site;
- To facilitate the capping of the existing Erskine Park Quarry;
- To provide a development that incorporated principles of ecologically sustainable development;
- To provide a stormwater management strategy for the site that integrates with an overall strategy for the Erskine Park Employment Area;
- To comply with the planning controls applying to the site;
- To co-ordinate future industrial subdivision with the rehabilitation of the quarry and temporary works associated with the Estate.

Figure 3 presents the development concept for the site and provides for the provision of serviced, developable industrial land and the construction of a series of storage and distribution facilities on that land. The development reflected in the concept plan includes the following elements:

- earthworks, subdivision and associated infrastructure works, including stormwater management to provide serviced and level land for subsequent development (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the provision of an integrated stormwater management system to drain the site and approved and proposed roads, including the realignment of an existing creek towards the southern part of the site (this element of the Concept Plan is also the subject of the project application and is part of the first stage of the project);
- the use of the site for storage and distribution and associated uses generally in accordance with the Concept Plan (**Figure 3**);

- the construction of buildings with a maximum of 191,500m^2 of gross floor area and associated access, parking, stormwater management, services and landscaping generally in the locations as shown on the Concept Plan (the construction and use of one of these buildings for storage and distribution is also the subject of the project application and is part of the first stage of the project); and
- access arrangements generally in accordance with the Concept Plan (the construction of a cul-de-sac at the end of Road No 1 is also the subject of the project application and is part of the first stage of the project.

The Concept Plan process provides the opportunity for strategic issues associated with the development of the land including access, stormwater management, earthworks, other infrastructure requirements and the suitability of the site for development to be identified and resolved up front allowing for more detailed design and assessment of individual buildings and uses to take place as a subsequent stage in the development.

It is expected that approvals for buildings and works, other than buildings and works that form part of the Stage 1 Works Project Application, will require the subsequent approval of Penrith City Council under the provisions of Part 4 of the EP & A Act.

3.3 Stage 1 Works Project Application – Earthworks and Stormwater Management

The Stage 1 works comprise:

- cut and fill across 38 hectares of the CSR lands to create suitable building pads to enable future development for industrial uses;
- stormwater management works including the realignment of a creek line to the south-eastern corner of the site to enable a new drainage channel on the southern CSR boundary and the northern boundary of the adjoining Crown Road Reserve;
- the construction of a cul-de-sac head on the end of an approved road (Road 1 as approved by DA 04/1599) to be dedicated to the Council as a public road; and
- the construction of an industrial building having a gross floor area of 46,000m^2 comprising 45,000m^2 of storage and distribution space and 1,000m^2 ancillary office space and associated car parking, truck loading areas, utility services stormwater management works, landscaping and associated site works (refer **Figure 4**);
- the subdivision of Lot 5 into three lots to create two lots for future industrial development and a residual lot and the dedication of land as public road.

3.3.1 Earthworks

Earthworks are required to construct pads suitable for future industrial development, to manage stormwater and to form a turning area at the southern end of Road No 1. Earthworks have been designed to achieve a balance of cut and fill and to provide a source of clay for quarry capping following the completion of landfill activity on the adjoining quarry site.

The report by Brown Consulting (Appendix 2) describes the proposed earthworks and the processes to minimise site disturbance and double handling of materials. Plans of the proposed earthworks accompanying the project application are contained in the separate volume of drawings.

There is estimated to be a deficiency of some 125,000^3 from earthworks on the site with this material sourced from existing materials stockpiles resulting from work undertaken on the remaining areas of the CSR Erskine Park Estate east of the quarry in accordance with existing approvals for these sites. In this regard, the following pad levels, stockpiles and roadworks in the eastern portions of the CSR Erskine Park Estate will become sources of fill for the proposed development area. Pads 1, 2 and 3 have been created in accordance with consent to DA-04-1599 and Pad 6 and Road 3 were approved by DIPNR (DA-284-11-2004). A reference to soil stockpiles means the materials which have already been stockpiled on proposed pads 5 and 9.

Off-site Bulk Earthworks and Road Earthworks Sources

Source	**Materials Available (m^3)**
Pads 1, 2 and 3	85,000
Lot 21	61,000
Site Stockpiles	92,000
Road 3	81,000
	Total: 319,000

On the basis of the above, it is evident that there is more than sufficient material for fill for the pads proposed under this application. There is also a requirement for CSR to provide suitable materials to cap the existing Erskine Park Quarry. This requirement for between 100,000m^3 and 150,000m^3 of materials has been factored into the balance of cut and fill across the eastern portions of the CSR Estate. An indication of how the earthworks across the eastern portions of the CSR Estate balances is provided in the table below:

Source	**Balance (m^3)**
Pads 4, 5, 7, 8 and 9	- 122,491
Pad 21	+ 61,000
Pad 1, 2 and 3	+ 85,000
Road 3	+ 81,000
Site Stockpiles	+ 92,000
Quarry Capping	- 150,000
	Total: + 46,509

The balance of materials left as part of the bulk earthworks is proposed to be placed to reduce existing batter slopes and/or stockpiled to the south of the Quarry. On the basis of this minimal amount of surplus material, that the project achieves the objective of minimising earth movement to and from the site by providing independent management of areas to the east of the CSR lands, including obligations to the Erskine Park Quarry.

Section 2.2 of the Bulk Earthworks Report provides details on the sequencing of site works. Additional material may be required to be trucked to the site such as stabilising sandstone materials.

Due to the sloping nature of the site and the need to provide level building pad levels for subsequent industrial development, various pad levels will be established. These levels range in elevation from RL 49.5 up to RL 61.3. Details of each of the pad levels can be found in the Engineering and Bulk Earthworks Plans prepared by Brown Consulting in the drawings submitted as a separate volume to this EA.

3.3.2 Stormwater Management

A Stormwater Concept Plan has been prepared by Brown Consulting to accompany the applications (Appendix 4) and integrating with the stormwater management concept for the balance of the CSR eastern lands. This identifies the strategy for managing stormwater across the site and includes the relocation of an existing creek with the site and the management of stormwater after the formation of the proposed building pad levels. The stormwater concept plan involves a range of measures to controls minor and major flows on individual development lots and public roads. A combination of water quantity and water quality controls is proposed. Specific works incorporated into the project application are detailed in the plans contained in a separate volume and as outlined in the report.

Brown Consulting have modelled the existing and proposed stormwater conditions on the site and surrounding catchment. It was found that the modelled peak flows will be equal or less than the current flows while the rate and height of flow will rise more steeply due to the increase in the speed of runoff from greater impervious areas modelled. Modelling has been extended to adjoining downstream properties, including Lot 11 in DP 229784. The conclusion drawn by the stormwater report is that the On-Site Detention proposals associated with the development will maintain or lessen existing peak flows and the increase in velocity of stormwater flow in the realigned creek will be mitigated by extensive riparian revegetation and landscaping aimed at raising the roughness of the existing creekbed to slow water flows.

3.3.3 Creek Realignment

The stormwater works forming part of the Stage 1 project application include the realignment of an existing creek in the southern part of the site to the south-eastern corner. The report prepared by Brown Consulting at Appendix 3 describes these works. The proposed creek alignment will cover some 3 hectares in area (approximately 34m x 900m) and affect approximately 1.1 hectares on the northern side of the Crown Road Reserve. The creek will be diverted from the south-eastern corner of the CSR Erskine Park Estate to rejoin the existing creek south of the Erskine Park Quarry.

Works associated with the creek realignment include tree removal, earthworks to form an artificial drainage channel, installation of water quality and quantity treatments and comprehensive landscaping within and surrounding the new creek line. The new creek line, upon completion, will form a natural watercourse to provide for suitable wetland and dryland biodiversity conservation and a seamless integration with the existing creek downstream.

Landscape Plans for the planting of wetland, shrubs and dryland species adjacent to the formed banks of the creek have been prepared by John Lock and Associates. These plans are contained in streamworks report in Appendix 3. A Vegetation Management Plan has been prepared by GHD indicating principles for the control of weeds and revegetation of the creek bed and is located at Appendix 12. The VMP also includes a description of works required in two small areas located away from the Creek line to compensate for the reduced length of vegetated stream on the site. Both the Landscape Plans and Vegetation Management Plan are consistent with the Biodiversity Management Plan and Biodiversity Restoration and Implementation Plan and proposals prepared by Greening Australia NSW for the biodiversity conservation corridor.

3.3.4 Access and Internal Circulation

Access is provided from roads constructed under consents to DA 04-1599 and DA 284-11-2004 and a proposed temporary access road along the north-eastern boundary between Lenore Lane and the turning head of the approved road under DA 284-11-2004 (Road No. 3). This project application proposes the construction of a cul-de-sac at the end of an approved entry road to the CSR Estate (Templar Road) and the dedication of that cul-de-sac to Council.

The proposed building pads can be readily accessed from the existing road network.

3.3.5 Access to Adjoining Lands

The registration of DP1094504 created an easement in gross in favour of Penrith City Council for access over part of proposed Lot 5. This easement provides access from Road No. 1 (under construction) to Lot 11 in DP 229784. The proposed subdivision under this project application retains the above easement. The provision of this access from Road No. 1 to Lot 11 in DP 229784 provides for improved and effective access to Lot 11 in DP 229784. At the present time, the only access to this site is via a Crown Road Reserve, some 900m from the formed road pavement near Mamre Road.

3.3.6 ESD Initiatives

The following Ecologically Sustainable Development features, which are fundamentally riparian in nature, are inclusive in the design of the proposal:

- Provision of on site detention and stormwater quantity management devices;
- On site water quality ponds;
- Gross pollutant control measures for stormwater discharge;
- Early facilitation of an easily traversed internal road hierarchy to encourage public transport, pedestrian and bicycle usage.

3.3.7 Utilities

Services such as electricity, water and sewerage are available to the site and can be easily augmented for the proposed development. Details of existing services and means to provide new services are below.

Water Supply Strategy

Water will be supplied from mains in Mamre Road. It has been confirmed by Brown Consulting that drinking and fire service water can be supplied at a sufficient rate for street hydrants and normal water usage. Subsequent construction of buildings with sprinkler systems will most likely require a storage tank and booster pump.

Sewer

Investigations with Sydney Water indicate that sewage from the development can gravity feed to existing Sydney Water mains. Sydney Water's sewer drainage has the capacity to accept all the flows from the proposed development.

Electricity

Electricity services are available at a new substation constructed by Integral Energy on Erskine Park Road. High voltage lines will be laid within the CSR Estate and the individual requirements for each development of the proposed pads will determine the needs of each end user.

Communications

Telephone services will be reticulated underground within the site. Discussions with Telstra have shown that they envisage no difficulty in providing services.

Gas

Gas services are presently available in Templar Road to the north of the site.

3.3.8 Waste Management Strategy

Minimal waste is expected to be created from the proposed bulk earthworks. The works comprise the handling of soils and landscaping materials. If necessary, details on expected green waste generation in the land clearing and construction phases of the development will be supplied in the context of a site Construction Management Plan which forms part of the statement of commitments.

3.4 Subdivision

The proposed subdivision creates two lots for industrial development and a residual lot. A plan of the proposed subdivision is submitted with the project application drawings.

3.5 Stage 1 Works Project Application – Storage and Distribution Building

3.5.1 Description of the Building

The Stage 1 Project includes the construction of a warehouse and distribution facility with a gross floor area of some 46,000m^2 with associated landscaping, car parking and services on one of the pads (Pad H) created by the earthworks. The development comprises the

construction of a storage and distribution facility comprising one central warehouse building with associated surrounding outbuildings (gatehouse and fire water storage), employee car and heavy vehicle/trailer loading and comprehensive landscaping.

The building has been designed with loading and delivery areas to the north with loading potentially on the northern, eastern and western sides of the northern part of the building. This provides flexibility in loading and unloading activities with storage focussed on the main (southern) part of the building. The building dimensions are flexible to accommodate a variety of storage and racking and movement systems as might be required by subsequent tenants. The warehouse has an area of 45,000m².

Because no specific tenant has been identified, it is proposed that the use and occupation of the building will require subsequent approval.

Office Areas

A two storey office component is located at the north-east corner of the building. This provides attractive articulation of the building when viewed from the entry road and minimises the movements through the site of visitors and office staff. Together with the articulation provided by the loading dock structures and awnings, the office element results in a development that has an attractive presentation to the Road No 1 being a main entry road to the CSR lands.

The office and amenities area comprises 1,000m² of floorspace. Entry to the office space is proposed through a general reception area at the north east corner of the building with lift access to the upper level.

Gatehouse

A small gatehouse is processed from the street entry and provides sufficient space for on site queuing of arriving vehicles.

Building Height

The buildings will have a maximum height above ground floor level of approximately 13.55 metres to the ridge of the roof.

Setbacks

The following building setbacks have been observed around the site:

Side	Required Setback (Erskine Park DCP)	Proposed Setback
North	5m	5m
South	5m	7m
East	15m	15m
West	5m	10m

Site Coverage

The proposed buildings occupy approximately 45% of the identified site area.

External Materials and Colours

The proposed main building is to be constructed of structural steel with external concrete panel walls. The office component will comprise a mix of materials including glazing elements, panel and blockwork elements in the colours indicated on the application drawings. The roof will be a metal colorbond roof.

The colours and finishes of the buildings will be in accordance with the earthy tones as required by the Erskine Park Development Control Plan and will be subject to the preparation of further details prior to the release of a Construction Certificate for the development.

External Lighting

External lighting will be provided to enable staff and heavy vehicles to move around the site with safety. Lighting will be located primarily on the northern side of the building and will be designed in accordance with the minimum requirements of the current Australian Standards. A relatively lower level of ambient lighting shall be provided around the building perimeters to enable general surveillance and circulation lighting to enable safe circulation and amenity to staff while providing a reasonable level of surveillance. Luminaries will possess cut off angles to minimise spill lighting (upwards and adjacent) and avoid glare.

3.5.2 Access, Internal Circulation and Parking

Site access and parking arrangements are described and assessed in the Traffic Impact Assessment prepared by Traffix and contained in Appendix 11. The proposed building is accessed from the new cul-de-sac at the southern end of a new industrial road recently named Templar Road. Separate accesses are proposed for cars and heavy vehicles with the staff and visitor entry serving a separate and discrete car parking area.

The heavy vehicle entry serves the loading docks and associated hardstand manoeuvring areas. In this way there is effective and very clear separation of car and heavy vehicle traffic movement.

The internal circulation arrangements are designed to accommodate all classes of vehicles up to and including B-Doubles.

The existing internal road network at Erskine Park is designed to accommodate public transport movements should services be extended in the future.

Parking is proposed for 264 cars including disabled parking. These spaces are located in two areas to the east and south west of the main building. This parking is considered suitable for the proposed use of the building for storage and distribution and is based on actual tenant enquiries. Parking is discussed further in the Traffic Impact Report contained in Appendix 11.

3.5.3 Signage

No signage is proposed as part of this application. Separate application will be made for building identification signage if required.

3.5.4 Proposed Landscaping

Landscape concept design is shown on the project application drawings. It is proposed that a detailed landscape plan will be prepared in accordance with Council's Landscape Development Control Plan for the approval of Penrith City Council prior to a Construction Certificate being issued. The landscape concept submitted with the application indicates extensive landscaping around all boundaries of the site and within car parking and staff breakout areas. Proposed landscape treatment for this site has been formulated in order to:

- Visually soften the built structures yet maintain clear sight lines from the proposed road into the site.
- Enhance the human scale and human psychological comfort within an otherwise large and open physical environment;
- Establish an aesthetically attractive landscape setting which exhibits clean, strong, contemporary lines, to compliment the architectural form and the contemporary design of the proposed building;
- Ameliorate the physical environment, especially;
    - o solar penetration to buildings and parking areas; and
    - o wind
- in order to enhance and maximize human physical comfort; and
- Highlight vehicular and pedestrian access points.

3.5.5 Stormwater Management

A stormwater management concept for the proposed building and its site has been developed by Brown Consulting and is contained in Appendix 5. A series of measures are proposed to manage minor and major flows from the site and the roof of the building. Surplus roof water will be discharged without treatment and will be detained in on-site detention tanks to ensure that post-development flows do not exceed pre-development flows. Run-off from hardstand areas will be directed to a bio-retention basin adjacent to the proposed on-site detention for treatment prior to discharge off-site.

3.5.6 Employment

It is estimated that the proposed facility will employ approximately 250 persons during its initial operation.

3.5.7 Hours of Operation

The proposed storage and distribution facility is likely to be used 24 hours a day and 7 days per week.

3.5.8 Waste Management Strategy

During Construction

A Construction Management Plan (CMP) will be prepared by the contractor prior to commencement of construction activity to comment upon waste generation and processing during demolition and construction phases of the development. This CMP will outline waste processing strategies for a range of matters including building materials recycling and building waste handling.

During Operation

A Waste Management Plan will be prepared by the subsequent tenant or owner of the building. As stated above, it is proposed that the occupation of the building will be the subject of a separate application and approval.

3.5.9 ESD Initiatives

The following Ecologically Sustainable Development features are inclusive in the design of the proposal:

- Orientation of the building to maximise solar access and thereby reduce energy consumption;
- Provision of on site detention and roof water reuse is encouraged;
- On-site water quality ponds;
- Gross pollutant control measures for stormwater discharge; and
- Water sensitive irrigation of landscaping.

3.5.10 Utilities

Water Supply Strategy

Water will be supplied from mains in Templar Road and will be extended as required to meet the needs of the development. New reticulation mains will be extended from the existing internal mains to service the new buildings as required. Initial investigations suggest that domestic booster pumps will be required, as the pressure within Sydney Water mains is not sufficient. On-site storage of fire water is likely to be required

Sewer

Investigations with Sydney Water indicate that sewage from the development can gravity feed to existing Sydney Water mains. Sydney Water's sewer drainage has the capacity to accept all the flows from the proposed development.

Electricity

Electricity services to the proposed building will be provided via an underground service from the local supply authority network. Emergency electricity supplies can be provided from a generator within the building if required by a subsequent tenant or owner.

Communications

Telephone services will be reticulated underground within the site to the proposed building as required. There will be separate conduits for each communications company carrier.

Gas

Gas has been being extended to the area to serve the BlueScope development on the adjoining site to the north. At this stage it is not proposed to extend this service to the proposed building.

3.6 Staging of the Project

The earthworks will be undertaken in stages to ensure a balance of cut and fill and to utilise existing stockpiles from surrounding approved developments. The objective of the staging is to minimise the potential for a large amount of surplus material following completion of work within the CSR Erskine Park Estate. The Bulk Earthworks Report contained in Appendix 2 contains details of the proposed project staging.

The development on the building pads formed by the earthworks will occur in accordance with market demand. The first building is being constructed as a speculative building suitable to a wide range of potential tenants in storage and distribution. It is envisaged that subsequent DAs will be lodged for other storage and distribution facilities in the remaining area covered by the Concept Plan. A determination to this effect by the Minister for Planning in relation to the approval of the Concept plan is invited.

3.7 Construction Management

A construction management plan will be prepared for the development. This will incorporate soil erosion and sedimentation control measures as outlined in the Stormwater Management Plan prepared by Brown Consulting contained in Appendix 3. Construction (including earthworks) is expected to take 20 months.

3.8 Capital Investment Value

The capital investment value of the Concept Plan is $200 million and the Stage 1 Project Application is $43 million.

3.9 Alternatives Considered

The preparation of the Concept Plan and the Stage 1 Project Application is the culmination of an extensive period of investigation, discussion and review over the last 3 years. Over this time a number of developments have been approved adjoining the site that has resulted in the site that is the subject of this application. A number of elements in the development of the site have been fixed, including the location of Templar Road (Road 1) being the main access road on the southern side of Lenore Lane to the CSR eastern landholding.

Development consents for the BlueScope development and the previous proposal for the Coles Myer Distribution Facility define the north-western and south-eastern boundaries of the site.

The process of discussion and review with public authorities has resulted in agreement in principle to the Biodiversity Management Plan and the realignment of the south-eastern creek to be located within the proposed biodiversity corridor. Agreement to the corridor and its management regime has enabled the resulting employment lands to be confirmed. The project is consistent with the Biodiversity Management Plan.

The Concept Plan has been designed to allow considerable flexibility in future development by providing building pads that can be adapted to a variety of uses and subsequent subdivision patterns. This will assist in enabling the site to respond to the needs of industry and facilitate the creation of buildings and jobs in the area.

4. LEGISLATIVE FRAMEWORK

4.1 Relevant Acts

Environmental Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 ("the EPBC Act") commenced on 16 July 2000. The Act introduces a new assessment and approvals system for:-

- actions that have a significant impact on matters of national environmental significance;
- actions that have a significant impact on the environment of Commonwealth land; and
- actions carried out by the Commonwealth Government.

Under the assessment and approval provisions of the EPBC Act, actions that are likely to have a significant impact on a matter of national environmental significance are subject to a rigorous assessment and approval process. An action includes a project, development, undertaking, activity, or series of activities.

The Act identifies seven matters of national environmental significance:-

- World Heritage properties;
- National Heritage places;
- Ramsar wetlands of international significance;
- nationally listed threatened species and ecological communities;
- listed migratory species;
- Commonwealth marine areas; and
- nuclear actions (including uranium mining).

The Commonwealth Government is considering amendments to the EPBC Act and its regulations to include "greenhouse triggers" and "access to biological resources".

There are no relevant World Heritage properties, National Heritage places, Ramsar wetlands, Commonwealth marine areas or Commonwealth lands on or near to the site.

The Flora and Fauna Report prepared by HLA-Envirosciences contained in Appendix 7 has identified that the proponent is required to refer the proposed action to the Commonwealth Environment Minister. The Minister will determine whether the project is a "controlled action" (i.e. an action that requires the approval of the Environment Minister).

4.2 State Environmental Planning Policies

State Environmental Planning Policy (Major Projects) 2005

State Environmental Planning Policy (Major Projects) 2005 was gazetted in May 2005 and aims to identify development of economic, social or environmental significance to the State or regions of the State, so as to provide a consistent and comprehensive assessment and decision-making process for that development. The Minister for Planning is the consent authority for development of the type, value or in a location, generally as identified in the SEPP, and Part 3A of the Act applies to the development, referred to as "projects" or "major projects".

Subsection 6(1) of the SEPP specifies that:-

> *"Development that, in the opinion of the Minister, is development of a kind:*
>
> *(a) that is described in Schedule 1 or 2 …*
>
> *is declared to be a project to which Part 3A of the Act applies."*

Schedule 1 of the SEPP is entitled "Part 3A Projects – Classes of Development". Clause 12 of Schedule 1 of the SEPP contains the following description:-

> *"Development for the purposes of container storage facilities, or storage or distribution centres, with a capital investment value of more than $30 million"*

The Minister has expressed an opinion that the project is a major project to which Part 3A applies.

State Environmental Planning Policy No. 11 (Traffic Generating Developments)

State Environmental Planning Policy No. 11 (Traffic Generating Developments) ("SEPP 11") establishes the Roads and Traffic Authority as the traffic management authority to be consulted in relation to development proposals, and ensures it is given the opportunity to make a representation on a development application before the consent authority decides whether to approve a proposal. Schedules 1 and 2 of SEPP 11 identify forms of development which are required to be subject to varying levels of consultation.

Based on the amount of parking likely to be generated by the eventual development of the site, the schedules of SEPP 11 may require that subsequent applications be referred to varying levels of authorities for comment.

State Environmental Planning Policy No. 55 (Remediation of Land)

State Environmental Planning Policy No. 55 (Remediation of Land) ("SEPP 55") aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying that certain

considerations be made by the consent authority when determining development applications in general, and by requiring that remediation work meets certain standards.

A Phase 1 Environmental Site Audit (ESA) for the CSR Erskine Park Estate has been undertaken of the site and surrounding lands. The eastern part of the CSR lands has been predominantly undeveloped except for low impact activities such as grazing and aero club activities. The report (Appendix 9) finds no evidence of any contamination related constraint to future industrial development of the site.

Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport

The NSW Government has exhibited a package of planning guidelines and policies for public comment, collectively known as the Integrating Land Use and Transport Policy Package ("the policy package"). The policy package, prepared by Planning NSW in association with Transport NSW and the Roads and Traffic Authority, applies primarily to the Sydney Greater Metropolitan Region, and has been developed with the primary aim of reducing car dependency and providing more equitable access to jobs and services.

The policy package has been prepared in order to implement strategies and achieve the aims identified in earlier strategies including Shaping Our Cites (the metropolitan planning strategy for the Greater Metropolitan Region of Sydney), Action for Air (the State government's air quality management plan), Action for Transport 2010 (the NSW transport plan), and the National Greenhouse Strategy. Further, the policy package aims to achieve a range of social, environmental and economic goals including equity, improved neighbourhood amenity and lower road congestion.

The policy package comprises the following components:

- Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport (draft SEPP 66);
- The Right Place for Business and Services: Planning Policy ("the Planning Policy");
- Improving Transport Choice: Guidelines for planning and development ("the Guidelines"); and
- Employment and Journey to Work Patterns in the Greater Metropolitan Region.

<u>Aims</u>

Clause 2 of draft SEPP 66 states as follows:

> *"This policy aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve the following planning objectives:*
>
> *(a) improving accessibility to housing, employment and services by walking, cycling, and public transport,*
>
> *(b) improving the choice of transport and reducing dependence solely on cars for travel purposes,*

(c) moderating growth in the demand for travel and the distances travelled, especially by car,

(d) supporting the efficient and viable operation of public transport services,

(e) providing for the efficient movement of freight."

The proposed development is not inconsistent with these aims. The site is in a location with good access to the existing and proposed motorway system and to arterial roads. It is an identified employment zone and a focus for public and private investment. Improvements to the surrounding road system will make the site more accessible and more attractive to public transport operators. The potential connection from Lenore Lane to Old Wallgrove Road and the M7 provides improved opportunities for better public transport from Blacktown to St Marys and Mt Druitt town centres.

Matters to be Considered in the Determination of an Application

When in force, the draft SEPP will require various matters to be taken into account in the determination of an application. These matters are listed in Clause 3(2)(a)-(g). They include:

a) the aim and planning objectives of the policy;

b) the Integrated Land Use and Transport Policy Package;

c) the need to moderate and manage travel demand, particularly in the way traffic impacts are studied, assessed and acted upon; and

d) *the provision of an urban structure that will assist the viability of, and encourage walking, cycling and public transport use.*

Guiding Principles

Clause 9 of the draft SEPP requires that when determining a DA to which the policy relates, the consent authority must consider a number of matters including whether carrying out the development will further the aims and the planning objectives of the policy and whether the development is consistent with the policy on location of specific land uses and the general policies in the Integrated Land Use and Transport Policy Package or "complies with Clause 10".

Clause 10 provides that a development need not be consistent with the Policy if it is justified by a detailed strategy or plan:

a) that clearly supports the inconsistency because of local or regional circumstances; and

b) that will further the aim and the planning objectives of the policy.

The proposed development is consistent with the provision of the Integrated Land Use and Planning Policy package for the reasons outlined above.

4.3 Regional Environmental Plans

Sydney Regional Environmental Plan No. 20 - Hawkesbury - Nepean River

The CSR land falls within the area covered by Sydney Regional Environmental Policy (SREP) 20 Hawkesbury-Nepean River (No.2 –1997).

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

SREP 20 identifies that the site is located in the South Creek catchment. The site does not fall within any other areas of significance (e.g. wetlands, cultural heritage sites, or national parks and nature reserves) pursuant to the REP.

Part 3 of the REP lists various specific land uses and indicates whether any of the listed uses require consent, are prohibited and/or require the concurrence of another authority. None of the land uses specified are relevant to the development proposed with the exception of filling of land which forms part of the earthworks for the project.

It should be noted that the site of the proposed development does not fall within an "environmentally sensitive area", as defined in Part 2 of the SREP 20 (No. 2 – 1997).

General Planning Considerations

The REP has the following general planning considerations that are relevant to the proposal:

- to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context;
- whether there are any feasible alternatives to the development;
- the relationship between the different impacts of the development and the environment, and how these impacts will be addressed.

One of the other general planning considerations of the REP is to take into consideration the strategies listed in the Action Plan for the Hawkesbury-Nepean Environmental Planning Strategy. These strategies are in the main the same as those within the REP.

Specific Planning Policies and Recommended Strategies

In relation to specific policies and recommended strategies, the following are considered relevant to the project:

Total Catchment Management

This policy provides that total catchment management is to be integrated with environmental planning for the catchment. The following considerations are highlighted in the REP policies:

- Strategy (a) – "Impact on adjacent local government areas" – the site is close to the Blacktown Council area. The site is approximately 870 metres west of Ropes Creek which forms the boundary between the Cities of Penrith and Blacktown.

- Strategy (b) – "Impact on the catchment" – Given the nature of the development and the principles to be incorporated in the stormwater management system, the proposed development is not expected to lead to a significant impact on the water catchment.

- Strategy (c) – "Cumulative environmental impact" – The cumulative impacts of the proposed development with other development in the area has been considered in the investigations leading to the rezoning and the preparation of the EPEA DCP. The impact on the existing stormwater drainage system of the proposed development is considered in the stormwater management plan prepared by Brown Consulting.

Environmentally Sensitive Areas

This policy provides that the environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of land use changes and through management and remediation of existing uses. The site has not been identified in the REP as an environmentally sensitive area.

Water Quality

This policy provides that future development must sustain the goals of primary contact recreation and aquatic ecosystem protection in the river system. Relevant recommended strategies and the implications for the site include:

(a) Quantify, and assess the likely impact of, any predicted increase in pollutant loads on receiving waters.

(b) Consider the need to ensure that water quality goals for primary contact recreation and aquatic ecosystem protection are achieved and monitored.

(c) Approve development involving primary contact recreation or the withdrawal of water from the river for human contact (not involving water treatment), such as showers, only in locations where water quality is suitable (regardless of water temperature).

(d) Do not carry out development involving on-site disposal of sewage effluent if it will adversely affect the water quality of the river or groundwater. Have due regard to the nature and size of the site.

(e) Develop in accordance with the land capability of the site and do not cause land degradation.

(f) Consider the need for an Erosion and Sediment Control Plan (to be in place at the commencement of development) where the development concerned involves the disturbance of soil.

(g) Minimise or eliminate point source and diffuse source pollution by the use of best management practices.

(h) Site and orientate development appropriately to ensure bank stability. Plant appropriate native vegetation along banks of the river and tributaries of the river, but

not so as to prevent or inhibit the growth of aquatic plants in the river, and consider the need for a buffer of native vegetation.

(i) Consider the impact of the removal of water from the river or from groundwater sources associated with the development concerned.

(j) Protect the habitat of native aquatic plants.

In relation to the above recommended strategies, the proposed development adopts suitable environmental controls and principles, such as best practice sewerage and stormwater management and erosion and sedimentation controls (see Appendix 4 in this regard).

Water Quantity

This policy provides that aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment.

It is considered that the proposed development will achieve the recommended strategies of the policy, where relevant, as follows:

(a) Future development must be consistent with the interim or final river flow objectives that are set for the time being by the Government.

(b) Ensure the amount of stormwater run-off from a site and the rate at which it leaves the site does not significantly increase as a result of development. Encourage on-site stormwater retention, infiltration and (if appropriate) reuse.

(c) Consider the need for restricting or controlling development requiring the withdrawal or impoundment of water because of the effect on the total water budget of the river.

(d) Consider the impact of development on the level and quality of the water table.

Flora and Fauna

This policy provides that the ecological processes of the catchment must be managed so that the diversity of flora and fauna communities, species and genetics is conserved and enhanced. Key strategies are as follows:

(a) Conserve and, where appropriate, enhance flora and fauna communities, particularly threatened species, populations and ecological communities, aquatic habitats, wetland flora, rare flora and fauna, riverine flora, flora with heritage value, habitats for indigenous and migratory species of fauna, and existing or potential fauna corridors.

(b) Locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land.

(c) Minimise adverse environmental impacts, protect existing habitat and, where appropriate, restore habitat values by the use of management practices.

(d) Consider the impact on ecological processes, such as waste assimilation and nutrient cycling.

(e) Consider the range of flora and fauna inhabiting the site of the development concerned and the surrounding land, including threatened species and migratory

species, and the impact of the proposal on the survival of threatened species, populations and ecological communities, both in the short and longer terms.

(f) Consider the need to provide and manage buffers, adequate fire radiation zones and building setbacks from significant flora and fauna habitat areas.

(g) Consider the need to control access to flora and fauna habitat areas.

(h) Consider the need to maintain corridors for fish passage, and protect spawning grounds and gravel beds.

The impacts of the proposed development on flora and fauna of the site is discussed in Section 5.5.3 and Appendix 7. The impacts of the project on existing flora and fauna is assessed in the context of the mitigative measures incorporated into the EPEA Biodiversity Strategy 2005 to be implemented through the Biodiversity Management Plan.

4.4 Local Environmental Plans

Penrith Local Environmental Plan - Erskine Park Employment Area LEP 1994

General LEP Objectives

Penrith Local Environmental Plan 1994 (Erskine Park Employment Area) ("the LEP") has the following objectives.

Aims:

(a) to make land available for economic and employment generating development in the City of Penrith, and

(b) to promote development which is consistent with the council's vision for the City of Penrith contained in its Strategic Management Plan, namely, one of a region having a harmony of urban and rural qualities with a strong commitment to environmental protection and enhancement, and

(c) to promote development which observes responsible and environmentally sound management practices to minimise any adverse environmental impact of that development on surrounding localities.

Objectives:

(a) to provide a planning framework which allows development control plans and a staging plan to supplement the controls embodied in this plan, and

(b) to preserve the amenity of the residential communities of Erskine Park and St Clair, and

(c) to require development to be assessed in accordance with, and to observe, sound environmental planning principles, and

(d) to require development to observe relevant environmental performance criteria, and

(e) to promote the development of land for industrial land uses which require a variety of land types, and

(f) to promote a variety of employment based activities whilst protecting the viability of existing business centres, and

(g) to create an environmentally attractive and safe work environment, and

(h) to promote development which is efficient in terms of transportation, energy and land utilisation, and

(i) to make land available to accommodate all required special land uses including roads, drainage and other infrastructure, and

(j) to facilitate the appropriate provision of, or of funding for, major infrastructure works, and

(k) to limit the potential risk to life and property from flood events, and

(l) to maximise conservation of urban bushland, and

(m) to prohibit offensive and hazardous industries and other industries specified in this plan, and

(n) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road.

The proposed development is consistent with the aims and objectives of the LEP. The development provides for the promotion of large-scale employment activities in the locality without significant adverse effects on environmental factors such as infrastructure, transport, access, contamination, biodiversity, flooding, salinity, noise, views, etc. This Environmental Assessment and its accompanying specialist studies demonstrate that the proposal can be undertaken without significant adverse environmental impacts. As the aims and objectives of the LEP include considerations of environmental protection/conservation, we note that flora and fauna impact assessment for the site and the adjacent Crown Road Reserve have been prepared by HLA-Envirosciences and demonstrate that the development will not have any significant impacts on the ecology of the locality.

With respect to impacts on surrounding localities, all matters relating to the adjoining lands, including flora and fauna, flooding and road access impacts have been addressed in this EA.

Zoning and Zone Objectives

The site is located primarily on land within Zone No 4(e) (Employment Zone) and partly on land within Zone No 4(e1) (Employment – Restricted Zone) – see **Figure 5**.

The objectives of Zone No 4(e) (Employment Zone) are:

(a) to prohibit certain development which is likely to have an adverse environmental effect on the amenity of adjoining localities, and

(b) to provide opportunities for a diverse range of employment generating activities, and

(c) to accommodate office and retail activities, which are primarily intended to service persons working in the Erskine Park Employment Area, and

(d) to permit development for the purposes of recreation facilities, child care centres or community facilities in association with, or independent of, other permitted development to serve the needs of the workforce of the Area and the adjoining residential communities, and

(e) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road, and

(f) to promote development of land with frontage to Mamre Road and Erskine Park Road if all buildings or works resulting from the carrying out of development will, by their architectural and landscape design, enhance the rural scenic character of those roads and their roles as gateways to the City of Penrith.

The objectives of Zone No 4(e1) (Employment - Restricted Zone) are:

(a) to prohibit certain development which is likely to have an adverse environmental effect on the amenity of adjoining localities, and

(b) to promote development which does not have an adverse environmental effect on the adjoining residential and rural communities arising from air, noise or other pollution, and

(c) to permit retail activities which are:

(i) compatible with the concept of the employment area, and

(ii) unlikely to prejudice the viability of existing business centres,

or are primarily intended to service persons working in the Erskine Park Employment Area, and

(d) to permit office development of a type which:

(i) would not be readily located in a traditional business zone, and

(ii) would be unlikely to prejudice the viability of existing business centres, and

(e) to permit development for the purposes of recreation facilities, child care centres and community facilities in association with, or independent of, other permitted development to serve the needs of the workforce of the Area and the adjoining residential and rural communities, and

(f) to prohibit development of land for any purpose if, as a result of carrying out the development, there will be direct vehicular access between that land and either Erskine Park Road or Mamre Road, and

(g) to promote development of land with frontage to Mamre Road and Erskine Park Road if the buildings or works resulting from the carrying out of the development will, by their architectural and landscape design, enhance the rural scenic character of those roads and their roles as gateways to the City of Penrith.

The proposal is considered to be consistent with each of the objectives of the 4(e) and 4(e1) zones where relevant. The environmental goals of the LEP are observed by the proposed development.

Permissible Uses

A wide range of uses are permissible with Zone No. 4(e) and Zone No. 4(e1). The prohibited developments in each of the zones are listed in the following table:

Zone No. 4(e)	*Zone No. 4(e1)*
Amusement parks; boarding houses; camp or caravan sites; dwellings (other than those used in conjunction with other land uses that are not prohibited in this zone and situated on the land on which such other uses are conducted); general stores; generating works; industries listed in Schedule 2; junk yards; motor showrooms; offensive or hazardous industries; offensive or hazardous storage establishments; office premises (other than those ancillary to, and used in conjunction with, another land use that is not prohibited in this zone or which are primarily intended to service persons working in the Erskine Park Employment Area); shops (other than those primarily intended to service persons working in the Erskine Park Employment Area).	*Amusement parks; boarding houses; camp or caravan sites; dwellings (other than those used in conjunction with other land uses that are not prohibited in this zone and situated on the land on which such other uses are conducted); general stores; generating works; industries listed in Schedule 2; junk yards; materials recycling yards; motor showrooms; offensive or hazardous industries; offensive or hazardous storage establishments; shops (other than those primarily intended to service persons working in the Erskine Park Employment Area or shops trading principally in bulky goods or motor vehicle parts and accessories); vehicle body repair workshops; waste disposal.*

Further to the above, the Schedule 2 industries of the LEP include:

> *abattoirs, chemical factories or works, crushing, grinding or milling works, extractive industries, gasholders, liquid, chemical, oil or petroleum waste works, liquid fuel depots, metallurgical works in which more than 100 tonnes per annum of ferrous or non-ferrous metals or their ores are processed, mines, oil refineries, paper or pulp works, petroleum product storage and processing works, pre-mix bitumen works, rubber or plastic works, sawmills and scrap recovery or drum reconditioning works.*

The proposed development does not include any of the above prohibited or Schedule 2 uses.

Development in Zone No. 4(e1)

Clause 19 of the LEP specifically applies considerations to development in the 4(e1) zone. These considerations are listed below.

(a) *wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and*

(b) *goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and*

(c) *the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and*

(d) *noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and*

(e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and

(f) windows facing residential areas, or from which residential areas might be viewed, have been treated to avoid overlooking of private yard space or windows in residences, and

(g) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and

(h) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.

Within this zone the proposed development is located some 320m to the north of the nearest residential land use located with rural land to the south of the Sydney Water Catchment water pipelines. The proposed warehouse and distribution building has been designed to ensure that loading activity is on the northern side of the building and screened by the building itself from the existing residential uses some distance to the south. The separation distance and the intervening vegetation will mean that the proposed development is not visible from these residential uses to the south.

4.5 Development Control Plans

The following sections provide an assessment of the proposal against the objects and provisions of the Erskine Park Employment Area DCP 2002 and other DCPs relevant to the application.

An assessment against the Erskine Park Employment Area DCP is required by the Director-General's Environmental Assessment requirements, a copy of which is found in Appendix 1.

A draft Development Control Plan for the Penrith LGA was exhibited during March and April 2006. The Erskine Park Employment Area DCP has been reproduced in full as a component of this draft DCP.

Erskine Park Employment Area Development Control Plan 2002

In December 2002, Penrith City Council gazetted the Erskine Park Employment Area Development Control Plan ("the DCP"). An assessment of the proposal against the objectives and specific controls of the DCP is contained below.

Clause 4(5) of the Erskine Park LEP states that development consent must not be granted unless the Council is satisfied that the proposed development is consistent with the provisions, and the objectives, of any development control plan prepared in respect of the land to which the development application relates.

Objectives of the DCP

The objectives of the plan are to:

(a) provide a framework that will lead to a high standard of development in the Erskine Park Employment Area encouraging local employment and creating an area which is pleasant, safe and efficient to work in;

(b) ensure that development takes account of the physical nature of the local environment, particularly Ropes Creek, ridgelines and the natural landscape;

(c) ensure that development does not result in pollution of waterways and in particular of Ropes Creek and South Creek;

(d) promote the development of a visually attractive physical environment where the form, scale, colour, shape and texture of urban elements are managed in a way which will achieve an aesthetically pleasing balance which does not adversely affect the amenity of the existing residential areas;

(e) identify and provide for public amenities and service infrastructure to accommodate development in the Erskine Park Employment Area;

(f) promote the creation of a landscaped area within the electricity transmission easement to act as a buffer between the employment zones and the residential communities;

(g) establish environmental criteria and controls for development within the area to ensure that the environmental quality of adjoining areas is not compromised;

(h) ensure that development is consistent with the objectives of the Threatened Species Conservation Act with particular regard to the endangered ecological communities, flora and fauna present on the site; and

(i) facilitate conservation of urban bushland;

(j) protect, restore and enhance riparian corridors within the Erskine Park Employment Area.

The concept plan and project application are in keeping with each of the above objectives as follows:

(a) the development provides a framework for high quality development in the EPEA by the provision of appropriate servicing infrastructure and a building pad layout responding to the local environmental context;

(b) The proposed pad levels take into account the physical context of the area in that the natural landscape and watercourses have been considered. The physical form of development in the future will dictate the response of the built form to ridge lines and view sheds of the site;

(c) The proposed stormwater control design and associated gross pollutant treatment strategies, including the realignment of the creek, ensure that pollution of waterways, including discharge to South Creek, will be minimised;

(d) The proposed storage and distribution building has been design to present an attractive and modelled façade to Templar Road, the main entry road. Existing and proposed landscaping will screen the view of the building from the south and west;

(e) All utility services are available and can be readily augmented to meet the needs of the development;

(f) Not applicable;

(g) The DCP objectives and controls for "Environmental Quality" have established the criteria under which the proposed development is to be assessed. This assessment is contained in Appendix 16 of this Environmental Assessment;

(h) The Flora and Fauna Impact Assessment contained within Appendix 7 has addressed these issues;

(i) The proposed development is consistent with the agreed management strategies in the Biodiversity Management Plan which puts in place specific provisions for the restoration and conservation of bushland; and

(j) The proposed development includes the establishment and revegetation of a riparian corridor to the south of the site and additional compensatory planting areas as outlined in the Vegetation Management Plan accompanying this application.

Specific Objectives and Development Controls of the DCP

The table in Appendix 16 assesses the project application and concept plan against the objectives and controls in the DCP where relevant.

Contaminated Land Development Control Plan 1999

Objectives and Policy Statement

The Contaminated Land DCP contains the following objectives:

- to enable Council to more adequately identify, record and manage known and potentially contaminated land.
- to provide direction for Council in the gathering and assessment of information in relation to previous land use activities that may have resulted in contamination.
- to assist Council in the discharge of its functions and responsibilities in relation to existing and potential land contamination with reasonable care and due diligence to minimise potential risk to both public health and the environment.
- to inform the community, particularly those interested or involved in the planning and development process, of Council's procedures relating to existing or potential land contamination
- to ensure that all stakeholders are aware of their responsibilities for the ongoing management of contaminated land.

Section 9.1 of the DCP states that Council's Policy Statement in relation to Development Applications is as follows:

> *In determining applications for rezoning or development, Council will fully consider the possibility of land contamination and the implications it has for ant proposed future use of the land. A precautionary approach will be taken to ensure that any land contamination issues are identified and dealt with early in the planning process. Accordingly, Council will:*

(a) proceed with the rezoning or development applications according to its usual practice if the site has been proven suitable for the proposed uses without the need for further testing or treatment; or

(b) proceed with the rezoning or development application according to its usual practice if the site has been proven to be capable of being remediated to a standard that is suitable for the proposed use either in its contaminated state or after remediation; or

(c) request the applicant to provide additional information; or

(d) refuse the application with stated reasons.

Recommended Procedures

Clause 9.3 of the DCP states the following:

> If contamination is, or may be, present the proponent must investigate the site and provide Council with the information it needs to carry out its planning functions. The appropriate level of investigation will depend on the circumstances and may involve one or more of the following stages:

Stage 1 – Preliminary Investigations

The objectives of a *preliminary investigation* are to identify any past or present potentially contaminating activities; to provide a preliminary assessment of any site contamination; and to provide the basis for a more detailed investigation if required. It should contain a detailed site history and include results of a visual site inspection and assessment.

A Phase 1 Environmental Site Audit (ESA) for the CSR Erskine Park Estate has been undertaken of the site and surrounding lands. The eastern part of the CSR lands has been predominantly undeveloped except for low impact activities such as grazing and aero club activities. The report (Appendix 9) finds no evidence of any contamination related constraint to future industrial development of the site.

Advertising Development Control Plan

No application is made for any signage within the site. Accordingly, the provisions of the Advertising Development Control Plan will not apply until subsequent applications are lodged for corporate signage and directional signage associated with industrial developments.

Crime Prevention Through Urban Design (CPTED) Development Control Plan

Application is made for project approval for the construction of a storage and distribution facility. The facility has been designed to ensure safety of staff and visitors with active areas overlooking the street and parking areas. Landscaping will be designed in detail to minimise opportunities for hiding spots.

Landscape Development Control Plan 2002

Objectives

- Implement Penrith Council's Vision Statement "a harmony of urban and rural qualities with a strong commitment to the environmental protection and enhancement offering a cosmopolitan lifestyle with a casual rural character".
- Promote landscape planning and design as part of a fully integrated approach to site development.
- Encourage the development of quality landscapes associated with new developments that are consistent with industry best practice.
- Adopt the principles of Ecologically Sustainable Development in the protection and enhancement of Penrith's landscape structure, diversity, amenity and character.
- Retain and protect the long term viability of remnant bushland, existing trees, canopy cover and landscape features.
- Ensure landscaping proposals adequately complement the proposed built forms and minimise the impacts of scale, mass and bulk of the development on the existing area and surrounding streetscapes, view sheds and neighbourhood amenity.
- Ensure that proposed landscape designs provide functional attributes such as privacy, shade and wind protection which at the same time discourages the opportunity for crime and vandalism.
- Advise that Council will require quality landscape works for all relevant developments and that the landscaping must be maintained to a high standard for the life of that development.

Categorisation

Pursuant to Section B2 of the DCP, the proposed development is classified as a Category 3 development , comprising works in excess of $2M. This means that the landscape designer should be listed on Council's Approved Landscape Consultant's Register. The landscape design firm John Lock and Associates, is listed on the register. It is proposed that detailed landscape concepts for the proposed storage and distribution facility will be provided for the approval of Council prior to Construction Certificate.

Heritage Management Development Control Plan

Please refer to Section 5.5.8 of this Environmental Assessment. In summary, no heritage items were identified by the non-indigenous heritage assessment prepared for the site and accordingly, heritage provisions do not apply to the site.

5. ENVIRONMENTAL ASSESSMENT

5.1 Introduction

The following environmental assessment has been undertaken having regard to the matters raised in the DGEARs and all factors considered reasonable to a consideration of the impacts of the proposal.

The environmental impacts have been identified through:-

- consultation with key stakeholders;
- the relevant legislative framework; and
- a detailed site analysis.

5.2 Surrounding Development

Immediately to the north of the site are rural and rural-residential uses along Lenore Lane, with allotment areas between approximately 8 - 10 hectares. Industrial developments are planned for the northern side of Lenore Lane, including current developments by PacLib and Grice Developments for large lot subdivision, infrastructure works and building works. An electricity transmission line traverses the allotments in the north from the Sydney West Substation which is toward the east of the EPEA. Further north are the residential suburbs of St Clair and Erskine Park. The separation distance between the northern boundary of the site (the Lenore Lane frontage) and the residential allotments in St Clair and Erskine Park ranges from approximately 350m at the closest point to 800m at the furthest. The St Clair and Erskine Park suburbs contain single detached dwellings, open space areas, schools and suburban shopping centres.

The southern boundary of the site comprises (in part) a Crown Road Reserve within a 60m wide easement. Further south are the Trinity Catholic Primary School, Mamre Christian College and Emmaus Retirement Village, each having access off Bakers Lane which intersects with Mamre Road. The Emmaus Village is located on the southern side of the Sydney Water Pipeline some 320m south of the site.

To the immediate east of the site is land approved for use as warehouse and distribution centre. This proposal was approved by the Department of Planning (formally DIPNR). Beyond the approved warehouse site is land zoned for industrial purposes owned by Fitzpatrick Investments up to Ropes Creek. Further east of the site, and on the eastern side of Ropes Creek, are the Austral bricks quarry; the Sydney West Substation; the Eastern Creek Waste Recycling Facility; and the former Australia's Wonderland Amusement Park along Wallgrove Road. Of note is that the Roads and Traffic Authority's "Westlink M7" motorway was recently completed parallel to Wallgrove Road some 2.5 kilometres east of the site.

To the west of the site is the former Erskine Park Quarry site. The former quarry has been partially filled with waste materials and covered with soils. Landfill operations are continuing at the Erskine Park Quarry and are being undertaken by Enviroguard Pty Ltd. Also west of the site are sites presently cleared and being developed for major metal manufacturing industries BlueScope and Lysaght. Further west of the quarry site is land which is owned by CSR Limited and currently used for administrative and maintenance activities ancillary to the landfill operations at the Quarry. Further west is Mamre Road, thence rural residential allotments within the Orchard Hills suburb. South Creek, tributaries of which extend through the site, winds its way west of the site thence southward. Further west is the Orchard Hills Royal Australian Air Force (RAAF) base with access from The Northern Road approximately 1 kilometre away.

The proposed development it totally consistent with the emerging character of the area as reflected in the land use zoning controls that envisage and encourage the change of land use from rural urban fringe land uses to employment uses.

5.3 Statutory Planning Considerations

Compliance of the project with the provisions of the relevant Acts and State Environmental Planning Policies, Local Environmental Plans and Development Control Plans is discussed in Section 4 of this Environmental Assessment report. The proposed development is permissible with the approval of the Minister.

5.4 Environmental Assessment Requirements – General Considerations

5.4.1 Layout and Design

> *"Demonstrate that the proposal is generally consistent with the Erskine Park Employment Area Development Control Plan, and justify and inconsistencies between the proposal and the DCP."*

An assessment of the compliance of the concept plan and project application with the EPEA DCP is contained in Appendix 16. This confirms that the development is generally consistent with the provisions of the DCP as it relates to the concept plan and project application.

5.4.2 Planning Agreement / Developer Contributions

Erskine Park Employment Area Development Contribution Plan 2005

Penrith Council has adopted a Section 94 Contributions Plan for Erskine Park. The current plan was adopted by Council at its meeting on the 7 March 2005. The plan sets down Council's policy for raising, holding and expending Section 94 Contributions within the Erskine Park Employment Area. Contributions are levied on developable area, on a per hectare basis for the following services and facilities:

1. Drainage / Water quality;
2. Roads and traffic management; and
3. Plan Administration.

Contributions are required from developable areas which, for the purposes of determining contribution rates, in the plan means "the total site area of any particular site less certain specific land to be excluded. Developable area is indicated by Map 3 of the plan."

As a consequence of the implementation of the Biodiversity Strategy and Biodiversity Management Plan, the amount of developable area is likely to increase. The implementation of the Biodiversity Strategy would result in the site being counted as developable area and being liable to imposition of Section 94 levies.

The proponent, CSR Limited proposes to pay the contribution at the rate currently indicated under the plan. This payment may be staged in accordance with the development of the site and will have regard to works-in-kind undertaken such as the construction of Lenore Lane and the Bushfire Shed. There is a works-in-kind arrangement between CSR and Penrith City Council for the construction of Lenore Lane and the Bushfire Shed.

5.5 Environmental Assessment Requirements – Key Impacts of the Development

5.5.1 Soil and Water Impacts

Water Quality, Quantity and Flooding Impacts

A Stormwater Concept Plan has been prepared by Brown Consulting to accompany the applications (Appendix 4). This identifies the strategy for managing stormwater across the site. This strategy forms part of the Concept Plan. Specific elements of this strategy are proposed as part of the Stage 1 project application.

A separate report has been prepared describing the proposed creek relocation to the southern part of the site (Appendix 3). The report summarises the findings of a Geomorphic Assessment of the proposed realigned creek prepared by Dr. Mark Taylor, Senior Lecturer in Environmental Science at Macquarie University.

The design of the realignment of the south eastern reach of the southern creek was a collaborative effort between the proponent, DEC, DNR and Greening Australia (see letters attached as Appendix 17). Detailed analysis of the hydrological, hydraulic and geomorphologic implications of the realignment have been undertaken and are described in the report contained in Appendix 3.

The riparian zone containing the realigned creek will be revegetated in accordance with a Vegetation Management Plan prepared by GHD. The VMP covers the restoration of approximately 5.95 hectares of the relocated ephemeral creek. Further additional compensatory planting is proposed as outlined in the VMP.

The proponent commits to the works included in the VMP including compensatory planting areas.

The realignment of the creek has been approved in principle by the Department of Natural Resources (see Appendix 17).

Erosion and Sediment Control

The Stormwater Concept Plan contained in Appendix 4 includes proposals for erosion and sediment controls for the earthworks proposed as part of the Stage 1 Works project application. The engineering bulk earthworks drawings show the concept sediment and erosion control plan for the development. Measures include:

- A single all weather access way at the front of the property consisting of 50-75mm aggregate or similar material at a minimum thickness of 150mm, laid over geo-fabric and constructed prior to commencement of works.
- A shaker pad will be used at the entrance to the site to remove clay from vehicles leaving the site so as to maintain public roads in a clean condition.
- A sediment control basin located where the proposed water quality basin is to be constructed immediately to the west of the site. Once the majority of the site has been constructed the basin should then be converted to its ultimate use as a water quality control basin.
- Disturbed areas will be rehabilitated with indigenous plant species, landscaped and treated by approved methods of erosion mitigation such as mulching, revegetation with native grasses or other suitable stabilising processes within fifteen days of the completion of works.
- All runoff and erosion controls will be installed before any works are carried out at the site.
- Upslope clean surface runoff will be diverted via diversion drains and sediment fencing around the disturbed areas.
- Installing SoilLocker at the down-slope of the disturbed areas to capture sediment and debris escaping from the site.
- SoilLocker shall be installed on the boundary of the creek buffer area.
- Topsoil stockpiling stripped from the construction site shall be diverted away from drainage lines, stormwater inlets and be suitably covered by impervious membrane material and screened by sediment fencing.
- Sediment end erosion controls shall be inspected weekly or after each storm event for litter, sediment, and organic waste accumulation. All sediment/debris shall be removed within two (2) working days.

Potential for Rainwater Harvesting

Discussions have been held with Sydney Water Catchment Authority, Sydney Water, DNR and DOP in relation to harvesting rainwater from the site and augmenting Sydney's water supply via the water supply mains to the south of the site. Arrangements with authorities could not be put in place on a catchment wide basis in time for the development of the EPEA and consequently this proposal has not progressed further.

Harvesting of rainwater from roofs of buildings for re-use on individual development sites is proposed however with harvested water used for fire water purposes and other non-potable uses such as toilet flushing, vehicle washing and the like. These measures will be incorporated into individual development proposals.

Soil Contamination Issues

The Penrith 1:100,000 Geological Map Series (NSW Department of Minerals and Energy, 1991) indicates that the site is mainly underlain by the Bringelly Shale of Triassic age, locally intruded by a volcanic breccia pipe of Jurassic age and mantled in the western portions of the site by recent import of alluvium. The Bringelly Shale comprises shale, carbonaceous shale and claystone, laminite and fine to medium grained lithic sandstone with rare coal and tuff. The breccia pipe comprises a mixture of country rock in a matrix of fine grained basalt. The alluvium comprises fine grained sand, silt and clay.

The Penrith 1:100,000 Soil Landscape Sheet indicates that the soils developed on the alluvial sediments in the western portions of the site are part of the South Creek Landscape. Structured plastic clay and red or yellow podsolic soils are the predominant soil groups. These are characterised by high erodibility, generally low surface movement potential and saline conditions in clay subsoils. Soils of the Blacktown Soil Landscape underlie the disturbed terrain about the breccia pipe within the eastern parts of the site. The Blacktown Soil Landscape includes shallow to moderately deep (<1 metre) red brown podsolic soils on crests, grading to yellow podsolic soils on lower slopes and drainage lines. These are characterised by moderately reactive subsoils with poor soil drainage, localised salinity or sodicity, moderate erodibility and low soil fertility.

On the basis of the above, the natural soils on the site are expected to contain stiff clays derived from the in-situ weathering of the underlying bedrock.

Results of soil testing of the original CSR Lots 92 and 93, DP 838541 between December 2002 to October 2003 are provided in a Phase 1 Environmental Site Assessment prepared by HLA-Envirosciences.

With regard to soil salinity, the Salinity Potential in Western Sydney Map (DIPNR) indicates that the site has moderate salinity potential. Details of the measurements of salinity across the site are contained in a Report on Salinity Assessment prepared by Douglas Partners Pty Ltd. While it is noted that high salinity is natural for the area and that there are no management techniques which can eliminate this problem, a number of site management options are proposed to reduce the offsite environmental effects of saline soils. In this regard, saline soil conditions present within some alluvial and residual soils will require due consideration in the design and construction of stormwater systems/earthworks and in-ground services. A series of mitigative works have been listed by Douglas Partners and will be implemented for the project.

The site is current unused, as it is an area of either open paddocks or bushland.

A Phase 1 ESA of Lots 92 and 93 in DP 838541 (the CSR Erskine Park Estate) was undertaken by HLA-Envirosciences Pty Limited (HLA) to identify opportunities and constraints to site development (see Appendix 9). The objectives of the ESA were to:

- document the history of the Site;
- identify potential contamination areas and types;
- discuss the site condition;
- provide a preliminary assessment of site contamination; and
- evaluate any potential liabilities with regard to contamination;

The ESA included a desktop study, review of statutory information, site inspection and preparation of report. Research into historical activities conducted on-site was undertaken to identify past and present potentially contaminating activities that may have occurred.

The report comments that the eastern parts of the CSR lands (including all of the proposed project area) have been predominantly undeveloped, other than in relation to clay extraction activities, dam construction and removal and low-impact activities such as farming. There is no evidence to suggest that any contamination-related constraints will affect the proposed earthworks and later industrial development. Whilst some uncontrolled tipping of soil fill, construction spoil, motor vehicle bodies and assorted rubbish has previously occurred at the site, these areas have been removed by the land owner. The report highlights that the potential for encountering waste materials or contaminated soil is considered to be low. On this basis, no specific contamination-related management measures or safeguards are considered necessary by HLA and the site is considered suitable for the proposed earthworks, stormwater works and subsequent industrial development.

5.5.2 Traffic and Parking Impacts

The traffic and access implications of the proposed development have been considered in the Traffic Impact Assessment prepared by TRAFFIX Traffic and Transport Planners (Appendix 11).

Traffic Volumes

The site is currently accessed off Lenore Lane. An access road, Templar Road, has been approved by Penrith Council in November 2004 under DA No. 04-1599 and is now complete. The road forms the primary means of access into the eastern side of the CSR Erskine Park Estate and the site. The traffic investigations conclude:

- *The site enjoys excellent access to and from the arterial road network, using the road network that has been developed;*
- *The adopted road system is unchanged from the planned system and hierarchy;*
- *The expected generation from the various development sites within the area covered by the project as well as the traffic from surrounding development (that also relies on Road 1 for access) is comparable to that in the strategic assessments that underpin the EPEA generally, so that the road system as planned will operate satisfactorily;*

- *The proposed storage and distribution building on Site Area H is a low order industrial use, with traffic demands at peak times that have been assumed to be the same as the average 'generic' rate published by the RTA. In practice, many development sites that are occurring have lower generation rates than the average, including the BlueScope Steel and Lysaght sites that are both served by Road 1;*
- *Notwithstanding this, the road system has been previously assessed on the basis of increased trip rates established by Council and the RTA and will operate satisfactorily in 2016 subject to the construction of all identified road improvements. In the short to medium term, the development will therefore be supported by a staged road system to be provided under the BlueScope Steel subdivision DA approval. The upgrading of Lenore Lane and the intersection of Lenore Lane with Erskine Park Road has been completed;*
- *The proposed access arrangements are satisfactory, with a one-way clockwise internal flow pattern. In addition, cars and trucks have been physically segregated to maximise safety;*
- *The resulting total floor area within the Site Area H Building requires between 154 spaces and 475 spaces based on RTA and Council requirements respectively. In response to this, the development proposes 264 spaces which is within this range and is based on the carparking requirements of actual tenant inquiries and is therefore acceptable; and*
- *The access and internal design arrangements comply with AS2890.1 and AS2890.2.*

It is concluded that the proposed development is supportable on traffic planning grounds.

Access Arrangements to Adjoining Properties

Adjoining properties include:

- properties forming part of the CSR lands including the adjoining BlueScope site and Lysaght site and future building pads as proposed under the Stage 1 Works project application;
- land to the south of the site is currently accessed from the existing Crown Road Reserve.

The location and design of the building pads and the location of access points to the proposed storage and distribution building proposed as part of the Stage 1 works project application is such that there will be no adverse impact on access arrangements to existing sites within the CSR lands. Access points are well spaced and the building pads proposed have long frontages to Templar Road providing a range of locations for the design and construction of safe and efficient access points.

Access to adjoining land to the south is discussed in Section 3.3. The registration of DP1094504 created an easement in gross in favour of Council for access over part of proposed Lot 5. This easement provides access from Road No. 1 (under construction) to Lot 11 in DP 229784. The proposed subdivision under this project application retains the above easement. The provision of this access from Road No. 1 to Lot 11 in DP 229784 provides for

improved and effective access to Lot 11 in DP 229784. At the present time, the only access to this site is via a Crown Road Reserve, some 900m from the formed road pavement near Mamre Road.

5.5.3 Flora and Fauna Impacts

Studies of the existing flora and fauna of the site have been undertaken by HLA-Envirosciences and are found in their Flora and Fauna Impact Assessment in Appendix 7.

HLA have found that the study area contains five general flora communities being Grey Box – Forest Redgum Open Forest; Broad-leaved Ironbark; Open Dry Grassland; Riparian Forest dominated by Swamp Oak and Eucalyptus; and Aquatic Herblands and Wetlands. These species were found to be in sparse to very sparse cover, with grasses and herbs dominating the vegetation cover. Thirteen fauna species were found to be present or likely to be present in the site, consisting of nine avian species (Noisy Minor, Magpie-Lark, Magpie, Pied Butcherbird, Eastern Rosella, White-winged Chough, Brown Goshawk and Australian Hobby), three mammal species (Eastern Grey Kangaroo, European Fox and Rabbit) and one species of amphibians (Eastern Froglet). While each of these species were identified, three threatened species were identified during surveys of the site, being the flora species Grevillea Juniperina, the mammal species the Grey-headed Flying Fox and the mollusc species Cumberland Land Snail.

HLA's flora and fauna investigations found two Threatened Ecological Communities (being Cumberland Plain Woodland and Shale/Gravel Transition Forest.

The proposed development includes the clearing of the site to allow for earthworks and the creation of a new drainage channel along the southern boundary of the CSR Estate. Relevant impacts associated with development in and adjacent to areas containing known Cumberland Plain Woodland and Shale/Gravel Transition Forest EECs involve:

- Removal of trees, shrub and groundcovers characteristic of the listed EECs; and
- Removal of fallen timber from the forest floor.

The proposed project is likely to result in the removal of Cumberland Plain Woodland EEC, some Shale/Gravel Transition Forest EEC and specimens of Grevillea juniperina spp. juniperina identified in the northern part of the Study Area.

It is considered that as a consequence of the implementation of the proposed Biodiversity Management Plan as agreed in principle by the Department of Planning, the Department of Environment and Conservation and Penrith City Council, the likely net impact of the proposed development on Cumberland Plain Woodland, Shale/Gravel Transition Forest EECs and Grevillea juniperina spp. juniperina will be low and insignificant.

Other mitigation measures which have been developed in accordance with the principles of ecologically sustainable development are recommended to be incorporated to offset the impacts of proposed development. These include:

- Erect appropriately dimensioned and designed nest boxes in suitable locations within the proposed Biodiversity Conservation Corridor to offset the loss of trees containing

hollows. These artificial hollows should be designed to favour roosting habitat for indigenous species;

- Utilise Grevillea juniperina ssp. juniperina within the landscape planting scheme of the proposed developed areas;
- Relocate tree trunks felled during the establishment of the development footprint for use in the proposed Biodiversity Conservation Corridor, to improve the complexity of ground fauna habitats, particularly for the Cumberland Plain Land Snail (M. corneovirons);
- Carry out salvage survey, prior to clearing and earthworks, to relocate any live specimens of the Cumberland Plain Land Snail (*M. corneovirens*) to the proposed Biodiversity Conservation Corridor (it is noted that no specimens of the Cumberland Plain Land Snail were identified in the area of the proposed works in the Study Area); and
- Establishment of a Biodiversity Conservation Corridor in accordance with the proposal contained in the Biodiversity Management Plan endorsed in principle by PCC and DEC.

The Flora and Fauna Report for the site concludes:

"The results of the field survey and impact assessment support the following conclusions.

- *One threatened species (Grevillea juniperina ssp. juniperina) of State environmental significance was observed within the Study Area during the survey period. The Greyheaded Flying Fox (P. poliocephalus) and Cumberland Plain Land Snail (M. cornevirens) have been observed in the Study Area during previous surveys;*
- *No EPs or critical habitat occurs within the Study Area;*
- *Two EECs (Cumberland Plain Woodland and Shale/Gravel Transition Forest) were observed within the Study Area during the survey period;*
- *The extent of native vegetation clearing associated with this development proposal would be offset through the establishment of the proposed biodiversity conservation corridor;*
- *Mitigation is required to offset the biological impacts of the proposed development on the Cumberland Plain Land Snail (M. cornevirens), Cumberland Plain Woodland and Shale/Gravel Transition Forest EECs;*
- *The establishment of a Biodiversity Conservation Corridor, as endorsed in principle by PCC and DEC, is a key element of any mitigation measures."*

5.5.4 Noise Management

The report contained in Appendix 6 investigates the acoustic impacts of the project during construction and operation. This includes traffic noise and the cumulative impacts of development.

The nearest affected residences are isolated residential dwellings on lots on the northern side of Lenore Lane. These are on land earmarked for industrial development and largely in the ownership of industrial developers. It is expected that this northern side of Lenore Lane will be fully developed for employment uses in the near future.

The residential suburbs of St Clair and Erskine Park area located approximately 350 metres to the north of Lenore Lane. The nearest residential receiver to the proposed Stage 1 Project Application works is located on land within an industrial zone earmarked for future industrial development and approximately 30 metres north-west of the site.

Approximately 320m south of the site, beyond the water supply pipeline, is the Emmaus Retirement Village. Further south on Bakers Lane are the Emmaus Catholic College, Trinity Catholic Primary School and Mamre Christian College.

The acoustic environment at the site is currently dominated by the activities associated with landfilling, land preparation, construction activities and traffic noise on Mamre and Erskine Park Roads. The site and immediately surrounding areas are classified as being semi-rural, rural residential and residential areas.

The proposed works have the potential to impact on the ambient noise levels in the area. The proposed works, including vegetation clearance, earthworks, land reshaping , installation of infrastructure and services and construction and operation of a storage and distribution facility would involve the use of a number of noise generating plant and equipment.

The nearest sensitive receivers to the proposed works are located to the north on Lenore Lane (approximately 30m from the site). As the area of the site is large (38 hectares) and land preparation works and infrastructure installation works would not be undertaken over the whole area simultaneously, the noise impact on receivers would be variable.

Construction Noise

Observed background noise in the vicinity of the site indicates that the ambient noise environment is typical of a semi-rural residential area. The proposed works would involve the use of a number of noise generating plant and equipment, including, but not limited to: excavators, graders, bulldozers, trucks and watercarts.

The NSW EPA's (now DEC) *Environmental Noise Control Manual* (1994) provides guidelines that may be specified in a development consent for sites where there is a likelihood of annoyance due to noise from construction activities. The ENCM states that for construction periods greater than 26, the LA_{10} level measured over a period of not less than 15 minutes when the construction site is in operation must not exceed the background level by more than 10dB(A).

It is expected that the overall period of works for the proposal will exceed the 26 week guideline. However, It is not anticipated that noise generating activities would not be concentrated in the one area for the entire construction period, and, as works would be staged, the noise impact on any receivers would not continue for any lengthy period of time.

Therefore it is concluded by the Acoustic Assessment that the noise level restriction appropriate to the proposed works would be for a construction period of greater than 26 weeks, with a limited potential for annoyance because:

- construction would take place over a limited period of time;
- the likelihood of annoyance is diminished by the types of activities proposed (potentially annoying activities like piling and blasting are not proposed); and
- the distance to sensitive receivers such as schools and hospitals is significant.

Warehouse Operational Noise

The Acoustic Impact Assessment considered the acoustic impacts of the operation of the proposed storage and distribution building. The analysis has shown that noise from the site with all loading docks operational will be within noise goals at all receiver locations.

Traffic Noise

Potential road traffic noise impacts as a result of the proposed development would include noise from trucks, equipment and workforce vehicles entering and leaving the site. The majority of noise impact from large construction equipment and trucks would not be a constant noise impact as the works would be limited to the site. Additionally, construction equipment such as excavators and bulldozers would generally remain on the site for the life of the project and contractors are likely to use light vehicles to access the site. As many as 300 car and truck movements have been assessed in the Acoustic Assessment for the construction and operational phases of the Stage 1 Project Application, including the storage and distribution facility. The Acoustic Assessment advises that although there may be a marginal exceedance of the relevant traffic noise criteria for the worst affected dwellings (i.e. the dwellings along Lenore Lane), these dwellings are located on land zoned for industrial purposes and the proposed construction and operation of the works will not be dissimilar to traffic along Lenore Lane associated with development already approved.

Assessment of Noise Impacts

ERM investigations have concluded that:

"While there is the potential for construction noise to exceed the recommended criterion (without mitigation) at the potentially closest residences, there are several mitigation measures that may be employed to reduce noise impacts. These include:

- *Scheduling construction activities such that concurrent operation of plant is limited;*
- *Preparation of a construction noise management plan (to be included in the project Environmental Management Plan) prior to construction to ensure that all employees understand and take responsibility for noise control at the site;*
- *Properly maintaining plant to ensure rated noise emissions levels are not exceeded;*
- *Undertaking construction activities guided by AS2436-1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites;' and*

- *Providing a contact telephone via which the public may seek information or make a complaint. A log of complaints should be maintained and actioned by the site superintended in a responsive manner."*

The following mitigative measures may be employed during construction:

- all noise generating equipment would be operated only within the daytime operating hours – 7am to 6pm Monday to Friday and 7am to 4pm Saturday;
- operators of equipment would adhere to a schedule which avoids operating all noise generating machinery at the same time, wherever practicable;
- heavy equipment would be maintained on site for the duration of site works; and
- trucks and equipment would enter the site via the most direct route, during daytime hours.

There is not considered to be a likelihood of continued annoyance as a result of the proposed works because construction noise levels would be temporary, daytime activities, with no potential for sleep disturbance. Construction activities would not involve potentially annoying activities such as piling and blasting and would not be limited to the one area for extensive periods of time. Additionally, the worst affected and few residences along Lenore Lane are zoned for industrial use. It is therefore probably that these residential properties are developed for industrial land uses.

In relation to operational noise from the proposed storage and distribution building, the following mitigative measures may be employed:

- Scheduling truck movements and loading dock operations such that concurrent operation of vehicles is minimised. This would include limiting onsite vehicles idling while loading; and
- Preparation of an operational noise management plan (to be included in the project Environmental Management Plan) prior to operation to ensure that all employees understand and take responsibility for noise control at site.

5.5.5 Aboriginal and European Heritage Impacts

Aboriginal Heritage

Navin Officer Heritage Consultants were appointed to undertake a program of archaeological subsurface testing to determine the nature and significance of archaeological deposits on the site. Reports on these investigations are contained in Appendices 13 and 14.

The results of Navin Officers research found that the Aboriginal cultural material present within the site comprised low-density subsurface artefact occurrences. Accordingly, Navin Officer recommended that no further archaeological assessment was required for the CSR land at Erskine Park and the Crown Road Reserve.

An application to destroy under Section 90 of the National Parks Act has been approved by the former National Parks and Wildlife Service for the Eastern Lands of the CSR Erskine

Park Estate, including land within the CSR Estate subject to the project application (Appendix 15).

European Heritage

A Non-Indigenous Heritage Assessment of Lots 92 and 93 in DP 838541 (the original title to the CSR lands at Erskine Park) was undertaken by HLA-Envirosciences (Appendix 8). The aim of the report was to identify previously recorded heritage sites, potential sites, and provide management recommendations for these sites in accordance with existing heritage legislation.

HLA's report highlights that the following sites were identified within the subject lands by the Non-Indigenous Heritage Assessment:

Sundry Farm Dams	Two dams were identified to be in the same location as a 1919 plan of the CSR lands, however, both of the dams were identified as being larger in size. The dams were identified to be located within the development area for the project application. It is noted, however, that each of the dams have been recently dug out and reconstructed and no longer exist on the site. HLA-Envirosciences note that the sundry farm dams no longer exist on the site and there will therefore be no interaction between the proposed development and these items.
An Airstrip	An airstrip consisting of a strip of mown lawn and compacted land approximately 50m wide and is partially located within the area of the proposed subdivision and site works. The airstrip runs on an angle of 45º to 225º. There is no evidence of a made surface such as was used on World War Two dispersal strips. The construction of the airstrip dates from after 1955 and before 1961. With respect to the airstrip, this area has been identified in the Non-Indigenous Heritage Assessment as having no heritage significance.

On the basis of the above descriptions, the Non-Indigenous Heritage Assessment highlights that the project will have no adverse impact on any items of non-Indigenous heritage. No specific management safeguards are required.

5.5.6 Views and Visual Impacts

Visual Characteristics of the Site and Surrounding Landscape

The generally cleared open character of the site is characteristic of surrounding lands, particularly to the north, east and west. Generally these lands are cleared and grazed or have been developed for market gardening activities. The transmission line easement to the north of the site and immediately to the south of the St Clair/Erskine Park residential area is a

significant feature in the visual landscape. Land uses along Lenore Lane in the area immediately to the north of the site are rural residential in nature, however, it is noted that industrial developments are destined for these areas.

The new warehouse building recently built on Erskine Park Road provides an example of the likely nature of future development in the immediate vicinity of the site.

Site topography generally falls from the east at Lenore Lane to the west toward Mamre Road. The majority of the site comprises paddocks presenting a landscape which is open in character, with low groundcover and little evidence of shrub understorey. Isolated stands of trees exist across the site.

The site is elevated above the surrounding area yet slopes very gently internally. It is characterised by grass covered hills and undulations formed by natural water flows. The ground is generally covered by either grasses or unvegetated soil. There are trees on the site toward the northern boundary along the Lenore Lane frontage and toward the eastern end of the site from Lenore Lane in the north to the southern boundary. The Crown Road Reserve is also vegetated.

Site topography falls from the east at Lenore Lane to the west toward Mamre Road. The majority of the site comprises paddocks presenting a landscape which is open in character with low groundcover and little evidence of shrub understorey. Isolated stands of trees exist across the site.

Visual Impacts

Development attracted to the Erskine Park Employment Area comprises a variety of building forms as a result of site area, floor plate size, client requirements and the Council's requirements for architectural design. The project application provides for the establishment of suitable building pad levels for subsequent industrial development and subsequent stages of the project application will assess visual and landscape impacts are thoroughly addressed.

The proposed storage and distribution facility addresses Templar Road by including the office and loading dock elements on the northern and north eastern end of the building providing a more attractive and modelled façade and ensuring that activity is focused on this corner near the main entry. The visual impact of the development is softened by a landscape zone of at least 5 metres wide fronting the street road and the proposed biodiversity corridor on the southern elevation that is approximately 200 metres wide. While Lenore Lane does not constitute a street frontage to the site, the northern eastern facade of the development addresses Lenore Lane by incorporating a variety of colours and materials. Additionally, the non warehouse aspects of the development e.g. the offices are highlighted by glazing. The glazed areas visually reinforce the office components of the development.

The site is located within land identified to encourage industrial development and the surrounding topography will minimise any visual impact of built form upon the site.

The retention and restoration of the vegetated buffer to the south of the site will act to screen views of the building from the south. From the north the proposed development would be screened from residential areas in St Clair by intervening vegetation and buildings. The

proposed development will be visible from only generally the immediate area as the EPEA develops. When viewed from major land uses to the south (such as the retirement village and schools) it is apparent that the proposed development will not be visible due to vegetation along the southern boundary of the site.

When viewed from the residential communities to the north (about 350 metres from the proposed development, views of the buildings will be obscured by trees and other intervening buildings and features.

The development is located in the southern part of the Erskine Park Employment Area. The height of the building is moderate at 13.5 metres and although the building occupies a large footprint, it is capable of being screened from adjoining non-industrial areas. The building is set back from site boundaries and perimeter landscaping is proposed. It is considered that the proposed development is consistent with the desired future character of the industrial area as reflected in the planning controls that are in place and will have no significant impact on the visual qualities of the area.

5.5.7 Bushfire Impacts

HLA-Envirosciences have prepared an Bushfire Assessment of the project (Appendix 10). This report addresses the bushfire risks of the proposed storage and distribution facility forming part of the Stage 1 Works project application.

The report finds that:

- The proposed project will be surrounded by industrial development to the north, northeast and west. The former landfill area to the west will be capped and rehabilitated, primarily with low growing species which will not compromise the cap. Accordingly, there will be little vegetation on three sides of the site which would be likely to host or initiate a bushfire that might threaten the proposed project.
- Land to the south of the proposed project forms part of the Biodiversity Conservation Corridor. This land is to be revegetated using locally endemic species and will form part of an east-west corridor of lands containing remnant and new vegetation.
- Buildings to be located on the site are to be set back from the southern boundary of the site. This setback will provide access for fire fighting vehicles and will serve as an Asset Protection Zone. The bulk earthworks for the proposed project will also create a building platform which is elevated above the lands of the Biodiversity Conservation Corridor.
- Vegetation to be planted in the section of the Biodiversity Conservation Corridor adjoining the site is to be staggered, with taller species located to the south, away from the site.
- The bushfire risk likely to affect the proposed project is considered to be low based on the following:
    - Buildings within the proposed project will be set back from the boundary (biodiversity conservation corridor) by a minimum of 6 metres.

- The area between the proposed buildings and the Biodiversity Conservation Corridor will be hardstand with little or no vegetation.
- Vehicle access will be available to the industrial development/Biodiversity Conservation Corridor interface.
- The building pad for the proposed project will be elevated above the Corridor lands.
- Vegetation within the Corridor will comprise lower growing species adjacent to the proposed project, with taller species being located further to the south within the corridor.
- The taller species to be planted in the Corridor would be located at a distance that would not enable them to fall on the proposed development if they were subject to a bushfire when fully mature.

5.5.8 Air Quality Impacts

There is potential for the proposed works including benching and site preparation to impact upon the local air quality should the proposed works generate significant levels of dust, particularly during dry and windy conditions. Emissions would also be generated by vehicles and machinery used in the undertaking of the project works.

These impacts, however, can be managed to ensure the potential impacts to the local air quality are insignificant. The following measures will be adopted:

- trucks entering and leaving the site carrying loads of potentially dust generating material would be covered;
- stockpiles of soil or other materials temporarily established would be covered or sprayed with water on a regular basis, particularly during dry or windy conditions;
- the site, particularly trafficable areas and stockpiles would be watered using a water cart or water spray to minimise dust emissions;
- all equipment used on site and trucks associated with the proposal should be maintained in an efficient operating condition and operated in a proper and efficient manner. Service records should be maintained;
- emissions generated by vehicles and machinery on site would be in accordance with DEC (formerly EPA) requirements;
- significant dust generating activities (i.e. surface grading) would be avoided in dry and windy conditions; and
- dust monitoring, such as the implementation of a series of dust deposit gauges (DDGs) and High Volume Air Samplers to identify dust sources would be undertaken if required.

Incorporation of air quality measures for the proposed works would ensure that the proposal meets air quality objectives as follows:

- to maintain existing air quality and improve local air quality where possible; and
- to ensure future development does not adversely affect existing air quality.

5.5.9 Services

Investigations undertaken by Brown Consulting have indicated that all utility services are accessible to the site and can be readily augmented and extended to the proposed development. Further details of the proposed strategies for the future provision of such utilities as water, electricity and sewerage are contained in the Bulk Earthworks Report prepared by Brown Consulting.

5.5.10 Social and Economic Effects

The proposed development will have positive social and economic impacts through the expansion of employment lands in the City of Penrith.

6. DRAFT STATEMENT OF COMMITMENTS

6.1 Introduction

Under Section 75F(6) of the EP&A Act, a Proponent may be required to include a draft Statement of Commitments within the Environmental Assessment, outlining the measures the Proponent is prepared to make in respect of environmental management and mitigation at the site. The draft Statement of Commitments for the project below specifies how the project will be managed to minimise potential impacts both during construction and operation.

6.2 General

A. The development will be undertaken generally in accordance with the Environmental Assessment report prepared by BBC Consulting Planners, including accompanying appendices.

B. The development will be undertaken generally in accordance with the following drawings:

Plan No.	***Plan Name***	***Revision***
Concept Plan, *prepared by CSR*		
03103-ST-20	Concept Plan	P02
Subdivision Plan, *prepared by Lean and Hayward Pty Ltd*		
75793.01.P34	Plan of Proposed Subdivision of Lot 5	B
Stage 1 Storage and Distribution Facility Drawings, *prepared by Morris Bray Architects*		
DA-01	Context and Development Data	P08
DA-02	Existing Survey	P08
DA-03	Site Plan	P08
DA-04	Floor Plans	P08
DA-05	Elevations and Sections	P08
SK-06	Perspective 1	P08
SK-07	Perspective 2	P08
SK-08	Perspective 3	P08
Bulk Earthworks Drawings, *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 101	Overall Engineering Plan	01
W03033.12 - DA 102	Bulk Earthworks Plan	07
W03033.12 - DA 103	Bulk Earthworks Section 1	05

W03033.12 - DA 104	Bulk Earthworks Section 2	05
W03033.12 - DA 105	Bulk Earthworks Section 3	05
W03033.12 - DA 106	Bulk Earthworks Section 4	05
W03033.12 - DA 107	Bulk Earthworks Section 5	05
W03033.12 - DA 108	Bulk Earthworks Section 6	05
W03033.12 - DA 109	Bulk Earthworks Section 7	05
W03033.12 - DA 110	Erosion and Sediment Control Plan	05
W03033.12 - DA 111	Erosion and Sediment Control Details	05
W03033.12 - DA 112	Basin 3 Retaining Wall Longsection	02
Streamworks Drawings *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 201	Southern Creek Overall Plan – South Eastern Reach	07
W03033.12 - DA 202	Southern Creek Plan and Longsection CH 0- 345	07
W03033.12 - DA 203	Southern Creek Plan and Longsection CH 330 – 675	07
W03033.12 - DA 204	Southern Creek Plan and Longsection CH 660 – 919.2	07
W03033.12 - DA 205	Southern Creek, Creek 02 Plan and Longsection	07
W03033.12 - DA 206	Southern Creek, Creek 03 Plan and Longsection	07
W03033.12 - DA 207	Access Road and Swale Lot 3 & 4 Plan, Swale Longitudinal Section	07
W03033.12 - DA 208	Southern Creek, Typical Sections	07
W03033.12 - DA 209	Southern Creek, Creek Sections CH 0 - 75	07
W03033.12 - DA 210	Southern Creek, Creek Sections CH 90 – 180	07
W03033.12 - DA 211	Southern Creek, Creek Sections CH 195 - 255	07
W03033.12 - DA 212	Southern Creek, Creek Sections CH 270 – 375	07
W03033.12 - DA 213	Southern Creek, Creek Sections CH 381.428 - 450	07
W03033.12 - DA 214	Southern Creek, Creek Sections CH 465 – 512.405	07
W03033.12 - DA 215	Southern Creek, Creek Sections CH 525 – 630	07
W03033.12 - DA 216	Southern Creek, Creek Sections CH 645 – 750	07
W03033.12 - DA 217	Southern Creek, Creek Sections CH 765 – 840	07
W03033.12 - DA 218	Southern Creek, Creek Sections CH 855 – 901.224	07
W03033.12 - DA 219	Southern Creek, Creek Sections CH 904.716 – 926.631, Pool and Riffle Detail	07
W03033.12 - DA 220	Southern Creek, Branch 2 Cross Sections	07
W03033.12 - DA 221	Southern Creek, Branch 3 Cross Sections	07

Stormwater Concept Plan Drawings, *prepared by Brown Consulting (NSW) P/L*		
W03033.12 - DA 301	Overall Plan	03
W03033.12 - DA 302	Road 1 Cul-de-sac Plan and Drainage Longsection	03
W03033.12 - DA 303	Road 1 Detention and Biofiltration Basin Plan	03
W03033.12 - DA 304	Road 1 Longsection and Basin Details	03
W03033.12 - DA 305	Pipe Outlet Plan and Details	03
W03033.12 - DA 306	Detail Plan, Longitudinal Section CH 1110 – 1368.15 for Lenore Lane Channel Ultimate Design	03
W03033.12 - DA 307	Detail Plan, Longitudinal Section CH 1110 – 1368.15 for Lenore Lane Channel Interim Design	03
W03033.12 - DA 308	Typical Stormwater Control Basin, Pad 4	03
W03033.12 - DA 309	Typical Stormwater Control Basin, Pad 5	03
W03033.12 - DA 310	Typical Stormwater Control Basin, Pad 7	03
W03033.12 - DA 311	Typical Stormwater Control Basin, Pad 8	03
W03033.12 - DA 312	Typical Stormwater Control Basin, Pad 9	02
Landscape Plans, *prepared by John Lock and Associates*		
1219 LP 01 (Rev D)	Landscape Plan, Creek Realignment	
1219 LP 02 (Rev D)	Landscape Section and Details	

C. CSR Limited will develop a program of informing key stakeholders including the Department of Planning, Department of Natural Resources, Department of Environmental and Conservation and Penrith City Council, of demolition, excavation and construction staging and activities throughout the development process.

6.3 Further Approvals

A. CSR Limited will obtain all necessary approvals required by State and Commonwealth legislation in undertaking the project.

B. The Proponent will obtain a Construction Certificate prior to the implementation of the engineering and building works.

C. Prior to the issue of a construction certificate for the proposed storage and warehouse building, the proponent will prepare and submit to Penrith Council for approval a landscape concept plan prepared in accordance with Council's Landscape DCP

D. Should Aboriginal objects be found during the works envisaged by the development the Department of Environment and Conservation will be informed (as required by the provisions of the National Parks and Wildlife Act 1974 (NSW)). The Proponent acknowledges that subject to an assessment of the extent, integrity and significance

of any exposed objects, applications under either Section 87 or Section 90 of the National Parks and Wildlife Act may be required before work could resume.

6.4 Urban Design

A. Development will take place generally in accordance with design guidelines contained in the Erskine Park Employment Area DCP.

6.5 Environmental Management

A. Prior to construction commencing, the proponent will establish a complaints handling procedure available for community complaints.

B. The proponent will prepare and implement a Construction Environmental Management Plan to outline all environmental management practices and procedures to be followed during the construction of the project. The CEMP is to contain the following plans:

    a. an Erosion and Sediment Control Plan incorporating the principles outlined in the Stormwater Concept Plan prepared by Brown Consulting accompanying the EA;

    b. a Noise Management Plan and Noise Monitoring Program;

    c. a Dust Management Plan and Dust Monitoring Program;

    d. a Construction Waste Management Plan;

    e. a Vegetation Clearing Program incorporating the recommendations of the Flora and Fauna Impact Assessment prepared by HLA Envirosciences accompanying the EA

    f. a Salinity Management Plan;

    g. a Construction Traffic Management Plan; and

    h. a Construction Staging and Management Plan.

C. The proponent will prepare and implement a Operation Environmental Management Plan to outline all environmental management practices and procedures to be followed following the completion of construction. The OEMP is to contain the following plans:

    a. a Stormwater Management Plan indicating the means of managing stormwater run-off from the site and from each development site; and

    b. a water reuse plan indicating means of harvesting rainwater from the site and the uses to which this rainwater will be put.

D. The construction contractor will establish a Safety Plan before work commences on-site to detail safe work methods and procedures to be followed on-site and to ensure

compliance with OH&S and statutory requirements. Such a plan to address safety risks during demolition, excavation and construction activity, including:-

- stability of adjacent structures;
- excavation support;
- falls from heights;
- protection of the public;
- traffic controls around the perimeter of the site; and
- working with high voltage electrical supply.

6.6 Services

A. The proponent will comply with the requirements of relevant public authorities in regard to the connection to, relocation and/or adjustment of services affected by the construction of the proposed development.

6.7 Contributions

A. The proponent will pay contributions in accordance with the current S94 Contributions Plan for Erskine Park Employment Area (2005) for the development area as identified in the project application. The payment of contributions may be staged and paid prior to the release of Subdivision Certificate for the site.

7. CONCLUSION

This Environmental Assessment relates to two applications under Part 3A of the *Environmental Planning and Assessment Act 1979* ("EP&A Act") lodged concurrently. These applications are:

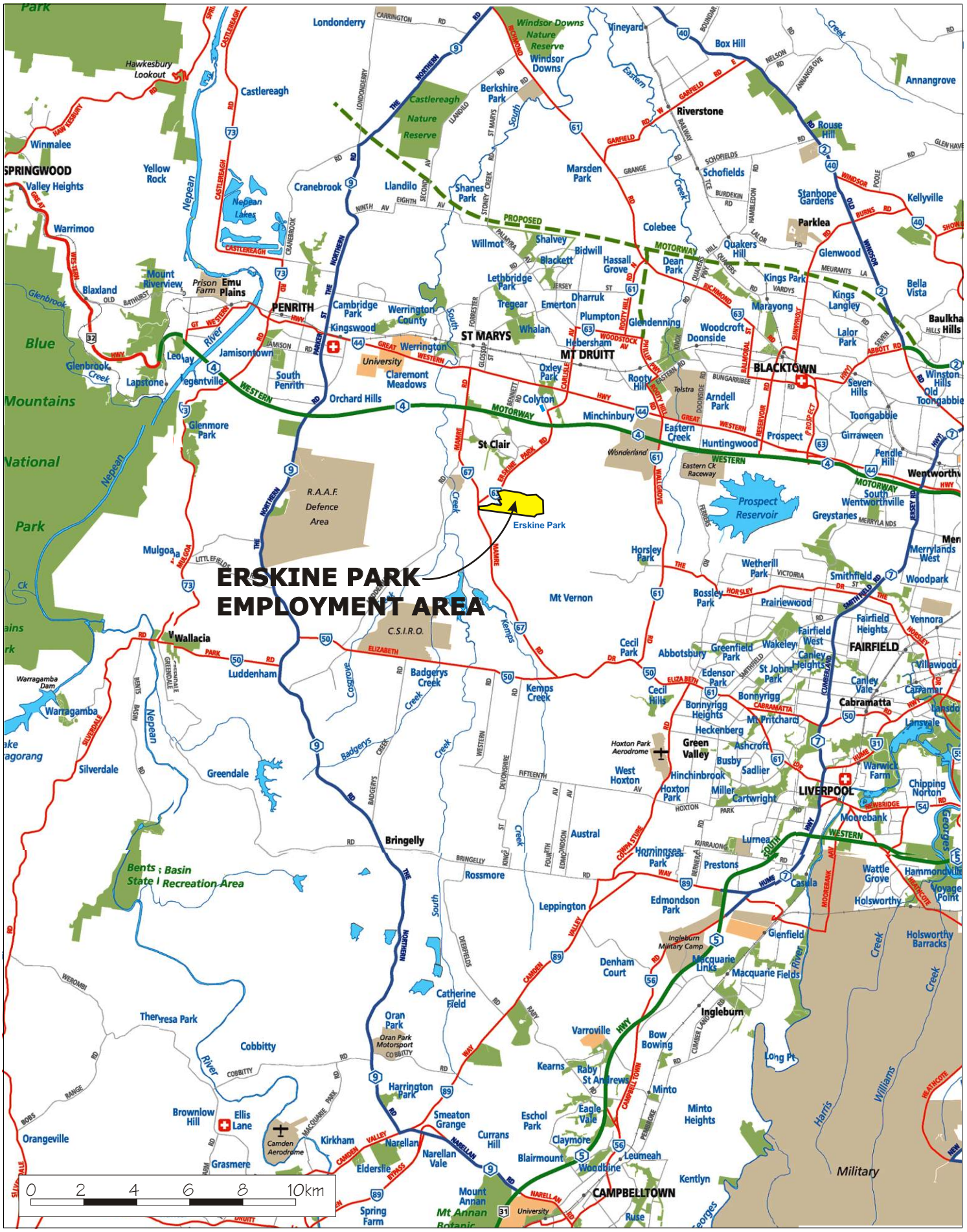
(i) an application lodged pursuant to S75M of the Act for approval of a Concept Plan for the project comprising earthworks, subdivision and associated infrastructure works to create building pads and to prepare the land for industrial development; and the subsequent erection of buildings to be used for storage and distribution and associated uses; and

(ii) an application lodged pursuant to S75E for project approval of Stage 1 of the project which is earthworks, subdivision and associated infrastructure works including stormwater management and the construction of an industrial building for storage and distribution purposes.

An assessment of the impacts of the proposed development indicates that, subject to the implementation of appropriate mitigative measures and in particular, those identified in the Draft Statement of Commitments forming part of this Environmental Assessment, the project will not result in any significant adverse long-term social or environmental outcomes.

The Environmental Assessment concludes that the site is suitable for the project and that the project is consistent with the public interest. Any potential negative impacts will be substantially mitigated by the measures outlined in the report.

The provision of industrial land in the locality will make a significant positive contribution to the economic base and social diversity of the City of Penrith. This Environmental Assessment finds that project can occur in a manner which is sustainable, recognises biodiversity qualities and that has no significant impact on the environment. On this basis, approval of the concept plan and the Stage 1 Works project application is warranted.



Source: UBD 2005

PRELIMINARY ENVIRONMENTAL ASSESSMENT
CONCEPT PLAN AND STAGE 1 PROJECT

Figure 1

LOCATION PLAN

Prepared for CSR Limited
By BBC ConsultingPlanners

01	01/08/05	ISSUE FOR PROJECT APPLICATION	RAF	RAF	
REV	DATE	DESCRIPTION	BY	VER	APP
		AMENDMENTS			

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ALL DIMENSIONS TO BE CHECKED ON SITE BY SUPERINTENDANT PRIOR TO CONSTRUCTION. USE WRITTEN DIMENSIONS ONLY, DO NOT SCALE.
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Telephone: 02 9900 1000 Facsimile: 02 9900 1099
Sydney Canberra Brisbane Melbourne Singapore

VERIFICATION	INITIALS	SIGNATURE	DATE
DRAFTING			
DESIGN			
VERIFY			
APPROVED			

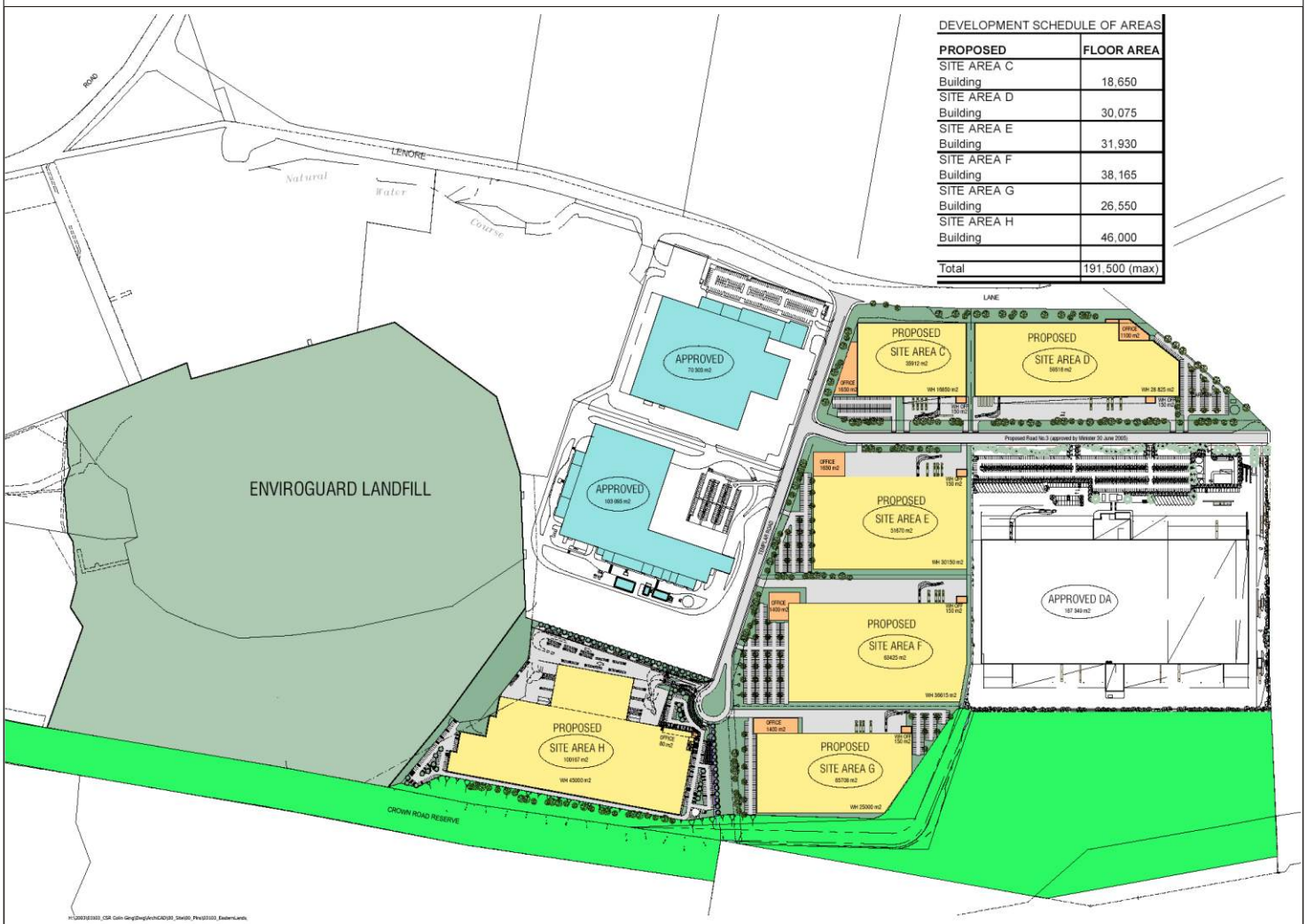
Client: CSR LIMITED
Project: EASTERN SITE WORKS SUBDIVISION BULK EARTHWORKS
Drawing: OVERALL ENGINEERING PLAN
Drawn by: AK | Sheet: 1 OF 12
Design by: AK / WA | Scale: 1:2000
Project No: W03033.12
Drawing No: DA101 | Rev: 01

PRELIMINARY ENVIRONMENTAL ASSESSMENT
CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

Figure 2

SITE PLAN

Prepared for CSR Limited
By BBC ConsultingPlanners



ARCHITECT

DEVELOPMENT MANAGER/CLIENT

CSR

PROJECT

CSR SITE
LENORE LANE AND MAMRE ROAD
ERSKINE PARK

PROJECT NORTH

DRAWING NAME: Concept Masterplan

DRAWN: MB/JM

CHECKED: GB/TM

SCALE: 1:5000 @A3

DATE: Wednesday, 23 August 2006

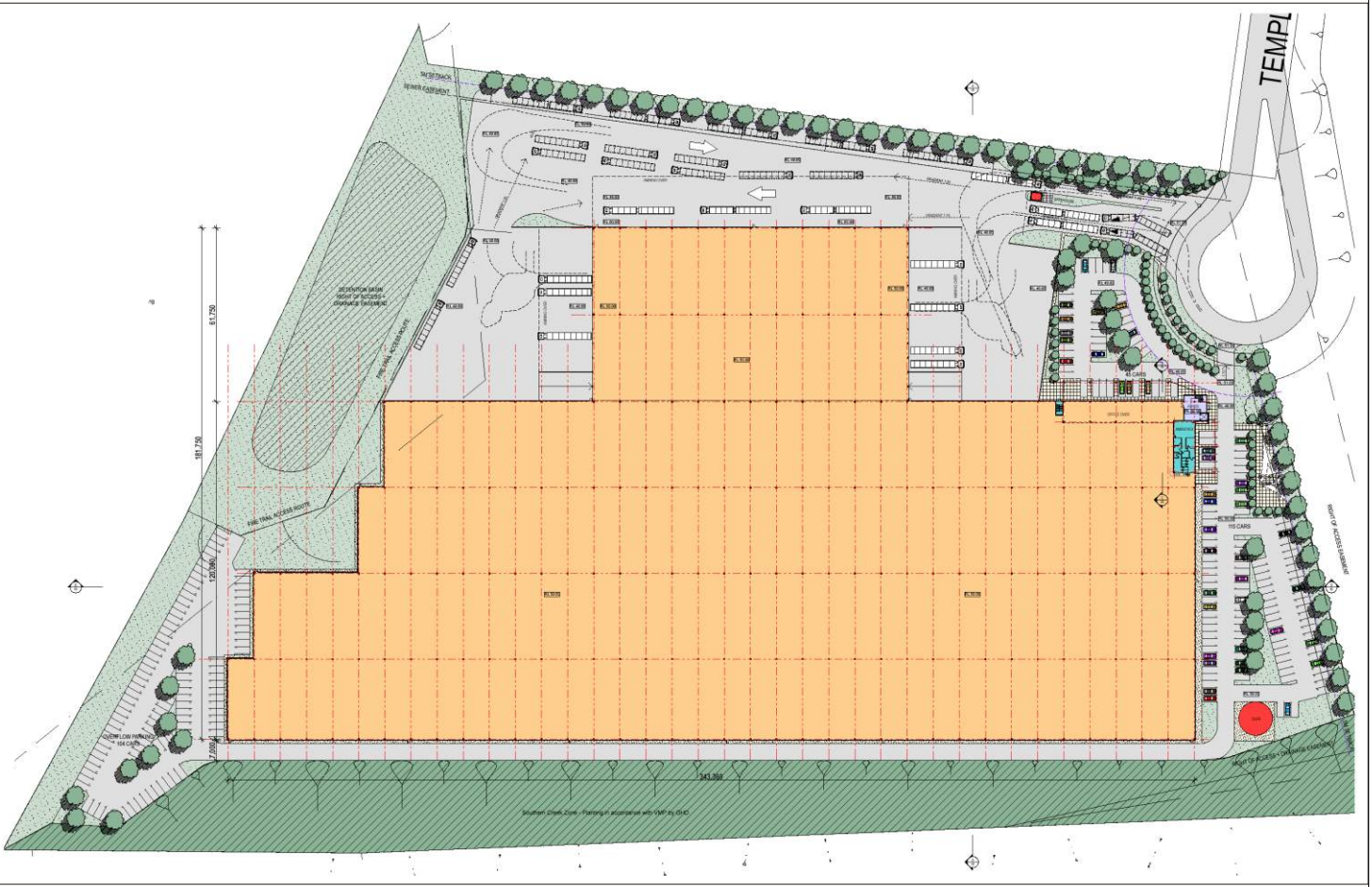
DRAWING NUMBER: **03103-ST-20** P06

PRELIMINARY ENVIRONMENTAL ASSESSMENT
CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

Figure 3

CONCEPT PLAN

Prepared for CSR Limited
By BBC ConsultingPlanners



LANDSCAPE LEGEND

LARGE TREE
- FRAXINUS AMERICANA 100L
- EUCALYPTUS MACULATA 5L
- EUCALYPTUS MICROCURYS 5L

SMALL TREE
- CASURINA CUNNINGHAM
- BANKSIA INTEGRIFOLA 5L

PAVERS

CONCRETE PAVING

SEEDED GRASS TO LANDSCAPE ARCHITECT SPECIFICATION

SOUTHERN CREEK ZONE - Planting in accordance with VMP by GHD

morrisbray architects

CSR

Project Manager

Proposed Industrial Building
Pad 4, Lenore Lane
Erskine Park, NSW

Siteplan

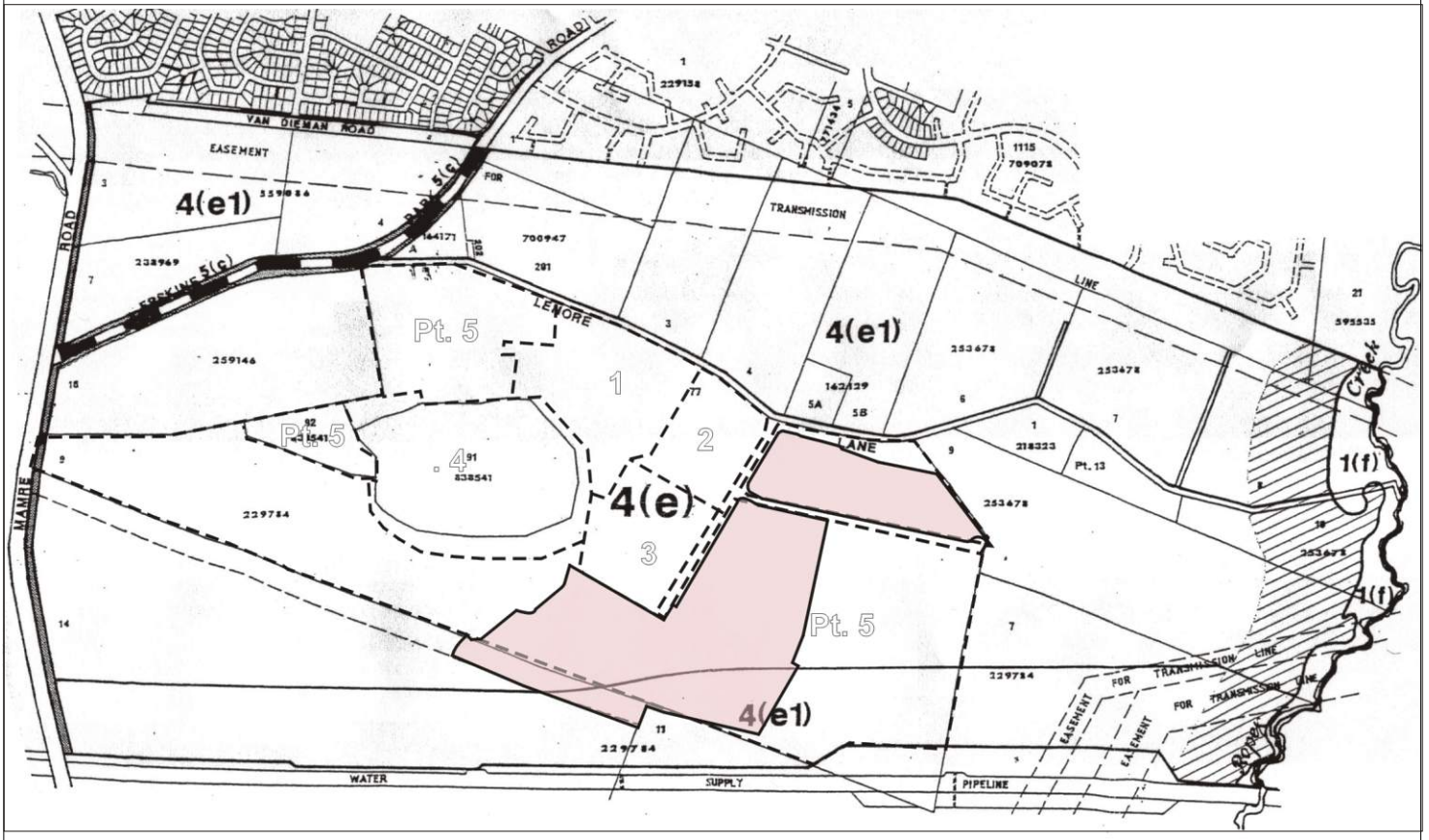
1:500 | MB | 4/07/2008 | 06056 | DA-03 | P08

PRELIMINARY ENVIRONMENTAL ASSESSMENT
CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

Figure 4

PROPOSED STORAGE AND DISTRIBUTION FACILITY

Prepared for CSR Limited
By BBC ConsultingPlanners



4(e)	EMPLOYMENT
4(e1)	EMPLOYMENT (Restricted)
5(c)	SPECIAL USES 'C' (State Road & Widening)
1(f)	FLOODWAY
	RESTRICTED EMPLOYMENT (Flood Liable)
	DEFERRED MATTER

PRELIMINARY ENVIRONMENTAL ASSESSMENT
CONCEPT PLAN AND STAGE 1 PROJECT APPLICATION

Figure 5

ZONING
Erskine Park LEP 1994

Prepared for CSR Limited
By BBC ConsultingPlanners