



ASSESSMENT REPORT

Section 75W Concept Plan and Project Modification Pad H Development – “Connect @ Erskine Park”, Erskine Park

1. BACKGROUND

The Western Sydney Employment Hub (the Hub) spans four local government areas - Fairfield, Penrith, Blacktown and Holroyd (see Figure 1). The Hub is located near the intersection of the M4 and M7 motorways, is 2,450 hectares in area and includes zoned employment/industry lands such as the Erskine Park Employment Area (EPEA).

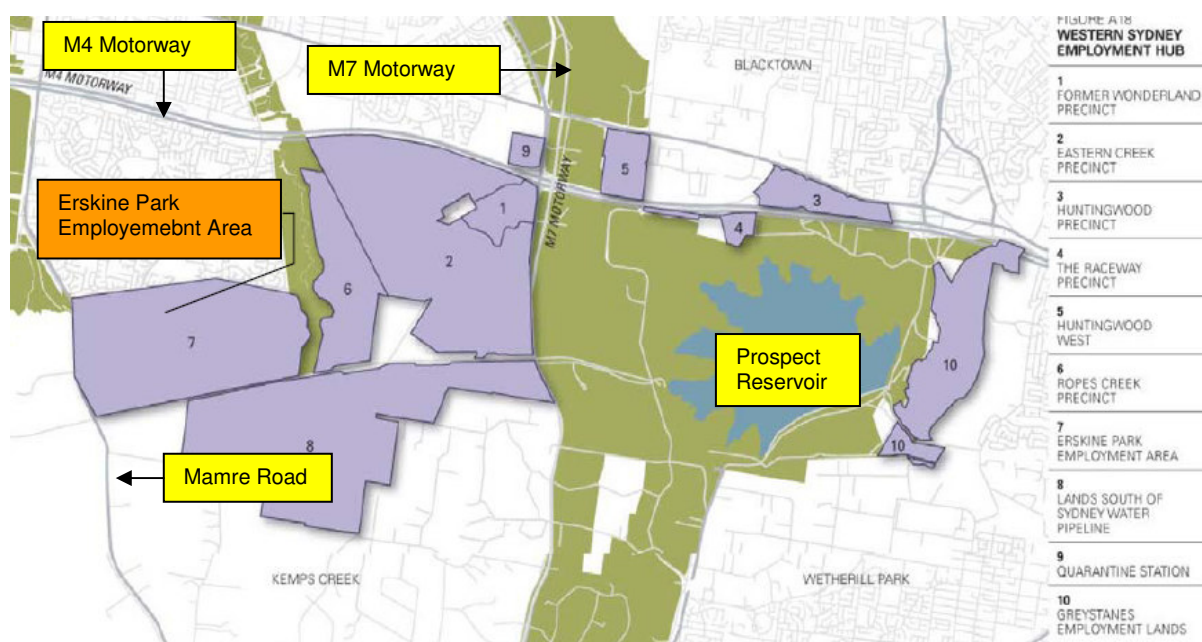


Figure 1: The Western Sydney Employment Hub

On 1 March 2007, the Minister jointly approved a Concept Plan and Project Application from CSR Ltd (CSR) to establish a warehouse and distribution complex in the Erskine Park Employment Area (EPEA).

The Concept Plan approval included the creation of up to 6 warehouse buildings along with associated subdivision and infrastructure works such as bulk earthworks, stormwater management works and landscaping (see Figure 2).

The Project Application included construction and operation of a single industrial building on site 'H' (see Figure 2) with a gross floor area of 46,000m² for storage and distribution purposes, including associated office, hardstand area and car parking.

In 2008 the site was purchased by GPT Group (GPT) who modified the concept approval to broaden the types of development that could occur on site, to include manufacturing and amenity uses (including business premises, service stations, recreational facilities and food and drink premises on site C only). The modifications also included changes to the building arrangement on Site H to include 3 smaller buildings. GPT modified the consent again in

2008 to straighten the boundary of Site D (enabled by a land swap with a neighbouring landowner).

An overview of the original concept approval and subsequent modifications are summarised in Figure 2.

Key	
	Modification 1
	Modification 2

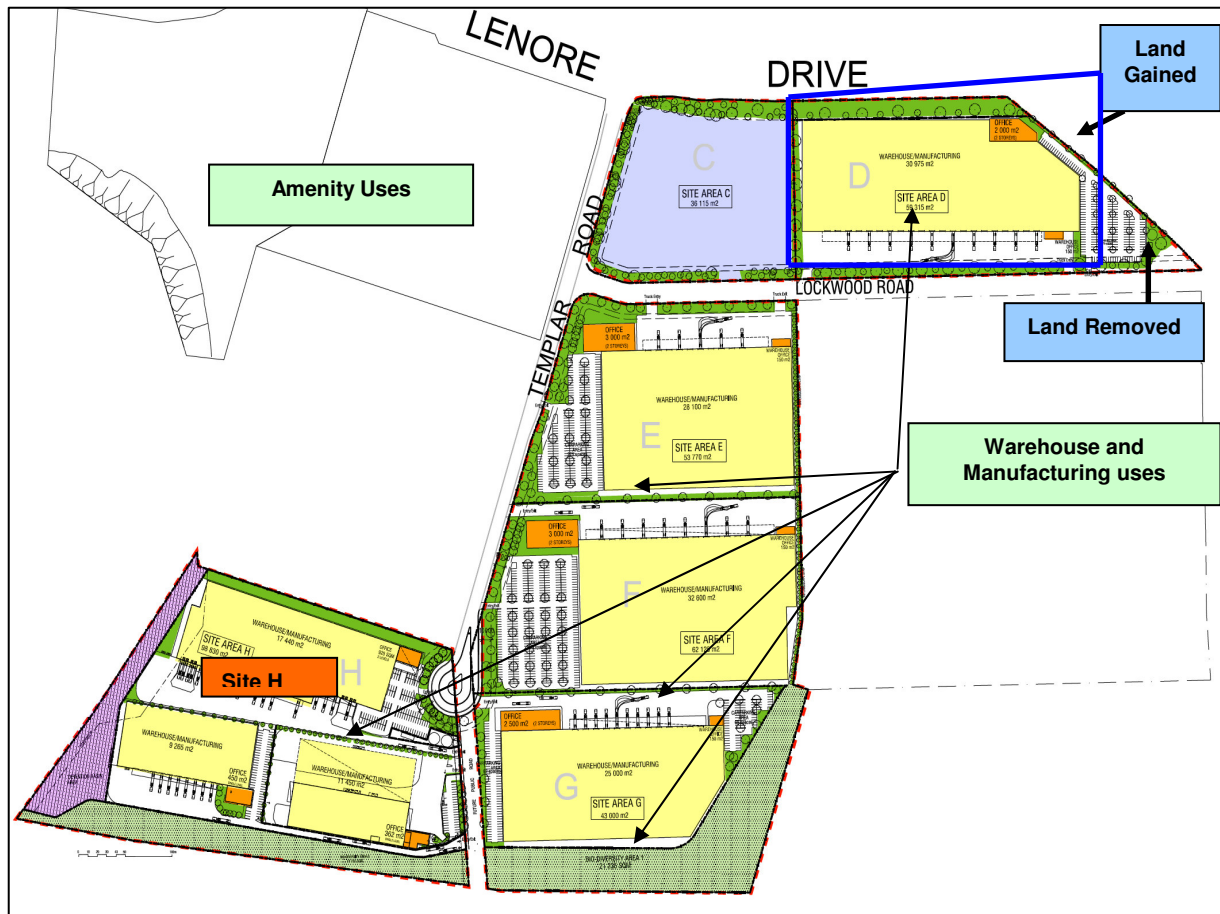


Figure 2: Previous Modifications to Concept Plan

The current modification pertains to Site H. GPT proposes to make some minor modifications to the Project Approval and Concept Plan, and is seeking approval for the proposed modification under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

2. PROPOSED MODIFICATION

The proposed modifications involve altering the Concept Plan in relation to Site H, by reconfiguring the position of the three individual warehouses (see Figure 3).

GPT is also seeking to modify the Project Approval for the construction and operation of the warehouses on Lots H-1 and H-3, with the third building on Lot H-2 being the subject of a future application. The warehouses include:

- **Lot H-1** - warehousing and distribution by a future tenant;
- **Lot H-3** - a warehouse for the retail department store Target;
- **Lot H-2** - dealt with by a third party application in future (likely to be crane assembly).

The modifications will lead to a reduction in the approved total floor area of 46,000 square metres to approximately 40,000 square metres. GPT consider that this is consistent with the

increased demand for smaller industrial buildings, and will allow for an increased diversity of tenants within Erskine Park.

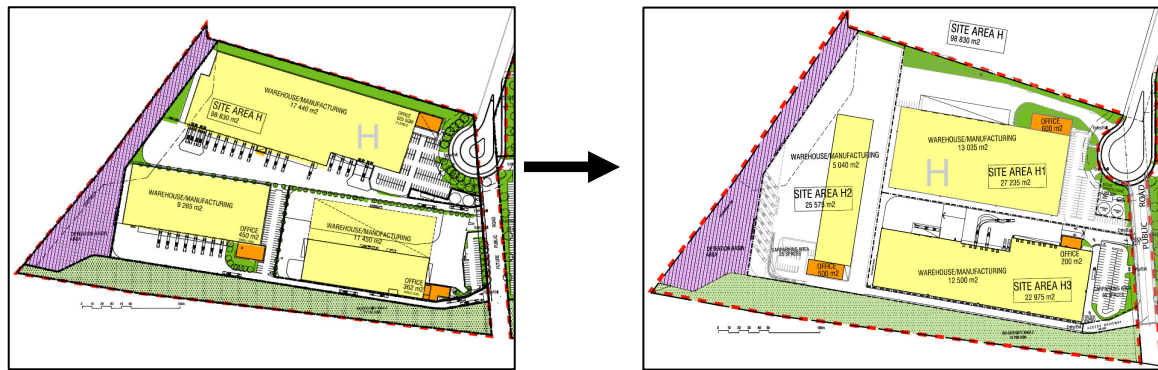


Figure 3: Approved and Proposed Site H building arrangement including vehicle access points

GPT also proposed to modify the following on site as a result of the warehouse reconfigurations:

- the site access for the three warehouses, including 6 separate access/exit points for trucks and cars;
- changes to the landscape plan in accordance with the new building layout;
- modifications to the services connections and stormwater management; and
- extensions to Templar Road (to allow access to site H).

3. STATUTORY FRAMEWORK

The Minister was the approval authority for the concept plan application and the project application, and is consequently the approval authority for the two modification applications.

The Department has reviewed the extent of the proposed changes to Site H and considers that the scale and intensity of the development would not increase and environmental impacts would be minor. Therefore, the proposed changes to the building arrangement on site are not considered to be a 'radical transformation' from what was originally approved.

Consequently, the Department considers that the applications should be assessed and determined under Section 75W of the EP&A Act rather than requiring a new development or project application to be lodged.

On 4 March 2009, the Minister delegated her powers and functions as an approval authority to modify certain project approvals under section 75W of the EP&A Act to the Director-General. This modification application meets the terms of this delegation. Under these circumstances, the Director-General may determine the application under delegated authority.

4. CONSULTATION

Under Section 75W of the EP&A Act, the Minister is not required to consult on modifications to Part 3A approvals. Given the minor nature of the proposed modifications, the Department has only consulted Penrith City Council.

Council raised some concerns about the number of driveway access points on Templar Road, which has been considered further in Section 5 of this report and addressed through a condition of approval.

5. ASSESSMENT

The Department has assessed the merits of the proposed modification, and is satisfied that it represents minor adjustments to the approved concept plan and project approval for site H that would not significantly change the environmental impacts (see Table 1 below).

Table 1: Summary of Key Environmental Issues

Issue	Key Impacts	Recommended Conditions
Vehicle Access	<ul style="list-style-type: none"> The proposal identifies the need for a total of six (6) access points where cars and trucks are physically separated to improve safety and to provide for operational requirements of the three separate users. GPT also proposes to extend Templar Road to allow for vehicle access to sites H1 and H3. Council raised some concern over the number of vehicle access points and the provision and maintenance of maximum sight distances for the safety of drivers. The Department met with GPT to discuss the issue and Council and GPT have now agreed that the driveways need not be amalgamated so long as maximum sight distances are maintained through signage and managing landscape vegetation. The Department has recommended conditions that require GPT to ensure that driveway access is designed to ensure that maximum sight distances are maintained, and furthermore to construct the extension to Templar Road to the satisfaction of Council. Council is satisfied that the recommended conditions would ensure that vehicle access is appropriate. 	<ul style="list-style-type: none"> The Department recommends that GPT shall, to the satisfaction of Council: <ul style="list-style-type: none"> ensure that the access driveways to Templar Road are designed to ensure maximum sight distance for entering and exiting vehicles, prior to the commencement of construction; ensure that signage and vegetation is not impeding sight distances from the access driveways to Templar Road; and construct the extension of Templar Road (within the Road Reserve as detailed in the existing consent).
Noise	<ul style="list-style-type: none"> The Project Approval sets noise limits for the operation of site area H. An acoustic assessment for the revised layout and two known occupants of buildings H1 and H3 demonstrated that the noise criteria would be met. While the occupant of the third building (H2) is unknown, any future project application will need to demonstrate compliance with the existing noise criteria. The Proponent states that both H1 and H3 warehouses may be required to operate during the evening and night, subject to demand. The Department considers that noise from the project can be managed. 	<ul style="list-style-type: none"> Existing approval conditions set noise limits for site H. The Department has recommended that a noise audit be undertaken within 3 months of the commencement of operations on site and again should any night time operations commence, to ensure compliance with the noise limits. The Department has also recommended a condition that requires GPT to comply with the relevant cumulative noise criteria for the GPT estate.
Soil and Water	<ul style="list-style-type: none"> The reconfiguration of the buildings at site H requires the stormwater infrastructure to be modified. The general principals of the stormwater management system remain the same however, additional discharges to the realigned creek are required. The stormwater works will include: <ul style="list-style-type: none"> relocating the detention basin on the western boundary to the south-west corner of site H to maximise available building area; 3 additional discharge points to the realigned creek within the biodiversity corridor; the removal and replanting of newly planted trees within the biodiversity corridor. Both Council and the Department have no concerns with the proposed stormwater works as they are designed to comply with existing stormwater performance criteria (conditions 19 and 20 of the existing consent). Notwithstanding the Department recommends that the existing Stormwater Management Plan is updated to reflect the proposed changes on site. 	<ul style="list-style-type: none"> The Department recommends that GPT be required to: <ul style="list-style-type: none"> ensure that vegetation removed as part of the stormwater infrastructure works is replaced prior to the commencement of operations; and prepare an addendum to the Stormwater Management Plan prior to the commencement of operations.
Traffic	<ul style="list-style-type: none"> The full scale operation of both H1 and H3 warehouses would generate up to 89 vehicles during the morning and afternoon peak hours. This is below the RTA's guideline which allows 	None

	for 0.5 trips per 100m ² of floor space. (The proposed buildings have a combined floor space of 26,675 m ² ; under the RTA guidelines this would allow for the equivalent of up to 133 trips per peak hour).	
	<ul style="list-style-type: none"> The traffic assessment has demonstrated that the surrounding road network has sufficient capacity for the predicted vehicle movements. 	
Parking	<ul style="list-style-type: none"> The Department considers the number of car parking spaces to be adequate to meet the demand for sites H1 and H3. The proposed car parking spaces for both sites exceeds the RTA guidelines but is less than Council requirements. 	None

5. CONCLUSION

The modifications represent minor changes to the approved concept plan and project approval. The Department considers that the modifications would have minimal environmental impacts.

Overall, the Department considers that the proposed modifications are consistent with the strategic planning for the EPEA, including the aims and objectives of the NSW Government's *State Plan* and the *Draft State Environmental Planning Policy (Western Sydney Employment Hub) 2008*. Additionally, the proposed changes are considered minor, and any potential impacts would be minimal and could be appropriately managed.

6. RECOMMENDATION

It is RECOMMENDED that the Director-General:

- consider the findings and recommendations of this report;
- approve the proposed modification to the Concept Plan and the Project Approval under section 75W of the EP&A Act; and
- sign the attached notices of modification.

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