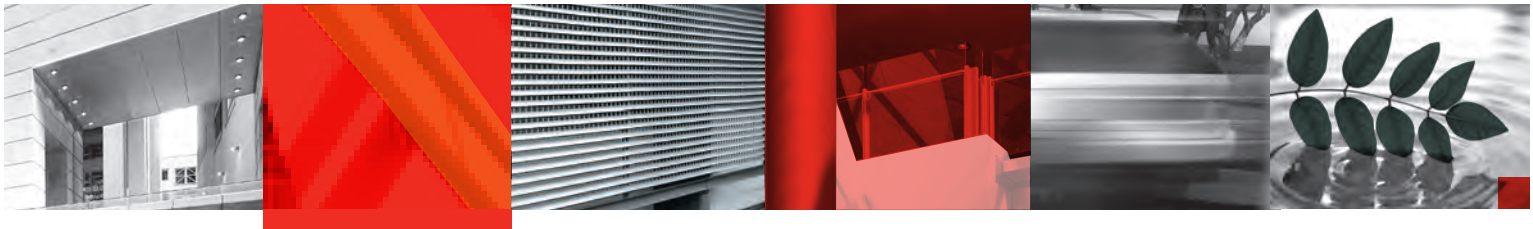


Environmental Assessment Report



Lot A Burley Road, Horsley Park Industrial Estate Concept Plan & Concurrent Project Application for Employment Lands and Stage 1 Industrial Development

Submitted to Department of Planning
On Behalf of the Proponent Jacfin Pty Limited

March 2011 ■ 10002

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This report has been prepared by: Jennie Buchanan

Signature



Date 16/03/11

This report has been reviewed by: Julie Bindon

Signature



Date 16/03/11

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Statement of Validity

Prepared under Part 3A of the Environmental Planning and Assessment Act, 1979 (as amended)

Environmental Assessment prepared by

Name	Jennie Buchanan
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Concept Plan & Concurrent Project Application

Applicant name	Jacfin Pty Ltd
Land to be developed	Lot A Burley Road, Horsley Park
Proposed development	Horsley Park Employment Precinct and Stage 1 Warehouse Building

Environmental Assessment

An Environmental Assessment (EA) is attached

Certificate

I certify that I have prepared the content of this Environmental Assessment and to the best of my knowledge:

- It is in accordance with the Environmental Planning and Assessment Act and Regulation.
- It is true in all material particulars and does not, by its presentation or omission of information, materially mislead.

Signature



Name

Jennie Buchanan

Date

16 March 2011

Executive Summary

Purpose of this Report

This Environmental Assessment Report (EAR) is submitted to the Minister for Planning pursuant to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This is to fulfil the Environmental Assessment Requirements issued by the Director General for the preparation of an Environmental Assessment for the establishment of an Employment Precinct and construction of a warehouse building (Stage 1).

The report has been prepared by JBA Urban Planning Pty Limited, for the proponent, Jacfin Pty Ltd and is based on supporting technical documents provided by the expert consultant team.

The Site

The site is legally described a Lot A in DP 392643, Burley Road and is owned by Jacfin Pty Ltd. It has an area of 100 hectares and is located within the Penrith Local Government Area (LGA) and within Precinct 8 of the Western Sydney Employment Area.

The site comprises cleared grazing land. The only significant structure on the site is a small demountable cottage located in the south east corner that was relocated to the site and is not permanently occupied. A small farm dam is located in the centre of the site.

A proposed employment development known as Oakdale on the northern boundary of the Jacfin site has received a Concept Plan approval along with a Stage 1 Project approval for two lots. Work has commenced on the Stage 1 Project approval lots.

The Proposal

The Horsley Park Employment Precinct Concept Plan Application seeks approval for the following:

- Establishment of a new employment precinct comprising approximately 93.5 hectares of developable area;
- Location and design of new regional and local roads;
- Indicative project staging; and
- Design Guidelines for future project applications.

The concurrent Project Application seeks approval for the construction of Stage 1 of the Horsley Park Employment Precinct, including:

- Site subdivision to create the Stage I allotment;
- Construction of one warehouse building;
- Construction of a permanent access road;
- Associated bulk earthworks;
- Installation of associated infrastructure, including drainage, water, sewer, gas, electricity & telecommunications; and
- Site landscaping.

Relevant Legislation, Strategies and Environmental Planning Instruments

The following legislation and environmental instruments are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979;
- Threatened Species Conservation Act, 1995;
- National Parks and Wildlife Act, 1974;
- Rural Fires Act 1997 (NSW);
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Western Sydney Employment Area) 2009;
- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy No. 55 – Remediation of Land.

The proposed development is generally consistent with the above Acts and Instruments. In particular it is consistent with *State Environmental Planning Policy (Western Sydney Employment Area) 2009* in that:

- The development complies with the prescribed zoning of the land;
- The proposed road linkages are consistent with the WSEA SEPP road layout;
- The Concept Plan establishes appropriate development principles for the site which will ensure the development occurs in a logical, environmentally sensitive and cost-effective manner; and
- The proposal conserves areas that are zoned for environmental conservation purposes.

Environmental Assessment

Traffic Assessment

Halcrow has undertaken a traffic impact assessment of the proposed development, adopting the traffic generation rates predicted by the Roads and Traffic Authority, and found that the proposed development can be easily accommodated within the surrounding road network. In accordance with the Halcrow advice roundabouts are proposed at the three intersections of the local roads with the regional road.

Halcrow has reviewed the design of the driveways, loading areas and carpark for the Stage 1 warehouse and advised that they will comply with the relevant Australian Standards and will suitably cater for B-double truck access.

The number of parking spaces proposed is consistent with that recommended by the RTA and the designs are suitably flexible to accommodate a higher level of on-site parking if required.

Contamination

Consulting Earth Scientists (CES) has undertaken a desk top review, a site investigation and soil sampling (Phase 1 Investigation) for the overall site. CES also undertook detailed sampling of soils over the Stage 1 PA site. CES found that with regard to soil contamination, the Stage 1 site is suitable for the proposed industrial/commercial development without need for any remediation works to be carried out. CES also considers that the remainder of the site is or can be made suitable for the proposed warehouse use and recommends that Phase 2 investigations be undertaken for future project applications along the north eastern boundary of the site.

Geotech

CES undertook a Geotechnical Assessment of the site so as to inform earthworks and engineering design on the site. The investigation found that the ground condition of the site generally comprises topsoil, underlain by alluvial and residual soils over shale bedrock of the Wianamatta Group. The subsurface soils will require subgrade improvement through lime stabilisation or subgrade replacement at suitable levels for pavement bearing.

Groundwater was encountered on the site at depths of between 2.1m and 5.3m below ground level. During construction seepage will be controlled by conventional sump drainage at the toe of excavations. During operation this drainage will be connected to the site building drainage.

Acoustic Assessment

Wilkinson Murray has undertaken an Acoustic Impact Assessment for the Precinct and Stage 1 warehouse. Noise measurements were taken the week commencing 19 July 2010 to determine existing background noise levels at the nearest residential receivers and to establish appropriate noise goals for the development.

With regard to construction noise, the proposal will comply with the established noise goals except during initial earthworks in the south-eastern corner of the precinct which have the potential to affect the acoustic amenity of adjoining dwellings. In order to minimise this impact, Wilkinson Murray recommends mitigation measures be incorporated into the Construction and Environmental Management Plan for the site. A commitment requiring this to occur for each project is included in the Statement of Commitments at Section 7 of this report.

The assessment undertaken by Wilkinson Murray for the whole precinct when operational has established that the warehouse buildings in the south-east corner of the site will need to have the loading docks located on the western side of the buildings to avoid acoustic impacts. This design measure will ensure that the dock noise is shielded by the warehouse building and that the buildings in this part of the site will achieve the noise goals established for the operational phase of the project. A commitment has been made which requires the submission of an acoustic assessment with each project application which demonstrates that the development will comply with the noise goals established for the precinct.

Wilkinson Murray assessed the proposed Stage 1 Warehouse development and concluded that noise mitigation measures are not necessary due to the significant separation distance from the nearest residential receivers.

Bushfire

Australian Bushfire Protection Planners (ABPP) has undertaken an assessment of the proposed development. ABPP's recommendation of providing a setback of 10m from the E2 zone has been incorporated into the design of the Concept Plan. These setbacks will ensure that there is adequate defendable space in the event of a bushfire.

Development lots which include areas of defendable space and are adjacent to the E2 zone will need to demonstrate compliance with the recommendations of ABPP in terms of landscape maintenance, building design and construction, fire fighting access and emergency planning.

With regard to the Stage 1 Project Application, ABPP notes there are no mandatory Defendable Space setbacks required for Building 1 as it is not located adjacent to current or future bushfire prone vegetation.

Services

The site can be serviced to accommodate the proposed employment precinct. Electricity will initially be sourced from the existing zone substation site in Eastern Creek. Ultimately, electricity will be sourced from the Horsley Park substation which will be constructed by Integral Energy on a site set aside in the Oakdale Development which is to the immediate north of the site.

Water will be supplied by extension of the water main in Old Wallgrove Road whilst the existing sewer lines will be utilised until such time as a sewage pumping station is erected within the precinct.

Stormwater and Flooding Assessment

Browns Consulting Engineers (Browns) has undertaken a stormwater and flooding assessment of the precinct. Browns has formulated a Stormwater Management Plan which will ensure that 100 year ARI flows are maintained at pre-development rates within the site catchment, to ensure no increase in peak flows in Ropes Creek.

The Management Plan provides for the construction of bio-retention basins which will treat stormwater to ensure the precinct meets the water quality targets set for the site.

Browns has designed drainage infrastructure to be installed within the Stage 1 development which is consistent with the Stormwater Management Plan. Browns has confirmed that the proposed Stage 1 development will not result in any increase peak flows at Ropes Creek and that stormwater quality targets will be achieved.

Visual Impact Assessment

JBA Planning has prepared a Visual Impact Assessment for the development.

The most visually sensitive part of the site is considered to be the south-eastern corner due to the proximity of residential properties, their relative elevation, the topography of the site and the lack of vegetation currently existing on the site.

As a consequence of the above, the development of the south-eastern corner of the site has the potential to impact the views obtained from residences in Greenway Place and Capitol Hill Drive. In order to minimise these potential impacts, the following mitigation measures are proposed:

- lowering of pad levels of buildings in the visually sensitive part of the site (south-eastern boundary) such that they will be approximately 13 – 19 metres below the level of Greenway Place;
- provision of a minimum 30m building line setback from the eastern boundary in the south-eastern corner of the site; and
- incorporation of landscaping, architectural features on building walls and boundary treatments such as fencing and earth batters where appropriate.

With the above strategies implemented, the proposed development is not expected to generate any unacceptable visual impacts. Details of the specific measures to be implemented for each building will be provided with the relevant project application. A commitment to this effect is provided in the Statement of Commitments at Section 7 of this report.

Flora & Fauna Assessment

Whelans Insites has prepared a Flora and Fauna Impact Assessment for the proposed development. Whelans considers that the subject site presents no ecological constraints to development activities and that none of the vegetation present is of particular ecological value or significance, and it is not considered likely that any native biota would be dependent or reliant upon vegetation, habitats or resources present on the subject site.

There is a small patch of degraded riparian woodland which will be retained and protected within the E2 zone and as such the development will not generate any adverse biodiversity impacts to this part of the site.

The two farm dams on the subject site will be removed as a result of the development of the site as proposed. Whilst these dams provide some limited habitat for some native fauna, Whelans Insite considered that they are not of significance with respect to biodiversity conservation in the general locality. Further, appropriate planting of native aquatic and semi-aquatic vegetation in and around stormwater control basins on the subject site would provide essentially the same habitat values and features.

Whelans Insites has made recommendations in relation to the environmental management of construction activities which will be incorporated into the Environmental and Construction Management Plan for the project, see the Statement of Commitments at Section 7 of this report.

Indigenous Heritage

Godden Mackay Logan (GML) has assessed the site for Indigenous and Non-Indigenous Heritage Significance. The site is not listed as a heritage item and is not located within a Heritage Conservation Area.

As part of their assessment, GML undertook a desk-top review, consulted with the local Aboriginal Community and undertook a field study. The study found the site does not contain any previously recorded sites. One previously unrecorded object was located during the field survey.

Due to the low visibility of the site during the field survey GML has identified areas which have potential for Aboriginal objects and has recommended that further investigation occur in those areas by way of a test excavation program.

Following completion of the test excavation program and beyond Stage 1, GML recommends that:

- an Aboriginal Heritage Management Plan be prepared for the precinct dealing with Stages 2 onwards; or
- an Aboriginal Heritage Impact Assessment be submitted with each future project application.

A commitment to this effect is included in the Statement of Commitments at Section 7 of this report.

With regard to the Stage 1 Project Application GML has recommended that an Archaeological Research Design (ARD) be prepared for a test excavation within PAD 3 and presented to the Local Aboriginal Community for review and comment. The test excavation should occur prior to commencement of works. Should highly significant archaeological deposits be discovered during the test excavation program, a program of salvage excavation may be appropriate.

A commitment regarding the above is included in the Statement of Commitments at Section 7 of this report.

Non-Indigenous Heritage

GML considers that the north-western corner of the site has potential to contain archaeological remains of a farmhouse and associated buildings which are present in aerial photographs taken in 1947 and 1955. Archaeological remains were not identified during the field investigation but may have been buried during field improvements. If they exist, the remains together with the Privet trees which are still located on the site in the vicinity of the former farm house, may constitute a cultural landscape. However their significance is considered to be low due to the fact that the Privet trees are considered weeds and the farmhouse is not known to be associated with any prominent identities. GML considers the site does have research significance at a local level as it represents rural life on the Cumberland Plain in the early twentieth century.

In light of the above, GML recommends that if any relics are exposed during earthworks in the north-western corner of the site then the Heritage Branch of the Department of Planning be notified to determine if further investigation is required.

Economic and Social Benefits

The proposed development of the Horsley Park Employment Precinct is expected to generate the following economic and social benefits:

- Generation of between 1,870 and 3,740 new jobs within Western Sydney;
- Investment of up to \$479,026,000 million in the NSW economy;
- Construction of sections of the new regional link road network;
- Construction of new local roads; and
- Provision of \$16,830,000 (\$180,000 per developable hectare) in Regional Infrastructure Contributions.

1.0 Introduction

This Concept Plan and concurrent Project Application are submitted to the Minister for Planning pursuant to Part 3A of the Environmental Planning and Assessment Act 1979 (EP&A Act). This is to fulfil the Environmental Assessment Requirements issued by the Director General for the preparation of an Environmental Assessment for a Concept Plan and a concurrent Project Application for development on Lot A in DP392643, Burley Road, Horsley Park.

The proposal involves the redevelopment of the site for warehouse storage and distribution facilities and associated site infrastructure as well as the construction of the Stage 1 Warehouse. A photomontage of the proposed Stage 1 warehouse is provided at **Figure 1**.

The report has been prepared by JBA Urban Planning Consultants Pty Limited, for the proponent, Jacfin Pty Limited and is based on information provided by the expert consultant team.

This EAR describes the site, its environs and the proposed development, and includes an assessment of the proposal in accordance with the Director-General's Environmental Assessment Requirements under Part 3A of the EP&A Act (Refer **Appendix A**). It should be read in conjunction with the information contained within and appended to this report.



Figure 1 – Photomontage of the proposed development

Source: MNIA Architects

1.1 Background

Western Sydney Employment Area (WSEA)

In December 2005, the NSW Government announced the creation of the Western Sydney Employment Area (WSEA) covering approximately 2,450 hectares near the intersection of the M4 and M7 Motorways. The WSEA incorporates 10 precincts covering current and future employment lands in Blacktown, Penrith, Holroyd and Fairfield Local Government Areas (LGAs) which were at the time subject to a variety of planning regimes and different zones.

In August 2009, the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) was gazetted, which provides consistent zoning and development control provisions to facilitate development of the WSEA for the purposes of employment and industry. The WSEA and its associated Precincts are illustrated in **Figure 2**.

The land owned by Jacfin Pty Ltd, and the subject of this application, is located within Precinct 8 of the WSEA known as "South of the Sydney Catchment Authority Warragamba Pipelines" (the Site). Precinct 8 has a total area of 656 hectares and the potential to generate up to 8,000 jobs. The site comprises approximately 100 hectares of this Precinct. The site is predominantly zoned IN1 General Industrial under the WSEA SEPP with the exception of a small natural drainage line on the western boundary which is zoned E2 Environmental Conservation.

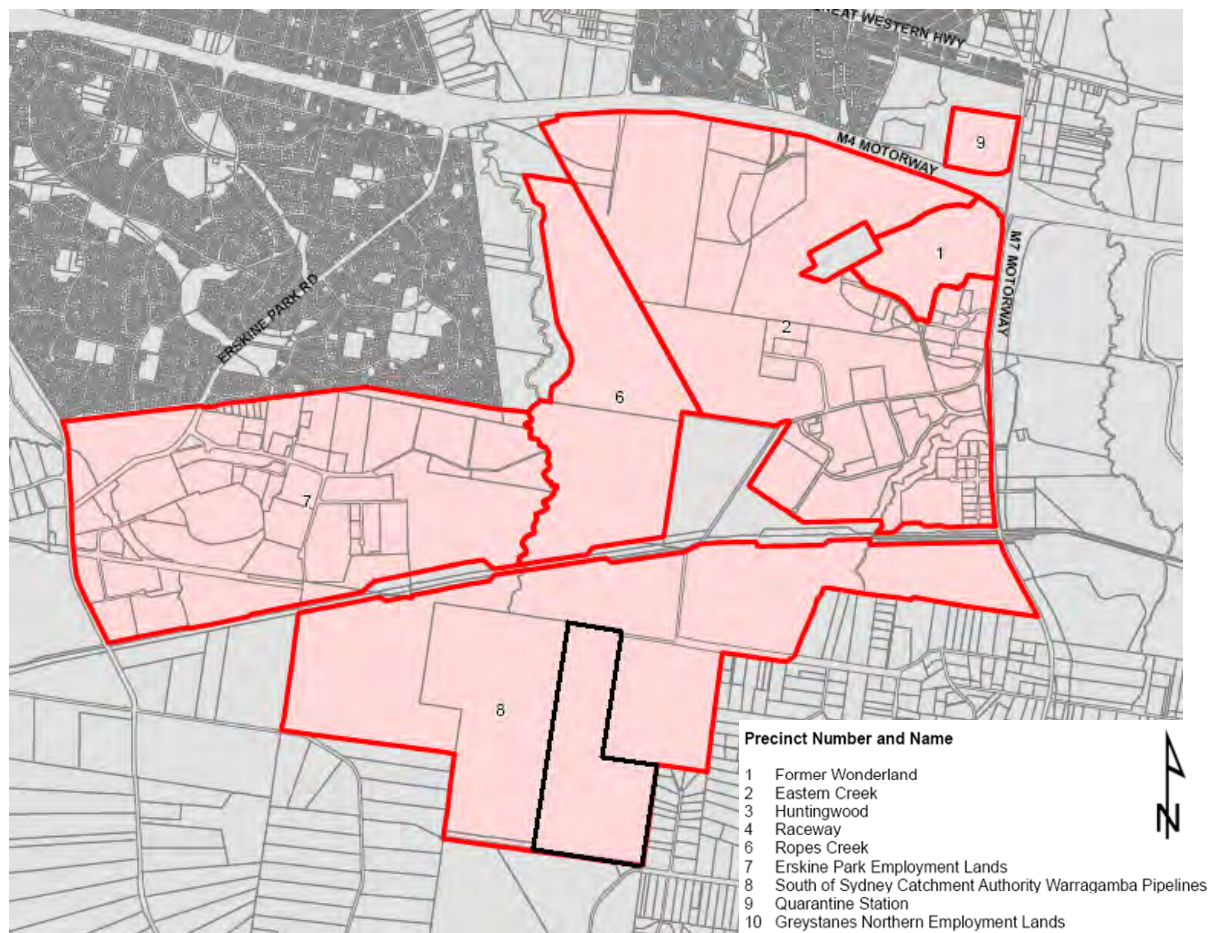


Figure 2 – Western Sydney Employment Area

Source: Department of Planning (WSEA SEPP)

Link Road Network

The WSEA SEPP identifies as a "Transport Infrastructure Route", an alternate north-south link to the west of Old Wallgrove Road connecting Precinct 6 to the east-west Erskine Park Link Road, and to Archbold Road and the M4 to the north. The WSEA SEPP (Clause 26) includes provisions requiring referral of any application for development of land on or in the vicinity of a transport infrastructure route to the Director-General of the Department of Planning for his consideration as to the compatibility of the development with the proposed route concerned. The site in the context of the proposed WSEA Link Road network is shown in **Figure 3**.

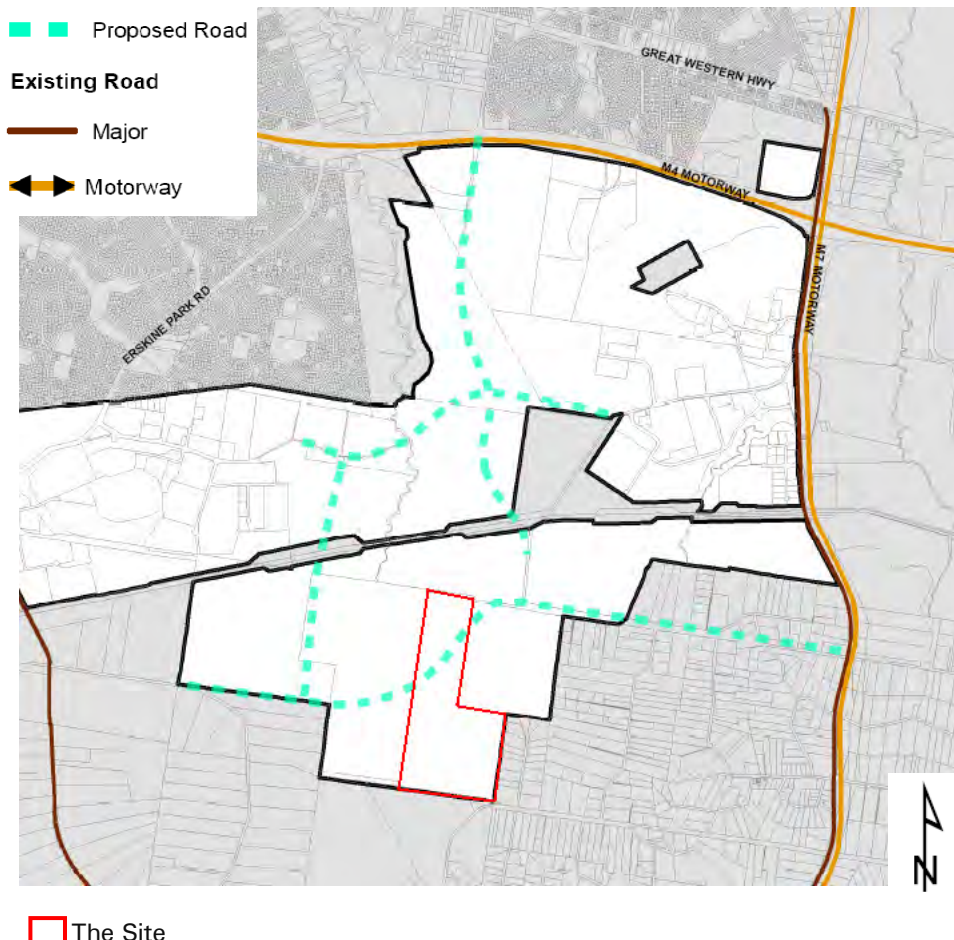


Figure 3 – Western Sydney Employment Area Link Road Network

Source: Department of Planning (WSEA SEPP)

Erskine Park Link Road Network Concept Plan

Concurrent with the gazettal of the WSEA SEPP, the Minister for Planning approved the Erskine Park Link Road Network Road Concept Plan (MP06_0166).

Figure 4 shows the approved road alignment in blue.

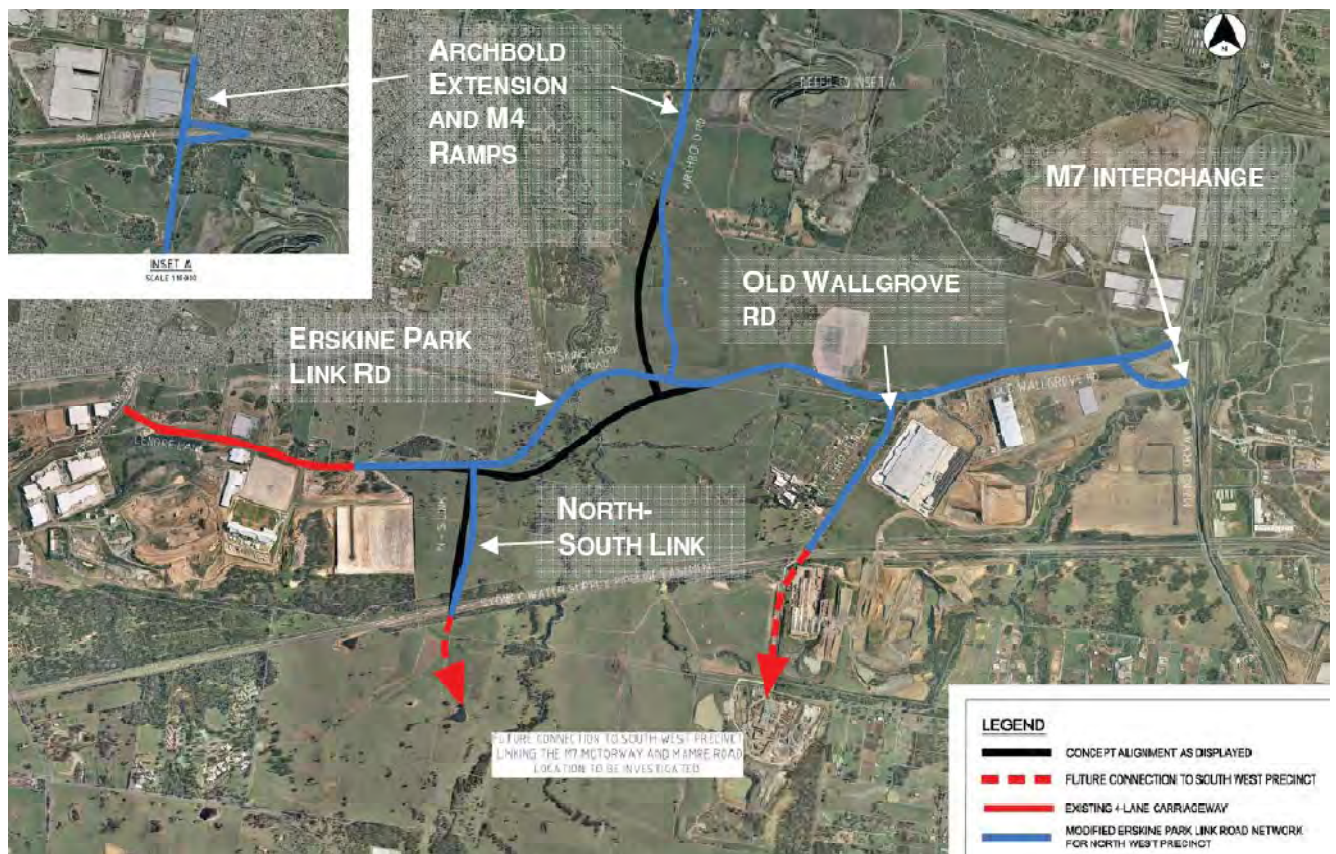


Figure 4 – Approved Erskine Park Link Road Network (blue) and SEPP WSEA Alignment (black)

Source: NSW Department of Planning

1.2 Project Team

An expert consultant team has been formed to deliver the project and includes:

Key Issue	Consultant
Proponent	Jacfin Pty Ltd
Legal	Allens Arthur Robinson
Planning / Urban Design	JBA Urban Planning
Architecture	MNIA Architects
Landscape	Clouston Associates
Civil Engineering	Brown Consulting Engineers
Contamination / Geotech	Consulting Earth Scientists
Heritage	Godden Mackay Logan
Acoustics	Wilkinson Murray
Traffic	Halcrow
Bushfire	Australian Bushfire Protection Planners
Survey	RPS
Flora and Fauna	Whelans Insites

2.0 Site Analysis

2.1 Site Location and Context

The site is located within the Penrith Local Government Area (LGA) at Horsley Park. The site's northern and eastern boundaries form the boundary between Penrith and Fairfield LGAs. The site lies approximately 550m to the south of the Sydney Catchment Authority (SCA) water supply pipeline.

The regional context of the site is illustrated on the plan at **Figure 5** and the local context of the site is illustrated in **Figure 6**.

2.2 Land Ownership and Legal Description

The site is legally known as Lot A in Deposited Plan 392643 and is approximately 100 hectares in area. The site is owned by Jacfin Pty Ltd. A survey plan of the site is included at **Appendix B**.

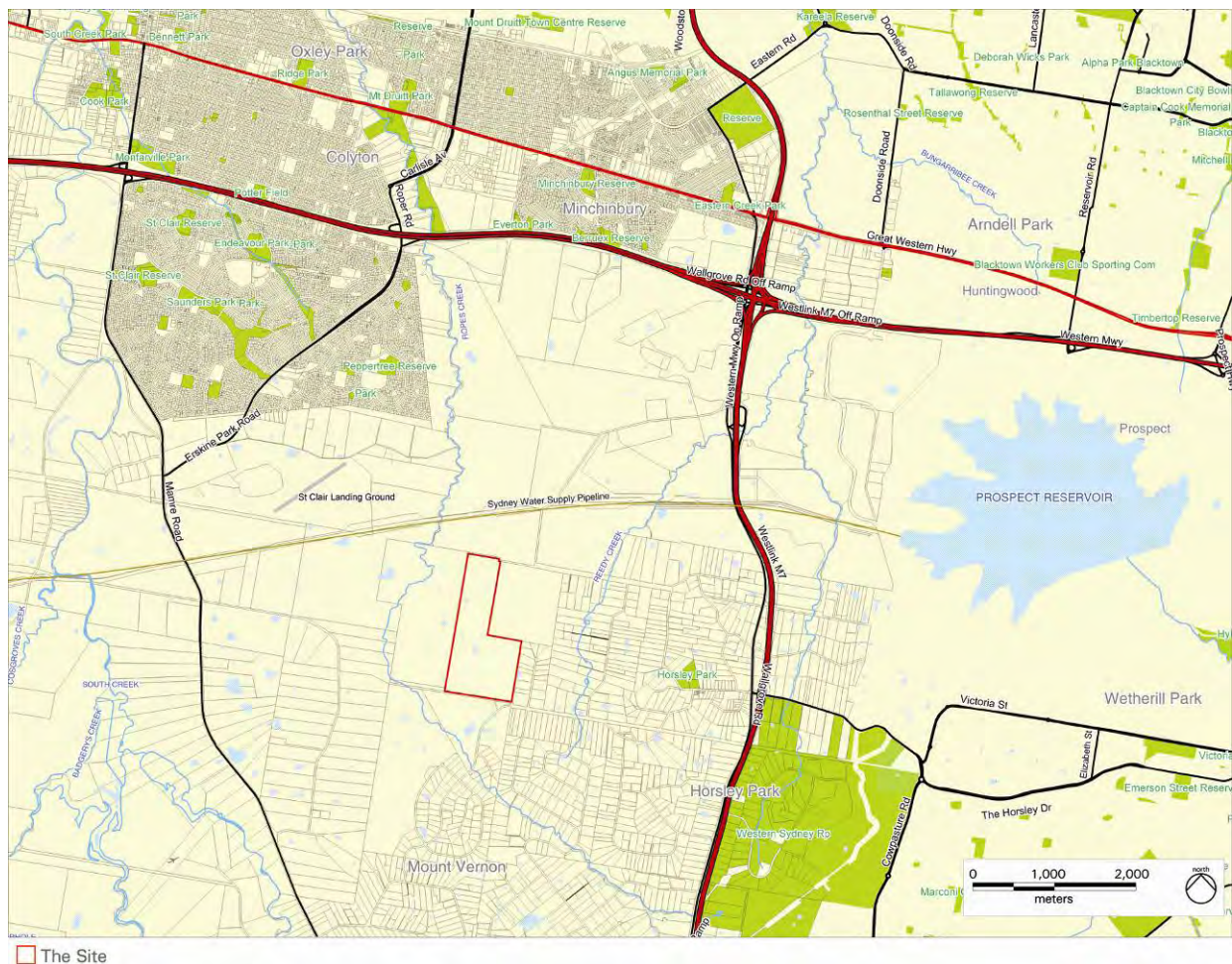


Figure 5 – Site location

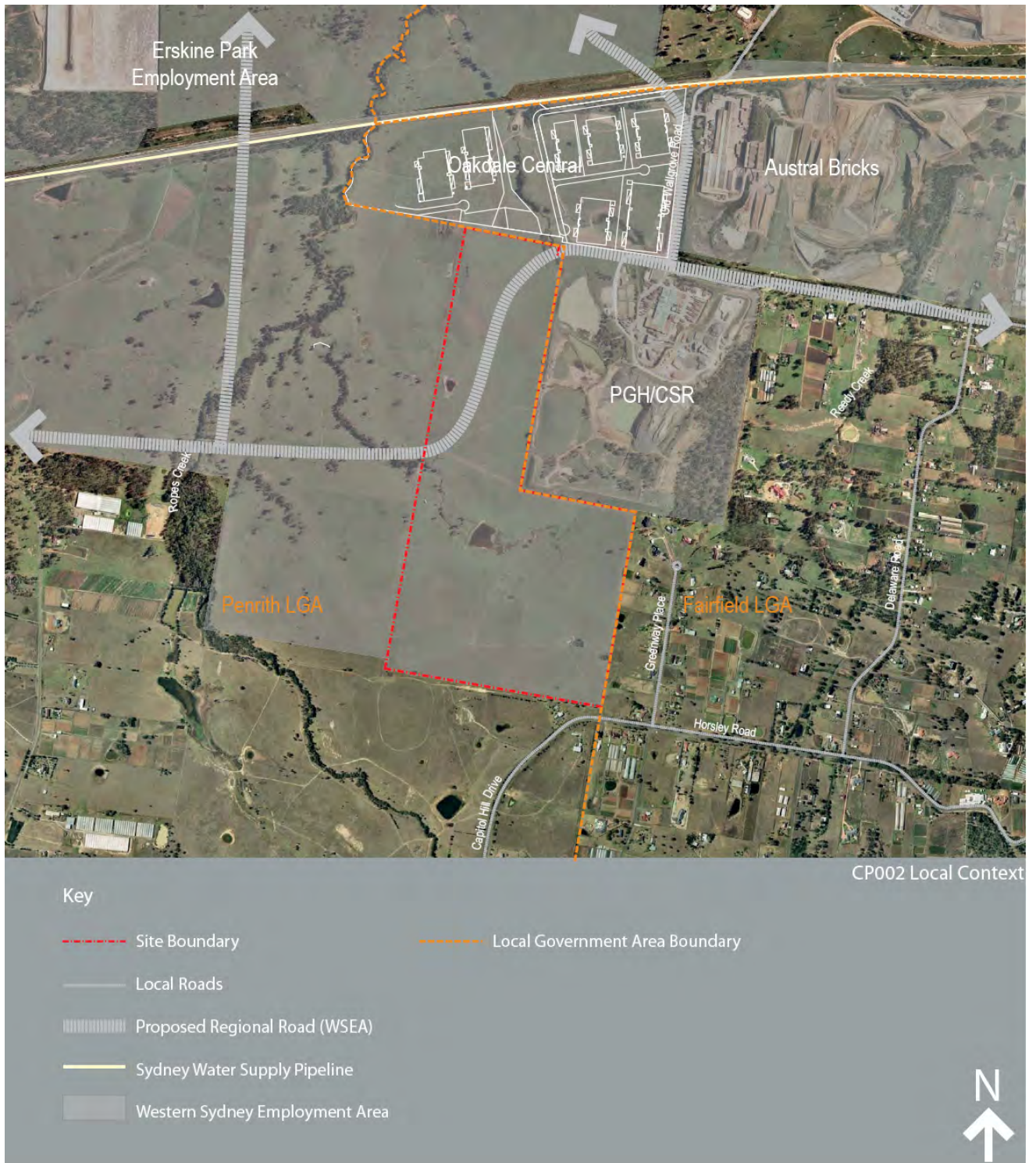


Figure 6 – Site locality plan

2.3 Existing Site Characteristics and Development

The site is cleared of its natural vegetation and is currently used for cattle grazing. The only significant structure on the site is a small demountable cottage (see **Figure 8**) located in the south east corner that was relocated to the site and is not permanently occupied. A farm dam is located in the centre of the site and a second small dam is located in the north western corner of the site. An aerial photograph of the site is provided at **Figure 7**. Views of the site are provided at **Figures 9 to 11**.



Figure 7 – Aerial photo of the site



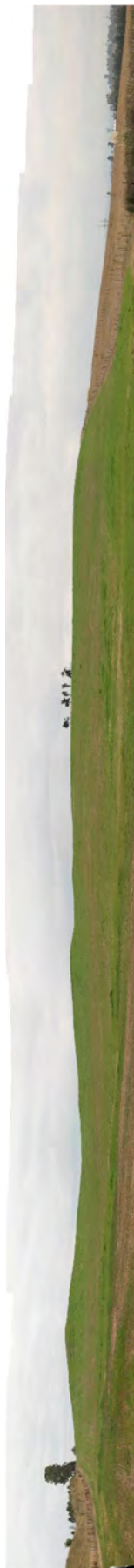
Figure 8 – Small demountable cottage located in the south east corner of the site



View of the site looking from the eastern boundary towards the north-west



View of the south-eastern corner of the site with the existing dam in the centre of the site



View of the site looking from the north-east corner towards the south



View from the south of the site looking towards the west

Figure 9 – Panoramic site photos



Figure 10 – Eastern boundary of the site as viewed from the north-eastern corner of the site



Figure 11 – View of the eastern boundary and northern section of the site from the central fence line

2.4 Site Access

Access to the site is via Burley Road to the north which is shown in **Figure 12**. Burley Road intersects with Old Wallgrove Road which provides direct access to Wallgrove Road and the M7 motorway.



Figure 12 – Existing site access from Burley Road

2.5 Topography

The site is characterised by undulating topography with a ridgeline running generally north-west to south-east through the northern section of the site and a second ridge that extends east-west across the southern section of the site.

As shown in **Figure 13**, the highest point of the site is in the south-eastern corner where the temporary dwelling is located (RL93m). The lowest point of the site is located on the western boundary near the centre of the site (RL64m). A survey plan is included at **Appendix B**.

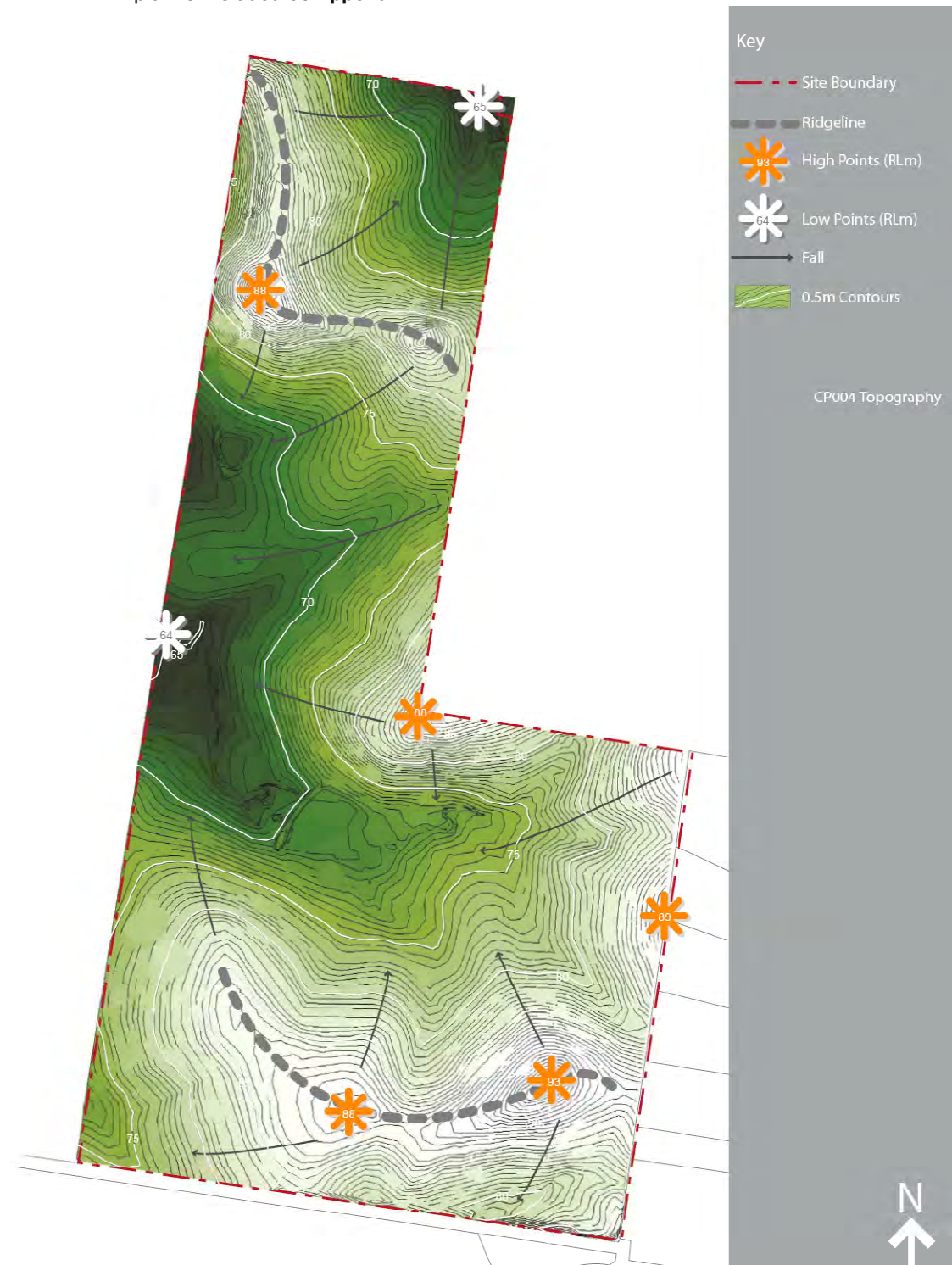


Figure 13 – Site topography

2.6 Vegetation & Environmental Zone

The site has been cleared for grazing purposes and as such there is minimal vegetation on the site other than exotic grasses. Small clumps of trees are located in the low point of the site within the E2 conservation zone and on the high point in the south-east corner.

2.7 Ground Conditions

Geotechnical investigations (see **Appendix C**) have revealed that the ground condition of the site generally comprises topsoil, underlain by alluvial and residual soils over shale bedrock of the Wianamatta Group.

Groundwater was encountered on the site and varies between 1.6m and 3.8m below ground level.

A review of the site's history and soil testing has revealed that the site shows no sign of contamination (see the Consulting Earth Scientist's report at **Appendix D**).

2.8 Surrounding Development

To the east of the site

To the east, the site adjoins a PGH brickworks facility owned by CSR Limited.

A number of rural residential properties on Greenway Place are located to the south of the CSR brickworks which overlook the southern part of the site (see **Figure 14**). Beyond that are multiple small rural holdings and Horsley Park.



Figure 14 – Residential properties located adjacent to the south-eastern boundary of the site (on Greenway Place)

To the north and west of the site

To the north and west the site adjoins land, known as the "Oakdale Precinct" and managed by Goodman. It also forms part of Precinct 8 of the WSEH. On 2 January 2009, the Minister for Planning approved a Concept Plan for a warehouse, storage and distribution centre (See **Figure 15**) and a Project Application for construction of the first stage of that development. The Oakdale Central development includes upgrades to Old Wallgrove Road from the SCA Pipeline connecting through to the Eastern Creek Precinct and the M7. The Concept Plan, as approved, also includes provision for future road upgrades to facilitate the Burley Road / Chandos Road link to Wallgrove Road and the M7.

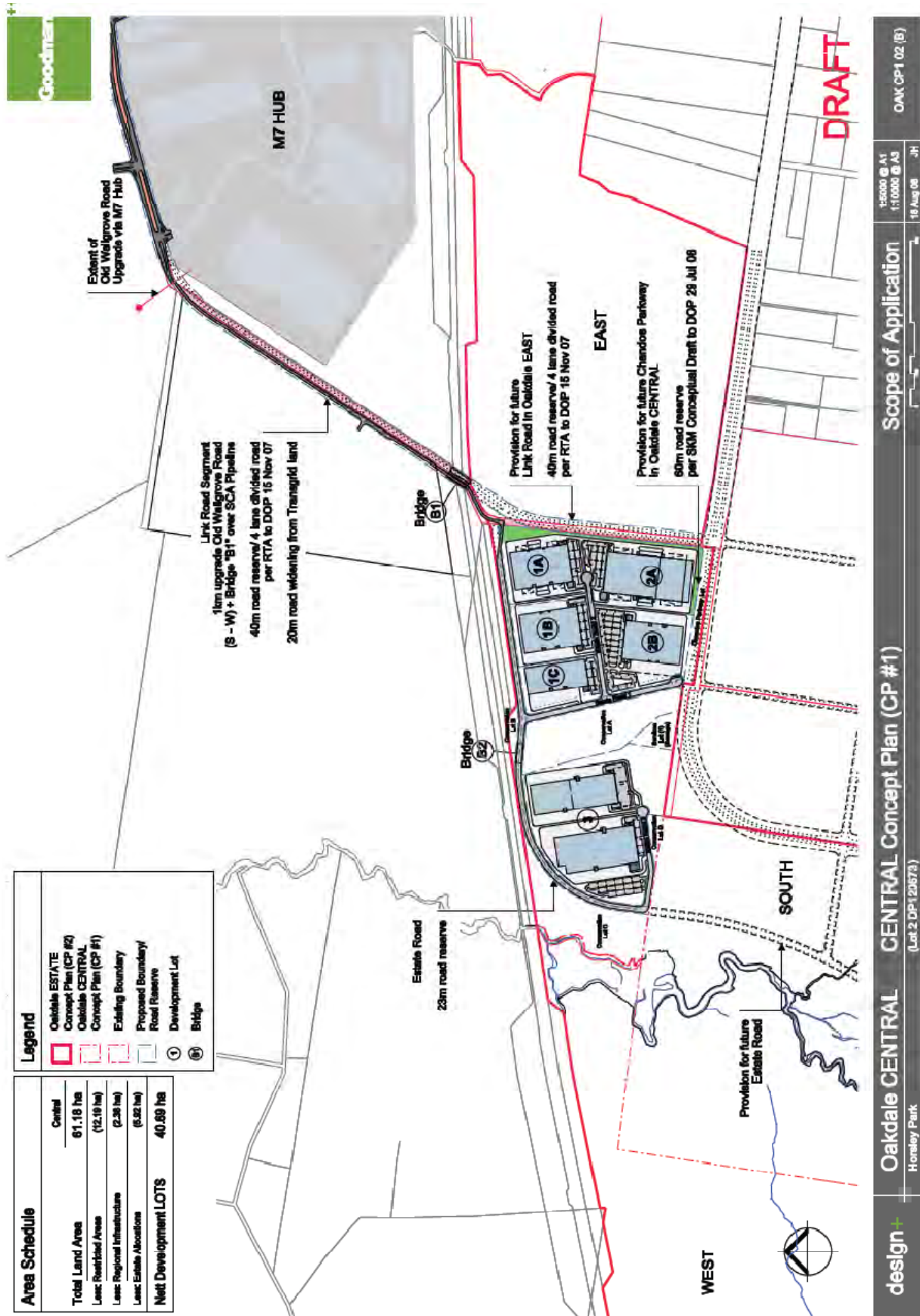


Figure 15 – Oakdale Central Concept Plan

Source: Goodman Pty Ltd

To the south of the site

To the south of the Site are rural residential areas known as Capitol Hill and Mt Vernon. **Figure 16** provides a photo of the properties located to the immediate south of the site, an aerial view of the properties to the south is provided at **Figure 6**.



Figure 16 – Properties to the south of the site

3.0 Planning Framework and Context

3.1 Relevant Legislation

3.1.1 Environmental Planning and Assessment Act 1979 (EP&A Act)

Part 3A of the EP&A Act outlines the process for considering major project applications. In particular it outlines:

- What development comprises a major project;
- The matters which the Minister must take into account when assessing a major project application;
- Information which must be submitted with a major project application;
- The environmental assessment requirements for approval;
- Public exhibition of major project applications;
- Assessment report procedures; and
- Appeals under Part 3A.

The proposed development meets the objectives of the Act in that it:

- involves the orderly and economic use and development of land;
- comprises a sustainable form of development; and
- will not generate any adverse significant impacts on the environment.

3.1.2 Threatened Species Conservation Act, 1995

The *Threatened Species Conservation Act 1995* (NSW) (TSC Act) identifies and protects threatened and endangered species, populations and ecological communities. The objectives of the Act include:

- conserving biological diversity and promoting ecologically sustainable development;
- preventing the extinction and promoting the recovery of threatened species, populations and ecological communities;
- protecting critical habitats; and
- encouraging the conservation of threatened species, populations and ecological communities.

A Flora and Fauna assessment undertaken by Whelan Insites is discussed further in Section 6.8 and included at **Appendix E**.

3.1.3 National Parks and Wildlife Act, 1974

The *National Parks and Wildlife Act 1974* (NSW) (NPW Act) provides the primary basis for the legal protection and management of Aboriginal sites and relics within NSW. The NPW Act requires amongst other things:

- consultation with the DECCW prior to development to determine the existence of items of Aboriginal heritage;
- consultation with local Aboriginal groups; and
- consent to disturb or destroy Aboriginal heritage sites/items.

Any land containing Aboriginal cultural heritage impacted by future development would normally be subject to an application for 'consent to destroy' under Section 90 of the NPW Act. Pursuant to section 75U of the EP&A Act, as the Project is being determined under Part 3A, NPW Act approval would not be required, however the usual requirements under the NPW Act in relation to the management of indigenous heritage would still apply.

An Aboriginal archaeology assessment has been undertaken by Godden Mackay Logan and is included at **Appendix F**.

3.1.4 Rural Fires Act 1997 (NSW)

Amongst its objectives, the *Rural Fires Act 1997* (NSW) (RF Act) seeks to prevent, mitigate and suppress bush and other fires. Section 75U of the EP&A Act removes the requirement for a bushfire safety authority to be issued under Section 100B of the RF Act for projects determined under Part 3A. Nonetheless, the Project does not include subdivision for a residential purpose and is not a 'special fire protection purpose' under the RF Act.

The RF Act is supplemented by detailed bushfire protection planning guidelines in the form of Planning for Bushfire Protection 2006 and specifies relevant asset protection zones and design standards for certain types of development. The document has a focus on residential development and specific APZ's therein, however, all development on bushfire prone land must consider the aims and objectives of the document.

The site is not identified as being bushfire prone land, notwithstanding a Bushfire Assessment has been prepared by Australian Bushfire Protection Planners as the preservation of the E2 zone and its natural revegetation creates the potential for a future bushfire hazard. The assessment is included at **Appendix G**.

3.2 Strategic Planning

3.2.1 NSW State Plan

The NSW State Plan was released in November 2007. It sets key strategic priorities for the NSW Government and is to be used to guide decision making and resource allocation. Of relevance to this application is the priority relating to 'Growing Prosperity Across NSW' which includes activities that promote productivity and economic growth, including rural and regional NSW.

The relevant actions in the State Plan are:

- *Working with local businesses to keep jobs and investment in NSW and side by side with Invest Australia to promote Sydney and regional NSW as first-rate business destinations.*
- *Reducing turnaround times and increasing the certainty of expected timeframes for major development assessment approvals.*
- *Protecting employment land in existing areas and fast tracking zoning and availability of serviced industrial land to meet the needs of business growth across the State.*

The proposed development assists the NSW Government in achieving the above actions that they are committed to, in that it will:

- provide a significant investment in the NSW economy; and
- provide a significant number of new jobs in Western Sydney.

The economic and employment benefits of the project are discussed in more detail at Section 6.16 of this report.

3.2.2 Sydney Metropolitan Strategy

The Sydney Metropolitan Strategy was introduced by the NSW State Government in 2005 to provide a broad framework to manage growth in Sydney until 2031. One of the key aims of the Metropolitan Strategy is to create more jobs in Western Sydney.

3.2.3 Draft North West Subregional Strategy:

The Draft North West Subregional Strategy was prepared by the NSW State Government to translate the Metropolitan Strategy actions to a local and subregional level. The strategy sets the following employment and housing targets for the subregion:

- additional 130,000 jobs; and
- additional 140,000 dwellings.

Of the 130,000 jobs to be created in the North-West Subregion, 28,000 are to be created within the Penrith LGA.

The strategy nominates the site as being within the *Western Sydney Employment Hub* which is expected to:

- generate up to 36,000 jobs; and
- meet demand for new economic activities and a range of Employment Land sites in Western Sydney, with forecasts showing that new land for industrial purposes in proximity to the M7 Motorway will be required in the mid to long term.

3.2.4 Employment Lands for Sydney Action Plan 2007

The Employment Lands for Sydney Action Plan was released in 2007 and builds upon the findings of the high level Employment Lands Task Force. Key Action No. 2 of the Action Plan is 'Release more employment lands' and the site is identified within the Action Plan as 'proposed employment lands'.

The strategy states:

"Detailed planning will ensure a range of lot sizes to encourage diversity of economic activities for the growing residential population and workforce in the surrounding areas."

This Concept Plan forms the detailed planning of the site and will deliver a range of lot sizes and new employment opportunities within Western Sydney in accordance with the objectives of the Action Plan.

The Horsley Park Employment Precinct will provide between 1,870 and 3,740 new jobs from the developable land generated in the Concept Plan (assuming a job generation rate of 20 – 40 jobs per developable hectare).

3.3 Environmental Planning Instruments

This section summarises the relevant State and Regional Environmental Planning Instruments (EPI) that apply to the site. The following planning instruments are of key relevance to the proposed development:

- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Western Sydney Employment Area) 2009;
- State Environmental Planning Policy (Infrastructure) 2007; and
- State Environmental Planning Policy No. 55 – Remediation of Land.

3.3.1 State Environmental Planning Policy (Major Development) 2005

The Major Development SEPP identifies development that is of State significance. Clause 6 of the Major Development SEPP identifies that development, that in the opinion of the Minister for Planning is development of a kind referred to in Schedule 1 (Classes of Development), is declared to be a project to which Part 3A of the EP&A Act applies.

Pursuant to Clause 6 of the Major Development SEPP, the Minister for Planning on 13 August 2010 formed the opinion that the proposed development meets the criteria in Schedule 1, Group 4, Clause 12 of the SEPP, having satisfied himself that the development is a “distribution or storage facility” with a capital investment of more than \$30 million.

Subsequently, the Director General’s Environmental Assessment Requirements for the project were issued on 13 August 2010.

3.3.2 State Environmental Planning Policy (Western Sydney Employment Area) 2009

In August 2009, the State Environmental Planning Policy (Western Sydney Employment Lands) 2009 (WSEA SEPP) was gazetted, which provides consistent zoning and development control provisions to facilitate development of the WSEA for the purposes of employment and industry.

The site is located within Precinct 8 – “South of the Sydney Catchment Authority Warragamba Pipelines”. It is part zoned IN1 – General Industrial and part zoned E2 – Environmental Conservation (see **Figure 17**) and a proposed regional road is shown running through the site.

The Tables of Compliance at **Appendix H** provide a detailed assessment of the proposal’s compliance with the relevant provisions of the SEPP.

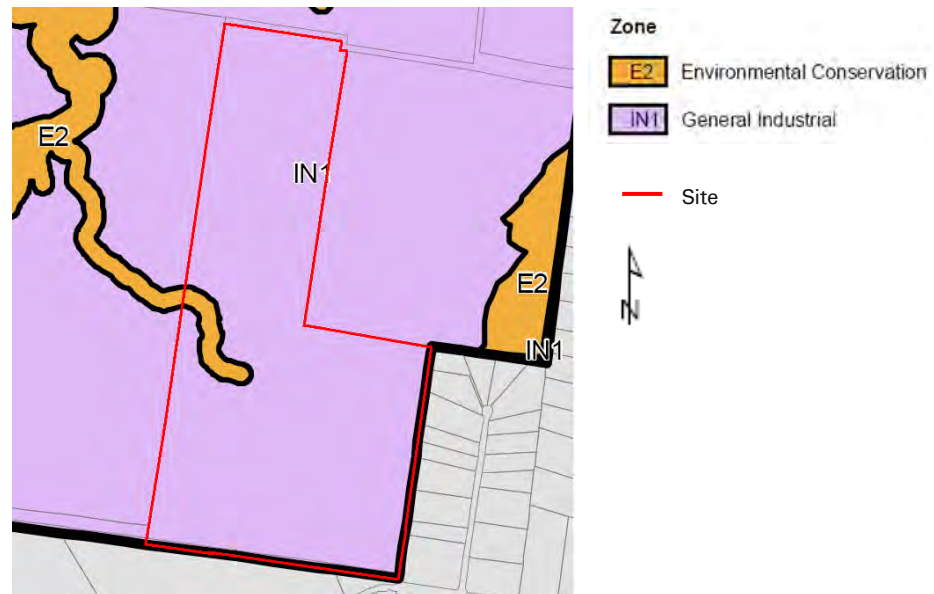


Figure 17 – Site Zoning

Source: Department of Planning (WSEA SEPP)

3.3.3 State Environmental Planning Policy (Infrastructure) 2007

As access will ultimately be from a Classified Road (once constructed) Clause 101(2) is relevant. Clause 101(2) of the Infrastructure SEPP requires that, prior to approval, the consent authority must be satisfied that:

- (a) *Where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *The safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
 - (i) *The design of the vehicular access to the land, or*
 - (ii) *The emission of smoke or dust from the development, or*
 - (iii) *The nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *The development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

An assessment of the proposed road design is provided in the Halcrow Report at **Appendix I**. All of the proposed lots will be accessed via local roads and not the north-south regional road, which is the relevant Classified Road.

The proposed development is identified as traffic generating development within Schedule 3 of the Infrastructure SEPP as it is defined as “industry” with a floor area in excess of 5,000m².

Clause 104 of the Infrastructure SEPP requires that for development applications, for development described within Schedule 3, the consent authority:

- (a) Give written notice of the application to the RTA within 7 days of after the application is made, and*
- (b) Take into consideration*
 - (i) Any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) The accessibility of the site concerned, including:*
 - (A) The efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) The potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk by rail, and*
 - (iii) Any potential traffic safety, road congestion or parking implications of the development.*

A Traffic Assessment prepared by Halcrow is provided at **Appendix I** which will be referred to the RTA for comment by the DoP in accordance with the requirements of the SEPP.

3.3.4 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. It requires that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated, and if the land is contaminated whether or not the land can be made suitable for the proposed use.

Consulting Earth Scientists has undertaken an assessment of the site and has determined that it is or can be made suitable for the proposed use. Their report is included at **Appendix D**.

3.3.5 Penrith Local Environmental Plan 2001

The Penrith Local Environmental Plan does not apply to the site.

3.3.6 Penrith Development Control Plan 2006

Whilst local Development Control Plans do not apply to development assessed under Part 3A of the Act, a detailed assessment of compliance with this document is provided in the Tables of Compliance at **Appendix H**.

4.0 Concept Plan

The Concept Plan establishes the vision, planning and development framework which will be used by the consent authority to assess future development proposals within the Horsley Park Employment Precinct. Concept Approval is being sought for the following:

- Site layout and developable areas;
- Regional road connections;
- Site Infrastructure;
- Indicative project staging; and
- Project application guidelines.

The Concept Plan is described below. The Concept Plan drawings are included at **Appendix J**.

4.1 Site Layout

The site generates 93.5 hectares of developable area¹. **Figure 18** provides an indicative layout of how the site might be developed, however the eventual lot sizes and extent of local roads may vary depending on the market and tenant requirements.

The lots have been designed such they are of a suitable size to accommodate a warehouse building, can be accessed via a local road and take into account site topography.

A service centre has been positioned within the middle of the precinct. The site was chosen as the service centre will have high visibility along Regional Road 1, and can easily be accessed via Local Road 2.

The E2 zone has been incorporated into one of the proposed lots and will be the responsibility of the owner of that lot.

The following minimum setbacks are provided within the Concept Plan layout:

- 20m building setback from regional roads;
- 7.5m building setback from local roads;
- 10m building setback from the E2 zone;
- 30m building setback from the south-eastern boundary; and
- 20m building setback from the western and southern boundaries.

While there may be a 20m or 30m building setback from the boundaries in the southern area of the site, other uses such as roads, parking and landscaping will be allowable in this setback zone.

¹ Developable area has been calculated in accordance with the RTA definition of Net Developable Area as applied to the former SEPP 59 road contributions. Note:

- (1) The area of regional road has been excluded for the entire 40m width;
- (2) The area of local roads has been included for their entire 21.5m width;
- (3) The E2 zone has been excluded because no development (other than for road purposes) is permitted;
- (4) Building line setbacks are all included;
- (5) There is no land set aside for public purposes; and
- (6) There is no flood liable land outside the (already excluded) E2 zone that will not be developable (i.e. will be rendered developable by filling as required).



Figure 18 – Proposed Concept Plan

4.2 Regional Road Connections

The WSEA SEPP identifies a regional road running north – south in an ‘S’ shape through the site (to be known as Regional Road 1). The entry and exit points of Regional Road 1 into and out of the site are positioned generally in accordance with the SEPP map (**Figure 3**) and will have a width of 40m with a 20m building setback on either side. The road will provide either two lanes in both directions or one through lane and one parking lane in both directions (7m carriageway either side). A 3m wide shared pedestrian cycle path is provided on one side of the road and a 1.5m wide pedestrian path on the other.

Local Roads will have a road reserve of 21.5m providing a single lane in both directions, and a 1.5m pedestrian park on one side and 3.0m shared pedestrian cycle path on the other, in the same way as the Regional Road. All of the proposed roads are able to accommodate B-double truck movements. Typical road sections of regional and local roads are provided in **Figures 19** and **20** and a circulation plan is included at **Figure 21**. Full size images are included at **Appendix J**.



Figure 19 – Road section of Regional Road 1



Figure 20 – Local Road Section

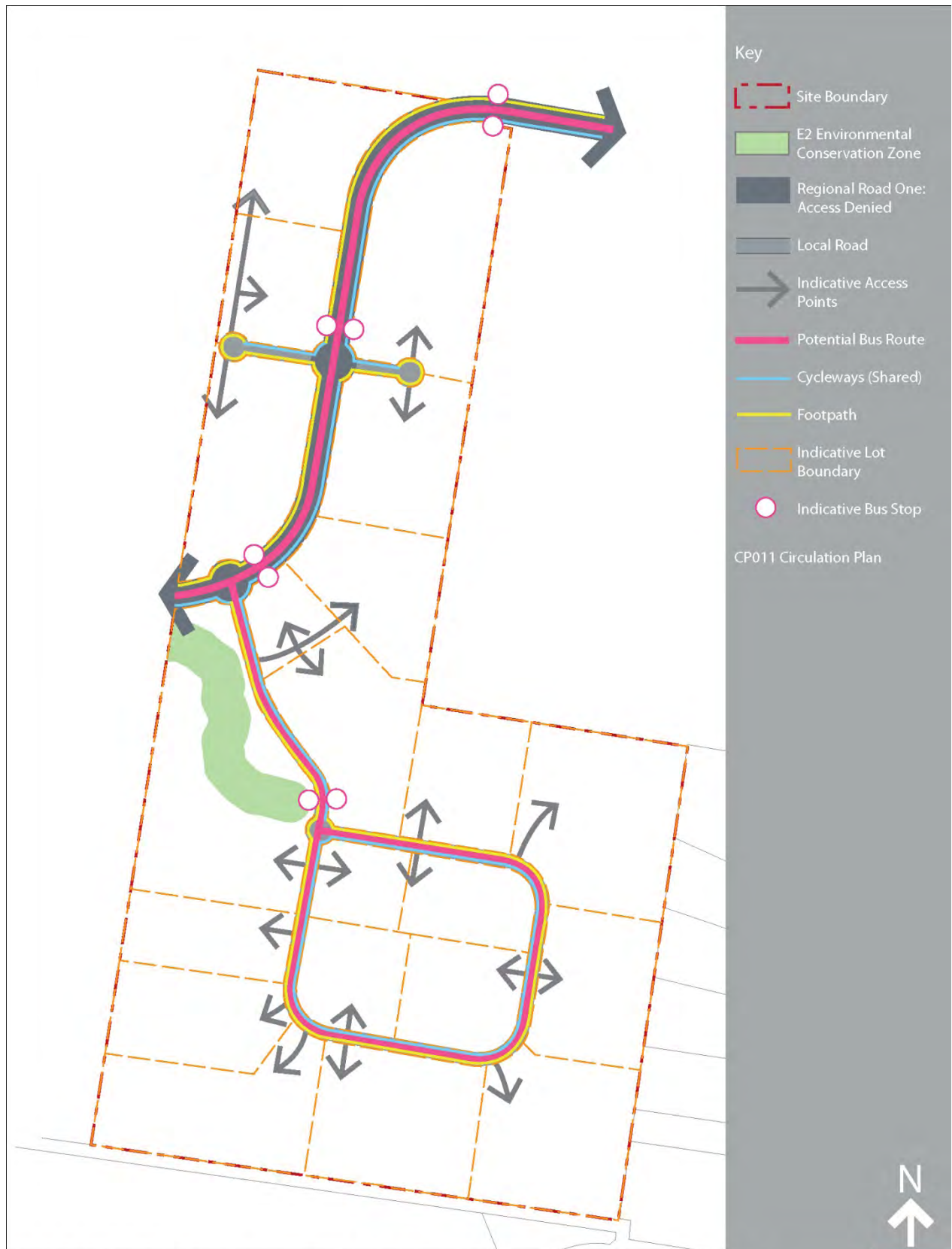


Figure 21 – Road circulation plan

4.3 Site Infrastructure

Electricity & Gas

Gas: Reticulation is available at the intersection of Burley Road and Old Wallgrove Road. A 510 meter extension along the road to be constructed will serve the site.

Electricity: The supply point is the existing Eastern Creek zone substation located off Old Wallgrove Road. The feeder for the site is to follow Old Wallgrove Road to the south west terminating at the property boundary. Ultimately a zone substation will be constructed by Integral Energy on a lot allocated within the approved Oakdale development which is located to the immediate north of the site.

Communications: Connection is available at the southern end of Old Wallgrove Road and will be extended along the newly constructed road for approximately 500 meters to the subject site.

The location of the above services is provided in **Figure 22**. Full size drawings are included at **Appendix K**.

Water Supply

The site will be supplied by an extension of the watermain in Old Wallgrove Road, comprising approximately 1 km of DN 200 main and 1.2 km of DN 150 main (shown in **Figure 23**). These mains will also serve other lands capable of development, therefore sharing of costs with other developers is expected to occur. This extension would be from the recently amplified Minchinbury Reservoir zone which Brown Consulting Engineers understands has sufficient supply capacity.

Sewerage

The Stage 1 warehouse will incorporate a small pumping station and rising main delivering sewage to the existing sewer in Eastern Creek Drive.

Ultimately, sewage will be pumped via a rising main located in Regional Road 1 and Old Wallgrove Road, to discharge to an extension of the Eastern Creek Submain system to Old Wallgrove Road. These works would be required when capacity is no longer available in the existing sewer in Eastern Creek Drive or at the direction of Sydney Water.

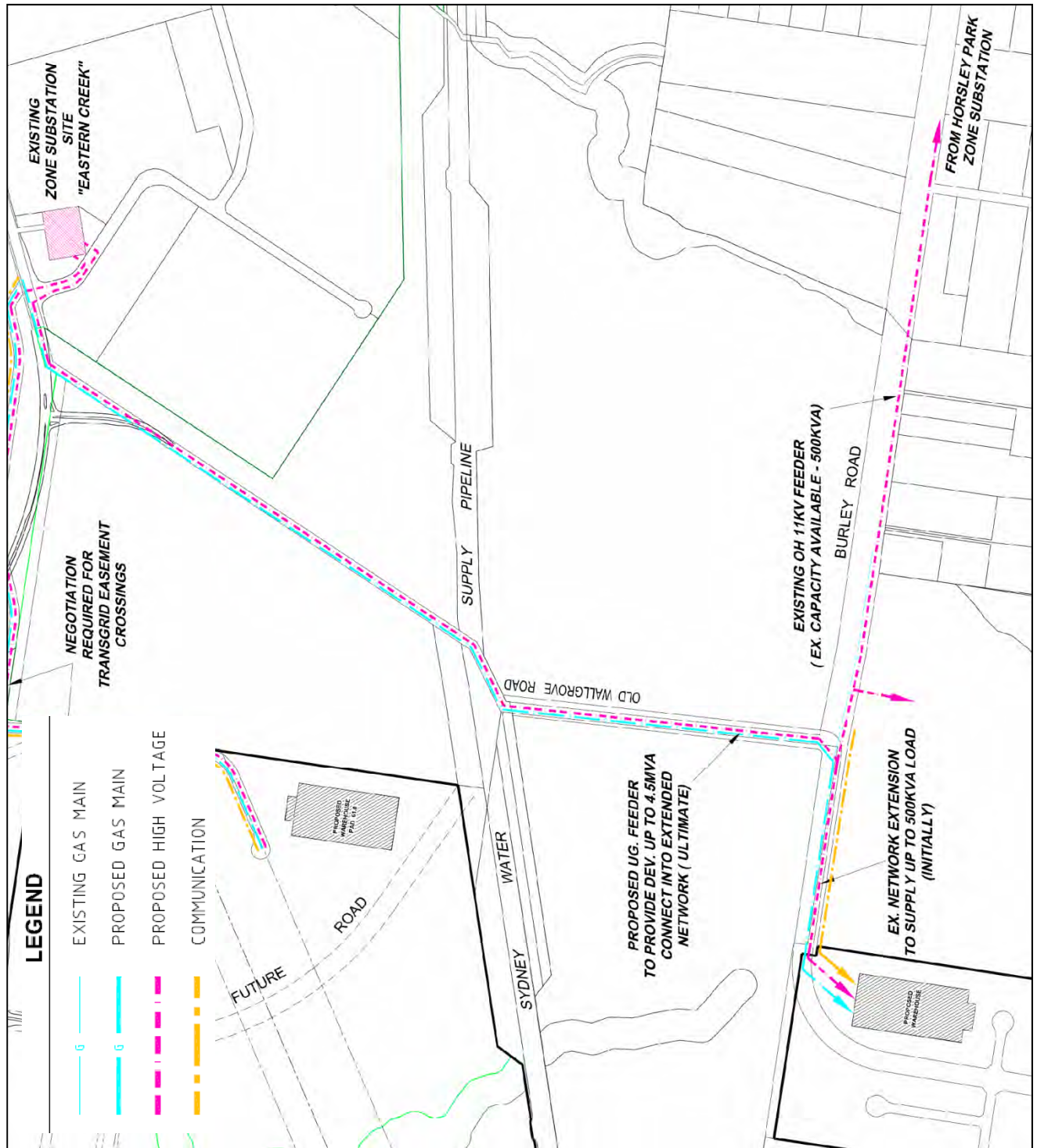


Figure 22 – Location of electricity, gas and telecommunications services

Source: Brown Consulting Engineers

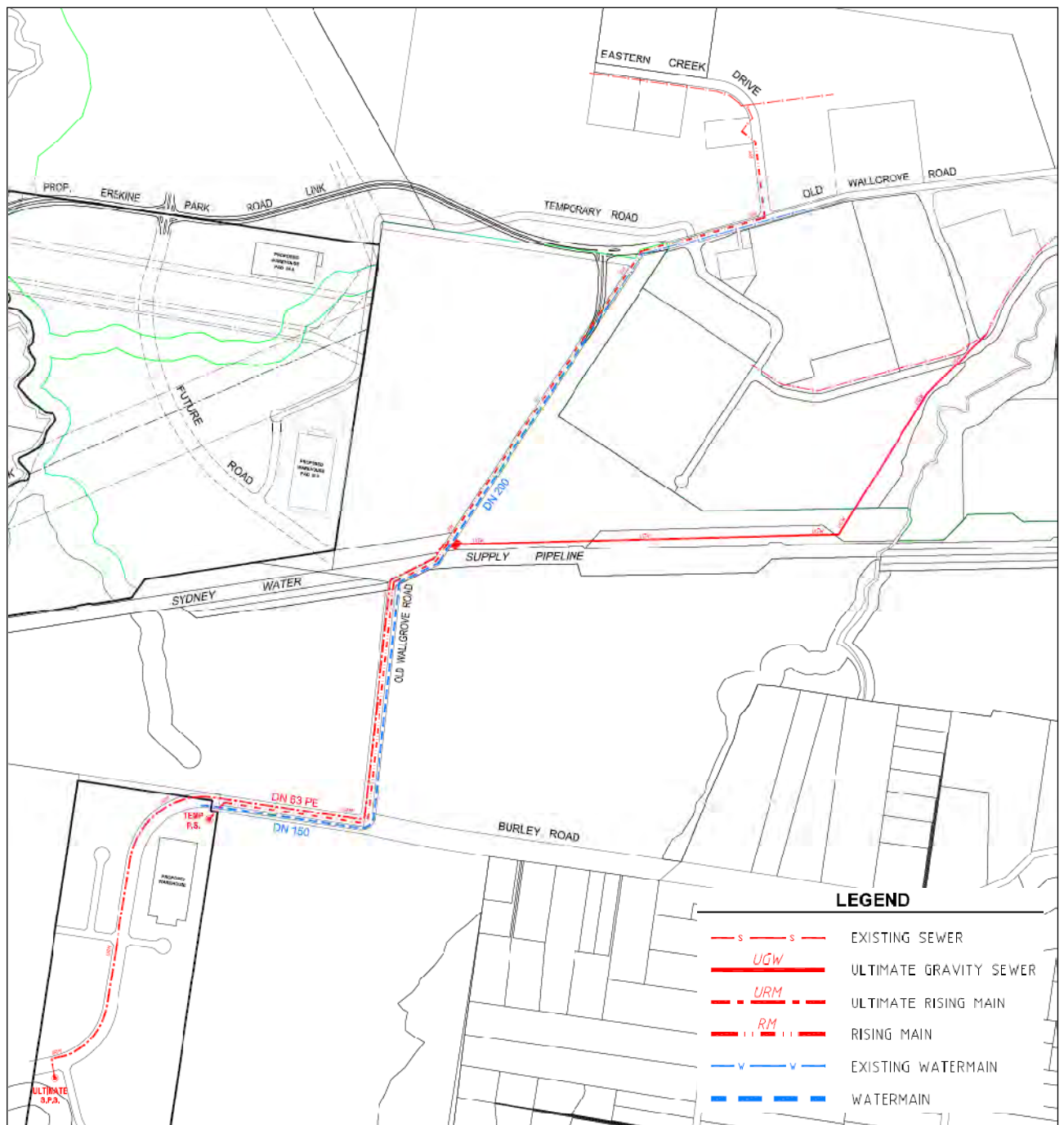


Figure 23 – Location of sewer and water services

Source: Brown Consulting Engineers

4.4 Indicative Project Staging

An indicative staging plan is included at **Appendix J** and in **Figure 24**. As can be seen it is expected that the site will be developed in five stages, with the first stages occurring in the northern part of the site and moving progressively towards the south-eastern corner of the site. The proposal is to construct and lease (not sell) the proposed buildings and the actual staging will be dependent on market conditions and the requirements of tenants. The staging is not dependent on external road upgrades as all the regional roads have sufficient capacity to accommodate the development.

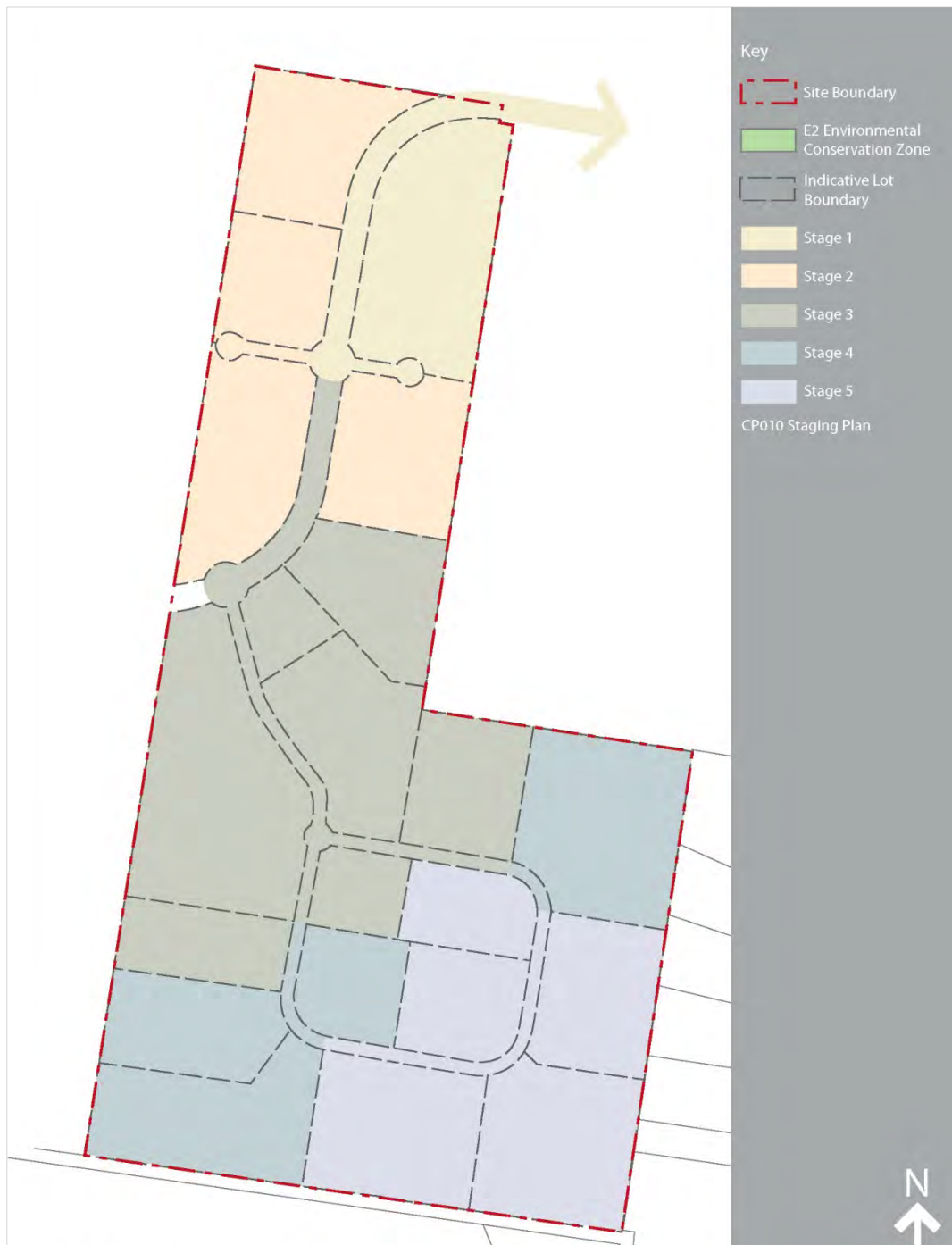


Figure 24 – Indicative Staging Plan

4.5 Project Application Guidelines

In accordance with the requirements of Clause 18 of the WSEA SEPP design guidelines have been prepared for the Precinct which will provide direction and requirements for the design of future project applications on the site. The guidelines have been prepared by JBA Planning and are included at **Appendix L** and cover, but are not limited to, the following issues:

- Subdivision
 - minimum lot size of 1,500m².
- Site Coverage
 - maximum site coverage of 65%.
- Building Setbacks:
 - 20m from the North South Regional Road;
 - 7.5m from Local Roads; and
 - 5m for a secondary setback to a Local Road on a corner allotment.
- Built form
 - Buildings are to exhibit architectural merit, diversity of design, environmental sustainability and quality of materials;
 - Entries to buildings should be clearly visible to pedestrians and motorists and be integrated into the form of the building; and
 - Optimising building orientation and siting to natural elements such as topography, wind and sunlight, and to achieve energy efficiency gains.
- Access, Parking and Loading
 - All development is to be accessed from a local road, unless otherwise approved;
 - Truck access, manoeuvring and loading areas are to be separated from car parking areas;
 - All internal two-way roadways are to have a minimum width of 7m;
 - Parking is to be provided in accordance with the following rates:
 - Office: 1/40m² GFA
 - Factory: 1/100 GFA first 100m² then 1/200m² GFA (includes Office component)
 - Warehouse: 1/300m² GFA + 1/40m² office
- Landscaping
 - Development should include landscaped setback frontages that are distinctive but well integrated with, and contribute positively to the public streetscape character;
 - Trees are to have a minimum height of 1m at the time of planting; and
 - Copse of trees should be planted within the dedicated landscape areas in front of the building where large areas of the building facade are exposed to the street.
- Signage
 - Signage is to relate to the use occurring on the respective property; and
 - signage is to minimise detrimental impact on the visual character of the site and surrounding area.

These guidelines have been based on Penrith Council's Development Control Plan (DCP) 2006 wherever possible and will have a similar status to a DCP. Future applications will need to demonstrate compliance with the relevant objectives of the Design Guidelines.

4.6 Capital Investment Value

A QS certificate has been prepared by Northcroft (Australia) Pty Ltd for the Concept Plan. Northcroft estimate that the total development of the Horsley Park Employment Precinct Concept Plan will generate a Capital Investment Value of approximately \$479,026,000 (**Appendix M**), of which approximately \$40,045,000 will be invested in the Stage 1 development (see Section 5.10).

5.0 Stage 1 Project Application

This Project Application (PA) seeks approval for the following works:

- Subdivision;
- Bulk earthworks;
- Installation of services;
- Construction of an entry road along the alignment of Regional Road 1; and
- Construction of a warehouse building with associated offices, car parking and landscaping.

A detailed description of each component is provided below.

5.1 Subdivision

It is proposed to subdivide the site into the following two lots:

- Lot 100 – Warehouse Building 1 (7.348 ha); and
- Lot 101 – Residual Land (91.652ha).

A draft subdivision plan is included at **Appendix N**.

5.2 Warehouse Building 1

Warehouse Building 1 is located in the north-eastern corner of the Horsley Park Employment Precinct.

The building will have a total Gross Floor Area (GFA) of 27,330m² comprising 25,300m² of warehouse GFA and 2,030m² of office GFA. The warehouse component of the building will be 230m long, 110m wide and 13.7m high. The office component will be two storeys high (8.85m), 18m wide and 66m long.

The building has a north/south orientation with on-grade docks positioned along the eastern facade of the building. The on-grade dock will be covered by an awning.

The following external materials are proposed:

- pre-cast painted concrete panels;
- metallic feature cladding;
- profiled metal sheet roofing; and
- metallic feature strips with louvres.

Separate vehicular entrances are proposed for the staff car parking area and truck servicing areas. Trucks will circulate around the warehouse in a clockwise direction entering from the south-western corner of the site and exiting from the south-eastern corner of the site.

A total of 135 car parking spaces are provided for staff. An overflow parking area is also nominated for 45 additional cars, should this be required.

An indicative image of Warehouse Building 1 is provided in **Figure 25** and the general layout of the building is provided in **Figure 26**. Architectural plans are included at **Appendix O**.



Figure 25 – Indicative Image of Warehouse Building 1

Source: MNIA Architects

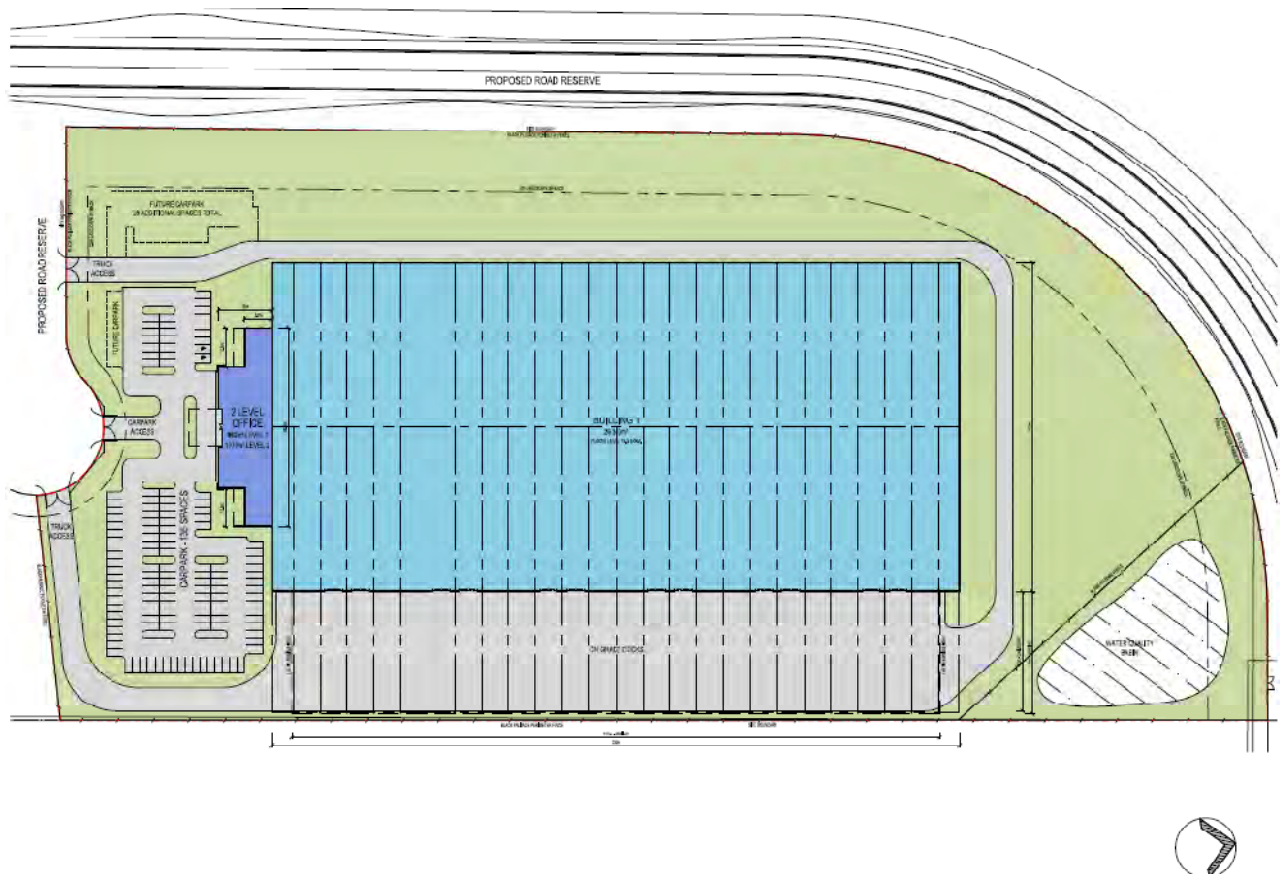


Figure 26 – General Layout of Warehouse Building 1

Source: MNIA Architects

5.3 Bulk Earthworks

Earthworks have been designed to create level building pads for the indicative layout of the lots on the Concept Plan. The earthworks will retain the E2 zoned corridor and have been designed so as to achieve a balance in cut/fill volumes (refer to the civil drawings at **Appendix P** and **Figure 27**).

The pad for the proposed Stage 1 building and associated site works for vehicle manoeuvring, car parking and stormwater control is proposed at RL75. In the Stage 1 PA works, it is proposed to undertake earthworks for the full width of the regional road while only constructing half the road carriageway.

A retaining wall is to be constructed on the eastern boundary with design height shown on drawing 401 and ranging between 2.2m and 4.8m. The acquired top soil not required for landscape purposes will be stockpiled on the site outside of the Stage 1 area.