



Planning &  
Infrastructure

***MAJOR PROJECT ASSESSMENT:  
Jacfin Ropes Creek Project***



Director-General's  
Environmental Assessment Report  
Section 75I of the  
*Environmental Planning and Assessment Act 1979*

October 2011

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Published October 2011  
NSW Department of Planning  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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## EXECUTIVE SUMMARY

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Jacfin Pty Ltd (Jacfin) proposes to develop a 105 ha site for warehousing, distribution centres and light industry, located in the Western Sydney Employment Area (WSEA), in the Blacktown local government area.

Jacfin is seeking:

- concept plan approval (10\_0127) for the establishment of an industrial park for warehousing and light industry; and
- a separate project approval (10\_0128) for Stage 1 of the industrial park, including subdivision, earthworks, services and the establishment of two warehouse buildings with associated offices and infrastructure.

The Stage 1 project has a total capital investment value (CIV) of approximately \$55 million and would employ up to 450 people during operations. The entire Ropes Creek Industrial Estate has a CIV of approximately \$290 million and would employ around 2642 people once fully operational.

The proposal is classified as a major project under the now repealed Part 3A of the *Environmental Planning & Assessment Act 1979* (EP&A Act), as it includes development for the purpose of storage or distribution centres with a capital investment value of more than \$30 million, and consequently the Minister is the approval authority.

The Department exhibited the Environmental Assessment for the project from 18 November 2010 to 20 December 2010, and received 11 submissions: 9 from public authorities and 2 from members of the general public. The primary issues raised in the submissions related to land use conflicts, stormwater drainage, Aboriginal heritage, the Warragamba-Prospect water pipelines, groundwater, flora and fauna, noise, traffic and access.

The Department has assessed the merits of the project in detail, in accordance with the relevant requirements of the EP&A Act.

The assessment found that the main issues associated with the project relate to traffic and access, the provision of regional transport infrastructure, visual impacts, noise and stormwater management. The Department is satisfied however, that these impacts can be adequately mitigated and/or managed to ensure an acceptable level of performance and has recommended a range of conditions to ensure this occurs.

In addition, the Department's assessment recognises the significance and need for the project in terms of promoting development within the south-western subregion of Sydney. The project is consistent with the objectives of the Sydney Metropolitan Plan providing for the development of employment lands and generating jobs in the western Sydney area.

The Department is satisfied that the project has significant social and economic benefits for the south western Sydney community and is therefore in the public interest. Consequently, the Department recommends that the concept plan and project application be approved, subject to conditions.

# 1. BACKGROUND

## 1.1 Regional Context

Jacfin Pty Ltd (Jacfin) proposes to develop a 105 ha site, for warehousing, distribution and light industry, located within Precinct 6 (Ropes Creek) of the Western Sydney Employment Area (WSEA), in the Blacktown local government area (LGA) (see Figure 1).

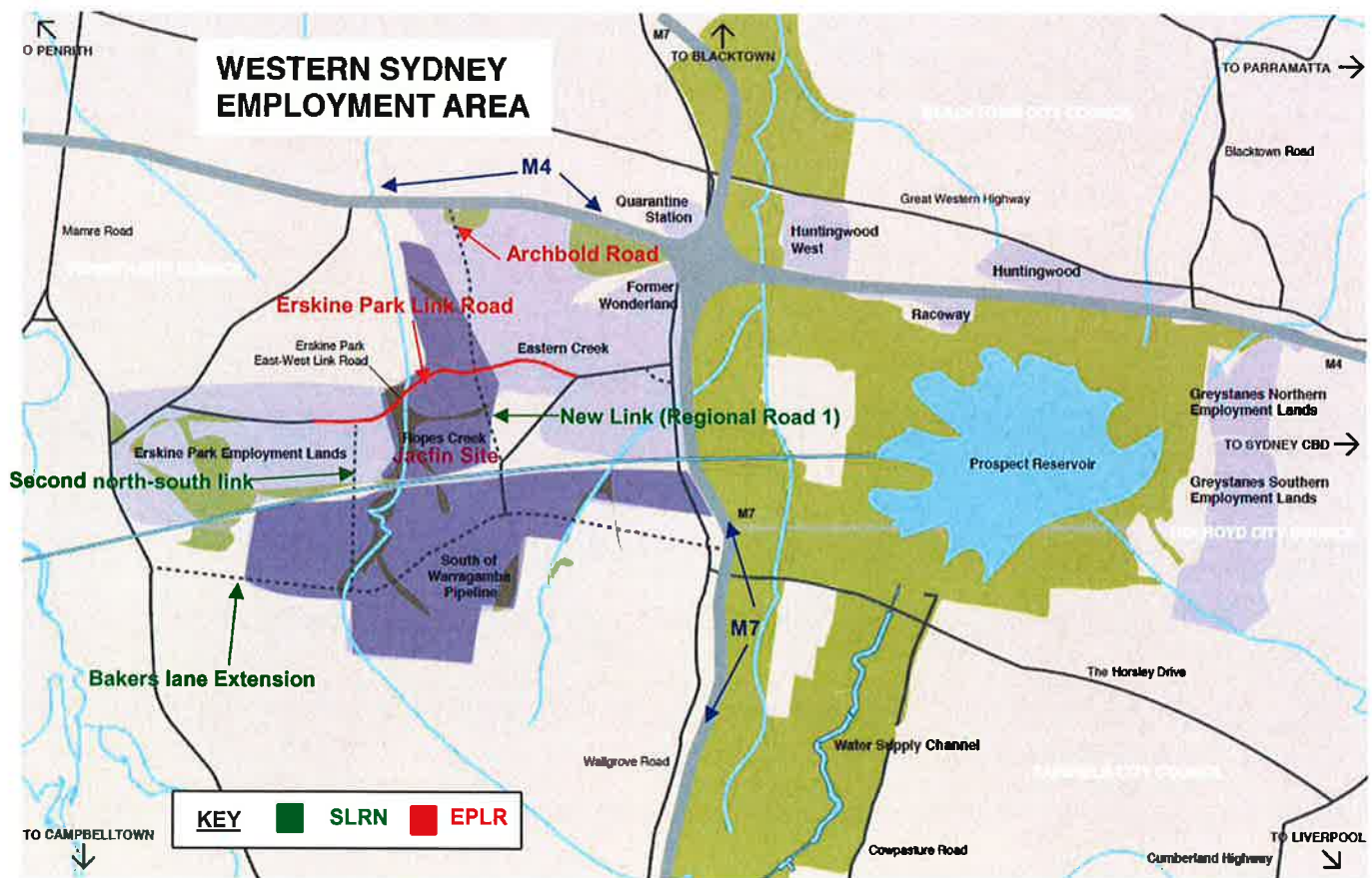


Figure 1: WSEA and the Conceptual Layout of Regional Road Corridor

### Western Sydney Employment Area

In August 2009, the NSW government gazetted the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP), which identified the employment lands to form part of the WSEA and established a conceptual layout of the proposed regional road corridor to service the area, including the Erskine Park Link Road (EPLR) and the Southern Link Road Network (SLRN). An indicative alignment of the road corridor is identified in Figure 1 above.

The WSEA spans four local government areas - Fairfield, Penrith, Blacktown and Holroyd. The WSEA is located near the intersection of the M4 and M7 motorways (see Figure 1), is over 2000 hectares in area and includes 10 Precinct areas of zoned employment lands such as the Eastern Creek (Precinct 2); Erskine Park (Precinct 7); and Ropes Creek (Precinct 6).

The development of a number of precincts within the WSEA is well advanced. The Minister has approved a number of projects within Eastern Creek (Precinct 2) and Erskine Park (Precinct 7), including warehousing and distribution centres, manufacturing facilities and data centres. In addition, Concept Plan applications for the nearby Huntingwood West site, Minchinbury Employment Park and Oakdale Central have also been approved by the Minister.

### Erskine Park Link Road/Southern Link Road Network

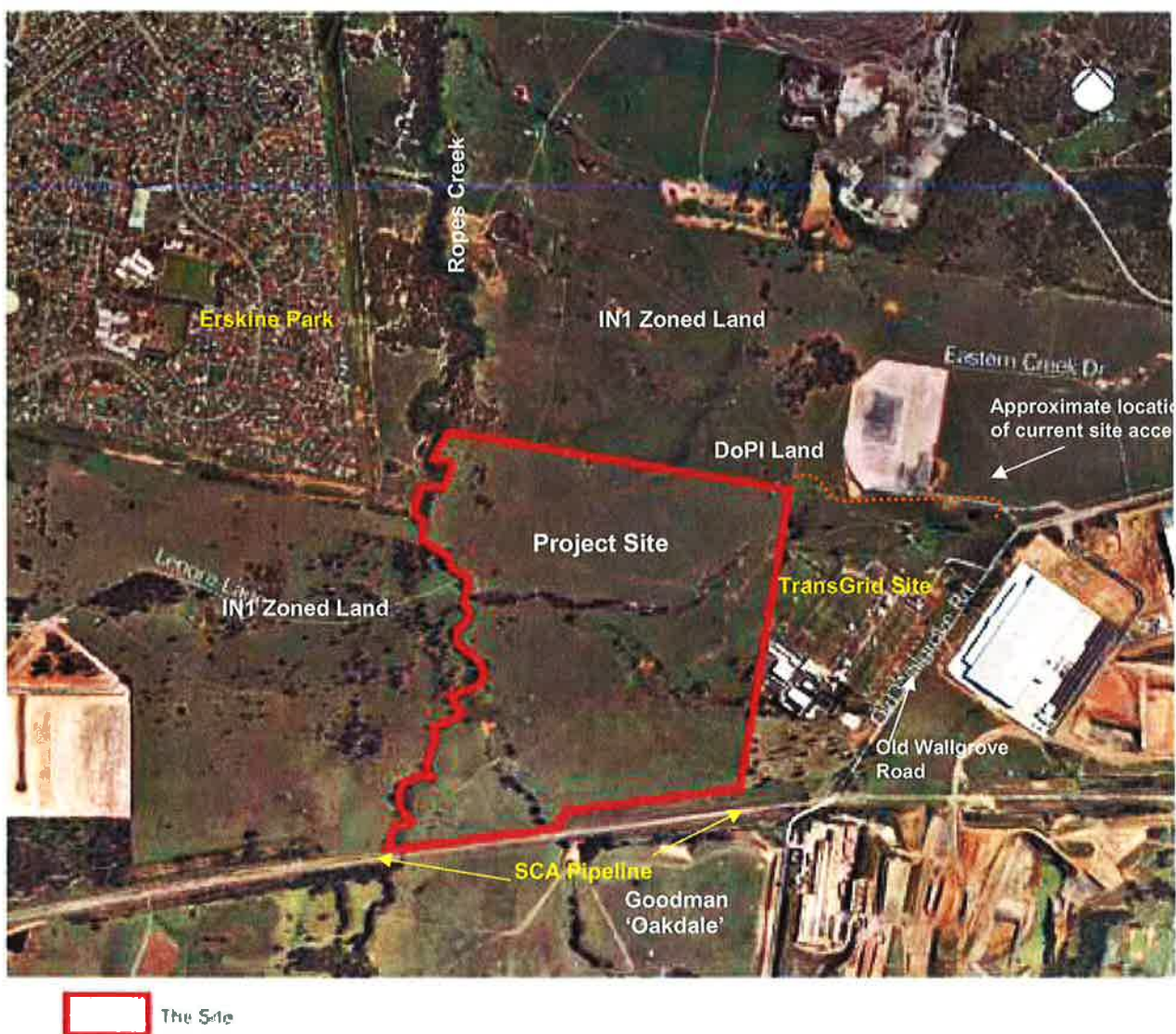
The construction of the entire road corridor (including the EPLR and SLRN) as shown in the WSEA SEPP would allow the development of approximately 1014ha of employment and

industrial land in the area, providing important arterial links to the M7 and M4 Motorways (see Figure 1). The proposed road network would include:

- construction of the EPLR and an extension of Archbold Road in a north south direction, connecting the M4 Motorway to the EPLR; and
- construction of the SLRN, including;
  - the Bakers Lane Extension;
  - a new link road that runs north-south through the Jacfin site (referred to in this report at Regional Road 1) and continues across the Warragamba water pipeline to join the southern section of Old Wallgrove Road, south of the Transgrid Site; and
  - a second north south link road off the EPLR (west of the Jacfin site) continuing across the water pipeline and connecting to the Bakers Lane Extension in the south.

## 1.2 Site and Local Context

The proposed site, mainly comprising cleared grazing land, is characterised by topography gently sloping to the west towards Ropes Creek. Ropes Creek runs along the western boundary of the site with tributaries emanating through the site to the north east and south (see Figure 2).



**Figure 2: Regional Context**

Three small farm dams are located on the site, in the south western corner; the central section; and the northern boundary of the site. High voltage transmission lines traverse the site to the west and southwest, emanating from the adjoining TransGrid substation located immediately east of the site (see Figure 2 above).

The site is currently accessed via a dirt road off Old Wallgrove Road, which enters the site at the north-eastern corner. The site is generally surrounded by land zoned Industrial under the WSEA SEPP, including:

- the land to the north and west of the site, which includes the Ropes Creek (Precinct 6) and Erskine Park (Precinct 7);
- the Sydney Catchment Authority Warragamba Pipeline, which runs along the southern boundary of the site, with the approved Oakdale Precinct beyond;
- land immediately north of the site, which is owned by the Department of Planning and Infrastructure (the Department) and is generally clear of vegetation; and
- the TransGrid Substation to the east of the site.

The above surrounding land uses are all illustrated in Figure 2 above.

The nearest residential properties are located north-west at Erskine Park, approximately 300m from the proposed concept plan area and approximately 1km from the warehouse buildings proposed as part of the Stage 1 Project (see Figure 2).

## **2. PROPOSED PROJECT**

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Jacfin proposes to establish an industrial park for warehousing and light industry. The proposal includes:

- concept plan approval for the staged development of an industrial park for warehousing and distribution centres, light industry and associated infrastructure, including road layout and stormwater management; and
- a separate project application for Stage 1 of the development, which includes the establishment of 2 warehouses, internal roads and associated infrastructure.

The Concept Plan also included provision for a Service Centre (i.e. a petrol service station associated amenities) to be located in the centre of the site, which would be subject to a future project application. However, the Department considers that as the proposed Service Centre is in excess of 3,000m<sup>2</sup> it is not permissible in the Industrial zoning and therefore has been excluded from the Concept Plan approval.

As part of the Stage 1 project Jacfin is seeking:

- the subdivision of the site;
- bulk earthworks for the Stage 1 project only;
- the construction and operation of two warehousing and distribution centres; and
- the development of associated infrastructure to support the Stage 1 project.

The major components of the Concept Plan and Stage 1 Project application are summarised in Tables 1 and 2, and depicted in Figures 3-8. The project is described in full in the Environmental Assessment (EA), attached as Appendix G.

**Table 1: Major components of the Concept Plan**

<b>Aspect</b>	<b>Description</b>
<b>Project summary</b>	<b>Establishment of an industrial park for warehouses and light industry and the provision of associated infrastructure on 105 hectares of land located in Precinct 6 (Ropes Creek) of the WSEA, Blacktown LGA.</b>
<i>Industrial Development</i>	The site would generate approximately 81.3 ha of developable land. The Concept Plan provides an indicative layout of how the site would be developed; with a minimum lot size of 5,000m <sup>2</sup> (see Figure 3).
<i>Internal Roads and Parking</i>	<p>The WSEA SEPP identifies a 40m wide regional road running north-south through the site. This would be known as Regional Road 1 and would be the primary access for the site.</p> <p>Three local roads are proposed to intersect Regional Road 1, with a road reserve of 21.5m and pedestrian/cycle path. This road layout and temporary access arrangements are further discussed in section 5 of this report. Jacfin proposes to construct all internal roads and dedicate them to Council.</p>
<i>Infrastructure</i>	<p>Provision of an on-site stormwater management system and internal roads to service the site.</p> <p><u>Water Supply</u> The site would be supplied through the extension of a DN 150mm watermain from the existing watermain in Old Wallgrove Road.</p> <p><u>Sewer</u> Jacfin proposes to supply approximately 1700m of gravity sewer, to connect to the existing sewer draining to the Eastern Creek Submain.</p> <p>All other infrastructure (electricity, gas and telecommunications) would be provided through the augmentation and/or extension of existing services.</p>
<i>Staging</i>	The precinct would be developed in 5 stages (see Figure 4)
<i>Capital Value</i>	\$290 Million
<i>Employment</i>	1219 during construction and 2642 once fully operational
<i>Hours of operation</i>	24 hours, 7 days a week.

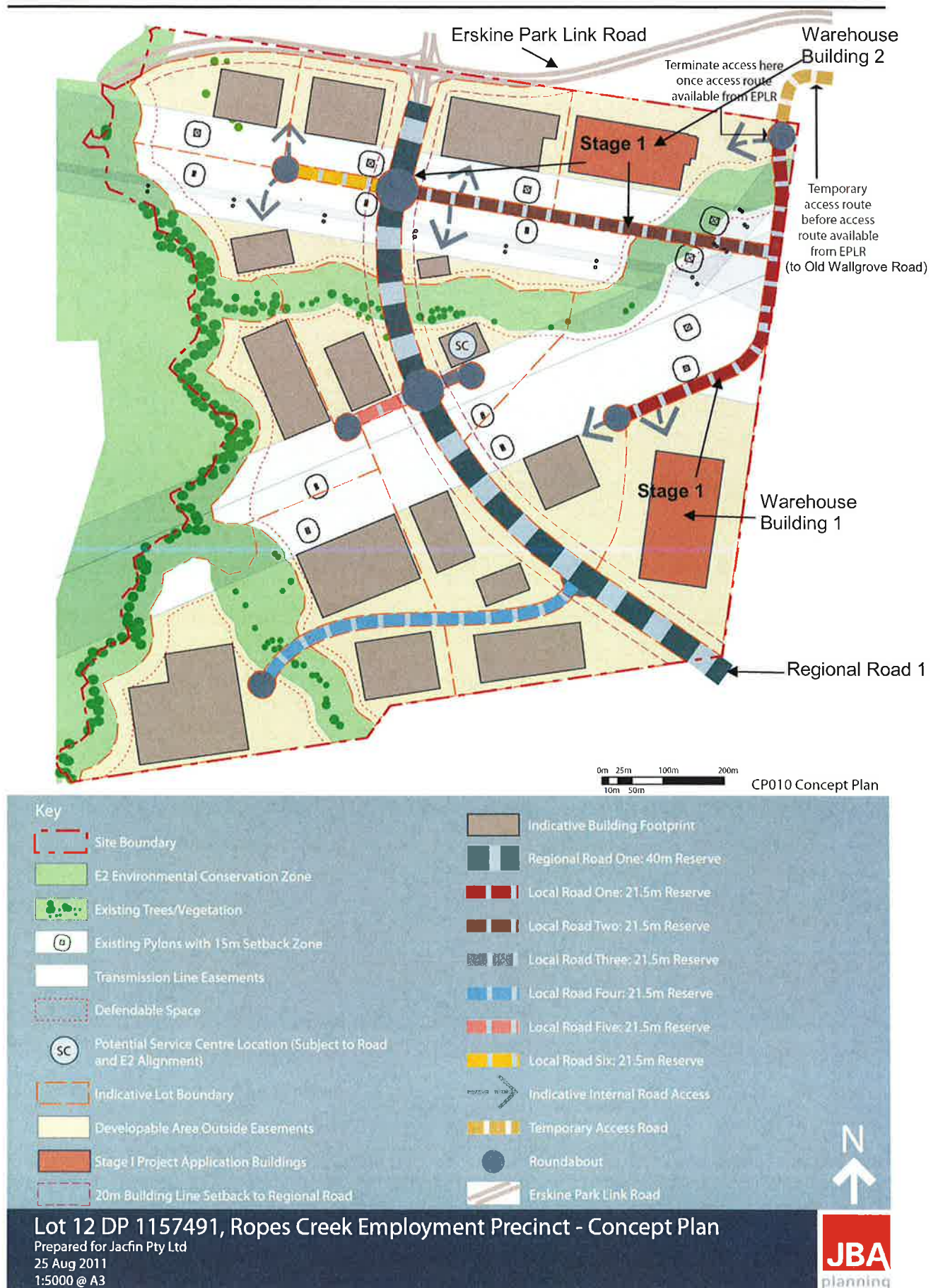


Figure 3: Proposed Concept Plan Layout

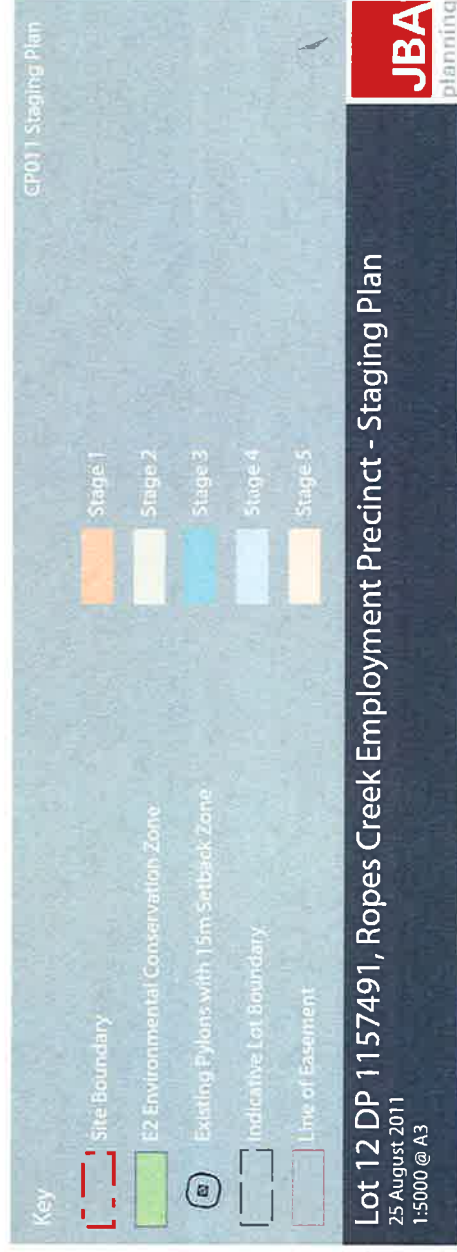
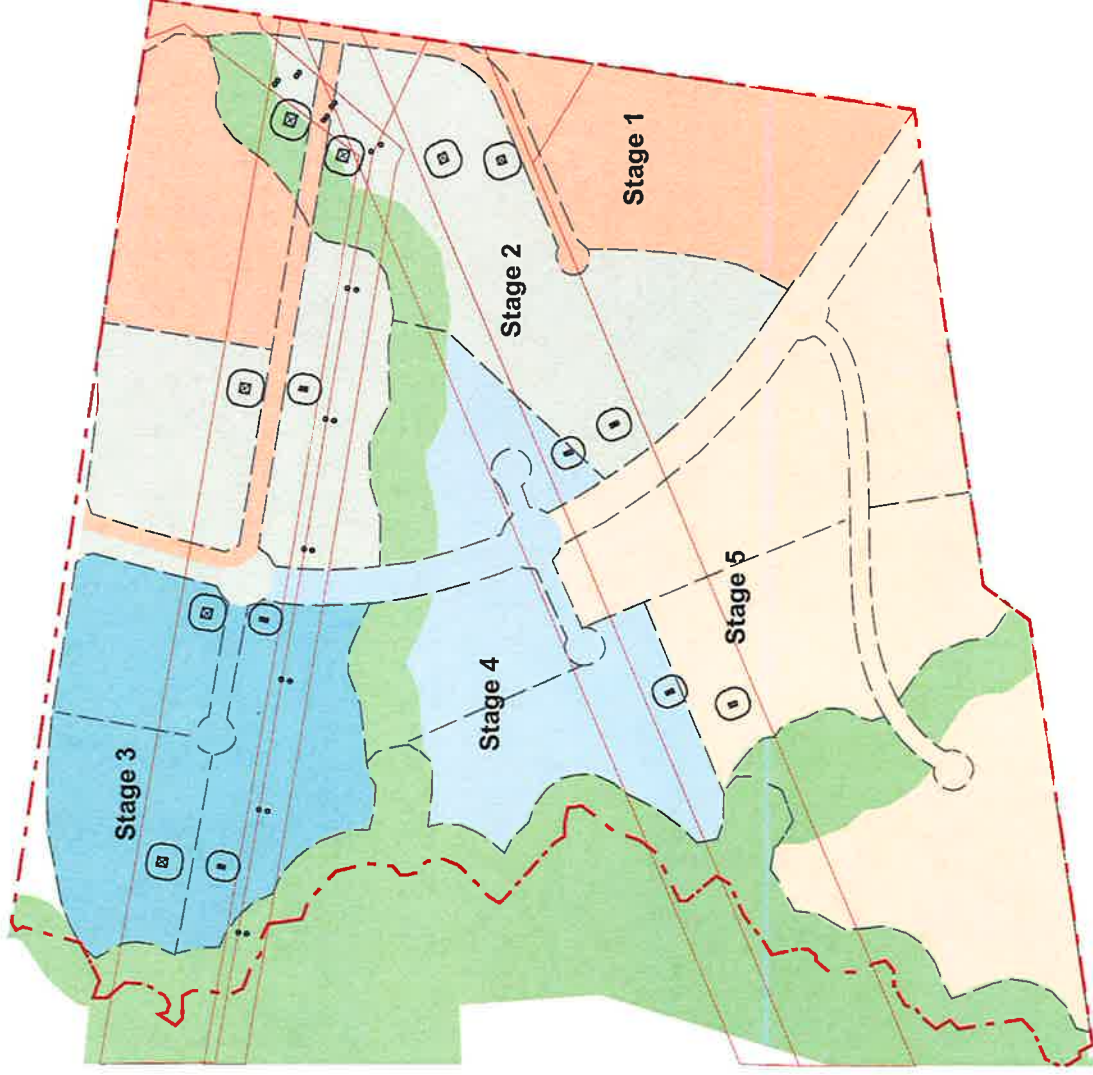
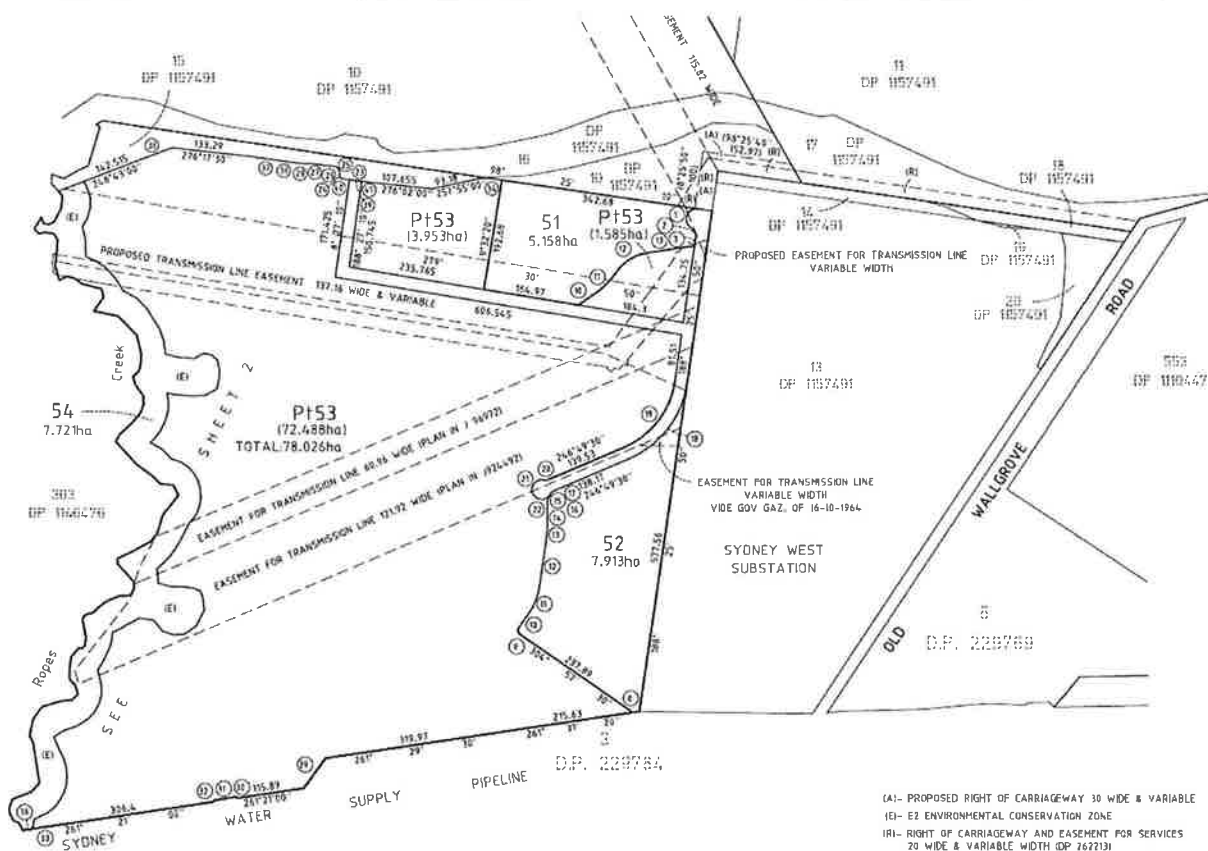


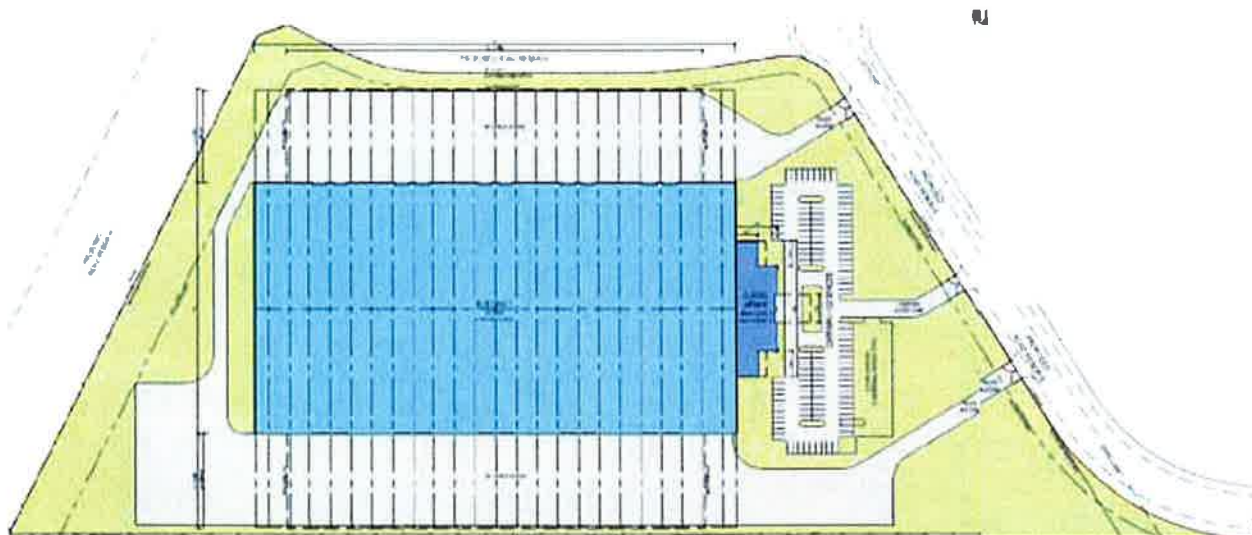
Figure 4: Staging Plan

**Table 2: Major components of the Stage 1 Project**

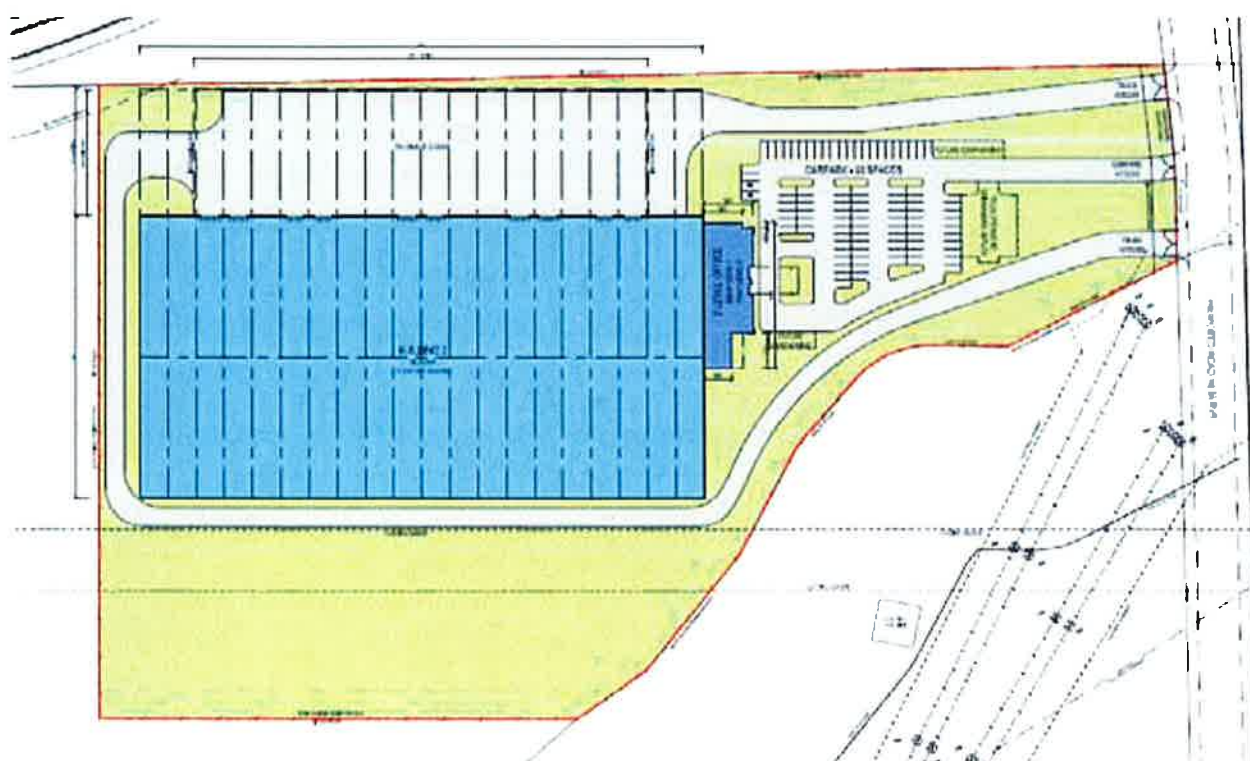
Aspect	Description
<b>Project Summary</b>	<p><b>The Stage 1 project application includes:</b></p> <ul style="list-style-type: none"> <li>the construction of 2 warehouse buildings, with associated office space and car parking;</li> <li>subdivision of the site;</li> <li>bulk earthworks;</li> <li>construction of the temporary and permanent access roads; and</li> <li>associated infrastructure.</li> </ul>
<b>Associated Infrastructure</b>	Installation of associated infrastructure including a drainage and stormwater management system, internal roads and a temporary access road to service the Stage 1 project.
<b>Subdivision</b>	Proposed subdivision of the site into 4 lots (see Figure 5), including: <ul style="list-style-type: none"> <li>Lot 52 – Warehouse Building 1;</li> <li>Lot 51 – Warehouse Building 2;</li> <li>Lot 54 – Ropes Creek Riparian Corridor; and</li> <li>Lot 53 – Residual Lot (all land remaining).</li> </ul>
<b>Warehouse 1</b>	Establishment of building pads and the construction and operation of a 24,920m <sup>2</sup> warehouse, including 1,820m <sup>2</sup> of office space towards the south-eastern corner of the site (see Figure 6).
<b>Parking</b>	Parking for 122 vehicles, with an overflow parking area nominated for 37 additional cars.
<b>Construction</b>	Approximately 12 months
<b>Capital Value</b>	\$32 Million
<b>Warehouse 2</b>	Establishment of building pads and the construction and operation of a 17,550m <sup>2</sup> warehouse, including 1,350 m <sup>2</sup> of office space, towards the north-eastern corner of the site (see Figure 7).
<b>Parking</b>	Parking for 93 vehicles, with an overflow parking area nominated for 25 additional cars.
<b>Construction</b>	Approximately 12 months
<b>Capital Value</b>	\$18 Million
<b>Total Employment for Stage 1</b>	195 during construction and 450 once operational
<b>Signage</b>	No signage has been proposed as part of this application. However, any future signage would comply with relevant design guidelines and be subject to a separate application.
<b>Hours of operation</b>	24 hours a day, 7 days a week



**Figure 5: Proposed Plan of Subdivision**



**Figure 6:** Proposed Warehouse Building 1 on Lot 52 (see Figure 5 above)



**Figure 7:** Proposed Warehouse Building 2 on Lot 51 (see Figure 5 above)

### 3. STATUTORY CONTEXT

#### 3.1 Strategic Context

##### NSW 2021 Plan

The NSW 2021 Plan provides priorities for Government action for the State of NSW. In relation to the western Sydney region, the Plan seeks to improve transport and travel time to employment lands and encourage economic growth. The Plan aims to generate around 100,000 jobs state wide.

The western Sydney region is a major contributor to the economic output of NSW and the provision of jobs closer to home for the people of western Sydney is seen as a key objective for

the area. The Department is satisfied that the proposal is consistent with the objectives of the Plan.

#### Metropolitan Plan

The Metropolitan Plan presents a plan for sustainable growth in the Sydney region until 2036. The Metropolitan Plan sets out key aims for employment, housing, infrastructure and service provision. One of the objectives of the plan is to protect and enhance the WSEA (see Figure 2).

The broad aims of the Plan are to be implemented through ten sub-regional plans, including the Sydney North West Subregional Strategy which covers the project site. In relation to economic and employment growth, the sub-regional plan seeks 130,000 additional jobs to protect and enhance strategic employment land in the North West.

The employment precinct is expected to provide 2642 jobs once fully developed. The provision of high employment generating development is consistent with the objectives for the area and represents an appropriate use of strategically located employment land. The proposal would assist in achieving employment targets identified in the Metropolitan Plan and Sydney North West Subregional Strategy. Further, the proposal incorporates adequate contributions for development of infrastructure and services which is a key strategic objective for the area.

### **3.3 Major Project**

The proposal is classified as a major project under the now repealed Part 3A of the *Environmental Planning & Assessment Act 1979* (EP&A Act), as it includes development for the purpose of storage or distribution centres with a capital investment value of more than \$30 million, and therefore triggers the criteria in Clause 12 of Schedule 1 of *State Environmental Planning Policy (Major Development) 2005* (the Major Development SEPP).

### **3.4 Continuing Operation of Part 3A**

Part 3A of the EP&A Act, as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A to the Act, continues to apply to transitional Part 3A projects. Director-General's environmental assessment requirements (DGRs) were issued in respect of this project prior to 1 October 2011, and the project is therefore a transitional Part 3A project.

Consequently, this report has been prepared in accordance with the requirements of Part 3A and associated regulations, and the Minister (or his delegate) may approve or disapprove of the carrying out of the project under section 75O and 75J of the Act.

### **3.4 Approval Authority**

The Minister has delegated his functions to determine Part 3A projects to the Department where:

- the relevant council has not made an objection, and
- there are less than 25 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

There have been 2 submissions received from the public and Blacktown City Council has not made an objection to the proposal. There has also been no political disclosure statement made for this application or for any previous related applications, and no disclosures made by any persons who have lodged an objection to this application.

Accordingly the application is able to be determined by the Deputy Director-General under delegation.

### 3.5 Permissibility

The site is zoned IN1 General Industrial and E2 Environmental Management under the WSEA SEPP.

Jacfin is proposing to develop land within the IN1 zone only. Development for the purposes for warehousing and distribution facilities is permissible in this zone.

### 3.6 Environmental Planning Instruments

Under Sections 75I(2)(d) and 75I(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policies (SEPP's) that substantially govern the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would (except for the application of Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the assessment of the project.

The Department has considered the project against the relevant provisions of (SEPPs) and other EPIs instruments, including:

- *State Environmental Planning Policy (Major Development) 2005;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;* and
- *Blacktown Local Environmental Plan 1988.*

The Department is satisfied that, subject to the implementation of the recommended conditions of approval, the proposal is generally consistent with the aims and objectives of these instruments (see Appendix D).

### 3.7 Objects of the Environmental Planning and Assessment Act 1979

The Minister is required to consider the objects of the EP&A Act when he makes decisions under the Act. These objects are detailed in Section 5 of the Act, and include:

'The objects of this Act are:

- (a) *to encourage:*
  - (i) *the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
  - (ii) *the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) *the protection, provision and co-ordination of communication and utility services,*
  - (iv) *the provision of land for public purposes,*
  - (v) *the provision and co-ordination of community services and facilities, and*
  - (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
  - (vii) *ecologically sustainable development [ESD], and*
  - (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.'*

The objects of most relevance to the Minister's decision on whether or not to approve this project are those under Section 5(a)(i), (ii), (iii), (vi) and (vii).

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the project (or applications). The assessment integrates all significant economic and environmental considerations and seeks to avoid any potential serious or irreversible damage to the environment, based on an assessment of risk-weighted consequences. The Department considers that the project incorporates the principles of ESD through the inclusion of pedestrian/cycle paths on all roads accessing the site and the incorporation of rainwater harvesting and stormwater re-use for irrigation and non-potable water purposes.

The Department is satisfied that the project can be conducted in a manner that is broadly consistent with the objects of the EP&A Act.

### **3.8 Statement of Compliance**

Under Section 75I of the EP&A Act, the Director-General's report is required to include a statement relating to compliance with the environmental assessment requirements with respect to the project.

The Department is satisfied that the environmental assessment requirements have been complied with.

## **4. EXHIBITION AND CONSULTATION**

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### **4.1 Exhibition and Notification**

Under Section 75H(3) of the EP&A Act, the Director-General is required to make the Environmental Assessment (EA) of a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- made it publicly available from 18 November 2010 until 20 December 2010:
  - on the Department's website, and
  - at the Department's Information Centre, Blacktown City Council's office, and the Nature Conservation Council;
- notified relevant State government authorities and Blacktown City Council by letter;
- notified surrounding landowners by letter; and
- advertised the exhibition in the Blacktown Advocate.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

### **4.2 Submissions**

During the exhibition period, the Department received a total of 11 submissions on the project, 9 from public authorities and 2 from members of the general public, including the Western Sydney Conservation Alliance.

A summary of the issues raised in submissions is provided below. A full copy of these submissions is attached in Appendix F.

**Blacktown City Council (Council)** did not object to the project, however raised issues with the proposed Development Guidelines and ownership of the regional stormwater basins. Council also recommended a number of conditions including stormwater and drainage, and engineering requirements.

**TransGrid** does not support the development and raised a number of concerns with the layout of the Concept Plan and the location of the Stage 1 project. Transgrid requested that the project be substantially amended to avoid any intrusion onto land which would be required for the future expansion of their site, and that the proposed Regional Road 1 be relocated further south west to avoid encroaching on Transgrid's land.

The **Roads and Traffic Authority (RTA)** did not object to the proposal, however recommended a number conditions, including staging requirements and road construction standards.

The RTA also confirmed that it would signalise the EPLR and Archbold Road intersection as part of the construction of the EPLR.

**Office of Environment and Heritage (OEH)** (formerly the Department of Environment, Climate Change and Water) did not object to the proposal, however raised issues with the level of consultation undertaken for the Aboriginal Cultural Heritage Assessment. OEH also requested that the Proponent update the Statement of Commitments to include the preparation of an Aboriginal Heritage Management Plan for the E2 zoned land and for Aboriginal Heritage Impact Assessments to be prepared as part of each future project application.

The **Sydney Catchment Authority (SCA)** did not object to the proposal, however raised issues regarding potential impacts to the Warragamba-Prospect Pipeline, which lies to the south of the development, and recommended a number of conditions regarding the protection of the pipeline, including access arrangements and fencing requirements.

**Integral Energy (Integral)** confirmed that the existing electricity supply to the area is sufficient to service the proposal.

**Sydney Water**, the **Department of Primary Industries (DPI)** (formerly NSW Office of Water), and **Penrith City Council (PCC)** did not object to the project and recommended conditions of approval.

The members of the general public raised concerns regarding potential noise impacts, as well as the protection of the riparian corridor and the proximity of the proposed development to Ropes Creek.

#### **4.3 Response to Submissions**

Jacfin has provided a response to the issues raised in submissions (see Appendix E), as well as a revised Statement of Commitments for the project. These have been made publicly available on the Department's website.

The Department has considered the issues raised in submissions and Jacfin's responses to these issues, in its assessment of the project.

## **5. ASSESSMENT**

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In assessing the merits of the project, the Department has considered:

- the EA, submissions and response to submissions on the project (see Appendices E to F);
- the relevant environmental planning instruments, guidelines and policies (see Appendix D); and
- the objects of the EP&A Act, including the object to encourage ecologically sustainable development.

The Department identifies the key issues as being:

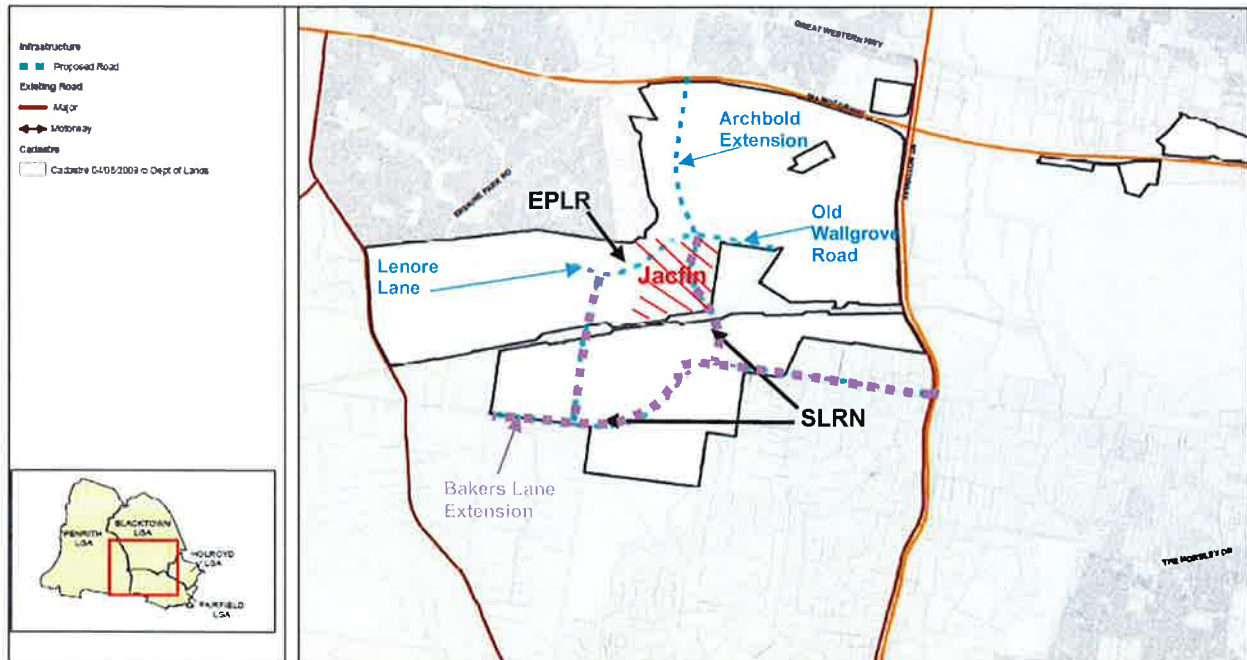
- transport and access;
- infrastructure requirements and contributions;
- visual impacts;
- noise; and
- stormwater management.

All other issues are considered in Table 8.

## 5.1 Transport and Access

### ***Erskine Park Link Road and Southern Road Network***

As mentioned above the conceptual regional road alignment is shown in the WSEA SEPP (see Figure 8). The environmental assessment and detailed design has been completed for Lenore Lane and Old Wallgrove Road (which form part of the EPLR) and construction is proposed to commence shortly.



**Figure 8: Road alignment from WSEA SEPP**

The SLRN is proposed to adjoin the EPLR, completing the network access to the industrial areas located west of the M7. The Department and RTA prepared a strategic transport assessment for this section of the road, which identified two potential road corridor options (see Figure 9). This strategic assessment report known as the *Western Sydney Employment Area Southern Link Road Network Strategic Transport Assessment 2011* (WSEA SLRN report) was exhibited by the Department from 6 July to 17 August 2011.

The strategic transport assessment confirms the preferred alignment of the SLRN through the Jacfin site. However, the assessment also identifies an alternative option as shown in Figure 9 in pale blue, which continues straight through the centre of the site instead of exiting in the south eastern corner.

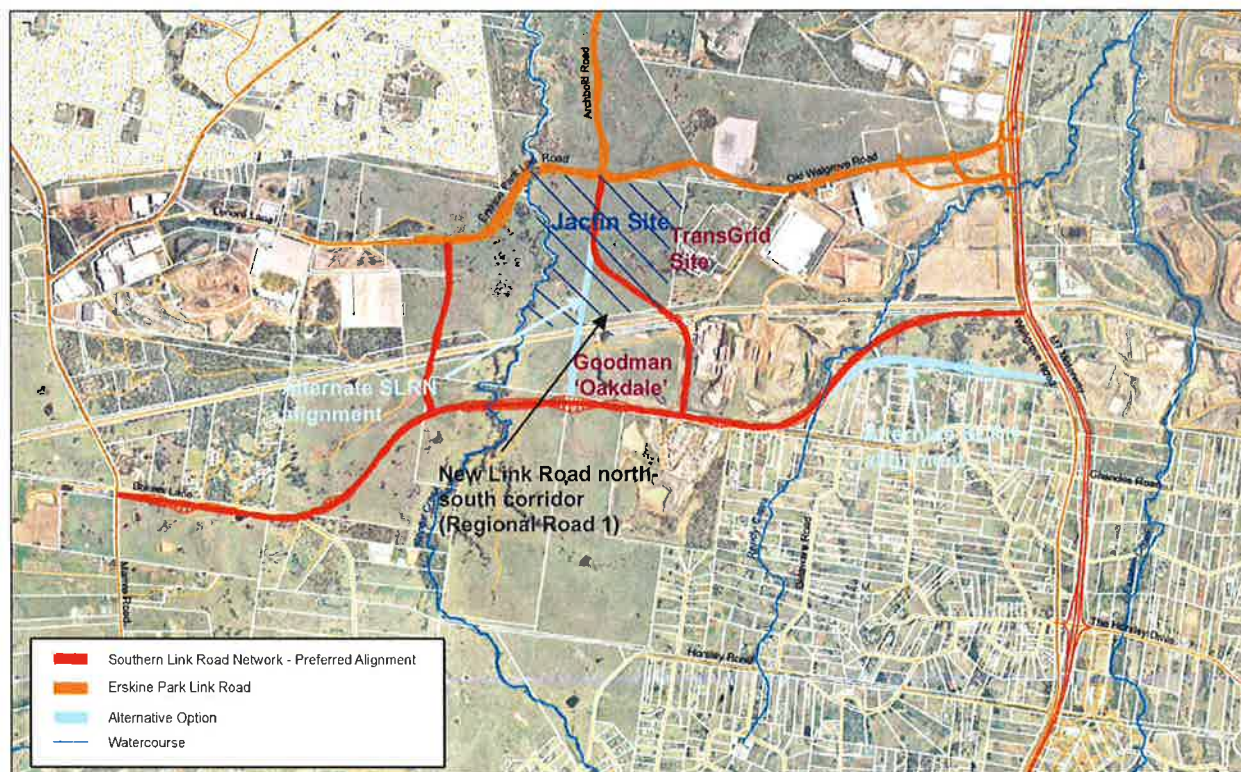
The Department has considered the alternatives in detail and is satisfied that the alignment as shown in the Jacfin proposal is appropriate as this route:

- is generally outlined in the WSEA SEPP;
- has been identified by the multi-criteria analysis in the report as the preferred road alignment; and
- accommodates both the proposed Jacfin Ropes Creek development and the approved Oakdale Project to the south.

Transgrid requested that the SLRN alignment be substantially amended to avoid any intrusion onto land which would be required for the future expansion of their site, and that the proposed Regional Road 1 be relocated further south west to avoid encroaching on Transgrid's land.

The Department acknowledges Transgrid's objections to the alignment of the road as shown in the south eastern corner of the site, however the Department considers that this alignment is emerging as the preferred option, following a thorough and transparent planning process and that any residual issues can be and would be resolved during the detailed design stage of the

road. The RTA raises no objection to the alignment of the road, and advised that it would continue discussions with Jacfin and TransGrid when finalising the design of the SLRN.



*Figure 9: Proposed Layout SLNR as exhibited*

### **Concept Plan Layout**

The Concept Plan layout for the proposed Ropes Creek Industrial Estate has been designed in accordance with WSEA SEPP, the final design of the EPLR and the preferred alignment of the SLRN identified in the WSEA SLRN report. The estimated timing for completion of construction for the EPLR is mid 2013. However, as development of the SLRN is still currently in the conceptual design phase there is no specific time frame for completion at this stage.

### **Main Access and Road Layout**

The main access to the site, would be via the proposed 40m wide road corridor (north-south corridor, known as Regional Road 1) connecting the EPLR to the land south of the pipeline (see Figure 10).

As part of the Concept Plan layout Jacfin is also proposing six local roads within the site. Each local road would include a cul-de-sac at the end to provide access to future Lots and all local roads, except for Local Road 1, would intersect Regional Road 1. The local roads include 21.5m wide reservations, with a 4.5m wide verge on one side and a 3.5m verge on the other to be used as a cycle/pedestrian pathway.

Jacfin would prefer that the intersections of the local roads with Regional Road 1 are controlled by roundabouts. The RTA has advised, however, that its preferred option would be to signalise these intersections. It has been agreed that this would be subject to further assessment during the preparation of future development applications.

Initially, Jacfin proposed a second access to the site, extending from Local Road 1 and intersecting the EPLR near the north eastern corner of the site. The second access was to connect with Local Road 1, which was proposed to continue down the eastern boundary of the Ropes Creek estate, to service Warehouse Buildings 1 and 2.

However, the Department did not support the proposed second access point with the EPLRN and considered that the diversion of traffic from the north-south corridor (Regional Road 1) is not consistent with the WSEA SEPP or the conceptual design of the SLRN, which is proposed to be the main road corridor to service developments in the area. Further, the construction of a second access would defer the need to construct Regional Road 1 as the main access to the site, as the extension of Local Road 1 to intersect the EPLR would allow for the continued development of the Jacfin site prior to the SLRN being constructed.

Following discussions with the Department, Jacfin amended the Concept Plan layout to remove the second access to the site. Jacfin also amended the layout of the internal road network to provide a permanent access to Warehouse Buildings 1 and 2 as shown in Figure 10, prior to the construction of the SLRN.

All internal roads, including Regional Road 1 would be designed to be suitable for bus access. The road layout would allow for buses to circulate within the site or pass through the site to access developments south of the pipeline.

The RTA recommended that all road works undertaken are designed and constructed to RTA and Council standards; and that the new allotments in Stage 1 (Lots 51 and 52), Lot 53 and all future allotments fronting Regional Road 1 have an access denied boundary, ensuring all access points for future developments are located on local side roads. PCC did not object to the proposal, subject to Jacfin making adequate provision for the EPLR and the SLRN once the design and alignment has been finalised.

The Department is satisfied that the revised Concept Plan layout and the location of Regional Road 1 are generally consistent with the WSEA SEPP and has recommended a modification to the Concept Plan requiring Jacfin to review the alignment of the road once the final location of Regional Road 1 has been determined.

#### Temporary Access

The construction of Regional Road 1, the main access to the site, is reliant on the construction of the EPLR. In the interim Jacfin proposes to connect Local Road 1 to Old Wallgrove Road, by constructing a temporary access to the site through Department owned land to the north (see Figure 11). The temporary access to the site is proposed to be removed once the EPLR is constructed and the intersection with Regional Road 1 complete.

Jacfin has an existing right of carriage way across the land immediately north of its site. The remainder of the land required for the temporary access road is subject to an Access Deed between the Minister (as landowner) and Jacfin.

The RTA did not object to the temporary access road in principle, but has recommended conditions requiring Jacfin to seek approval from the RTA with regard to the timing of construction and the final design and alignment of the internal roads.

The RTA also recommended conditions, including:

- the temporary road to be designed in accordance with AUSTROADS and the RTA's Road Design Guide, to accommodate B-Doubles travelling in both directions;
- the temporary shared path to be separate from the temporary road carriageway and designed in accordance with RTA's Road Design Guide and other Australian Codes of Practice; and
- that Jacfin is required to remove the temporary access and shared path at no cost to RTA, once the construction of the Erskine Park Link Road is complete.

The Department has incorporated RTA's recommendations into the conditions of approval for the project and the future environmental assessment requirements for the Concept Plan.

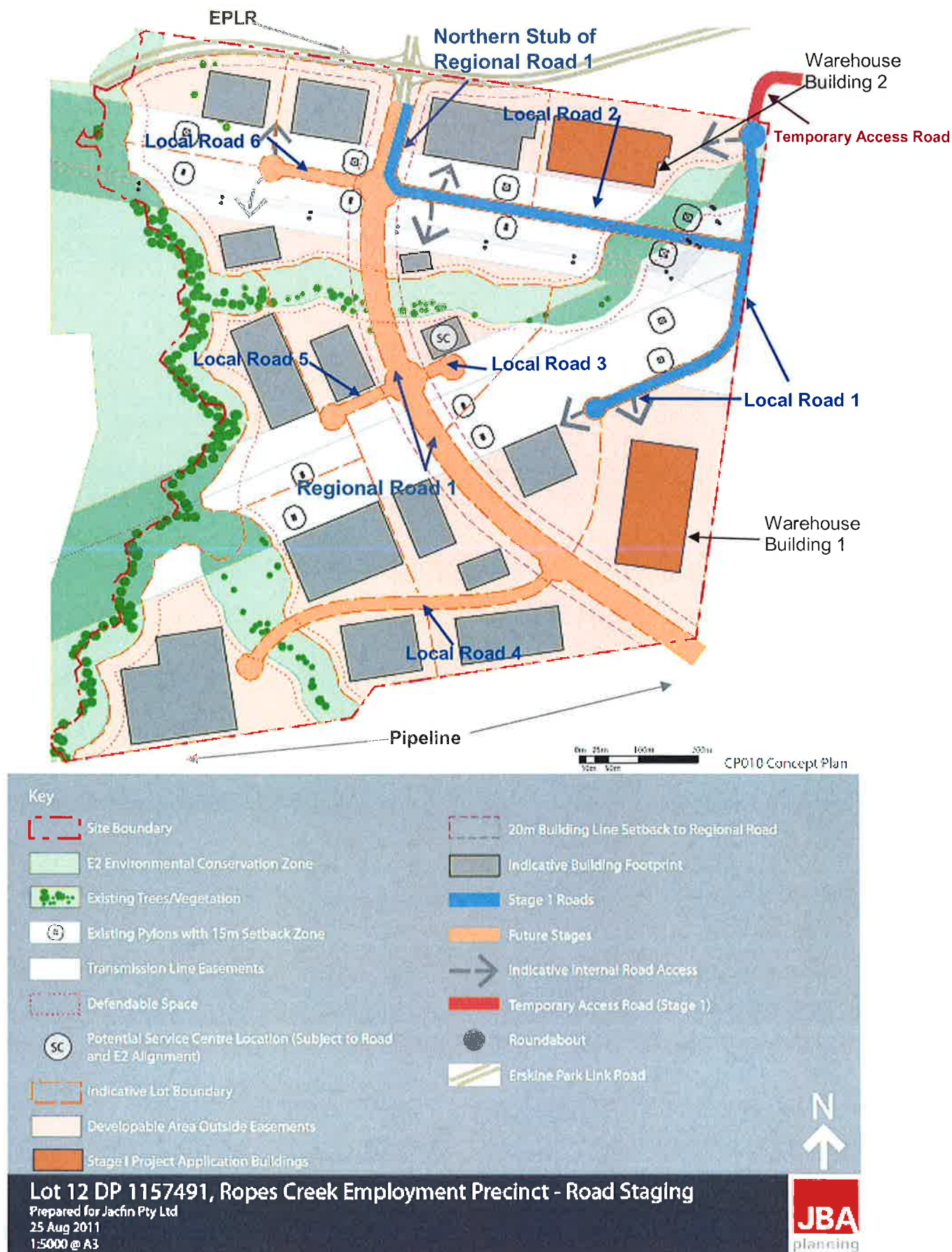
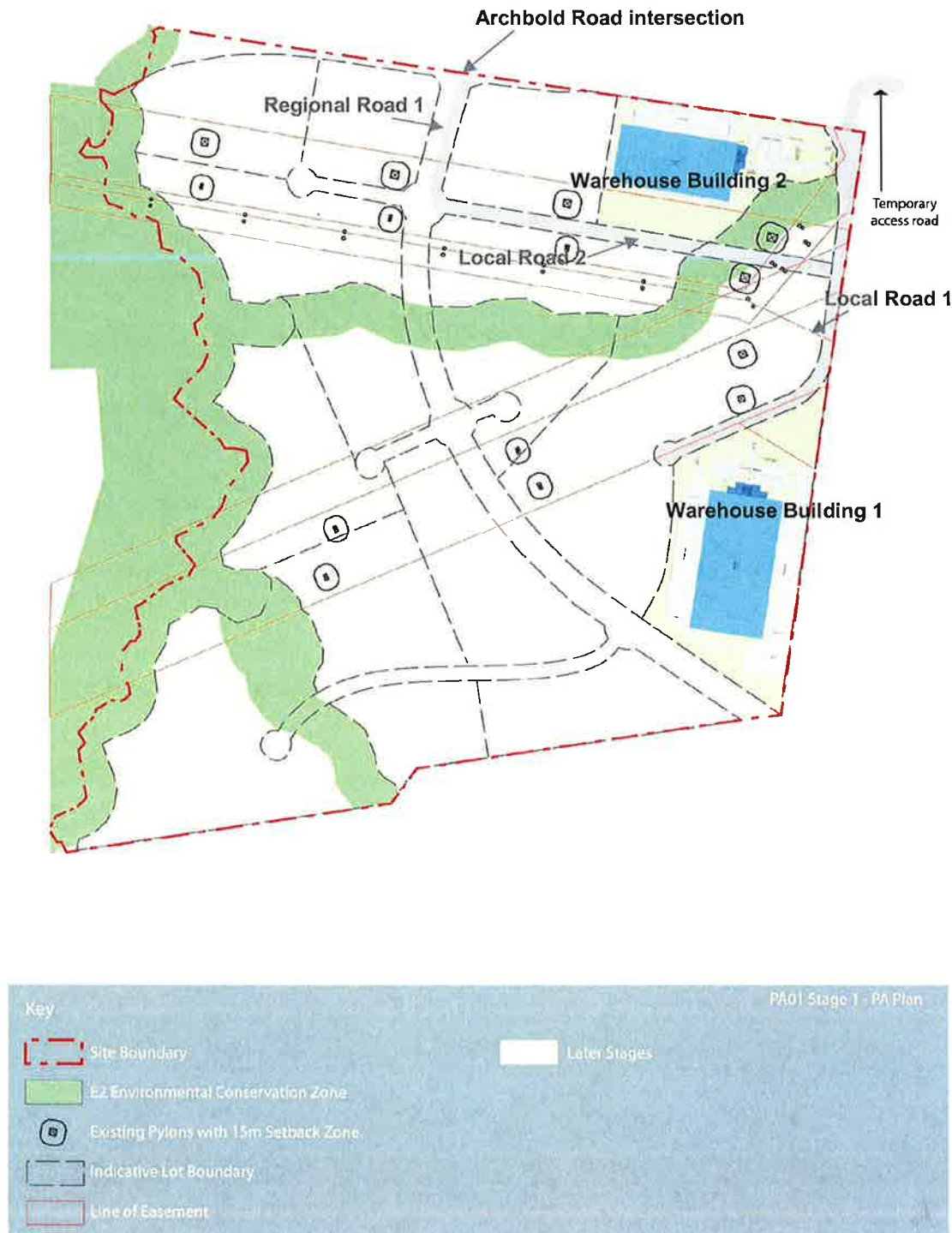


Figure 10: Revised Road Layout for Ropes Creek Industrial estate

### Stage 1 Project

As part of the Stage 1 Project, Jacfin is seeking approval to construct the temporary access road and Local Road 1 as the main access into the site, prior to the EPLR being completed. As discussed above a temporary connection is proposed with Old Wallgrove Road opposite Roberts Road. Local Road 1 would continue down the eastern boundary of the site and terminate just west of the truck exit from Warehouse Building 1 (see Figure 11).

Once the EPLR is constructed by the RTA (including the signalised intersection of the EPLR and Archbold Road), Jacfin would commence construction of the northern stub of Regional Road 1 and Local Road 2 to provide permanent access to roads within Stage 1 of the project site to provide permanent access to these warehouses.

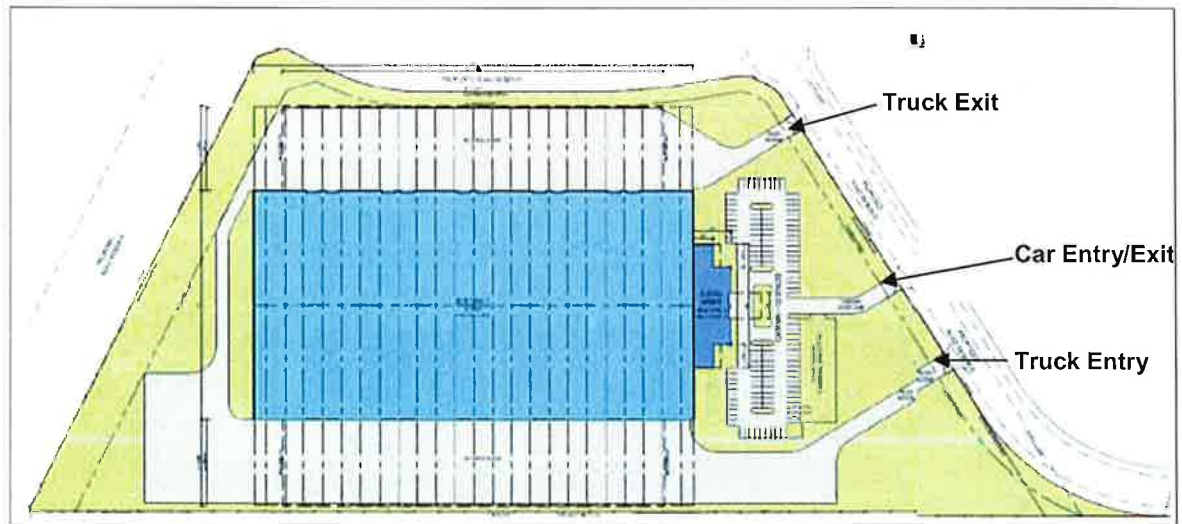


**Figure 11: Stage 1 Road layout**

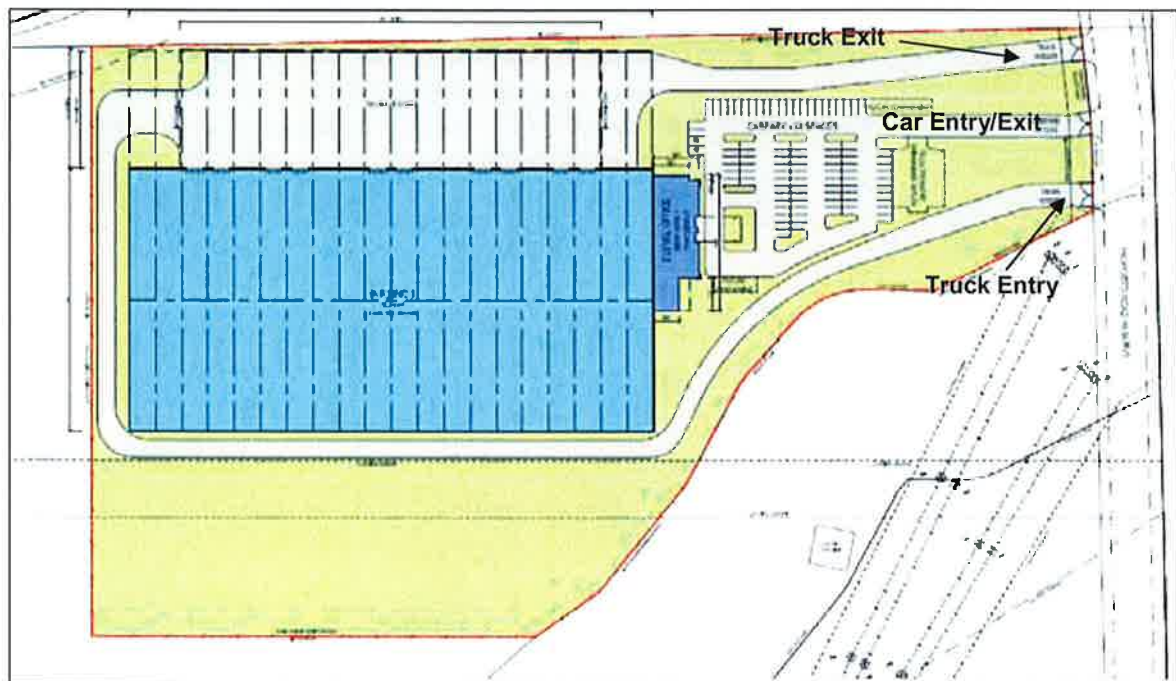
### Warehouse Access

Separate vehicular entrances are proposed for the staff car parking and truck servicing areas for each warehouse. The warehouses have been designed to allow trucks to circulate around the site in a clockwise direction.

For Warehouse Building 1 trucks would enter in the north-east and exit from the north-west (see Figure 12). For Warehouse Building 2 trucks would enter the site in the south and exit from the north (see Figure 13).



**Figure 12: Site Assess for Building 1**



**Figure 13: Site Assess for Building 2**

### **Traffic Generation and Transport**

The EA includes a traffic assessment undertaken by Halcrow Pacific Pty Ltd (Halcrow) for the proposal (see Appendix I of the EA, which is attached as Appendix D).

The assessment determines the traffic and parking impacts for the entire Concept Plan and the Stage 1 Project, which have been developed with reference to the RTA's *Roads and Traffic Guidelines for Traffic Generating Developments*. The assessment also draws on a number of

additional transport studies undertaken for the area, including the Proposed Erskine Park Link Road Environmental Assessment and RTA's traffic modelling for the design of the EPLR.

The traffic assessment was based on the RTA's traffic generation rate of 15 vehicle trips per developable hectare to calculate the traffic generation for the entire Ropes Creek Industrial Estate and the Stage 1 Project (see Table 3).

**Table 3: Traffic Numbers**

	Site Area (HA)	Morning Peak Hour			Daily		
		Cars	Trucks	Total	Cars	Trucks	Total
Concept Plan	81	1,165	50	1,215	7,230	953	8,183
Building 1	7.9	114	5	119	706	93	799
Building 2	5.2	75	3	78	466	61	527

#### Concept Plan Operational Traffic

The worst case scenario for the entire proposed Concept Plan area is expected to generate up to 1,215 vehicle trips in the morning peak hour and approximately 8,183 per day.

Halcrow's traffic assessment for the proposal was based on the RTA's peak traffic forecasts used to determine the intersection capacity of the proposed road network. The assessment was based on the development of the site, assuming that Regional Road 1 has been constructed and connected to future developments south of the pipeline.

The proposed intersections with the EPLR and the Local and Regional Road intersections within the site were assessed using the SIDRA model. The assessments indicated that all intersections would operate with an 'acceptable' or 'better' level of operation during the peak traffic periods, once the regional road network is constructed.

The RTA however raised concerns with the staging of the project and the timing for the construction of the internal roads. The RTA requested that Jacfin continue consultations with the RTA prior to the development of the future stages of the Industrial Estate.

The Department has also recommended environmental assessment requirements in the Concept Plan for Jacfin to undertake further assessment of the capacity of the proposed road layout for each stage of the development, including a traffic assessment demonstrating that the proposed road layout and roundabouts can accommodate the future development of the site.

#### Stage 1 Operational Traffic

The total number of traffic movements generated by the two proposed warehouse buildings for the Stage 1 project would amount to approximately 197 trips in the morning peak hour and approximately 1,326 per day, calculated using the RTA's Guide to Traffic Generating Developments. The assessment determined that the temporary access road and Local Road 1 could accommodate this volume of traffic, without the need for the temporary intersection with Old Wallgrove Road to be signalised. The Department is also aware that construction for the upgrade of Old Wallgrove Road is expected to commence in early 2013. Notwithstanding, due to the current state of Wallgrove Road, the Department has recommended a condition of approval requiring Jacfin to prepare and implement a Driver Code of Conduct, to be developed in consultation with Council and the RTA and to remain operable for the period between the commencement of operations and when the upgrade of Old Wallgrove Road (between Roberts Road and Wallgrove Road) is complete.

Further, following construction of the EPLR, the temporary access would be removed and all operational traffic would be required to access the site via Local Roads 1 and 2, and Regional Road 1. The northern stub of Regional Road 1 to be constructed as part of the Stage 1 project would be designed with sufficient capacity to accommodate the additional vehicle movements, prior to the construction of the SLRN.

### Construction Traffic

It is anticipated that daily traffic flows during the construction period would be similar to or less than the operational traffic of the proposed Stage 1 and that the temporary access road would have sufficient capacity to accommodate construction traffic. Notwithstanding, the Department recommended a condition requiring Jacfin to prepare a Construction and Traffic Management Plan as part of the site's Construction Environmental Management Plan (CEMP), which would detail the controls proposed to manage construction traffic, including the installation of signage and the implementation of maximum speeds limits, in consultation with Council and the RTA.

### **Parking**

Jacfin proposes to provide parking for each development based on the number of employees and the nature of the operations on-site. For each future warehouse project Jacfin proposes to provide a number of sealed parking spaces and to designate an undeveloped area, to be used as additional parking if there is a demonstrated need.

The RTA, Penrith City Council (PCC) and Blacktown City Council's (Council) parking guidelines are set out in Table 4 below. The Penrith LGA is located to the south of the site.

**Table 4: Parking Guidelines**

	<b>Warehouse</b>	<b>Factories/Industrial</b>	<b>Offices</b>
<b>RTA</b>	1/300m <sup>2</sup> GFA	1.3/100m <sup>2</sup> GFA	1/10m <sup>2</sup> GFA
<b>PCC</b>	1/100m <sup>2</sup> GFA	1/75m <sup>2</sup> GFA or ½ employees	1/40m <sup>2</sup> GFA
<b>Council</b>	Not Specified	1 <sup>st</sup> 7500m <sup>2</sup> – 1/100m <sup>2</sup> GFA	1/40m <sup>2</sup> GFA

Based on the guidelines listed in the table above Jacfin proposes to provide sealed formal parking for the Ropes Creek Industrial Estate, at a rate of:

- Office: 1/40m<sup>2</sup> GFA;
- Factory: 1/100m<sup>2</sup> GFA for the first 100m<sup>2</sup> then 1/200m<sup>2</sup> GFA, which includes the office component; and
- Warehouse: 1/300m<sup>2</sup> GFA + 1/40m<sup>2</sup> GFA for office space.

This rate results in parking being provided at a rate higher than the RTA guidelines and lower than Blacktown Council's. At this rate parking provision for the Stage 1 proposal would equate to 122 spaces for Warehouse Building 1 (with 38.5 potential overflow spaces), and 93 spaces for Warehouse Building 2 (with 25 potential overflow spaces). Additional provisional parking would be supplied at a lower rate if required.

Council raised concerns with the level of parking proposed and recommended that the number of parking spaces provided on-site be calculated in accordance with the Eastern Creek Precinct Plan, which would require parking provision for 224 spaces for Warehouse Building 1 and 178 spaces for Warehouse Building 2. PCC and the RTA did not raise any concerns with the proposed parking rates, however the RTA recommended a condition be included requiring Jacfin to design and construct all parking in accordance with the relevant Australian Standards.

Following advice from Council, Jacfin amended its Site Development Guidelines to better reflect the RTA and Blacktown Council's parking guidelines (see Table 5).

**Table 5: Parking rates for the Stage 1 project**

	Use	Original Rate Per GFAm <sup>2</sup>	Warehouse 1	Warehouse 2	Revised Design Guideline	Warehouse 1	Warehouse 2
Formal Parking Provision	Warehouse	1/300	77	54	Up to 7,500m <sup>2</sup> - 1/100 Above 7500m <sup>2</sup> - 1/200	75 + 78 = 153	75 + 43.5 = 118.5
	Office	1/40	45.5	33.8	1/40	45.5	33.75
	<b>Total</b>		<b>122.5</b>	<b>87.8</b>		<b>198.5</b>	<b>152.25</b>
Formal Parking Provision + Overflow	Warehouse	1/200	115.5	81	N/A	N/A	N/A
	Office	1/40	45.5	33.8	N/A	N/A	N/A
	<b>Total</b>		<b>161 (122 formal + 39 overflow)</b>	<b>114.8 (87.8 formal + 27 overflow)</b>		<b>198.5</b>	<b>152.25</b>

The amendments result in a parking rate of 198 spaces for Warehouse Building 1 and 152 spaces for Warehouse Building 2. The Department considers that due to the alternate transport options available to employees, such as bus access and the construction of shared pedestrian/cycle ways, the amended proposed parking rates would be sufficient in accommodating operational traffic levels for the development, generally in accordance with the relevant guidelines.

Notwithstanding, the Department believes that new developments should strive to encourage alternative forms of transport and agrees with Jacfin's proposal to limit parking on-site unless it is demonstrated that the additional spaces are required. Therefore, the Department has recommended a condition requiring Jacfin to construct a number of spaces during the construction of the warehouse and provide additional parking only if needed.

The Department has also recommended conditions of approval requiring Jacfin to design the parking area in accordance with Australian Standards, which would restrict vehicles from parking or queuing on public roads, and for Jacfin to provide detailed plans for access and parking with each future development application within the Ropes Creek Industrial Estate. The Department has also recommended that Jacfin prepare a Work Place Travel Plan to encourage employees to use sustainable transport options to and from the site.

## 5.2 Infrastructure Requirements and Contributions

### Services

As part of the development of the Ropes Creek Industrial Estate, Jacfin is required to provide a number of infrastructure services to the site, eg. water services; sewerage; and electricity supply. In order to accommodate the Stage 1 development, augmentation of certain services would be required. Table 6 summarises the infrastructure requirements for the project.

**Table 6: Infrastructure requirements to service the Stage 1 project**

Infrastructure Requirements	Comments
Internal Roads	Jacfin would construct all local roads; the car and truck access driveways; internal truck access around the warehouse buildings; and vehicle parking.  Jacfin would also construct the northern stub of Regional Road 1 as a two lane local road, as part of the Stage 1 Project, to provide access to the site until such time as the SLNR is constructed.
Potable Water	The Concept Plan and Stage 1 Infrastructure Project address water servicing requirements for future developments, based on Sydney Water's guidelines.  Jacfin proposes to construct a 150mm main along the carriageway, to service Stage 1 of the development. Sydney Water does not object to Jacfin's interim servicing strategy, prior to the ultimate servicing of the WSEA by Sydney Water.

<b>Infrastructure Requirements</b>	<b>Comments</b>
Sewerage, Electricity, Gas and Telecommunications	<p>Provision for sewerage, electricity supply, gas and telecommunications would be supplied by Jacfin as part of the development of the area.</p> <p>Infrastructure would include:</p> <ul style="list-style-type: none"> <li>• Sewer – extension of approximately 1700m of gravity sewer from the existing sewer draining to Eastern Creek Submain;</li> <li>• Electrical – connections would be made to the existing zone substation at Eastern Creek (a feed to the site would be installed within the temporary access road);</li> <li>• Communications – connections would be made to the existing communications facilities within Old Wallgrove Road; and</li> <li>• Gas – connection would be made to the existing gas supply at the intersection of Old Wallgrove Road and Burley Road as required by operators.</li> </ul> <p>Connection and augmentation of these services would be required for each new development proposed on-site.</p>

The Department is satisfied that Jacfin is able to provide adequate infrastructure to service the development of the site.

### **Local and Regional Contributions**

Jacfin proposes to provide all infrastructure required for the development of the Industrial Estate; including all local roads, which are to be dedicated to Council; as well as drainage and sewer. Additionally, Jacfin would undertake all necessary road works to facilitate the smooth access and operations of nearby intersections during the use of the temporary access road, and construct a new shared cycle/pedestrian path along the verge of Local Road 1, connecting to Old Wallgrove Road and running parallel to the proposed temporary access road.

Currently there is no Section 94 contributions plan for the area. However, the Department considers that should a plan be approved in the future Jacfin would be required to pay contributions in accordance with Section 94 of the EP&A Act for the Ropes Creek Industrial Estate, for future applications.

With regard to the provision of regional road infrastructure in the WSEA, the Government announced its intention to impose a State Infrastructure Contribution (SIC) of \$180,000 per developable ha, for proposed developments in the area. Jacfin has committed to enter into an agreement with the Minister, to pay approximately \$14.6 million, towards the provision of regional transport infrastructure.

The Department is satisfied that through the commitments made by Jacfin and the recommended conditions of approval, adequate provision has been made for local and regional infrastructure.

### **5.3 Visual Impacts**

A visual assessment was prepared by JBA Planning for the Concept Plan area and Stage 1 Project (see Appendix T of the EA, which is attached as Appendix D).

The existing site is dominated by electricity pylons, cables and poles which extend across the site, emanating from the Transgrid Substation to the east. Views of the proposed Industrial Estate from the north are limited, due to a ridgeline that runs along the northern boundary of the site. The majority of the remaining site area sits below this ridgeline. The land to the north is zoned for future industrial use.

Views to the south are also limited, due to the earth mounding associated with the water supply pipeline. Views from the west, which is part of the WSEA, are limited by the topography of the site and the existing vegetation found along the Ropes Creek corridor.

Ersine Park, the nearest residential area to the site, is approximately 300m north-west of the proposed Ropes Creek Industrial Estate and approximately 1km west of the Stage 1 Project.

The higher land along the northern boundary is generally visible from the residential area, however the rest of the site is considered to have limited visibility.

A number of design guidelines have been prepared by Jacfin for the Ropes Creek Precinct which provide direction and requirements for future development applications, including subdivision, site coverage, setbacks, and guidelines regarding built form (see Table 7). The development of the site for industrial and warehousing is not considered to result in any significant adverse visual impacts for the surrounding area and is considered consistent with the development of the area for industrial purposes.

**Table 7: Site Development Guidelines**

<b>Lot size</b>	5,000m <sup>2</sup> minimum
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>• 20m from Regional Road 1 and EPLR;</li> <li>• 7.5m from Local Roads; and</li> <li>• 15m from electricity pylons.</li> </ul>
<b>Site Coverage</b>	65% maximum Provision of open space: 5% of total GFA of the office component or a minimum 50m <sup>2</sup>

SCA recommended a condition requiring Jacfin to erect chain wire fencing along the boundary adjacent to the Warragamba Pipeline, to minimise the potential for public access to the pipeline and associated corridor. Also, Council requested that the minimum lot size for all industrial/warehouse lots in a Torrents title subdivision be 5,000m<sup>2</sup>. Jacfin amended its development guidelines (as shown in the table above) in accordance with Council's recommendations. The Department has also included conditions of approval to reflect these recommendations.

### **Stage 1 Project**

Warehouse Building 1 would have a Gross Floor Area (GFA) of 24,920m<sup>2</sup>, including the 1,820m<sup>2</sup> office component, and would be located along the eastern boundary, in the south-eastern corner of the Concept Plan area. The building would be 210m long and 110m wide with a maximum height of 13.7m (see Figures 14 and 15), while the office component would be 2 storeys high (8.85m), 18m wide and 59.4m long. The building would be constructed using pre-cast painted concrete panels; metallic cladding; metal sheet roofing; and metallic louvers.



**Figure 14: Perspective of Warehouse Building 1**



**Figure 15:** Perspective of Warehouse Building 1 (View from Regional Road)

Warehouse Building 2 would have a GFA of 17,550m<sup>2</sup>, including the 1,350m<sup>2</sup> office component, and would be located in the north-eastern corner of the Concept Plan area. The building would be 180m long and 90m wide, with a maximum height of 13.7m (see Figure 16 and 17). The office component is proposed to be 2 storeys high (8.85m), 15.8m wide and 46.8m long. The building would be constructed using similar materials to Warehouse Building 1.

Earthworks for Stage 1 have been designed to minimise disturbance to the natural ground levels. The earthworks cut to fill volumes are calculated at 43,000m<sup>3</sup> and 46,000m<sup>3</sup> for Warehouse Buildings 1 and 2 respectively. Batters and retaining walls are proposed to match the building pad levels with adjoining land levels.



**Figure 16:** Perspective of Warehouse Building 2



**Figure 17:** Perspective of Warehouse Building 2 (View from Regional Road)

Jacfin assessed the visual impacts of the proposal by identifying key viewing locations from the private and public domain. Given the size of these buildings and the proximity of local residential areas at Erskine Park, the proposal (including both built elements and lighting) has the potential to impact residents in these areas. However, given the distance of approximately 1km between the residents and the Stage 1 project, these impacts are not considered to be significant.

As there is no detailed signage strategy provided for the Stage 1 project, the Department has included a condition requiring Jacfin to develop a detailed signage strategy in consultation with Council, for approval by the Director-General, prior to any sign being erected on-site.

A detailed lighting strategy is also yet to be developed for the site. The Department has included a condition of approval requiring Jacfin to develop a lighting strategy that complies with the latest version of Australian Standard AS 4282(INT)-*Control of Obtrusive Effects of Outdoor Lighting*; and is mounted, screened and directed in such a manner that it does not create a nuisance to surrounding properties or the public road network.

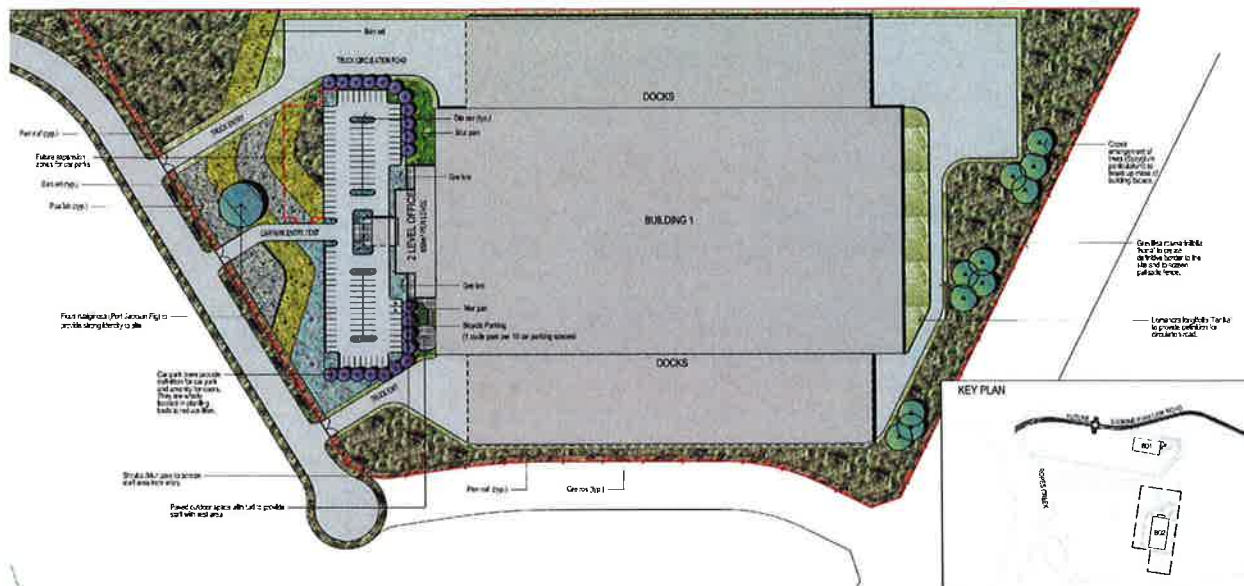
### ***Landscaping***

The EA is accompanied by a landscape design report prepared by Clouston Associates Pty Ltd for both warehouse buildings of the Stage 1 project. The landscape scheme has been designed to reflect the predominant rural character of the area.

With regard to Warehouse Building 1, a minimum 20m landscaped set back is proposed between the regional road reserve and the proposed building. This would be planted with Swamp Foxtail (also known as Fountain Grass) to maintain the character of the area. Rosemary Grevillea and Magenta Cherry trees would be planted along the edge of the site and the southern boundary respectively, to break up the built form of the warehouse facility for those entering the estate from the south.

The carpark would be defined by a perimeter planting of canopy trees, and the staff area proposed to the north-western corner of the office would be screened from the carpark area by shrubbery. The northern boundary of the site would be planted with a Port Jackson Fig Tree, which would act as a marker to the entrance of the site (see Figure 18).

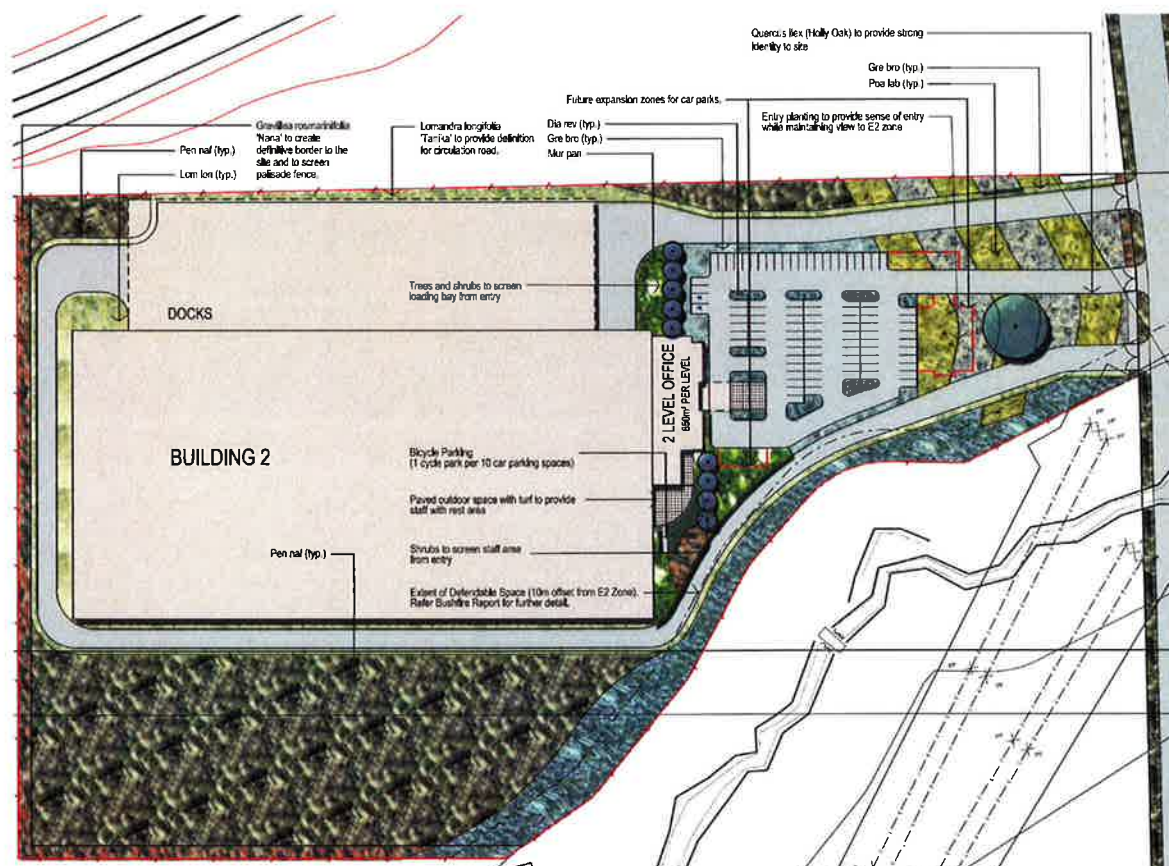
Black palisade fencing would be erected around the perimeter of the property.



With regard to Warehouse Building 2, bands of native grasses and shrubs would be planted within the eastern and southern landscape setback areas to maintain the 'rolling hills' character of the area, while at the same time maintaining views towards the E2 zone.

The carpark entry and parking area would be defined by a perimeter planting of canopy trees. The staff area proposed to the south-eastern corner of the office would be screened from the carpark area by shrubbery planted along the northern edge of the staff area. The eastern entry point of the site would be planted with a Holly Oak, which would act as a marker to the entrance of the site (see Figure 19).

Black palisade fencing would be erected around the perimeter of the property.



**Figure 19: Warehouse Building 2 Landscape Scheme**

The Department is satisfied that the proposed landscaping is adequate for the development and would soften any visual impacts to users of the adjacent road network and surrounding areas.

#### **5.4 Stormwater Management**

The EA for the project includes a Stormwater Management and Trunk Drainage Strategy undertaken by Brown Consulting Pty Ltd based on Water Sensitive Urban Design (WSUD) principles (see Appendix Q of the EA, which is attached as Appendix D).

The site is located within the Ropes Creek Catchment. Ropes Creek flows in a northerly direction to the confluence with South Creek, approximately 13.5 km north-west of the site.

A flood assessment undertaken for the site found that stormwater detention basins are required to mitigate the potential flooding impacts from the proposed development and to ensure post development flows remain the same as pre-development flows. The detention strategy proposes that individual lot basins could accommodate 2 year ARI flows, with large scale community basins located alongside the E2 zone required to manage the 100 year AIR events.

All of the proposed lots are capable of accommodating development above the 1 in 100 year ARI. Browns Consulting recommends that the floor levels for the proposed warehouse buildings are a minimum of 500mm above the 100 year ARI flood level. Jacfin has committed to demonstrating that flows would remain the same or less than pre-development flows, for all future developments within the concept plan area.

Stormwater quality and quantity is to be managed through the installation of Gross Pollutant Traps (GPT) and bioretention basins on-site. For each Lot, runoff from the 20 year ARI storm event would be collected using:

- a combination of pit and pipe and swale systems for the car parking and hardstand areas, discharging into existing drainage lines; and
- harvesting tanks for the capture of roof water, prior to discharge into existing drainage lines.

Five detention basins are proposed within the precinct (see Figure 20). The basins would be constructed with a bioretention base and GPT installed in each basin inlet, and designed to Council standards.

The Stage 1 development includes the construction of a culvert under Local Road 1 (where it crosses the E2 zone); a culvert linking the proposed warehouses to an existing dam on-site; and construction of detention basins 1 and 4. However, following exhibition the layout was amended, which introduced a second creek crossing to the project. This has had implications for stormwater and drainage on-site, as Jacfin may be required to relocate basin No.4. The Department has recommended a modification to the Concept Plan requiring Jacfin to submit a revised stormwater strategy to accommodate the revised road layout for the site.



Figure 20: Ropes Creek Industrial Estate - Basin Location

Council raised concerns with the stormwater modelling approach undertaken for the assessment. Browns Consulting reviewed the proposed detention basin size using the modelling method suggested by Council, and found that with the revised detention volumes and the sizing of the basins is still considered adequate.

Council also stated that it does not support the use of regional basins for the management of water quality and quantity, instead recommending that each lot undertake its own stormwater management and water quality treatment on-site, with only run off from roads and open spaces to be treated in regional basins. Council recommended a number of conditions with regard to stormwater infrastructure design and flood management, as well as a non-potable water reuse target of 80%. Council also advised that it will not accept ownership of the five proposed regional detention basins.

Jacfin argues that the proposed stormwater detention strategy is consistent with other approved projects in the area, however confirmed that the Stage 1 Project includes on-site water treatment facilities for those lots.

The SCA has recommended a condition requiring post development stormwater flows to match pre-development flows and for the SCA to be consulted in the preparation of the Stormwater Management Plan for the site.

The Department has recommended a number of conditions, including the requirement for Jacfin to revise the stormwater strategy for the Concept Plan, to accommodate the amended road layout, in consultation with Council and to the satisfaction of the Director-General. The Department has also recommended that Jacfin develop a Stormwater Management Plan in consultation with Council and SCA prior to completion of the stormwater and drainage system for the Stage 1 project, including measures to manage stormwater quantity and quality.

## 5.5 Other Issues

Other issues raised during the assessment process, and the Department's consideration of these issues are summarised in Table 8 below.

**Table 8: Summary of Other Issues**

<b>Issue</b>	<b>Assessment</b>	<b>Recommended Conditions</b>
<i>Land Use Conflicts</i>	<ul style="list-style-type: none"> <li>TransGrid owns and operates the Sydney West Substation off Old Wallgrove Road, located immediately east of the Jacfin site.</li> <li>TransGrid is proposing to upgrade the existing substation, expanding to the west due to site constraints and objected to the project, requesting that the project be substantially amended so as not to conflict with TransGrid's expansion requirements.</li> <li>TransGrid also raised concerns that under current planning proposals, consideration of approvals for existing or proposed large scale industrial developments are taking place without adequate recognition of existing and future critical infrastructure.</li> </ul>	The Department understands that TransGrid has authority to acquire Jacfin's land for the development of critical state infrastructure if necessary and does not believe that this would be an adequate reason for refusal.
<i>Service Centre</i>	<ul style="list-style-type: none"> <li>Jacfin proposes to include provision for a Service Centre, off Local Road 3, adjacent to Regional Road 1.</li> <li>Retail use greater than 200m<sup>2</sup> is not permitted under the WSEA SEPP.</li> <li>Jacfin has not identified this inconsistency with the SEPP or provided any assessment of the Service Centre or identified potential impacts that may arise as a result of the retail use within the site, which is currently zoned for industrial use.</li> <li>The Department therefore recommends that the Service Centre be removed from the approved plan.</li> </ul>	<ul style="list-style-type: none"> <li>The Department has recommended a modification to the concept plan removing the Service Centre from the approval.</li> </ul>
<i>Flora and Fauna</i>	<ul style="list-style-type: none"> <li>The site is predominantly cleared as a result of previous land uses, however there are patches of riparian woodland, and degraded woodland found in the north-western corner of the site and along the Ropes Creek corridor.</li> <li>Whelans Insites (Whelans) argues that the patch in the north-west corner of the site is not vegetation that could be considered representative of the endangered ecological community (EEC) Cumberland Plain Woodland, due to the level of disturbance and a lack of native ground cover.</li> <li>All other vegetation, such as the Alluvial Woodland found along the drainage line, which is considered to be an EEC, is predominately located within the area zoned E2 and is to be retained under the Concept Plan proposal.</li> <li>No threatened plant species were recorded on-site, although the proposal would result in the loss of a few hollow bearing trees from the north-western corner of the site.</li> <li>No native trees or shrubs would require removal for the construction of the two warehouse buildings for the Stage 1 Project.</li> <li>Two small areas of the E2 zoned land would be traversed to allow the construction of Local Road 1 and 2. The drainage line at the point of the crossings is around 1m wide, with minimal vegetation present.</li> <li>Removal of this vegetation is not considered to result in any significant biodiversity impacts.</li> <li>Notwithstanding, the Department considers that, regardless of whether the vegetation to be removed as a part of this proposal could be considered an EEC, the limited amount of vegetation required for removal would not have a significant impact on this vegetation community in the area.</li> <li>With regard to the impact on native fauna in the area, as the site is predominately cleared, only a small patch of disturbed riparian woodland and the farm dams, present</li> </ul>	<ul style="list-style-type: none"> <li>The future environmental assessment requirements, included in the Concept Plan approval for future development applications, require Jacfin to assess the biodiversity impacts for each new project on-site.</li> </ul>

Issue	Assessment	Recommended Conditions
	<p>as potential habitat areas on-site.</p> <ul style="list-style-type: none"> <li>• Of the 38 native fauna species found in the area, no threatened fauna species were recorded on-site or in the surrounding lands. This is believed to be due to the lack of significant habitat and resources.</li> <li>• Whelans has made a number of recommendations to ensure that the development results in a positive impact on biodiversity on-site, including: <ul style="list-style-type: none"> <li>– implementing a Hollow-bearing Tree Protocol;</li> <li>– construction of detention basins to provide supplementary habitat; and</li> <li>– retention of vegetation in the E2 Conservation zones to allow natural regeneration.</li> </ul> </li> <li>• Council advised that it would not accept ownership or maintenance obligations for the proposed riparian zones.</li> <li>• NOW recommends that the steep banks towards the northern end of the tributary be rehabilitated to reflect the local vegetation community, and that the E2 zone be clearly distinguishable and planted with native species endemic to the local community.</li> <li>• NOW also requested that Jacfin ensure that a minimum 50m corridor along Ropes Creek is maintained; and that a 30m corridor is rehabilitated along the northern and southern tributaries.</li> <li>• Jacfin has included a commitment to construct the creek crossings in accordance with NOW's recommendations.</li> <li>• The Department considers that the removal of a limited amount of habitat vegetation on-site and with the regeneration of habitat within the Ropes Creek corridor the proposal would not have a significant impact on any potential fauna species that occupy the area.</li> <li>• Notwithstanding, the Department has recommended conditions requiring further flora and fauna assessment as part of future project applications.</li> </ul>	
<i>Bushfire Hazard and BCA Compliance</i>	<ul style="list-style-type: none"> <li>• The Ropes Creek riparian corridor is not classified as bushfire prone vegetation, however the area running along the western side of Ropes Creek corridor is (see Figure 10).</li> <li>• Following a site inspection, Australia Bushfire Protection Planners Pty Ltd (for Jacfin) determined that the Ropes Creek riparian corridor should be identified as Category 1 Bushfire Prone Vegetation.</li> <li>• New development on areas identified as being bush fire prone are subject to the development and planning controls of the NSW Rural Fire Service's '<i>Planning for Bush Fire Protection 2006</i>'.</li> <li>• While this guideline applies to residential development and does not strictly apply to the project, Jacfin has considered the requirements of this guideline to manage any potential impacts on Ropes Creek from a site fire.</li> <li>• Jacfin has recommended a number of design measures to meet the requirements of '<i>Planning for Bush Fire Protection 2006</i>', including appropriately sized Asset Protection Zones adjacent to Ropes Creek and the E2 zoned area, and provision of fire fighting water supplies; emergency access; fire fighting equipment; and sprinklers.</li> <li>• Jacfin propose that future buildings located adjacent to bushfire prone areas would be classified as Class 7 buildings under the Building Code of Australia (BCA) and contain general fire safety requirements in their design, and include protocols for bushfire emergencies.</li> <li>• The Department is satisfied that sufficient consideration has been given to bushfire and BCA requirements, subject to the implementation of recommended conditions of approval.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department has recommended conditions of approval requiring Jacfin to: <ul style="list-style-type: none"> <li>– undertake a Bushfire Risk Assessment for all future applications on-site;</li> <li>– prepare an emergency response plan for all warehouses to be located adjacent to areas identified as bushfire prone land; and</li> <li>– ensure that the design of future warehouse buildings adjacent to areas identified as bushfire prone land comply with the requirements of the BCA.</li> </ul> </li> </ul>
<i>Heritage</i>	<ul style="list-style-type: none"> <li>• The Aboriginal Heritage Assessment undertaken by Godden MacKay Logan (GML) revealed that the site</li> </ul>	<ul style="list-style-type: none"> <li>• The Department's recommended requirements for</li> </ul>

<b>Issue</b>	<b>Assessment</b>	<b>Recommended Conditions</b>
	<p>contains 6 previously recorded Aboriginal sites, including one Potential Archaeological Deposit (PAD).</p> <ul style="list-style-type: none"> <li>• Overall, the site is considered to have low archaeological significance, however, further testing is required to determine cultural significance of the PAD.</li> <li>• Warehouse Building 1 is to be located in an area considered to have low archaeological potential.</li> <li>• Warehouse Building 2 is to be located on an area containing a previously recorded site, which was found to be disturbed due to past ploughing and mulching.</li> <li>• GML recommends that any existing or discovered artefacts are to be collected prior to works commencing and permission sought to disturb or destroy the site, given the low integrity and low scientific value.</li> <li>• OEH recommended conditions of approval requiring Jacfin to prepare an Aboriginal Heritage Management Plan for the E2 zoned land; and that an Aboriginal Heritage Impact Assessment to be undertaken for each future application.</li> <li>• The Department considers that Jacfin's commitments together with the recommended conditions of approval would ensure that any identified Aboriginal artefacts are appropriately conserved and managed.</li> <li>• The non-Indigenous Heritage Assessment undertaken for the proposed site found that there are no listed heritage items on-site, the site has little or no historical archaeological potential and is not located within a conservation area.</li> <li>• Jacfin has committed to informing the Department should any archaeological evidence be discovered during site works.</li> <li>• The Department is satisfied that non-Aboriginal heritage has been adequately assessed.</li> </ul>	<p>future applications, included in the Concept Plan approval, require Jacfin to undertake an Aboriginal Heritage Impact Assessment for each new project; and prepare and implement an Aboriginal Heritage Management Plan for the site and the E2 zone as part of the Stage 1 project approval, which would:</p> <ul style="list-style-type: none"> <li>– identify all indigenous heritage items on-site,</li> <li>– specify procedures for sub-surface investigations to salvage any artefacts; and</li> <li>– provide management procedures for the conservation of identified artefacts.</li> </ul>
<b>Construction</b>	<ul style="list-style-type: none"> <li>• Potential construction impacts relate to erosion and sediment control, dust generation, contaminated soils, soil salinity, traffic, noise and waste.</li> <li>• Jacfin proposes to implement stormwater and erosion management measures during construction, including the construction of cut-off drains; silt fences; and sediment basins around disturbed areas.</li> <li>• Jacfin also proposes to implement a number of dust control measures during construction. This would include covering stockpiles and locating them away from sensitive areas; wetting disturbed areas during high winds; minimising disturbed areas; and undertaking dust monitoring, both prior to and during construction works.</li> <li>• With regard to construction waste, this would be collected on-site and sorted at an appropriate recycling and landfill facility.</li> <li>• Jacfin has committed to preparing a construction and environmental management plan (CEMP), which would outline measures to manage any potential construction impacts.</li> <li>• The Department considers that construction impacts could be suitably minimised and managed.</li> </ul>	<ul style="list-style-type: none"> <li>• The Department has included a condition requiring Jacfin to: <ul style="list-style-type: none"> <li>– ensure that all reasonable and feasible measures are implemented to manage dust including the covering of loads, ensuring trucks do not track dirt, and keeping public roads clean; and</li> <li>– develop a detailed CEMP for the management and mitigation of environmental impacts for the duration of the construction period, and to update this plan if required, following assessment of future project applications.</li> </ul> </li> </ul>

## 6. RECOMMENDED CONDITIONS

The Department has prepared recommended conditions of approval for the project (see Appendix B and C), and summarised these conditions in Appendix A. These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance; and
- provide for the ongoing environmental management of the project.

Council has reviewed the conditions of approval and provided recommendations, which have been incorporated into the final approval documents. Jacfin accepts the imposition of these conditions.

## 7. CONCLUSION

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The Department has assessed the merits of the project in accordance with the requirements in the EP&A Act.

This assessment has found that the environmental impacts of the project can be mitigated and or managed to ensure an acceptable level of performance.

It has also found that the project is consistent with the objectives of the NSW 2021 Plan, Metropolitan Plan, and the strategic transport planning that has been carried out for the area; and that it has been designed appropriately to ensure that it would not have unacceptable environmental impacts.

Finally, it has found that the proposal offers significant economic and social benefits to the Western Sydney region, as it would attract up to \$290 million worth of capital investment and create up to 2642 jobs close to the homes within the south-west of Sydney.

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

## 8. RECOMMENDATION

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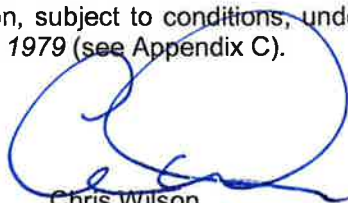
It is RECOMMENDED that the A/Deputy Director-General:

- consider the findings and recommendations of this report;
- approve the concept plan application, subject to modifications, under section 75O of the *Environmental Planning and Assessment Act 1979* (see Appendix B);
- under 75P, provide environmental assessment requirements for future development applications under Part 4 of the Act; and
- approve the project application, subject to conditions, under section 75J (1) of the *Environmental Planning and Assessment Act 1979* (see Appendix C).



Heather Warton  
A/Executive Director

24/10/11



Chris Wilson  
A/Deputy Director-General

24.10.11

## APPENDIX A: SUMMARY OF CONDITIONS OF APPROVAL

**Table 1: Concept Plan - Conditions of Approval**

Aspect	Modification	Requirement
<b>Schedule 2</b>		
General Terms of Approval	1	Defines permissible land uses and design guidelines.
Liability to Lapse	2	The approval will lapse in 5 years if work has not commenced on-site.
Modifications to the Concept Plan	3-8	Details modifications to the concept plan including the requirement to: <ul style="list-style-type: none"> <li>provide detailed plans and design of the stage 1 local roads;</li> <li>revise all plans to accommodate the final alignment of Regional Road 1, following determination of the SLRN;</li> <li>provide a revised stormwater concept plan for the site.</li> </ul>
Limits on the Approval	9-12	Limits of approval
Consistency with Future Development	13-14	Development carried out in accordance with the conditions.
<b>Schedule 3</b>		
Requirements	15-16	Details the requirements that must be addressed as part of future any development applications.

**Table 2: Stage 1 Project – Conditions of Approval**

Aspect	Condition	Requirement
<b>Schedule 2: Administrative Conditions</b>		
Terms of Approval	2-5	Defines the approved project
Limits	6-7	Defines the limits of the approval
Management Plans	8	Staged submission of plans
Infrastructure	9-13	Requirements to protect public infrastructure and to gain relevant approvals for service providers and maintain plant and equipment.
Contributions	14	Requirement to enter into a VPA.
<b>Schedule 3: Specific Environmental Conditions</b>		
Soil and Water	15-17	Requires installation of appropriate measure to minimise offsite flooding impacts, bunding for chemicals, demonstration erosion and sediment controls have been installed and stormwater management.
Transport	18-26	Requirements to ensure that the access to Regional Road 1 is signalised following construction of the EPLR, internal roads and parking areas are designed appropriately and parking spaces are constructed as necessary, that there is no parking or queuing on public roads, and a work place travel plan is prepared.
Noise	27-28	Details of hours of operation and noise limits
Energy	29	Requirement to prepare an Energy Management Plan
Waste	30	Requirement to dispose of waste appropriately
Hazards	31	Requirement to store dangerous goods and substances appropriately
Landscaping	32	Requirement to prepare a Landscape management Plan for the site.
Visual	33-36	Requirements for landscaping, fencing, lighting and signage
Aboriginal Heritage	37	Requirement to prepare an Aboriginal Heritage management Plan for the site and E2 zoned land.
Air Quality	38	Minimisation of dust.
<b>Schedule 4: Environmental management, Auditing and Reporting conditions</b>		
Environmental Management Strategy	39-40	Requirement for management and reporting during construction and operations.
Environmental Reporting	41-42	Incident reporting requirements
Auditing	43-44	Pre-operation compliance audit requirements

## **APPENDIX B: CONDITIONS OF APPROVAL – CONCEPT PLAN**

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## **APPENDIX C: CONDITIONS OF APPROVAL – STAGE 1 PROJECT**

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## APPENDIX D: CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

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### ***State Environmental Planning Policy (Western Sydney Employment Area) 2009***

The site is zoned IN1 General Industrial and E2 Environmental Management under the WSEA SEPP. Jacfin is proposing to develop land within the IN1 zone only. Development for the purposes for warehousing and distribution facilities is permissible in this zone.

### ***State Environmental Planning Policy (Infrastructure) 2007***

SEPP (Infrastructure) 2007 aims to ensure the RTA is made aware of and allowed to comment on projects for developments listed in Schedule 3 of the SEPP. Schedule 3 identifies development including industry with a site area of more than 20,000m<sup>2</sup>, or any purpose with a capacity of 200 or more motor vehicles. The project therefore triggers the Infrastructure SEPP. The project was referred to the RTA for comment in accordance with the Infrastructure SEPP.

### ***State Environmental Planning Policy No. 55 – Remediation of Land***

The Department is satisfied that the land subject to the project application does not have a significant risk of contamination given its historical landuse and on site investigations. Additionally, the Department is satisfied that the proposal is generally consistent with the aims, objectives, and requirements of SEPP 55.

### ***State Environmental Planning Policy No. 64 – Advertising and Signage***

SEPP 64 aims to ensure signage is appropriately located and designed and to regulate signage within transport corridors. The proposal does not include signage, therefore the Department has recommended conditions of approval requiring further approvals for any signage that Jacfin may require for the site or buildings.

### ***Blacktown Local Environmental Plan 1988***

Blacktown Local Environmental Plan 1988 (BLEP 1988) is the comprehensive statutory (legal) planning document that applies to the whole of the Blacktown Local Government Area, aside from land which the following State Environmental Policies apply: SEPP - Major Projects 2005 and SEPP - Western Sydney Employment Area 2009

## **APPENDIX E: RESPONSES TO SUBMISSIONS**

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## **APPENDIX F: SUBMISSIONS**

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## **APPENDIX G: ENVIRONMENTAL ASSESSMENT**

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