



18 October 2023

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NSW Department of Planning Environment
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RE: SUBMISSION TO SSD-51147710

Dear Sir

This letter has been prepared by Sydney Catholic Schools (SCS), in respect of the proposed State Significant Development (SSD-51147710) at 270 Horsely Road. SSD-51147710 proposes the construction and operation of a multi-level warehouse and distribution centre, which is to be located across the road from SCS's asset, Mount St Joseph's College (MSJ).

The application was on exhibition from 13 September to 10 October 2023. Whilst the exhibition period for the proposal has closed, the Department of Planning and Environment (DPE), has agreed to receive a late submission from SCS, expanding on a submission made on 10 October 2023. We appreciate DPE's flexibility in this approach, and hope that the feedback provided in this submission will assist in minimising negative impacts of the proposal, and maximising positive outcomes for the community.

SCS do not oppose the development of the new warehouse and distribution centre and commend the proposal's compliance with the relevant planning controls. Upon a review of the proposal SCS have identified several matters of concern regarding the impact that the development may have on MSJ, and the broader community, when combined with other major developments proposed in the area.

These matters relate to ensuring that local infrastructure can support the scale of densification proposed, ensuring that traffic from the construction and operation of these developments does not impact on the traffic and access arrangements for MSJ and protecting the health, amenity and safety of students.

This submission refers to the following supporting documentation:

- Attachment 1: Environmental Impact Statement SSD-51147710 prepared by Ethos Urban
- Attachment 2: Traffic Impact Assessment prepared by Genesis Traffic
- Attachment 3: Traffic and Parking Impact Assessment prepared by Transport and Traffic Planning Associates
- Attachment 4: Air Quality Assessment prepared by SLR Consulting
- Attachment 5: Noise Impact Assessment prepared by SLR Consulting

About Sydney Catholic Schools

Sydney Catholic Schools is a body that governs the operation of 147 Catholic primary and secondary schools across Sydney. Over 70,000 students are enrolled in their establishments. Mount St Joseph (MSJ) College is one of SCS's assets and is located at 273 Horsely Road, Milperra. SCS is interested in the proposed development due to the close proximity between the site and the MSJ campus. As shown in **Figure 1** below, MSJ College is located opposite 270 Horsely Road.

Figure 1 Location Map



Picture 1 SSD 51147710 depicted in red, Mount St Joseph College depicted in orange and the proposed new residential development site depicted in blue.

Source: nearmap obtained 16 October 2023

Summary of the Development Proposal

The SSDA seeks approval for a two-storey warehouse and distribution centre at 270-286 Horsley Road, Milperra.

Specifically, consent is sought for:

- Site preparation works
- Construction and operation of two-storey warehouse and distribution centres (defined as a Warehouse or distribution centre) with a total Gross Floor Area (GFA) of 71,783m²,



- On-site car parking located on the Ground Floor Mezzanine, comprising 343 car spaces and 13 motorcycle spaces;
- Loading docks and hardstand area, including ramps connecting the Level 1 hardstand area and Ground Floor
- Mezzanine car park;
- Two (2) vehicular access points to Horsley Road and one (1) to Beaconsfield Street;
- Associated landscaping, including the planting of 318 trees;
- Business identification and wayfinding signage, including signage zones;
- Consolidation of the existing lots into one title; and
- Operation hours of 24 hours, 7 days a week.

The construction works are to be completed over several construction stages upon issue of the relevant construction certificates. The construction of the proposed warehouse would be carried out in phases with the demolition and remediation works proposed under DA-715-2022 anticipated to commence in July 2023. Construction of the proposed warehouse and distribution centre is anticipated to commence in January 2024 (subject to approval).

Compliance

The subject site is zoned IN2 Light Industrial under the Canterbury-Bankstown LEP 2023. The proposed development is defined as a Warehouse or distribution centre with ancillary Restaurants or cafes and take away food and drink premises. These land uses are permitted land uses within the IN2 zone. The proposal is also compliant with the key planning controls pertaining to the site.

Surrounding Development Proposals:

PP-2021-5837:

PP-2021-5837 is in the finalisation stages and was returned to the Department of Planning and Environment on 7 July 2023. The planning proposal seeks to enable the rezoning of the old Western Sydney University site, which adjoins the MSJ campus to the north and west, from an SP2 Infrastructure (Educational Establishment) and SP2 (Electricity Transmission or Distribution Network) to R1 General Residential, B1 Neighbourhood Centre, RE1 Public Recreation, RE2 Private Recreation and SP2 Infrastructure (for stormwater drainage reserve). The 19.64ha site became vacant following the relocation of the WSU Campus to Bankstown CBD. Consequently, WSU has entered into a partnership with Mirvac to deliver a new residential precinct with associated services. The proposed development will deliver up to 430 new dwellings in an existing suburban area, consistent with the objectives of the Canterbury Bankstown Housing Strategy.

WSU is seeking to relocate remaining courses and services from their Milperra Campus during 2023. This will allow for the commencement of works on site in early 2024. The proposed commencement of works on the site coincides with the proposed construction commencement of works at 270 Horsely Road (subject to approval).



SSD-45998963:

The proposal relates to the construction and operation of a two-storey warehouse and distribution centre at 339 Horsely Road, Milperra. This state significant application was determined for approval on 9 June, with consent granted by the Director of Industry Assessments. 339 Horsely Road, is located 600m north of MSJ College, on the western side of Horsely Road.

Construction is anticipated to commence in July 2023 and involve a 12-to-18-month construction programme. This will include bulk earthworks, provision of services and building construction. This programme coincides with the expected construction period for SSD-51147710.

DA-650-2022:

The Development Application was determined for approval by the Sydney South Local Planning Panel on 8 August 2023. The proposal was for the demolition of existing structures and the construction of two warehouse and distribution centres at 337 Horsely Road, Milperra. 337 Horsely Road is located 500m to the north of MSJ.

Issues and Recommendations:

Cumulative Impact on Mount St Joseph College:

Sydney Catholic Schools acknowledge the merit of the proposal and the compliance of the proposal with key planning controls. However, SCS are apprehensive about the combined effect of the State Significant Development proposed at 270 Horsely Drive, along with the new residential development proposed to the north of MSJ and the two additional industrial developments at 337 and 339 Horsely Road. The construction commencement dates for SSD-51147710, SSD-45998963 and PP-2021-5837 are all programmed to coincide.

The cumulative impact of these major developments could negatively impact on the safety of students, negatively impact on traffic, parking and access arrangements for the school as well as strain local infrastructure. A Cumulative Impact Assessment has not been provided as part of the lodgement package for SSD-51147710 (please refer to attachment 1). Without this assessment occurring it is impossible to accurately assess how the developments proposed in this precinct will interact and what strategies should be imposed to minimise adverse impacts to MSJ College.

The Transport Impact Assessment prepared by Genesis Traffic and lodged alongside the EIS does include a Cumulative Impact section (refer Attachment 2). However, the Cumulative Impact section states that "no known major development schemes have been approved in the sites vicinity at the time of this assessment". SSD-45998963 was approved in June 2023, and is a major development. This raises concerns about the validity of their conclusion that local transport infrastructure will not be adversely affected and will be able to accommodate the additional construction and development traffic. Additionally, since the time of lodgement, DA-650-2022 has been approved and the planning proposal to rezone the WSU Campus for a new residential development is being finalised. An



assessment of the cumulative impact of these proposals should be undertaken prior to the determination of the proposal.

Recommendation:

- It is recommended that a detailed Cumulative Impact Assessment is prepared by the proponent which details the cumulative noise, traffic and parking impact of these developments to existing developments, including highly sensitive developments such as Mount St Joseph College.
- We encourage DPE to consider the need for the preparation of a precinct wide Traffic Impact Study, which considers all current and future stakeholder projects in the area, to provide a holistic approach to infrastructure planning. The TIS should identify the potential risks of the construction and operational stages of the proposed development in accordance with other developments planned in the area.

The Air Quality assessment prepared by SLR Consulting, identifies that MSJ will be a receptor of dust generated from the construction of the development at 270 Horsely Road. SLR Consulting has undertaken a risk assessment of the proposed impacts of the development on MSJ. The results indicate with the implementation of mitigation measures, the dust deposition and human health impacts will be negligible to MSJ College. Whilst the impact of the proposal to the air quality of MSJ has been assessed in the proposal, SCS require further investigation into the cumulative impacts of the surrounding developments on the air quality at MSJ. As a highly sensitive receiver, it is important that the health and wellbeing of students is retained.

Recommendation:

- Further studies should be undertaken prior to the determination of the proposal, to ensure that the cumulative impacts of the construction and operational stages of SSD-51147710, SSD-45998963, PP-2021-5837 and DA650-2022 do not adversely impact on the air quality of students and staff at MSJ.

Traffic Generation:

SCS hold concerns over the impact that the construction and operation of the proposed development at 270 Horsely Drive and the surrounding development proposals will have on traffic generation in the locality. SCS engaged a transport consultant to undertake a review of the proposal. The following areas were identified as requiring further investigation.

The proposed development, which will see the construction of 12 separate warehousing units and car parking for 335 cars is to substantially increase traffic along Horsely Road. Concern is therefore raised for the ability of the existing local infrastructure to support the level of intensification proposed.

MSJ engaged Transport and Traffic Planning Associates (TTPA) to prepare a Traffic and Parking Assessment in August 2023. The purpose of this impact assessment is to assess the existing traffic

circumstances to inform whether an alternative kiss and drop scenario could be adopted at the school. TTPA undertook an assessment of the operation of the local road network surrounding MSJ. The results of this assessment found that the intersection of Horsley Road and Beaconsfield Street is already operating at an unsatisfactory level (Level of Service F) and is characteristically impacted by long queues and delays. Given these concerns, we strongly recommend addressing the traffic situation and improving this intersection along Horsley Road. TTPA, recommends that the signalisation of the intersection could dramatically improve the level of service of the intersection and the accessibility of the school.

The TIA, prepared by Genesis Traffic and submitted alongside SSD-51147710, paints a different picture of the local road network. In the TIA prepared by Genesis the intersection at Horsely Road and Beaconsfield Street will operate at a Level of Service A in both the AM and PM peak, post development and that the road network will be able to accommodate the development. The large discrepancy between these two Traffic Impact Assessments is concerning and questions the validity of their conclusion that the local transport infrastructure will not be impacted by the proposal. It is imperative that the modelling and the conclusions of the TIA are revisited to confirm validity.

Recommendation:

- DPE should engage a suitably qualified traffic engineer to undertake a peer review of the TIA prepared by Genesis Traffic. The peer review should confirm whether the modelling undertaken to inform the TIA is an accurate representation of the existing operation and the post development operation of the local road network.
- We strongly recommend addressing the existing traffic situation prior to the determination of the proposal. In particular DPE should consider the need to improve the intersection along Horsley Road and Beaconsfield Street before permitting any new construction or development traffic to pass through. The applicant should engage with the DPE and City of Canterbury- Bankstown Council to discuss opportunities for local infrastructure improvements.

Safety:

The safety of the students at MJS is of the utmost importance and is threatened by the current development proposal. Specifically, existing Kiss and Drop points and pedestrian access points at MSJ are already under pressure. The combined impact of the traffic generation associated with the proposed development and surrounding developments, threatens the operation of safe pick up and drop off and access arrangements to the school.

The proposed development is expected to generate 1,895 daily vehicle trips, with 23 per cent of them, or 436 trips, being heavy vehicles. The presence of these heavy vehicles raises even more concern regarding the safety and accessibility of students at MSJ. The TIA prepared by Genesis Traffic confirms that in the past five years, nine vehicle crashes have been reported at the intersection between Horsely Road and Beaconsfield Street, with two of them resulting in fatal and serious injuries. The increase in traffic, specifically heavy vehicles at this intersection could heighten the risk

of incidents. DPE should consider the need to upgrade the Beaconsfield Street and Horsely Road intersection to a signalised intersection prior to the determination of any traffic generating developments.

The Road Safety Impact Statement provided in the TIA states that road safety will be improved as a result of the proposal as the additional traffic generated by the development will slow traffic during the AM and PM peak periods. This is not a justifiable strategy. A more suitable strategy to improve both road safety, the safety of pedestrians and lessen traffic generation would be to establish heavy vehicles routes from the north and east of the site that do not pass directly in front of MSJ on Horsely Road.

Recommendation:

- DPE should consider the need to upgrade the intersection at Horsely Road and Beaconsfield Street to a signalised intersection.
- The applicant should consider if truck routes could avoid passing MSJ College.

Noise and Vibration

The proposed development is expected to cause adverse noise and vibration impacts at MSJ College. As an educational establishment, it is important to protect the learning environment and minimise disruptions. A Noise Impact Assessment was prepared by SLR Consulting which identifies that MSJ College will be subject to adverse noise and vibration impacts across the construction and operational stages as will be further discussed below.

The Noise Impact Assessment identifies that Construction noise levels are predicted to result in minor exceedances of the Noise Management Levels at Mount St Joseph College during all assessed scenarios, apart from a moderate exceedance during construction scenario 'W.05 Stormwater and Pavements.' Noise Management Levels represent the worst-case scenario where equipment is working concurrently at the closest point to the receiver. Whilst the exceedance of the NML is minor, due to the high sensitivity of MSJ as an educational site, further mitigation measures should be implemented to protect the amenity of the school.

The predicted operational noise levels of the proposed development exceed the maximum allowable noise level from MSJ by 2 decibels. The exceedance is primarily caused by heavy vehicle movements on the south-western, ground to first floor access ramp. SLR advises that the exceedance is negligible and that no mitigation measures are required. The noise exceedance is not acceptable and will adversely impact on the learning environment of students. Mitigation measures should be provided that reduce the adverse impact of the proposal.

Additionally, the MSJ campus has been identified as being impacted by vibration from construction activities. Students and staff will therefore be subject to periods of perceived vibration. SLR State that appropriate mitigation measures should be applied where vibration intensive works are occurring. This statement is vague and unsubstantial. Further detail should be provided on how vibration



impacts will be managed at MSJ, to ensure that the learning environment of students is not disturbed.

Recommendation:

- Mitigation measures should be identified and implemented to reduce the noise and vibration impact of the proposed development and to ensure compliance with the relevant standards.
- DPE should consider the requirement of a precinct wide Noise Impact Assessment to ensure that the cumulative impact of the developments in the area will not further impact on the amenity of staff and students at MSJ.

Conclusion

Sydney Catholic Schools thank the Department of Planning and Environment for the opportunity to comment on SSD-51147710. We request DPE to consider our recommendations to ensure the protection of the operation of Mount St Joseph College and to maximise the positive development outcomes of this proposal.

Concern is raised for the strain that the proposed development and surrounding developments will have on local infrastructure. SCS see this period of growth in the Milperra area as an opportunity to work with DPE and various stakeholders to ensure that local infrastructure is appropriately upgraded to support such growth. This will ensure the functionality of the road network and the safety of the community.

The cumulative impact of the proposal with surrounding developments also poses a large risk to the functionality of MSJ as a school and the safety of staff and students. This issue has not been adequately addressed. A Cumulative Impact Assessment detailing the potential, traffic, amenity and health impacts associated with the combined construction and operation of the developments in the locality should be undertaken. Without this, the health and safety of the students and staff at MSJ and the broader community could be impacted. A precinct wide Traffic Impact Assessment could be beneficial to ensure that increases in traffic generation and parking in the area has been appropriately considered. Finally, further investigation is required into the noise and vibration impacts of the proposal as well as the cumulative impacts of the developments on the air quality of MSJ.

We look forward to further engaging with DPE on this project.

Your sincerely,

Glenn McLachlan
Director: Finance and Property