

ENVIRONMENTAL ASSESSMENT



Coles Myer
CHILLED DISTRIBUTION CENTRE (CDC)

Part 3A Application

Macquarie Goodman

14 July 06

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Certification by Author

Part 3A Environmental Assessment

Prepared under the Environmental Planning
and Assessment Act 1979

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Project to which Part 3A applies

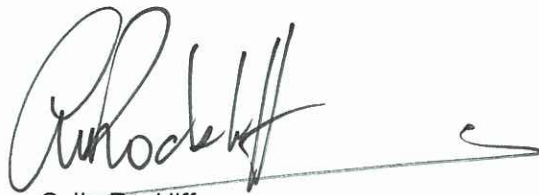
Application Number 06_629
Project Proposed construction and operation of a Coles
Myer CDC at Eastern Creek
Applicant Name Macquarie Goodman Management Ltd
Applicant address Level 10, 60 Castlereagh Street, Sydney 2000
Land to be developed Part Lot 369 DP 1094500 & Part Lot 252 in DP
1082988

Certificate

I certify that I have prepared the contents of this document, and to the best of my knowledge the assessment:

- has been prepared in accordance with the requirements of Part 3A and the Regulations; and
- does not contain false or misleading information.

Signature:



Name Colin Rockliff

Date 14th July 2006

Executive Summary

The NSW Government released the Eastern Creek Precinct within the Central Western Sydney Economic and Employment Area (SEPP59) to facilitate and promote economic development and employment within Western Sydney. Austral Brick Company Pty Ltd owned a substantial track of land within the Eastern Creek precinct. A partnership was formed between Austral Brick Company and Macquarie Goodman to develop this land. The partnership is formally known as Macquarie Goodman Vineyard Pty Ltd. The purpose of the partnership, which builds on the strengths of both organizations, is to develop the land for large-scale industrial, manufacturing, distribution centres and other related purposes. The overall project, known as the M7Hub, has an approximate area of 150 hectares.

The M7Hub is well served by recent improvements to Sydney's transport infrastructure. The Estate is bounded on the east by Wallgrove Road, to the north by Old Wallgrove Roads, and to the south by a Sydney Water pipeline. The M4 Motorway is located approximately 2 km to the north and the route of the M7 Motorway, which provides the link between the M2 and M5 Motorways, is directly to the east of Wallgrove Road.

In order to facilitate the orderly development of the M7Hub, Macquarie Goodman has taken a lead role in the provision of essential services and infrastructure to the Eastern Creek Precinct.

There have been previous State significant development applications for the M7Hub:

- Coles Myer National Distribution Centre "NDC" (DA-283-11-2004) for bulk earthworks, roads and a warehouse and its use as a national distribution centre in the western precinct of the Estate; and
- Coca-Cola Amatil "CCA" Distribution Centre (DA-308-12-2004) in the eastern precinct of the Estate. This development application also involved the subdivision of the land to create the Reedy Creek Riparian corridor, internal roads and other development lots in addition to the distribution centre for Coca-Cola.

Both development applications were approved in June 2005.

The proposed \$87 million Coles Myer Chilled Distribution Centre "CDC" is located in the north-west corner of the M7Hub with access to be provided off Old Wallgrove Road. This application seeks approval for:

- The construction of bulk earthworks, drainage works, access roads and support infrastructure, an industrial/warehouse building and associated office, parking and landscaping as shown on the accompanying consultant drawings and reports;
- Subdivision of the land to create public roads, an allotment for the Coles Myer Limited facility and a further allotment to allow future expansion of the facility, and further allotments; and

- The use of the site and building for a warehouse distribution centre for refrigerated products. The occupant of the building will be the Coles Myer Limited.

The project will be constructed in 2 stages due to the rehabilitation of the existing quarry. Stage 1 consists of the Coles Myer CDC warehouse, offices, associated parking and hardstand and the interim road. Stage 2 consist of the Coles Myer CDC expansion and the relocation of the interim road to its permanent position south of the Coles Myer CDC expansion lot – refer to section 3.7.

The proposal is permissible with consent under *State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area (SEPP 59)*. As a Part 3A project, in accordance with SEPP (Major Project) 2005, the Minister for Planning is the consent authority. As required under Clause 271 of the Regulations, the project is assessed for compliance to the Eastern Creek Precinct Plan (Stage 3) (“Stage 3 Precinct Plan”) – refer to section 5.2. Also as required, a developer agreement is available which makes provision for s94 contributions – refer section 5.3.

This report presents an environmental assessment of the project and concludes that the project, after all mitigating actions have been undertaken to minimise its environmental impact, is acceptable and the approval of the Minister is recommended.

This is the second facility for Coles Myer in M7Hub, which will create a Coles Myer precinct in the north western part of the estate.

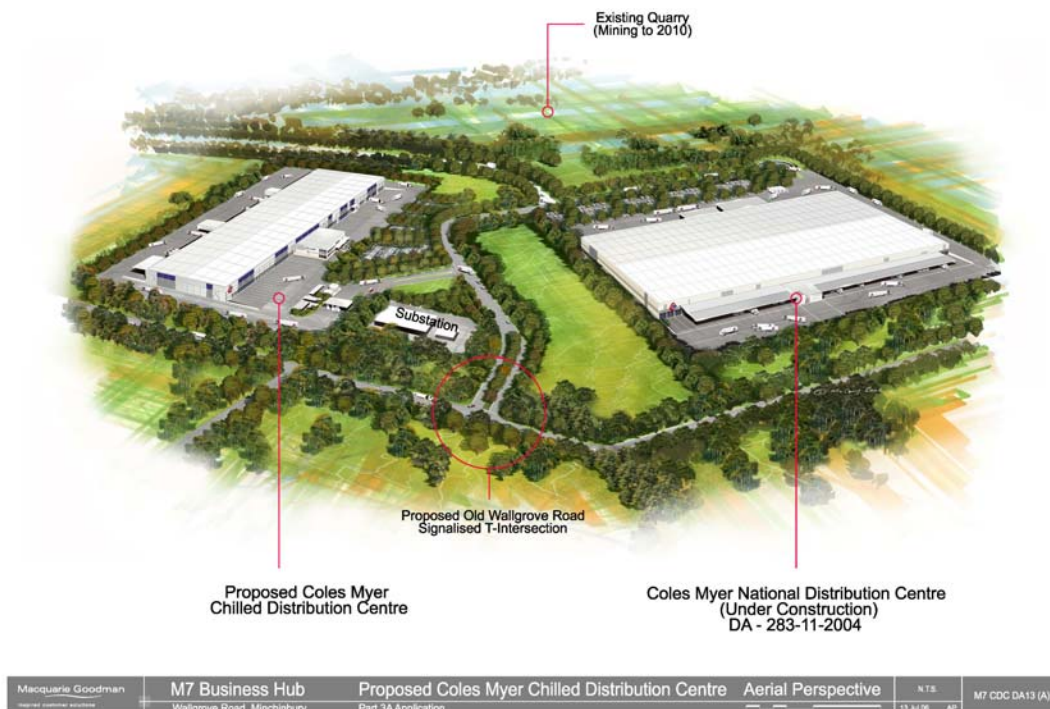


Figure 1
Aerial perspective

1.0 INTRODUCTION

1.1 Background

A partnership has been formed between the Austral Brick Company Pty Ltd and Macquarie Goodman to develop a substantial tract of land in the Eastern Creek Precinct of *State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area* (SEPP 59). The partnership is formally known as Macquarie Goodman Vineyard Pty Ltd. The product of this joint partnership is the M7Hub, a former quarry site. This 150 hectare parcel of land will be jointly rehabilitated and developed to produce a high quality industrial estate.

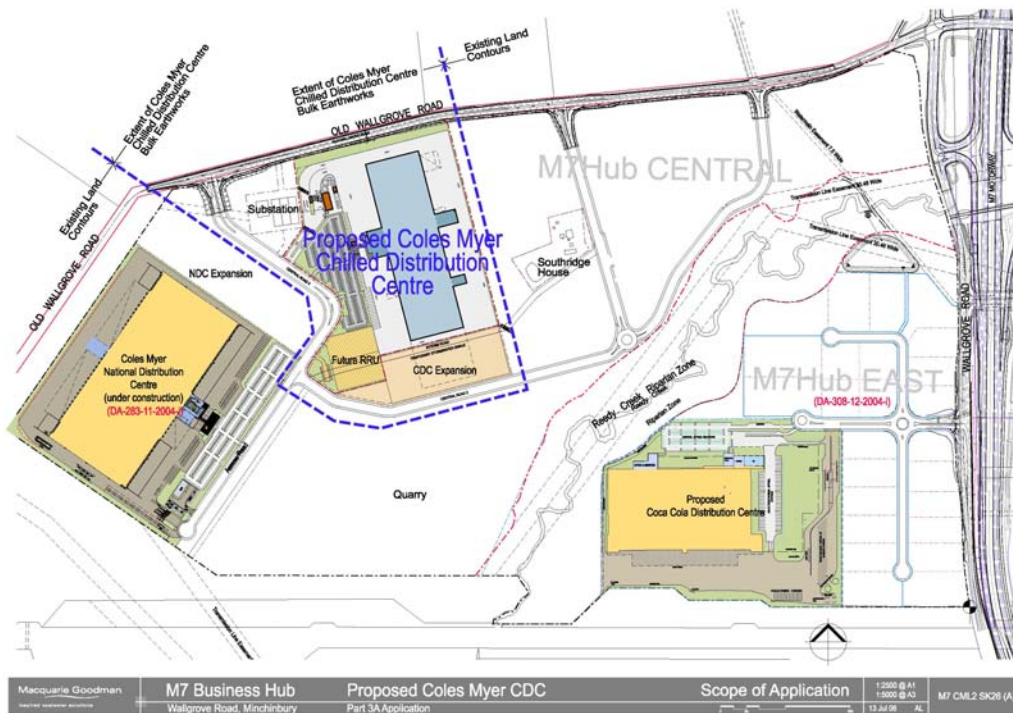


Figure 2
Scope of Application

1.2 Previous Development Applications in the M7Hub

The following State significant development applications have been determined for land in the M7Hub:

- Coles Myer National Distribution Centre “NDC” (DA-283-11-2004) for bulk earthworks, roads and a warehouse and its use as a national distribution centre in the western precinct of the Estate; and
- Coca-Cola Amatil “CCA” Distribution Centre (DA-308-12-2004) in the eastern precinct of the Estate. This development application also involved the subdivision of the land to create the Reedy Creek Riparian corridor, internal roads and other development lots in addition to the distribution centre for Coca-Cola.

1.3 Coles Myer Limited

Coles Myer is Australia's largest retailer with more than 1,900 stores throughout Australia and New Zealand. The company is Australian owned and employs over 165,000 staff and operated a range of retail outlets including:

- Bi-Lo Supermarkets
- Coles Supermarkets
- Coles Express Service Stations
- Kmart
- Kmart Tyre & Auto Service
- Liquorland
- Myer
- Office Works
- Target
- Theo's Liquor
- Vintage Cellars

The Company is currently increasing the scale of its operations to improve on-shelf availability of products to customers, and to reduce costs of the technology it employs through a more efficient supply chain.

This project is part of Coles Myer's drive to totally re-engineer its supply chain through the development of a Chilled Distribution Centre (CDC) that will service all of New South Wales and areas in adjoining States. Part of its long term strategy is to operate distribution centres located closed to State & national transport nodes.

The need for the new distribution centres is to provide efficiencies by:

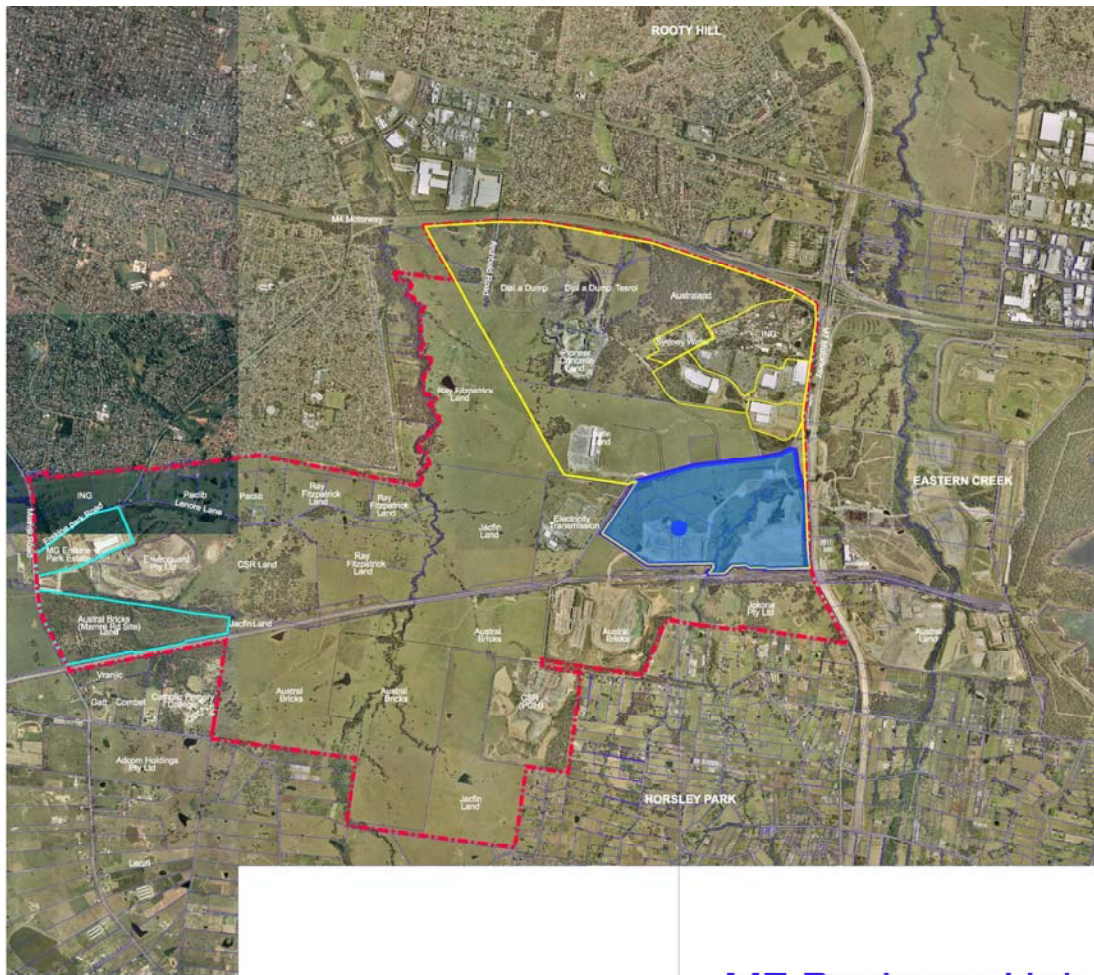
- Improving the holistic delivery of products from the manufacturers through to the store shelf and therefore reducing cost and impact to the infrastructure & environment.
- Minimisation of heavy transportation through more efficient utilisation
- Minimisation of the quantities of deliveries to stores and therefore reducing traffic congestion
- Provision of more effective hubs for distribution centres with the absorption of existing smaller centres into the network.

The anticipated outcome is significant savings for the company and benefits for consumers in terms of lower costs and increased availability of consumer products.

2.0 SITE ANALYSIS

2.1 Location and Context

M7Hub is bounded on the east by Wallgrove Road, to the north by Old Wallgrove Roads, and to the south by a Sydney Water pipeline. Old Wallgrove Road and easements for transmission lines define the western extent of the M7Hub. The M4 Motorway is located approximately 2 km to the north and the route of the M7, which provides the link between the M2 and M5 Motorways, is directly to the east of Wallgrove Road as shown on Figure 3. The site is located in the Blacktown local government area and within the SEPP 59 Lands.



M7 Business Hub



LEGEND	
	Employment Lands
	SEPP59 Land

Figure 3
Location Aerial

2.3 Site Conditions

As shown on figure 5 the subject site for this project is to the north of the quarry with access off Old Wallgrove Road. The only use of this site historically has been for agricultural purposes and the stockpiling of over burden from the adjoining quarry site. The site is sparsely vegetated apart from a narrow band adjoining the Old Wallgrove Road Reserve.

The landform undulates across the site. A detailed contour plan of the site shows a range in elevations from RL76.0 to RL 71.0 on the northern boundary of the site with Old Wallgrove Road. A greater range in elevation between RL 75.0 to RL 64.0 is evident on the southern boundary. A drainage line with an east-west orientation is located in the centre of the proposed development site. The site is not flood affected.

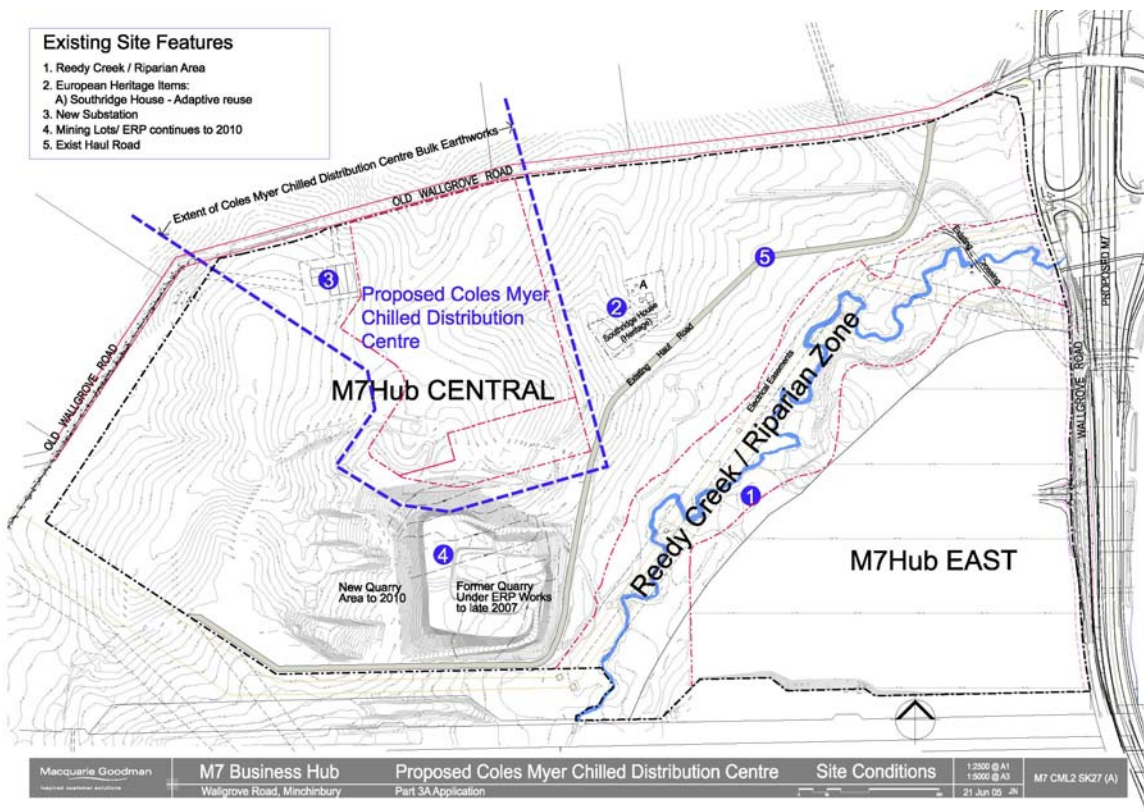


Figure 5
Site Conditions

2.4 Surrounding Land Uses

The M7Hub is part of the Eastern Creek Precinct of the Western Sydney Economic and Employment Area. The context is illustrated in the aerial photograph in Figure 3. North of Old Wallgrove Road is underdevelopment employment lands under SEPP 59 that has been used for quarrying and pastoral activities. The Coles Myer National Distribution Centre, which is under construction, is located to the west along with a site for a new electrical sub station.

The nearest residential areas are the residential suburbs of Minchinbury to the immediate north of the M4 Motorway and Erskine Park to the west. Sydney West Substation, further industrial areas and scattered residential properties are located to the south of the site. The nearest residential area is more than 1.5 km to the west of the site.

Selection of Site

The proposed site is well suited to the scale of the proposed development and was selected for the following reasons:

- Site is located in the Eastern Creek precinct Employment Lands
- Site is conveniently located to major transport corridors - east-west and north-south (i.e. M4 & M7 Motorway)
- Site is located adjacent to the Coles Myer National Distribution Centre (currently under construction)
- The land has been extensively cleared and is no longer required for agricultural purposes and is not subject to significant site constraints (present of native vegetation, heritage items – European and/or Aboriginal significance, flooding, site contamination).
- There are no residential areas in close proximity to the site.
- Services are, or can be, made available to the site.

3.0 PROJECT DESCRIPTION

3.1 Introduction

The proposed development is for a Chilled Distribution Centre to be operated by Coles Myer Limited. The development site has an area (excluding proposed public roads) of approximately 16.5 hectares.

The Chilled Distribution Centre will be a key facility in Coles Myer's Supply Chain servicing retail outlets in New South Wales, Queensland and the Northern Territory. The cost of the development (excluding land) is approximately \$87 million.

The proposed development is for the construction and operation of a Chilled Distribution centre and includes the following:

- Approval for the construction of bulk earthworks, drainage works, access roads and support infrastructure, an industrial/warehouse building and associated office, parking and landscaping as shown on the accompanying consultant drawings and reports;
- Subdivision of the land to create public roads, an allotment for the Coles Myer Limited facility and a further allotment to allow future expansion of the facility, and further allotments; and
- The use of the site and building for a warehouse distribution centre. The occupant of the facility will be the Coles Myer Limited.

3.2 Outline of Proposal

The proposal is illustrated in Architectural Drawings CDC DA 00 – DA13, Civil Drawings 05 350 EV01 & EV02, QCN –C002, and Landscape Drawings L-05600-01 & 02.

The warehouse/distribution centre will be used by Coles Myer Limited as a Chilled Distribution Centre (CDC) for as part of its overall supply chain. The proposed facility will have a total built area of approximately 40,275m². An area for further expansion for a Resource Recovery Unit (RRU) has also been provided. This aspect of the project will be subject to a further application. It is envisaged that as the supply chain becomes fully operational, all waste products consumed within the supply chain will be centrally managed at the distribution centres RRU.

The CDC will operate three shifts over 24 hours each day, 7 days of the week throughout the year and comprise the following:

- Offices
- Variable temperature controlled Warehouse
- Car parking areas
- Visitor Reception

- Security gatehouse and fencing
- Site services

Key aspects of the CDC development include the following:

- A distribution centre with site dimensions (without canopies and satellite office) of approximately 107m by 351m.
- The distribution centre will be divided into separate chambers to provide a range of temperature controlled environments from -25 deg C and + 4 deg C – a chilled chamber of +4 deg C and a frozen chamber of -25 deg C.
- The distribution centre will receive goods on a daily basis from manufacturers via rigid trucks, semi trailers and multi- trailer combinations.
- Goods will be dispatched to retail outlets on a daily basis via rigid trucks, semi trailers and multi- trailer combinations.
- A component of automation will allow the collating of products to specific order requirements
- Internal movement of products will be by:
 - Twin Tyne forklifts to load and unload side loading trucks and trailers;
 - Electric pallet transponders will be used inside the distribution centre to enable picking functions to be performed; and
 - Reach trucks will be used to fulfil replenishment activities within racking areas.
- Environmental Sustainable Design will be achieved through the design of the building, the incorporation of energy efficient components, high efficacy lighting and occupancy sensing lighting controls.

The collection and re-use of rainwater for landscaping, truck and trailer washing and toilet washing will be utilised throughout the site.

3.3 Proposed Site Works

The proposed site works are illustrated on the accompanying drawings:

- Access works to the development site off Old Wallgrove Road;
- Bulk earthworks on the site and the construction of the necessary entry roads onto the M7 site;
- The delivery of necessary services to the land;
- Bulk earthworks to create the hardstand areas and the building platform; and
- Stormwater and site landscaping works associated with the roads and infrastructure as well as the new building.

3.4 Proposed Building Works

The proposed building works are shown in the accompanying drawing to this application. The building will have recessed docks covered by canopies on opposite sides of the building which has a north south alignment. Offices in the middle of each side provide a convenient break in the building façades. Parking, fencing and security centres are also provided. The internal allocation of space within the CDC Facility is given in the table in Drawing CDC DA 03.

The ridge height of the building in all areas will be 13.48m to the ridgeline. The external walls will consist of precast concrete dado panels to 1200mm with perimeter glazing above these panels. Walls internally will have plasterboard lining in general areas. Details of the external finishes and colours are shown on Drawings CDC DA 08 and 09.

A bunded refuelling facility will be located close to the service compound with re-fuelling capability for transport vehicles. The storage facility will have a capacity of 60,000 litre of diesel fuel. Safety will be affected by a central management system with emergency generation and sprinkler pumps. Details of the location of these services are shown on Drawing CDC DA 10.

A visitor reception and pedestrian crossing will provided a control point between the car park and the office entry point to control staff entry and exit and to ensure all visitors are signed in and wearing the appropriate protection equipment. Details of the design of the reception building are shown in Drawing CDC DA 11.

A canopy will be provided between the entry point and the main building.

The site coverage of the proposed building (excluding canopies) in the proposed development is approximately 40,275m². The combined area of canopies and satellite structures is approximately 2,204m² giving a total built area of 42,479 m². The site coverage (on a site area of 13.85 hectares) is therefore approximately 30.7%. The balance of the area is devoted to parking areas (47%), a

site for RRU (7.2%) and landscaping (11.0%). No building works are proposed under this application for the proposed expansion area.

3.5 Proposed Landscaping

A detailed landscape plan for the site has been prepared by Context Landscape Architects (see the accompanying landscape plans).

The landscape objectives for the site include:

- To facilitate an attractive and functional public domain and built form to promote the site as an attractive place.
- To visually unify and enhance the overall quality of the development.
- To promote safety and security for workers both within the public and private domain.
- To provide vegetation screens so as to provide visual relief from continuous built form.
- To use local native species due to their low maintenance, relative fast growth, aesthetic appeal and suitability to the natural habitat.
- To provide for the retention of water for irrigation and drainage purposes.
- To minimise water consumption and prevention of salinity within the design of the landscape and irrigation systems.

The main elements of the landscape of the Coles Myer Chilled Distribution Centre include:

- A landscape zone between the Access Road and Coles Myer car park.
- Plantings to provide shade and amenity to the car park.
- Edge planting to the car park to heighten visual interest.
- Buffer planting has been located along the eastern boundary to minimise the visual impact of the development from adjacent properties.
- Retention of vegetation on the Old Wallgrove Road frontage to minimise the visual impact of the proposal.

3.7 Staging of Development

The project will be constructed in 2 stages (as shown on figure 7) due to the rehabilitation of the existing quarry:

- Stage 1 consists of the Coles Myer CDC warehouse, offices, associated parking and hardstand and the interim road. The interim road approved under the Coles Myer NDC DA (DA-283-11-2004), will be constructed to provide temporary access until late 2007.
- Stage 2 consist of the Coles Myer CDC expansion and the relocation of the interim road to its permanent position south of the Coles Myer CDC expansion lot. Therefore Central road 2 south of the Coles Myer CDC expansion will not be constructed until much later.

Accordingly the stormwater drainage works around the quarrying operations will continue until the rehabilitation works are completed. Stormwater will be drained via the temporary drainage swale (south of the interim road) and into the detention basin south-east of the mining lot as per the approved Coles Myer NDC DA.

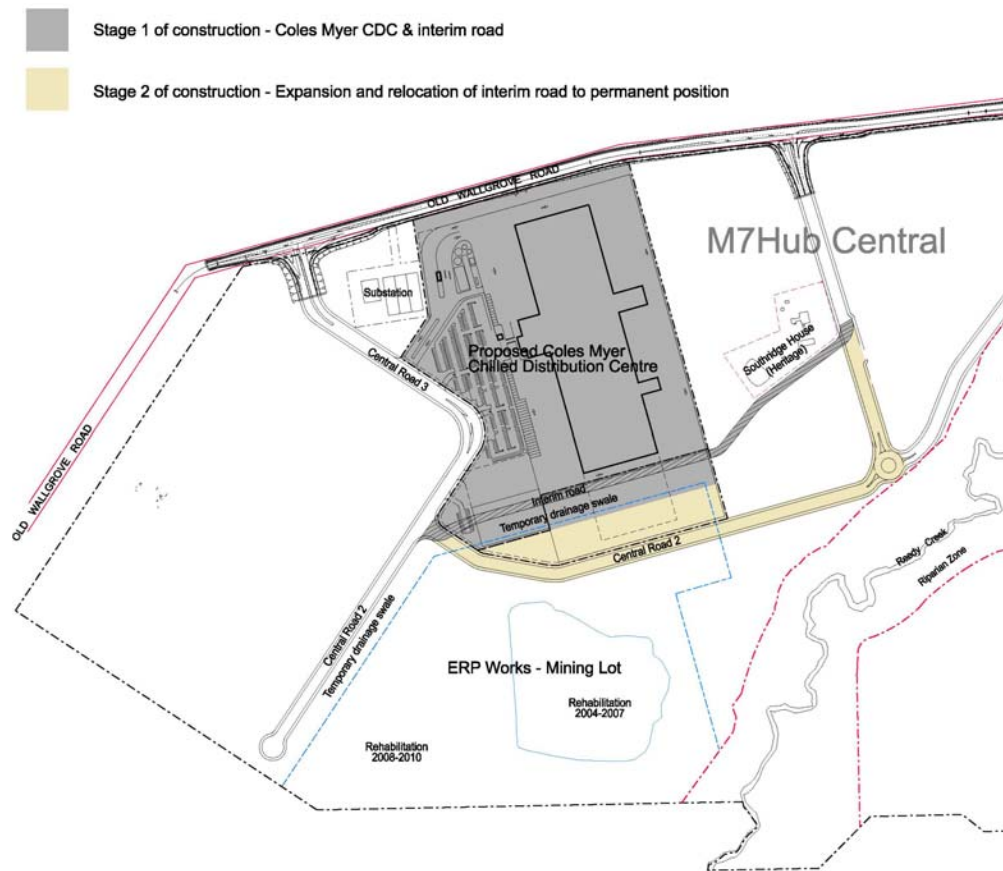


Figure 7
Interim Road & Construction Staging

3.8 Provision of Services

Agency	Service and Required Works
Sydney Water	<p>Water</p> <ul style="list-style-type: none"> • Extension of a 1.5 Km trunk water main from the Sydney Reservoir to the site – currently under construction • Provision of a new elevated reservoir – currently being designed
Sydney Water	<p>Sewer</p> <ul style="list-style-type: none"> • 6 km extension of the existing Eastern Creek Sewer Sub main at Rooty Hill – completed and commissioned and Sydney Water has taken ownership
Blacktown City Council	<p>Stormwater Drainage</p> <ul style="list-style-type: none"> • Macquarie Goodman Vineyard will undertake all stormwater and drainage works within the M7Hub Estate. • Macquarie Goodman Vineyard have made provision in the Coles Myer CDC project for connection to a future Rainwater harvesting infrastructure proposed by Macquarie Goodman, currently under detailed assessment by DEUS.
Integral Energy	<p>Electricity</p> <ul style="list-style-type: none"> • Provision of short term electrical supply up to 5MVA - installed • Provision of land for a new substation to provide 90MVA – 50% of which is attributable to the M7Hub Estate. Land ownership has been transferred to Integral Energy. Integral Energy is currently designing a new zoned substation. Macquarie Goodman is assisting with co-ordination of easements and conduit layout.
Roads and Traffic Authority	<p>Major Roads and Public Transport Improvements</p> <ul style="list-style-type: none"> - M7 Hub – External roads – (23 June 05 offer letter Transport Infrastructure) - MGV commitments; <ol style="list-style-type: none"> 1. <u>Contribute</u> - \$68,200.00 per Net Developable Hectare <ul style="list-style-type: none"> • \$4,359,208 Contribution Payment No1 paid by MGV 2. <u>Undertake</u> works required to Wallgrove Road (Work Areas 1 & 2) <ol style="list-style-type: none"> 1. WAD executed between RTA & MGV 2. Works commenced on site 3. <u>Contribute</u> partial contributions for the upgrade of Old Wallgrove Road / M7 Motorway Interchange (Work Area 3) <ol style="list-style-type: none"> 1. Requires an extra period to allow resolution – also, impacted by LINK road decision 4. <u>Undertake</u> works proposed to Old Wallgrove Road (Work Area 4) <ol style="list-style-type: none"> a) undertake the design of Old Wallgrove Road, for the full length of Work Area 4 b) fund and construct the two Westbourne lanes of “(a)” c) provide the land to enable the road works in “(b)” dedicated as a Public Road - Connell Wagner Engineers documentation for “(b)’ above, awaiting issue of S.138 of Roads Act approval by Blacktown City Council. - Works to be completed by 31 December 06

4.0 STATUTORY PLANNING

4.1 Introduction

The *Environmental Planning and Assessment Act 1979* (the Act) provides the statutory basis for the development consent process in New South Wales.

This section of the report identifies the statutory planning controls and policies that apply to the development and use of the land and the planning objectives that the development must be consistent with.

In summary, the development is a Part 3A project under the Act. The Minister for Planning is the consent authority for the project.

4.2 State Environmental Planning Policies

The following State Environmental Planning Policies (SEPPs) are relevant to this proposal:

- State Environmental Planning Policy (Major Projects) 2005
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development.
- State Environmental Planning Policy No. 55 (SEPP 55) – Remediation of Land
- State Environmental Planning Policy No. 59 (SEPP 59) – Central Western Sydney Economic and Employment Area
- State Environmental Planning Policy No. 64 – Advertising and Signage
- Draft State Environmental Planning Policy No. 66 (SEPP 66) – Integrating Land Use and Transport.

4.2.1 State Environmental Planning Policy (Major Projects) 2005.

State Environmental Planning Policy (State Significant Development) 2005 repealed SEPP 34. This SEPP was in turn replaced by *State Environmental Planning Policy (Major Projects) 2005*. The Policy identifies projects of State or regional significance that are of a kind that the approval and assessment process under Part 3A of the Act should apply.

Group 4 class of development in Schedule 1 of SEPP (major Projects) declares that development for the purpose of container storage facilities, or storage or distribution centres, with a capital investment value of more than \$30 million are Part 3A projects.

The proposed development will cost approximately \$87 million (excluding land value) and will create employment through the provision of the equivalent of approximately 80 jobs during construction and an estimated 140 full time positions when operational.

4.2.2 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33) aims to identify proposed developments with the potential to be either hazardous or offensive. A development is defined as potentially hazardous and/or offensive (odour, dust etc) if, without mitigating measures in place, the development would pose a significant risk to the locality in terms of:

- (a) human health, life or property, or
- (b) the biophysical environment.

The current proposal is not for industry but nevertheless quantities of potentially dangerous goods will be stored on site and the requirements of the Policy are therefore considered.

The Guidelines on Applying SEPP 33 provides a screening method based on the class of chemicals used, the amount stored, packaged and moved (including frequency of delivery), storage and location relative to other uses to determine whether a proposed development is potentially hazardous.

In the operation of the CDC facility a variety of materials will be stored. The storage area for this material is shown on Drawing CDC DA 10. The major material stored will be diesel, which falls within C1 - Class 3 hazardous goods. However, diesel is a combustible liquid which is not classified within the Dangerous Goods Code. The proposed storage is a bunded diesel tank containing 60,000 litres within a storage area near the entry/exit. No other flammable liquids will be stored in close proximity and accordingly the proposed storage is not potentially hazardous under SEPP 33. There will also be a LPG tank located in the tank compound. LPG is classified as a flammable gas (class 2.1). The storage facility for LPG will be less than 16m³ which is below the screening threshold for above ground tanks in table 3 of SEPP 33 and hence is not potentially hazardous. In terms of transportation screening the number of vehicles movements per week will be less than 30. Accordingly, neither the storage of diesel or LPG as proposed is potentially hazardous.

4.2.3 State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) aims to provide a Statewide planning approach to the remediation of contaminated land, and in particular, promotes the remediation of contaminated land for the purpose of reducing risk of harm to human health or any aspect of the environment.

Clause 7 of SEPP55 requires a consent authority to consider whether the subject land is contaminated and if the land is contaminated, to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation), prior to granting consent.

The subject land has been used in the past for agricultural purposes and stockpiling. A Phase 1 Environmental Investigation for the M7Hub has been prepared by CH2MHILL (refer to Appendix 7). The findings in the report concludes that the site to be occupied by the Coles Myer CDC is suitable for industrial purposes and is unlikely to pose unacceptable risk to human health and environment in its current condition. This is confirmed by a Site Audit Statement by Peter J Ramsay & Associates (Appendix 8).

4.2.4 State Environmental Planning Policy No. 59 (SEPP 59) – Central Western Sydney Economic and Employment Area

The planning instrument applicable to this application is State Environmental Planning Policy No. 59 Central Sydney Economic and Employment Area (SEPP 59). The gazettal date of SEPP 59 was the 19th February 1999. Below is a summary of the key requirements of the SEPP.

Permissibility

The policy aims to promote economic development and the creation of employment in Western Sydney. Under SEPP 59, the proposed development is located on land zoned “Employment”. SEPP 59 states that this type of development is permissible with development consent in that zone.

Consent Authority

Under Clause 6 of SEPP 59, the Minister is the Consent authority for development within the Eastern Creek Precinct where the development is estimated to employ more than 100 people after construction on a full time basis or that is estimated to have a capital value of \$20 million or more (excluding land). The proposed development satisfies both these criteria.

Release Areas, Precinct Plan and Contributions Plan

On 25 February 2003, in accordance with Clause 11 of SEPP 59, the Minister declared the Eastern Creek Precinct to be a release area under the Policy.

Once the land is declared to be a release area, clause 12 of the SEPP requires a Precinct Plan and Contributions Plan under section 94 of the Act to be prepared for that land. There is provision for a developer agreement to be entered into which addresses such matters in lieu of such plans being finalised. A Developer Agreement has been prepared to address this issue as part of previous Development Applications within the M7Hub:

1. DA-283-11-2004-I for Coles Myer National Distribution Centre (approved June 2005)
2. DA- 308-12-2004 for Coca-cola Amatil (approved June 2005)

Details of the Developer Agreement are further discussed in Section 5.3.

Clause 25 of SEPP 59 requires that in determining a development application the consent authority must take any Precinct Plan applying to the land into consideration. A Precinct Plan for the Eastern Creek Precinct (Stage 3) has been adopted by Blacktown Council. The proposal is generally consistent with Eastern Creek Precinct (Stage 3) and any inconsistencies are outlined in Section 5.2.

4.2.5 State Environmental Planning Policy No. 64 – Advertising and Signage

This SEPP aims to ensure that any signage associated with a development, including any advertisement, is compatible with the desired amenity and visual character of an area, is suitably located and is of a high quality and finish.

In the current proposal the only signage proposed will be building identification signs and business identification signs as defined in the Policy. Accordingly, consideration of matters identified in Schedule 1 of the Policy is not required.

4.2.6 Draft State Environmental Planning Policy No. 66 (SEPP 66) – Integrating Land Use and Transport.

Draft SEPP 66 has been exhibited, but not yet been made by the Minister for Planning but it nevertheless is a Policy that Council is obliged to consider. The draft Policy applies to any development having a gross floor space of more than 1,000 square metres. The aims of the Policy are to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve the following planning objectives:

- (a) improving accessibility to housing, employment and services by walking, cycling and public transport,*
- (b) improving the choice of transport and reducing dependence solely on cars for travel purposes,*
- (c) moderating growth in demand for travel and distances travelled especially by car,*
- (d) supporting the efficient and viable operation of public transport services,*
- (e) providing for the efficient movement of freight.*

The development site is ideal for the proposed development because of local considerations (established road system, public transport routes and local recreation and community facilities and services) and regional factors (access to the M7 Motorway, the Sydney and Parramatta CBD's and regional recreation and community facilities). The creation of the Western Sydney Economic and Employment Area under SEPP 59 was in recognition that the development of this area of industrial and warehouse purpose would fulfil the objectives of draft SEPP 66.

To reduce reliance on the use of private cars as a means of transport is achieved via:

1. provision of cycleway and pedestrian paths within the estate. All internal estate access roads are designed with pedestrian, cycleway shared paths. This will link into Blacktown City Council's (BCC) proposed eastern creek cycleway on Old Wallgrove Road. This will also link into the existing M7 cycleway and the future pipeline cycleway to the south of the site.
2. provision of facilities for cyclist on site such as secure storage for bicycles on site and changing facilities & accessible showers.
3. provision for future public transport within the M7Hub. All estate roads are wide enough to allow passage of regular public vehicles such as buses. It is envisaged that a few bus stops will be located within the estate to encourage use of public transport.

4.3 Local Environmental Plan

Not Applicable

Clause 5 of SEPP 59 provides that the Blacktown Local Environmental Plan 1988 does not apply to any of the land subject to the Policy within the Blacktown LGA

4.4 Conclusion

The proposed development is within land zoned "Employment" under State Environmental Planning Policy No. 59 – Central Western Sydney Economic and Employment Area (SEPP 59). Within this zone the proposed development and subdivision of the land is permissible with consent.

In accordance with the provisions of the *Environmental Planning and Assessment Act 1979* the proposed development is classified as a Part 3A project. The Minister for Planning is the consent authority for this project. This application responds to the Environmental Requirements issued by the Director-General for the project.

5.0 KEY ISSUES

5.1 Introduction

This section of the report deals with the key issues as outlined in the Director-Generals Requirements (Appendix A).

The key environmental issues such as soil & water & heritage are illustrated in figure 8.

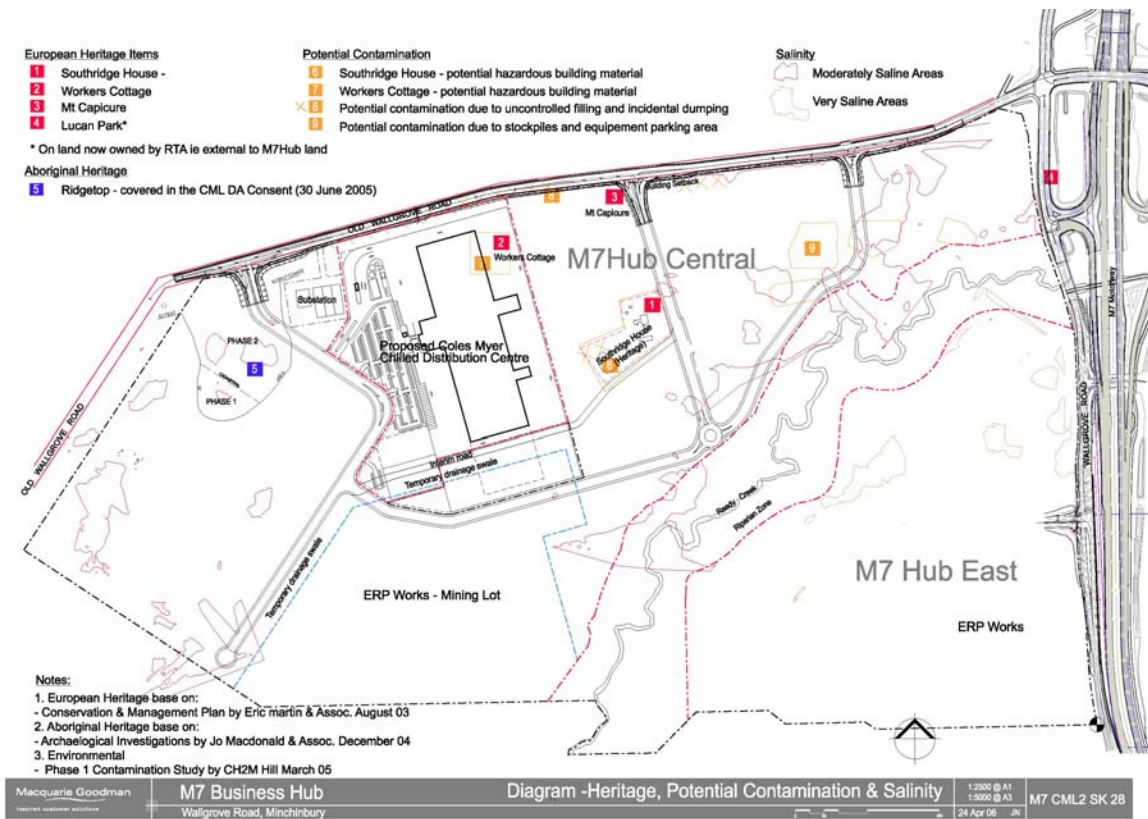


Figure 8
Diagram Heritage, Potential Contamination & Salinity

5.2 Layout/Design

The Chilled Distribution Centre is a response to the constraints and opportunities provided by the existing site. The building will be a high quality development comparable to the Coles Myer NDC and the CCA Facility buildings already approved for the M7Hub. The design is generally consistent with the Stage 3 Precinct Plan.

The main issues and any inconsistencies with the Stage 3 Precinct Plan are shown on the following Compliance Table (Table 1).

Table 1
Stage 3 Precinct plan Compliance Table

Issue	Stage 3 Precinct Plan	Proposed CDC Compliance	Comments
1. Land Use	Development must be for land uses which are permissible under SEPP 59 & this Plan	Yes	The development of the site, construction of roads, the construction and use of large warehouse buildings as envisaged for the Coles Myer CDC and the subdivision of the land are all aspects of development that are permissible under SEPP 59.
2. Lot Size Site Cover	<p>Lot sizes are to be no less than 2000 sqm for industrial uses only.</p> <p>DAs to demonstrate there are sufficient areas on site for:</p> <ul style="list-style-type: none"> • Access & circulation • Carparking • Landscaping & runoff control • Separation between buildings 	Yes	<p>The development exceeds the minimum lot size required and the site coverage is 31% (including awnings)</p> <p>Issues associated with manoeuvring & landscaping are covered in the following sections</p>
3. Setbacks	<p>Buildings must be setback from the property boundary as follows:</p> <p>Wallgrove, Old Wallgrove Road -20m</p> <p>Industrial Collector Road -10m</p> <p>All other roads – 7.5m</p> <p>Minimum of 3m from side & rear boundary</p> <p>No Averaging</p>	Yes	<p>As indicated on the architectural drawings the proposal fully complies with the setback requirements and it can be seen that the location of the proposed buildings:</p> <ul style="list-style-type: none"> • Allows adequate lines for pedestrian, cyclists and vehicles • Landscape carparking areas • The layout of the site, particularly given the entrance treatment gives a high level of convenience and safety for pedestrians. • Outdoor spaces for the use of staff and visitors have adequate solar access.

Issue	Stage 3 Precinct Plan	Proposed CDC Compliance	Comments
4. Building Height and Design	Building forms should be varied & interesting. No numeric height limits.	Yes	<p>The main building is a low rise, large scale (generally) single storey building in keeping with the requirement for major employment generating uses</p> <p>The building entries are readily identifiable and the loading docks and roller shutters do not detract from the overall appearance as they face away from Old Wallgrove Road. The line of the building façade is broken by projecting office components on each side which act to obscure the loading docks and roller shutters.</p>
5. Energy efficiency & ESD	Development should be planned and designed to optimise energy efficiency	Yes	<p>In relation to energy efficiency the following is proposed:</p> <ul style="list-style-type: none"> • The building has been orientated to maximise the natural lighting and to reduce the annual energy consumption of the building and mechanical heating. • Refrigerants used will have zero ODP (ozone depletion potential) rating and a GWP (global warming potential) of less than 10. • High efficiency fluorescent lighting will be used throughout car parks; and • The use of occupant sensing lighting controls. • Where required, recycled heat will be used to maintain sub-ground temperatures beneath the building. • The warehouse element has exposure to direct sunlight and the provision of roller shutters will allow solar access to the building interior. Natural ventilation is provided through the openings along the façade while hot air can escape through roof vents. • These provision maximise opportunities with the site constraints to light and ventilate each component of the buildings by natural means where this is possible.

Issue	Stage 3 Precinct Plan	Proposed CDC Compliance	Comments
6. Lighting, Safety & Security	The objective is to ensure the well being of employees and visitors to the site.	Yes	The design and siting of the buildings, the control of pedestrian entry and departure, and the location of parking areas achieve this objective satisfactorily with respect to the movement of people and vehicles. Safety will also be addressed by appropriate safety signs to limit the speed and movement of vehicles and pedestrians. Perimeter fencing and 24 hour security at the entry/exit will also ensure proper control of the premises at all times.
7. Carpark	On Street Parking On street parking should be designed in accordance with Australian Standard Parking Facilities. Part 5 – On Street Parking.	Yes	Refer to Table 4 of the Traffic Report (Appendix 3) the 472 carparking numbers provided is substantially more than the Council requirements. Required parking based on Council rate is 361 spaces. Carparking spaces will be designed to the requirements of the Australian Standard AS 2890.5 & 1742.11
8. Landscape	Entire building setback to be landscaped. No hardstand areas permitted in building setback area.	No	The proposal complies in terms of the landscape setback from Old Wallgrove Road; however the landscape setback from the internal estate road varies. There is a minimum of 4m landscape setback from the estate road. Side and rear setbacks comply with Council's requirements. The proposal has a minimum landscaping of 10% of site area. It is proposed that a minimum of 15% landscaping is achieved throughout the whole of the M7Hub.

Issue	Stage 3 Precinct Plan	Proposed CDC Compliance	Comments
9. Road Network	<p>Road Design Widths</p> <p><i>Distributor Road</i> – requires 4.5m shared pedestrian and cycleway on either side</p> <p><i>Collector Road</i> – 4.5m shared pedestrian and cycleway on either side and minimum road reservation width required 23.75m</p>	No	<p>Internal road widths are design to be consistent with the approved DA submissions for the Coles Myer NDC and the Coca-Cola Facility. They do not comply with Council's Precinct Plan. The main difference being a shared path of 3.75m instead of 4.5m. However MGV and our Civil Engineers have met with BCC officers regarding this issue and BCC have accepted the design and have approved CC for M7Hub estate roads associated with the Coles Myer NDC DA and Coca Cola DA.</p> <p>Proposed estate entry road off Old Wallgrove Road is inconsistent with the primary road network illustrated in BCC's Stage 3 Precinct Plan. As discussed in section 5.4 of this report, a signalised T-intersection works better than the cross intersection proposed by BCC. This is supported by the Traffic Assessment Report (Appendix 3). Refer to Section 5.4 for more details.</p>


5.3 Planning Agreement/Developer Contributions

The Minister for Planning entered the “M7Hub” Developer Agreement dated 23 June 2005, with MGV and its associated companies on 30 June 2005.

The structure and a summary of MGV’s commitments in the agreement is set out in Table 2 following.

**Table 2
M7 Developer Agreement**

"M7Hub" Developer Agreement
Dated 23 Jun 05



The M7Hub Developer Agreement - **includes:**
 (A) M7Hub Precinct Plan Agreement 23 Jun 05 (attached) – “PPA”
 (B) Infrastructure Works & s.94 Contributions
 1. **Infrastructure Works** under SEPP59 Schedule 1
 Lists and describes (1) to (7)
 and for
 (8) refers to the attached Offer letter 23 Jun 05 for a Planning Agreement
 2. **s.94 Contributions**

Column 1	Column 2	Column 3	Column 4
<p>Infrastructure Works under MGV will undertake;</p> <p>(1) Water - SWC agreement \$10.0m (2) Sewer - SWC agreement \$8.2m (3) Stormwater Drainage</p> <p>MGV will provide corridors;</p> <p>(4) Telephone (5) Electricity - Integral (6) Gas (7) Cable</p>	<p>Offer letter 23 Jun 05</p> <p>1) MGV will;</p> <p>1. Contribute \$68,200/ha</p> <p>2. Undertake Wallgrove Road</p> <p>3. Contribute (partial) to M7 Interchange</p> <p>4. Undertake Old Wallgrove Road</p> <p>2) In 90 days - MGV will fund Traffix and Evans Peck to determine works & cost for; '- works in 1(2) & 1(4)</p>	<p>s.94 Contributions</p> <p>2.1 MGV acknowledges BCC will prepare s.94 contributions plan, for such as; > Contribution to BCC plan > Aboriginal & European Heritage > Regional Open Space > Library stock > Community Facilities > Children’s services > Public Art > Road drainage works</p> <p>2.2 MGV will construct as works in kind (subject to #2.3); (1) Local External Roads - Old Wallgrove Road \$7.5m (2) Southridge House (3) Reedy Creek - Riparian Zone</p> <p>2.3 MGV contributions in #2.2 in lieu of s.94 by BCC in #2.3</p> <p>2.4 MGV will pay any s.94 in accordance with a contributions plan by BCC</p>	<p>M7Hub</p> <p>CONTENTS</p> <p>A) Scope of this Agreement B) Matters for consideration C) Urban Design / Guidelines 1.0 Structure Plan 2.0 Allotment sizes + dimensions 2.1 Lot Sizes 2.2 Lot Dimensions 3.0 Site Design Guidelines 3.1 Building Setbacks 3.2 Site Coverage 3.3 Road Design 3.4 Landscape 3.5 Carparking</p> <p>FIGURES Fig 1 Existing Deposited Plan Fig 2 PPA Scope Diagram Fig 3 Infrastructure Services Fig 4 Site Conditions</p> <p>M7Hub REPORTS (Library)</p>

MGM considers the agreement continues to run with the land and accordingly binds MGV to those obligations and commitments, as they apply to the Coles Myer CDC project.

The status of infrastructure (Services) Column 1 and the Transport Infrastructure letter of offer Column 2 is summarised in Section 3.8.

MGM attended a meeting with DoP at Blacktown City Council on the 28th June 06, where it was agreed that MGV will enter a form of agreement (to be determined), where MGV will indemnify Council for any future obligations of s94 Contributions (Column 3).

The Coles Myer CDC has been assessed for Compliance with Councils Stage 3 Precinct Plan in Table 1 of Section 5.2, which is generally consistent with the M7Hub Precinct Plan Agreement (Column 4).

5.4 Traffic

The relevant traffic and transport issues relative to this development are traffic generation, estate access and the provision of on-site parking.

Traffic Generation

The impact of the proposed development in relation to traffic issues are discussed in detail in the traffic impact assessment contained in Appendix 3 prepared by TRAFFIX Traffic and Transport Planners. Traffic generation based on information supplied by Coles Myer, a total of 1312 vehicles trips per day, which includes 882 truck movements and 430 car movements. More importantly, during the critical AM & PM peak periods, the proposed development will result in 120 trips per hour during the AM peak and 92 trips per hour during the PM peaks. This is lower than volumes predicted under the Precinct Plan and the RTA guidelines. The report concludes that the Coles Myer CDC will be satisfactorily accommodated by the proposed road network given the moderate traffic generation at peak times and the proposed upgrading of Old Wallgrove Road.

It is anticipated that construction of the Chilled Distribution Centre will take 15 months, during which traffic volumes is anticipated to be constituent over the 10 hour working day with an average of 20 trips per hour and a peak of 40 trips per hour. These movements are substantially less than the operational movements and therefore can readily be accommodated within both the external and internal road network.

The report also assesses the cumulative traffic impacts arising from the Coles Myer CDC and the Coles Myer National Distribution Centre and finds that the site traffic generated is significantly less than the assumptions that under pin the Stage 3 Precinct Plan adopted by Council and 'generic' trip generation rates adopted by the RTA.

The establishment of the Coles Myer Distribution Centres will reduce traffic movements from these facilities. By centralising their operations into larger facilities, rather than smaller local distributions, traffic movements over a broader area will be reduced. Furthermore the location of these facilities nearer major distribution networks (M4/M7 Motorways), truck movements on local networks will also be reduced.

Estate Access and Circulation

Site access and circulation is illustrated in the site layout drawing M7 CDC DA03 (A).

Access to the site from Old Wallgrove Road is via a new intersection to the west of the substation as indicated. Traffic Report supports the geometry of the signalised T-intersection as providing improved performance due to:

- fewer signal phases
- fewer conflicting movements

The current road arrangement also allows a distance of 230m from the signalised T-intersection at Old Wallgrove Road to the Coles Myer CDC truck entry/exit driveway. This allows for ample truck

queuing at the T-intersection. In addition a storage length of over 100m is available within the site on approach to the gatehouse, with 3 queuing lanes.

The report concludes that the internal road system and the proposed intersections within the M7Hub and the adjoining road network will provide a good level of service.

The site adopts an internal one-way clockwise circulation system. This is the optimal arrangement as traffic will be able to enter and exit the site in a forward direction. Particular attention has been given to the separation of heavy vehicles from pick-up vehicles, cars and pedestrians.

The proposed access arrangements are satisfactory, providing appropriate separation between entering and exiting vehicles, and sightlines in accordance with the relevant Australian Standards.

Parking

The car park opposite the main office will provide parking for 472 vehicles separately fenced from the main hardstand area and warehouse/office buildings. Further parking within the facility is provided in separate areas Truck/Tailer Parking. Parking is also provided for bicycles at the Entry reception.

As indicated in the accompanying traffic report in Appendix 3 where the provision of parking for cars and truck is assessed, it is considered that the proposed development meets the requirements for on site parking and is above the requirements of the Stage 3 Precinct Plan

The design of on site parking will in compliance with the applicable Australian Standards (AS 2890.1 and AS 2890.2).

The report concludes that the development is supportable on traffic planning grounds and will operate satisfactory.

5.5 Soil & Water

Earthworks, Soil Erosion and Sediment Control

A bulk earthworks plan for the site is has been prepared by Henry & Hymas Consulting Engineers Pty. This plan, illustrated in drawing 05350-EV01 will establish levels across the site to enable the construction of the building slab and hardstand areas. Erosion and sediment control methods are illustrated in drawing 05350-EV02.

All earthworks, soil erosion and sediment control methods will be in accordance with the Soil and Water Management Plan prepared by Henry Hymas Consulting Engineers (Appendix 11) The report has been written in accordance with the requirements of "Managing Urban Stormwater – Soils and Construction", 3rd Edition (1998) by the NSW Department of Housing. The report was written for the development of the whole M7Hub and therefore its principles and general guidelines in terms of the construction sequence, erosion control requirements, sediment control conditions

and site maintenance still applies to this proposal. The main aim is to minimise erosion and to control on site run-off, sediment and other pollutants during construction.

Stormwater Management

The topography of the M7Hub area of the Eastern Creek catchment can be described as gently sloping on the upper Western Precinct, gradually flattening towards Reedy Creek. A Stormwater Management Plan for the M7Hub has been prepared by Henry & Hymas Consulting Engineers (Appendix 11), based on previous technical studies of the Eastern Creek Catchment. The Stormwater Management Plan is a conceptual “big –picture” management plan, which deals with the principles of flood mitigation, water quality control, salinity and environmental flows into Reedy Creek. Although the report refers to diagrams showing a different conceptual road layout for the M7Hub, the principles outlined in the Stormwater Management Plan are still applicable to this proposal. The main aim being to have no adverse impact on Reedy Creek or Ropes Creek during either the construction or operational period.

The stormwater management system for the M7Hub has been designed to collect stormwater from roof and hardstand areas to discharge into Reedy Creek via system of detention basins. The location of these detention basins may vary slightly but its design will be maintained as per the Stormwater Management Plan. These detention basins aim to retard peak flows. Overall the objective has been to address issues of quality, volume and timing to ensure that the impacts on the eco-system are minimised.

In accordance with the Stormwater Management Plan for the M7Hub the following measures will be employed:

- Rainwater tanks sized to collect rainwater
- Gross Pollutant Traps to trap gross pollutants including oils, litter and coarse sediment.
- Vegetation buffers.
- Bioretention

For the proposed development, the stormwater management will be as follows:

- During construction – water and soil runoff will be controlled as per the sediment & erosion control plan Drawings 05350-EV01, with a series of temporary detention basins.
- Post construction - the stormwater drainage works around the quarrying operations will continue until the rehabilitation works are completed (in 2010). Stormwater will be drained via the temporary drainage swale (south of the temporary road) and into the detention basin south-east of the mining lot as per the approved Coles Myer NDC DA -283-11-2004.

Rainwater Harvesting

Provision has been made for on-site water harvesting. As shown on Drawing CDC DA02 provision has been made to install a 100,000 litre rainwater tank for irrigation purposes. The facility will have a dual pipe system to allow excess rainwater to be collected and removed from the site separately from the contaminated stormwater collected from the hard stand areas.

Rainwater collected will be used for landscape irrigation, truck and trailer washing and toilet flushing.

Salinity

A salinity report has been prepared by Douglas Partners (Appendix 8) and salinity levels across the M7Hub were comprehensively surveyed. The following conclusion was reached:

*Evidence from apparent conductivity mapping over the whole accessible site integrated with laboratory salinity testing of soil samples indicates that the Western and Central Precincts are underlain for the most part by non-saline to slightly saline soils, becoming moderately saline on the lower slopes adjacent to Reedy Creek, on the lower slopes of the western topographic ridge and in a narrow zone in the northeast of the area between Reedy Creek and Old Wallgrove Road, where inferred underlying shales may have an elevated salt content.*¹

Actual saline 'hotspots' were identified and an approach to the management of salinity was proposed. However, none of the 'hotspots' identified were in the area of the current application as shown on Figure 8.

In summary, the results of the sample results indicated that the proposed development area is non-saline; the soil ranges from sodic to highly sodic; and flows of groundwater during the development are not anticipated. The report contains recommendations on the measures that should be taken to mitigate impacts.

Soil Contamination

A Phase 1 Environmental Investigation² prepared for the site to be occupied by the Coles Myer Facility within the M7Hub by **CH2MHILL** has found that the site is unlikely to pose unacceptable risk to human health and the environment in its current condition. In addition, a Site Audit Statement for the site has been prepared by Peter J Ramsay & Associates Pty Ltd. A copy of the statement is provided in Appendix 8. It confirms that the site is not contaminated and is suitable for commercial/industrial use.

¹ Salinity Study, Proposed M7Hub, Old Wallgrove Road, Eastern Creek, 2005, p 26.

² Phase 1 Environmental Site Investigation, **CH2MHILL**, November 2004.

5.6 Noise

The noise emission limits in the Stage 3 Precinct Plan were proposed to provide an adequate level of noise amenity for the residential areas surrounding Eastern Creek and an equitable distribution of noise with the release area. The Zone 6 limits within the Eastern Creek Precinct Plan refer to M7Hub.

A comprehensive noise assessment of the M7Hub was undertaken by Richard Heggie Associates (Appendix 9). Using a computer model to predict noise levels at nearest residential properties in Minchinbury, Erskine Park & Horsley Park, the report found that *a future industrial area on the Eastern Creek site will have a limited noise and vibration impact on the surrounding area.*³

Furthermore in term of traffic noise during operation, it is noted that the traffic will exit directly onto Old Wallgrove Road without passing any residences. This being the case, the impact would be insignificant due to the existing high traffic numbers already on Old Wallgrove Road. Similarly construction noise should not pose a problem due to the already high existing ambient noise level. The nearest residential area is in Erskine Park 1.5 km west of the site.

Based on the modelling by Heggies we can conclude that the operation will comply with the NSW INP operational goals, the acoustic requirements of the Stage 3 Precinct Plan for the proposed operations under both calm and prevailing weather conditions.

Accordingly, the issue of noise can be addressed by a suitable condition of consent for the proposed facility with reference to the New South Wales Industrial Noise Policy (INP).

5.7 Air Quality

There are two aspects that need to be considered: air quality issues arising from the construction phase and air issues associated with the operation of the warehouse distribution centre.

In relation to the construction phase, no detailed assessment of construction activities has been undertaken. However, emissions are likely to be relatively minor because no demolition is involved with limited excavation. Truck movements are likely to be less than the operational phase. In order to minimise environmental impacts a dust management plan should be developed as part of an environmental management plan as part of the construction certification. Measures such as speed limits on vehicles and spraying dusty areas can minimise dust emissions during bulk earthworks.

Air missions during the operational phase are likely to be minor. Again a quantitative study has not been undertaken because the proposed facility would not by itself generate a substantial quantity of dust or other emissions. In addition, given the nature of the proposed use of the building and its design with docking pods, dust impacts from the nearby quarry are not likely to be a significant issue and will eventually cease with the closure of the quarry.

³ Richard Heggie Associates, *M7Hub Noise and Vibration Assessment*, March 2005, p 5.

5.8 Heritage

The heritage issues associated with the site relate to both Aboriginal and Non-aboriginal prior use of the land.

Aboriginal Heritage

The prior Aboriginal use of the Eastern Creek Precinct, including the identification of potential Archaeological Deposits, has been documented in studies undertaken in the preparation for the Precinct Plan⁴. A Conservation Strategy⁵ for the SEPP 59 lands in Blacktown has also been prepared which identified zones of archaeological sensitivity and proposed a number of conservation areas. The Conservation Strategy recommended that sites outside the conservation areas and the riparian corridor should be considered to be developable and unconstrained by indigenous heritage areas.

Development consent to a development application for the adjoining Coles Myer National Distribution Centre in the M7Hub contained a condition requiring further archaeological investigations in the ridge top lands. Subsequently, a S90 permit under the National Parks and Wildlife Act, 1974 was obtained and a detailed subsurface excavation was undertaken⁶. The scope of the PAD identified as Austral 4, extended beyond the original Coles Myer site, it did not extend to the subject site although an isolated artefact (AUS4-NPWS #45-5-3076) was considered and salvaged in the archaeological study.

The study found that the Austral 4 site had low archaeological significance. It represented an area which has been impacted upon by previous high levels of disturbance⁷. Based on the studies undertaken to date that have documented the aboriginal use of the ridge top lands of which this site is a part, further archaeological investigation is not warranted.

Non-aboriginal Heritage

The only non-aboriginal heritage item identified on the site in the background studies⁸ for the Precinct Plan relates to the location of the workers cottage that was constructed sometime between 1929 and 1947. Three other non-indigenous sites identified in the M7Hub that are not affected by this proposal are:

⁴ Jo MacDonald Cultural Heritage Management Pty Ltd, *Archaeological Assessment of Aboriginal Sites: Eastern Creek Strategic Landuse Study SEPP 59 lands in Blacktown Council*, NSW, 2002.

⁵ Jo MacDonald Cultural Heritage Management Pty Ltd, *Heritage Conservation Strategy for Aboriginal Sites in SEPP 59 lands*, 2004

⁶ Jo MacDonald Cultural Heritage Management Pty Ltd, *Archaeological Subsurface Investigations at Austral 4 (#45-5-3076), The M7 Hub, Old Wallgrove Road, Horsley Park*, (2006).

⁷ Jo Macdonald, (2006), p 23.

⁸ Casey & Lowe, *Eastern Creek Strategic Land use Study, Non-Indigenous Heritage Study*, 2002.

- Southridge House;
- Mount Capicure Homestead;
- Lucan Park/Roberts Homestead

Locations of these items are shown on figure 8 along with the Workers Cottage.

The site of the worker cottage is not included on any heritage register or listing. Macquarie Goodman applied for a S140 excavation permit under the *NSW Heritage Act 1977* to allow testing of the site. The report of the excavation work undertaken by Casey & Lowe Pty Ltd is contained in Appendix 6. The report concluded that the site did not reveal any substantial features and no further archaeological work is considered to be necessary.

5.8 Visual

The proposed development involves the construction of a significant building and a number of smaller buildings and structures with associated parking areas and landscaping, sited within an industrial landscape. The design of the proposed buildings is shown in the building elevations (Drawings CDC DA07 & 08) and the aerial perspective (Drawing CDC DA13). Attention in the design of the buildings has been given to not only environmental and operational aspects but also the visual impact of the proposal, particularly through the articulation of the facades, the placement of offices and canopies, and the choice of colours and building materials. The treatment of the façade with bands of colour is consistent with, and complements the adjacent Coles Myer National Distribution Centre. No advertising signs will be employed as part of the development as only building identification and business identification signs are required. The landscaping on the perimeter of the development will also contribute to the visual quality of the development.

Lighting associated with the proposal will be designed to ensure that it is not obtrusive and will be in accordance with Australian Standard AS 4282-1997: Control of Obtrusive Effects of Outdoor Lighting.

5.9 Waste Management

A Stage 1 waste management plan for the construction phase of the project will be prepared in accordance with Blacktown City Council DCP for waste minimisation and submitted with the construction certificate application. The overall objective is to minimise waste and to encourage recycling during the construction process.

In the operational phase the objective is to encourage waste separation at source and to achieve a rate of 75-80% recycling of the waste generated during the on-going use of the site by Coles Myer. Waste product output will be reduced through the utilisation of roll cages, totes and store ready merchandising units. In relation to the waste that will be generated the following information is pertinent:

- The office areas within the warehouse building which cover an area of approximately 2,910m² will generate approximately 10L/100m²/day. This is equivalent to approximately 2,000 litres of waste per week.
- The office waste will contain kitchen waste (20%) and paper waste (80%). The paper waste will be collected separately from the kitchen waste and recycled.

The warehouse is also likely to generate 10L/100m² /day of waste mainly in the form of cardboard, plastic, timber, and metals. Given an internal area of approximately 36,890m² this space could generate up to 25,000 litres of recyclable waste per week. As indicated on Drawing CDC DA03 a waste compactus dock is located adjoining the satellite office on the eastern side of the building. The use of a compactor will reduce the volume of waste by 50%.

As the new facility becomes fully operational, it is envisage that all waste products will be centrally managed at the distribution centres Resource Recovery Unit (RRU),

5.10 Hazards

Refer to section 4.2.2 SEPP 33 – Hazards & Offensive Development

5.11 Other Significant Issues

Flora and Fauna

An assessment of the impact of the proposed development site has been undertaken by Connell Wagner, including an assessment under the Commonwealth Environment *Protection and Biodiversity Conservation Act 1999* (EP&BC Act), an seven part test under the New South Wales *Threatened Species Conservation Act 1995* and the “Cumberland Plain Woodland, an endangered Ecological Community. A copy of the assessment is provided in Appendix 5.

The report concludes that the removal of 0.3 ha of Cumberland Plain Woodland regrowth will not result in a significant impact on this endangered ecological community as the vegetation is isolated and not considered to be of conservation priority.

5.12 Summary

Based on the information contained in this environmental assessment, the proposed development with the mitigating measures proposed will achieve the objectives and measures of the M7Hub Masterplan and the relevant controls in the Stage 3 Precinct Plan in a satisfactory manner.

6.0 CONSULTATION

During the design of the M7 Coles Myer CDC facility the following parties were consulted by members of the project team to ascertain the relevant requirements for this project:

- The NSW Department of Planning – Ongoing discussion with DoP regarding the M7Hub and surrounding road network.
- Blacktown City Council – BCC is aware of the proposed Chilled Distribution Centre and there are current discussions over the bulk earthworks for the project. BCC will most likely be the consent authority for the bulk earthworks. A separate DA submission has been made to BCC for the bulk earthworks for the proposed Coles Myer CDC. Recent meetings attended at BCC on the 28th June 05 and 11 July 06 to discuss M7Hub and Coles Myer CDC in particular.
- The NSW Roads and Traffic Authority – are aware of the proposed Chilled Distribution Centre and the proposed access off Old Wallgrove Road. There has been ongoing discussion with RTA over the M7Hub internal road layout and its impact.

In the course of the archaeological investigations undertaken by Jo MacDonald Heritage Management Pty Ltd, aboriginal representatives from the Darug Tribal Aboriginal Corporation (DTAC) and the Darug Custodian Aboriginal Corporation (DCAC) worked as part of the project team.

7.0 DRAFT STATEMENT OF COMMITMENTS

The following table details the proposed commitments which will be undertaken to enable the project to proceed and to minimise and manage any potentially adverse environmental impacts:

Issue	Commitment
Infrastructure Provision	The matters identified in the Developer Agreement between the Minister and the proponent dated 23 rd June 2005 for the provision of will infrastructure (water, sewerage, road improvements etc) will be constructed or funded as required.
Project Management	<p>A Construction Environmental Management Plan (CEMP) will be prepared and submitted to the Director-General prior to construction.</p> <p>An Operation Environmental Management Plan (OEMP) to detail the environmental management framework, practices and procedures will be submitted to the Director-General one month prior to the commencement of operations. Within three years and every three years thereafter the OEMP will be formally reviewed.</p>
Waste management	<p>A Waste Management Plan will be completed prior to the issue of the construction certificate. The plan will be prepared in accordance with the requirements of Blacktown City Council's <i>Waste Not DCP</i>.</p> <p>All wastes generated during the construction and operation of the facility will be classified and disposed of in accordance with the EPA's <i>Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes</i>.</p>
Soil Erosion and Sediment Control	The erosion and sediment controls for the development will be undertaken in accordance with <i>Managing Urban Stormwater: Soils and Construction – Volume 1, 4th Edition</i> .
Air Quality	A Dust Management Plan will be prepared as part of the CEMP.

Noise	<p>All construction works on the site, including excavation and placement of fill, will be undertaken in accordance with the EPA's <i>Environmental Noise Control Manual</i>.</p> <p>A Noise Management Plan to detail measures to minimise noise emissions during the construction of the development will be prepared as part of the CEMP.</p> <p>The operation of the distribution centre will be in accordance with EPA's <i>Industrial Noise Policy</i>.</p> <p>Within six (6) months of the commencement operations a Noise Compliance Report will be submitted to the Director-General.</p>
Lighting	<p>External Lighting will be installed and maintained in accordance with AS 4282-1997.</p>

8.0 PROJECT JUSTIFICATION

The proposed project, if approved by the Minister, will provide a major distribution facility for chilled products distributed by Coles Myer. The location was chosen because of its location and suitability for large scale industrial purpose. The site is part of an industrial estate, the M7Hub, released by the State government to facilitate development and employment in Western Sydney.

The justification for undertaking this project, seen from the perspectives of the different stakeholders can be summarised as follows:

<p>The Proponent</p>	<p>The justification for the project from the perspective of the proponent (Macquarie Goodman) is:</p> <ol style="list-style-type: none"> 1. Land that is no longer required for quarrying purposes is rehabilitated and returned to a productive use; and 2. The investment in the development (\$87million) will provide a commercial return to the shareholders of the respective companies.
<p>The Occupant</p>	<p>The justification from the perspective of the occupant (Coles Myer) is:</p> <ol style="list-style-type: none"> 1. The company can operate from a state of the art distribution centre, designed to store and distribute on a national basis refrigerated products; and 2. Operational costs are reduced because of the scale of the distribution centre and its location relative to state and regional transport infrastructure.
<p>The Community</p>	<p>The justification from the perspective of the community is:</p> <ol style="list-style-type: none"> 1. Additional employment opportunities will be created in Western Sydney during the construction and operation of the proposed facility (approximately 140 full time staff, and 350 shift workers) without any job losses from Coles Myer's existing supply network; 2. Land that has been degraded by its prior use will have been returned to a productive use following site remediation and with environmental controls; and 3. Cost pressures on the retail price of refrigerated products will be reduced

9.0 CONCLUSION

Macquarie Goodman Vineyard's intention is to create and hold the site of the proposed Coles Myer CDC as a significant element of a quality industrial park. In so doing this proposal provides an opportunity to realise the objectives of SEPP 59 for the Eastern Creek Precinct and to create significant employment opportunities in Western Sydney.

The proposed development provides an appropriate response to site constraints and in particular the planning objectives and controls of SEPP 59, the existing developer agreement, and the Stage 3 Precinct Plan.

The proposed development, as illustrated by the accompanying Architectural Plans and Drawings, comprises

- the construction of bulk earthworks, drainage works, access roads and support infrastructure, an industrial/warehouse building and associated office, parking and landscaping as shown on the accompanying consultant drawings and reports;
- Subdivision of the land to create public roads, an allotment for the Coles Myer Limited's proposed CDC facility, a further allotment to allow future expansion of the Facility, and other lots; and
- The use of the site and building for warehouse distribution centre for chilled and frozen goods. The occupant of the site will be the Coles Myer Limited.

The proposed development is permissible with consent by the Minister for Planning pursuant to the provisions of Part 3A of the Act and SEPP 59, the applicable planning instrument.

Based on the material contained in this report and the attached drawings, it is requested that the Minister give approval to the project as proposed.

