



Strategic Sites and Urban Renewal, Strategic Assessment

Planning Assessment Report

Application to Modify the Minister's Approval for industrial and business park uses at Greystanes Southern Employment Lands

Major Project 06_0181 MOD 1

1 THE PROPOSED MODIFICATIONS

On 25 October 2007, ERM on behalf of Boral (the Proponent) submitted to the Director-General a request for modification to the Greystanes SEL Concept Plan and Project Approval seeking approval for the following:

1. reconfiguration of super lots;
2. revised design and management of stormwater and groundwater systems and the consequential deletion of an industrial lot in Widemere East;
3. amendment to concept plan modification No10 Heritage Site interpretation; and
4. minor housekeeping amendments to the conditions

A copy of the modification application is attached at **Tag B**.

2 BACKGROUND

The Minister for Planning approved the Greystanes Southern Employment Lands Concept Plan and Project Application (MP No. 06_0181) on 20 July 2007. The concept plan approval (MP 06_0181) comprises:

- (a) Subdivision of the site into industrial and business park precincts;
- (b) A maximum GFA of 493,215m² across the industrial and business park precincts;
- (c) The following maximum GFA for each broad land use:
 - (i) A maximum of 97,500m² shall be developed for business park uses.

Note: Up to 100% of the total GFA within the business park precinct may be developed for the purposes of office premises.

- (ii) A maximum of 6,500m² shall be developed for the purposes of service retail uses, of which:
 - a maximum of 2,500m² shall be developed for the purposes of a tavern and restaurants;
 - a maximum of 2,000m² shall be developed for the purposes of a supermarket; and
 - a maximum of 2,000 m² shall be developed for the purposes of service retail uses.
- (iii) A maximum of 5,000m² shall be developed for the purposes of hotel accommodation on Lot 75.

- (d) Despite the above, the total maximum FSR shall not exceed:
 - (i) 0.75:1 for development within the industrial precinct; and
 - (ii) 1:1 for development for the purposes of hotel accommodation on Lot 75.
- (e) Conceptual road design.
- (f) Urban design, maximum height, landscape, open space and heritage design concepts outlined in “*Greystanes Estate Southern Employment Lands Urban Design Plan*” prepared by Turner Hughes Architects and dated September 2006.
- (g) Provision of car parking for the proposed office, retail, industrial and warehouse uses in accordance with the following rates:

• Office	1/40m ²
• Retail	1/20m ²
• Industrial	1/77m ²
• Warehouse	1/300m ²

- (h) Improved amenities and services which may include a mix of financial contributions and works in kind towards roads and community facilities (including provision of child care facilities) and dedication of certain infrastructure and facilities (as outlined in Statement of Commitment Nos. 21-24, Statement of Commitment Nos. 27-28 and Statement of Commitment No. 30).
- (i) Staging in accordance with Staging Plan 108-SK56B dated 25 May 2007 and 108-SK34 dated 20 June 2007 prepared by Turner Hughes Architects.

Project Approval provides for a 76 industrial lot community title subdivision; creation of three lots for the business park and service retail uses; boundary re-alignments; dedication of land; and infrastructure works.

The Greystanes Southern Employment Lands site (Greystanes SEL) is bounded by the Northern and Southern Residential Lands to the east, Prospect Reservoir to the west and the Sydney Water pipeline and Prospect Creek to the south. The Greystanes SEL includes Widemere East, approximately 9.8 hectares of land located south of the working quarry. The Greystanes SEL is in the Blacktown, Fairfield and Holroyd LGAs and has an area of approximately 84ha (refer to **Figure 1**).

Figure 1: Location of Greystanes SEL



3 ASSESSMENT PROCESS

The approval for Major Project 06_0181 was granted in accordance with Part 3A of the Act Section 75J Clause (2). Section 75W(2) of the Act provides that a proponent may request the Minister modify his approval of a project. The Minister's approval is not required if the project as modified will be consistent with the original approval.

The proposed modifications (as listed above) seek to change the terms of the Minister's determination through amendments to the approved plans and conditions and the Minister's approval is required.

Section 75W(3) of the Act provides that Director-General with scope to issue environmental assessment requirements (DGRs) that must be addressed before the consideration by the Minister. DGRs have not been issued for the modification due to the minor scale of the proposed modifications.

Section 75W(4) of the Act gives the Minister the authority to modify the approval (with or without conditions) or disapprove the modification.

4 CONSULTATION AND EXHIBITION

Modifications are not required to be publicly exhibited, although pursuant to Section 75X(2)(f) of the Act the Director-General is required to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website. The modification application was referred to Holroyd City Council, Blacktown City Council and Fairfield City Council and the Department of Water and Energy for its information and comment on 31 October 2007.

Holroyd City Council, Blacktown City Council and Department of Water and Energy provided comments on the proposal and raised no objections to the proposed modifications (refer to **Tag C**). Fairfield City Council raised the following issues:

- Subdivision Design and Spine Road – Council is supportive of the dedication of the spine road (Reconciliation Road) at Stage 6 of the development (upon completion of the business park and service retail area). No objection was raised to the revised subdivision layout.
- Re-design of Stormwater and groundwater management systems – Details on the inflow and outflow pipes or spillway and measures to reduce erosive impacts on Prospect Creek need to be provided; maintenance plan to include monitoring schedules that comply with requirements of the Dam Safety Committee; and Council requests copies of all water quality monitoring reports.

5 CONSIDERATION OF PROPOSED MODIFICATIONS

5.1 *Reconfiguration of superlots*

The Concept approval specifies that by way of modification No 2 and Project Approval specifies by way of Condition A2 that the development shall be in accordance with the Greystanes SEL *Preferred Project Report dated 20 June 2007, including staging plan and concept plan prepared by Turner Hughes Architects* Therefore, any modification to these plans requires the Minister's approval. The approved staging plan and concept plan is shown at **Tag D**.

The approved project provides for:

- A preliminary stage being the creation of lot 101 and lot 102, the construction and dedication of the section of the proposed spine road that fronts Lots 101, an easement to access and service to SP1140 adjacent to the toe of the eastern batter and identification of community property; and
- Creation of 75 industrial lots plus a lot for hotel use, including the subsequent subdivision of Lot 101.

Approval is now sought to modify the project to include:

- a preliminary stage being the creation of lot 101 to lot 106 including the construction and dedication of the sections of the proposed spine road that fronts Lots 101 to lots 104 respectively, an easement to access lot 105 and identification of community property, including all the land known as Widemere East and the quarry batters; and
- creation of 74 industrial lots plus a lot for hotel use including the subsequent subdivision of lots 101 to 104 and lot 106; and
- modification of the indicative staging plan formed part of the approved project to reflect the proposed amendments (refer to **Tag B**).

The Proponent explains in their submission that amendments to the concept and staging plan are necessary as the creation of superlots would enable large portions of the property to be sold, while ensuring that the Urban Design Plan applies to the development of the site.

The Proponent further explains that Widemere east will no longer be an industrial lot but accommodate a detention basin and storage /harvesting pond. The storage/harvesting pond will collect and store the peak 3 month stormwater flows from the site for pumping to the Cumberland County Golf Course (refer Section 5.2 below). Holroyd City Council, Blacktown City Council, Fairfield City Council and the Department of Water and Energy provided comments on the proposal and raised no objections to the revised subdivision layout and the creation of superlots (refer to **Tag C**). The Department raises no objection to this modification.

Recommendation

It is recommended that the Concept Plan is modified as follows:

- *Modification 1(f)*
add “*must be amended within 3 months of this modification approval*”
- *Modification 1(i)*
delete and replace with “*Staging in accordance with Staging plan ref no. 108-SK60F dated 12 October 2007 prepared by Turner and Hughes Architects*”
- *Modification 2*
add to (a) and (b) “*except as amended by ERM letter dated 16 October 2007*”
add to (b) “*except as amended by ERM letter dated 16 October 2007 and the Statement of Commitments dated December 2007*”.
Add to (c) “*must be amended within 3 months of this modification approval*”

The following replacement conditions to the project application are recommended:

- *Condition A1*

1. Delete 76 and insert 75

Reason: To reflect the deletion of the Widemere East industrial lot.

4. add reference to lot 101 DP 1097310.

Reason: The concept plan shows some boundary adjustments on both lot 143 and lot 101. Both lots are owned by Boral and will eventually be dedicated to Council as public reserve. Lot 101 should also be referred to in the Tables to Part A of Schedules 1 and 2.

11. Amend references to staging as follows:
Staging Plans (Drawing numbers 00.108.SK60F dated 12 October 2007 prepared by Turner Hughes Architects

- *Condition A2*

- (a) add “*as amended by ERM letter dated 16 October 2007 and Statement of Commitments dated December 2007*”.

- (b) Amend drawing reference to *108-MP-5*
- (c) Amend drawing reference to add "*as amended by drawing ref no. 108-SK56F dated 27 August 2007.*"
- (g) Amend to read *as amended by ref no. 108-SK60F dated 12 October 2007*
- (h) Amend to read *Stormwater Management Strategy Dwg no. 21-15443-Sk-0505(2) Prepared by GHD*
- (i) Amend to read stormwater management maintenance plan prepared by GHD dated August 2007.

5.2 Revised design and management of stormwater and groundwater systems and the consequential deletion of an industrial lot in Widemere East;

The proponent is seeking to modify the project to revise the design and management of stormwater and groundwater systems including:

- Construction of a detention basin at Widemere East with a storage volume of approximately 202,255 cubic metres of storage capacity covering an area of 11.1ha.
- Capability to accommodate for a bio-retention system at Widemere East with a minimum surface area of 6,400 square metres in the event that the stormwater harvest operations are terminated.
- Construction of a 5 Mega litre storage dam/harvesting pond that collects and stores the peak 3 month low stormwater flows from the site for pumping to the Cumberland County Golf Club for re-use purposes.
- The collection of groundwater at a pump well and a pumping station in Widemere East for pumping to the Cumberland County Golf Club for re-use purposes.

As a consequence of these changes the on-site detention (OSD) within the industrial lots (proposed in the approved project) has been transferred to the detention basin in Widemere East as the proponent claims that OSD cannot be achieved within the small industrial lots, whilst maintaining a viable footprint. However, on-site detention and storage is maintained on the business park and service retail precincts sites in order to provide an opportunity for stormwater harvesting and re-use within these precincts.

The proponent claims that the groundwater treatment system in the approved project is no longer required because the preferred option in the approved project application was the adjustment of pH and ammonia stripping at the downstream collection point with nutrients treated within the Widemere East detention basin bio-filtration system in combination with stormwater. The proponent claims that the revised peak groundwater flows make the treatment facility required for pH and ammonia stripping uneconomical, consequently, the preferred option is to harvest and pump untreated groundwater combined with stormwater to the Cumberland County Golf Club at Greystanes to satisfy their water management requirements. Boral is entering into a deed with Cumberland County Golf Club which includes a minimum 25 year contractual obligation for water harvesting.

The consequential deletion of the industrial lot in Widemere East to accommodate the detention basin is discussed in Section 5.1 above.

Holroyd City Council, Blacktown City Council, Fairfield City Council and the Department of Water and Energy provided comments on the proposal and raised no objections to the revised design of the stormwater and groundwater systems. However, Fairfield City Council requested that the following information be provided to Council:

- details of outflow pipes or spillway and measures to reduce erosive impacts on Prospect Creek;
- details on the final classification relating to the dam and a copy of the Dam Safety Emergency Plan; and
- copies of all stormwater quality monitoring reports.

The above recommendations by Fairfield City Council have been included as conditions of approval. A Stormwater Maintenance Management Plan, Stormwater Management Strategy and Groundwater Management Plan has been prepared by GHD on behalf of the proponent, whom will be responsible for the implementation of these plan until such time as the community Association is formed to manage community property. The proponent has committed to the implementation of these plans through the revised Statement of Commitments dated December 2007. The Department raises no objection to this modification.

Recommendations

The following replacement Statement of Commitments are recommended and have been committed to by the Proponent:

Item 12 – Stormwater and Groundwater Management

The stormwater management strategy prepared by GHD Pty, 2007, which includes the following will be implemented:

- a bio-retention system within the Business Park/Service retail precinct
- a vegetated channel along the perimeter of the quarry that directs water to Widemere East
- a detention basin at Widemere East with a storage volume of approximately 202,255 cubic metres of storage capacity covering an area of 11.1Ha;
- limiting the discharge from the site to Prospect Creek to 0.2 cubic metres per second for the 100 ARI design storm
- a 5 Mega litre storage dam/harvesting pond that collects and stores the peak 3 month low stormwater flows as a minimum for the site for pumping to the Cumberland County Golf Club for purposes; and
- a maintenance management plan for the perimeter channels, detention basin and stormwater treatment basins.

Item 13

The groundwater management strategy prepared by GHD Pty, 2007, which includes the collection of groundwater at a pump well in Widemere East for pumping to the Cumberland County Golf Club for re-use purposes will be implemented.

Project Application Conditions

It is recommended that the following conditions be added and/or replaced:

- Replace condition B2 – Stormwater and Drainage Design Works with:

Final design plans of the stormwater and drainage systems within the proposed subdivision, specifically including details of the connection of the detention basin to Prospect Creek and details on the outflow pipes or spillways from the detention basin and information on the inflow and outflow hydrographs of the basin shall be prepared by a qualified Civil Engineer in consultation with Fairfield City Council and Holroyd City Council and in accordance with the documents referred to in the Statement of Commitments. The final plans shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate and a copy provided to Fairfield City Council by the proponent for information. The hydrology and hydraulic calculations shall be based on models described in the current edition of Australian Rainfall and Runoff.

- Insert new condition C5 in Part C – Prior to Commencement of Works

C5 Dam Safety Emergency Plan

The proponent must prepare a Dam safety Emergency Plan and provide Fairfield City Council with a copy of the Dam Safety Emergency Plan, including details on the final classification of the dam.

- Insert in PART D – During Construction

D9 Stormwater Quality Monitoring

The proponent and/or the Community Association must undertake stormwater quality monitoring prior to the release of stormwater into Prospect Creek and provide Fairfield City Council with copies of all water quality monitoring reports within 1 month of completion. It is also recommended that condition F1 in new PART F – During Operation be added.

5.3 Amendment to concept plan modification No10 Heritage Site interpretation

Modification 10 of the Concept Plan approval states:

The site interpretation strategy as committed to by the proponent in Statement of Commitment No.17 shall require the proponent to retain a selected number of industrial heritage items (eg short shaft cone crusher, traylor jaw crusher, cone crushers and excavation buckets) on the site in recognition of the site's past usage as a quarry.

It is noted that Boral intends to prepare an interpretive strategy as required by Statement of Commitment No. 17. This strategy was intended to provide some flexibility to record the items found on site and allow the potential for reuse of certain items at other operating facilities. For example, the short shaft cone crusher originally operated as part of the cone crushing plant and has now been relocated for use at another operating plant.

It is further noted that Boral will comply with the spirit of the condition and will prepare an interpretive strategy for the site, however condition 10 is restrictive in terms of its limitations on the ability for adaptive reuse of industrial items. The Department is of the view that there will be no adverse implications resulting from the proposed amendment.

Recommendation

It is recommended that modification 10 be amended as follows:

The site interpretation strategy as committed to by the proponent in Statement of Commitment No.17 shall require the proponent to retain a selected number of industrial heritage items (eg jaw crusher and cone crusher) on the site in recognition of the site's past usage as a quarry.

5.4 Minor housekeeping amendments to the modifications and conditions

The following modifications and amendments to the project application conditions are required to correct some minor discrepancies as detailed below.

Recommendation

The following modifications to concept plan are recommended:

- *Modifications 10 and 11*

Delete reference to Blacktown Council.

Reason: There are no associated works proposed within the Blacktown Council area.

The following amendments to project application conditions are recommended:

- *Conditions B2, B3 and B4*

Add reference to Holroyd Council.

Reason: Works will be in both Holroyd and Fairfield Council areas.

6 CONCLUSION

The Department has assessed the impacts of the above proposed modifications against the approved Greystanes SEL Concept Plan and the Project Approval for the site. It is considered that the proposal, as modified, still achieves the same objectives as the originally approved Major Project 06_0181 and does not alter the overall nature, need or justification of the approved project or Concept Plan.

7 RECOMMENDATION

It is recommended that the Executive Director (as delegate of the Minister for Planning), under Section 75W of the Act, approve the modifications as detailed in Section 5 of this Report and in doing so sign the attached Modification Approval identifying the revised plans and modifications/ conditions (**Tag A**).

Approved:

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