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6 November 2007

Mr Sam Haddad
Director General
Department of Planning
23-33 Bridge Street
SYDNEY NSW 2000

Dear Director General

LOT 11, DP 229784, TEMPLAR ROAD, ERSKINE PARK

We are writing on behalf of Jacfin Pty Ltd (Jacfin), the proponent for the development of Lot 11 DP 229784, Erskine Park (the subject site). The site is proposed to be developed for industrial purposes and will include warehouse space, associated offices and car parking.

On 21 March 2007, Allens Arthur Robinson, on behalf Jacfin, wrote to you requesting the Department recommend that the proposed development of Lot 11 DP 229784 be declared, by order of the Minister pursuant to section 75B(1) of the Environmental Planning and Assessment Act 1979 (the Act), to be a project to which Part 3A of the Act applies.

On 6 September 2007, the Minister declared that development for employment/industrial purposes on Lot 11 DP 229784, Erskine Park is a project to which Part 3A of the Act applies.

The purpose of this letter is to request that the Director General issue the requirements as to the level and scope of the necessary documentation and assessment for the preparation of an Environmental Assessment to accompany a Project Application for the proposed development.

To support the request for the Director General's requirements relating to the environmental assessment, a Preliminary Assessment relating to the project is detailed below. The Preliminary Assessment provides detail on the site location, an outline of the project, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 SITE DESCRIPTION

1.1 Site Location and Context

The site is a 4.1ha (41,843m²) wedge-shaped site with a legal property description of Lot 11 DP 229784. It is located within the Erskine Park Employment Area (EPEA), some 2km east of Mamre Road. It has a northern boundary of 463m to the CSR industrial site, a 480m boundary to a Water Supply pipeline to the south and a boundary of some 167m to industrial zoned land to the west (includes a 60m western boundary to a Crown Road Reserve). It is strategically located within the Western Sydney Employment Hub with nearby access to the M4, linking with the M7. The site is cleared and has historically been used for agricultural purposes, namely cattle grazing.

The site has historically been accessed from the adjacent Crown Road Reserve.

The contextual location of the site is shown in **Figure 1**.

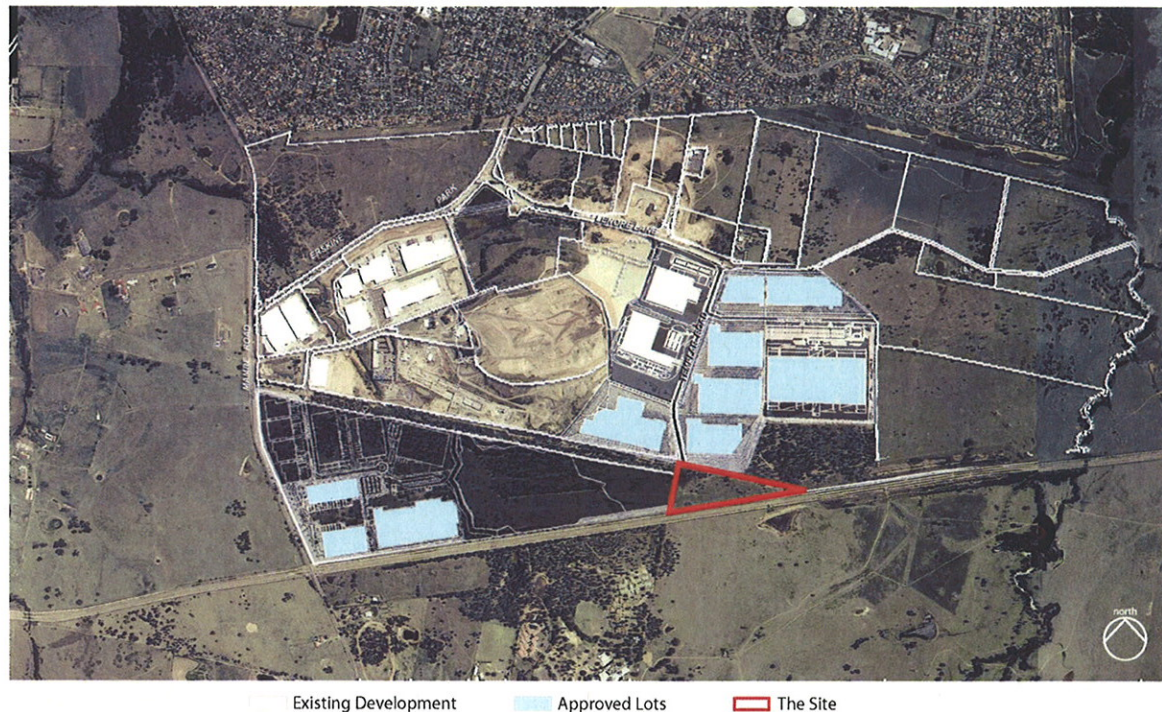


Figure 1 – Site location

1.2 Surrounding Development

CSR site

A large parcel of industrial land to the north of the site is owned by CSR. The Minister for Planning recently approved a Concept Plan (MP06_0216) and Project Application (MP06_0208) for the industrial development of the CSR lands and the implementation of a new Biodiversity Management Plan and biodiversity offset scheme for the Erskine Park Employment Area. The biodiversity offset scheme is subject to a Planning Agreement entered into by the Minister for Planning and CSR. This was a second stage of development of the CSR site, with the first stage having been approval of an industrial development for Blue Scope Steel.

The Concept Plan and Major Project Application included development of the site for industrial purposes, subdivision of the site, relocation of an existing creek, and the construction of an industrial building in the south-western corner of the site. Approval of the Concept Plan and Project Application was granted on 1 March 2007. The project proposed the realignment of an existing creek on the site towards the southern boundary of the CSR site and the Crown Road Reserve, adjoining the north west corner of the Jacfin site.

Condition 2(c) of Concept Plan approval (MP06_0216) requires the provision of a public road reserve from the end of the Templar Road to the boundary of the Jacfin site. Discussions have commenced between CSR and Jacfin regarding the Templar Road extension and a working group has been established to implement the design and construction of the road extension and creek crossing.

Austral Bricks site

To the west of the Jacfin site is a 64ha site owned by Austral Bricks, known as Interlink Industrial Estate and being developed by Goodman International. This site has been the subject of two recent Project Approvals (MP06_0253 and MP06_0254) by the Minister for Planning for the establishment of a warehouse and distribution complex for Woolworths and Kimberley-Clark. These projects also require the implementation of the Biodiversity Management Plan and biodiversity offset scheme (in accordance with a Planning Agreement) on the eastern portion the Austral Bricks site.

A further Project Application was lodged by Goodman International in July 2007 to develop the remaining undeveloped lots with Interlink Industrial Estate for light industrial, warehouse and distribution uses.

2.0 THE PROJECT

The key parameters for the proposed future development of the site include:

- Development of the site for employment/industrial purposes including the following elements:
 - a single storey warehouse with a floor area of 21,005m²
 - a 1285m² two storey office building adjoining the warehouse at its eastern façade;
 - a loading area in the western portion of the site with direct access to the warehouse facility via roller shutter doors at its western façade;
 - 225 car spaces in an at-grade car parking on the eastern portion of the site; and
 - associated landscaping of the site.
- The construction of a road extension from Templar Road to the boundary of the subject site (including new drainage channel crossing) providing vehicular access to the site.
- Construction of utilities and services connections from adjacent locations to the site.
- Stormwater, drainage and bulk earth works associated with the development of the site.

A preliminary plan of the proposed development on the site is provided at **Figure 2** below:

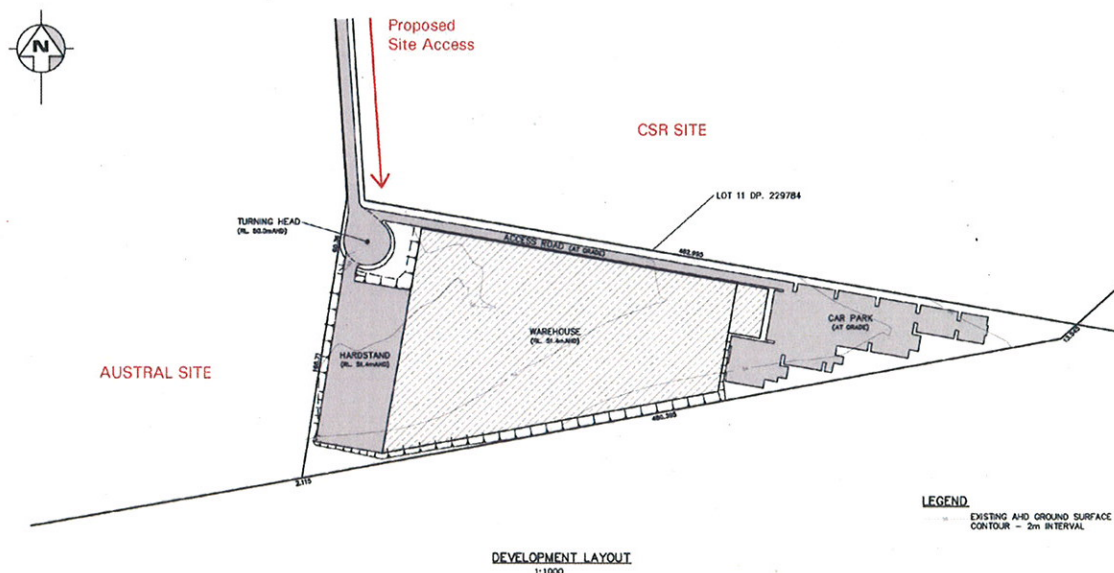


Figure 2 – Preliminary Layout Plan

2.1 Capital Investment Value

The estimated capital investment value of the project is \$13.1 million.

3.0 PLANNING CONTROLS

The following existing planning instruments, development control plans and planning policy documents are of key relevance to the proposed development:

- State Environmental Planning Policy 11: Traffic Generating Development (SEPP 11);
- Penrith Local Environmental Plan 1994 (Penrith LEP 1994); and
- Penrith Development Control Plan 2006 (Penrith DCP).

3.1 State Environmental Planning Policy No.11 – Traffic Generating Development

In accordance with the provisions of SEPP 11, an industrial proposal with a floor area of more than 20,000m² must be referred to the Roads and Traffic Authority for comment. The proposed development will trigger this requirement.

3.2 Penrith LEP 1994 (Erskine Park Employment Area)

The site is located within Zone 4(e)1 – Employment Restricted under the Penrith LEP 1994. Industrial development (including offensive and hazardous industries) is permitted in this zone. Office premises are permitted within the 4(e)1 zones subject to the criteria specified in Clause 21 of Penrith LEP 1994 which are:

'(a) land suitable for development for that purpose would not be readily available in an existing business zone; and

(b) development on the land for that purpose would be unlikely to prejudice the viability of existing business centres'.

The proposed office space will be ancillary to the industrial uses on the site and could not be appropriately provided elsewhere. No business centres are located in proximity to the subject site.

3.3 Penrith DCP 2006

Section 6.14 of the Penrith DCP provides development controls for the Erskine Park Employment Area. The key controls applying to the site are provided in **Table 1** below:

Table 1 – Relevant DCP controls

Requirements	Control	Proposed
Car parking	Warehouse 1 space/100m ² Office 1 space/40m ²	A total of 225 spaces are proposed to be provided.
Height	Determined on merit	A maximum ridge height of approximately 15m is proposed. This will be generally consistent with the maximum height for the approved industrial development on the CSR site.
Site coverage ¹	Not to exceed 50%	21,005m ² (about 53%)
Setbacks	Side and rear setbacks 5m	A building setback of approximately 11m is

¹ Site coverage is defined in clause 1.7 of Section 6.14 of the Penrith DCP as 'the percentage ratio of the total area of a given allotment covered by buildings to the total area of that allotment and does not include parking areas or driveways. For the purposes of determining the allotment area, drainage basins and/or channels as required by this section and other easements, biodiversity corridors or areas (retained as part of the allotment) may be included in the calculation of allotment area. Site coverage is calculated from the building "footprint" which includes external walls, roof overhangs, pergolas, etc'.

	Water Supply Pipeline	5m	proposed to the adjoining CSR site to the north and a setback of 6m is proposed adjoining the water pipeline to the south. A 15m building setback is proposed from the western boundary
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The biodiversity strategy detailed in section 6.14 of the Penrith DCP no longer reflects the current biodiversity management approach as it has been superseded by the Biodiversity Management Plan. No Jacfin land was included in the Biodiversity Management Plan and the land is not required to achieve the aims of the corridor, nor the biodiversity outcomes sought.

4.0 PRELIMINARY ENVIRONMENTAL CONSIDERATIONS

It is requested that the Director General issue the requirements as to the level and scope of the necessary documentation and assessment for the preparation of an Environmental Assessment to accompany a Project Application for the proposed development.

The requirements will identify the key issues to be addressed, the level of assessment required in relation to these issues and any other requirements in accordance with the environmental assessment guidelines.

The information below has been prepared to assist the Director General in identifying the general requirements and key project specific issues to be addressed in the Environmental Assessment.

The key environmental considerations associated with the proposed development are as follows:

Compliance with relevant planning controls

- » Consideration of the relevant planning controls affecting the site.

Layout/Design

- » Consistency with the relevant section of the Erskine Park Employment Area DCP.

Planning agreements/developer contributions

- » Review of the proposal against the requirements in the Erskine Park Employment Area Section 94 Contributions Plan.

Traffic and parking

- » Extension of Templar Road to the site boundary and suitability of the proposed crossing.
- » Traffic generation arising from the proposed development during construction and operation.
- » Provision of car parking.

Soil and water

- » Proposed erosion and sediment control measures.
- » Stormwater management, including on site detention and relationship to the CSR relocated creek.
- » Flooding.
- » Water quality management.
- » Water supply including the potential for rain water harvesting.
- » Wastewater disposal.

Infrastructure and Servicing

- » Provision of services and easements for services.

Flora and Fauna

- Determining the presence of threatened species, endangered populations, or endangered ecological communities.
- Mitigation, management or offset measures to reduce the impacts, if any, of the proposed development on flora and fauna.
- Mitigation and management measures associated with the creek crossing.
- Landscape treatments and plantings.

Aboriginal Heritage

- Determining the presence of Aboriginal heritage on the site, if any.
- Mitigation, management or offset measures to reduce the impacts, if any, of the proposed development on Aboriginal heritage.

Visual Impacts

- Visual impacts in terms of landscaping, design, setbacks, signage and lighting.

5.0 OTHER MATTERS

In respect of the development proposal, an approval may be required under the Roads Act 1993 to:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road

Any further necessary approvals and permits required will be identified as part of any future application.

6.0 CONCLUSION

The site is strategically located within the Erskine Park Employment Area and adjoins several Major Project developments. The development of the site for industrial use is consistent with the objectives for development within the area.

We trust that the above Preliminary Assessment is sufficient to allow you to issue requirements for the preparation of the necessary Environmental Assessment.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962.

Yours faithfully



Kirk Osborne
Principal Planner