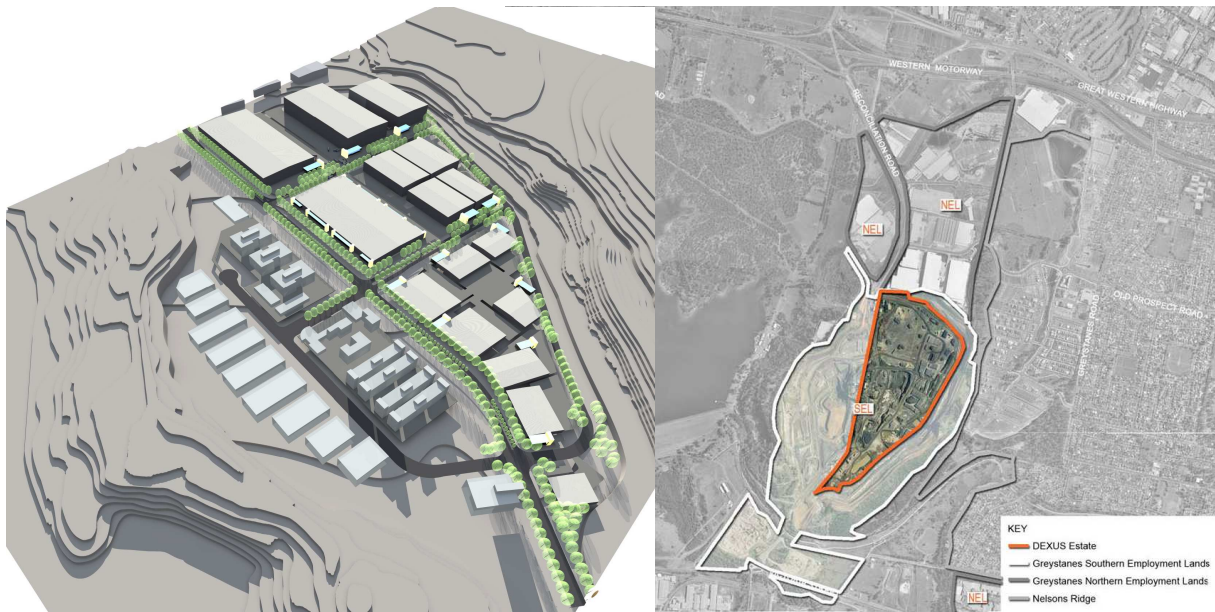




**MAJOR PROJECT ASSESSMENT:  
DEXUS Estate Industrial Park  
Project, Greystanes Southern  
Employment Lands, Holroyd**



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

October 2009

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## EXECUTIVE SUMMARY

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DEXUS Funds Management Limited (DEXUS) proposes to develop an industrial park (including warehouse and distribution centres with ancillary office space) on a 47 hectare portion of the Greystanes Southern Employment Lands (Greystanes SEL), within the former Prospect Quarry. The Greystanes SEL was approved by the Minister for Planning as a Concept Plan in July 2007 for industrial use on 156 hectares of land.

The project has been designed in a manner that is generally consistent with the Greystanes SEL concept plan. However, the proposal does involve a revised subdivision layout to support in places larger building footprints (as opposed to the smaller lot subdivision layout approved in the concept plan), and variations to building heights and setbacks. The project also includes detailed earthworks, design, construction and use of internal estate roads, site services and industrial facilities (specifically 16 freestanding warehousing and distribution centres).

DEXUS aims to construct a world-class and distinctive industrial park that maximises the opportunities of the site and is aligned with foreseeable market demand for industrial facilities in Western Sydney.

The project has a capital investment value of approximately \$150 million, and is expected to generate 800 full-time equivalent jobs during the 5 year construction period, and 2,000 jobs during operation.

The project constitutes a 'major project' under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and consequently the Minister is the approval authority.

During the exhibition period the Department received 11 submissions on the proposal, including 8 from Government authorities and 3 from the community. These submissions raised concerns broadly in relation to traffic, heritage and the broader strategic planning of the DEXUS Estate.

The Department has reviewed these submissions in detail, and assessed the project application and Environmental Assessment in accordance with the objects of the EP&A Act.

The Department is satisfied that the project is consistent with the State Plan and the broader strategic planning objectives for the area. The project is also considered to be compatible with the future desired character of the area under the NSW Government's Metropolitan Strategy and would have significant social and economic benefits for the local area through the provision of increased employment opportunities and significant capital investment in the Western Sydney Employment Area.

The Department considers that the potential environmental impacts of the project can be adequately mitigated and/or managed to ensure an acceptable level of performance and has recommended a range of conditions to ensure this occurs.

In summary, the Department considers that the site is suitable for the proposed development, and that the project offers significant economic benefits for the region, attracting up to \$150 million of capital investment and creating 2,000 jobs once operational. Further, the Department considers the project meets the Greystanes SEL concept plan vision for the site to '*transform a working quarry into a high standard industrial business estate comprising a range of complimentary uses and support facilities all of which provide a range of employment opportunities*', and has been designed to achieve a modern, high quality and distinctive design standard for the estate.

Consequently, the Department considers that the DEXUS Estate Industrial Park Project is in the public interest and should be approved subject to conditions.



# 1. BACKGROUND

## 1.1 Site History

The DEXUS Estate site (the site) is located in Greystanes in the Holroyd local government area (refer Figure 1 and 2). The site falls within the confines of the former Prospect Quarry, adjacent to Prospect Reservoir, Prospect Hill and Nelsons Ridge.

Although quarrying activities occurred as early as 1820 at the site, Prospect Quarry was only formally established in 1870. Soon after its establishment it was identified as having the potential to be the principal supplier of basalt rock for metal production in western Sydney. By 2006, the quarry was nearing the end of its economic life. Boral, the site owner is currently undertaking final rehabilitation and decommissioning of the site in preparation for future employment uses.

The western boundary of the quarry is shared with the Prospect Reservoir. Construction of Prospect Reservoir began in 1882, as an important element of the Upper Nepean Scheme, and is the main storage reservoir of Sydney's fourth water supply system.

Prospect Hill and Nelsons Ridge (refer Figure 2) were entered on the State Heritage Register (SHR) on 17 October 2003. The major part of the identified SHR Area is located to the east and north of the site with a short section only being adjacent to Prospect Quarry. The Prospect Hill SHR Area has been designated as public open space. The heritage and scenic values of the ridgetop have been identified as important elements of the identified SHR Area.

Over time, the landscape of Prospect Quarry and Prospect Hill has been significantly altered from its original form. Early grazing practices cleared the entire hill. The quarry walls have been formed as a result of the quarrying process such that they now comprise a man-made terrace system. These quarry walls form the back drop to the site and are up to 60 metres high.

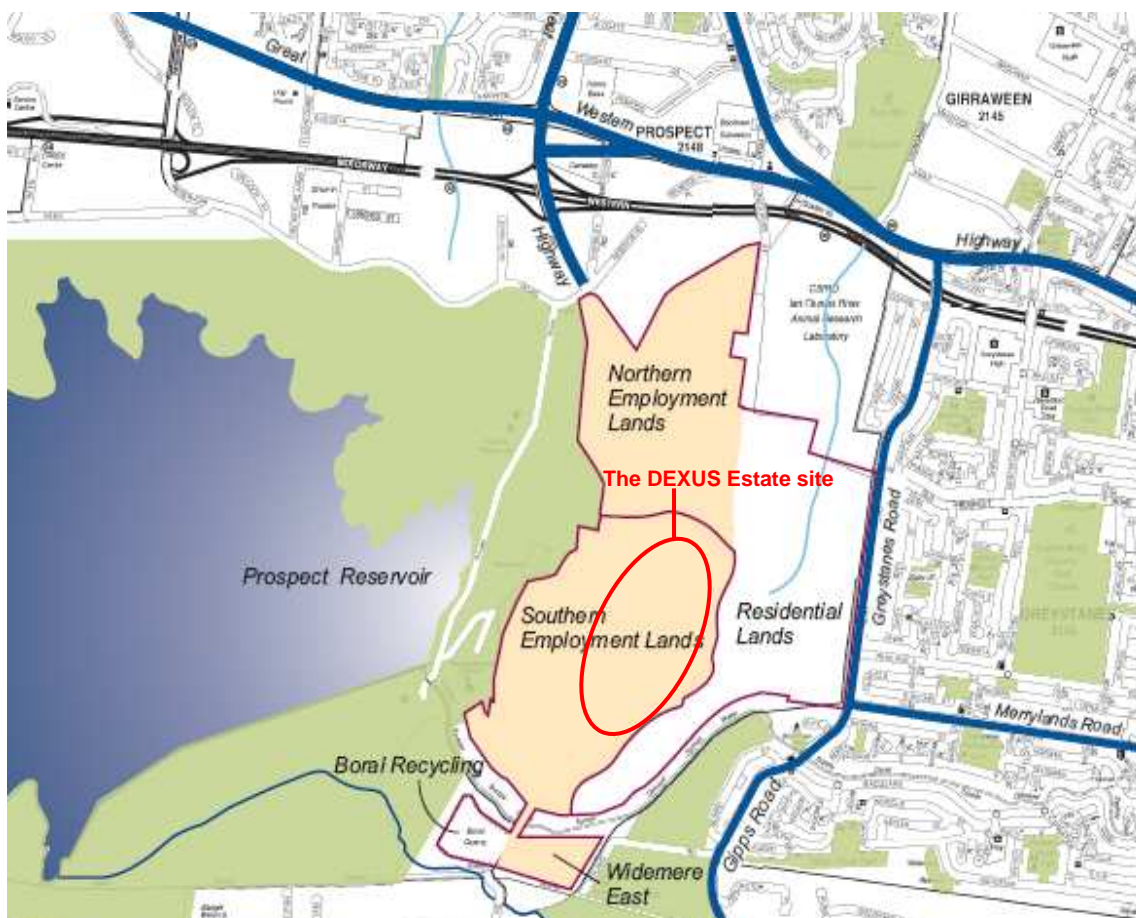
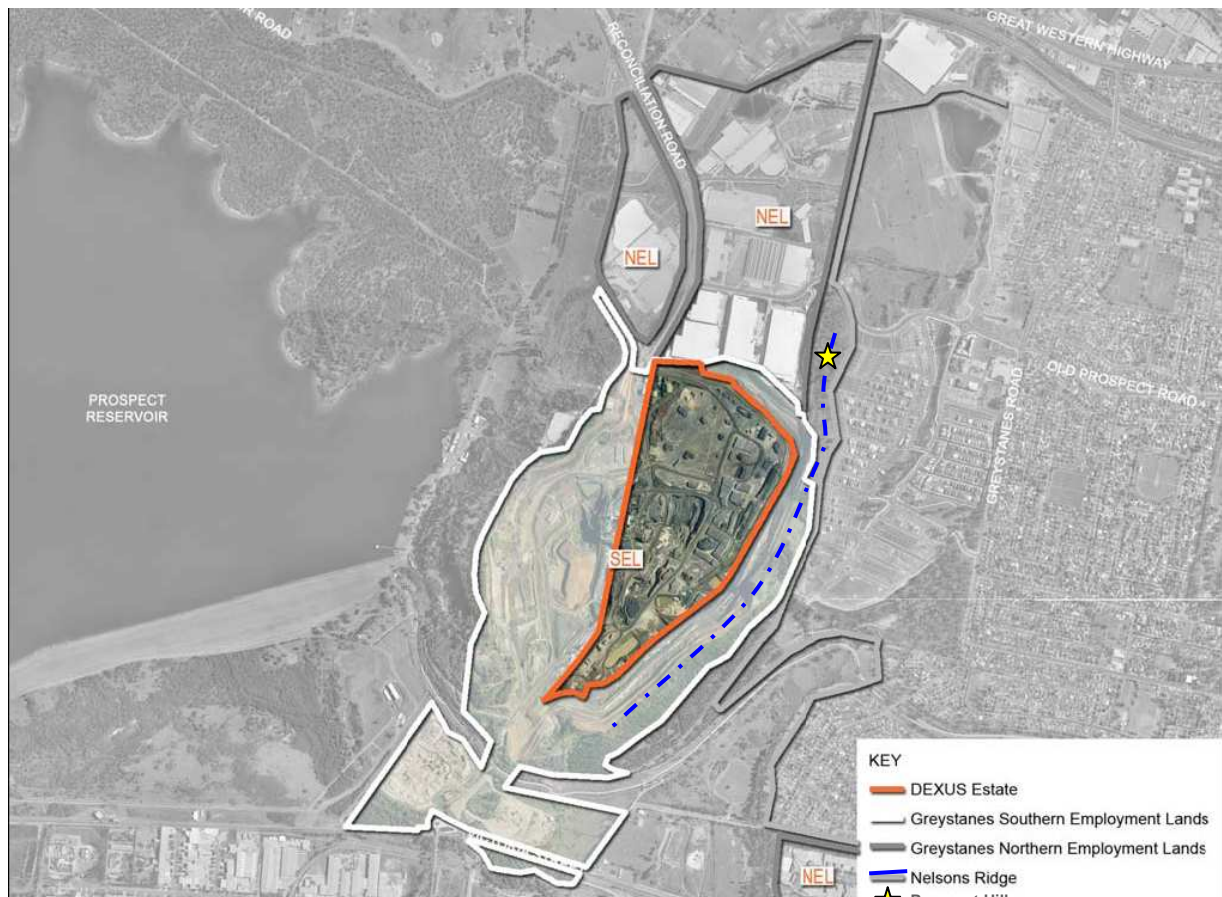


Figure 1: Regional Context



**Figure 2: DEXUS Estate Location Plan**

## 1.2 Site Location

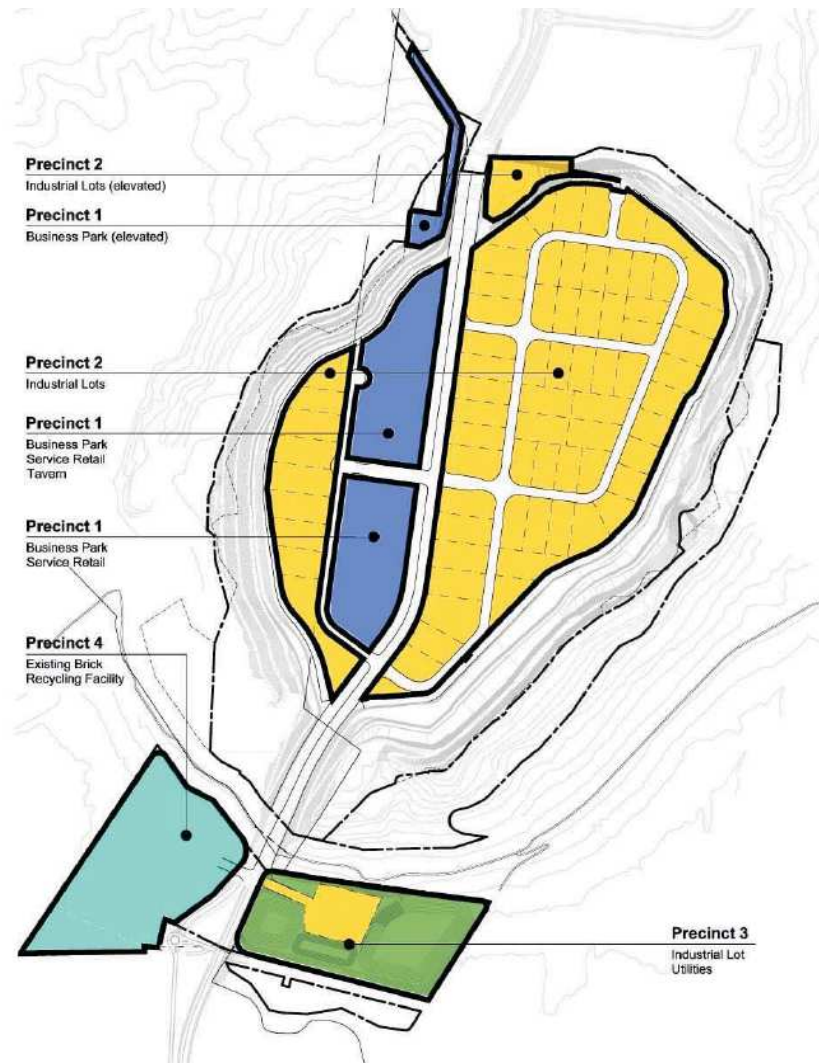
The Greystanes Northern Employment Lands (NEL) and Southern Employment Lands (SEL) have been identified in the NSW Government’s Metropolitan Strategy as being of regional and state significance for employment and investment (refer Figure 1 and 2). To date, the Greystanes NEL has developed into a thriving industrial park, with large scale warehousing and distribution centres for businesses such as Linfox, Cadbury Scweppes and 3M.

The 47 hectare DEXUS Estate site forms part of the 156 hectare Greystanes SEL, which in turn forms part of the approximately 330 hectare Greystanes estate (ie. the NEL and SEL combined).

Both the NEL and SEL were originally zoned Employment Lands under State Environmental Planning Policy (SEPP) 59. Development was controlled through the Greystanes Estate - Employment Lands Precinct Plan 2001. The Precinct Plan covered both the Northern and Southern Employment Lands and was prepared to guide the development of the Employment Lands within Greystanes so that it met the environmental, economic and social objectives prescribed in SEPP 59.

However, SEPP 59 was amended in August 2009 and now only pertains to land zoned Regional Open Space and Residential Land. SEPP 59 therefore no longer applies to the site. The State Environmental Planning Policy (Major Development) and Greystanes SEL concept plan govern planning regime and development controls for the site.

The DEXUS Estate is also located in close proximity to the M4 Motorway, Great Western Highway, M7 Western Sydney Orbital road system and the Cumberland Highway providing high levels of accessibility to Metropolitan Sydney. Services are readily available making the site ideal for creating employment opportunities by either utilising or augmenting existing infrastructure.



**Figure 3: Greystanes Southern Employment Lands Precinct Plan**

### 1.3 Surrounding Land Uses

To the north lies the predominantly established Northern Employment Lands (NEL), an industrial subdivision consisting of lots sizes of approximately 5 hectares with large warehouse and distribution centres. Further north of the NEL are the M4 Motorway and the suburbs of Prospect, Girraween and (further afield) Seven Hills and Blacktown.

Areas directly south of the Greystanes SEL consist of a variety of open space regions, specifically Prospect Creek, Hyland Road Park (incorporating the Small-Bore Riffle Range and Pigeon Club), Gipps Road Sporting Complex, Rosford Street Reserve, and Long Street Park. Further to the south again are the existing industrial /manufacturing areas of Wetherill Park, Smithfield and Fairfield West.

To the east of the residential area of Nelson's Ridge and the suburb of Greystanes and to the west of the Greystanes SEL is the Prospect Reservoir and Eastern Creek.

### 1.4 Strategic Planning Context

On 20 July 2007, the Minister for Planning approved a concept plan and project application (MP 06\_0181) from Boral Limited (Boral) for the Greystanes SEL under Part 3A of the EP&A Act. The approval was subsequently modified on 11 January 2008 and 13 August 2009.

The Major Development SEPP and approved Greystanes SEL concept plan (as modified) govern development controls for the site. The Concept Plan approval dictates a range of design standards for development of the Estate and for each of the proposed uses. The Concept Plan also gives approval to Urban Design Package (UDP) for the broader site.

The concept plan approval (as modified) provides for the creation of an industrial and business park on the Greystanes SEL site. In summary, the concept plan provides for:

- an industrial precinct comprising 75 industrial lots, one of which is proposed to be used for the purpose of hotel accommodation, with a maximum floor space ratio of 0.75:1 across the industrial lots;
- a business park precinct comprising a gross floor area of 97,000m<sup>2</sup> for business uses and 500m<sup>2</sup> for service retail uses; and
- associated infrastructure and services, including a conceptual road design comprising a central spine road known as 'Reconciliation Drive' (including provision for a future bus transitway) and local estate roads (see Figures 4 and 5).

The project approval (as modified) provides for the:

- preliminary subdivision of the site into 6 development lots (ie. Lots 101 to 106), along with road and infrastructure corridors and community lots;
- subsequent subdivision and development of the site into;
  - 74 industrial lots;
  - 1 hotel lot;
  - 2 main business park lots;
  - ancillary infrastructure and community lots; and
  - construction (including earthworks) of major infrastructure including roads, groundwater management works, stormwater management works, and detention ponds and bulk earthworks at Widemere East.

The Concept Plan approval (as modified), divides the future landuses for the Greystanes SEL into 4 precincts (refer Figure 3). The Greystanes SEL precincts include:

- **Precinct 1** – for business park and service retail uses;
- **Precinct 2** – as an industrial precinct;
- **Precinct 3** – to accommodate stormwater / sediment basins, and a water treatment basin to service the Greystanes SEL; and
- **Precinct 4** – currently occupied by Boral's recycling facility.

On 5 December 2008, the Greystanes SEL site was gazetted as a State significant site under Schedule 3 of *State Environmental Planning Policy (Major Development) 2005* (formerly SEPP (Major Projects) 2005). The Major Development SEPP establishes zoning provisions and permissible uses for the Greystanes SEL site, and details applicable development standards relating to the height of buildings and caps on gross floor area.



Figure 4 - Concept Subdivision Plan

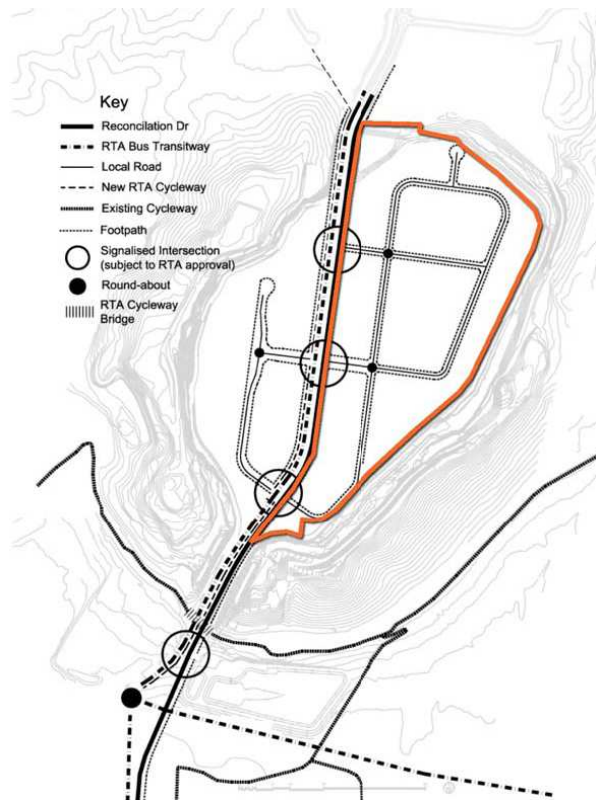


Figure 5 - Concept Road Layout Plan

## 2. PROPOSAL

### 2.1 Project Description

DEXUS Funds Management Limited (DEXUS) proposes to develop an industrial park (including warehouse and distribution centres with ancillary office space) on a 47 hectare portion of Precinct 2 within the Greystanes SEL (refer Figure 2). The project would be known as the DEXUS Estate.

The project would essentially develop the entire eastern portion of **Precinct 2** (refer Figure 3) and is located wholly within the Holroyd local government area.

The project has been designed in a manner that is generally consistent with the Greystanes SEL concept plan, and involves:

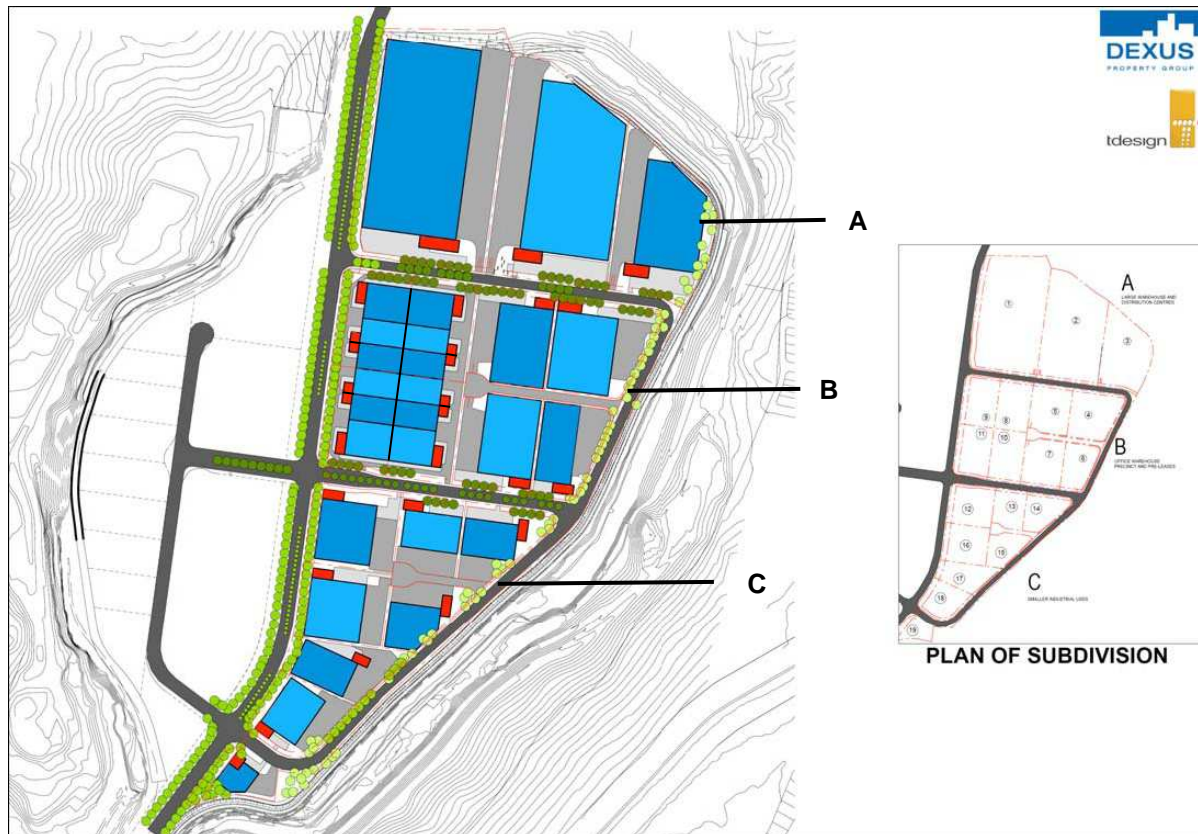
- a site layout based on 3 distinct zones or 'superlots' (ie. Superlots A, B and C) which are defined by an internal road layout (refer Figure 6)
- construction and use of 16 free standing industrial warehouses (specifically warehousing and distribution centres), with a total building area of 241,765 m<sup>2</sup> and with individual buildings heights ranging from 15 metres, 25 metres and 40 metres. The distribution of building heights across the site is shown on Figure 7.
- subdivision of the DEXUS Estate site into 19 development lots;
- construction of internal estate roads and infrastructure serviced by a central spine road (Reconciliation Drive); and
- detailed earthworks.

Departures from the concept plan include:

- larger lot size;
- variation to the internal estate road layout - intersections with Reconciliation Drive will remain unchanged;
- an increase in building heights; and
- a reduction in building setbacks.

It is noted that Schedule 3 Part 22(13) of SEPP (Major Development) 2005 specifies a maximum building height of 15 metres, measured from ground level (finished), within Zone IN2 Light Industrial for which the entire DEXUS Estate is located. This issue is discussed further in Table 2 of this report.

The proposed site plan is shown on Figure 6. The full set of architectural design plans are attached as Appendix D of the EA. An Urban Design Package, which has informed the architectural plans, is included as Appendix E of the EA.



**Figure 6 - Proposed Site Plan, Road Layout and Plan of Subdivision**

It is noted that specific end-users for the facility have not been identified at this time. Accordingly, to provide greater flexibility, DEXUS is seeking approval for the operation of generic warehouse and distribution centre facilities from the buildings with detailed design for each building structure proposed to be submitted for approval prior to the issuing of a construction certificate.

A summary of the main components of the project are outlined in Table 1 and depicted in Figures 6 and 7. The project is described in full in the EA, which is attached as Appendix F, and the Proponent's Response to Submissions attached as Appendix E.

**Table 1: Major Components of the DEXUS Estate Industrial Park Project**

<b>Aspect</b>	<b>Description</b>
<b>Project Summary</b>	<b>Construction and use of the DEXUS Estate Industrial Park, within the Greystanes Southern Employment Lands, for warehouse and distribution purposes</b>
Proposed Use	Warehousing and distribution, with ancillary office space
Subdivision	Subdivision of the site to create 19 development lots and 2 internal estate roads. Two private internal access driveways would service superlots B and C.
Earthworks	Detailed earthworks associated with infrastructure and facility construction. The site is currently being rehabilitated and levelled as part of Boral's quarrying approval, ready for industrial development.
Facility Description	The proposed project provides for: <ul style="list-style-type: none"> <li>construction of 16 freestanding warehouse facilities across the site, ranging in size</li> </ul>

Aspect	Description
	<p>from 2,400 m<sup>2</sup> to 48,300 m<sup>2</sup> gross floor area (GFA), including ancillary offices;</p> <ul style="list-style-type: none"> <li>one of the 16 warehouse facilities (ie. Lots 8-11) would accommodate up to 12 small scale warehouse units, ranging in size from 3,210 m<sup>2</sup> to 4,320 m<sup>2</sup> GFA; and</li> <li>a total of 220,865 m<sup>2</sup> of warehouse GFA and 20,900 m<sup>2</sup> of ancillary office GFA.</li> </ul>
Development Standard	<p>Building Height 15 – 40 m</p> <p>Gross Floor Space Ratio 51%</p> <p>Total Warehouse Area 220,865 m<sup>2</sup></p> <p>Total Office Area 20,900 m<sup>2</sup> (9%)</p> <p>Total Landscaped Area 67,785 m<sup>2</sup> (14%)</p> <p>Total Building Area 241,765 m<sup>2</sup></p>
Staging	Flexible staging in line with market demand. Staging is constrained in the short term in accordance with the completion of the staged release of the site from Boral to DEXUS from north to south.
Access and Roads	Construction of internal road network comprising two roads - nominally identified as Bellevue Circuit and Basalt Road. No external roadworks are required.
Car Parking	1 space per 300m <sup>2</sup> of warehouse gross floor area (GFA); and 1 space per 40m <sup>2</sup> of office GFA; in accordance with the Major Development SEPP.
Stormwater	Construction of on-lot and internal estate stormwater drainage infrastructure. The estate infrastructure would drain to existing Greystanes SEL stormwater infrastructure, which includes a perimeter open swale and precinct detention/harvesting basin at Widemere East.
Potable Water, Sewer, Gas and Telecommunications	The site would be connected to potable water supply, sewer and telecommunications in Reconciliation Drive. No gas connection is proposed.
Electricity	The estate is able to be serviced from electrical supplies in Reconciliation Drive. The project includes a number of passive and active energy savings measures, in accordance with the Greystanes SEL concept plan.
Capital Investment Value	\$150,000,000
Employees	<p>Construction - Approximately 800 full-time equivalents.</p> <p>Operation - Approximately 2,000 full-time equivalents.</p>
Hours of Operation	24 hours a day, 7 days a week.



**Figure 7 - Height Distribution Plan**

## 3. STATUTORY CONTEXT

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### 3.1 Major Project

On 20 July 2007, the Minister for Planning approved a concept plan and project application (MP 06\_0181) for Boral Limited (Boral) for the Greystanes SEL under Part 3A of the EP&A Act. The approval was subsequently modified on 11 January 2008 and 21 August 2009. The concept plan approval nominates the DEXUS application to be assessed under Part 3A of the Act.

Consequently, the Minister for Planning is the approval authority for the project.

### 3.2 Permissibility

The Greystanes SEL is listed as a State significant site under Schedule 3 of the Major Development SEPP. The *DEXUS Estate* site is zoned IN2 Light Industrial under Schedule 3 (clause 6, Part 22) of the SEPP.

The objectives of the IN2 zone include:

- a) *to provide a wide range of light industrial, warehouse and related land uses;*
- b) *to encourage employment opportunities;*
- c) *to minimise any adverse effect of industry on other land uses;*
- d) *to enable other land uses that provide facilities or services to meet the day to day needs of workers in the area; and*
- e) *to facilitate employment-generating development for a wide range of purposes, including light industry, technology-based industry, manufacturing, warehousing, storage and research.*

Under the SEPPs development control table, development for the purposes of warehouse and distribution centres is permissible with consent. Consequently, the Minister can approve the project.

It is considered that the project is consistent with the objectives of the IN2 zone as it provides a wide range of light industrial, warehouse and related uses, and would provide a diverse range of employment opportunities.

### 3.3 Exhibition and Notification

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

After accepting the EA for the project, the Department:

- made it publicly available from 17 June 2009 until 20 July 2009:
  - on the Department's website;
  - at the Department's Information Centre at Bridge Street, Sydney;
  - at Holroyd City Council at Merrylands;
  - at the Nature Conservation Council at Kent Street, Sydney;
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities, Fairfield City Council, Blacktown City Council, Holroyd City Council, and the Member for Smithfield by letter; and
- advertised the exhibition in the Fairfield Advance, Blacktown Advocate, and Parramatta Advertiser on 17 June and 20 July 2009.

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

During the assessment process the Department also made a number of documents available for download on the Department's website. These documents included the:

- project application;
- preliminary environmental assessment;
- Director-General's environmental assessment requirements; and
- EA.

### 3.4 Environmental Planning Instruments

Under Section 75I of the EP&A Act, the Director-General's report is to include a copy of or reference to the provisions of any:

- *State Environmental Planning Policy (SEPP)* that substantially govern the carrying out of the project; and
- environmental planning instrument that would (but for Part 3A) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project.

The Department has considered the project against the relevant provisions of several environmental planning instruments including SEPP (Major Development) 2005, SEPP (Infrastructure) 2007, SEPPs 33 and 55, and the *Holroyd Local Environmental Plan 1991*. The Department is satisfied that, subject to the implementation of the recommended conditions of approval, the project is generally consistent with the aims and objectives of these instruments. Consideration of the environmental planning instruments is provided in Appendix C.

### **3.5 Objects of the *Environmental Planning and Assessment Act 1979***

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

*The objects of this Act are:*

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

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

With respect to ecologically sustainable development (ESD), the EP&A Act adopts the definition in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD 'requires the effective integration of economic and environmental considerations in decision-making processes' and that ESD 'can be achieved through' the implementation of the principles and programs including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the project application.

### **3.6 Statement of Compliance**

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

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

## 4. ISSUES RAISED IN SUBMISSIONS

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During the exhibition period, the Department received a total of 11 submissions on the project, including:

- 8 submissions from public authorities; and
- 3 submissions from the general public.

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

### 4.1 Public Authorities

The following public authorities were consulted during the exhibition period:

- Department of Environment, Climate Change and Water (formerly DECC) (DECCW);
- Roads and Traffic Authority;
- Ministry of Transport;
- Department of Water and Energy (now part of DECCW);
- Blacktown City Council;
- Holroyd City Council;
- Fairfield City Council;
- Nature Conservation Council; and
- Blacktown and District Environment Group.

Issues raised in submissions from the public authorities are summarised below.

The **Department of Environment and Climate Change** (now DECCW) raised no issues with the project.

The **Roads and Traffic Authority** (RTA) referred the EA to the Sydney Regional Development Advisory Board (SRDAC) for consideration of traffic impacts. The RTA's submissions detailed a number of recommendations for inclusion in the project approval and raised the following key issues;

- Reconciliation Drive traffic signals;
- public transport and cycleway provisions;
- access and circulation (including swept paths);
- carparking provisions and bicycle facilities; and
- construction traffic management.

The **Ministry of Transport** noted numerous positive measures for sustainable transport included as part of the project and supported the measures relating to transport in the Statement of Commitments. Nonetheless, the Ministry of Transport identified a number of opportunities to improve the sustainable transport future of the Estate.

The **Department of Water and Energy** (now part of DECCW) did not object to the project.

**Holroyd City Council** made a separate independent submission during the exhibition period which raised concerns regarding the project in relation to streetscape (bulky buildings), setbacks, traffic and heritage.

**Blacktown City Council's** submission attached an earlier submission prepared by the combined Councils of Blacktown, Fairfield and Holroyd on the concept plan modification. Blacktown Council has no specific concern regarding the DEXUS proposal, but requested the issues raised at the concept plan stage be addressed.

**Fairfield City Council** made a separate independent submission objecting to the project. However, their concerns principally related to issues on the concept plan, in particular the alignment and timing of the southern link road, which is beyond the scope of the DEXUS application.

**Department of Planning (Heritage Branch)** raised concerns relating to the visual impact on views to and from the Prospect Hill State Heritage Register (SHR) area resulting from the proposed increase in allowable building height within the site but concluded that the proposal was acceptable provided all

work complies with the recommended strategies contained in Appendix I of the EA titled *Visual Impact Assessment Amended Building Height Controls June 2009*.

## **4.2 General Public**

Three (3) submissions were received from surrounding land owners. These submissions were concerned that traffic from the project would pass through adjoining residential streets. While raised in submissions, no traffic is proposed to travel through residential areas as part of this application.

## **4.3 Response to Submissions**

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

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

# **5. ASSESSMENT**

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Following a review of submissions received during exhibition of the project, and assessment of the Proponent's EA and response to submissions, the Department considers the key issues are:

- Urban design (including heritage/visual); and
- Traffic and transport.

These issues are considered in detail below. All other issues are summarised in Table 3.

## **5.1 Urban Design**

### ***Issue***

- Inconsistency with Major Development SEPP;
- Inconsistency with Greystanes SEL Concept Plan; and
- Heritage and Visual.

### ***Assessment***

#### Inconsistency with Major Development SEPP

DEXUS seeks approval for a range of building heights across the site, with individual buildings having heights of 15 metres, 25 metres and 40 metres (refer to Figure 7). The taller buildings are located in limited areas towards the north and east of the site, and generally towards the rear of the site against the quarry wall.

Clause 13, Part 22 of Schedule 3 of the Major Development SEPP provides that buildings in the IN2 zone of the Greystanes SEL site must not exceed a height of 15 metres. However, Clause 19 of the SEPP provides that development standards imposed by the SEPP may be varied for major projects if the Director-General is satisfied, and issues a certificate to the effect that;

- compliance with the development standards is unreasonable or unnecessary in the circumstances of the case; and
- there are sufficient environmental planning grounds to justify exempting the development from that development standard.

In deciding whether to issue a certificate, the Director-General must consider;

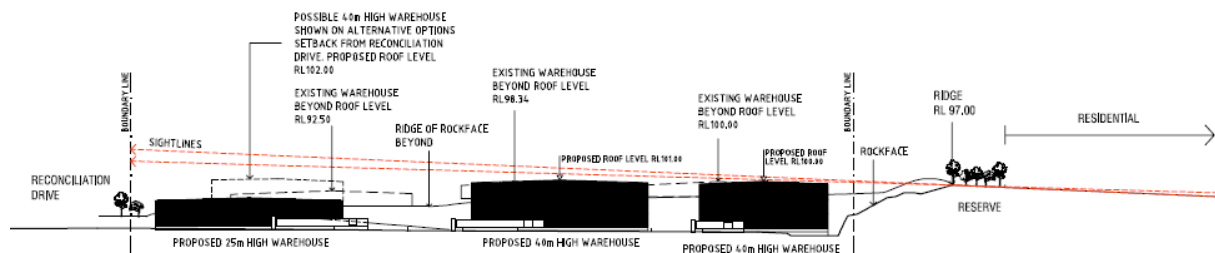
- whether contravention of the development standards raises any matter of significance for State or regional environmental planning;
- the public benefit of maintaining the development standards; and
- any other matters required to be taken into consideration by the Director-General.

Given the site topography (i.e. a quarry pit with high walls, separated from residential areas by a ridge) the Department considers a significant opportunity exists within the Dexus Estate to accommodate increased building heights with minimal environmental impact. Further, if Boral had applied for increased height limits at concept stage, it is likely that the Department would have recommended approval of increased heights on this basis. Following a review of the project against the Major

Development SEPP it is considered that contravention of the height limit development standard does not raise any matters of significance for State or regional environmental planning.

The proposed variance to the height would not result in any adverse environmental impacts on the basis that;

- the project has been designed in accordance with the management principles and conclusions of the visual impact assessment;
- the sightlines, illustrated in Figure 8, demonstrate that the proposed 40 metre buildings would not be visible from the residential areas in Nelson's Ridge, with views from these areas already blocked by the Prospect Hill SHR ridge and covering vegetation;
- the site is located within the confines of the former Prospect Quarry (and surrounded by quarry walls ranging from 40 to 60 metres high) which provides an appropriate backdrop to the project and supports increased building heights as illustrated in Figure 8;
- while views of the 40 metre buildings would be visible from the quarry ridgeline itself, views from the ridgeline would not be obstructed;
- the revised internal road layout has opened up two significant view corridors towards the quarry wall. This would allow the landscape to be 'read' for those people within the SEL looking up towards the ridgeline; and
- immediately to the north of the site lies the predominantly established NEL, an industrial subdivision consisting of lots sizes of approximately 5 hectares with large format warehouse and distribution centres. The scale of the development is considered appropriate in this context.



**Figure 8 - Typical Elevation**

Further, there is no significant public benefit in maintaining the development standard in this instance particularly by way of visual impacts.

Consequently, it is considered that compliance with the height limit development standard is unreasonable and unnecessary in the circumstances of the project, and that there are sufficient environmental planning grounds to justify exemption of the project from the development standard.

Inconsistency with the Greystanes SEL Concept Plan

The EA includes an assessment of the project against the relevant provisions of the Greystanes SEL concept plan, including the concept plan approval and the development controls under the concept plan's Urban Design Plan (UDP).

The Proponent seeks departure from the following development standards in the concept plan:

- building height; and
- setback.

With regard to building height, the UDP states that building heights 'should generally not exceed 15 metres from finished ground level'. The proponent seeks approval to build to a height of up to 40 metres in defined areas of the site.

The Department considers that the variation to the height limit would not result in any significant environmental impacts as discussed above, and that the variation would not compromise the intent or objectives of the Greystanes SEL concept plan.

With regard to setbacks, the UDP sets the following setback controls;

- 15 metres to Reconciliation Drive, of which
  - the first 7.5 metres should be landscaped;
  - carparking may encroach to within 7.5 metres of a property boundary; and
- 7.5 metres to other public roads, with access-ways allowed within the setback.

The Proponent seeks to reduce the 7.5 metre setback to Bellevue Circuit to 3 metres at the rear (ie. eastern side) of the site, adjacent the quarry walls. Most of the project buildings along the frontage would be setback in excess of 3 metres. However, orientation of the lots means that some building corners (as well as some hardstand) would extend to within 3 metres of the boundary.

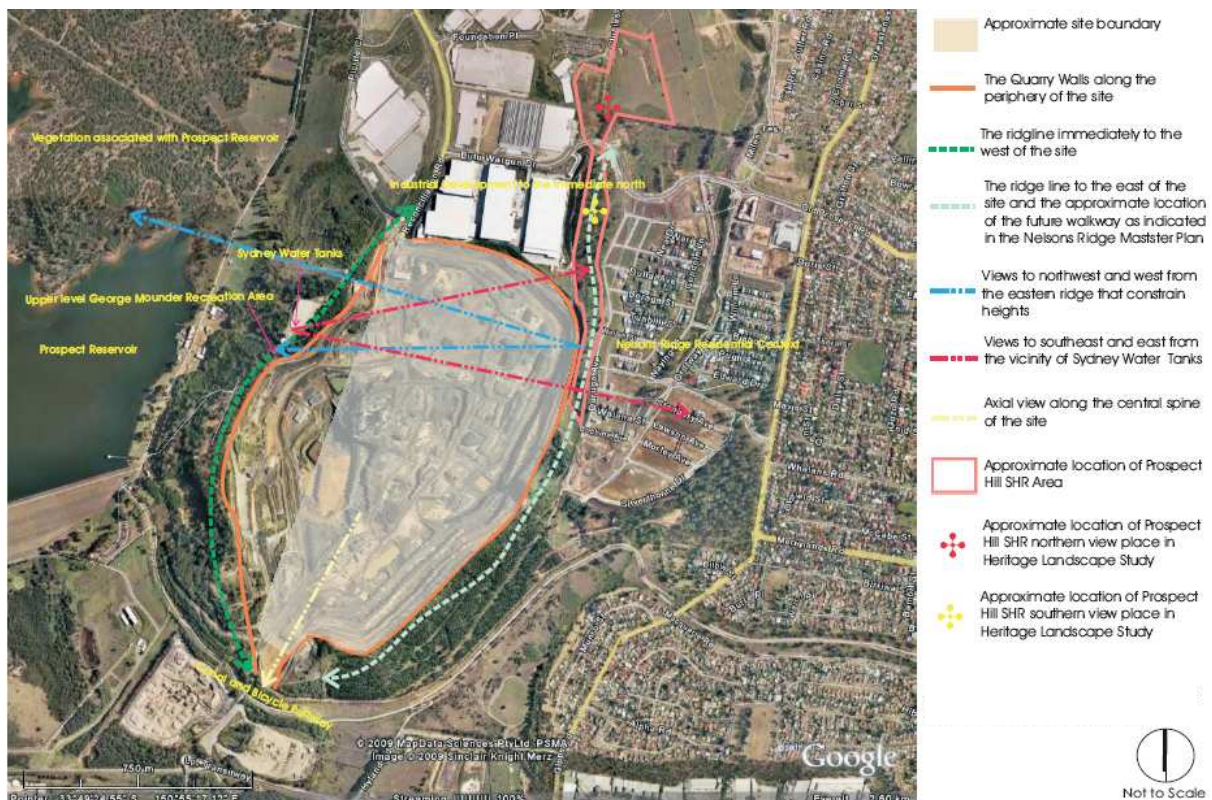
The proposed project also proposes encroachment (ie. up to 4 metres) into the Reconciliation Drive setback at the northern end of the site.

The Department considers that a reduced setback of 3 metres along the eastern road frontage and encroachment of up to 4 metres at the northern end of Reconciliation Drive would not result in any adverse impacts, and would therefore be consistent with the aims and objectives of the Greystanes SEL concept plan as:

- the reduced setback, which is not visible from any public area apart from the internal road itself, would only service the industrial users of the estate;
- the reduced setback only occurs on relatively small portions of the road frontage;
- the eastern side of the road in this location would be open space, thus providing ample visual relief and reducing visual bulk; and
- the encroachment into the Reconciliation Drive setback is not considered to be significant as a large portion of this building is setback 19 metres from the boundary, and the average setback for the building is 17 metres.

### Heritage/Visual

Previous heritage assessments for the Greystanes SEL concept plan have identified a number of heritage items in the area including Prospect Hill, to the north-east of the site, which is listed in the State Heritage Register (SHR). The significance of the listing is related to the views to and from the Hill (refer Prospect Hill SHR Area illustrated in Figure 9).



The previous assessment concluded that the development of the Greystanes SEL would not have a significant impact on heritage items, although archival recording and an interpretive strategy were required as part of the approval to record and conserve the heritage values of Prospect Quarry.

The visual assessment for the DEXUS Estate project considered what impact the proposed 40 metre building heights could have on heritage items, particularly Prospect Hill and Prospect Reservoir. The assessment concluded that the project would not result in any significant impact on the heritage value of these items.

Notwithstanding, concerns were raised by Holroyd City Council with regard to the visual impact on views to and from the Prospect Hill SHR Area. In addition, Council requested photomontages be prepared for the project.

Following detailed assessment of the project and the Proponent's response to submissions, the Department considers that the detail provided in the EA, along with additional information provided to the Department during the assessment stage of the project is adequate to enable the assessment of the potential impacts on the Prospect Hill SHR Area.

The Department considered the predicted impacts on the SHR Area on balance are acceptable on the basis that;

- the views from Prospect Hill will not be obstructed by buildings, even with increased building heights; and
- the project's revised internal road layout has opened up two significant view corridors towards the quarry wall / ridgeline which the Department considers a superior design and visual outcome.

The Department is therefore satisfied that the visual implications arising from development within the site are acceptable and recommends that all work comply with the strategies contained in Appendix I of the EA titled '*Visual Impact Assessment Amended Building Height Controls, June 2009*'.

## **5.2 Traffic and Transport**

The RTA, Holroyd City Council, Fairfield City Council and Blacktown City Council made comment on issues pertaining to traffic and parking. The four key issues are addressed below. Further consideration of those issues considered to be of less significance is detailed in Table 2.

### ***Issue***

- Requirement for Traffic Assessment, and Construction and Operation Traffic Management Plans
- Construction of the southern connection of Reconciliation Drive;
- Reconciliation Drive traffic signals; and
- Internal road layout.

### ***Assessment***

#### **Requirement for further Traffic Assessment, and Construction and Operation Traffic Management Plans**

Both the RTA and Holroyd City Council requested that further traffic assessments be undertaken for the project with regard to traffic planning, swept path analysis, circulation and detailed road carriage way information.

The EA includes a specialist traffic assessment, undertaken by Colston Budd Hunt and Kafes Pty Ltd (see Appendix K of the EA). The assessment supplements and builds on the comprehensive traffic assessment undertaken for the Greystanes SEL, and includes consideration of traffic generation, the internal road network and the intersections with Reconciliation Drive. The assessment demonstrates that the DEXUS Estate project is consistent with the traffic planning for the wider SEL.

DEXUS does not seek to change the intersection locations on Reconciliation Drive as already approved. Further, the project is expected to generate considerably less traffic than was originally assumed for the DEXUS Estate site on the basis that:

- the project involves a significant reduction in ancillary office space compared to that approved under the concept plan; and
- traffic modelling for the concept plan was based on high end land use (worst case scenario).

The proposed project is expected to generate some 1600 to 1800 vehicles per hour two-way (in plus out) during the morning and afternoon peak periods. By way of comparison, the traffic assessment for the concept approval assessed traffic generation for the overall development of some 4800 vehicles per hour two-way during peak periods, including some 2700 to 2800 vehicles per hour two-way for the proposed project site.

Accordingly, the traffic volumes associated with the project are predicted to be significantly less than approved under the concept plan, and the project is not expected to have any adverse impacts on the operation of the transitway.

DEXUS has included a number of commitments to address traffic impacts including:

- designing and constructing the internal roads in accordance with the relevant Australian Standards and to the satisfaction of Council;
- preparing detailed building design plans, including swept path analysis, to the satisfaction of the Director-General prior to construction.

Notwithstanding the above commitments, the Department considers that further detail regarding traffic management during both construction and operation of the project, including but not limited to staging and construction of the traffic signals, should be submitted for the approval of the Director-General prior to any construction works being undertaken.

#### Construction of the southern connection of Reconciliation Drive

All three Councils raised concerns regarding the completion of the southern connection of Reconciliation Drive to Davis Road, Wetherill Park, recommending that the connection be completed prior to construction of buildings on the DEXUS Estate.

It is understood that the Councils' concerns are related to the wider concept plan for the Greystanes SEL, and in particular Boral's recently approved modification (MP 06\_0181 Mod 2) for realignment of the southern connection.

Boral's concept plan for the Greystanes SEL includes provision for the staged extension of Reconciliation Drive from the north of the SEL to the south, ultimately to connect to Davis Road, Wetherill Park. The timing of the southern extension is linked to the development of the business park in Precinct 1, not the development of the DEXUS Estate. The original traffic assessment for the concept approval (Sinclair Knight Merz, 2006) determined that a large portion of the SEL could be developed before the southern connection would be required stating:

*"Prior to release of Stage 7 (of 8 stages), it will be necessary to open Reconciliation Drive through the southern cut to Widemere Road and Wetherill Park. This arises due to capacity constraints on Reconciliation Drive carrying all traffic from Stages 1 to 6, as well as increasing demand on Greystanes Road from this indirect access. It is only at this point that the enhancement of network capacity to the south of Greystanes in Fairfield should be undertaken."*

Boral's modification amended the alignment of the southern connection, predominantly because of the prohibitive cost of constructing the road on the approval alignment, along with issues relating to the acquisition of the land along the approved alignment.

The Councils have objected to Boral's proposed realignment on the grounds of flooding and other environmental concerns associated with the realigned road.

Reconciliation Drive, including the southern connection does not form part of the DEXUS Estate project and does not rely on the completion of the southern connection. Therefore the Department considers that there is no justification for requiring the southern connection to be completed prior to the construction of buildings in the DEXUS Estate. It is noted that, at the date of this report, Boral is nearing completion of the construction of Reconciliation Drive (4 lanes) through the SEL and terminating at Widemere.

### Reconciliation Drive Traffic Signals

The RTA commented that its Deed of Agreement with Boral for the construction of Reconciliation Drive does not include the installation of traffic signals on Reconciliation Drive at the three intersections with the DEXUS Estate internal roads, and that DEXUS would need to install the traffic signals unless it can be demonstrated that another party (ie. Boral) will install the traffic signals.

The RTA also requested that concept plans, traffic modelling, traffic signal phasing, layout and trigger point timing be submitted to the RTA for approval.

The revised Statement of Commitments includes a commitment to clarify DEXUS's responsibility for the intersection works. The intersection works are to be completed prior to building occupation. This commitment would ensure that the issue of responsibility for the intersection signalisation is resolved in a timely manner, and before access from the intersections is required.

### Internal road layout

DEXUS is seeking a further departure from the approved Greystanes SEL concept plan to vary the internal road layout. The project involves the construction of two internal estate roads nominally identified as Bellevue Circuit and Basalt Road.

The Department considers that the amended internal road layout is a good design outcome as it would create two visual corridors extending to the quarry wall. This would offer visual relief and create a feature of the quarry wall. The Department is satisfied that the departure from the Greystanes SEL concept plan would not result in a significant impact and recommends conditions requiring DEXUS to ensure the internal road network, intersections with Reconciliation Drive and loading facilities associated with the project are designed and constructed in consultation with Council and the RTA.

### **5.2.1 Other Issues**

A number of other issues were raised in submissions. The Department's consideration of other issues is provided below.

**Table 2: Other Assessment Issues**

<b>Issue</b>	<b>Assessment</b>	<b>Recommendation</b>
<b>Design</b>		
<ul style="list-style-type: none"><li>Importance of streetscape to Reconciliation Drive</li></ul>	<ul style="list-style-type: none"><li>Submissions raised concerns about the importance of the streetscape to Reconciliation Drive eg 'bulky elevation' and the need for buildings fronting Reconciliation Drive to provide activated streetscape and not present as the rear or service areas of buildings.</li><li>The EA includes broad urban design and architectural design packages as well as a commitment to preparing detailed architectural design plans for all buildings, in consultation with Holroyd Council and to the satisfaction of the Director General, prior to the construction of all buildings.</li><li>The Department is satisfied the bulk of the buildings relative to the backdrop of the quarry is acceptable and prior to the issuing of construction certificates for the buildings further design refinement will address this matter.</li></ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"><li>prepare detailed architectural design plans for all buildings to be constructed on site prior to the commencement of construction to the satisfaction of the Director-General and in consultation with Council.</li></ul>
<ul style="list-style-type: none"><li>Warehouse Roof Treatment</li></ul>	<ul style="list-style-type: none"><li>As warehouse roofs would be visible from the surrounding ridge, careful design is required to avoid monotony and to ensure services are carefully arranged and/ or screened.</li><li>To ensure that warehouse roof treatment is adequately addressed during detailed design, DEXUS has included a commitment to specifically address design of roofs and screening of roof services.</li></ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"><li>prepare detailed architectural design plans for all buildings in a manner that achieves the design excellence standards in the Major Development SEPP, including rooftop design and screening of rooftop services.</li></ul>
<b>Traffic and Transport</b>		

<b>Issue</b>	<b>Assessment</b>	<b>Recommendation</b>
<ul style="list-style-type: none"> <li>Truck, Car and Pedestrian Access</li> </ul>	<ul style="list-style-type: none"> <li>DEXUS has provided for separate driveways for the loading areas and car parking areas for each of these industrial lots and these will be designed in accordance with the relevant guidelines.</li> <li>The project also includes provisions for a separate pedestrian and cycle network on the internal roads to maximise clear and unobstructed sightlines at all access driveways and crossing locations. All roads within the DEXUS Estate will provide footpaths on both verges and all paths and crossings will be designed in accordance with the relevant standards.</li> <li>The Department considers that DEXUS has made adequate provisions for truck, car and pedestrian access within the Estate site and agrees with the Statement of Commitments.</li> </ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"> <li>provide pedestrian and cycleway access on internal roads generally in accordance with the Concept Plan; and</li> <li>provide suitable parking for bicycles and associated facilities such as change rooms (including lockers and, where space permits, showers) at the facility.</li> </ul>
<ul style="list-style-type: none"> <li>Traffic in Residential Areas</li> </ul>	<ul style="list-style-type: none"> <li>Submissions raised concerns regarding the potential increase in traffic through residential areas.</li> <li>However, all traffic associated with the project would not traverse residential streets.</li> <li>Further, the EA concludes that the project would generate considerably less traffic than what was previously assessed in the concept plan.</li> <li>The Department considers that the project would not result in any significant traffic impacts on residential streets surrounding the SEL.</li> </ul>	<ul style="list-style-type: none"> <li>No further conditions are required.</li> </ul>
<ul style="list-style-type: none"> <li>Car Parking Provisions</li> </ul>	<ul style="list-style-type: none"> <li>The DEXUS Estate has been designed to achieve the minimum parking requirements in the Major Development SEPP and the Greystanes SEL concept plan approval.</li> <li>As such the Department considers that the current parking provisions should be maintained.</li> </ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"> <li>ensure that all parking associated with the project are in accordance with the relevant Australian Standards; and</li> <li>that all parking generated by the project is accommodated on site, and does not queue on the public road network.</li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>A strategic noise assessment for the establishment of the Greystanes Estate, modelling worst case scenarios involving the development of heavy industry eg. metal fabrication, within the Greystanes SEL and NEL.</li> <li>The assessment found worst case noise levels would meet the criteria at the residential area to the east (ie. Nelsons Ridge) at all times.</li> <li>As the project is generally consistent with the approved concept plan, the project is unlikely to result in any construction or operational noise impacts.</li> <li>With direct access to the arterial road network, traffic generated noise would also meet relevant criteria.</li> </ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"> <li>only carry out construction on the site between 7am and 6pm Monday to Friday, and 7am and 1pm on Saturdays. No construction shall be undertaken on Sundays or public holidays; and</li> <li>ensure that any noise generated from the site does not exceed the noise impact assessment criteria.</li> </ul>
<b>Soils and water</b>	<ul style="list-style-type: none"> <li>The Department is satisfied that the project would be consistent with the approved Stormwater Management Strategy and Groundwater Management Strategy for the Greystanes SEL.</li> <li>Adequate provisions would also manage erosion and sedimentation.</li> </ul>	<p>Recommended conditions require DEXUS to:</p> <ul style="list-style-type: none"> <li>prepare and implement Erosion and Sediment Control Plans for all works involving ground disturbance prior to construction;</li> <li>prepare and implement Stormwater Management</li> </ul>

<b>Issue</b>	<b>Assessment</b>	<b>Recommendation</b>
		Plans for all building and road works on the site prior to operation; and <ul style="list-style-type: none"> <li>prevent any works obstructing the free drainage of seepage water to the Widemere East collection basin or the perimeter trench drains.</li> </ul>
<b>Energy and Greenhouse Gas</b>	<ul style="list-style-type: none"> <li>An Energy and Greenhouse Gas Assessment was undertaken for the project based on conservation measures detailed in the Greystanes SEL concept plan (see Appendix J of the EA).</li> <li>The Department is satisfied that adequate provisions have been included in the design of the project.</li> </ul>	Recommended conditions require DEXUS to: <ul style="list-style-type: none"> <li>prepare an Energy Efficiency Plan(s) for all building(s) prior to operation.</li> </ul>
<b>Waste</b>	<ul style="list-style-type: none"> <li>DEXUS has prepared a generic Waste Management Plan for the facilities in accordance with Holroyd City Council's <i>Development Control Plan – Guidelines for Planning for Less Waste</i>.</li> <li>Notwithstanding, the Department requires specific waste management plans be prepared by the occupants of each warehouse and distribution facility.</li> </ul>	Recommended conditions require DEXUS to: <ul style="list-style-type: none"> <li>implement all reasonable and feasible measures to minimise waste generated during both construction and operation; and</li> <li>prepare specific Waste Management Plans prior to operation of any each building(s) on site.</li> </ul>
<b>Hazards</b>	<ul style="list-style-type: none"> <li>The proposed warehouse and distribution centres are not expected to store significant quantities of hazardous materials or dangerous goods. However, it is noted, end users are not known at this time and may require some hazardous materials or dangerous goods storage in accordance with their individual needs.</li> <li>The Department has recommended conditions to ensure provision has been made to address potential impact from hazards and risks.</li> </ul>	Recommended conditions require DEXUS to: <ul style="list-style-type: none"> <li>undertake a Preliminary Hazard Analysis (PHA) in accordance with SEPP 33 prior to construction of any building involving storage of hazardous materials or dangerous goods; and</li> <li>store and handle all dangerous goods and hazardous substances on site in accordance with the Dangerous Goods Code and AS 1940-2004: <i>The storage and handling of flammable and combustible liquids</i>.</li> </ul>
<b>Cumulative impacts</b>	<ul style="list-style-type: none"> <li>The Department has considered the cumulative impacts of the proposed development and forms the opinion that they have been adequately mitigated.</li> </ul>	<ul style="list-style-type: none"> <li>No further conditions are required.</li> </ul>

## 6. RECOMMENDED CONDITIONS

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

- prevent, minimise, and/or offset adverse impacts of the project;
- set standards and performance measures for acceptable environmental performance;
- ensure the project is generally consistent with the Greystanes SEL concept plan;
- provide flexibility in use for potential end-users; and
- provide for ongoing environmental performance and management of the project.

DEXUS has reviewed and accepts the recommended conditions.

## 7. CONCLUSION

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

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

It has also found that the project is consistent with the objectives of the NSW State Plan, Sydney Metropolitan Strategy, and broader strategic planning being carried out for the area; and that it has been designed appropriately to ensure that it will not compromise the development of the regional road network in the Western Sydney Employment Hub.

Finally, it has found that the project offers significant economic and social benefits to the Western Sydney region, as it would attract up to \$150 million worth of capital investment and create up to 2000 jobs close to the homes within western Sydney.

Consequently, the Department considers the project meets the Greystanes SEL concept plan vision for the site to *'transform a working quarry into a high standard industrial business estate comprising a range of complimentary uses and support facilities all of which provide a range of employment opportunities'*, and has been designed to achieve a modern, high quality and distinctive design standard for the industrial estate. The Department believes that the project is in the public interest and should be approved subject to conditions.

## 8. RECOMMENDATION

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It is RECOMMENDED that the Minister:

- consider the findings and recommendations of this report;
- approve the project application, subject to conditions, under section 75J of the EP&A Act;
- sign the attached project approval (refer Appendix B); and
- sign the attached certificate for the contravention of development standard 13 under Part 22 of Schedule 3 of SEPP (Major Development).



19.10.09

Chris Wilson  
Executive Director




21/10/09

Richard Pearson  
Deputy Director-General

Felicity Greenway  
Senior Planner, MDA

19/10/09



Sam Haddad  
Director-General

22/10/2009.

# APPENDIX A: SUMMARISED CONDITIONS OF APPROVAL

Aspect	Condition No.	Requirement
<b>Schedule 3: Specific Environmental Conditions</b>		
<b>Subdivision</b>	1	<ul style="list-style-type: none"> <li>subdivide the land in accordance with the subdivision plan DX_GMP08.01 Rev F (29.05.2009) in the EA</li> </ul>
<b>Architectural Design</b>	2	<ul style="list-style-type: none"> <li>prepare detailed architectural design plans for the building(s) to be constructed on site</li> </ul>
<b>Landscape Design and Maintenance</b>	3-4	<ul style="list-style-type: none"> <li>prepare detailed landscape plans for the building(s) and/or road works to be constructed on site</li> <li>maintain the landscaping on site</li> </ul>
<b>Estate Signage</b>	5	<ul style="list-style-type: none"> <li>prepare a detailed Estate Signage Strategy</li> </ul>
<b>Estate Fencing</b>	6	<ul style="list-style-type: none"> <li>prepare a detailed Estate Fencing Strategy</li> </ul>
<b>Estate Lighting</b>	7	<ul style="list-style-type: none"> <li>to be in accordance with relevant AS, and is mounted, screened and directed in such a manner that it does not create a nuisance</li> </ul>
<b>Traffic and Transport</b>	8	<ul style="list-style-type: none"> <li>prepare a Construction and Operation Traffic Management Plan</li> </ul>
<b>Design of Internal Roads</b>	9	<ul style="list-style-type: none"> <li>construct intersections and loading facilities prior to operation of any building that requires access from that road or intersection</li> </ul>
<b>Public Transport and Bicycle Facilities</b>	10-11	<ul style="list-style-type: none"> <li>provide pedestrian and cycleway access on internal roads</li> <li>provide suitable parking for bicycles and associated facilities</li> </ul>
<b>Erosion and Sedimentation</b>	14-15	<ul style="list-style-type: none"> <li>prepare Erosion and Sediment Control Plans for all works involving ground disturbance</li> </ul>
<b>Stormwater Management</b>	16	<ul style="list-style-type: none"> <li>prepare a Stormwater Management Plan for all building(s) and road works on the site</li> </ul>
<b>Drainage</b>	17	<ul style="list-style-type: none"> <li>do not obstruct the free drainage of seepage water to the Widemere East collection basin or the perimeter trench drains</li> </ul>
<b>Contamination</b>	18	<ul style="list-style-type: none"> <li>submit a Site Audit Statement from an accredited Site Auditor</li> </ul>
<b>Noise</b>	19-20	<ul style="list-style-type: none"> <li>noise shall not exceed the noise impact assessment criteria</li> </ul>
<b>Air Quality</b>	21-22	<ul style="list-style-type: none"> <li>implement dust, odour and air emission mitigation measure</li> </ul>
<b>Energy and Greenhouse Gas</b>	24	<ul style="list-style-type: none"> <li>prepare a Energy Efficiency Plan prior to operation of any building(s)</li> </ul>
<b>Waste Management</b>	26	<ul style="list-style-type: none"> <li>prepare a Waste Management Plan prior to operation of any building(s)</li> </ul>
<b>Hazards</b>	27-28	<ul style="list-style-type: none"> <li>undertake a PHA in accordance with SEPP 33 prior to construction of any building(s) involving the storage of hazardous materials or dangerous goods</li> </ul>
<b>Schedule 4: Environmental Management and Incident Reporting</b>		
<b>Environmental Management Strategy</b>	1	<ul style="list-style-type: none"> <li>prepare and implement an Environmental Management Strategy for the project.</li> </ul>
<b>Incident Reporting</b>	2-3	<ul style="list-style-type: none"> <li>notify the Department and any relevant agencies of any incident</li> </ul>

# APPENDIX B: CONDITIONS OF APPROVAL

Refer to Department of Planning website

## APPENDIX C: ENVIRONMENTAL PLANNING INSTRUMENTS CONSIDERATION

### **State Environmental Planning Policy (Major Development) 2005**

SEPP (Major Development) 2005 aims to identify projects of State or regional planning significance that are of a kind that the approval and assessment process under Part 3A of the EP&A Act should apply.

The Greystanes SEL site is listed as a State significant site under Schedule 3 of the Major Project SEPP. The SEPP zones the DEXUS Estate site IN2 Light Industrial, and the project is permissible with consent in this zone.

Schedule 3 of the SEPP provides a range of development standards that apply to development within the Greystanes SEL. Consideration of the relevant development standards is presented in the following table.

It is noted that clause 19, Part 22 of Schedule 3 provides that the development standards imposed by the SEPP may be varied for major projects if the Director-General of the Department of Planning is satisfied, and issues a certificate to the effect, that:

- a) compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
- b) there are sufficient environmental planning grounds to justify exempting the development from that development standard.

In deciding whether to issue a certificate, the Director-General must consider:

- a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning;
- b) the public benefit of maintaining the development standard; and
- c) any other matters required to be taken into consideration by the Director-General.

The Department has considered each applicable development standard in the table below.

<b>Clause (Part 22, Sch 3)</b>	<b>Issue</b>	<b>Key Control Summary</b>	<b>Complies (Yes or No)</b>	<b>Comments</b>
13	Building Height	<ul style="list-style-type: none"> <li>▪ Maximum height is 15 metres in IN2 zone</li> </ul>	No	<ul style="list-style-type: none"> <li>▪ The project seeks approval for building heights up to 25 metres and 40 metres in limited, defined areas of the site</li> <li>▪ The Department is satisfied a variation in the development standard is warranted. See Section 5.1 of this report</li> </ul>
14	Gross Floor Area (GFA)	<ul style="list-style-type: none"> <li>▪ Maximum office GFA in IN2 zone is:               <ul style="list-style-type: none"> <li>- 50%, for lots within 400 metres of bus stop; and</li> <li>- 30%, for lots more than 400 metres of bus stop</li> </ul> </li> </ul>	Yes	<ul style="list-style-type: none"> <li>▪ The proposed masterplan (and alternatives) has a maximum overall GFA of 11%.</li> </ul>
15	Floor Space Ratio	<ul style="list-style-type: none"> <li>▪ Maximum floor space ration in IN2 zone s 0.75:1</li> </ul>	Yes	<ul style="list-style-type: none"> <li>▪ The proposed masterplan (and alternative) has a maximum overall FSR of 0.56:1</li> </ul>
16	Hotel Accommodation	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>	NA	<ul style="list-style-type: none"> <li>▪ The project does not involve hotel development</li> </ul>
17	Child Care Centres	<ul style="list-style-type: none"> <li>▪ Not applicable</li> </ul>	NA	<ul style="list-style-type: none"> <li>▪ The project does not involve child care development</li> </ul>
18	Car Parking	<ul style="list-style-type: none"> <li>▪ Car parking rates include:               <ul style="list-style-type: none"> <li>- Warehouse or distribution</li> </ul> </li> </ul>	Yes	<ul style="list-style-type: none"> <li>▪ The project has been designed to comply with the car parking rates</li> </ul>

		centres, 1 space per 300 m <sup>2</sup> ; - Offices, 1 space per 40m <sup>2</sup>		
21	Design Excellence	<ul style="list-style-type: none"> <li>Required building to achieve a high level of architectural design merit</li> </ul>	Yes	<ul style="list-style-type: none"> <li>The project's urban design and architecture have been designed by prominent architects Mackenzie Pronk and Tdesign in a manner that achieves design excellence</li> </ul>
22	Architectural Roof Features	<ul style="list-style-type: none"> <li>Allows decorative architectural roof elements above the maximum building height under certain circumstances</li> </ul>	Yes	<ul style="list-style-type: none"> <li>Whilst the building heights will be varied from the SEPP, the project does not involve architectural roof elements above the proposed heights, other than as shown on the architectural plans</li> </ul>
23	Public Utility Infrastructure	<ul style="list-style-type: none"> <li>Requires infrastructure to be provided, including potable water, electricity, gas and sewerage</li> </ul>	Yes	<ul style="list-style-type: none"> <li>All required infrastructure for the Greystanes SEL has been approved</li> </ul>

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

SEPP (Infrastructure) 2007 aims to facilitate the effective delivery of infrastructure across the State and ensures that the RTA is given the opportunity to make representations on certain traffic generating development applications before a consent authority makes a determination on the proposal.

The project meets the thresholds in schedule 3 of the SEPP (as industry with an area of over 20,000m<sup>2</sup>, or any purpose with a capacity of 200 or more motor vehicles), and is therefore considered to be traffic generating development for the purposes of the SEPP. Consequently, the application has been referred to the RTA for comment.

The traffic assessment submitted by DEXUS indicates that the project is unlikely to result in any significant traffic impacts (refer Section 6.5 of the EA).

### **State Environmental Planning Policy No.33 - Hazardous and Offensive Development**

SEPP 33 provides definitions for hazardous and offensive industry to enable decisions on developments to be made on the basis of merit, rather than on industry type per se.

The project as a whole is not expected to involve the storage, distribution or use of significant quantities of dangerous goods or hazardous substances. Nor is the project expected to emit a polluting discharge (eg. noise or odour) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land.

Accordingly, it is considered that the project does not constitute a 'potentially hazardous industry' or 'potentially offensive industry', and that the project is able to be conducted in a manner that is consistent with the aims and objectives of SEPP 33.

However, as the end-users for the facilities are not known at this stage, there is the possibility that some end-users would require the storage, distribution or use of dangerous goods or hazardous substances. Accordingly, DEXUS has included a commitment to provide an analysis against SEPP 33 and the Department of Planning's Applying SEPP 33 guidelines, prior to construction or installation of any dangerous goods and/or hazardous materials.

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

SEPP 55 aims to provide for a statewide planning approach to the remediation of contaminated land, and in particular, to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment.

Clause 7 of the SEPP requires a consent authority to consider whether the land to which a project/development application relates 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.

Site contamination within the Greystanes SEL has been assessed and is being managed as part of the planning for the concept plan.

Boral has obtained a site audit statement certifying that Stage 1 of the *DEXUS Estate* site is not contaminated and is suitable for its intended industrial/ commercial landuse. Additional site audit statements will be provided from Boral to DEXUS with the release of each subsequent stage (Nb. Provision of the site audit statement is a contractual requirement on the sale of the land to DEXUS). DEXUS has committed to ensuring that a site audit statement has been prepared for the relevant part of the site, prior to commencing any construction activities. The site audit statement would certify that the relevant part of the site is suitable for commercial/industrial landuse.

With this commitment, the project is able to be conducted in a manner that is consistent with the aims, objectives and provisions of SEPP 55.

# APPENDIX D: SUBMISSIONS

Refer to Department of Planning website

# **APPENDIX E: PROPONENT'S RESPONSE TO SUBMISSIONS**

Refer to Department of Planning website

# APPENDIX F: ENVIRONMENTAL ASSESSMENT

Refer to Department of Planning website