

In reply please quote: 22/25794

Contact: Elizabeth Workman - (02) 9725 0292

20 August 2025

Tom Bertwistle
Senior Environmental Assessment Officer
Industry Assessments
NSW Department of Planning, Housing, and Infrastructure (DPHI)
GPO Box 39
SYDNEY NSW 2000

Dear Mr Bertwistle,

SSD-50972718 – PROPOSED WALLGROVE ROAD BUSINESS HUB WITHIN WESTERN SYDNEY PARKLANDS AT 97-151 WALLGROVE ROAD, HORSLEY PARK (Lot 25 DP 2954 and Lot 24 DP 1152887) – RESPONSE TO REQUEST FOR FURTHER INFORMATION

Fairfield City Council is in receipt of a further response from the applicant in relation to a request for additional information for the abovementioned State Significant Development (SSD) application at 97-151 Wallgrove Road, Horsley Park. The response has been prepared by Keylan Consulting on behalf of the Western Sydney Parklands Trust (WSPT). Council officers appreciate the opportunity to continue being consulted on such a significant development within the Fairfield Local Government Area.

It is understood that the final development outcome for the site will still result in two warehouse buildings with three tenancies accommodating a range of potential uses including light industrial, warehouse and distribution facilities, ancillary office facilities and car parking. The proposal, the subject of this SSD application (50972718), is for Stage 1 works comprising bulk earthworks and site preparation including demolition, vegetation removal, earthworks, footings, inground servicing, subdivision and landscaping. The WSPT will remain as the owners of the site.

The following comments are provided in response to the second RTS letter from the applicant Keylan Consulting on behalf of the WSPT dated 6 August 2025.

Internal Estate Road and Noise Wall

Council acknowledges and supports the amended plans which ensure the proposed noise walls and internal estate road will remain under the ownership and responsibility of the WSPT.

This reflects Council's position that dedication of the internal estate road to Council would not be supported as the estate road primarily serves a single owner and is therefore a driveway as opposed to a "public road".

Wastewater Management

Council had previously requested that the applicant prepare a Wastewater Management Strategy which included details of the proposed wastewater treatment system to be used for potential future uses on the site, prior to determination of the SSD application. This request was to ensure that the proposed wastewater treatment system is one that can be supported by Council and accommodate potential land uses on the site under future Development Applications. Addressing this issue now will hopefully eliminate the need for any significant redesign and modification of the concept plan at a future date.

The applicant has advised in the latest response to request for additional information that:

"It should be noted that the construction and operation of wastewater services will be subject to the future DA's."

Council's Public Health and Environment Branch (PH&EB) have provided the following comment in response to this position.

As a result of the above, the applicant should be made aware that each Lot will require its own designated On-site Sewage Management Facility. With any Development Application submitted to Council, an On-site Wastewater Report prepared by a suitably qualified Environmental consultant shall be submitted to Council for each Lot. The wastewater report shall demonstrate compliance with Council's On-Site Wastewater Strategy, AS/NZS 1547:2012 and any other relevant document or guideline.

Construction Noise Management

Exceedances of the 'Noise Affected Management Level' are anticipated during high noise-generating activities near project boundaries. In light of this, the following recommendations are requested:

- **Noise Management Plan:** A detailed plan should be developed by the main contractor, outlining construction phases, programme, processes and equipment, noise impact assessment, and proposed mitigation and management measures.

High noise generating activities such as concrete pumps, mobile cranes, and semi-trailers accessing the site are more likely to create higher levels of noise. Given these are all types of mobile equipment, consideration may be given during the construction scheduling phase to locating accessways and site planning to orient these activities further from nearby residents in particular.

- **Quiet Work Methods/Technologies:**
 - **Materials Handling/Vehicles:**
 - Trucks and bobcats should use non-tonal reversing beacons (subject to OH&S requirements) to minimise potential disturbance to neighbours.
 - Careless dropping of construction materials into empty trucks should be avoided.
 - Where feasible, trucks, trailers, and concrete trucks should turn off engines during idling to reduce noise (unless engine operation is required for concrete pumping).
 - **Process Location:** Construction processes should be positioned to minimise impacts on surrounding development. For example, concrete pumps could be oriented towards the southern portion of the site to maximise separation from sensitive receivers.
- **Site Access:** Vehicles for construction activity should arrive and depart within the approved hours of work.
- **Sensitive Receiver Consideration:** Efforts should be made to avoid high noise activities near the nearest sensitive receivers. Simultaneous high-noise activities in close proximity to receivers should be avoided where possible.
- **Complaints Handling:** In the event of a complaint, the procedures outlined in Sections 8.9, 8.10, and 8.11 of the Noise and Vibration Impact Assessment should be followed.
- **Site Induction:**
 - A copy of the Noise Management Plan should be made available to contractors, with its location communicated during site induction.
 - Inductions should also specify the site contact to be notified in the event of a noise complaint.

The above assessment and recommendations provide guidance to minimise noise impacts during construction and ensure compliance with noise management requirements.

Air Quality Assessment

The Air Quality Impact Assessment states the main air emissions from the Project are dust during construction and vehicle exhaust during operation. A qualitative risk assessment found that construction dust can be effectively managed, with low risk to nearby residential areas and negligible risk to industrial/commercial areas. Operational activities

(warehousing, storage, and distribution) are expected to have minimal off-site air impacts, provided measures like turning off idling engines are implemented. Overall, whilst air quality is not considered a constraint for the Project the following recommendations are proposed to ensure impacts on adjoining rural residential land uses are minimised.

Recommendations

Council's PH&E officer recommends that the following points should be adopted by the determining authority (Department of Planning) to protect the residents of Fairfield LGA adjoining the proposed development site, to the greatest extent possible:

NSW EPA-accredited Site Auditor

The Applicant shall engage an NSW EPA-accredited Site Auditor throughout the duration of works to ensure the contamination remediation works are appropriately managed.

Reason: To ensure the contamination remediation works are appropriately managed.

Validation Report

A validation report shall be prepared by a suitably qualified contaminated land consultant and be provided to Fairfield City Council for review no later than sixty (60) days after the remediation is completed. The Validation Report shall be prepared in accordance with Consultants Reporting on Contaminated Land, Contaminated Land Guidelines, NSW EPA, 2020 (EPA 2020) and the Environment Protection Authority Contaminated Sites Guideline series.

Reason: To ensure the site is remediated.

Site Audit Statement

Submit a Section A or Section B site audit statement (SAS) and associated site audit report (SAR), in accordance with the Contaminated Land Management (CLM) Act 1997 and to the satisfaction of Council's, certifying that the site is suitable for the approved land use/s.

In circumstances where the SAS conditions, if any, are not consistent with the consent, a Section 4.55 modification in accordance with the Environmental Planning & Assessment (EP&A) Act 1979 may be required.

Reason: To ensure the site is suitable for the proposed use.

Acoustic Report

An acoustic report is to be prepared and submitted to consent authority for its assessment and approval within three (3) months of occupation/completion of the development. The report shall include but is not limited to the following information:

- a) Noise measurements taken at the nearing noise sensitive locations as indicated in the Noise and Vibration Assessment, prepared by Aurecon, 14 June 2024, ref: P521243
- b) Verification that noise levels at the nearest potentially affected receiver comply with all relevant assessment criteria detailed in the abovementioned report.
- c) All complaints received from residents in relation to the operation of the premises/development.

- d) Where noise measurements required under point a) above indicate that the relevant assessment criteria are exceeded, recommendations shall be provided in relation to how noise emissions can be satisfactorily reduced to comply with the assessment criteria.

Following written approval from consent authority, any recommendations provided under point d) above shall be implemented fully.

Reason: To ensure the use of the premises does not have a negative impact upon nearby owners/occupants.

NSW Protection of the Environment Operations Act 1997

The use of the premises shall operate in accordance with the Protection of the Environment Operations Act (POEO) 1997. All activities and operations carried out shall not give rise to air pollution (including odour), offensive noise or pollution of land and/or water as defined under the Protection of the Environment Operations Act 1997.

Reason: To ensure compliance with POEO Act 1997.

Dust Management Plan

A Dust Management Plan shall be prepared by a qualified environmental consultant prior to any works (bulk earth works, demolition and construction etc) occurring on the site.

Recommendations and dust mitigation measures outlined within this plan shall be implemented prior to any works occurring on site. Dust mitigation measures shall be maintained over the course of all construction works.

Reason: To ensure the use of the premises does not have a negative impact upon nearby owners/occupants and complies with the POEO Act 1997.

Air Quality Impact Assessment

Any recommendations present within the Air Quality and Odour Assessment report, prepared by SLR, dated 11 July 2025, shall be complied with.

Reason: To ensure the use of the premises does not have a negative impact upon nearby owners/occupants.

Traffic and Parking

Council's Traffic Engineers have reviewed the applicant's response to request for further information and provide the following advice in relation to additional traffic and parking information.

Council maintains its position that the provision of off-street parking spaces shall be in accordance with the Fairfield City Wide Development Control Plan 2023 and Council's parking requirements. As per the previous traffic comments any variations to the parking requirements (once final uses of buildings is proposed) shall be justified by way of a parking survey of existing similar developments of similar scale and operating characteristics. The applicant has not provided any information to justify that the use of parking rate 1 space per 300m² for the state significant development proposal is adequate.

Also, the applicant shall consider the option to install 'No Parking' and/or 'No Stopping' restrictions to facilitate two-way traffic flows on the Estate Road. Otherwise, the applicant should undertake a risk assessment to justify that the installation of 'No Parking' and/or 'No Stopping' restrictions is not required.

In addition, the Applicant should be required as a condition of development consent under the SSD to undertake a Road Safety Audit report to be approved by Council's subdivision engineers. An Operational Traffic Management Plan should also be required to be prepared prior to the occupation and operation of future development land uses.

Thank you for the opportunity to review and comment on the additional information submitted. Should you require any further information or clarification on any of the issues raised above, please contact the undersigned on (02) 9725 0292.

Yours faithfully,



Elizabeth Workman
SENIOR STRATEGIC PLANNER