

In reply please quote: 22/25794

Contact: Elizabeth Workman - (02) 9725 0292

1 October 2024

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)

Fairfield City Council is in receipt of the abovementioned State Significant Development (SSD) application at 97-151 Wallgrove Road, Horsley Park. The Environmental Impact Statement (EIS) is currently on public exhibition. Council officers appreciate the opportunity to provide comments on such a significant development within the Fairfield Local Government Area.

It is understood the final development outcome for the site will 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 proposed development seeks consent for the following:

- the site preparation and bulk earthworks including site clearing to establish the future development sites;
- provision of an access road to connect to Wallgrove Road, for dedication to Council;
- provision of internal roads to service the warehouses;
- installation of site services and stormwater management infrastructure to accommodate the future development of the site;
- Torrens title subdivision to create separate development lots, and dedication of road to Council;
- stormwater management works to manage the quality and quantity of water flows across the site and avoid adverse impacts to adjoining properties;
- delivery of utility services required to service the proposed development, including necessary upgrades and siting and design of the proposed industrial subdivision; and

- landscaping of road reserves, buffers.

The built form and specific footprints on each of the proposed warehouses will be addressed within the future development applications.

Council officers have reviewed the EIS and the supporting technical reports. The following review of the EIS either provides comments or requests further information be submitted as part of Council Officers consideration of the proposal.

A. Heritage

The Fairfield Aboriginal Heritage Study 2017 (prepared by Mary Dalla Consulting Archaeologists – see link below) indicates that the site is located within an Aboriginal Potential Investigation Area (PIA).

[Heritage Conservation | Fairfield City Council \(nsw.gov.au\)](#)

The scope of site investigations and analysis detailed in the ACHA Report (prepared by Artefact) for the proposal are generally in accordance with the provisions of Chp.3B of the Fairfield City Wide DCP 2024 having regard to the Aboriginal PIA status of the site.

Accordingly, to comply with the provisions of the NSW Heritage Act and National Parks & Wildlife Act (1974) and ensure the protection of all objects, relics and historical artefacts that are significant it is recommended that the following conditions be included as part of future consent:

Aboriginal Heritage & Archaeology

If any Aboriginal objects or bones suspected of being human are identified during construction, site workers must:

- a. Not further disturb or move these remains.*
- b. Immediately cease all work at the location.*
- c. In the case of suspected human remains only, notify NSW Police. In the case of Aboriginal objects, notify The Office of Environment & Heritage Environment Line on 131 555 as soon as practicable and provide available details of the objects or remains and their location. The Gandangara Local Aboriginal Land Council should also be notified to assist in the determination of appropriate management for the objects or remains.*
- d. Not recommence any work at the location unless authorised in writing by the Office of Environment & Heritage*

If remnants or artefacts are found during the progression of works on the site, excavation or disturbance of the area is to stop immediately. In accordance with s.146(a) of the Heritage Act, 1977 the Applicant must ensure the Heritage Council of NSW is notified within a reasonable time of the discovery or location of these relics. Archaeological assessment and approval, or endorsement, may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

A policy of managing the known relics and an interpretative strategy developed on how to interpret any relics found on the site must be developed and subject to separate approval by Council's Heritage Advisor.

B. Management of Social Impacts

Employment

The Social Impact Assessment proposes the creation of local employment opportunities and states that "The proposed development, will provide a number of public interest benefits, including employment generation in the planning, implementation, and construction of the proposed development, and in the operation of the business hub." With Fairfield City's high unemployment rates and low levels of education this development could potentially provide jobs for local residents. It would be highly beneficial for Fairfield residents to gain temporary or sustained employment out of the development.

Council would encourage the sourcing of local labour to undertake the development, and would suggest the development of an employment strategy to target local recruitment. Key initiatives of this strategy would include partnerships with local businesses, visits to local schools and incorporation of inclusion/diversity targets in the outcomes.

Local Residents

The SIA states that there will likely be impacts on local residents to the immediate north of the site. Although no objections were raised when contacted regarding the Social Impact Assessment, Council recommends keeping lines of communication open with residents so they can bring any notable adverse impacts to the attention of the developer.

Disability Access

The SIA does not speak specifically to the development being accessible for employees and visitors with disability, it is suggested that disability inclusion is considered at the forefront of any further planning and/or SIA. Council encourages the applicant to outline their commitment to disability inclusion and access to the site for employees and visitors. Council is committed to overseeing a more inclusive Fairfield City where people with disability can participate in all areas of community life. Council's Disability Action Plan 2022 – 2026 outlines the importance of inclusion for people with disability, including in relation to four key areas including attitudes and behaviours, liveable communities, meaningful employment and equitable access to mainstream services.

C. Natural Resources Management – Biodiversity Values

A Biodiversity Development Assessment Report (BDAR) has been prepared by Ecoplanning in accordance with the Biodiversity Conservation Act 2016. The subject land includes areas of native and exotic vegetation. Biodiversity Assessment Method (BAM) vegetation integrity (VI) plots were completed to assess the vegetation and habitat values affected by the proposal. The following Plant Community Types (PCTs) were validated as present within the subject land:

- PCT 3320 – Cumberland Plain Shale Woodland
- No PCT – Exotic Pasture
- No PCT – Planted Exotics and Natives, and existing structures

It is determined that a total of 1.40ha of the Cumberland Shale Plains Woodland will be directly impacted by the proposal and therefore requires a total of 38 ecosystem credits and 30 threatened species credits to offset the biodiversity impacts of the development.

Impacts on native and exotic vegetation are expected. The principle of avoidance has been considered and should be achieved by siting the development footprint primarily within areas of exotic pasture. Moreover, maintenance and potential improvement of native vegetation will be accomplished through the implementation of existing management plans for the Western Sydney Parklands for retained vegetation.

The matter was referred to Council's Natural Resources Team and raised no issues subject to implementing the recommendations of the BDAR, specifically mitigation and management of impacts on page 90 will be required to be implemented.

D. Traffic and Transport

Key traffic and transport related features of the Business Hub include:

- An internal road including noise wall (i.e. Estate Road) with a turning head (on the northern side of the site) accessible via Wallgrove Road at the northern boundary of the site;
- Building 1: setback west of Wallgrove Road with approximately 10,375m² of industrial/warehouse floorspace as well as ancillary office spaces;
- Building 2: situated next to Wallgrove Road with approximately 24,975m² of industrial/warehouse floorspace as well as ancillary office spaces;
- Three car park areas; and
- Two truck hardstand areas.

Proposed vehicle access and parking

Site access is proposed via Wallgrove Road. Access arrangement will consist of the construction of a new intersection including the provision of northbound auxiliary lanes and a traffic island to support and geometrically channelise a “left-in and left out” treatment, as shown in Figure 1 below.

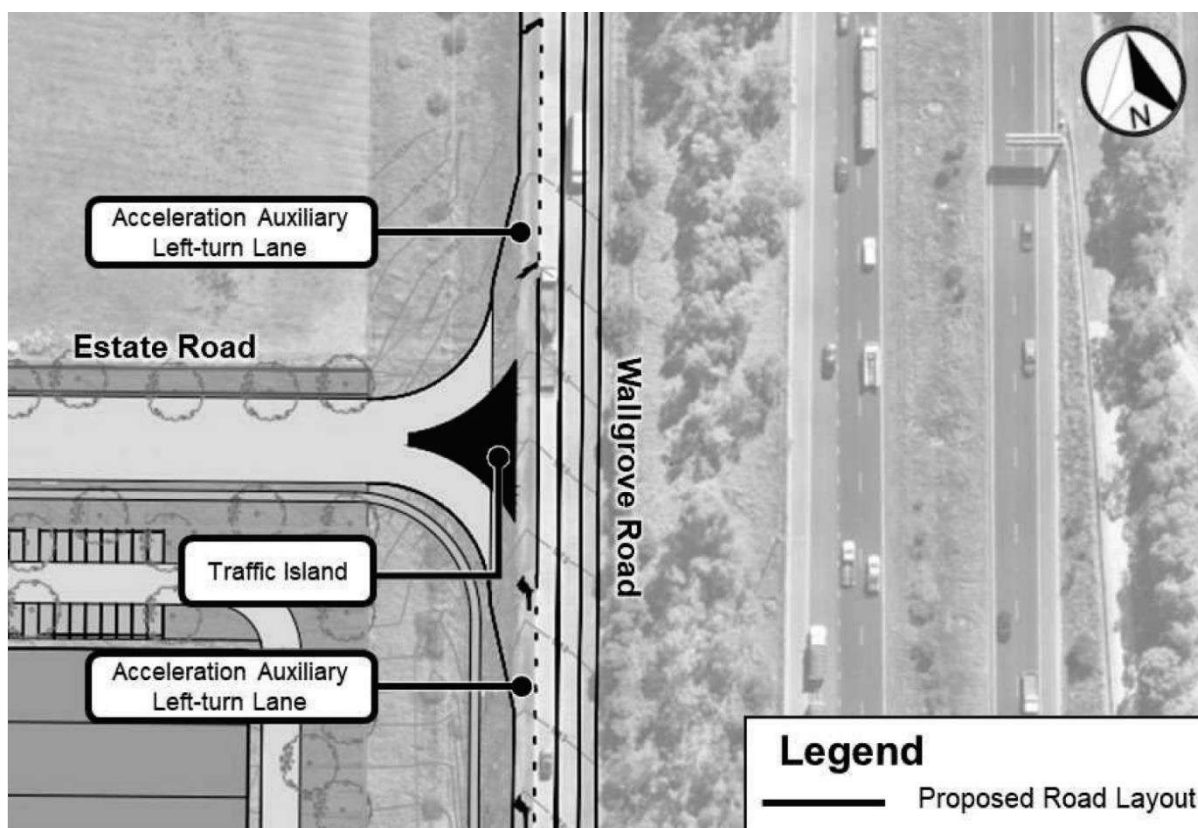


Figure 1: Proposed access arrangement.

Council considers there are significant issues associated with construction of a compliant acceleration lane. As the applicant is aware and as mentioned in Section 3.4 of the EIS, TfNSW has approved a new access arrangement for the Wallgrove Road/Kosovich Place intersection. Provision of the acceleration lane associated with SSD 50972718 would conflict with northbound left turn movements at the Kosovich Place intersection and raise safety issues. In addition, 910m is noted to be rather extensive for an acceleration lane. Thus, it is recommended that any acceleration lane be subject to further investigation and discussion with TfNSW.

Furthermore, as part of the proposed ‘left-in/left-out’ access arrangement a traffic island is proposed to ensure access/egress movements were restricted to left-turning movements only. Design of this traffic island was based on swept path analysis of left-turning access/egress movements for 19m semi-trailers. Details of this swept path analysis are also provided as part of the concept plan in Appendix B of the EIS.

Internal Access Road Layout

Assessment of the on-site internal access road layout has been undertaken with reference to Table 4.3 of the Austroads' Guide to Road Design Part 3 Geometric Design, shown below in Figure 2 below, which outlines appropriate urban arterial road widths. Based on the site layout and that high truck volumes are expected to access the site, 4.2m was determined to be the appropriate lane width of the internal access road on-site.

Element	Lane width (m)	Comments
General traffic lane	3.5	General traffic lane widths to be used for all roads
	3.0–3.4	For use on low speed roads with low truck volumes
Service road lane	3.4–5.5	Range of lane widths on service roads (refer to Section 4.12)
Wide kerbside lane	4.2	Locations where there are high truck volumes (additional width provided for trucks)
	4.2–4.5	Locations where motorists and cyclists use the same lane (refer Section 4.9.11 and Commentary 6)
HOV lane	3.5–4.5	Bus lane (refer Section 4.10.2)
	3.3	Tram/light rail vehicle lane (refer Section 4.10.3)
Minimum width between kerb and channel (to provide for passing of broken down vehicles)	5.0 ⁽¹⁾ –6.5 ⁽²⁾	Width of a single lane suitable for use in a left turn slip lane, or two lane, two way divided road with a raised median
	2 × 4.0 (8.0)	Width of two lanes that provide for two lines of traffic to (slowly) pass a broken down vehicle.

Figure 2: Adopted from Source: Austroads Guide to Road Design Part 3: Geometric Design table 4.3.

Parking Provision

Parking provision requirements are provided by Fairfield Citywide DCP 2023 and TfNSW's Guide to Traffic Generating Developments October 2002 as shown in Tables 1 and 2 below:

Table 1: Car parking rates

Use/Activity	Minimum Number of Car Spaces Required	Source
Warehouse	1 space per 80m ² GLA	Fairfield City DCP 2013 Chapter 12 Table 1, Warehouse or Distribution Centre
	1 space per 300m ² GFA	TfNSW's Guide to Traffic Generating Developments 2002 Chapter 5.11.2

A conservative approach was adopted for this SSD, thus the TfNSW's Guide to Traffic Generating Developments 2002 rate of 1 space per 300m² was adopted by the applicant.

Table 2: Requirements for the car parking and provision of spaces

Parking Type	Parking Rates	Floorspace / Parking	Parking Required	Parking Provision
Cars				
Building 1 Warehouse 1	1 space per 300m ² of GFA (TfNSW's Guide to Traffic Generating Developments 2002 Chapter 5.11.2)	9,875m ² GFA	33	69
Building 2 Warehouse 1		12,120m ² GFA	40	62
Building 2 Warehouse 1		11,855m ² GFA	40	52
Total			113	183

Traffic Generation

The applicant's traffic impact assessment has estimated that the development traffic generation is as follows:

Table 3: Development Traffic Generation

Building Type	Gross Floor Area	The anticipated traffic generation
Warehouse 1	9,875m ²	AM = 6 PM = 70
Warehouse 2	23,975m ²	AM = 127 PM = 144
Total	AM	133
	PM	214

Council Traffic Engineer's Comments

- All issues raised by Transport for NSW (TfNSW) with regards to the state significant development proposal shall be satisfactorily addressed prior to the determination of the State Significant Development Application (SSDA). The applicant shall provide any comments that have been received from TfNSW so far to support the SSDA in its proposed layout and use;
- The provision of vehicular access off Wallgrove Road (state road) requires support and approval from TfNSW. The applicant shall liaise with TfNSW in relation to the future road widening works on Wallgrove Road. Any impacts of the development proposal on Wallgrove Road widening or vice versa shall be addressed;
- The applicant shall obtain support in writing from TfNSW regarding construction of a new intersection including the provision of northbound auxiliary lanes and a traffic island to

support and geometrically channelise a “left-in and left out” treatment. Any proposed treatments including a deceleration lane and lane configuration changes on Wallgrove Road that would affect the proposal to widen the state road or if the treatments are impacting traffic flows/conditions in state road must be supported and approved by TfNSW. Subject to agreement with TfNSW and Council, the applicant shall enter into a works authorisation deed (WAD) with TfNSW before commencing any works that would impact traffic flows on the state road network. If so, all matters and formal approvals related to intersection/road treatments can be addressed after the SSDA is approved and prior to the issue of a Construction Certificate for the subject development site;

- The development proposal is expected to generate 133 vehicle trips and 214 vehicle trips in the AM and PM peak hour respectively which are considered relatively high. With only one vehicular access being proposed to and from the site via Wallgrove Road, the applicant shall submit to Council an operational traffic management plan detailing how the peak traffic generation will be managed and accommodated wholly within the site without creating internal manoeuvring issue or without impacting traffic flows on the adjoining road network;
- 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. Any variations to the parking requirements shall be justified by way of a parking survey of a similar development of similar scale and operating characteristics. Unless otherwise agreed, the applicant should not rely on the predicted use/parking demands of the site based on its current use as this could change in the future;
- Service vehicles shall only carry out loading and unloading activities from the designated loading areas and shall not obstruct the flow of traffic within the site. The applicant shall submit to Council a loading management plan for assessment. As part of the loading management plan submission, the applicant shall incorporate a breakdown of the types of heavy vehicles accessing the site (for examples, medium rigid vehicles, 12.5m heavy rigid vehicles, 19m semi-trailers etc.) on hourly basis through the day to Council for assessment;
- The applicant shall engage an Accredited Road Safety Audit to identify all road safety risks associated with the proposed treatments on Wallgrove Road and the proposed internal access road off Wallgrove Road. Subject to the outcome of the road safety audit, the applicant shall complete corrective actions to address any issues/deficiencies as required;
- Based on the applicants’ swept path diagrams, the internal access road is not adequate to accommodate two-way heavy vehicle movements when vehicles are permitted to park on either side of the road. The applicant shall consider the option to install “No Stopping” and “No Parking” restrictions on the internal access road to facilitate two-way traffic flows. All costs associated with the installation of parking restrictions shall be borne by the applicant; and
- The applicant’s swept path diagrams (turning path diagrams for trucks manoeuvring within the site) in Appendix B of the traffic and parking impact assessment report shall

demonstrate that the 19m semi-trailer can satisfactorily turn into, within and out of the site e.g. into and out of the driveways without impacting other users and the adjacent state road network. The turning path diagrams shall also show that the largest vehicle can satisfactorily turn into and out of the loading bay(s) and they can negotiate the intersection areas. Based on a review of the site plan provided by the applicant, it appears that there are sections of the site which are not sufficient to cater for two-way traffic flows. Where one-way roadway is provided within the site, the direction of travel within the site shall be clarified through signs and/or line markings (one-way pavement arrows).

Noise Wall and Internal Estate Road

The development proposes to dedicate the northern internal road of the business hub to Council. However, the SSD identifies a proposed noise wall within this road reserve which would then by default end up being Council's responsibility to maintain.

Council traditionally does not look after noise walls, as it does not have the “capability” to maintain them. Noise wall assets are more suitably owned by TfNSW, however as this is an internal road within the development estate, it is recommended that the estate road remain as a private accessway managed by the applicant/owner of the development being Western Sydney Parklands Trust. Asset Management does not support either of the two suggestions (ownership of internal access road and ownership of the noise wall).

Construction Traffic Issues

- The applicant’s preliminary Construction Traffic Management Plan (CTMP) shall detail the construction vehicle routes, number of trucks on a daily/weekly basis, hours of operation, access arrangements and traffic control for review and approval;
- The applicant’s CTMP so far has advised Council the following:
 - A swept path analysis is yet to be undertaken for the largest construction vehicle as this is not yet known at this point. Swept paths have been run for the 19m semi-trailer vehicle as part of the operational period traffic impact assessment and have been proven to be accommodated for access to and from the site.
 - The applicant shall undertake swept path analysis (swept path diagrams) to demonstrate that the largest construction vehicle can satisfactorily traverse the requested routes (entire route) when approaching and departing the site; and
- The construction impacts of the development site onto the adjacent road network need to be assessed. The applicant shall specify the types and the number of heavy and light vehicle trips to and from the site at various stages of the construction works. The CTMP should also provide a summary of the construction works, the types, the number of construction vehicles, the largest vehicle required at each stages of the work.

E. Stormwater Management

Council's stormwater engineer's have assessed the information provided within the EIS and concluded the proposal is generally acceptable however the following information is required before the assessment can be finalised.

Stormwater Management

The applicant shall submit Drains model used in the stormwater design for review by Council's engineers.

The discharge point from OSD basin 1 is considered too close to the creek. It is recommended that the discharge point be located further away from the creek to prevent erosion within the creek banks.

F. Asset Management

Applications for Vehicular Crossings:

- The applicant is responsible for the design, construction and maintenance of vehicular crossings which are required to comply with Council's Vehicular Crossing Policy, Public Domain Manual and Standards and Specifications. For further information regarding the application process for a new driveway please refer to the link provided – [Vehicular Crossings Fairfield City Council](#)
- Vertical alignment of each driveway needs to be checked in the detailed design stage to avoid cars scraping when entering and exiting the site.

Footpath Proposal:

- Assets recommends minimum 100mm thick concrete with SL72 mesh centrally placed as the footpath is in an industrial area.
- Footpaths are to be shown clearly on Civil Engineering Plans.
- For trees planted, the footpath pavement slab must be strengthened including provision of gutter guard, TripStop joints and plant suitable varieties of trees for footpath pavement. Provide tree pit details, to include Stratacell or Stratavault or similar. Species of trees are to be carefully selected to plant near concrete structures to minimise the impact from tree roots lifting the pavers or concrete path (Please consult with Asset Manager – Open Space for further advice).

Dilapidation Survey:

- The standard condition used for the dilapidation report (as per below) is suitable.

PROTECTION OF PUBLIC INFRASTRUCTURE

A17. Before the commencement of construction, the Applicant must:

(a) consult with the relevant owner and provider of services that are likely to be affected by the development to make suitable arrangements for access to, diversion, protection and support of the affected infrastructure;

(b) prepare a dilapidation report identifying the condition of all public infrastructure in the vicinity of the site (including roads, kerb and gutters, footpaths, concrete open channel/culvert and road bridge); and

(c) submit a copy of the dilapidation report to the Planning Secretary and Council.

A18. Unless the Applicant and the applicable authority agree otherwise, the Applicant must:

(a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and

(b) relocate, or pay the full costs associated with relocating, any public infrastructure that needs to be relocated as a result of the development.

Any Proposed Work in Council's Road Reserve:

- Maintenance of the proposed boundary fences and retaining walls are to be the responsibility of the owner.

Damage to Council Assets:

- Any damage to Council's assets must be restored to Council standards and specifications prior to the issue of a Road Reserve Clearance Certificate.
- Confirm if there any other Council assets that are proposed to be demolished or impacted by the proposed design.

Stormwater Drainage Assets:

- Provide details of Council's burden and benefited easement and its maintenance responsibility (if any).
- Stormwater discharge and run-off to the creek should not be polluted or contaminated. All Pit Baskets, Gross Pollutant Traps, and Bioretention Filter Basin to be maintained by the owner.

Asset Hand Over:

- List all new constructed assets as part of the new development that will be handed over (such as road, stormwater pits and pipes) as specified in Council's New Asset Handed Over Template. Contact Asset Management Division.
- Define and list ownership and maintenance responsibility.

G. Environmental Health/Site Contamination

Construction Sciences Pty Ltd (CS) were engaged by the applicant to undertake a stage 1 preliminary site investigation (PSI) for land located at 97-123 and 125-151 Wallgrove Road, Cecil Park, NSW 2178 (the site).

A number of potential land contaminating activities have been identified for the site, based on the site history review and site walkover observations.

Council has also undertaken an independent review of historical aerial photography which does indicate a potential for land contaminating activities to have been undertaken on the site, specifically:

- Uncontrolled filling during the construction of dwellings before 1947;
- Agricultural / Orchard land-use in the north-eastern portion of the site between 1947 and 1986;
- Uncontrolled filling during the construction of commercial buildings and new dwellings between 1947 and 1978;
- Illegal dumping between 1947 and 1986;
- Stockpiling activities between 1978 and 1986; and
- Uncontrolled demolition of structures between 1965 and 2004.

A site walkover by Council officers also revealed the following:

- Three soil stockpiles were observed at the site.
- There was visual evidence observed during the walkover of asbestos containing materials (ACM) on the surface of the site.
- There was visual evidence observed during the walkover of asbestos containing materials (ACM) on the surface of the site.
- There was evidence of paint flakes on the surface of the site, in the vicinity of the dwelling.

Soil sampling works were undertaken by CS on 15th, 29th and 30th June 2023. Twelve (12) boreholes were drilled within/near the proposed building footprint and road alignment, using a 4WD mounted drilling rig. The detected concentrations of the relevant COPC in the soil samples analysed, were less than the adopted human health dermal contact / ingestion / dust inhalation assessment criteria however further assessment of these identified potential land contaminating activities, in the context of other historical evidence reviewed during this project, and observations made during the site walkover, is considered warranted.

Based on CS's assessment of both desktop review information and field observations, the following conclusions and recommendations were made in the EIS:

- **Contamination Presence:** The site has visible asbestos-containing material (ACM) fragments in surface soils, particularly near specific points (P1-PACM2, P1-PACM3, and P2-PACM1).
- **Recommendations:**
 - The contaminated areas should be barricaded, and appropriate signage should be put up to prevent public access.
 - The client should consult a qualified environmental consultant to determine the best remediation strategy or interim control measures to minimize asbestos exposure risks.

- **Site Suitability for Use:**

- The site could be considered suitable for commercial or industrial use, provided the following steps are taken:
 - A stage 2 detailed site investigation (DSI) is conducted to further evaluate potential contamination risks.
 - Any contamination identified during the DSI must be addressed in accordance with a Remedial Action Plan (RAP).

Both the DSI and RAP should be handled by an experienced environmental consultant.

Public Health and Environment Comments and Recommendations

Council's Public Health and Environment (PH&E) Branch have reviewed all information submitted with the SSDA EIS in relation to potential land contamination, noise and air pollution. The following comments and recommendations are made:

PH&E recommends that the following points should be adopted by the determining authority (DPHI) 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 a 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

Acoustic consultants did not identify one of the nearest residential receivers to the north of the site circled in Figure 3 below.



Figure 3

The acoustic consultant shall identify all the nearest residential receivers and assess the impact of the future warehousing activities. PH&E strongly recommends the following conditions to be adopted by the determining authority if consent is granted:

As it is unknown what the final-end use or occupancy will be for each proposed warehouse, it is strongly recommended that a condition be imposed to ensure that some form of approval is obtained in the form of a DA or SSD for the use of each warehouse. This will then ensure that the activity to occur in each warehouse can be adequately assessed and regulated by site specific conditions, while also ensuring there are no adverse impacts to nearby sensitive residential and commercial receivers.

An acoustic report is to be prepared and submitted to the 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 the 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.

Air Quality Impact Assessment

Any recommendations present within the Air Quality and Odour Assessment prepared by SLR Consulting Australia, dated 6 June 2021, Project No: 610.031104.0001, Revision V1.1, shall be complied with.

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.

H. Landscaping

All landscaping proposed within the site shall comprise of species that are suitable within the Cumberland plain. The planting species list shall be derived from species listed within Appendix F of the Fairfield City Wide Development Control Plan 2023.

I. Section 7.12 Contributions

- Fairfield Council's Local Infrastructure Contribution Plan 2023 applies to this site. Accordingly, the Section 7.12 Levy applies to this development (Stage 1). Section 7.12 levy is 1% of the total cost of development for works over \$200,000.
- The Section 7.12 levy must be paid to Council prior to the construction certificate being issued for the development. If the cost of works changes, a revised cost report by a qualified quantity surveyor must be provided to Council.

J. Additional Information to be provided

The following matters were raised by Council in its' SEARs submission and have not been addressed as part of the EIS for the SSDA:

- Lighting Impact Assessment – light spill diagrams particularly in relation to adjoining rural/residential properties must be undertaken to determine the potential impact on these properties and identify adequate mitigation measures to reduce and/ or avoid negative impacts particularly for any proposed 24 hour operation.

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