



Request for Director General Requirements

Western Sydney Urban Farm

Corner of Great Western Highway and Pikes
Lane, Eastern Creek

Lots 3, 4, 4A and 6 DP60852
Lots 7 and 8 DP545017
Lots 3B, 3C, 3D and 3E DP36196
Lot 1 DP 732214
Lots A and B DP 323854
Lot 2 DP664173
Lot 1 DP 723384
Part Lot 5A DP60852

Prepared by McKenzie Group Consulting Planning on behalf of
Tactical Group

July 2013

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1 INTRODUCTION

This document has been prepared by McKenzie Group Consulting Planning (NSW) on behalf of Tactical Group and is submitted to the Department of Planning and Infrastructure (DoPI) in support of a formal request for Director-General's Requirements (DGRs).

The DGRs are requested in relation to the proposed Western Sydney Urban Farm at the corner of Great Western Highway and Pikes Lane, Eastern Creek

This application satisfies the definition of State Significant Development pursuant to Schedule 2 Clause 5 of *State Environmental Planning Policy (State and Regional Development) 2011* as the proposal will involve works on land identified as being within the Western Parklands with a capital investment value of more than \$10 million.

This document provides a brief overview of the proposal, including the planning framework applying to enable to the issue of Director-Generals Requirements (DGRs) that will guide the preparation of a formal Environmental Impact Statement.

The proposal supports the continued development of the Western Sydney Region, providing employment and contributing to the retention and growth of commercially and environmentally sustainable agriculture in Sydney.

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2 SITE DETAILS

Land which is the subject of this application comprises 16 allotments, located at the corner of the Great Western Highway and Pikes Lane, Eastern Creek (known as the Pikes Lane Agricultural Site) (**Figure 1**).

The site forms part of the Western Sydney Parklands (**Figure 2**) which extends across the Local Government Areas of Blacktown, Fairfield and Liverpool and is adjacent to two emerging residential growth centres. The parklands are managed by the Western Sydney Parklands Trust.

The site is approximately 14 hectares in area with frontage of approximately 300m along the Greater Western Highway and 750m along Pikes Lane and is within the Blacktown Local Government Area.

The allotments that make up the site are detailed in **Table 1** below.

Table 1 – Site Details

<i>Property Description</i>	<i>Address</i>
Lot 3 DP 60852	717 Great Western Highway, Eastern Creek
Lot 4 DP 60852	719 Great Western Highway, Eastern Creek
Lot 4A DP 60852	25 Pikes Lane, Eastern Creek
Part Lot 5A DP 60852	Pikes Lane, Eastern Creek
Lot 6 DP 60852	733 Great Western Highway, Eastern Creek
Lot 7 DP545017	121 Great Western Highway, Eastern Creek
Lot 8 DP545017	709 Great Western Highway, Eastern Creek
Lot 3B DP 436196	39 Pikes Lane, Eastern Creek
Lot 3C DP 436196	41 Pikes Lane, Eastern Creek
Lot 3D DP 436196	45 Pikes Lane, Eastern Creek
Lot 3E DP 436196	47 Pikes Lane, Eastern Creek
Lot 1 DP732214	41 Pikes Lane, Eastern Creek
Lot A DP323854	51 Pikes Lane, Eastern Creek
Lot B DP323854	55 Pikes Lane, Eastern Creek
Lot 2 DP664173	715 Great Western Highway, Eastern Creek
Lot 1 DP 723384	711 Great Western Highway, Eastern Creek

The existing site conditions are shown in **Figure 3**.

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Figure 1. Site Location (Source: Land and Property Information, 2013)

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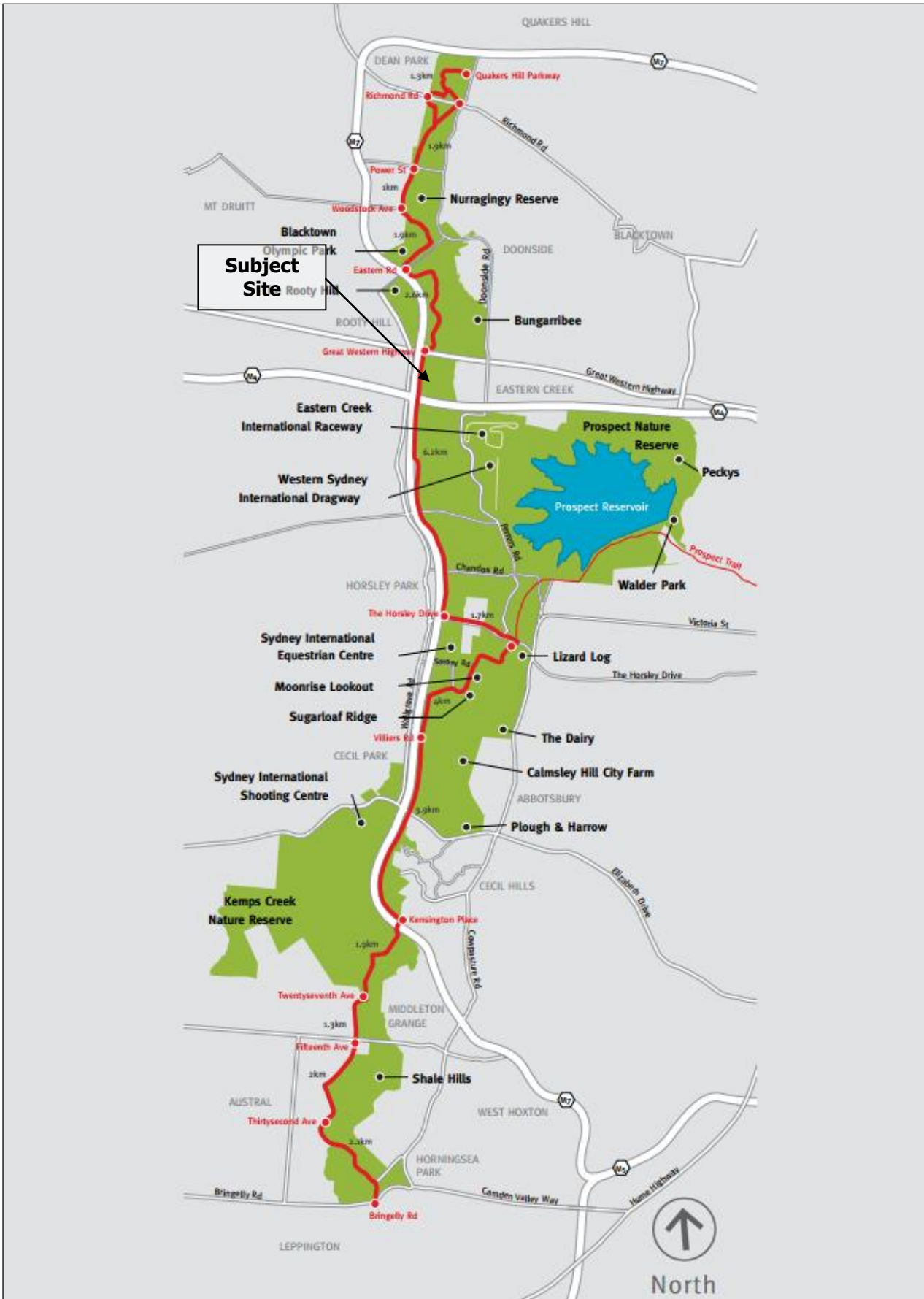


Figure 2. Western Sydney Parklands Map (Source: Western Sydney Parklands Trust, 2013)

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3 SITE CONTEXT

The site is located within an area which is predominantly characterised by emerging industrial development upon land previously used for agricultural purposes. The site is located approximately 35 kilometres west of the Sydney central business district, in the local government area of the City of Blacktown.

Land to the north and south of the site is part of the Western Sydney Parklands and is currently undeveloped.

Land on the eastern side of the site, beyond the Eastern Creek riparian corridor, is occupied by the Bungarabee Industrial Estate which forms one of a number of industrial precincts within the suburb of Eastern Creek.

Land west of the site is zoned for future industrial purposes. While a number of these nearby sites have undergone recent development, many remain in a disturbed, but vacant state.

Alternative transport is provided by Rooty Hill and Doonside Stations which are located to the north of the precincts, providing access to the mainline rail system with fairly frequent services. The Blacktown to Arndell Park bus route serves the nearby industrial zone. This route runs adjacent to the site along Brabham Drive.

The locality is best known for the Eastern Creek International Raceway which is located along Brabham Road, southeast of the site, adjacent to the Prospect Reservoir. The Eastern Creek Waste and Recycling Centre located south of the Raceway also occupy a significant proportion of land within the suburb.

The locality was also known for hosting the site of the former theme park known as Wonderland Sydney (previously Australia's Wonderland), which operated in the suburb from 1985 until its closure in 2004. The former Wonderland site is now a business park known as 'Interchange Park' and is located south west of the site.

The future character of the locality is anticipated to be of similar industrial/employment lands character. This is evidenced by the transition currently being undertaken throughout the wider locality where a large number of estates have been developed under the NSW Government's employment lands policy *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. The subject site itself is not located within the Western Sydney Employment Area.

The local context is shown in **Figure 4**.

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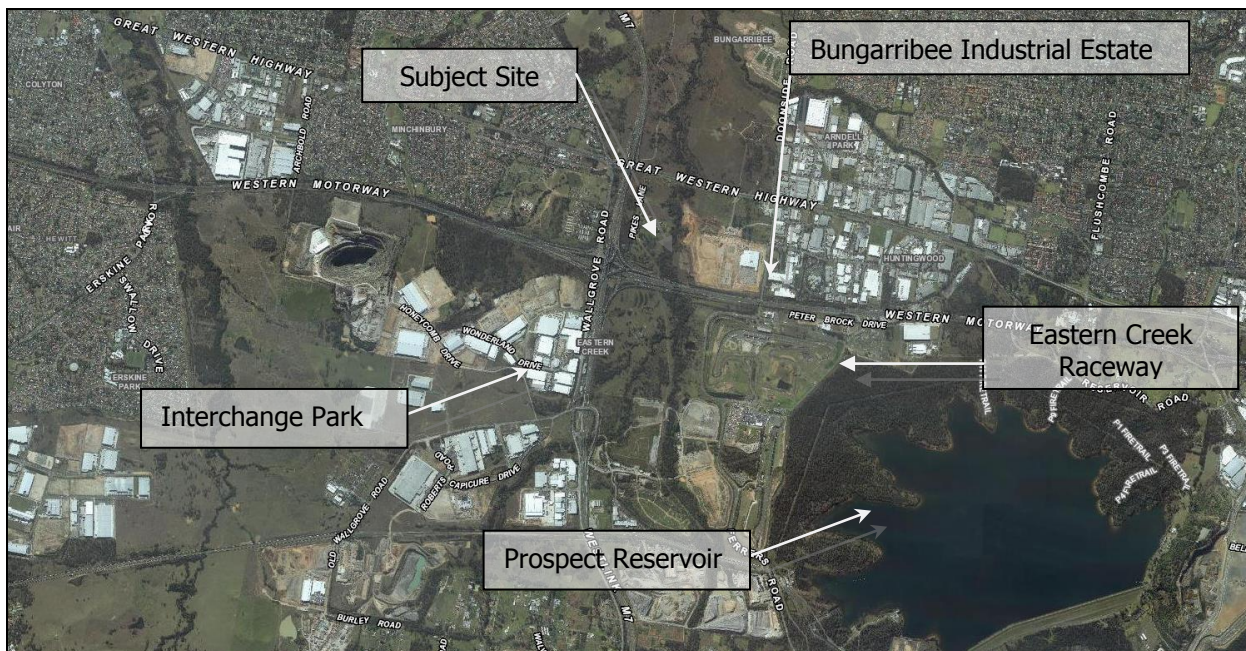


Figure 4. Local Context(Source: Source: Land and Property Information, 2013)

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4 PROJECT SUMMARY

The proposed development will provide for a commercial glasshouse facility for fresh food production, intended to be utilised primarily for growing and distributing Truss Tomatoes.

The proposal will be consistent with the WSPT Future Farming Strategy, and already has strong support from the WSPT, NSW Government, and the agricultural and investment business communities.

It is envisaged that the proposal will comprise the following key components:

- A controlled horticulture environment containing a large scale glasshouse facility with an estimated floor area of up to 100,000m², and integrated office and packing building (approximately 4,000-6,500sqm), appropriate car parking and loading facilities, and ancillary services which may include a provision for public visitation".
- A partial upgrade of the existing Pikes Lane to provide access to the development. The extent of the upgrade will be subject to further detail design of the preferred development concept, taking into account consultation with key stakeholders including but not limited to the Western Sydney Parklands Trust (WSPT) and Roads and Maritime Services (RMS), and any requirements in order to satisfy an appropriate connection to the Great Western Highway.
- The proposal will include a detailed whole of site utilities and services infrastructure plan, as well as an on-site water treatment and detention solution. It is currently proposed that On Site Detention (OSD) basins will be provided primarily along the eastern boundary of the building line. The details of any detention design will be subject to further detailed geotechnical and flooding investigations.
- If possible ancillary services and facilities which will provide community and social benefit that have a direct correlation to the objectives stated in the WSPT Future Farming strategy. It is proposed that these could be considered in partnership with the WSPT to make viable use of any residual land resulting to the modifications described in this submission as well as surrounding land owned by the WSPT, and may include initiatives such as education and training related activities, open air farming and farmers markets, support for local community and business development, and involvement by complimentary industry bodies which support sustainable agricultural practices.

Concept Development plans are attached as **Appendix 1** of this report.

It is anticipated that approximately 6.5 million kilograms of truss tomatoes will be produced at the facility each year and provide around 110 full time equivalent jobs.

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5 JUSTIFICATION

The intention of the proposal is to provide a facility that meets the requirements of the Western Sydney Urban Farm within a location that:

- Allows for the activities as a permissible use,
- Has appropriate access to the regional road network,
- Is compatible with surrounding development and local context,
- Will result in minimal impact on the environment, and
- Will allow for the implementation of suitable mitigation measures where required.

The site is considered to meet the objectives of the project as it allows for the use of the site by the Western Sydney Urban Farm with excellent access to the regional road network (M7 and M4 Motorways) with minimal site constraints.

The options considered, and subsequently dismissed, in arriving to the current proposal included:

(a) 'Do Nothing' Scenario

This option was dismissed as the objectives of the project would not be met.

If the proposal was not to go ahead, the site would continue to be developed for other non-residential purposes.

(b) Development on an Alternative Site

Consideration to alternative sites were made, however these were dismissed as the subject site resulted in the most beneficial outcomes for the proposal as:

- it will be located within a site zoned for land uses such as the Western Sydney Urban Farm;
- the site has appropriate proximity from sensitive land activities including residential development;
- all potential environmental impacts of the proposal can be suitably mitigated within the site;
- the proximity to the regional road network provides increased economic benefits;
- the proposal will not affect any area of heritage or archaeological significance; and
- the proposal can be developed with appropriate visual amenity given its surrounding context.

The proposal is considered to be justified in the context of environmental, social and economic terms and is compatible with the locality in which it is proposed.

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6 CONSULTATION

No consultation has been undertaken with Blacktown City Council at the time of writing. It is the intention of Tactical Group to proactively engage with Blacktown City Council as an interested party and to ensure that all community and stakeholder consultation requirements are seamlessly addressed.

Consultation with relevant stake holders will be undertaken whilst preparing a detailed Environmental Impact Statement in keeping with the Department's Major Project Community Consultation Guidelines October 2007.

A letter advising Blacktown City Council of the intention to lodge this request is attached as **Appendix 2** of this report.

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7 Capital Investment Value

While costs have not yet been finalised, the estimated capital investment of this project is expected to be in excess of \$40,000,000.00. The costs will be finalised once the final design is prepared.

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8 PLANNING FRAMEWORK

8.1 Commonwealth Planning Context

Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection & Biodiversity Conservation Act 1999* (EPBC Act) requires consideration of the potential for a "significant impact" to be imposed by an activity on a Matter of National Environmental Significance (MNES).

A Preliminary Constraints Analysis has found that Shale Plains Woodland trees are located on the site. Shale Plains Woodland is part of Cumberland Plain Woodland, which are listed as critically endangered under the EPBC Act. The proposal will therefore need to be referred to the Commonwealth pursuant to the EPBC Act as part of the SSD assessment process.

8.2 State Planning Context

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) is the overarching governing document for all development in NSW and pursuant to Section 89D (2) provides that:

A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.

The proposed development has been identified as State Significant Development under *State Environmental Planning Policy (State and Regional Development) 2011* as outlined below.

State Environmental Planning Policy (State and Regional Development) 2011

Proposals involving activities that are listed in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (State and Regional Development SEPP) are identified as being State Significant Development (SSD).

Part 5 of Schedule 2 to this SEPP states:

5 Development in the Western Parklands

Development that has a capital investment value of more than \$10 million on land identified as being within the Western Parklands on the Western Sydney Parklands Map within the meaning of State Environmental Planning Policy (Western Sydney Parklands) 2009.

The proposal will be located within land identified on the Western Sydney Parklands Map with a Capital Investment Value of approximately \$40,000,000.00. As such, the proposal is classified as SSD and will need to follow the new procedures established for this category of development. This Request for Director-Generals Requirements represents the first step in the SSD process for the proposal.

State Environmental Planning Policy (Western Sydney Parklands) 2009

Land Use and Permissibility

All land within the Western Sydney Parklands is unzoned under the provisions of the *State Environmental Planning Policy (Western Sydney Parklands) 2009* (SEPP WSP). Pursuant to Clause 11(2), the proposal represents an 'innominate development' and is therefore permissible with consent. Nothing in the SEPP WSP prohibits or restricts the permissibility of the proposed Western Sydney Urban Farm.

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Bulk Water Supply

The site is not identified by the SEPP WSP as being Bulk Water Supply Infrastructure (**Figure 5**)

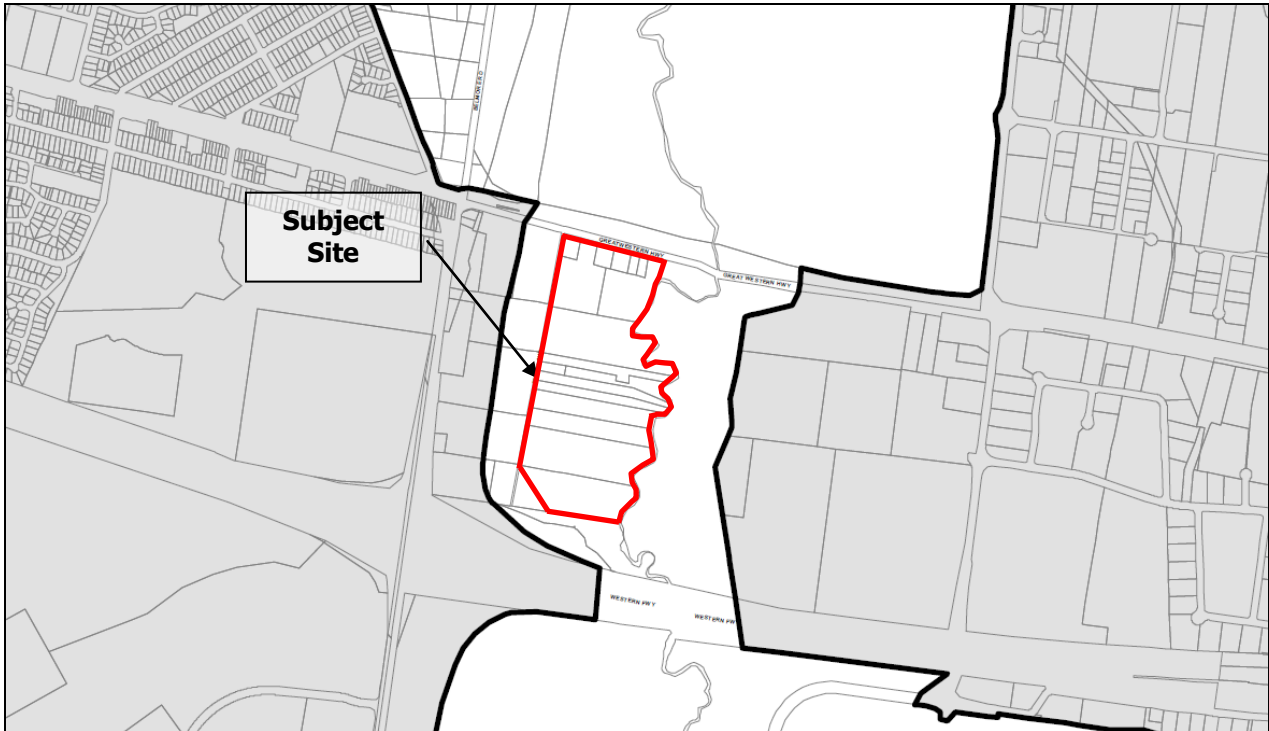


Figure 5 Bulk Water Infrastructure Map (Source NSW Legislation 2013)

Nature Reserves and Environmental Conservation Areas

The site is not identified by the SEPP WSP as being a nature reserve or an Environmental Conservation Area. (**Figure 6**)

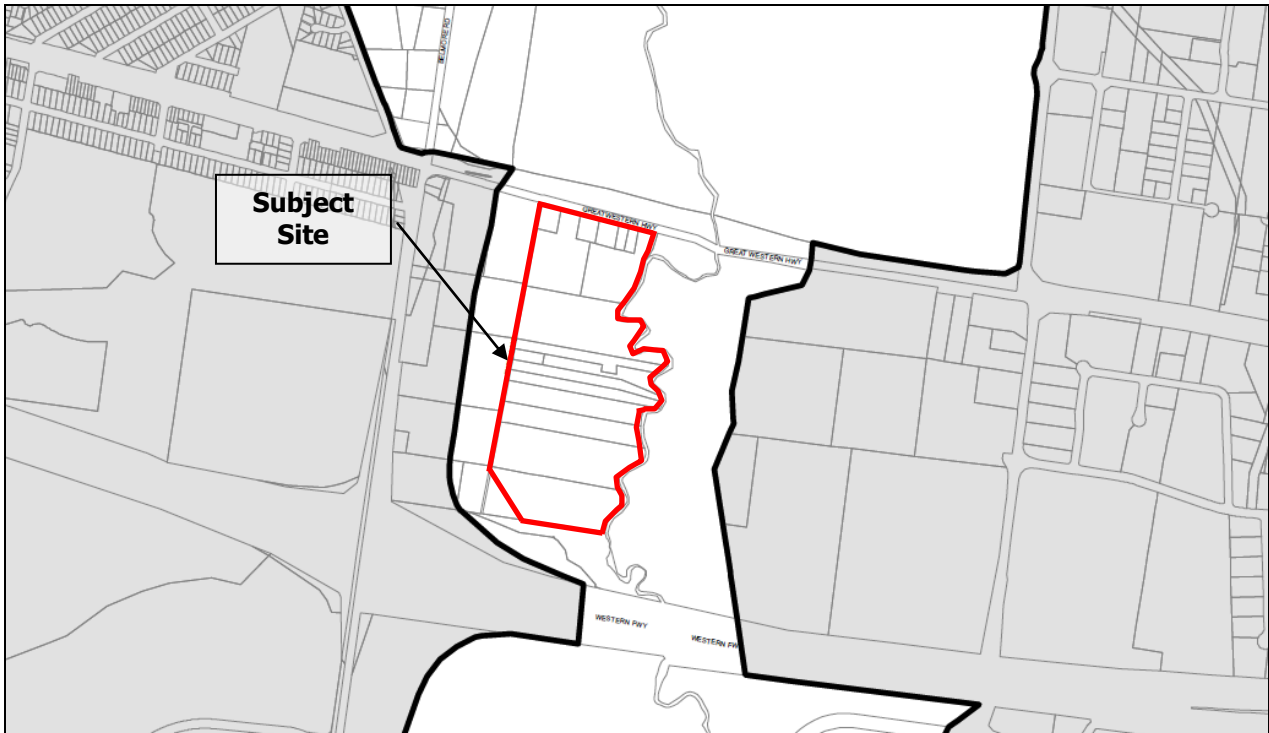


Figure 6 Nature Reserves and Environmental Conservation Areas Map (Source NSW Legislation 2013)

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Heritage Conservation

The site is not identified by the SEPP WSP as being a heritage item or as being within a heritage conservation area (**Figure 7**).

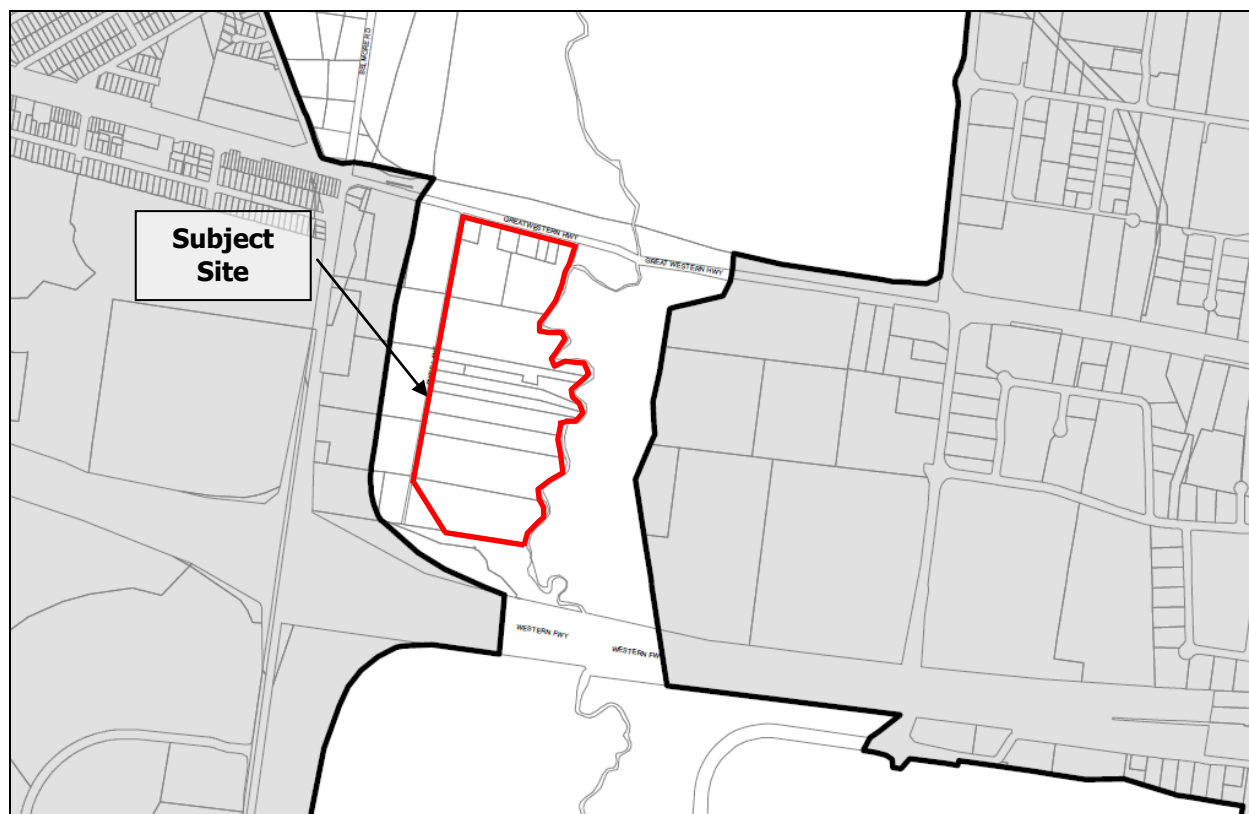


Figure 7 Heritage Conservation Map (Source NSW Legislation 2013)

State Environmental Planning Policy No. 19 – Bushland in Urban Areas

The provisions of *State Environmental Planning Policy No 19 – Bushland in Urban Areas* (SEPP 19) do not apply to land to which the SEPP WSP applies.

State Environmental Planning Policy No 30—Intensive Agriculture

The provisions of *State Environmental Planning Policy No 30—Intensive Agriculture* (SEPP 30) do not apply to land to which the SEPP WSP applies.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

The proposal will involve the storage of materials which may be potentially hazardous. A Preliminary Hazard Analysis is unlikely to be required as significant storage is not proposed.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

The Blacktown Local Government Area is not subject to *State Environmental Planning Policy No. 44 – Koala Habitat Protection* (SEPP 44).

State Environmental Planning Policy No. 55 – Remediation of Land

No known contamination issues affect the subject site. The land has been previously used for grazing and market gardening and rural residential activity. No intensive purposes such as industrial use are known to have occurred on the site.

The prior use of the land indicates that the land is unlikely to have been contaminated.

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State Environmental Planning Policy No. 64 – Advertising and Signage

Detail of proposed signage will be assessed as part of an Environmental Impact Statement.

State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) repeals the former *State Environmental Planning Policy No. 11 – Traffic Generating Development* and provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds for 'commercial premises and industry' development are:

- 15,000m² or more in area with site access to any road; or
- 4,000m² or more in area where the site has access to a classified road or to a road that connects to a classified road (if access is within 90 metres of connection, measured along the alignment of the connecting road).

The development proposes an industrial floor area in excess of 20,000m² warehouse floor area with access to the Great Western Highway. As such, the proposal will require referral to RMS under the provisions of SEPP (Infrastructure) 2007.

8.3 Local Planning Context

Blacktown Local Environmental Plan 1988

The *Blacktown Local Environmental Plan 1988* does not apply to land which SEPP WSP applies and as such does not apply to the proposal.

Blacktown Development Control Plan 2006

It is noted that Section 11 of *State Environmental Planning Policy (State and Regional Development) 2011* states:

11 Exclusion of application of development control plans

Development control plans (whether made before or after the commencement of this Policy) do not apply to:

(a) State significant development

Notwithstanding, the proposal is generally consistent with the provisions of the adopted Development Control Plans applicable to industrial development.

8.4 Draft Planning Instruments

No draft Environmental Planning Instruments apply to the site.

9 ENVIRONMENTAL ASSESTMENT

A screening analysis of the environmental issues applicable to the proposal is presented in **Table 1** below. This risk-based analysis has been used to identify the key environmental issues for further assessment, and assist the preparation of the (DGRs) for the proposed development.

The analysis is based on preliminary environmental assessment of the site only. The Environmental Impact Statement (EIS) for the proposal will fully address these and other environmental issues relevant to the proposal.

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Table 1 Environmental Assessment Table

Issue	Analysis/comment
Erosion and Sedimentation	<ul style="list-style-type: none"> The regional geology comprises shale, fine grained sandstone and laminite of the Bringelly Shale Formation. The clays are likely to be dispersive and subject to erosion. To manage erosion and sedimentation risks during construction and operation, a Soil and Water Management Plan will be prepared for the proposal.
Riparian Areas and Flora and Fauna	<ul style="list-style-type: none"> The current extent of riparian zone has been assumed at a reasonable 40m and the final extent is unlikely to impact on the design footprint of the glasshouse buildings. The riparian zone is shown in the concept plans attached as Appendix 1 of this report. There is a number of Endangered Ecological Communities located within the proposed site including Cumberland Plain Woodland. The site is predominantly cleared and covered with pasture grasses, although scattered trees are located across the site and some scrub (mostly weed) is located in the north-western area of the site. Some limited aquatic habitat is provided in the 2 on-site farm dams. All existing vegetation is likely to be required to be cleared for the proposal. The site is not within or near an environmental conservation area under SEPP WSP A flora and fauna assessment will be carried out for the proposal to assess the impact on the flora and fauna values of the site, including potential impacts on the Cumberland Plain Woodland A detailed Estate Landscape Plan will also be prepared for the proposal, incorporating locally endemic species.
Flooding	<ul style="list-style-type: none"> Blacktown City Council flood maps indicate a portion of the site being inundated in large stormwater events categorised as both low and medium flood risk. The development will not increase flood hazard or damage to other properties or adversely impact them in any way The current flood information is general only and should not be relied upon to set floor levels or identify flood extents
Noise	<ul style="list-style-type: none"> The closest sensitive receivers outside the Parklands is the residential area located at the corner of the Great Western Highway and Rooty Hill Road South residents of Bossley Park, approximately 400 metres north west of the site across The M7 Motorway and Wallgrove Road. Any noise generated by the proposal is not expected to impact sensitive noise receptors.
Air Quality and Green House Gases	<ul style="list-style-type: none"> The proposal is not expected to generate significant air or greenhouse gas emissions, subject to implementation of standard best practice management controls during construction and operation of the site.
Heritage	<ul style="list-style-type: none"> Preliminary Aboriginal archaeological assessment indicates that there are no known Aboriginal sites/objects on the site The site does not contain any known non-indigenous heritage items

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Traffic and Parking	<ul style="list-style-type: none">• The site enjoys direct access to Sydney's arterial and motorway road network• The Great Western Highway, M7 Motorway and the M4 Motorway are classified main roads under the care and control of the Roads and Maritime Service (RMS).• A traffic impact study will be submitted as part of the EIS
Visual Amenity	<ul style="list-style-type: none">• The site is not adjacent to, or in close viewing proximity to, any sensitive visual receivers outside the Parklands.• A detailed Estate Landscape Plan will be prepared for the proposal, which will seek to minimise any identified visual impacts.
Hazards and Wastes	<ul style="list-style-type: none">• The proposal does not involve any significant storage or use of hazardous materials and substances.• The materials stored will be fully detailed in the EIS once quantities are obtained. The materials stored will not result in the site being classified as a Hazardous or Offensive Development under the provisions of State Environmental Planning Policy No 33—Hazardous and Offensive Development.• The proposal is not expected to generate a significant quantity of waste, although a Waste Management Plan will be prepared for the proposal
Telecommunications	<ul style="list-style-type: none">• There is a Telstra tower located in the middle of the proposed development. The tower is owned by Telstra and services a connection for Hutchison 3g Australia by Pty Limited.• The ability for the development to be delivered as per the proposed concepts is contingent on relocating the Telstra Tower. Discussions with Telstra's Site acquisitions Team have indicated that it is possible to re-locate the tower. However, it is possible that the re-location of the tower would be designed by Telstra and approved through a Development Application to Blacktown City Council.
Gas	<ul style="list-style-type: none">• There is a high pressure trunk gas main that runs north-south adjacent to Pikes Road. This pipeline has an easement of approximately 25m and it is expected that no construction is allowed within the easement.

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10 Conclusion

The proposed Western Sydney Urban Farm at the corner of the Great Western Highway and Pikes Lane, Eastern Creek will involve works on land identified as being within the Western Parklands with a capital investment value of more than \$10 million. As such, the development is defined as State Significant Development pursuant to Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*.

The subject site is appropriately zoned to permit the proposed use and no departure from any development standard is required to enable the development. Additionally, the site is located close to major roads making it a convenient location with good accessibility to and within the region.

It requested that the Department issue formal Director-General's Requirements (DGRs) for the preparation of an Environmental Impact Statement for the proposal as State Significant Development.

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Appendix 1
Concept Development Plans

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Appendix 2
Consultation Request Letter