

# Preliminary Environmental Investigation Report Request for DGRs State Significant Development



## Bringelly Road, Leppington

### Bringelly Road Business Hub

Submitted to Department of Planning and Infrastructure  
On Behalf of Western Sydney Parklands Trust

December 2013 ■ 13525

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## Attachments

<b>1</b>	Preliminary Indicative Site Layout
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## 1.0 Introduction

This report has been prepared by JBA Urban Planning Consultants Pty Ltd, on behalf of the proponent, Western Sydney Parklands Trust (Trust) which is proposing to develop a portion of land within the Western Sydney Parklands (Parklands) for commercial purposes. The Site is approximately 18 hectares in area and located within the area bounded by the proposed realignment of Bringelly Road (south), Stuart Road and Bedwell Park (north) and privately-owned land (east). The development is for subdivision and infrastructure works to facilitate future development of the Site for large format retail and service centre uses and associated site access and parking.

The proposed development Site is currently subject to the land use and development control provisions of two separate State Environmental Planning Policies. The majority of the Site, to the north of the current Bringelly Road alignment, is subject to the provisions of *State Environmental Planning Policy (Western Sydney Parklands) 2009* (Parklands SEPP), within which the proposed development is permissible with consent. The southern portion of the Site is subject to the provisions of *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (Growth Centres SEPP) within which the proposed development is currently prohibited. Under Section 89E(3) of the *Environmental Planning and Assessment Act 1979* (the Act), development consent may be granted for a State significant development that is partly prohibited by an environmental planning instrument.

Pursuant to Clause 5 of Schedule 2 of the *State Environmental Planning Policy (State and Regional Development) 2011*, the development is considered to be State Significant Development (SSD). This is due to the proposed development being within the Parklands and having a capital investment value of more than \$10 million.

In accordance with Part 2, Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, we hereby seek Director General Requirements to inform the preparation of an Environmental Impact Statement (EIS) for the proposed development.

This report describes the Site, its environs and the proposed development, and includes a preliminary environmental assessment of the proposal in accordance with the requirements set out on the NSW Department of Planning and Infrastructure (DoPI) website. It should be read in conjunction with the information contained within and appended to this report.

This report includes the following information:

- An overview of the Site and the proposed development.
- An outline of the key strategic and statutory planning framework.
- A preliminary assessment of the environmental issues associated with the proposal.
- Justification as to why the Site was chosen and the wider benefits that will result from the proposal.
- An overview of consultation taken to date for the proposal with authorities.
- Provision of the Capital Investment Value to carry out the proposal.

## 2.0 Background

In 2010 the Trust developed a 10 year Plan of Management to guide the long-term future of the Parklands. In October 2013, the Trust released a draft Supplement to the Western Sydney Parklands Plan of Management that identified nine locations for proposed business hubs. The business hubs collectively will comprise a maximum of two per cent of the total area of the Parklands with the aim of generating income to help fund the management and future development of the entire Parklands.

The sites identified as proposed business hubs have the least ecological value within the Parklands and are located adjacent to motorways and major arterial roads. The business hubs form an important foundation for securing the long term, sustainable revenue base that funds Parklands infrastructure, maintenance and improvements.

The revenue generated from the business hubs long-term leases will enable the Trust to fund key improvements to picnic and playgrounds, cycling and walking track networks and sporting facilities, as well as restore and expand natural habitat throughout the Parklands.

The Bringelly Road Site is the southernmost of proposed business hubs and forms a gateway to the broader Parklands area and the Austral / Leppington North precinct of the Growth Centres. The Site was selected as it was considered to meet the four criteria outlined in the Plan of Management for identifying Business Hub sites and land uses:

1. Land uses should not only generate an appropriate commercial return but also add to the amenity of adjacent communities.
2. Land uses must generate additional employment and training opportunities for local and regional communities.
3. Development must be undertaken in a manner that will minimise the environmental impact of such development.
4. The development of business hubs will only be permitted to occur on sites with low environmental and recreational values.

The location is suitable for the development of large format retail with the potential to provide a variety of local jobs in close proximity to future residential development. The proposed land use will complement the activities proposed for the nearby Leppington Major Centre.

## 3.0 Site Analysis

### 3.1 Site Location and Context

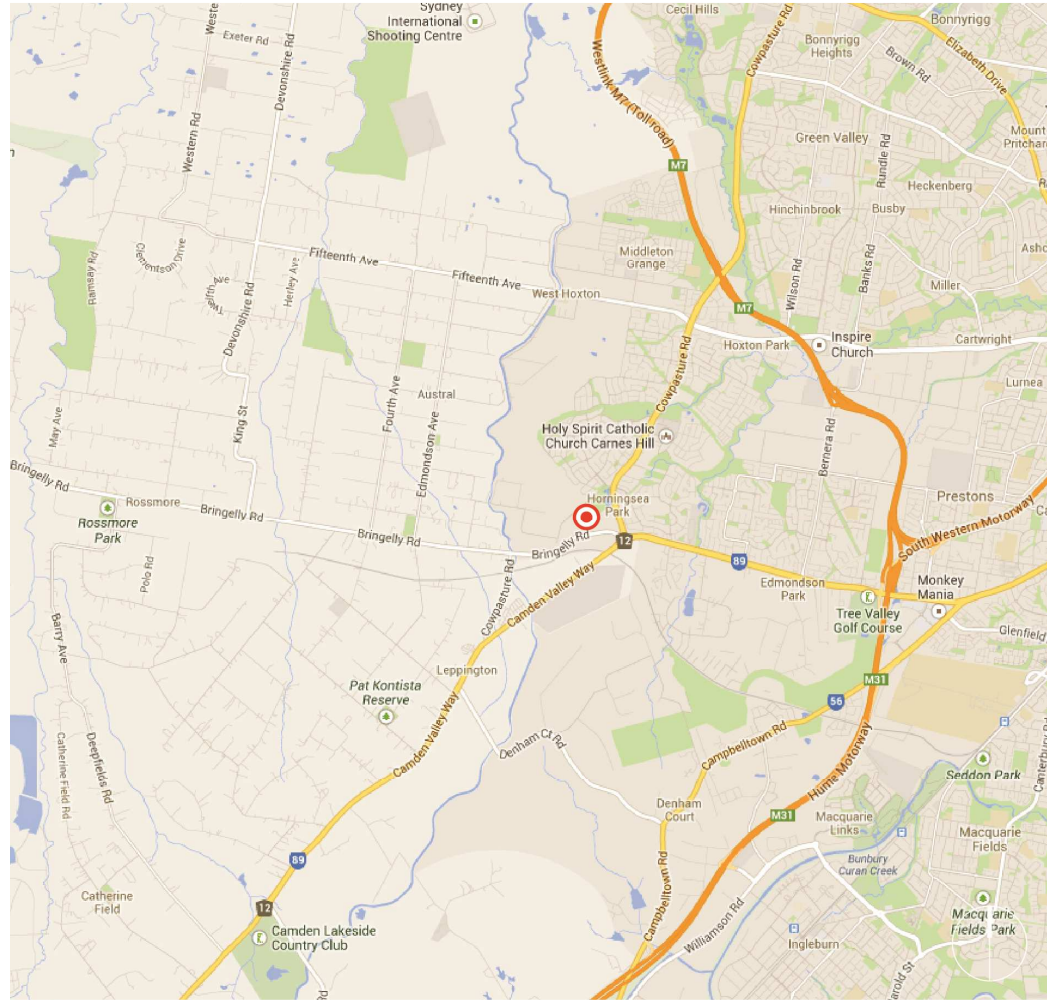
The Site is located approximately 40km west of the Sydney Central Business District (CBD) and is approximately 2.5km to the east of the proposed Leppington rail station and civic centre precinct within the Liverpool Local Government Area. The Site is largely within the area identified as the Western Sydney Parklands under the Parklands SEPP, with a small portion in the south of the site subject to the Growth Centres SEPP. The Site is in close proximity to the M7 and M5 Motorways and this provides excellent access to both the state and regional road network and surrounding key employment and industrial lands. The Site's locational context is shown at **Figure 1**.

The Site is approximately 18 hectares (ha) in size and irregular in shape. The Site has frontages of approximately 700m along Bringelly Road to the south and 300m along Stuart Road to the north. The Site also borders Bedwell Park to the north and a private landholding to the east. From the Site, via Bringelly Road, Cowpasture Road provides access to the Westlink M7 toll road 3.5km to the north and Camden Valley Way provides access to the South Western Motorway M5 3.5km to the east.

At present, the land surrounding the Site to the west and south is predominantly utilized for farming purposes. To the east and north of the Site, parts of the land have been developed for residential land uses and consist of the suburbs of Horningsea Park, Edmondson Park, and Hoxton Park.

The Site is located in proximity to significant industrial precincts including the Ingleburn Industrial area approximately 10km south and the Prestons Industrial area 6km to the east. Narellan is located approximately 14km south-west of the Site and includes both industrial and large format retail land uses. Nearby retail development includes the Carnes Hill Market Place (16,974m<sup>2</sup> GLA), Ingleburn Fair (7,985m<sup>2</sup> GLA) and Casula Mall (19,336m<sup>2</sup> GLA).

Importantly, the Growth Centres SEPP outlines large-scale development plans for the areas west of the Bringelly Road Site. It is noted that the plans will significantly alter the local context through revised zoning provisions for residential, commercial, business park and industrial development within the Austral and Leppington North region.



○ The Site

Source: Google

Image Date: 2013

Figure 1 – Location plan

### 3.2 Land Ownership and Legal Description

The Site is legally described as

- Lots 1-5 and 10-13 DP29104;
- Lot 8 DP 1156767;
- Lot 5 and 21-22 DP 19406;
- Lots 1-2 DP 876864; and,
- Bringelly Road Reserve.

### 3.3 Site Description

#### Existing Development

An aerial photograph of the site is shown at **Figure 2**. The Site is largely cleared of natural vegetation with some scattered trees in the western section. Existing development on the Site consists of five residences and associated farm sheds. Four small dams are located across the lots. Currently, access to the lots is achieved from the frontages onto Bringelly Road (south) but it is noted that Bringelly Road is proposed to be realigned south of its current path between Stuart Road and Cowpasture Road.



Figure 2 – Site Plan



Figure 3 – Site looking north from Bringelly Road

### Topography

The Site slopes gently from south-west to north-west and drains into the Bedwell Park wetland area. The highest point is located in the most south-west corner of the Site at RL80m. The Site does not include any areas identified as being subject to flooding.

### Vegetation / Flora and Fauna

Preliminary GIS Mapping conducted by the WSP Trust illustrates parts of the Site as containing a small parcel of Shale Plain Woodlands in the south west corner of the Site. This area of woodland has been identified as being of poor quality and low ecological value. To the area north of the Site (on adjoining land) is a more significant area of Shale Plains Woodland that forms part of an environmental bushland corridor and is identified as being of good quality and high ecological value. The proposed development does not directly impact on this area.

The remaining area within the Site is predominantly cleared of vegetation with isolated trees scattered across cleared grazing land.

### Heritage and Archaeology

There are no known sites of European heritage or Aboriginal cultural heritage on the Site.

### Utilities and Infrastructure

Water main pipes extend along the contours of the three bordering roads of Bringelly Road, Stuart Road and Cowpasture Road. Notably, the water main pipes extending under the Bringelly Road will be subject to the construction processes involving both the realignment of the road and the development of the future works relating to this proposal.

The adjacent residential developments are serviced by sewer. Investigations will determine the capacity of these systems do accommodate the development or required upgrades. The nearest electricity zone substation is located 2.3km away at Prestons.

## 4.0 Proposed Development

The proposed development will involve subdivision and infrastructure works to facilitate the future development of the Site for large format retail and service centre uses. The development will comprise the following components:

- The subdivision of the Site into five developable lots with a sixth lot being a common access road off the re-aligned Bringelly Road utilising the current Bringelly Road reserve;
- Future use of the Site for large format retail and service centre uses;
- Demolition of existing structures on the Site;
- Bulk Earthworks – A bulk earthworks strategy will be prepared to accommodate the needs of future development with the aim of achieving a practical and balanced approach to earthworks relative to the Site topography and allow for flexibility in the future staged development of the Site in response to market requirements;
- Site services and infrastructure – construction and delivery of utilities, services and stormwater management infrastructure to accommodate the future development of the Site;
- Internal access and car parking – the proposal will seek development approval for internal roads to provide access to and service the future development of the Site; and,
- Estate landscaping.

The development application will include preliminary concept plans that will identify proposed future building footprints and envelopes as well as site access, internal roads, loading areas and car parking areas. However, development for buildings and structures associated with the future large format retail and service centre development will be the subject of future separate development applications. A preliminary indicative Site layout is included at **Attachment 1**.

## 5.0 Planning Framework and Context

### 5.1 Strategic Planning

#### NSW 2021 State Plan

The NSW State Plan was released in March 2010. It sets key strategic priorities for the NSW Government and is to be used to guide decision making and resource allocation. Of relevance to this application is the priority relating to employment growth.

#### Metropolitan Plan for Sydney 2036

The Metropolitan Plan for Sydney 2036 was released by the NSW Government in December 2010. The plan emphasises the need to integrate future population and economic growth in a sustainable, compact and resilient way. The plan details that 10 million m<sup>2</sup> of additional floorspace will be required to address the forecasted growth and increased demand.

#### Draft Sydney Metropolitan Strategy to 2031

The Draft Sydney Metropolitan Strategy was introduced by the NSW State Government and provides a broad framework to manage growth in Sydney until 2031. One of the key aims of this Metropolitan Strategy is to support the economic growth and development of the South West corridor in Sydney.

#### Draft South West Subregional Strategy

The Draft South West Central Subregional Strategy was prepared by the NSW State Government to translate the Metropolitan Strategy actions to a local and subregional level. By 2031, the strategy set a housing target for 155,000 new dwellings and an employment target of an additional 89,000 jobs.

### 5.2 Environmental Planning Instruments

This section summarises the relevant State and Regional Environmental Planning Instruments (EPI) that apply to the Site. The following planning instruments are of key relevance to the proposed development:

- *State Environmental Planning Policy (Western Sydney Parklands) 2009;*
- *State Environmental Planning Policy (Sydney Growth centres) 2006;*
- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *Liverpool Local Environment Plan 2008;* and
- *Liverpool Development Control Plan 2008.*

#### State Environmental Planning Policy (Western Sydney Parklands) 2009

The proposed development is permissible with consent under the Clause 11 of the Parklands SEPP. Furthermore, the proposal for large format retail and service centre uses facilitates the achievement of the following objective as seen in Clause 2(b);

*'allowing for a range of commercial, retail, infrastructure and other uses consistent with the Metropolitan Strategy, which will deliver beneficial social and economic outcomes to western Sydney'*

The proposal will also help achieve the funding needs for the Trust that will be required in order to meet the other stated objectives of the SEPP relating to protecting and enhancing the environmental, social and heritage features of the parklands.

In 2010 the Trust also released a Plan of Management (POM) to 2020 which provided further detail on the contents of the Parklands SEPP. This document outlines a number of strategic directions for specific areas throughout the area. Pertaining to the proposal, one objective of the POM is to develop new business opportunities which in turn will support the management and further development of the Parklands. As a result of this objective, the Trust engaged a number of consultants to prepare studies to ascertain the viability of developing business hubs in well serviced areas.

This proposal is considered to be entirely consistent with the objectives of the WSP SEPP.

### State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The objective of the Growth Centres SEPP is to co-ordinate the release of land for residential, employment and other urban development in the North West and South West growth centres. A small portion of the Site (3.05 ha), south of and including Bringelly Road, is subject to the zoning and land use provisions of the SEPP. This area includes the current Bringelly Road (zoned SP2 Infrastructure) and land between the current and future Bringelly Road alignments (zoned E2 Environment Conservation). The proposed development is prohibited in these zoned under the Growth Centres SEPP provisions.

Notwithstanding this, under Section 89E(3) of the *Environmental Planning and Assessment Act 1979* (the Act), development consent may be granted for a State Significant Development that is partly prohibited by an environmental planning instrument.

### State Environmental Planning Policy (State and Regional Development) 2011

*State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) was adopted on 1 October 2011 and identifies State Significant Development (SSD). Pursuant to Schedule 2 of the SRD SEPP, development within the Western Sydney Parklands with a Capital Investment Value (CIV) in excess of \$10 million is considered to be SSD. The proposed development will have an investment cost of \$14,720,000 and therefore meets the criteria.

### State Environmental Planning Policy (Infrastructure) 2007

The Site is located adjacent two classified roads (Bringelly Road and Cowpasture Road) and is therefore subject to the provisions of the *State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)*.

Under clause 101 of the SEPP, there are several considerations for development with a frontage to a classified road. These have been considered in the design development and will be addressed in the EIS.

As the proposed development is in excess of 10,000m<sup>2</sup> it is considered to be a traffic generating development under Schedule 3 of the *Infrastructure SEPP* and is therefore required to be referred to the RMS.

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

This policy introduces state-wide planning controls for the remediation of contaminated land. It states that land must not be developed if it is unsuitable for

a proposed use because it is contaminated. The proposed development has been used historically for grazing purposes. Investigations will be undertaken as part of the EIS process to determine the presence of any contaminated material on the Site.

#### Liverpool Local Environmental Plan 2008

The provisions in the Liverpool Local Environment Plan 2008 do not apply to the Site as they are otherwise overridden by Parklands SEPP and Growth Centres SEPP.

#### Liverpool Local Development Control Plan 2008

Clause 11 of the State and Regional Development SEPP states that Development Control Plans do not apply to SSD. Notwithstanding this, the relevant provisions of Liverpool DCP 2008 will be considered with regard to the design and layout of the development.

## 6.0 Preliminary Environmental Assessment

This information has been compiled to assist in the preparation of the Director General's Requirements to guide preparation of the Environmental Impact Statement. The key environmental considerations associated with the proposed development are outlined below. Specialist studies will be undertaken as part of the proposal to assist in addressing these issues.

### 6.1 Land Use Justification

The Bringelly Road Site is the southernmost of the proposed business hubs of the Trust and forms a gateway to the broader Parklands area. The Site was selected as it was considered to meet the four criteria outlined in the Parklands Plan of Management for identifying Business Hub sites and land uses:

1. Land uses should not only generate an appropriate commercial return but also add to the amenity of adjacent communities.
2. Land uses must generate additional employment and training opportunities for local and regional communities.
3. Development must be undertaken in a manner that will minimise the environmental impact of such development.
4. The development of business hubs will only be permitted to occur on sites with low environmental and recreational values.

The location is suitable for the development of large format retail with the potential to provide a variety of local jobs in close proximity to future residential development. The proposed land use will complement the activities proposed for the nearby Leppington Major Centre.

The EIS will include retail demand analysis to justify the type and scale of the proposed large format retail land use in this location. In particular, the EIS will address the demand for large format retailing in the area and the potential impacts of the development on the nearby Leppington Major Centre and the timing of that development.

### 6.2 Layout and Design

The development application will include preliminary concept plans that will identify proposed future building footprints and envelopes as well as Site access, internal roads, loading areas and car parking areas. The EIS will set out the urban design principles and urban design parameters that will apply across the estate.

However, development for buildings and structures associated with the future large format retail development and service centre uses will be the subject of future separate development applications.

### 6.3 Access, Transport and Traffic

The Site is currently accessed from the south via Bringelly Road (two lane road). Adjacent to the Site, Camden Valley Way gives direct access to the Hume/M5 motorway and Cowpasture Road links north to the nearby M7 toll road.

Roads and Maritime Services (RMS) is finalising detailed design to realign Bringelly Road further to the south from its current location bordering the Site. As such, development of the Site will require an access road linking off the future realigned Bringelly Road via a signalised intersection.

The environmental assessment will include traffic and transport impact assessment of the proposed development taking into account the:

- the upgrade and re-alignment of Bringelly Road;
- cumulative impacts with other proposed development in the locality;
- any required interim traffic arrangements prior to the completion of the Bringelly Road re-alignment;
- Heavy vehicle manoeuvring and loading arrangements; and
- Required car parking provision.

The Trust will work closely with the RMS in relation to the design and traffic impact assessment of the development.

The development Site includes the current alignment of Bringelly Road and a slither of land between it and the proposed future alignment. The EIS will include any interim or contingency arrangements for site access, should the proposed re-alignment of Bringelly Road be delayed.

## 6.4 Infrastructure and Utilities

The conceptual proposal for the Site will include an infrastructure report that will address the broader regional infrastructure requirements and location both within and connecting to the Site.

The Site will be connected to and supplied by the major utility providers' asset networks. The existing network assets will be extended to and through the Site in stages to cater for the demand of the development. All works will be designed in conjunction with and to the requirements of the utility providers.

## 6.5 Flooding, Water Quality and Stormwater Management

The Site currently drains north-eastward into Bedwell Park which forms part of the Parklands and includes a system of stormwater detention ponds into which the proposed development will drain. The EIS will include a Stormwater management plan that will address the impact of stormwater from the development on flow and water quality at the Site. The Site has not been identified as being located in a flood risk area; however the EIS will address the potential impact of the development on flood risk areas to the north east of the site.

## 6.6 Geotechnical and Contamination

Geotechnical investigations will be undertaken as part of the environmental assessment so as to inform earthworks and engineering design on the Site. Final site levels will be designed to accommodate the level platforms for development sites and access roadways with consideration of existing topography. The bulk earthworks will be designed to minimise the export or import of material.

Earthworks will be staged to suit the development program. To achieve the earthworks balance within the Site, excavation may be required from other areas of the Site to win fill material for the initial stages of the development.

Sedimentation and erosion controls designed in accordance with local Council requirements will be established for each stage of the development and be maintained as part of construction works.

Past land use of the Site has been limited to cattle grazing. The EIS will include an initial site evaluation in accordance with the DoPI's "Managing Land Contamination Planning Guidelines" and if necessary preliminary site investigations will be carried out.

## 6.7 Heritage

### 6.7.1 Aboriginal Heritage

The Site is currently underdeveloped and consists of vegetated areas and cleared grazing land and so there is the potential for Aboriginal Heritage items to exist on the Site.

As part of the development application a detailed assessment of the Site will be undertaken to confirm there are no sites of cultural significance. The assessment will go through the Office of Environment Heritage *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

### 6.7.2 Non-indigenous Heritage

There are no known non-indigenous heritage items on the Site; however as part of the development application a detailed investigation of the likely impacts on any items of significance will be undertaken if required.

## 6.8 Biodiversity, Flora and Fauna

Preliminary GIS Mapping conducted by the Trust illustrates parts of the Site contains Shale Plain Woodlands which is shown to range in conservation value. The southern portions of woodland on the Site are identified as being of poor quality and low ecological value. To the area north of the Site and subject to the environmental conservation area, the woodlands are identified as being of good quality and high ecological value.

A detailed assessment will be carried out as part of the EIS in accordance with Office of Environment and Heritage (OEH) guidelines.

## 6.9 Bushfire Risk Assessment

The Site is partly subject to a vegetation buffer from Category 1 vegetation that is located within the environmental conservation area to the north of the Site. The Site is therefore bushfire prone and will need a bushfire consultant to establish design parameters for the Site to manage bushfire risk, including potentially development controls for buildings.

## 6.10 Noise & Vibration Impact

The proposed development will result in new noise sources being created (roads and buildings). The likely impact of these new noise sources in relation to the sensitive receivers being the residential lots to the east and north would be assessed in accordance with the OEH's *Industrial Noise Policy*.

## 6.11 Air Quality

There is the potential for air quality impacts during the construction phases associated with earthworks. As such an air quality assessment would be undertaken as part of the EIS.

## 6.12 Residential Interface

The nearest residential area to the Site is the suburb of Horningsea Park which is located approximately 300m to the north and east of the proposed development. The development application will address any interface issues which may exist along the northern and eastern boundaries associated with the proposal, in particular noise and visual impact.

## 6.13 Social and Economic Impacts

The proposed development will provide an economic benefit for the Liverpool Local Government Area and also the proposed future areas of Leppington and other South West Growth Centre developments.

Amenity impacts would be considered as part of the assessment which will include a broad assessment capturing both the direct and indirect impacts during both the construction and operation phases.

## 6.14 Waste Management

An environmental assessment of the types of waste to be generated during construction will be undertaken.

## 6.15 Sustainability

The proposed development aims to achieve high levels of sustainability. The EIS will set out the proposed features of environmental sustainability.

## 6.16 Delivery and funding of Infrastructure

The environmental assessment will detail scope, timing and funding of arrangements for the delivery of necessary infrastructure through contributions in accordance with regional or local contributions levies and plans.

## 7.0 Justification

The NSW Government's Draft Metropolitan Strategy is a blueprint for supporting growth and managing change across Sydney. The Strategy identified that, by 2031, Sydney would need an additional 625,000 new jobs.

The Draft South West Subregional Strategy translates the Metropolitan Strategy actions to a local and subregional level. The strategy sets an employment target of an additional 89,000 jobs for the subregion by 2031.

As part of the south west subregion, the Trust identifies the Site as a suitable location for commercial and retail development. The income stream created from the ongoing use of these business hubs will be essential for the upkeep of the Parklands main functions relating to recreation and parkland infrastructure, conservation initiatives and other cultural events. As such, the development of a business hub within the Parklands will serve a vital function in maintaining the amenity and value of the parklands which in turn will benefit the broader communities of west and south-western Sydney.

The Site was selected as it was considered to meet the four criteria outlined in the Parklands Plan of Management for identifying Business Hub sites and land uses:

1. Land uses should not only generate an appropriate commercial return but also add to the amenity of adjacent communities.
2. Land uses must generate additional employment and training opportunities for local and regional communities.
3. Development must be undertaken in a manner that will minimise the environmental impact of such development.
4. The development of business hubs will only be permitted to occur on sites with low environmental and recreational values.

The location is suitable for the development of large format retail with the potential to provide a variety of local jobs in close proximity to future residential development. The proposed land use will complement the activities proposed for the nearby Leppington Major Centre.

## 8.0 Consultation

The Trust has undertaken significant consultation to date and the proposed development of a business hub at this location for large format retailing was included in the draft *Western Sydney Parklands Plan of Management 2020 Supplement* that was publicly exhibited between 28<sup>th</sup> October and 25<sup>th</sup> November 2013. Further the Trust has consulted with the following:

- The Roads and Maritime Service (RMS) with regard to the development proposal and the Bringelly Road re-alignment.
- Sydney Water regarding proposed upgrades to water supply and wastewater.
- The Office of Strategic Lands (OSL) with regard to transfer of land between the current and future Bringelly Road alignments.
- Liverpool City Council regarding the proposed development and the inclusion of Council owned land (current Bringelly Road) in the development area.
- Endeavour Energy regarding potential electrical amplifications and upgrades.

During the preparation of the EIS, the Trust will consult with the surrounding residential community in particular the immediately adjoining landowners to the Site with a view to ensure that the layout and design properly addresses inter-face issues, such as noise, visual impacts and night-time lighting.

## 9.0 Conclusion

This submission provides information to assist in the preparation of DGRs for the proposed large format retail at Bringelly Road, Leppington. The issues discussed in this report are considered to represent the key environmental considerations associated with the proposal and are adequate to inform the Director Generals Requirements.

It is therefore requested that the Director-General issue the requirements for the preparation of an EIS for a State Significant Development application for the use of the Site for large format retail and associated site infrastructure works at Bringelly Road.