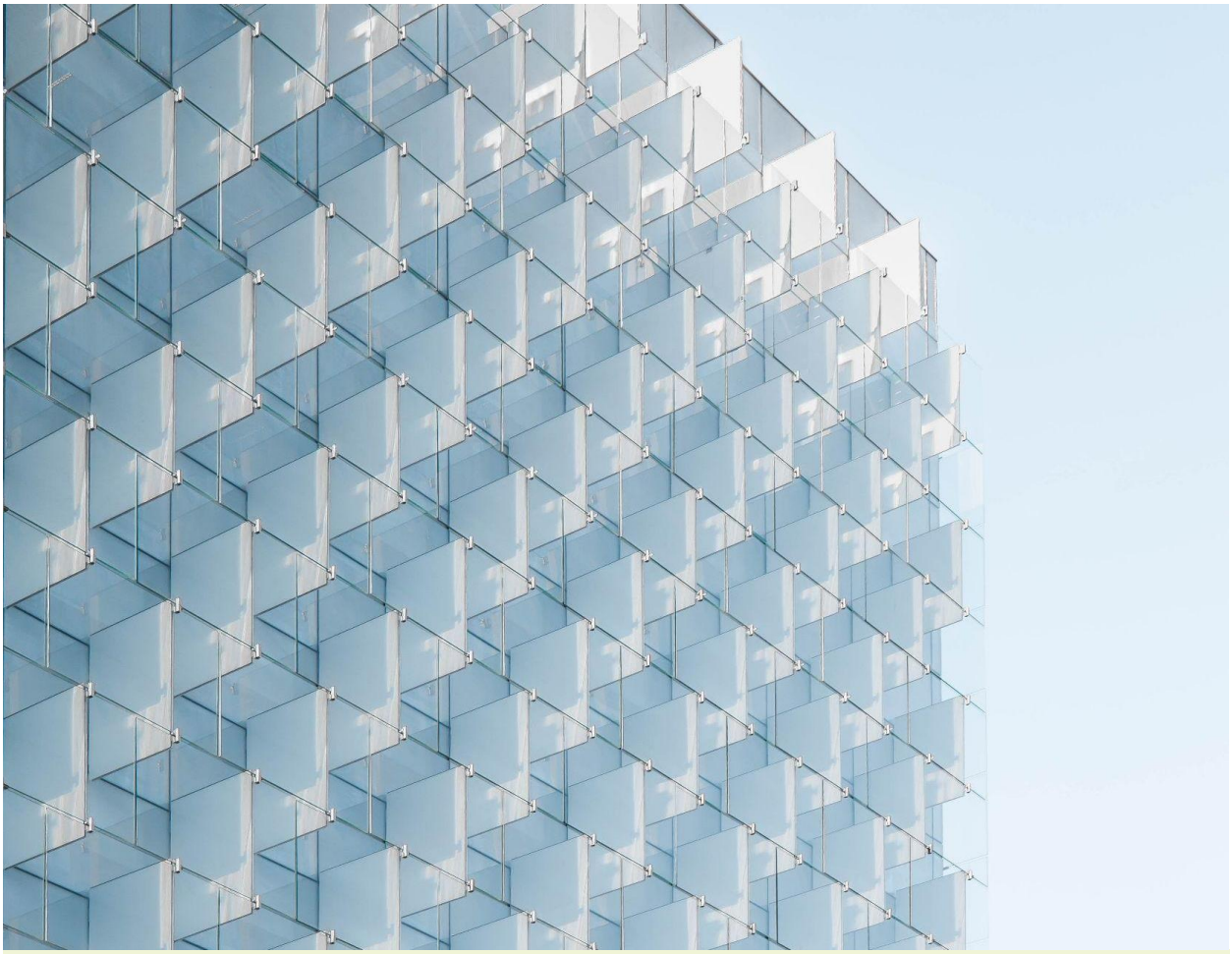
WILLOWTREE PLANNING

18 November 2024

Ref: WTJ24-395
Contact: Tim Gleeson



STATEMENT OF ENVIRONMENTAL EFFECTS:

EARLY WORKS TO SUPPORT A FUTURE DATA CENTRE OPERATION

43-61 Turner Road, Gregory Hills
Lot 14, 15, 16 & 17 DP 28024
—
Prepared by Willowtree Planning Pty Ltd
on behalf of ARUP

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In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

DOCUMENT CONTROL TABLE			
Document Reference:	24-395_Early_Works		
Contact	Tim Gleeson		
Version and Date	Prepared by	Checked by	Approved by
Version No. 1 – 08/11/2024	Tim Gleeson Town Planner	Andrew Cowan Director	Andrew Cowan Director
Version No. 1 – 18/11/2024	Tim Gleeson Town Planner	Andrew Cowan Director	
			

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PART A SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of ARUP (the Applicant) and is submitted to Camden Council (Council) in support of a Development Application (DA) at 43-61 Turner Road, Gregory Hills (subject site), which captures the following land parcels:

- Lot 14 DP28024
- Lot 15 DP28024
- Lot 16 DP28024
- Lot 17 DP28024

This DA seeks development consent for early works at the subject site, including other necessary works, as described in **PART C** of this SEE.

The subject site is zoned IN1 General Industrial, pursuant to the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* (Western Parkland City SEPP), which is intended to:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities and to support the viability of centres.
- To minimise any adverse effect of industry on other land uses.
- To enable development for the purpose of commercial offices only where it is associated with, and ancillary to, another permissible use on the same land.
- To enable development for the purpose of retail premises only where it serves convenience needs, or where the goods or materials sold are of a type and nature consistent with construction and maintenance of buildings.

The proposal seeks consent for earthworks, retaining walls, roads internal to the site and other necessary works to support the future construction and operation of a data centre on the subject site under SSD-68013714. All works proposed are permitted with consent in the IN1 zone and aligns with the zone objectives.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 3 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation). Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out under **PART D** of this SEE.

This SEE describes the subject site and proposed development, provides relevant background information and responds to the proposed development in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the SEE is as follows:

- **PART A SUMMARY**
- **PART B SITE ANALYSIS**
- **PART C PROPOSED DEVELOPMENT**
- **PART D LEGISLATIVE AND POLICY FRAMEWORK**
- **PART E ENVIRONMENTAL ASSESSMENT**
- **PART F CONCLUSION**

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the DA be given.

1.2 PRE-LODGEMENT CONSULTATION

A pre-lodgement meeting was held with Camden Council on 21 August 2024 with Camden Council. **TABLE 1** below outlines the notes provided by Stephen Pratt on 29 August 2024 and commentary against each matter.

TABLE 1. PRE-LODGEMENT CONSULTATION

Council Comments	Applicant Response
Town Planning Advice The site is zoned IN1 General Industrial pursuant to State Environmental Planning Policy (Precincts - Western Parkland City) 2021. The development is characterised as works associated with 'general industrial' and 'roads' which are permitted with consent in the IN1 zone.	Noted.
The proposed works are located within 40m of a watercourse. A Controlled Activity Approval pursuant to section 91 of the Water Management Act 2000 is required. Therefore, this development is classed as Nominated Integrated Development and requires a referral to Department of Climate Change, Energy, the Environment and Water for their general terms of approval.	The proposed development would not carry out a specified controlled activity at a specified location on or under waterfront land. The absence of defined channels and banks provides evidence that the subject site's mapped hydrolines do not meet the definition of a 'river' as concluded as part of the Waterways Assessment (Ecologique, 2022) undertaken as part of the previous DA on the subject site (**2022/492/1**). Therefore, a controlled activity approval would not be required.
The proposal must comply with all relevant environmental planning instruments, development control plans and policies applicable to the site and development. These include (but may not be strictly limited to): ▪ *State Environmental Planning Policy (Planning Systems) 2021.*	The SEE has considered all relevant environmental planning instruments, development control plans and policies applicable to the subject site and development. Refer to **Part D** of the SEE.

▪ *State Environmental Planning Policy (Transport and Infrastructure) 2021.* ▪ *State Environmental Planning Policy (Resilience and Hazards) 2021.* ▪ *State Environmental Planning Policy (Biodiversity and Conservation) 2021.* ▪ *State Environmental Planning Policy (Precincts - Western Parkland City) 2021.* ▪ Turner Road Development Control Plan 2018. ▪ Camden Development Control Plan 2019.	
It is noted that roads in the employment area are to be provided in accordance with Figure 69 of Part B3 – Controls for the Turner Road Employment Area of the Turner Road DCP. Council accepts that the indicative road layout contained in Figure 69 is proposed to be varied as part of this early works DA. This matter will require appropriate justification with consideration that the overall traffic function objectives of the local road network can be maintained or improved through the preparation of a traffic report prepared by a qualified traffic consultant. This assessment should also satisfactorily address the objectives and controls identified in Section 3.3 - Movement Network of the DCP.	A Traffic and Transport Impact Assessment has been prepared by ARUP and is provided as **Appendix 12**. The Traffic and Transport Impact Assessment details that the 2026 future base scenario shows a slight increase in delay due to the additional vehicles added to the network due to background growth and committed development in the local area, with a Level of Service ranging from B to C. In addition, an assessment of Section 3.3 of the Turner Road DCP 2018 is provided as **Appendix 10**.
Council also specifically notes Figure 68 of the DCP and Table 24 of the DCP which identifies both pedestrian and cycleway links which are required to be facilitated between the riparian corridor and the industrial lands. Such connections will be removed as a result of the proposed development as the intended site through link is not being provided. In this regard, the applicant has indicated that Turner Road frontage works will be undertaken as part of this development which Council would expect that such works will include kerb, gutter and verge construction.	The Turner Road frontage works will be undertaken as part of the proposed development and further details of these works is provided within the 'Typical Road Cross Sections' provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Council would see that opportunity exists for a shared path to be delivered as part of these works along the Turner Road frontage of the site which could become an alternative arrangement to the through site link to meet the objectives of the DCP.	A shared path is proposed to be delivered along Turner Road. Refer to the 'Typical Road Cross Sections' provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP (**Appendix 5**).
Road cross sections provided as part of the pre-DA request, while differing slightly from the profiled contained within the Turner Road DCP, are generally acceptable and will be considered in any future DA on their individual merit.	Noted. Refer to the 'Typical Road Cross Sections' provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
The street frontages shall be satisfactorily landscaped in accordance with the DCP and must provide sufficient area for large canopy trees to screen the bulk and scale of the future industrial development.	The landscaping of the Turner Road frontage will be undertaken as part of the proposed development. The proposed roads (Eastern Access Road,

	Central Hills Drive extension and White Cliffs Avenue turning head) will also be suitably landscaped as part of the subject DA. Refer to the Landscape Plan prepared by Geoscapes and provided as **Appendix 8**.
In accordance with Section B3 Controls for the Turner Road Employment Area, Section 2.2, the DCP sets out a key objective that Turner Road is provided with landscaped entry points to the employment area.	As set out above, the landscaping of the Turner Road frontage will be undertaken as part of the proposed development. The Turner Road frontage works including kerb, gutter and verge construction will also form part of the subject DA.
Environmental Health Advice A contamination assessment of the site, prepared by a qualified environmental consultant and in accordance with Council's Management of Contaminated Lands Policy and the National Environment Protection Measure (amended 2013), must be prepared. Testing must be carried around or beneath any dwellings / sheds, any wooden telegraph poles and the dams on the property. If contaminated land is found on the site a remediation action plan will be required as part of any DA submitted.	A Contamination Summary Letter (**Appendix 15**) and Remedial Action Plan (**Appendix 14**) has been prepared by Arcadis. The Contamination Summary Letter provides a summary of contamination works completed onsite, as well as provides a status of the subject site in its current configuration based on the review of past reports, and from first hand observation onsite. As part of the Remedial Action Plan, a Site Layout Plan is provided identifying indicative remedial areas and ACM fragments. Based on Arcadis' assessment of the information presented in the available historical contamination assessment reports, Arcadis considers that the remedial goal can be achieved, and the subject site made suitable for the proposed land use.
A salinity assessment must be prepared for the site in accordance with the NSW Environment Protection Authority's Site Investigation for Urban Salinity Booklet. It is important that resistivity is included, and that the assessment is undertaken to the maximum depth of the proposed development. Where aggressive or saline soils are identified a salinity management plan, that addresses construction requirements for all proposed buildings and infrastructure, must be prepared.	A Soil Salinity Management Plan has been prepared by Geo-Logix and provided as **Appendix 9**. The findings of the salinity assessment have generally identified non-saline to slightly saline soils. Geo-Logix recommends that site design should emphasise improved site drainage while minimising onsite cut and fill during construction.
Certification Engineering Advice The works must be compliant with Council's Engineering Design Specification and Turner Road DCP (except where variations are supported by Council staff).	Compliance with Council's Engineering Design Specification and Turner Road DCP have been demonstrated as part of the Stormwater Management and

	Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Locations of future driveways should be indicated on plan and laybacks constructed as part of the road construction (if required).	The location of future driveways and laybacks have been identified on plan. Refer to the General Arrangement Plan provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP (**Appendix 5)**.
Swept path plans needs to be submitted to demonstrate that vehicles can get in and out of the property in a forward direction without difficulties. Swept paths are also to be provided to show adequate manoeuvrability for a HRV including at the bend on Central Hills Drive where a HRV must be able to safely pass a passenger vehicle.	Swept paths have been provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**. Refer to the 'Vehicle Tracking Heavy Rigid Vehicle' drawing which demonstrates adequate manoeuvrability for a HRV.
Vehicle crossings to be at least 1 metre from any power poles, light poles, utility pits or street trees.	Vehicle crossings have been located a minimum of 1 metre from power poles, light poles, utility pits and street trees.
Any retaining walls are to be shown with top and bottom levels provided at regular intervals.	The proposed retaining wall's location and height is shown on the Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Safety fencing for retaining walls to be considered, particularly when in the road reserve.	Safety fencing for retaining walls is proposed as part of the subject DA. This detail is included on the 'Typical Road Cross Sections' provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Extension of roads should consider the redesign of signage and line marking as required.	The extension of roads has considered the redesign of signage and line marking, where required. Refer to the Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP (**Appendix 5**).
A Stormwater Management report is required to be prepared along with the engineering plans discussing how the proposed drainage works comply with Council's Engineering Specifications and other applicable standards.	Compliance with Council's Engineering Design Specification and Turner Road DCP have been demonstrated as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
A DRAINS and MUSIC model is to be prepared to accompany the stormwater design.	A DRAINS and MUSIC model has been prepared and is provided as part of the Stormwater Management and Flood

	Assessment Report prepared by ARUP and provided as **Appendix 5.**
On-site detention and water quality facilities must be provided to serve the site. Water quality treatment is required for the development to achieve a reduction in pollutant loads in accordance with council specifications. Noting that the development is proposing temporary sediment basins as part of the early works, the applicant must provide a sediment erosion control plan for review.	A Sediment Erosion Control Plan is provided within the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5.**
Headwalls must have appropriate erosion controls in place to ensure no scouring as water enters the riparian corridor. A Gross Pollutant Trap should be considered prior to the water entering the riparian corridor.	A number of treatment methods and devices are proposed to reduce pollution loads whilst minimising the maintenance burden to Council. These are set out in the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5** and include a Gross Pollutant Traps and litter baskets in kerb inlet pits.
Stormwater connections to the eastern access road should also be provided, including subsoil drainage as required.	Stormwater connections to the eastern access road have been provided and are detailed within the Stormwater Management and Flood Assessment Report provided as **Appendix 5**.
Details of all earthworks will need to be provided including detail of any retaining walls (unsure if the bolded red lines are meant to be retaining walls). Terraced retaining walls should be spaced a minimum of 1m apart.	Details of earthworks and retaining walls have been set out in the Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Flood Engineering Advice It is noted that there are five farm dams located across the site and the site generally slopes downward from the northwest corner (RL103) to the southeast corner (RL88). The flow is carried through five dams within Lots 14-17 and eventually discharge into Lot 18/19 into the tributary creek. The site is within the Narellan Creek catchment Flood Planning Area (FPA) (affected by Watercourse/Farm Dam). Also, there are overland flow paths on the property (all lots) besides Lot 18 which is affected by 1% AEP mainstream flooding.	Noted.
The development must be compliant with Council's Flood Risk Management Policy and Engineering Design Specification.	Compliance with Council's Flood Risk Management Policy and Engineering Design Specification is detailed within the Stormwater Management and Flood Assessment Report provided as **Appendix 5**.

The proposed concept provided with the pre-DA includes a proposal to construct an upstream stormwater diversion within the northern section of the site comprising overland flow path and stormwater pipes. A temporary swale/channel serving the graded building platform is also proposed. Council's engineering staff question whether the stormwater diversion component, having regard to existing site levels, is located in the most appropriate location and is better served located adjacent to future built form rather than along the northern property boundary. This aspect requires further review. An easement/positive covenant will be required over this swale/drainage pipe in accordance with Council's Engineering Specification.	The location of the stormwater diversion component is considered suitable and will allow for the suitable management of stormwater on the subject site. Upstream flows that drain overland into the subject site will be collected via a swale and headwall and then directed to a pit and pipe network positioned in a stormwater easement near the northern boundary of the subject site. This will convey flows from west to east, connecting into the stormwater system under the new Eastern Access Road and ultimately discharge via headwall (Outfall A) to land immediately upstream of the riparian corridor. Further detail is provided within the Stormwater Management and Flood Assessment Report provided as **Appendix 5**.
It will be necessary to consult Department of Climate Change, Energy, the Environment and Water regarding the encroachment of the development into the Narellan Creek / Riparian Zone.	Noted.
Fill Plans are to be shown showing where cut and fill will be occurring including sections.	Fill plans and sections have been provided as part of the Civil Plans. Refer to the Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
All plans should clearly delineate the extent / location of flood lines of 5% AEP, 1% AEP, PMF and FPL and these lines are to be clearly labelled with respective flood levels.	Refer to Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.
Is required to maintain the post-development runoff peak discharge from the development to not exceeding the pre-development runoff peak discharge into the creek or to the road drainage system.	Comparison of Pre and Post Development Discharge Rates is provided within the Stormwater Management and Flood Assessment Report provided as **Appendix 5**.
A flood impact assessment is required using Council's Narellan Creek flood model for a range of events up to and including PMF to demonstrate that the development is not adversely impacting elsewhere/offsite.	A Flood Impact Assessment has been provided within the Stormwater Management and Flood Assessment Report provided as **Appendix 5**.
A site-based Flood Emergency Response Plan is to be provided in accordance with Council's Flood Risk Management Policy in line with the SES Camden Local Flood Plan indicating trigger levels, rate of rise, evacuation timing and evacuation routes. Further, any proposed evacuation arrangements should not increase the evacuation burden on emergency SES services.	The Stormwater Management and Flood Assessment Report provided as **Appendix 5** details that given the subject site is located outside the mainstream PMF extent, a site-specific Flood Emergency Response Plan (FERP) is not considered necessary for this site.

	Site occupants will be able to adequately respond to any evacuation orders that may result from regional flood emergencies in line with the Camden Local Flood Plan, and the proposal will not materially increase the evacuation burden on the emergency SES services.
Traffic Advice As noted earlier, an appropriate justification shall be provided with addresses the changes to the ILP road layout as proposed by this early works DA. In this regard, a traffic advice prepared by a qualified traffic consultant shall accompany the DA which assesses the traffic, access and connectivity impacts of the development on the surrounding road and intersection network with consideration confirming that the overall traffic function objectives of the network can be maintained or improved.	A Traffic and Transport Impact Assessment has been prepared by ARUP to assesses the traffic and parking implications on the surrounding road network during the construction of the project and is enclosed at **Appendix 12**. Based on the assessment and modelling, the Early Works are not expected to have a significant impact on the local transport network. Appropriate justification regarding the ILP road layout has been provided within **Section 5.2** of this SEE.
Landscaping Advice Details of all tree removal (including justification) must be provided and supported by an arborist report. The development should maximise the retention of good quality vegetation on the site.	Refer to the Arborist Report provided as **Appendix 4** which details tree removal (including justification). Good quality vegetation is propsoed to be retained, where possible.
A landscaping plan which details the proposed landscaping in accordance with Appendix B of the Camden DCP must be prepared. The plan must be prepared by a suitably qualified and experienced landscape designer.	A Landscape Plan has been prepared by Geoscapes and is provided as **Appendix 8**.
Information to be Submitted with the DA You must submit the following plans and documents with the DA: ▪ Aboriginal cultural heritage assessment report (if required). ▪ Aboriginal heritage due diligence assessment. ▪ Acoustic report. ▪ Arborist report (if required). ▪ Bush fire report. ▪ Civil plans. ▪ Contamination report. ▪ Copy of this pre-DA advice letter. ▪ Cost of development estimate. ▪ Demolition plan. ▪ DRAINS and MUSIC modelling. ▪ Flood Impact Assessment.	All plans and documents requested by Council have been provided as part of the DA.

▪ Flood Emergency Response Plan. ▪ Landscaping plan. ▪ Remediation action plan (if required). ▪ Salinity report and management plan. ▪ Site plan. ▪ Statement of environmental effects. ▪ Stormwater management report. ▪ Survey plan. ▪ Traffic report. ▪ Waste management plan.	

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The subject site is identified as 43-61 Turner Road, Gregory Hills, containing the following land holdings:

TABLE 2. SITE IDENTIFICATION		
Site Address	**Legal Description(s)**	**Land Area (approx.)**
43 Turner Road, Gregory Hills	Lot 14 DP 28024	2.35 ha
49 Turner Road, Gregory Hills	Lot 15 DP 28024	2.35 ha
55 Turner Road, Gregory Hills	Lot 16 DP 28024	2.35 ha
61 Turner Road, Gregory Hills	Lot 17 DP 28024	2.35 ha

The subject site comprises four (4) parcels of land totalling 9.4 ha in size with each lot exhibiting a rectangular shape. In its current state, the subject comprises predominantly undeveloped land with scattered vegetation. There is an existing dwelling and attached outbuilding located at 61 Turner Road, Gregory Hills. The subject site is does not have vehicular access however, there are a number of informal vehicular crossovers providing access to 43 Turner Road, Gregory Hills, 55 Turner Road, Gregory Hills and 61 Turner Road, Gregory Hills.

There are a number of existing farm dams located on all four (4) lots and given the slope of the subject site, which generally slopes from the northwest corner to the southeast corner, water flows into adjoining lots to the east and into the tributary creek. The subject site is biodiversity certified land pursuant to the Order to confer biodiversity certification on the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Refer to **Figure 1** and **Figure 2** below.

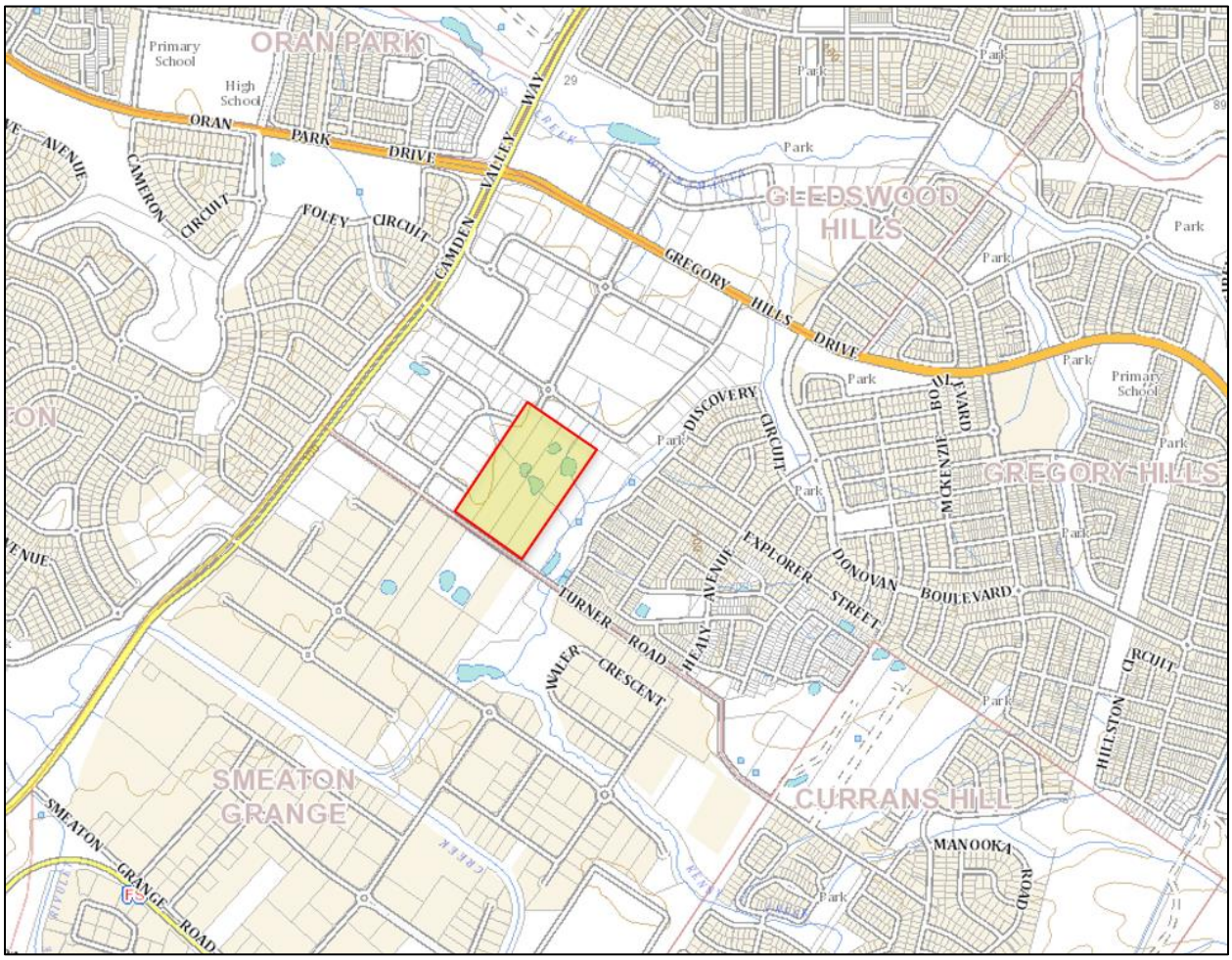

Figure 1. Cadastral Map (Source: SIX Maps, 2024)

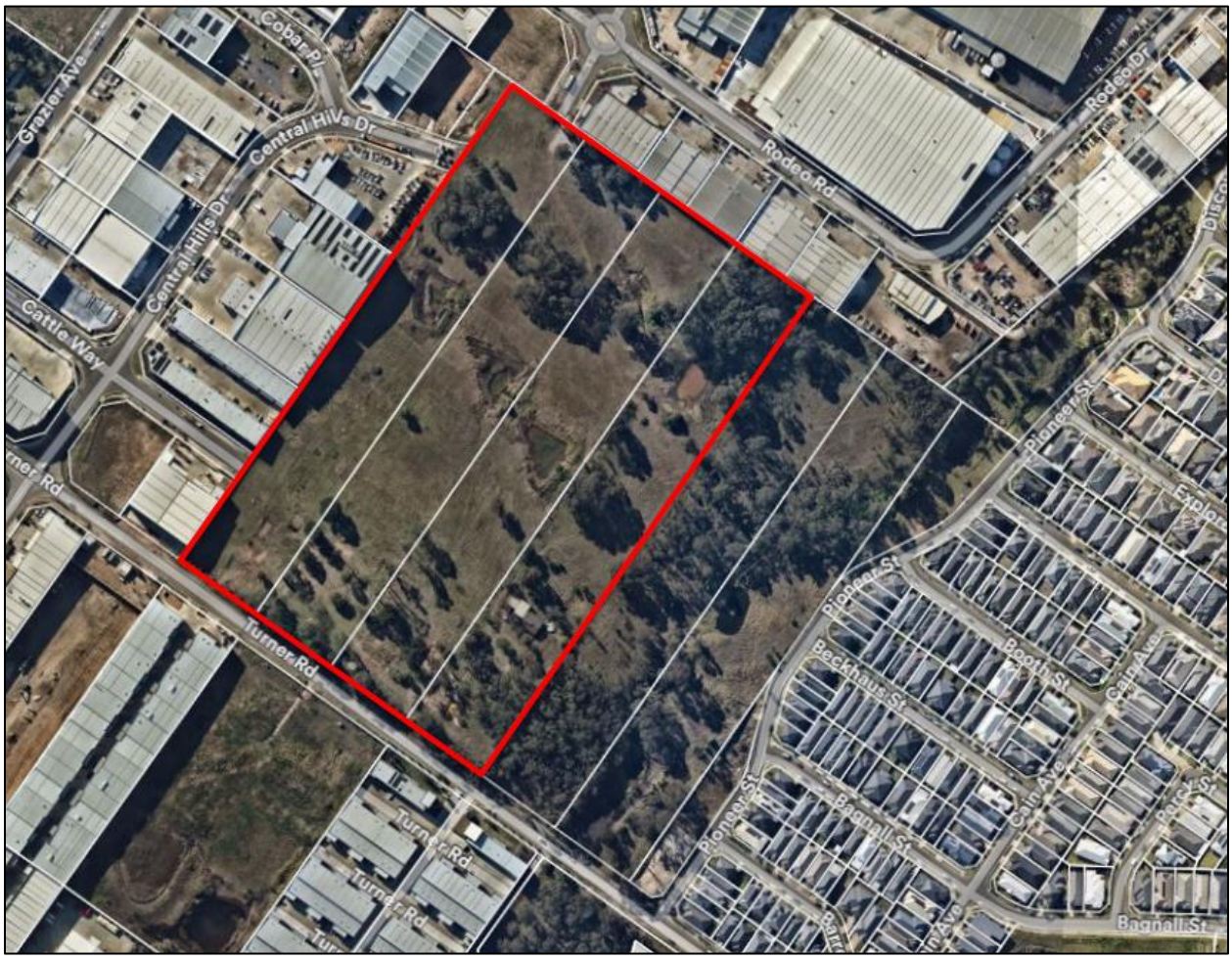

Figure 2. Aerial Map (Source: Near Map, 2024)

2.2 SITE CONTEXT

The subject site is located within the Turner Road Employment Area pursuant to the Turner Road Precinct Development Control Plan, on the northern side of Turner Road. The Turner Road Employment Area aims to be "a vibrant employment area that is well designed and serves a wide range of high employment generating business and industrial activities."

The subject site is surrounded by industrial land uses at Smeaton Grange and residential land uses in Gregory Hills, with bus stops located along Anderson Road and Camden Valley Way providing access to the surrounding suburbs.

Land use surrounding the subject site includes:

- **North:** Directly adjoining the subject site to the north are smaller industrial units located on the southern side of Rodeo Road with further industrial development located beyond.

- **South:** The southern boundary of the subject site adjoins Turner Road. On the other side of Turner Road are smaller industrial units and a parcel of undeveloped land.
- **East:** An undeveloped parcel of land is located along the eastern boundary, partly zoned public recreation zone. Further east is residential development located at Gregory Hills.
- **West:** Along the western boundary is smaller scale industrial units located along the eastern side of Central Hills Drive.

Refer to **Figure 3** below.

Figure 3. Site Context Map (Source: Google Maps, 2024)

2.3 DEVELOPMENT HISTORY

TABLE 3 outlined below provides a summary of the DAs pertaining to the subject site and of relevance to the proposal, that have been determined or are under assessment.

TABLE 3. EXISTING CONSENTS		
DA Reference	**Summary**	**Approval Date**
2022/492/1	Demolition of existing structures, tree removal, remediation of contaminated land, subdivision to create 23 industrial lots and 1 residue lot, public road construction and associated site works	11 May 2023

2.4 STATE SIGNIFICANT DEVELOPMENT ON THE SUBJECT SITE (SSD-68013714)

There is a State Significant Development (SSD) Application currently under assessment on the subject site (SSD-68013714). The SSD relates to the following scope of works:

- *Construction and operation (24/7 basis) of a Data Centre building reaching about 23 metres high, comprising of data halls, mechanical and electrical equipment rooms, offices, a substation, a security gatehouse, other ancillary support spaces, and external/rooftop mechanical and electrical equipment;*
- *About 27 back-up diesel generators that generate electricity for less than 200 hours per annum as well as lithium-ion batteries in the data halls that would operate in the event of a power outage;*
- *There are 68 car parking spaces (of which five would have EV charging), 2 car parking spaces that are compliant with the Disability Discrimination Act 1992, and 10 shared bicycle parking spaces; and*
- *Associated internal access roads.*

The SSD on the subject site received Industry Specific SEARs under the Rapid Assessment Framework on 1 March 2024. An Environmental Impact Statement (EIS) has since been prepared for the SSD and adequacy lodgement has taken place for the test of adequacy on 4 October 2024. A Site Plan of the proposed works is set out in **Figure 4** below.

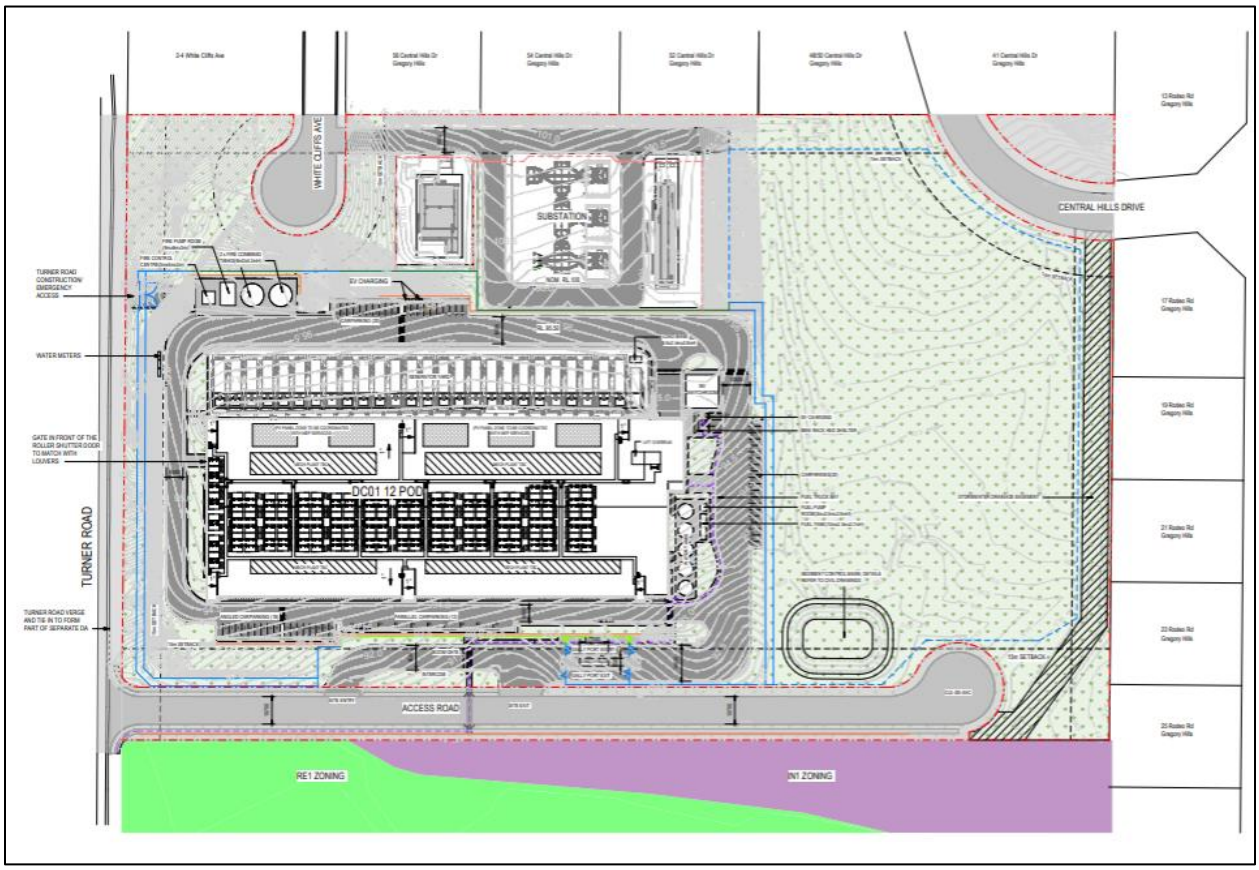

Figure 4. Site Plan for SSD-68013714 (Source: Greenbox Architecture, 2024)

PART C PROPOSED DEVELOPMENT

3.1 DEVELOPMENT OVERVIEW

The proposed development seeks consent for early works to support a future data centre operation on the site which is to be assessed and determined separately by the NSW Department of Planning, Housing and Infrastructure (DPHI). The proposed development is permitted with development consent from Council in the IN1 zone, under Appendix 2 of the Western Parkland City SEPP. The proposed development will facilitate the future development of the subject site to achieve the vision and development objectives of the Turner Road Employment Area.

The proposal seeks to utilise the subject site in accordance with the zoning provisions and will not result in any unreasonable environmental, nor amenity, impacts on the use of the subject site, or adjoining tenancies. The proposal is thus designed to ensure a harmonious relationship with nearby residential and industrial development.

3.2 DEVELOPMENT STATISTICS

The proposed development includes the following scope of works:

- Demolition of existing structures.
- Clearing of existing vegetation to enable proposed early works.
- Civil earthworks in the preparation of level building pads suitable for future proposed development under a separate SSDA.
- Category 2 remediation works, pursuant to Chapter 4 of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.
- Provision of retaining structures to support civil earthworks, roadworks, pads for future building development (under separate SSDA).
- Inground services to support future development under separate SSDA
- Temporary site storm water management including swales, detention basins and storm water discharge.
- Establishment of a new stormwater drainage easement along northern boundary including below ground stormwater pit and pipe network.
- Temporary grading within site including key retaining wall separating upper and lower platforms.
- Existing farm dams proposed to be de-watered and infilled.
- Construction and dedication of new council adopted roads following completion of the SSDA, as set out below:
    - Central Hills Drive Connection – including stormwater connection to existing stormwater pit.
    - White Cliffs Avenue Turning Head.
    - Eastern Access Road with associated stormwater infrastructure, two (2) outlet points to riparian corridor and other infrastructure i.e. sewer, LV, telecoms. Road construction includes max 1m high retaining wall along eastern boundary. Connecting cross-drains, for future upstream development, is proposed.

The proposed early works include those works as identified in **TABLE 4** below.

TABLE 4. DEVELOPMENT PARTICULARS	
Component	**Proposed**
Site Area	9.4 ha
Primary Land Use	General Industry
Ancillary Land Uses	Roads
Gross Floor Area	Not Applicable – no buildings proposed to be constructed as part of the subject DA
Floor Space Ratio	Not Applicable – no buildings proposed to be constructed as part of the subject DA
Building Height	Not Applicable – no buildings proposed to be constructed as part of the subject DA
Number of Storeys	Not Applicable – no buildings proposed to be constructed as part of the subject DA
Number of Tenancies/Units	Not Applicable – no buildings proposed to be constructed as part of the subject DA
Earthworks	▪ Cut: -46,600m^3 ▪ Fill: 41,200m^3 ▪ Net: 4,800m^3
Roads / Driveways	The following road works are proposed to be constructed: ▪ Central Hills Drive Connection ▪ White Cliffs Avenue Turning Head ▪ Eastern Access Road
Car Parking	Car parking will form part of the SSD application (SSD-68013714) on the subject site.
Bicycle Parking	Bicycle parking will form part of the SSD application (SSD-68013714) on the subject site.
Tree Removal	126 trees
Planting	50 trees
Signage	No signage proposed as part of the proposed development.
Infrastructure and Servicing	All essential services, utilities and public infrastructure are capable of servicing the proposed development.
Estimated Development Cost	$27,020,405

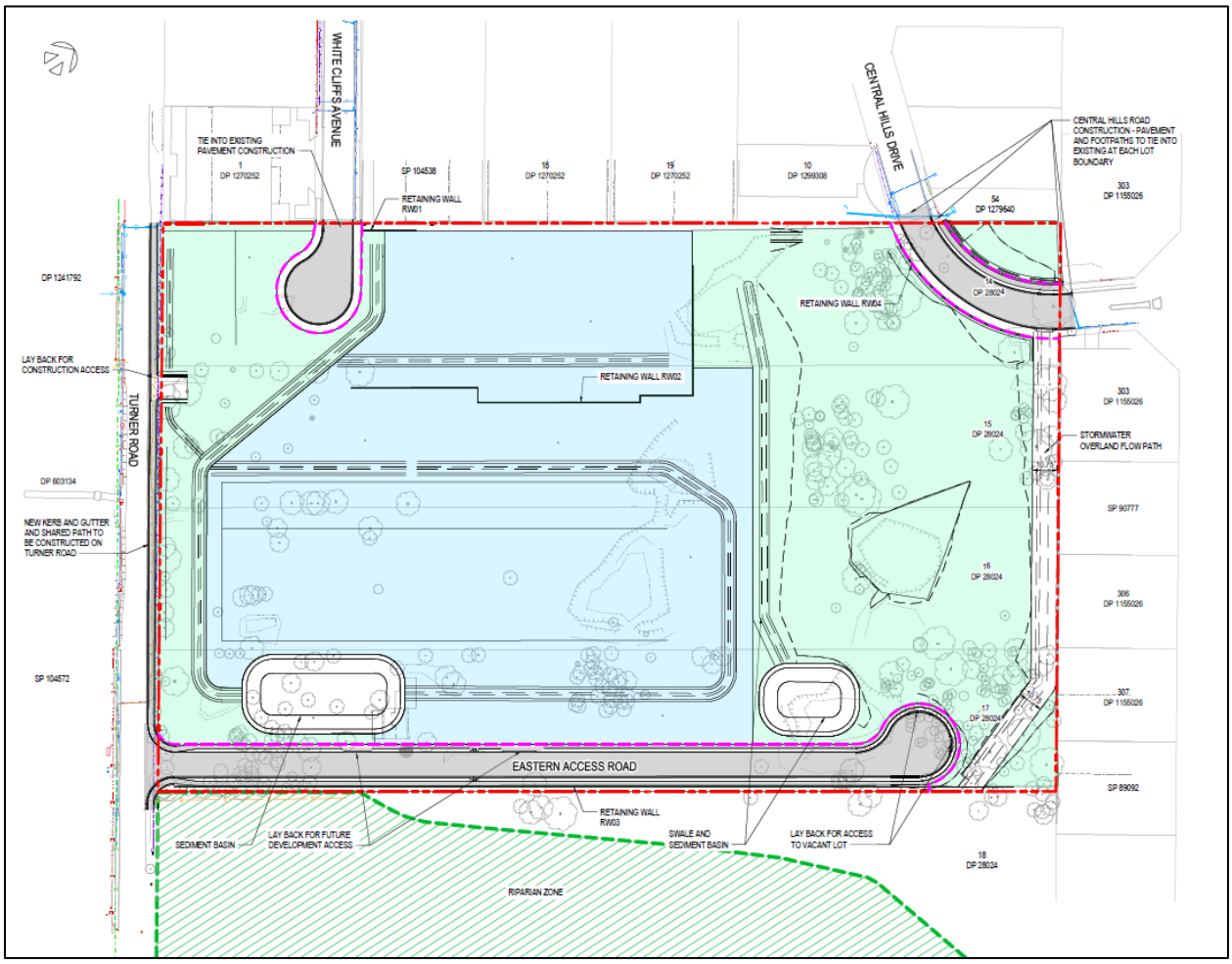

Figure 5. General Arrangement Plan (Source: ARUP, 2024)

PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 CONTROLS AND POLICY OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the subject site in accordance with the EP&A Act.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this DA.

Commonwealth Planning Context

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Rural Fires Act 1997*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environment Planning Policy (Precincts – Western Parkland City) 2021*

Local Planning Context

- *State Environment Planning Policy (Precincts – Western Parkland City) 2021*
- *Oran Park and Turner Road Precincts Section 7.11 Contributions Plan*
- *Western Sydney Growth Areas SIC*
- *Turner Road Development Control Plan 2018*

Strategic Context

- *Greater Sydney Regional Plan A Metropolis of Three Cities*
- *Western City District Plan*
- *Camden Local Strategic Planning Statement 2020*

4.2 COMMONWEALTH PLANNING CONTEXT

4.2.1 Environment Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a "controlled action", and formal Commonwealth approval is required.

The proposal does not warrant significant impacts on MNES, therefore no further consideration of the EPBC Act is required.

4.3 STATE PLANNING CONTEXT

4.3.1 Environmental Planning and Assessment Act 1979

The EP&A Act is the principal planning and development legislation in NSW.

4.3.1.1 Section 4.15(1) of the EP&A Act – Considerations

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **TABLE 5** below.

TABLE 5. SECTION 4.15(1)(A) CONSIDERATIONS

Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The Western Parkland City SEPP is the relevant Environmental Planning Instrument (EPI) applying to the subject site, which is assessed in **Section 4.4** of this SEE.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are no draft instruments applicable to the subject site.
Section 4.15(1)(a)(iii) any development control plan, and	The Turner Road Development Control Plan 2018 (TRDCP2018) applies to the subject site and is addressed in **Section 4.4.2** and **Appendix 10** of this SEE.
Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There are no known planning agreements applicable to the subject site entered into under Section 7.4 of the EP&A Act.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in **Section 4.3.2** of this SEE.

TABLE 5. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	**Response**
Section 4.15(1)(b)-(c)	These matters are addressed in **PART E** of this SEE.

Pursuant to Section 4.5 of the EP&A Act, the consent authority for the proposed development is Camden Council.

4.3.1.2 Section 4.46 of EP&A Act – Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as matters that require consent from the consent authority and one or more authorities under related legislation. In these circumstances, prior to granting consent, the consent authority must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development, pursuant to Clause 42 of the EP&A Regulation. The proposed development does not constitute nominated integrated development.

4.3.2 Environmental Planning and Assessment Regulation 2021

The proposal has been prepared in accordance with the provisions of the EP&A Regulation. Division 1 of Part 3 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:

TABLE 6. HOW THE DA IS MADE	
Considerations	**Response**
Division 1 – Making development applications	
Section 23 – Persons who may make development applications	
(1) A development application may be made by— *(a) the owner of the land to which the development application relates, or* *(b) another person, with the consent of the owner of the land.*	This DA is made by ARUP. The owner of the land has provided consent in accordance with Clause 23(1) of the EP&A Regulation to allow for the DA to be made.
Section 24 – Content of development applications	
(1) A development application must— *(a) be in the approved form, and* *(b) contain all the information and documents required by—* *(i) the approved form, and* *(ii) the Act or this Regulation, and* *(c) be submitted on the NSW planning portal.*	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner's consent, supporting documents including detailed plans and SEE. This DA is submitted via the NSW planning portal.
Section 25 – Information about concurrence or approvals	

TABLE 6. HOW THE DA IS MADE	
Considerations	**Response**
A development application must contain the following information— *(a) a list of the authorities —* *(i) from which concurrence must be obtained before the development may lawfully be carried out, and* *(ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41,* *(b) a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the development may lawfully be carried out.*	A Section 138 application is required under the Roads Act 1993. These applications will be determined by Camden Council.

4.3.3 Rural Fires Act 1997

The subject site is part located on bushfire prone land, with the eastern portion falling within the identified 'vegetation buffer' and 'vegetation category 2'. The balance of the subject site remains clear of bushfire prone land. Refer to **Figure 6** below.

Part 4, Division 8 of the *Rural Fires Act 1997* (Rural Fires Act) relates to the development of bushfire prone land, with Section 100B identifying development for which a Bush Fire Safety Authority is required. A Bushfire Safety Authority is required for:

(a) a subdivision of bush fire prone land that could lawfully be used for residential or rural residential purposes, or
(b) development of bush fire prone land for a special fire protection purpose.

The proposed development, being for early works do not constitute a Special Fire Protection Purpose. Accordingly, a Bushfire Safety Authority is not required under Section 100B of the Rural Fires Act and the development does not constitute Integrated Development under Section 4.46 of the EP&A Act.

The proposed development has been considered against the provisions of *Planning for Bushfire Protection 2019*. For non-residential buildings (Class 5-10), the National Construction Code (NCC) does not provide any bush fire specific performance requirements. As such, Australian Standard (AS) 3959 and the NASH Standard are not considered as a set of Deemed to Satisfy provisions. Nevertheless, compliance must be considered when meeting the aim and objectives of *Planning for Bushfire Protection 2019*. These include:

- Afford occupants of any building adequate protection from exposure to a bushfire;
- Provide for a defendable space to be located around buildings;
- Provide appropriate separation between a hazard and buildings which, in combination with other measures, prevent the likely fire spread to buildings;
- Ensure that safe operational access and egress for emergency service personnel and residents is available;

- Provide for ongoing management and maintenance of bushfire protection measures; and
- Ensure that utility services are adequate to meet the needs of firefighters.

The Bushfire Protection Assessment prepared by Bushfire Consulting Services enclosed at **Appendix 3** undertakes an assessment of the bushfire protection measures required to address bushfire risk to the proposed development, consistent with the provisions of Section 4.14 of the EP&A Act.

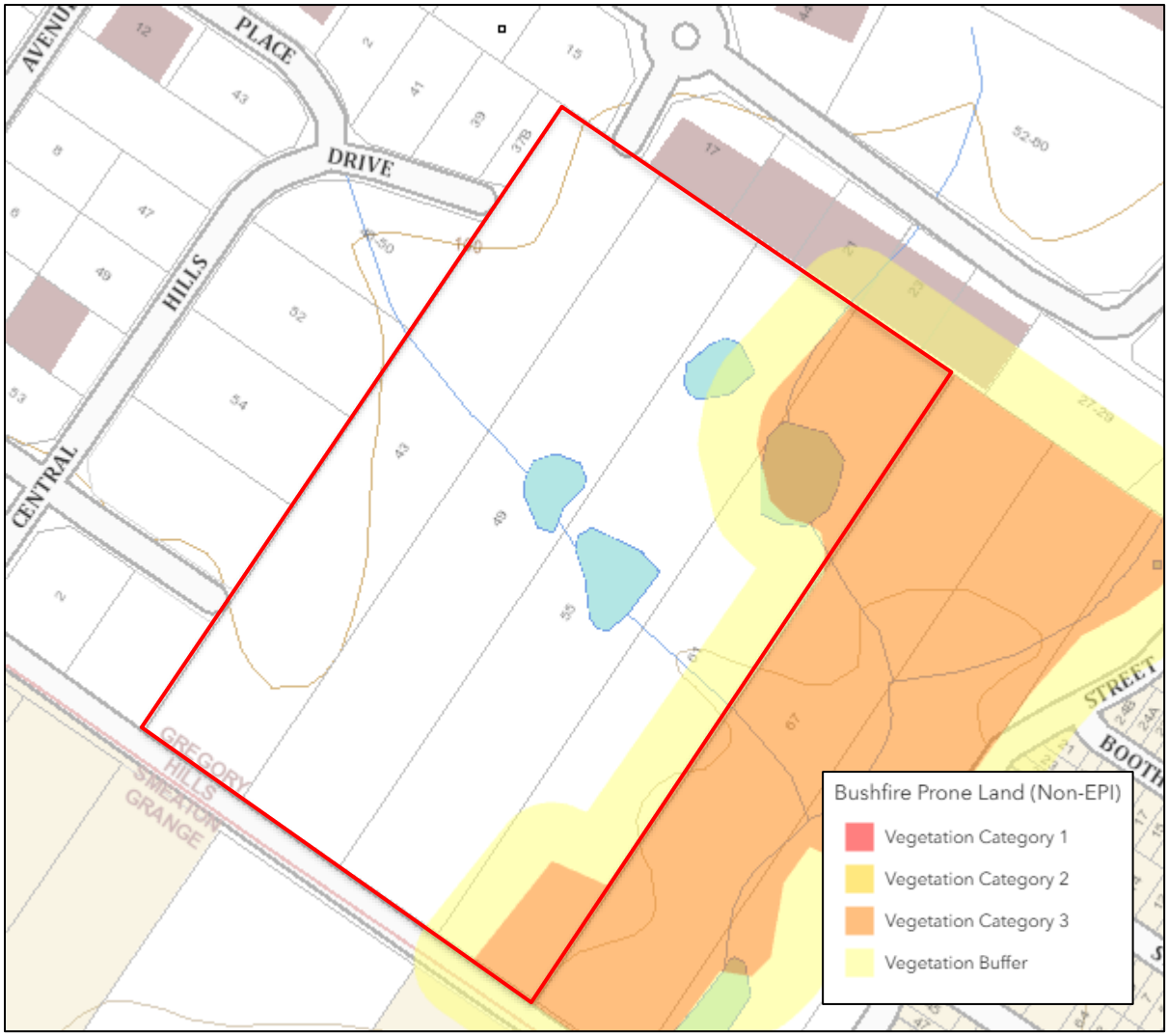

Figure 6. Bushfire Prone Land Map (Source: NSW Legislation, 2024)

4.3.4 Water Management Act 2000

The objective of the *Water Management Act 2000* (WM Act) is the sustainable and integrated management of the state's water for the benefit of both present and future generations.

For development within 40m of a watercourse, a Controlled Activity Approval would be required, and the development would constitute Integrated Development requiring referral and concurrence from Water NSW. In accordance with the WM Act Section 89-91, the DA will not be referred as Nominated Integrated Development given the proposed development would not carry out a specified controlled activity at a specified location on or under waterfront land. The absence of defined channels and banks provides evidence that the subject site's mapped hydrolines do not meet the definition of a 'river' as concluded as part of the Waterways Assessment (Ecologique, 2022) undertaken as part of the previous DA on the subject site (**2022/492/1**). Therefore, a controlled activity approval would not be required.

4.3.5 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) is the key piece of legislation in NSW relating to the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greater well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BC Act is supported by a number of regulations, including the *Biodiversity Conservation Regulation 2017* (BC Regulation).

Under Section 7.7 of the BC Act, a DA for Part 4 activity is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the development is likely to significantly affect threatened species.

The clearing of vegetation on the subject site does not warrant further assessment given the subject site is biodiversity certified land pursuant to the Order to confer biodiversity certification on the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

4.3.6 Protection of the Environment Operations Act 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

> *"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

The proposed development is not listed as an activity pursuant to Schedule 1 of the POEO Act and therefore, the proposal does not constitute a Scheduled Activity and would not require an Environment Protection Licence.

4.3.7 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) seeks to conserve natural and cultural heritage, including places, objects and features of significance to Aboriginal people. The subject site is not part of a National Park.

A search of the Aboriginal Heritage Information System (AHIMS) was undertaken which found that there is one (1) Aboriginal site located at the subject site. An Aboriginal Cultural Heritage Assessment Report has been prepared and provided as **Appendix 1**. The Assessment Report concludes the below:

- One Aboriginal site, AHIMS ID 52-2-3557, is present in the study area
- The site, an artefact scatter, has been subjected to previous destruction through the previous landowner collecting the artefacts. The site card for AHIMS ID 52-2-3557 has been updated to reflect the site's destruction.
- Previous test excavation and multiple archaeological surveys of AHIMS ID 52-2-3557 have not identify any additional Aboriginal objects on or beneath ground surfaces additional subsurface objects within the site's extent, and the site has been determined to be of overall low significance.
- Due to previous collection, the proposed works would not harm AHIMS ID 52-2-3557.

The Aboriginal Cultural Heritage Assessment Report provides a number of recommendations including establishing an unexpected finds policy and the carrying out of a heritage induction. It can therefore be concluded that the proposed development would not impact aboriginal cultural heritage values on the subject site.

4.3.8 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- land use planning within the coastal zone, in a manner consistent with the objects of the *Coastal Management Act 2016*.
- management of hazardous and offensive development.
- remediation of contaminated land and to minimise the risk of harm.

In relation to the subject site, the following matters are highlighted.

Chapter 4 – Remediation of land

Under the provisions of Chapter 4 of the Resilience and Hazards SEPP, where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless (as stipulated by Clause 4.6 of the SEPP):

> *(a) it has considered whether the land is contaminated, and*
> *(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
> *(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

The Remedial Action Plan (RAP) prepared by Arcadis in support of the proposed early works is provided as **Appendix 14**. The Site Layout Plan identifying indicative remedial areas and ACM fragments provided as

part of the RAP is provided in **Figure 9** of this SEE. Arcadis concluded that remediation could be achieved, and the Site made suitable for the proposed land use subject to the implementation of the strategies and methodologies set out in the RAP, and the preparation of the validation report.

4.3.9 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) contains planning provisions relating to:

- infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.

Of these, the proposed development must have regard to the following chapters:

Chapter 2 – Infrastructure – Clause 2.122 Traffic-generating development

Referral is required for the erection of new premises, or the enlargement or extension of existing premises, where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds identified specifically for Industry are as follows:

- 20,000m^2 in site area or (if the site area is less than the gross floor area) gross floor area
- 5,000m^2 in site area or (if the site area is less than the gross floor area) gross floor area. (If access within 90m of connection, measured along alignment of connecting road).

Given the proposed development relates to early works only and the early works would not constitute traffic generating development when in operation, the above provisions do not apply.

4.3.10 State Environmental Planning Policy (Planning Systems) 2021

The Planning Systems SEPP contains planning provisions relating to:

- State or regionally significant development, State significant Infrastructure, and critical State significant infrastructure.
- consideration of development delivery plans by local Aboriginal land councils in planning assessment.
- election of the Planning Secretary to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies.

Chapter 2 – State and regional development

Schedule 6 of the Planning Systems SEPP sets out that development that has an estimated development cost of more than $30 million is regionally significant development. As set out in the cost of development estimate provided as **Appendix 7**, the proposed development does not exceed $30 million and is therefore local development.

4.3.11 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (Biodiversity and Conservation SEPP) contains planning provisions relating to:

- Planning rules and controls for the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.
- The land use planning and assessment framework for koala habitat.
- Provisions which establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray.
- Provisions seeking to protect and preserve bushland within public open space zones and reservations.
- Provisions which aim to prohibit canal estate development.
- Provisions to support the water quality objectives for the Sydney drinking water catchment.
- Provisions to protect the environment of the Hawkesbury-Nepean River system.
- Provisions to manage and improve environmental outcomes for Sydney Harbour and its tributaries.
- Provisions to manage and promote integrated catchment management policies along the Georges River and its tributaries.
- Provisions which seek to protect, conserve and manage the World Heritage listed Willandra Lakes property.

Of these, the proposed development must have regard to the following chapters:

Chapter 2 – Vegetation in non-rural areas

The clearing of vegetation on the subject site does not warrant further assessment given the subject site is biodiversity certified land pursuant to the Order to confer biodiversity certification on the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

Chapter 6 – Water Catchments

The subject site is located within the Hawkesbury-Nepean catchment. All works subject to the DA will be undertaken in accordance with the Stormwater Management Report (**Appendix 5**) ensuring the proposed development makes adequate provision to protect the quality and quantity of ground water.

4.3.12 State Environmental Planning Policy (Sustainable Buildings) 2022

The purpose of the *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) is to encourage the design and delivery of sustainable buildings across NSW. It sets sustainability standards for both residential and non-residential development and contributes to NSW's target of achieving net zero by 2050. This includes objectives to minimise energy consumption and greenhouse gas emissions, improve good thermal performance and minimise the consumption of potable water.

Given no buildings are proposed as part of the proposed development, an assessment against the Sustainable Buildings SEPP has not been undertaken.

4.3.13 State Environmental Planning Policy (Precincts – Western Parkland City) 2021

State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Western Parkland City SEPP) is the relevant Environmental Planning Instrument (EPI) applying to the subject site, which is assessed in **Section 4.4** of this SEE.

4.4 LOCAL PLANNING CONTEXT

4.4.1 State Environmental Planning Policy (Precincts—Western Parkland City) 2021

The Western parkland City SEPP is the primary Environmental Planning Instrument that applies to the subject site.

The relevant provisions of Western Parkland City SEPP as they relate to the subject site are considered in the following subsections.

4.4.1.1 Zoning and Permissibility

The subject site is located within the IN1 General Industrial zone under the Western Parkland City SEPP as shown in **Figure 7**.

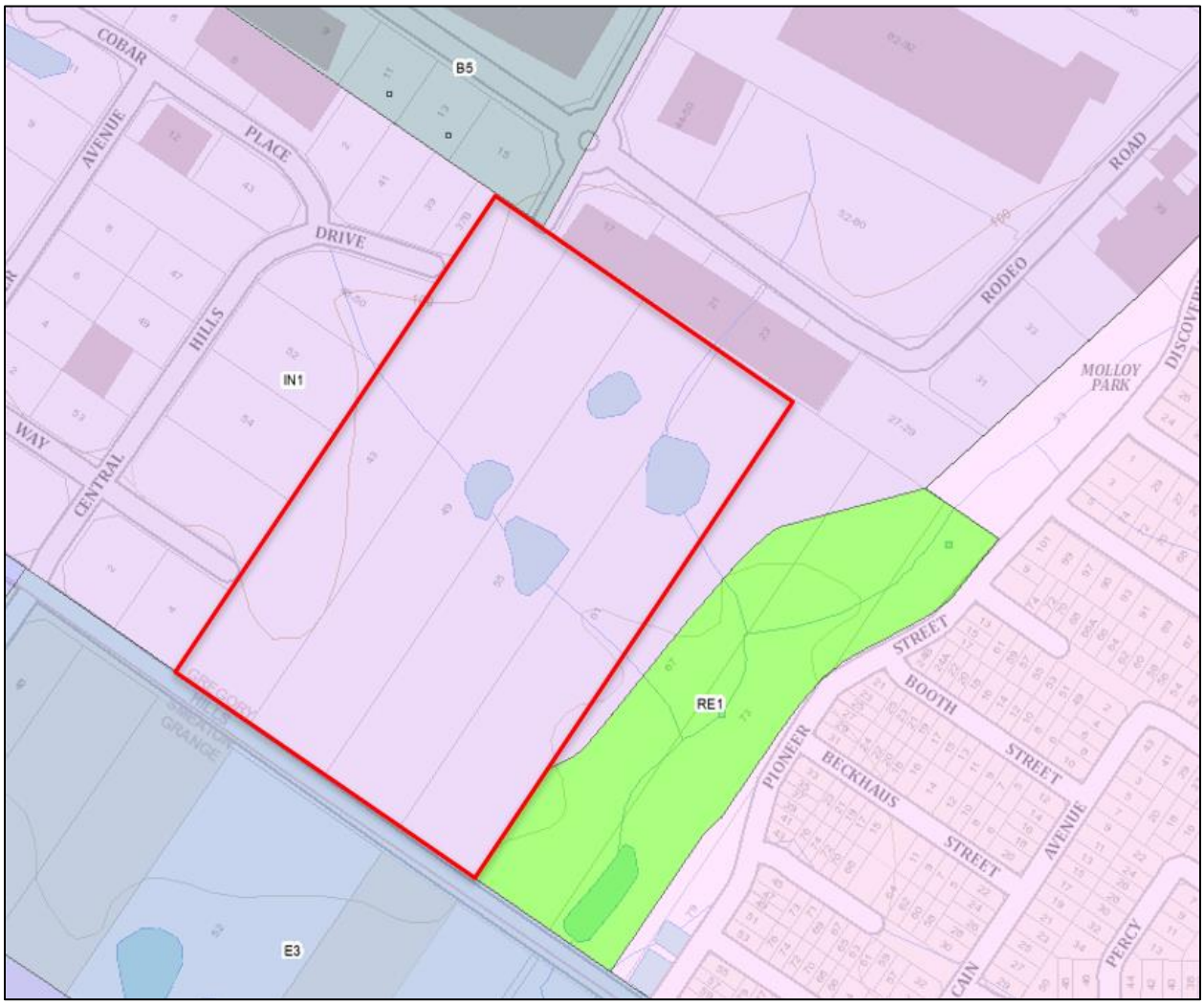

Figure 7. Western Parkland City SEPP Zoning Map (Source: NSW Legislation, 2024)

The objectives of the IN1 zone include:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable development for the purpose of commercial offices only where it is associated with, and ancillary to, another permissible use on the same land.*
- *To enable development for the purpose of retail premises only where it serves convenience needs, or where the goods or materials sold are of a type and nature consistent with construction and maintenance of buildings.*

Within the IN1 zone, the following development is permitted without consent:

- *Nil*

Within the IN1 zone, the following development is permitted with consent:

- *Any other development not otherwise specified in item 2 or 4*

Within the IN1 zone, the following development is permitted with consent:

- *Agriculture; Airports; Airstrips; Attached dwellings; Biosolid waste applications; Boarding houses; Bulky goods premises; Business premises; Caravan parks; Cemeteries; Community facilities; Correctional centres; Dairies (pasture-based); Dual occupancies; Dwelling houses; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Function centres; Group homes; Hazardous industries; Hazardous storage establishments; Health consulting rooms; Heavy industries; Heliports; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Hospitals; Hostels; Information and education facilities; Mines; Multi dwelling housing; Offensive industries; Offensive storage establishments; Office premises; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential care facilities; Residential flat buildings; Restriction facilities; Retail premises (other than neighbourhood shops and take away food and drink premises); Roadside stalls; Rural industries; Rural workers' dwellings; Sawmill or log processing works; Secondary dwellings; Semi detached dwellings; Seniors housing; Shop top housing; Stock and sale yards; Tourist and visitor accommodation; Waste disposal land fill operations*

The development is characterised as works associated with 'general industrial' and 'roads' which are permitted with consent in the IN1 zone. The proposed works would assist with providing a wide range of industrial land uses.

4.4.1.2 Development Standards

TABLE 7 outlines the developments consistency and compliance with the relevant development standards and controls under Western Parkland City SEPP.

TABLE 7. DEVELOPMENT STANDARDS	
Clause	**Comment**
Clause 2.6A – Demolition	Consent is sought for the removal of all existing structures on the subject site.
Clause 4.1 – Minimum Subdivision Lot Size	The subject site is not subject to a minimum subdivision lot size control. Consent for the subdivision of the subject site is not sought as part of the subject DA.
Clause 4.3 – Height of Buildings	The subject site is not subject to a maximum building height control. No buildings are proposed to be constructed as part of the subject DA.

TABLE 7. DEVELOPMENT STANDARDS	
Clause	**Comment**
Clause 5.9 – Preservation of Trees or Vegetation	Consent is sought for the removal of 96 trees on the subject site. Refer to the Arboricultural Impact Assessment prepared by Arboreport Vegetation Management Consultants and provided as **Appendix 4**. It is considered that the proposed planting detailed on the Landscape Plan (**Appendix 8**) will ensure the amenity of the area is preserved as a result of the proposed development.
Clause 6.6 – Development in Special Areas	The subject site is located within the Turner Road Employment Area. Compliance with the TRDCP2018 has been demonstrated in **Appendix 10**.

4.4.2 Turner Road Development Control Plan 2018

The TRDCP2018 set the outcomes and requirements for permissible development in the Employment Area in the Turner Road Precinct.

An assessment of the proposal against the relevant sections of the TRDCP2018 is provided at **Appendix 10**.

4.5 DEVELOPMENT CONTRIBUTIONS

4.5.1 Contributions and Public Benefit

The Oran Park and Turner Road Precincts Section 7.11 Contributions Plan and Special Infrastructure Contribution - Western Sydney Growth Areas applies to the subject site.

The Housing and Productivity Contribution will not apply to the proposed development as no GFA is proposed as part of the early works.

4.6 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the subject site.

4.7 STRATEGIC PLANNING CONTEXT

4.7.1 Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan, *A Metropolis of Three Cities* (the Plan) sets a 40-year vision (to 2056) for growing Greater Sydney with a focus on the regional significance of central and western Sydney in order to contribute to a more productive, liveable and sustainable city. The Plan has been prepared concurrently with *Future Transport 2056* and *State Infrastructure Strategy 2018-2038* to align land use, transport and infrastructure outcomes for Greater Sydney.

The Plan envisages Sydney as a metropolis of three (3) cities, including:

- The Western Sydney Parkland City;
- The Central River City; and
- The Eastern Harbour City.

The division into three cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure and services, entertainment and cultural facilities. By managing and retaining industrial land close to city centres and transport, this will ensure critical and essential services are readily available to support local businesses and community members and residents. Once the proposed data centre subject to a separate SSDA is constructed and becomes operational, the development will achieve economic growth and prosperity, as well as encourage employment-generating opportunities within an area zoned for such permissible purposes, that is considered relatively close in conjunction to residential communities, providing an ease of commute. The proposed development considers the employment-generating outcomes that can be achieved for the immediate and wider localities.

The proposed development also contributes to the four (4) standardised elements communicated across for all three (3) cities, including:

- Infrastructure and collaboration – the proposed development would facilitate the future provision of services to support the locality;
- Liveability – the proposed development encourages employment-generating opportunities and economic prosperity, which has positive influences on the wider locality;
- Productivity – the proposed development is situated within the *Western City District Plan* (refer to **Section 4.7.2** below); and,
- Sustainability – the proposed development would not exhibit or emit any detrimental impacts to its wider ecological surroundings.

In summary, the proposed development contributes to the objectives set out in the *Greater Sydney Region Plan – A Metropolis of Three Cities* by promoting minor environmental impacts and the further promotion of employment-generating opportunities to the wider locality and community, positioned within the Camden LGA.

4.7.2 Western City District Plan

Greater Sydney's three cities discussed above reaches across five (5) districts. *The Greater Sydney Region Plan* identifies the subject site as being located in the Western City District. The Western City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals, as well as community strategic plans and policies.

The proposed development will contribute to the objectives set out in the *Western City District Plan* (of which the subject site forms a part) by promoting a greater range of land uses of benefit to the community, including the proposed development (early works associated with 'general industrial' and 'roads' land uses); facilitating the provision of greater and improved infrastructure; and facilitating future employment-generating opportunities, to the wider locality and community closer to home, whilst supporting

economically and environmentally-sustainable development. These aims are specifically relevant to the proposed development.

4.7.3 Camden Local Strategic Planning Statement

The Camden Local Strategic Planning Statement (CLSPS) is Camden Council's 20-year planning vision, emphasising land use, transport and sustainability objectives to demonstrate how Camden will change to meet the community's needs. The LSPS sets short, medium and long-term actions linked to the local priorities, to deliver on the community's future vision.

The proposed development will achieve the planning priorities set out in CLSPS as follows:

- Facilitating the future development of the subject site for the purposes of a Data Centre;
- Strengthening the Turner Road precinct;
- Ensuring a suitable supply of industrial land; and
- Delivering a more productive Camden.

PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

The proposed early works would integrate with the desired character and function of the subject site. In particular, the subject site is located within a designated industrial area pursuant to the TRDCP2018. Local priority P4 of the *Camden Local Strategic Planning Statement* is to ensure a suitable supply of industrial and urban services land. The proposed early works will support the development of industrial lands within the LGA.

Furthermore, the early works will have regard for the interface of the subject site with the surrounding area. The early works will facilitate a future built form that will integrate with the established visual character and commercial function of the local context whilst respecting the amenity of the nearby residential properties.

Overall, the proposed early works will facilitate the future development of the subject site that will generate positive benefits for the local community in walking distance of growing population catchments and a local workforce base.

Accordingly, the proposed development would not exhibit any significant environmental effects and would not adversely impact the amenity or operations of any adjoining sites. Therefore, the proposed early works would be compatible with the site context.

5.2 TRAFFIC & TRANSPORT

A Traffic and Transport Impact Assessment has been prepared by ARUP to assesses the traffic and parking implications on the surrounding road network during the construction of the project and is enclosed at **Appendix 12**. Due to the nature of the proposed development being early works, the development does not have an operational stage and this stage would be subject to the separate SSDA for the proposed Data Centre development.

The Traffic and Transport Impact Assessment notes that the subject site will be split by two levels due to the ground elevations varying throughout the subject site. The roads proposed as part of the DA provide access to both levels of the subject site and provides a continuation to the surrounding road network, as set out below:

- The Central Hills Drive road connection will join the two sections of Central Hills Drive through the northern corner of the subject site.
- The White Cliffs Avenue turning head is proposed as a continuation of the existing White Cliffs Avenue and will provide access to the portion of the subject site with the higher ground level.
- The New Eastern Access Road off Turner Road is proposed and runs along the eastern side of the subject site and will provide access to the portion of the subject site with the lower ground level.

Traffic Modelling

To analyse the performance of the proposed development assessment has been undertaken for the identified key intersection and the subject site's access points. For reference, the study area has been proposed to assess the following intersections:

- Camden Valley Way / Anderson Road / Sir Warwick Fairfax Drive;
- Anderson Road / Dunn Road; and
- Dunn Road / Central Hills Drive / Turner Road.

The results of the SIDRA modelling analysis indicates that all intersections are expected to operate with in capacity and with an acceptable level of service (LoS C or better) during the peak construction stage of the development.

Any impacts that are experienced on the road network during the construction of the development can be mitigated through traffic management and scheduling work outside peak periods. It should be noted that this is a temporary situation which will only occur during peak stages of the construction of the Proposal. In most construction stages, the works are expected to have a reduced impact on the surrounding road network.

Based on the assessment and modelling, the Early Works are not expected to have a significant impact on the local transport network.

Proposed Variation to the ILP

The indicative road layout is proposed to be varied as part of the subject DA. Through site links are shown to be provided across the subject site however, the future use of the subject site does not allow for through site links. It is considered that the proposed amended road layout can still achieve the overall traffic function objectives of the local road network. As noted by Council as part of the pre-DA advice, the delivery of a shared path along the Turner Road frontage of the subject site could become an alternative arrangement to the through site link to meet the objectives of the TRDCP2018. As shown in **Figure 8**, it is proposed to provide this path along the Turner Road frontage which will allow for the creation of a permeable road network that facilitates movement in and through the employment area.

Refer to the Civil Plans provided as part of the Stormwater Management and Flood Assessment Report prepared by ARUP (**Appendix 5**).

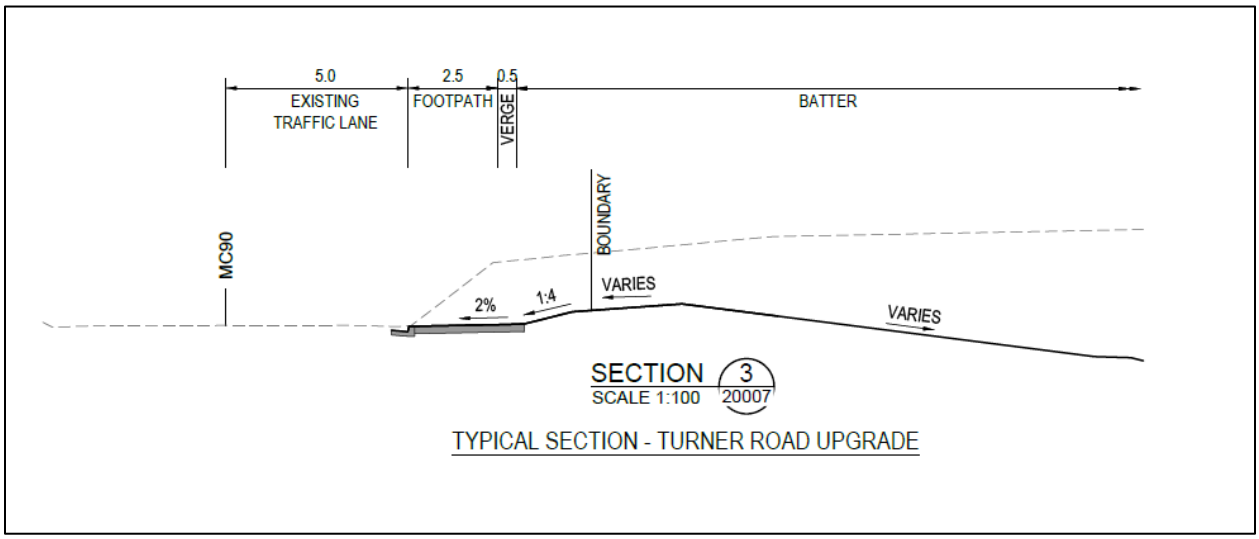

Figure 8. Typical Road Cross Section (Source: ARUP, 2024)

5.3 SOIL AND WATER

A Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**. Within this report and plans, details of earthworks, retaining walls, stormwater management and erosion & sediment control are provided. The civil engineering design of the subject site responds to the topography and site constraints in order to provide an appropriate stormwater management incorporating best practice in water sensitive urban design consistent with Council's water quality objectives.

5.3.1 Earthworks

Significant cut and fill volumes are necessary to create gently grading platforms from the current sloping nature of the subject site. Additional excavation may be required to treat unsuitable soils present within the farm dams. The extent of proposed earthworks is provided below:

- Cut: -46,600m^3
- Fill: 41,200m^3
- Net: 4,800m^3

Full details of bulk earthworks and retaining walls are included within the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.

5.3.2 Erosion and Sediment Control

Soil Erosion and Sediment Control measures including sedimentation basins will be provided during the construction works. Refer to the erosion and sediment control details provided as part of in the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.

5.3.3 Stormwater Management

The proposed early works feature temporary and permanent stormwater drainage infrastructure. Permanent stormwater infrastructure is primarily pit and pipe which serves the upstream catchment areas and public roads. Temporary, surface stormwater drainage is proposed to serve the graded and landscaped platform.

There are three primary catchments within the subject site boundary:

- Main catchment 1 (southern portion of site), drained via overland flow path and 2No farm dams, discharging into riparian corridor east of the subject site.
- Main catchment 2 (northern portion of site), drained via overland flow path and 3No farm dams, discharging into riparian corridor east of the subject site.
- A small catchment at the southwest corner of the site which sheds overland onto Turner Road.

The Stormwater Management and Flood Assessment Report also considers catchments not located on the subject site.

With regard to post development catchments, upstream flows that drain overland into site will be collected via a swale and headwall and then directed to a pit and pipe network positioned in a stormwater easement near the northern boundary of the subject site. Stormwater infrastructure included within the Eastern Access Road includes several cross-drains that consider points of connection from the future industrial development. Within the main graded earthworks platform there are two principal catchments; a northern and a southern. Each catchment will be drained via a series of swales that convey runoff to a sediment basin. Each sediment basin includes a raised outlet pit structure. The controlled outlet pipe from each basin will discharge to the trunk stormwater system under the Eastern Access Road. All cross-drains serving the future industrial development are to be constructed as part of the Early Works.

5.3.4 Water Quality Management

Camden Council require a development to provide a design which incorporates the principles of Water Sensitive Urban Design (WSUD) and to target pollutants that are present in the stormwater so as to minimise the adverse impact these pollutants could have on receiving waters.

The proposed treatment methods and devices are summarised below and have been selected to reduce pollution loads whilst minimising the maintenance burden to Council. The proposed treatment devices are as follows:

- White Cliffs Avenue Turning Head: Litter baskets in kerb inlet pits.
- Central Hills Drive and Stormwater Easement: Litter baskets in kerb inlet pits within Central Hills Drive. The stormwater pipe within the easement will flow through a Gross-Pollutant Trap near the eastern end of the easement.
- Eastern Access Road: Litter baskets in kerb inlet pits.

Due to the limited depth and cover to stormwater pipes and culverts within the Eastern Access Road, no significant treatment devices have been proposed in this road corridor.

5.3.5 Salinity

A Soil Salinity Management Plan prepared by Geo-Logix is provided as **Appendix 9**. This Soil Salinity Management Plan presents analytical salinity results, including pH, sulfate, chloride and electrical conductivity. The findings of the salinity assessment have generally identified non-saline to slightly saline soils, with most sampling points classified within these categories. At location TP10, the salinity curve shows an exception. The salinity becomes very saline at 1 mbg, moderately saline at 1.7 mbg and slightly saline at 2.5 mbg. This appears to be associated with waterlogging of soils in this location. Moderately saline soils were detected at 2.0 mbg in location TP9 at a depth of 2.3 mbg. The results are consistent with regional salinity mapping.

5.4 FLOODING

A Flood Impact Assessment has been undertaken and is included as part of the Stormwater Management and Flood Assessment Report prepared by ARUP and provided as **Appendix 5**.

The site-specific flood model developed for the subject site has been developed to assess the flood risk and flood impacts to the subject site resulting from the Early Works. Existing flood study reports available demonstrate that the subject site is located outside of the mainstream flood extent from the adjacent watercourse to the east of the subject site. Overland flooding through the existing site is limited to within the natural gullies that run through the northern section of the subject site. Any significant peak flood depths/velocities and flood hazard are limited to the areas around the existing farm dams.

The proposed Early Works development does not result in any flooding concerns within the subject site nor does it result in any adverse impacts in peak flood levels, velocities or flood hazard to external receptors, due to measures incorporated into the Early Works design. The impacts of climate change do not result in any change to the outcomes of the flood impact and risk assessment compared with the "present-day" scenario. Given the subject site is located outside the mainstream PMF extent, a site-specific Flood Emergency Response Plan (FERP) is not considered necessary for this site. Site occupants will be able to adequately respond to any evacuation orders that may result from regional flood emergencies in line with the Camden Local Flood Plan, and the proposal will not materially increase the evacuation burden on the emergency SES services.

5.5 BUSHFIRE

A Bushfire Assessment Report has otherwise been prepared by Bushfire Consulting Services and is enclosed at **Appendix 3**. The Bush Fire Assessment Report, in terms of relevance to the proposed early works, has found that proposed roadways provide safe access to/from the public road system for firefighters providing property protection during a bush fire and for occupant egress for evacuation. Internal access provides a minimum road width of approximately 10m. (Reference Planning For Bushfire Protection 2019 Part 9.3.1).

The Bushfire Assessment Report notes that the above appears to be the only criteria relevant to the proposed early works, and therefore there is no inconsistency between the proposed early works and the requirements of Planning For Bushfire Protection 2019.

5.6 CONTAMINATION

A Contamination Summary Letter (**Appendix 15**) and Remedial Action Plan (**Appendix 14**) has been prepared by Arcadis. The Contamination Summary Letter provides a summary of contamination works completed onsite, as well as provides a status of the subject site in its current configuration based on the review of past reports, and from first hand observation onsite. The previous investigation and remediation works undertaken on the subject site are set out below:

- *Geo-Logix (2022a) Preliminary and Detailed Site Investigation Report Assessment – 43-61 Turner Road Gregory Hills, NSW 2557 (PDSI)*
- *Geo-Logix (2022b) Remedial Action Plan – 43-61 Turner Road Gregory Hills, NSW 2557 (Geo-Logix RAP)*
- *JBS&G Australia Pty Ltd (JBS&G) (2023a) Hazardous Building Materials Survey – 43-61 Turner Road Gregory Hills, NSW (HazMat Report)*
- *JBS&G (2023b) Interim Site Validation Report - Assessment – 43-61 Turner Road Gregory Hills, NSW (Interim Site Validation Report)*
- *Arcadis (2023a) Phase I Environmental Site Assessment – 43-61 Turner Road Gregory Hills, NSW 2557 (Phase I ESA)*
- *Arcadis (2023b) Phase II Environmental Site Assessment – 43-61 Turner Road Gregory Hills, NSW 2557 (Phase II ESA)*
- *Arcadis (2024) Groundwater Investigation – 43-61 Turner Road Gregory Hills, NSW 2557 (GW Investigation)*

A summary of the Phase 1 Environmental Site Assessment and Phase 2 Environmental Site Assessment previously undertaken on the subject site is provided below. In addition, a Remedial Action Plan has been undertaken in support of the proposed early works which is also summarised below.

Phase 1 Environmental Site Assessment

The purpose of the Phase 1 Environmental Site Assessment for the subject site is to assess potential contamination risks posed by current and historical land use, and to inform the suitability of the subject site for the proposed redevelopment to commercial/industrial land use.

Arcadis conclude that remedial measures should be undertaken to address identified contamination across the subject site, and that remedial measures should be taken at the earliest opportunity. Including asbestos present in buildings, soil, and stockpiles at the subject site, Arcadis identified a further four (4) PAoC associated with historic site use and observations made during the site inspection.

Based on the desktop review and information provided in the PSI report, it is considered unlikely groundwater poses a contamination risk at the subject site, and further assessment is currently considered not to be required.

Arcadis identified several data gaps for the subject site, which include the potential for contamination to be present in soil and soil vapour at the subject site. Addressing this gap will identify whether soil is suitable for beneficial reuse at the subject site during redevelopment works. It is further required by The Turner Road Precinct Development Control Plan 2018 that a Phase II DSA is completed for characterisation of the 'area of environmental concern' present at the subject site, to be submitted with development applications for the subject site.

Phase 2 Environmental Site Assessment

The purpose of the Sampling and Analysis Quality Plan (SAQP) is to undertake a Phase 2 Environmental Site Assessment to facilitate data collection which informs the contamination status of the subject site, as well as meeting the requirements of Camden Council for the development application process (Camden Council, 2020).

Laboratory analysis confirmed the presence of asbestos in nine of 10 fragments of presumed asbestos containing material (PACM) collected from the ground surface in PAEC 1 and near Dam 1 and Arcadis conclude that there is an imminent risk to Site users associated with asbestos present on the ground surface and within stockpiled material at the subject site. Arcadis recommend remediation of the asbestos impacted areas at the earliest opportunity by a suitably experienced and qualified practitioner.

Arcadis conclude that the subject site can be made suitable for the intended commercial/industrial site use following assessment and remediation of asbestos identified in PAEC 1, stockpiled material containing ACM, and asbestos clearance by a suitably qualified and experienced practitioner. This assumes that the identified data gaps are also addressed to assess the risks to human health or ecological receptors associated with COPC identified in groundwater, and that any identified risks are also managed and/or mitigated.

Remedial Action Plan

The Remedial Action Plan (RAP) prepared by Arcadis in support of the proposed early works is provided as **Appendix 14**. The Remedial Action Plan notes that following a review of previous investigations undertaken on the subject site has indicated that the majority of the subject site has been successfully assessed and remediation works have commenced in accordance with the Geo-Logix (2022b) RAP. These remediation works have been documented in an Interim Site Validation Report, and for works completed, are considered to have been suitably remediated and validated.

However, the Arcadis Phase 2 Environmental Site Assessment identified localised asbestos contamination to still be present in two (2) areas (i.e., AA1 and AA2) which require assessment to identify the extent of impact. The Phase II ESA also identified that further assessment is required to finalise the assessment for Lot 14 at 43 Turner Road that were not advanced during initial works.

In addition to the above, as part of the pre-DA advice, Camden Council has highlighted targeted areas of investigation to be completed, as set out below:

- Assessment of building footprints (post demolition) that were not assessed post demolition works.
- Assessment around or beneath the Building footprint of the house (still present) at 61 Turner Road.

There were also a number of data gaps requiring additional investigation, as set out below:

- Assessment of the extent of asbestos impact in soils within AA1 and AA2.
- Assessment of previously excluded soil sample locations from the Phase II ESA.
- Assessment of stockpiles along the western boundary of the subject site.
- Current condition of dam water (if present).

The above works are to be undertaken in conjunction with the proposed remediation works due to the need to remove asbestos in some areas prior to further testing. The Site Layout Plan identifying indicative remedial areas and ACM fragments provided as part of the RAP is provided in **Figure 9** below.

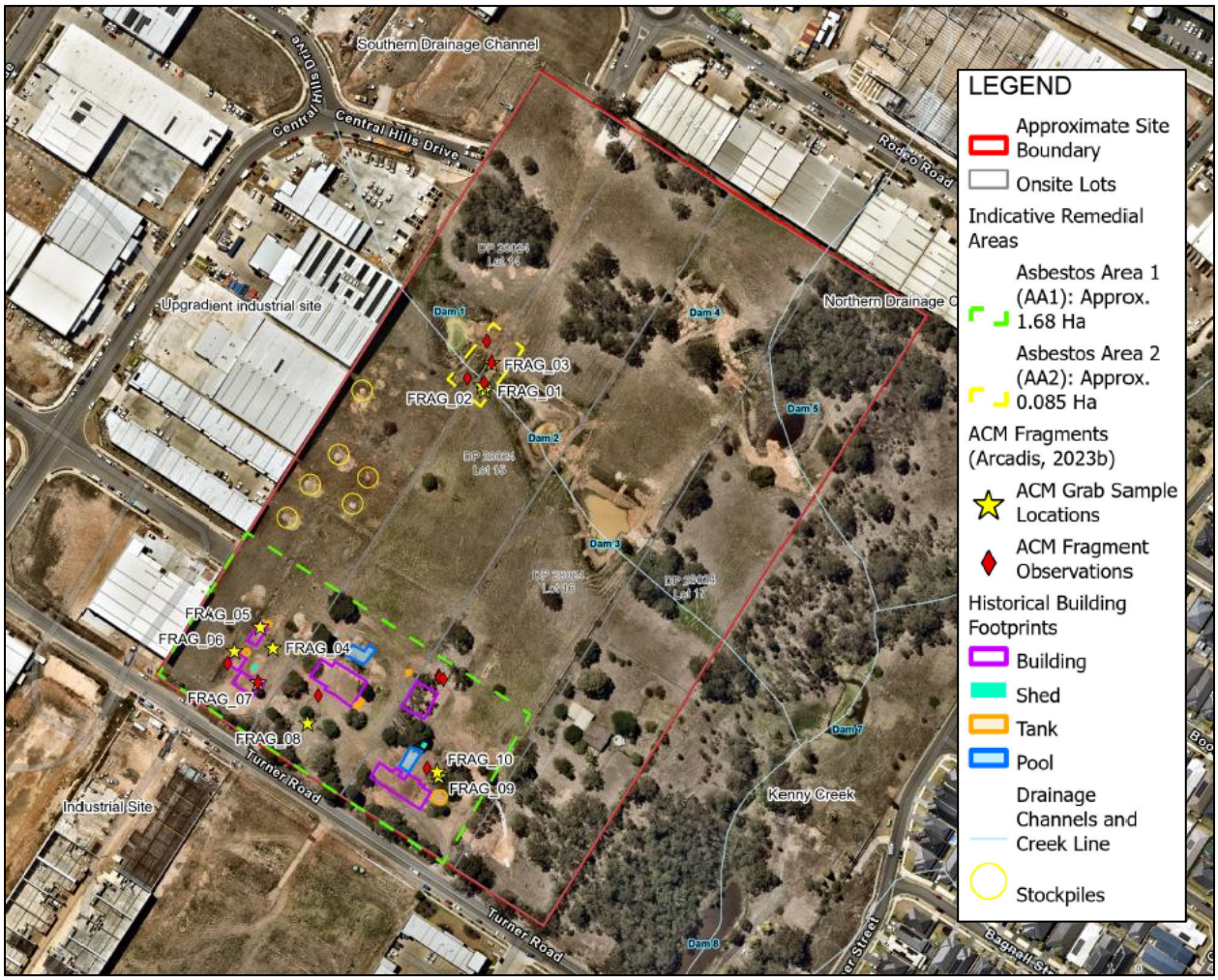

Figure 9. Indicative Remedial Areas and ACM Fragments (Source: Arcadis, 2024)

The RAP includes a conceptual site model and identifies potential receptors as future site users and construction workers. The RAP notes that an asbestos impact in soils at AA1 and AA2 has not been further assessed for the extent of impact beyond the ACM fragments and testing to identify whether asbestos fines/fibrous asbestos (AF/FA) has not yet been conducted for surface soils within AA1 and AA2, therefore a worst-case scenario has been adoption where there is a possibility for inhalation of asbestos fibres to receptors at the subject site.

However, data gaps exist and further assessment to confirm the extent of asbestos impact and presence of asbestos fines/fibrous asbestos (AF/FA) in surface soils at AA1 and AA2 is required. Arcadis considers the procedures documented within the RAP to provide the mechanisms required to delineate the extent/confirm presence of AF/FA during the remedial and validation works. The contingency plan provides scenarios whereby AF/FA is present in soils, and what the appropriate remedial action and management to undertake would be, if required.

The RAP sets out that recommendations be developed and implemented to ensure the risks and impacts during remediation works are controlled in an appropriate manner:

- A CEMP relating to the remediation of contamination, to document the monitoring and management measures required to control the environmental impacts of the works and ensure the validation protocols are being addressed; and
- An unexpected finds protocol (UFP) to document management procedures and safety measures to be implemented in the event contamination is discovered.

Based on Arcadis' assessment of the information presented in the available historical contamination assessment reports, Arcadis considers that the remedial goal can be achieved, and the subject site made suitable for the proposed land use.

5.7 NOISE

A Construction Noise and Vibration Impact Assessment has been prepared by ARUP and is provided as **Appendix 2**.

Nearby sensitive receivers have been identified in accordance with the Noise Policy for Industry (NPfI). The residential receivers have been grouped into Noise Catchment Areas (NCAs). The NCAs are areas where receivers have a similar land use (as defined in the NPfI and ambient noise environment.

- **NCA 1**: Residential area (zone R2, low density residential) located ~500 metres to the northwest of Camden Valley Way. The residential properties are a combination of single and two-storey dwellings.
- **NCA 2**: Residential area (zone R1, general residential) located ~140 metres east of the site boundary. The residential properties are generally two-storey dwellings.
- **C1, C2, C3**: Nearest commercial receivers representative of the receivers in the B5 zone (Business Area) and E3 zone (Productivity support) located to the north of the site and to the south of the site respectively. The E3 zone is currently under development.
- **CC1**: Nearest childcare receiver located in the E3 zone (Productivity support), ~450 metres to the south of the site.

- **CC2, CC3**: Childcare receivers located in the IN1 zone (General Industrial), located ~390 m to ~460 m to the northeast of the site
- **CC4, CC5**: Childcare receivers located in the B5 zone (Business Development), located ~670 m to ~730 m to the northeast of the site
- **I1, I2, I3, I4**: Nearest industrial receivers, representative of the receivers in the IN1 zone (General Industrial) to the west and north of the site. The IN1 zone to the east of the site is currently under development.
- **AR1 and AR2**: Representative of the zone RE1 (Public Recreation)

The location of surrounding receivers is provided in **Figure 10** below.

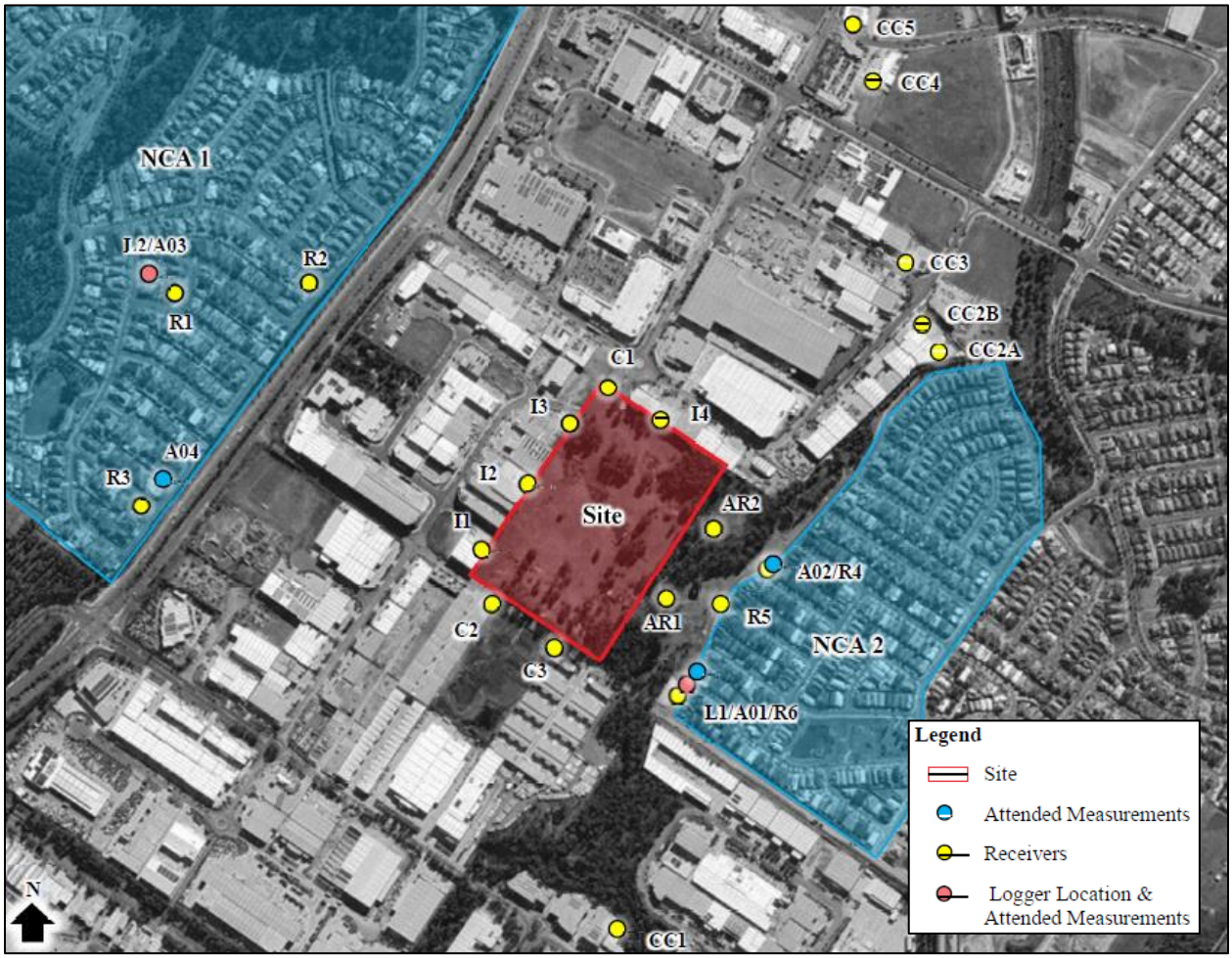

Figure 10. Surrounding Receivers (Source: ARUP, 2024)

Existing Acoustic Environment

Existing background noise levels are required for the establishment of the intrusive noise criteria, applying only to residential locations. All other receivers have fixed criteria applied.

Long-term noise monitoring was carried out at the location L1 and L2. Data for the monitoring period has been processed in accordance with the procedure in the Noise Policy for Industry (NPfI) and results of the long-term noise monitoring are summarised in **TABLE 8**.

TABLE 8. 2034 LONG-TERM NOISE MONITORING RESULTS DB(A)

Location	Date	Time period	Rating background noise levels, dBLA90	Ambient noise levels, dBLAeq
L1 - 79 Barrett Street, Gregory Hills	Thursday 20 July 2023 to Wednesday 2 August 2023	Day	39	55
		Evening	42	54
		Night	37	52
L2 - 7 Whitten Parade, Harrington Park	Thursday 20 July 2023 to Wednesday 2 August 2023	Day	35	58
		Evening	42	56
		Night	33	51

Short-term noise monitoring was carried out at the locations A01, A02, A03 and A04. The ambient noise environment at the receiver locations east of the subject site (A01 and A02) was dominated by local traffic and natural surrounds including animal and insects during the day and insects in the evening and night. Industrial noise was just discernible at A02 during the daytime measurement from industrial premises to the north. No industrial noise was discernible at A02 during the nighttime measurement.

Higher overall background noise levels during the evening than both the day and night at both long-term monitoring locations is attributed to peak hour traffic noise. The lower L90 levels during the middle of the day, when traffic volumes are low, result in overall lower background noise levels for the daytime period, whereas the evening L90 levels remain high throughout the evening period.

Ambient noise environment at the receiver locations west of the subject site (A03 and A04) was dominated by traffic from Camden Valley Road.

Construction Noise Assessment

Noise emissions have been modelled using SoundPlan 9.0 using the Concawe algorithm and no mitigation measures have been included in the predictions. Predicted noise levels for receivers located the closest to the subject site are presented as a worst case 15-minute average noise levels at those receivers. Levels will vary greatly depending on location of equipment. The levels assume that all equipment is operating concurrently within the subject site which represents the maximum average noise levels at the receivers throughout the construction period. In reality, the predicted noise levels will vary in intensity and would only be experienced for limited periods of time when works are occurring. Predicted construction noise levels at the surrounding receivers are presented in **TABLE 9**.

TABLE 9. PREDICTED CONSTRUCTION NOISE LEVELS SITE ESTABLISHMENT AND EXCAVATION - RESIDENTIAL AND NON-RESIDENTIAL RECEIVERS				
Receiver	**NML, dBLAeq 15min**		**Predicted noise level, dBLAeq(15min)**	
	Standard hours	**Highly Noise Affected**	**Activity 1: Site establishment and excavation**	**Activity 2: Pavement and road works**
R1	45	75	39	35
R2	45	75	55	51
R3	45	75	55	51
R4	49	75	70	66
R5	49	75	71	67
R6	49	75	70	66
C1	70	-	81	77
C2	70	-	79	75
C3	70	-	78	74
I1	75	-	82	78
I2	75	-	83	79
I3	75	-	82	78
I4	75	-	82	78
CC1	55	-	63	59
CC2	55	-	59	55
CC3	55	-	44	41
CC4	55	-	43	39
CC5	55	-	43	39
AR1	60-65	-	77	73
AR2	60-65	-	77	73

Exceedances of the Noise Management Levels (NMLs) have been predicted, so mitigation measures should be implemented, as set out in the following section. .

Construction Noise and Vibration Mitigation Measures

The mitigation measures are considered 'feasible and reasonable' for implementation on the project, and include, but are not limited to, the following:

- Preparation of a management plan.
- Erection of a temporary noise barrier. The benefits of the noise barrier should be reevaluated when a more detailed assessment is conducted during the preparation of the Construction Noise and Vibration Management Plan.
- Keep a register of any complaints, including details such as date, time, contact number, complainant location, description of complaint and action taken.
- Appoint a named member of the site staff who will act as the Responsible Person with respect to noise and vibration.
- Use of quieter and less vibration emitting construction methods.

The contractor will have a key role in managing potential noise and vibration impacts during the works and the following recommendations should be integrated into the overarching management plan for the works.

5.8 WASTE

A Demolition and Early Works Construction Waste Management Plan has been prepared by ARUP and is enclosed at **Appendix 13**.

The Demolition and Early Works Construction Waste Management Plan advises that should an unexpected contaminated/hazardous waste materials be identified; work must be halted and the NSW EPA and Council may need to be notified. All contaminated/hazardous waste must be transported by a NSW EPA licensed contractor and treated or disposed of at an appropriate licensed facility.

A summary of waste generation and management during demolition is provided within the Demolition and Early Works Construction Waste Management Plan. One such management measure is related to the spread of weeds, pests or pathogens within recovered waste materials. A weed management plan should be prepared to specify appropriate control and disposal measures to minimise impacts associated with the spread of weeds and plant pathogens if required.

Waste generated from the early works construction, a list of material streams is provided within the Waste Management Plan and Site excavation material during early works is estimated to be:

- Cut: 39,146m^3
- Fill: 39,052m^3

There is expected to be 94m^3 of surplus material (net cut) that will be required to be taken off site and disposed of appropriately. It is expected that the site excavation material will be temporarily stockpiled for on-site reuse, and any surplus material will be collected for off-site reuse or disposed of appropriately.

The Demolition and Early Works Construction Waste Management Plan would ensure the efficient and effective waste management for the proposed early works.

5.9 HERITAGE

A search of the Aboriginal Heritage Information System (AHIMS) was undertaken which found that there is one (1) Aboriginal sites located at the Subject Site. An Aboriginal Cultural Heritage Assessment Report has been prepared and provided as **Appendix 1**. The Aboriginal Cultural Heritage Assessment Report concludes the below:

- One Aboriginal site, AHIMS ID 52-2-3557, is present in the study area.
- The site, an artefact scatter, has been subjected to previous destruction through the previous landowner collecting the artefacts. The site card for AHIMS ID 52-2-3557 has been updated to reflect the site's destruction.
- Previous test excavation and multiple archaeological surveys of AHIMS ID 52-2-3557 have not identified any additional Aboriginal objects on or beneath ground surfaces additional subsurface objects within the site's extent, and the site has been determined to be of overall low significance.
- Due to previous collection, the proposed works would not harm AHIMS ID 52-2-3557.

The Aboriginal Cultural Heritage Assessment Report provides a number of recommendations including establishing an unexpected finds policy and the carrying out of a heritage induction. It can therefore be concluded that the proposed development would not impact aboriginal cultural heritage values on the subject site.

5.10 FLORA AND FAUNA

The clearing of vegetation on the subject site does not warrant further assessment given the subject site is biodiversity certified land pursuant to the Order to confer biodiversity certification on the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*.

In addition, an Arboricultural Impact Assessment (AIA) has been prepared by Arboreport Vegetation Management Consultants and provided as **Appendix 4**. The AIA notes that 126 trees are required to be removed due to being located within the development footprint, which comprise the following retention values:

- High – 7
- Moderate – 54
- Low – 50
- Dead – 15

A total of 24 trees are recommended for retention based on the current design and the AIA recommends that for all trees to be retained, a TPZ is to be created and maintained. The northern portion of the subject site includes vegetation classified as being of moderate significance, pursuant to the TRDCP2018. These trees are generally proposed to be retained as part of the subject DA.

A Landscape Plan has been prepared by Geoscapes and provided as **Appendix 8**. The design response incorporates the planting of 63 new trees, primarily along Turner Road, Central Hills Drive, White Cliffs Avenue and the Eastern Access Road to provide natural screening to the future built form. It is considered that the proposed planting is sufficient to offset the loss of vegetation on the subject site.

5.11 CONSTRUCTION

All works on the subject site will be carried out in accordance with conditional requirements of any consent issued. Appropriate measures will be undertaken to mitigate potential impacts from the development including dust, noise, odours, traffic impact and erosion.

5.12 SOCIAL AND ECONOMIC IMPACTS

The proposed early works will facilitate the future development of the subject site, thus having a positive economic impact on the area. There are no negative social impacts associated with the proposed works.

5.13 SERVICES

All essential services, utilities and public infrastructure are capable of servicing the proposed development.

5.14 SUITABILITY OF SITE FOR DEVELOPMENT

The proposed development relates to early works to support a future Data Centre operation. The proposed use of the subject site is permissible with consent in the IN1 Zone and the proposed development will facilitate the future development of the subject. Therefore, the subject site is considered suitable for the proposed development.

5.15 SUBMISSIONS

The public exhibition of the Proposal will occur in accordance with the requirements of the EP&A Act and the relevant Council planning provisions. Any submissions received by Council during the public exhibition period will need to be reviewed and considered within the assessment of the development application.

5.16 THE PUBLIC INTEREST

As outlined throughout this SEE, the proposed development does not demonstrate any unreasonable environmental or amenity impacts to the surrounding nor pose any safety concerns to the public. The proposal is therefore in the public interest as it facilitates the future development of a General Industrial zoned site.

PART F CONCLUSION

The purpose of this SEE has been to present the proposed early works for 43-61 Turner Road, Gregory Hills and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

The proposal has been prepared after taking into consideration the following key issues:

- The development history of the subject site;
- The context of the subject site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act;
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments; and
- The pre-lodgement advice received from Camden Council.

The proposal is considered to warrant a favourable determination for the following reasons:

- It is permissible with development consent and consistent with the objectives of the IN1 zone pursuant to the Western Parkland City SEPP;
- It will facilitate the future development of the subject site that will be appropriate within the context of the subject site and surrounding locality;
- It represents a suitable and appropriate development as assessed against the relevant heads of consideration under Section 4.15 of the EP&A Act;
- The proposed development shall not create any unreasonable adverse amenity impacts on the surrounding sites or public domain; and
- The proposed development is generally consistent with the provisions of the TRDCP2018 and where minor departure from the numeric controls are proposed, consistency with the objectives is demonstrated.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.