



Planning &  
Environment

**ENVIRONMENTAL ASSESSMENT REPORT**  
***Martin Brower Warehouse and Distribution Facility,  
Wetherill Park  
(SSD 7078)***



Secretary's  
Environmental Assessment Report  
Section 89E of the *Environmental Planning and  
Assessment Act 1979*

December 2015

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(*Environmental Impact Statement, June 2015*)

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## ABBREVIATIONS AND DEFINITIONS

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Applicant	Frasers Property Australia
AS	Australian Standard
BCA	Building Code of Australia
CIV	Capital Investment Value
CEMP	Construction Environmental Management Plan
Construction	The demolition of buildings or works, carrying out of works, including erection of buildings and other infrastructure covered by this consent
Council	Fairfield City Council
Dangerous Goods	As defined by the Australian Dangerous Goods Code 7th Edition (Australian Government, 2010)
Day	The period from 7 am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment
Development	The Development as described in the EIS and RTS and approved by this Development consent for the construction of a warehouse and distribution facility, an ancillary office and associated outdoor areas
EIS	Environmental Impact Statement titled " <i>Two Staged Proposed Warehouse / Distribution and Industrial Facility: Horsley Drive Business Park</i> ", dated August 2015 and prepared by McKenzie Group
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
Minister	Minister for Planning
PEA	Preliminary Environmental Assessment
RMS	Roads and Maritime Services
RtS	Response to Submissions
Secretary	Secretary of the Department of Planning & Environment
SEARs	Secretary's Environmental Assessment Requirements, previously known as Director-General's Environmental Assessment Requirements
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
TfNSW	Transport for NSW

## EXECUTIVE SUMMARY

Frasers Property Australia (the Applicant), has sought consent to construct and operate a 18,559 m<sup>2</sup> warehouse and distribution facility at Wetherill Park in the Fairfield local government area (LGA). The proposed facility will operate 24 hours-per-day, seven-day-per-week and will be purpose-built for Martin Brower, a global logistics company that specialises in the storage and distribution of products for the fast food industry. The site is strategically located within the Horsley Drive Business Park (HDBP) in the Western Sydney Parklands (the Parklands).

The HDBP is one of nine business hubs in the Parklands that have been identified for redevelopment to provide long-term funding for new recreational facilities and environmental initiatives within the Parklands. The HDBP is being developed in three stages in accordance with the requirements of a State significant development consent (SSD 5169) issued in January 2013, which permits the subdivision of the site into five lots, demolition, clearing and bulk earthworks and estate infrastructure and landscaping. These works have commenced at the site and are due for completion in March 2016.

The proposal has a capital investment value (CIV) of \$34 million. It will generate approximately 300 jobs during construction and 250 full-time equivalent jobs during operation.

The proposed development is classified State Significant Development under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it involves development with a CIV in excess of \$10 million in the Western Sydney Parklands, meeting the criteria in clause 5 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. Consequently, the Minister for Planning is the consent authority for the proposed development.

The Department exhibited the Environmental Impact Statement (EIS) for the application from Thursday 27 August 2015 to Monday 12 October 2015, and received a total of eight submissions, including one submission from Fairfield City Council and seven submissions from public authorities. No public submissions were received in response to the application.

The Council and agency submissions raised no objection to the application however, concerns were raised in relation to site access, traffic and transport.

The Applicant prepared a Response to Submissions (RtS) to address the agency submissions. The RtS provided clarifications regarding the potential traffic and groundwater impacts of the development, however no changes were proposed to the design of the proposed building and associated servicing infrastructure.

The Department has assessed the application and has concluded that the key issues for assessment are traffic, urban design, noise and stormwater management. Other issues requiring assessment include air quality, soil management, waste management, infrastructure requirements and socio-economic impacts.

The Department found that the impacts of the proposed development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. Further, the proposed development would provide employment opportunities in western Sydney consistent with the aims and objectives of *NSW 2021* and *A Plan for Growing Sydney*.

Consequently, the Department has concluded that the proposal is in the public interest and should be approved, subject to conditions.

## 1. BACKGROUND

### 1.1. Proposed Development

Frasers Property Australia (the Applicant), is seeking development consent to construct and operate an 18,559 m<sup>2</sup> warehouse and distribution facility within the Horsley Drive Business Park (HDBP) in the suburb of Wetherill Park. The land is owned by the Western Sydney Parklands Trust (WSPT) and the facility will be used by Martin Brower, a global logistics company specialising in supply chain management for fast food restaurants. The proposed hours of operation are 24 hours-per-day, seven-days-per-week.

### 1.2. Site and Site Context

The subject site is located in the suburb of Wetherill Park in the Fairfield local government area, within the HDBP (see Figure 1 and 2). The subject site is 5.6 hectares (ha) in area and is legally described as follows: Lots 23 (part), 24 (part), 25, 28B, 30, 30A, 30B, 32 and 32A in DP 13961;

- Lots 1 to 5 in DP 1098128;
- Lot 100 in DP 879680;
- Lot 1 in DP 1036933;
- Lot 10 in DP 879209; and
- Lot C DP 103755.

The site has historically been used for agricultural purposes, however, SSD 5169 permits the subdivision of the site into five lots to enable the site to be developed as a business park (the HDBP). The construction works required to facilitate the creation of the lots within the HDBP commenced on 31 August 2015 and are due for completion in March 2016.

The land to the immediate north and west is within the HDBP and has been cleared and levelled. To the south is agricultural land and immediately west of the site is an existing industrial estate. The site is bound by The Horsley Drive to the south, Cowpasture Road to the east and the suburb of Bossley Park is located to the south-east. The closest residential property is approximately 380 m to the west of the site. In addition, there are residential dwellings approximately 400 m to the south-east of the site in Bossley Park (see Figures 1 and 2).



Figure 1: Site Location



Figure 2: Approved Layout for the Horsley Drive Business Park (source: EIS)

### 1.3. Other Approvals

On 8 January 2013, the then Acting Deputy Director-General granted development consent for the subdivision of the HDBP site into 12 lots as well as the associated demolition, remediation, bulk earthworks, estate infrastructure and landscaping. The development consent has been modified on two occasions to reduce the number of allotments, amend the site access arrangements and changes to landscaping and infrastructure design.

The development consent, as modified, currently comprises subdivision of the land into five lots, demolition of all existing structures, site remediation, bulk and detailed earthworks, estate infrastructure and landscaping. Works have commenced at the site and are on-going.

## 2. PROPOSED DEVELOPMENT

### 2.1. Development Summary

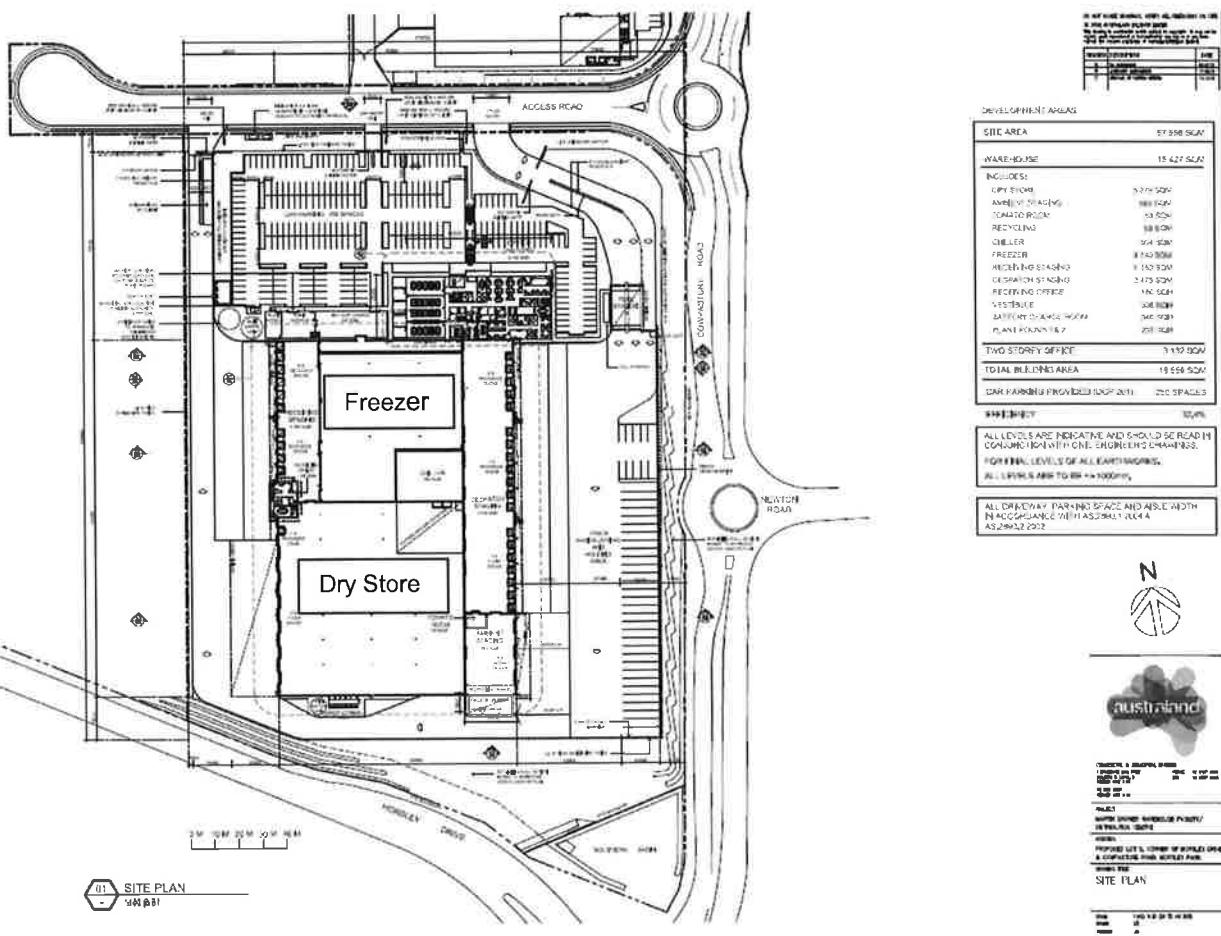
The major components of the development, as presented within both the Environmental Impact Statement (EIS) and Response to Submissions (RtS) are summarised in **Table 1** and depicted in **Figure 3**. The proposed development is described in full in the EIS, and the RtS which are provided at **Appendix D** and **Appendix F** respectively.

Table 1: Key Development Components

Aspect	Description
Summary	Construction and operation of the Martin Brower facility, including: <ul style="list-style-type: none"> <li>- construction of a 18,559 m<sup>2</sup> warehouse and distribution facility;</li> <li>- construction of hardstand, gatehouse, car parking and loading docks;</li> <li>- construction of ancillary office and amenities; and</li> <li>- landscaping.</li> </ul>
Proposed Use	Warehousing and distribution of products for the fast food industry, including food and

Aspect	Description
	packaging products in three temperature zones (frozen, chilled and ambient).
<b>Facility Description</b>	Construction of a warehouse and distribution facility comprised of 15,427 m <sup>2</sup> of warehouse floor space, 3,133 m <sup>2</sup> of office floor space and associated car parking and landscaping.
<b>Earthworks</b>	- minor earthworks to trim the final sub-grade levels.
<b>Landscaping</b>	- landscaping works within and surrounding the carpark.
<b>Hours of Operation</b>	During construction: - 7 am to 6 pm Monday to Friday; and - 8 am to 1 pm Saturday. During operations: - 24-hours-per-day, seven-days-per-week.
<b>Car Parking</b>	250 spaces
<b>Capital Investment Value</b>	\$34 million
<b>Employment</b>	Construction: 300 Operation: 250

The proposed layout is depicted in **Figure 3**.



**Figure 3: Site Layout**

## 2.2. Need and Justification

The proposed development will address Martin Brower's increased need for storage space to service NSW, facilitate future growth and improve the efficiency of transport and logistics businesses in NSW. The proposed development has been located in an industrial area to minimise impacts to the environment and other sensitive receivers such as residential areas. The facility is located to take advantage of the regional road network and other existing infrastructure such as electricity and telecommunications.

The facility is consistent with the aims and objectives of *A Plan for Growing Sydney, SEPP (Western Sydney Parklands) 2009*, the *Parklands Plan of Management 2020* and the *Parklands Plan of Management 2020 Supplement* in that it will contribute to growth of industry, provision of employment opportunities in the region and will generate income to support management and development of the Western Sydney Parklands.

## 3. STATUTORY AND STRATEGIC CONTEXT

### 3.1. Strategic Context

The NSW Government's main priority in *NSW 2021* is to restore economic growth by improving the performance of the economy to deliver jobs, opportunities and increased prosperity to the State (Goal 1) through a number of specific targets. These targets include increasing business investment and economic output and ensuring that employment growth continues at a steady state and is shared by the community.

*NSW 2021* sets the Government's agenda for change in NSW. It is a 10 year plan to re-build the economy, return quality services, renovate infrastructure, restore accountability to Government and strengthen Sydney's local environment and communities.

The construction and operation of the proposed development will assist in achieving the targets outlined in *NSW 2021* by facilitating the investment of \$34 million in Western Sydney which will have flow on economic benefits via the creation of 300 construction jobs and 250 operational jobs.

The application is also consistent with the goals, directions and actions outlined in *A Plan for Growing Sydney* as it will:

- assist in the transformation of Western Sydney by providing growth and investment in an identified industrial precinct with high levels of accessibility to the regional road network (Direction 1.4); and
- provide additional employment opportunities within close proximity to existing residential developments in Western Sydney (Direction 1.4).

### 3.2. State Significant Development

The proposal is a State Significant Development (SSD) pursuant to section 89C of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development with a capital investment value of more than \$10 million on land within the Western Sydney Parklands. As such, the proposal satisfies the criteria in clause 5 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Therefore, the Minister for Planning is the consent authority for the development.

### 3.3. Consent Authority

On 16 February 2015, the then Minister for Planning delegated the function to determine SSD applications to the executive directors, who report to the Deputy-Secretary Planning Services where:

- the relevant local council has not made an objection;
- there are less than 25 public submissions in the nature of objections; and
- a political disclosure statement has not been made.

Under the Ministerial delegation dated 16 February 2015, the A/Executive Director, Key Sites and Industry Assessments may determine the SSD application as the Council did not object, there were no political donation disclosures, and there were less than 25 public submissions of objection.

### 3.4. Permissibility

All land within the Western Sydney Parklands is unzoned, however, clause 11(2) of *State Environmental Planning Policy (Western Sydney Parklands) 2009* (Parklands SEPP) permits development for the purpose of a warehouse subject to consent. No specific development standards or controls apply to the site under the Parklands SEPP.

### 3.5. Considerations under Section 79C of the EP&A Act

Section 79C of the EP&A Act sets out the matters to be considered by a consent authority when determining a development application. The Department's consideration of these matters is set out at **Appendix B**. In summary, the Department is satisfied that the proposed development is consistent with the requirements of Section 79C of the EP&A Act.

### 3.6. Environmental Planning Instruments

The following State Environmental Planning Policies (SEPP) were considered in the assessment of the proposed development:

- *SEPP (State and Regional Development) 2011*;
- *SEPP (Infrastructure) 2007*;
- *SEPP (Western Sydney Parklands) 2009*;
- *SEPP 33 – Hazardous and Offensive Development*;
- *SEPP 55 – Remediation of Land*;
- *SEPP 64 – Advertising and Signage*;
- *SEPP 19 – Bushland in Urban Areas*; and
- *Sydney Regional Environmental Plan No. 20 Hawkesbury – Nepean River*.

Detailed consideration of the provisions of all EPIs that apply to the proposed development is provided in **Appendix C** of this report. The Department is satisfied that the proposed development generally complies with the relevant provisions of these EPIs.

### 3.7. Objects of the EP&A Act

In determining an application, the consent authority must consider whether the proposed development is consistent with the relevant objects of the EP&A Act. These objects are detailed in clause 5 of the Act, and include:

- (a) *to encourage:*
  - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment;
  - (ii) the promotion and co-ordination of the orderly and economic use and development of land,
  - (iii) the protection, provision and co-ordination of communication and utility services,
  - (iv) the provision of land for public purposes,
  - (v) the provision and co-ordination of community services and facilities; and
  - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats,
  - (vii) ecologically sustainable development, and
  - (viii) the provision and maintenance of affordable housing, and
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The Department has fully considered the objects of the EP&A Act, including the encouragement of ecologically sustainable development (ESD), in its assessment of the application.

The Department considers that objects 5(a) (i), (ii), (vi) and (vii), 5(b) and 5(c) are most relevant to the merit assessment of this application. The Department has given due consideration to these objects in its assessment of the proposed development (see **Table 2**).

**Table 2: Objects of the EP&A Act and Relevance to the Proposed Development**

Object	Consideration
5(a)(i)	The proposed development would ensure the proper management and development of land identified as being suitable for warehousing, storage and distribution in the Parklands' supplementary PoM. The proposed development will result in the economic enhancement of the community including the provision of 250 full-time equivalent jobs within the Parklands. The proposed development has been designed to meet current best practice environmental standards. The potential impacts of the proposed development have been minimised through appropriate site selection, site layout, design and proposed environmental control measures.
5(a)(ii)	The proposed development is located on land identified as being suitable for warehousing, storage and distribution and would generate the additional revenue for the Parklands required to provide planned services and amenities, and would generate 250 new operational jobs.
5(a)(vi)	The Department's assessment in <b>Section 5</b> of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the development can be mitigated and/or managed to ensure the environment is protected.
5(a)(vii)	The proposed development has been located in an existing business park to avoid impacts to significant environmental features.
5(b)	The Department has assessed the development in consultation with, and giving due consideration to, the technical expertise and comments provided by other Government authorities on the development. This is consistent with the object of sharing the responsibility for environmental planning between the different levels of government in the State.
5(c)	The application was exhibited in accordance with Section 89F (1) of the Act to provide public involvement and participation in the environmental planning and assessment of this application.

### **3.8. Western Sydney Parklands Act 2006**

The *Western Sydney Parklands Act 2006* (WSP Act) establishes the Western Sydney Parklands Trust, defines the boundaries of the Parklands and guides their management. Clause 12 of the WSP Act identifies the principal function of the Trust is to develop the Parklands into a multi-use urban parkland for the region of Western Sydney and to maintain and improve the Parklands on an on-going basis.

Section 12(j) of the WSP Act identifies further specific functions including the provision or facilitation of commercial, retail and transport activities and facilities, with the object of supporting the viability of the management of the Parklands.

The Department considers that the development of the site for warehousing and distribution purposes within an existing business park is consistent with the requirements of the WSP Act and the functions of the Western Sydney Parklands Trust.

### **3.9. Ecologically Sustainable Development**

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- (a) the precautionary principle;
- (b) inter-generational equity;
- (c) conservation of biological diversity and ecological integrity; and
- (d) improved valuation, pricing and incentive mechanisms.

The Department's assessment of the proposed development (refer to **Section 5**) is based on a conservative and rigorous assessment of the likely impacts of the proposed development, with consideration of the immediate and long term impacts to the environment and the rural landscape character of the area.

The Department has considered the need to encourage the principles of ESD, in addition to the need for the proper management and conservation of natural resources, the orderly development of land, the need for the proposed development as a whole, and the protection of the environment including threatened species within **Section 5** of this report. As a result of this assessment the Department has concluded that subject to the

imposition of the recommended conditions of consent, the application will not result in any adverse environmental outcomes.

### 3.10. Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) have been complied with.

## 4. CONSULTATION AND SUBMISSIONS

### 4.1. Public Exhibition

Under Section 89F(1) of the EP&A Act, the Secretary is required to make the EIS and any accompanying information publicly available for at least 30 days. After accepting the EIS, the Department:

- made it publicly available from **Thursday 27 August 2015 until Monday 12 October 2015**:
  - on the Department's website;
  - at the Department's Information Centre (Sydney); and
  - at Fairfield City Council;
- notified landowners in the vicinity of the proposed development about the exhibition period by letter;
- notified relevant State government authorities and Fairfield City Council by letter; and
- advertised the exhibition in the Fairfield Advance and Fairfield Champion.

The Department received eight submissions during the exhibition period, one submission from Council and seven submissions from public authorities. The Council and agency submissions raised no objection to the application, however concerns were raised in relation to access, traffic and transport.

A summary of the issues raised in submissions is provided within **Sections 4.2 and 4.3** and each submission is provided in full at **Appendix E**.

### 4.2. Public Authority Submissions

**Fairfield City Council (Council)** raised no objection and recommended a number of conditions of consent to address stormwater management, traffic, energy efficiency, development contributions, soil management, waste management and landscaping.

The Department has recommended conditions of consent to manage the abovementioned issues.

**Roads and Maritime Services (RMS)** raised no objection and recommended conditions of consent to ensure that:

- all structures adjacent to The Horsley Drive are located wholly within the site boundaries;
- any changes to the hydraulic calculations or stormwater design are submitted to RMS for approval prior to the commencement of works on-site; and
- all car parking is designed in accordance with the requirements of AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2002.

The Department has recommended conditions of consent to address the issues raised by the RMS.

**Transport for NSW (TfNSW)** raised no objection, however, it requested that the Applicant demonstrate that the proposed road layout will enable high productivity vehicles (vehicles up to 30 m in length) to access the site. In addition, TfNSW requested the Applicant provide:

- a Construction Traffic Management Plan prepared in consultation with TfNSW, Council and the RMS;
- further analysis to determine whether upgrades are required to the surrounding pedestrian and cycle network; and
- details of end of trip amenities (showers, lockers and bicycle parking) required to service the development.

The Department reviewed TfNSW's comments and requested the Applicant provide a swept path analysis in its RTs to ensure that 30 m vehicles can access the site. In addition, the Department has recommended conditions of consent to ensure that:

- the Applicant prepares a Construction Traffic Management Plan prior to the commencement of any works on-site; and
- end of trip amenities are provided in accordance with Council's standards prior to the issue of an Occupation Certificate.

**Department of Primary Industries (DPI)** raised no objection, however, it advised that a hydrogeological assessment and water license may be required if excavation works intercept groundwater at the site.

The Department notes that bulk earthworks for the construction of the HDBP were approved under SSD 5169, and only minor earthworks are proposed to trim the final sub-grade levels under the current development application. Given the above, the Department has concluded that groundwater will not be intercepted on-site due to the minor nature of the proposed excavation works. Accordingly, the Department has concluded that in this instance conditions of consent are not required to address the issues raised by DPI.

**Environmental Protection Authority (EPA)** raised no objection to the application and advised that it had no comments.

**Office of Environment and Heritage (OEH)** raised no objection and advised that the application would not result in any adverse biodiversity, natural hazard or Aboriginal cultural heritage impacts.

**Sydney Water** raised no objection to the application and advised that the site is capable of being serviced without any additional upgrades to the surrounding reticulated water and sewerage infrastructure.

**RFS** raised no objection to the application and advised that the fire safety provisions outlined in the BCA, coupled with a 20 metre minimum asset protection zone will ensure an appropriate bushfire prevention outcome is provided.

#### **4.3. Public Submissions**

The Department did not receive any public submissions during the exhibition period.

#### **4.4. Response to Submissions**

The Applicant provided an RtS on 16 October 2015. The RtS did not alter the scope of the proposed development, however it included a swept path diagram for vehicles in excess of 30 m in length. The RtS also provided further information regarding cyclist and pedestrian facilities such as cycle networks, end of trip facilities and bicycle parking spaces. The RtS was made publicly available on the Department's website on 23 November 2015.

The Department is satisfied that the RtS adequately addresses the residual traffic management issues raised by TNSW.

### **5. ASSESSMENT**

The Department has considered the EIS, the issues raised in the submissions, and the Applicant's RtS in its assessment of the proposed development. The Department considers the key assessment issues are:

- site access and traffic impacts (**Section 5.1**);
- urban design (**Section 5.2**); and
- noise (**Section 5.3**).

A number of other issues are considered to be minor and are addressed in **Section 5.5** of this report.

## 5.1. Site Access and Traffic Impacts

### 5.1.1 Road Network and Site Access

The proposed development is located on the corner of The Horsley Drive and Cowpasture Road, with direct access to Sydney's arterial road network. Access to the M7 Motorway is approximately 2.4 kilometres (km) to the west of the site, via The Horsley Drive (see **Figure 4**).



Figure 4: Regional Road Network

Access to all lots in the HDBP will be via a new roundabout on Cowpasture Road, located to the north-east of the site, and an internal access road (see **Figure 5**).

Truck entry to the Martin Brower facility is proposed via a driveway from the HDBP internal road, approximately 65 m west of the proposed roundabout on Cowpasture Road. One-way internal circulation of trucks would be provided with an exit onto the HDBP internal road at the north-western corner of the site, approximately 188 m to the west of the proposed roundabout on Cowpasture Road. Truck access and egress has been designed to accommodate trucks up to 30 m in length.

Cars will enter the site via a gated driveway off the HDBP internal access road to the car park.

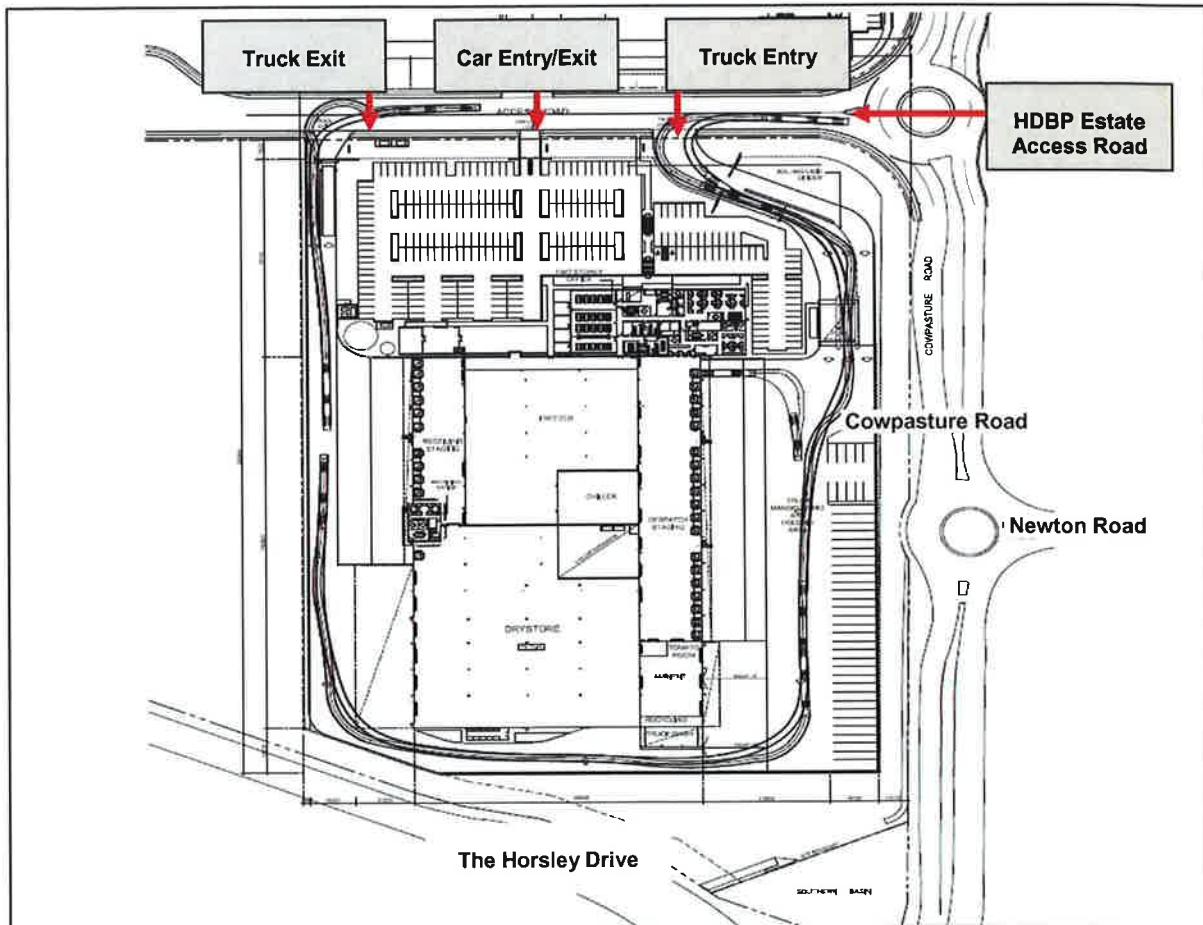


Figure 5: Site Access Arrangements

### 5.1.2. Traffic Impacts

The SSD for the HDBP assessed the traffic impacts of developing all lots within the business park for warehouse and distribution purposes. This assessment concluded that the future development of the site would generate approximately 4,600 vehicle trips per day, of which a total of approximately 1,368 trips would occur within the am and pm peak periods. Furthermore, the traffic impact assessment concluded that these additional trips could be accommodated within the existing road network subject to the applicant undertaking the following traffic management measures:

- the addition of a fourth leg to the roundabout at the intersection of Cowpasture and Newton Road; and
- all vehicles exiting the site from the central estate access road being limited to left-turn only movements.

These upgrades are currently being undertaken in accordance with the requirements of the HDBP development consent.

Whilst the road upgrades are required under the HDBP development consent, the Applicant provided a Traffic Impact Report prepared by Road Delay Solutions Pty Ltd which assesses traffic and safety impacts of the proposed development in accordance with the relevant RMS guidelines. Additional analysis of the impacts of 30 m vehicles accessing the site was provided in the Applicant's RTS. Based on the analysis provided in the Traffic Impact Report and the RTS Road Delay Solutions concluded that:

- based on the rates specified in the *Guide to Traffic Generating Developments* (RMS, 2002), the cumulative impacts associated with the creation of new warehouses on the lots approved under the HDBP development consent will result in approximately 1,236 trips in the am and pm peak hours (618 trips in, and 618 trips out), which represents a minor reduction in the total number of vehicles accessing the site in the am and pm peak in comparison to the number of trips anticipated under the HDBP development consent;

- the proposed development will generate 942 vehicle trips daily, with a total of 288 vehicle trips during the am and pm peak periods (144 trips in, and 144 trips out);
- approximately 90 per cent of the vehicles accessing the site during the am and pm peak periods will be passenger vehicles, with the remainder of the trips comprised of larger vehicles associated with the delivery of goods to and from the site;
- the intersection of Cowpasture Road and the internal site access road will operate at a level of service (LOS) 'A' (good operation) during am and pm peak periods once the HDBP is fully developed;
- the intersection of Cowpasture Road and Newton Road will operate at a LoS 'A' (good operation) during the am and pm peak periods following the completion of the intersection upgrade required under SSD 5169;
- the intersection of The Horsley Drive and Cowpasture Road will operate at a LoS 'C' (satisfactory) during the am peak period and a LOS 'D' (operating near capacity) during the pm peak period;
- parking is proposed to be provided in accordance with RMS and Council's requirements (a minimum of 134 car parking spaces recommended, 250 car parking spaces are proposed); and
- the site access and car parking arrangements are capable of complying with *Australian Standard AS2890.1- 2004, AS2890.2-2002; and AS2890.6-2009*.

The Department has reviewed the Applicant's Traffic Impact Report in consultation with Council, the RMS and TfNSW and has concluded that the proposed development can be accommodated on the basis that the traffic impacts of the proposed development are consistent with the impacts planned for under the HDBP development consent. In addition, the Department has recommended standard conditions of development consent to ensure that:

- car parking is provided in accordance with the relevant RMS rates and is constructed in accordance with the relevant Australian Standards; and
- construction and operational traffic is managed in accordance with an approved traffic management plan.

## 5.2. Urban Design

As previously outlined, the application seeks approval to construct a purpose built warehouse within the HDBP. The proposed warehouse will be the first of five warehouses within the HDBP.

It is important to note that the Parklands SEPP and PoM do not provide any development controls to regulate the height, bulk and scale of developments within the Parklands. Notwithstanding, clause 12 of the Parklands SEPP requires a consent authority to consider the impacts of a development on the physical and visual continuity of the Parklands as a scenic break in the urban fabric of Western Sydney, the continuity of habitat corridors provided within the Parklands, the amenity at surrounding residential properties, and the impact on significant views.

The Department has undertaken an assessment of the application against the requirements of clause 12 of the SEPP and has concluded that:

- the application will not impact on the physical or visual continuity of the Parklands as a scenic break in the urban fabric of the Parklands as the site has already been identified as a business hub within the Parklands Supplementary PoM due to its low ecological value, proximity to major road infrastructure, and its compatibility with surrounding land uses;
- the landscape buffers required under SSD 5169 will ensure the continuity of the habitat corridors within the broader Parklands are not eroded;
- the nearest residential receiver is located 380 m west of the site and will not be affected by the operation of the proposed development given that:
  - the noise and air quality assessments prepared to support the application demonstrate that there will be no noise or air quality exceedences at surrounding sensitive receivers; and
  - there is a sufficient distance between the subject site and the surrounding residential receivers to ensure that the height, bulk and scale of the development will not dominate views to the site from these premises; and
- SSD 5169 includes a requirement to provide suitable landscaping treatments along the Horsley Drive and Cowpasture Road to ensure views and vistas to and from these key vantage points are not adversely impacted by future developments within the HDBP.

Furthermore, the Department considers that the application provides a suitable urban design outcome on the basis that:

- the northern and eastern elevations will be articulated via the use of different materials and colours to break down the bulk and scale of the building, provide an appropriate entry statement for the HDBP, and provide passive surveillance of the public domain adjacent to the site entry;
- a 10 m vegetated buffer is provided along the southern boundary of the site to screen the proposed development at the intersection of The Horsley Drive and Cowpasture Road; and
- the eastern elevation has been designed to ensure all loading docks are recessed and integrated into the façade design to minimise any potential visual impacts.

The proposed elevations and photomontages depicting the visual impacts of the proposed development are depicted in **Figures 6 to 9** overleaf.

In addition, in order to ensure the proposed development provides a design response that is consistent with the form of the industrial development immediately east of the site in Wetherill Park, the Department has undertaken an assessment of the application against Council's Development Control Plan (DCP) (see **Appendix G**). Whilst this plan does not apply to developments within the Parklands, the Department considers that it provides a suitable basis for determining whether the proposed built form has been designed to respond to the character of the developments surrounding the site.

The Department has concluded that the application complies with the relevant controls outlined in Council's DCP, and that the proposed development therefore provides an appropriate response that will integrate with the exiting industrial development immediately east of the site on Cowpasture Road, the residential development located south-east of the site, and the rural residential uses to the south and west of the site.

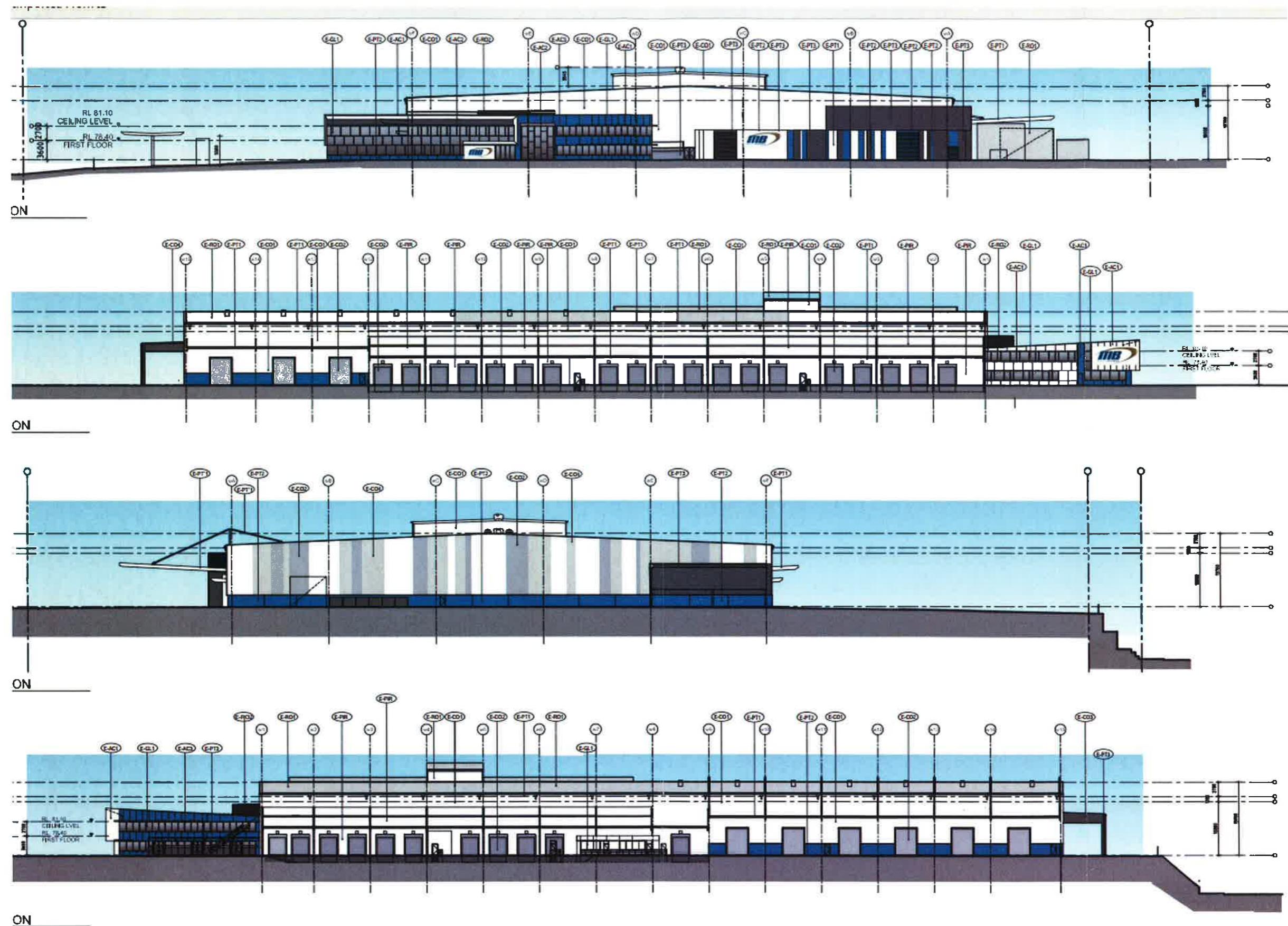




Figure 7: View from the intersection of The Horsley Drive and Cowpasture Road



Figure 8: View from the Intersection of Cowpasture Road and the Internal Access Road



Figure 9: View from Cowpasture Road

### 5.3. Noise

The application includes a Noise and Vibration Impact Assessment prepared by Acoustic Logic that assesses the construction and operational impacts of the proposed development against the requirements of the *Industrial Noise Policy* (INP) and the *Interim Construction Noise Guideline*. The assessment is based on the results of noise monitoring undertaken in the centre of the HDBP, near the north western corner of the site (see **Figure 10**).

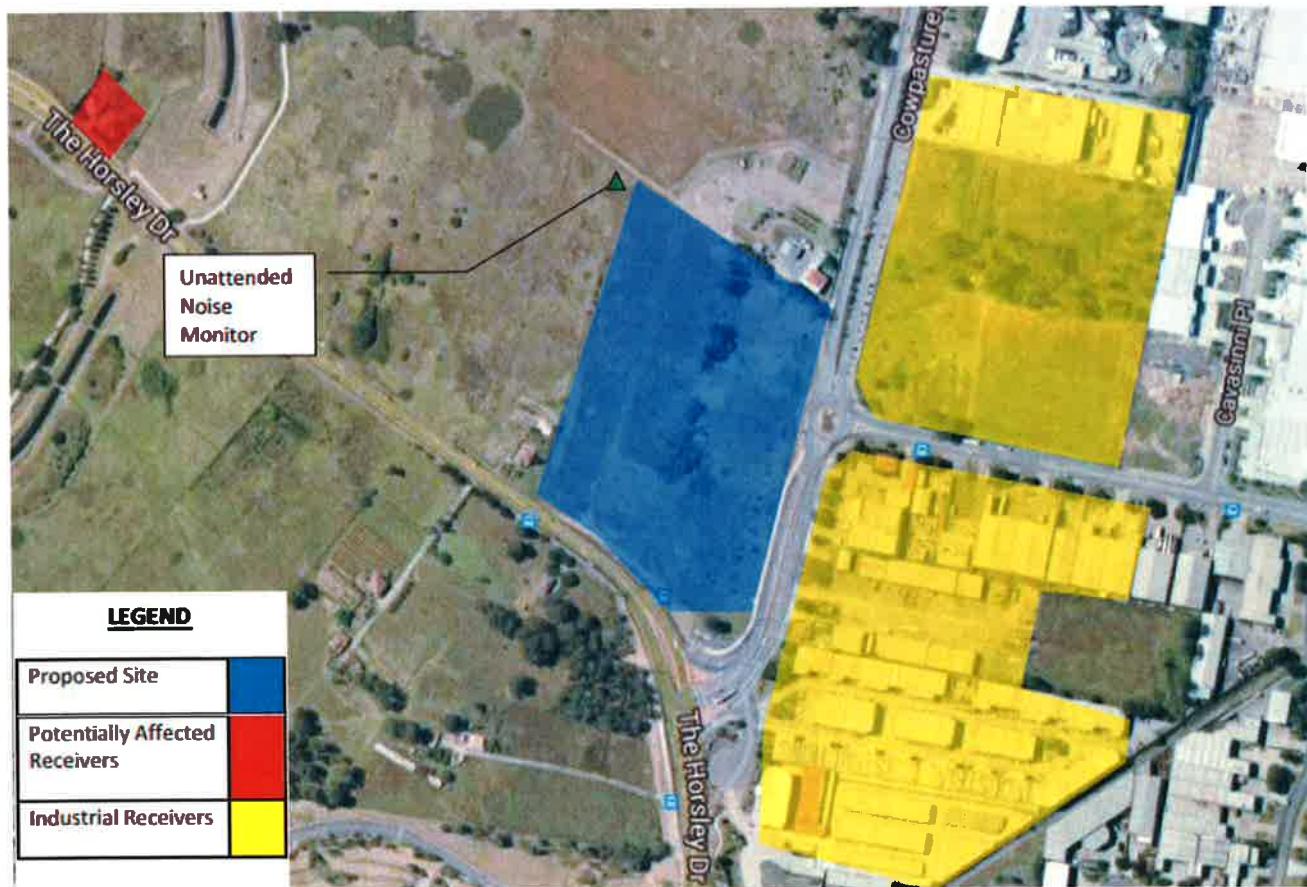


Figure 10: Monitoring Positions

In summary, this assessment concluded that construction noise will fully comply with the criteria outlined in the *Interim Construction Noise Guideline* at all surrounding receivers. In addition, the assessment concluded that the application fully complies with the amenity, the intrusiveness and the sleep disturbance criteria outlined in *Industrial Noise Policy* (INP) during the day, evening and night-time periods. The results of the Applicant's noise assessment are provided in **Tables 3 to 7** below.

**Table 3: Compliance with INP Construction Noise Criteria (West Residence)**

Period	Background Noise Level dB(A) $L_{90}$	INP Construction Noise Criterion Background + 10dB(A)	Predicted Noise Level dB(A) $L_{eq15\ min}$	Compliance
Day	51	61	51	Yes
Evening	49	N/A	N/A	N/A
Night	46	N/A	N/A	N/A

**Table 4: Compliance with INP Construction Noise Criteria (Industrial Receivers)**

INP Construction Noise Criterion (dB(A))	Predicted Noise Level dB(A) $L_{eq15\ min}$	Compliance
75	62	Yes

**Table 5:** Compliance with INP Intrusiveness Criterion at Nearest Sensitive Noise Receiver (West Residence)

Period	Background Noise Level dB(A)L <sub>90</sub>	INP Intrusive Criterion (Background + 5dB(A))	Predicted Noise Level dB(A)L <sub>eq15 min</sub>	Compliance
Day	51	56	<35	Yes
Evening	49	54	<35	Yes
Night	46	51	<30	Yes

**Table 6:** Compliance with INP Amenity Criterion at Nearest Sensitive Noise Receiver (West Residence)

Period	Background Noise Level dB(A)L <sub>90</sub>	INP Amenity Criterion (Urban)	Predicted Noise Level dB(A)L <sub>eq15 min</sub>	Compliance
Day	51	60	<35	Yes
Evening	49	50	<35	Yes
Night	46	45	<30	Yes

**Table 7:** Sleep Disturbance Criterion (Operation) at Nearest Sensitive Receiver (West Residence)

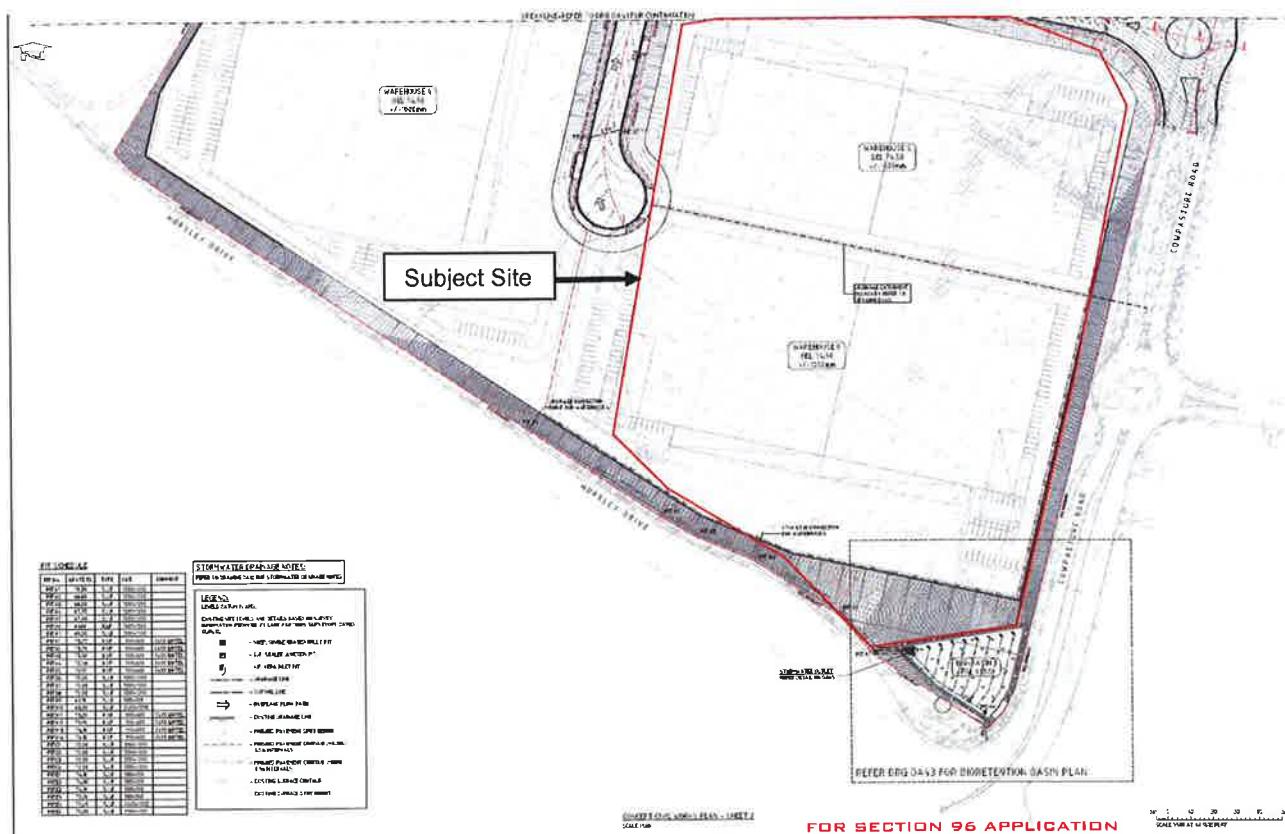
Receiver	Sleep Emergence Level, dB(A) L <sub>11 min</sub>	Predicted Noise Level dB(A) L <sub>11 min</sub>	Complies
West Residence	61	< 45	Yes

The Department has reviewed the conclusions of the Noise and Vibration Impact Assessment and agrees that the application will not result in any adverse noise impacts at the surrounding receivers. It should be noted that as the INP specifies that a consent authority should apply the more stringent of the amenity or intrusiveness criterion when setting project specific noise levels for each development, the Department has recommended conditions of consent requiring the Applicant to:

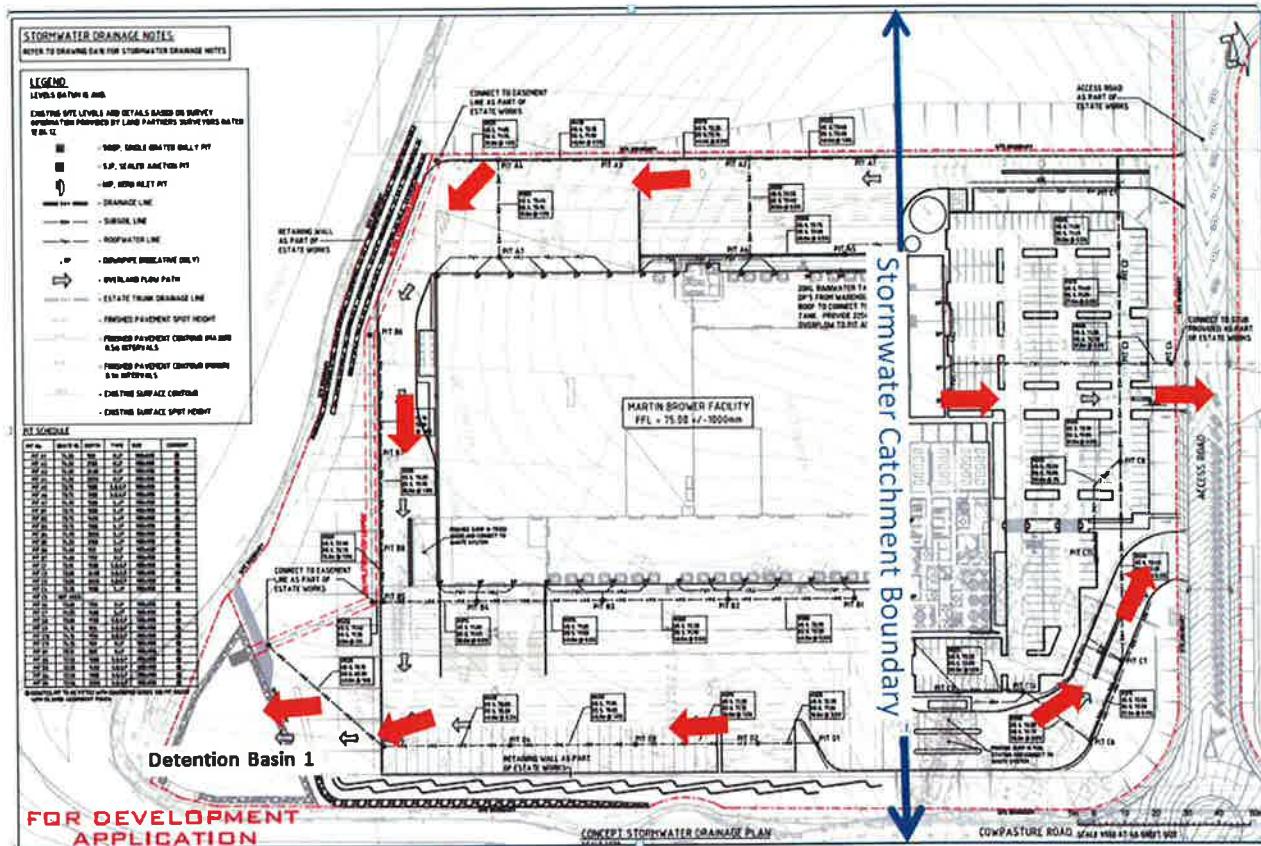
- comply with the construction noise management levels outlined in the *Interim Construction Noise Guideline*;
- ensure noise does not exceed the following project specific noise levels:
  - all day time noise complying with the INP intrusiveness criteria for the site (56 dB(A));
  - all evening noise complying with the INP amenity criterion for urban developments (50 dB(A)); and
  - all night-time noise complying with the INP amenity criterion for urban developments (45 dB(A)); and
- implement best practice noise management procedures for the full duration of the development.

## 5.4. Stormwater

The application includes a Civil Engineering Report prepared by Costin Roe Consulting that proposes the construction of a series of pit and pipes and overland flow paths that connect to the estate wide drainage infrastructure approved under SSD 5169 (see **Figures 11** and **12** below). In addition, the Civil Engineering Report specifies that all stormwater will be treated on-site to reduce pollutant loads to the levels identified in the Stormwater Management Strategy approved under SSD 5169, prior to discharge into the HDBP estate drainage system.



**Figure 11:** Drainage Infrastructure Approved Under SSD 5169



**Figure 12: Proposed Drainage Infrastructure**

The Department has assessed the Applicant's stormwater management system in consultation with the Council and is satisfied that the system has been designed to integrate with the estate wide infrastructure and water quality targets approved under SSD 5169. Notwithstanding, the Department has recommended conditions of consent to ensure that the pit and pipe system drains into detention basins 1 and 2, and that all drainage works are constructed in accordance with the Council's standards.

## 5.5. Other Matters

A number of other assessment issues were identified in the EIS and in the submissions received. These issues are considered below in **Table 3**.

Table 3: Assessment of Other Issues

Issue	Assessment	Recommendation
Contamination	<ul style="list-style-type: none"> <li>Clause 7 of <i>State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)</i> prohibits a consent authority from determining an application unless it has considered whether the land is contaminated, and if it is, whether the site can be made suitable for its proposed use.</li> <li>As the proposed development does not include bulk earthworks, it cannot commence until the bulk earthworks approved under SSD 5169 are complete.</li> <li>SSD 5169 requires remediation works to be undertaken within the subject site to make it suitable for future business park uses. Accordingly, the Department is satisfied that the subject site can be made suitable for the proposed warehouse and distribution uses.</li> <li>Notwithstanding, the Department has recommended a condition of consent to ensure that no works commence on-site until the Applicant has provided the Secretary with a copy of the Site Validation Report and Site Audit Statement verifying that the site has been remediated and is suitable to accommodate the proposed warehouse and distribution uses.</li> <li>The Department's assessment concluded that the proposed development is consistent with the requirements of SEPP 55.</li> </ul>	<p>The Department has included a condition requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>ensure the remediation requirements of SSD 5169 are satisfied prior to commencement of works.</li> </ul>
Dangerous Goods and Hazardous Substances	<ul style="list-style-type: none"> <li>The Applicant engaged RAW Risk Engineering Pty Ltd to undertake an assessment of the application against the requirements of <i>SEPP 33 – Hazardous and Offensive Development (SEPP 33)</i>. This assessment concluded that: <ul style="list-style-type: none"> <li>the application will require the storage of 3.2 tonnes of anhydrous ammonia on-site;</li> <li>the quantities of anhydrous ammonia will be below the threshold quantity outlined in the <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i> and therefore the provisions of SEPP 33 do not apply.</li> </ul> </li> <li>The Department has reviewed the Applicant's SEPP 33 assessment and agrees that the hazardous materials proposed to be stored on-site will be below the thresholds outlined in Applying SEPP 33. As such, the development is not considered as potentially hazardous. Notwithstanding, the Department has recommended conditions of consent requiring the Applicant to ensure that: <ul style="list-style-type: none"> <li>at any time the storage of all dangerous goods do not exceed the threshold quantities outlined in <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i>; and</li> <li>anhydrous ammonia is stored and handled in accordance with <i>AS2022 – 2003, Anhydrous Ammonia – Storage and Handling</i>, Standards Association of Australia, and <i>AS1677.2 – 1998, Refrigerating Systems Part 2: Safety requirements for fixed applications</i>, Standards Association of Australia.</li> </ul> </li> </ul>	<p>The Department has included conditions requiring the Applicant to ensure that:</p> <ul style="list-style-type: none"> <li>the storage of all dangerous goods does not at any time exceed the thresholds in the <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i>; and</li> <li>anhydrous ammonia is stored and handled in accordance <i>AS2022 – 2003, Anhydrous Ammonia – Storage and Handling</i>, Standards Association of Australia, and <i>AS1677.2 – 1998, Refrigerating Systems Part 2: Safety requirements for fixed applications</i>, Standards Association of Australia.</li> </ul>

Issue	Assessment	Recommendation
Air Quality	<ul style="list-style-type: none"> <li>The Applicant engaged SLR Consulting to undertake an assessment of the potential construction and operational air quality impacts in accordance with OEH's <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW</i>. The assessment concluded that: <ul style="list-style-type: none"> <li>impacts would be minor as bulk earthworks and the main site preparation works have been completed as part of the HDBP;</li> <li>with the implementation of dust management measures, impacts are likely to be negligible; and</li> <li>air quality impacts from the operational phase are not predicted to exceed air quality criteria.</li> </ul> </li> <li>The Department reviewed the Applicant's air quality analysis and has concluded that the proposed development will not result in any exceedances of the EPA's air quality criteria as a result of the minimal earthworks required and the minimal emissions that will occur during operation of the facility. Further, the facility is located approximately 380 m from the nearest sensitive receiver. Notwithstanding, the Department has recommended standard air quality management conditions.</li> </ul>	<p>The Department has included a condition that requires the Applicant to:</p> <ul style="list-style-type: none"> <li>implement best practice management and mitigation measures to minimise dust emissions from the site.</li> </ul>
Soil and Water	<ul style="list-style-type: none"> <li>The Applicant proposes to implement standard erosion and sediment control measures to ensure that there are no adverse water quality impacts during the construction phase of the development.</li> <li>The Department has reviewed the erosion and sediment control measures in consultation with the Council and has recommended standard conditions requiring the Applicant to implement best soil management practices during the construction of the proposed development.</li> </ul>	<p>The Department has included a condition requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>implement and maintain suitable erosion and sediment control measures on-site, in accordance with the relevant requirements in the latest version of the <i>Managing Urban Stormwater: Soils and Construction Guideline</i>.</li> </ul>
Waste	<ul style="list-style-type: none"> <li>The Applicant's EIS includes an assessment of the potential waste streams generated during the construction and operational phases of the development. The assessment concluded that: <ul style="list-style-type: none"> <li>construction waste will generally be comprised of packaging, plant management and non-putrescible waste from the employee compound; and</li> <li>operational waste will mainly comprise general waste, packaging waste, and waste associated with the truck wash area.</li> </ul> </li> <li>The Application also includes a Waste Management Plan that identifies a number of opportunities for waste avoidance, re-use and recycling and options for storage and disposal of waste including: selecting materials with a long life-span and high potential for recycling, selecting products with minimal packaging and re-using and recycling materials as much as possible.</li> <li>The Department has reviewed the Applicant's waste assessment and Waste Management Plan and is satisfied that they provide an accurate estimate of the waste products generated on-site, and incorporate best practice measures to minimise and manage waste over the life of the development. The Department has recommended standard conditions to ensure that the Waste Management Plan is implemented over the life of the development.</li> </ul>	<p>The Department has included conditions requiring the Applicant to:</p> <ul style="list-style-type: none"> <li>ensure that construction and operational waste is classified in accordance with the EPA's <i>Waste Classification Guidelines</i>; and</li> <li>ensure that the Waste Management Plan is implemented over the life of the development.</li> </ul>

## 6. CONCLUSION

The Department has assessed the proposed development against the strategic goals and directions outlined in *NSW 2021* and *A Plan for Growing Sydney* and has concluded that the application will:

- assist in the transformation of Western Sydney by providing growth and investment in an identified industrial precinct with high levels of accessibility to the regional road network, existing and planned public transport and cycle infrastructure (Direction 1.4); and
- provide additional employment opportunities within close proximity to existing residential developments in Western Sydney (Direction 1.4).

In addition, the Department assessed the application against the provisions of section 79(c) of the EP&A Act and the relevant State environmental planning policies and is satisfied that the proposed development will not result in any adverse environmental, urban design or traffic impacts, subject to the implementation of the recommended conditions of consent. Further, the proposed development is consistent with the site layout arrangements and development consent for the HDBP.

Given the above, the Department recommends that the proposed development should be approved subject to the recommended conditions of consent.

## 7. RECOMMENDATION

It is recommended that the A/Executive Director, Key Sites and Industry Assessments:

- consider the findings and recommendations of this report;
- approve the development application under Section 89E of the EP&A Act; and
- sign the attached development consent (refer **Appendix A**).



Kate MacDonald  
Team Leader  
Industry Assessment

11/12/15

Prepared by: Evelyn Craigie  
Planner  
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Chris Ritchie  
Director  
Industry Assessments

10/12/15



David Gainsford  
A/Executive Director  
Key Sites and Industry Assessments

14/12/15

## **APPENDIX A    CONDITIONS OF CONSENT**

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## APPENDIX B    CONSIDERATIONS UNDER SECTION 79C OF THE EP&A ACT

See the Department's website at: Section 79C of the EP&A Act requires that the consent authority, when determining a development application, must take into consideration the following matters:

<p>(a) the provisions of:</p> <ul style="list-style-type: none"> <li>(i) any environmental planning instrument, and</li> <li>(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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</li> <li>(iii) any development control plan, and <ul style="list-style-type: none"> <li>(a) any planning agreement that has been entered into under Section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</li> </ul> </li> <li>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</li> <li>(v) any coastal zone management plan (within the meaning of the <i>Coastal Protection Act 1979</i>) that apply to the land to which the development application relates,</li> </ul>	<p>The Department has considered Environmental Planning Instruments relevant to the proposed development.</p> <p>DCPs do not apply to State Significant Development under Clause 11 of the SRD SEPP. However, the Department has consulted with Fairfield City Council and given due consideration to the Fairfield Council DCP in its assessment in <b>Section 5</b> of this report.</p> <p>The Applicant has not entered into any planning agreement under Section 93F.</p> <p>The Department has undertaken its assessment of the proposed development in accordance all relevant matters as prescribed by the regulations, the findings of which are contained within this report.</p> <p>The site is not located within the coastal zone.</p>
<p>(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p>	<p>The Department has considered the likely impacts of the proposed development in detail in <b>Section 5</b> of this report. The Department is satisfied that all environmental impacts can be appropriately managed and mitigated through recommended conditions of consent.</p>
<p>(c) the suitability of the site for the development,</p>	<p><b>Section 3</b> of this report provides details on the suitability of the site for the proposed development. The site is located in the an area of the Western Sydney Parklands that has been identified as being suitable for business hubs and is permissible with development consent.</p> <p>The site is also located in close proximity to Sydney's major road network which provides good transport links throughout the city and the State.</p> <p>The Department therefore considers that the site is suitable for the proposed development.</p>
<p>(d) any submissions made in accordance with this Act or the regulations,</p>	<p>All matters raised in these submissions have been summarised in <b>Section 4</b> of this report and given due consideration as part of the assessment of the proposed development in <b>Section 5</b> of this report.</p>
<p>(e) the public interest.</p>	<p>The recommended conditions of consent impose a range of controls, which the Department considers will mitigate any potential environmental impacts of the proposed development.</p> <p>The socio-economic benefits generated from the proposed development include the employment of 300 construction staff and approximately 250 full-time equivalent jobs. The proposed development would also facilitate improvements to, and growth of, an existing business.</p> <p>The Department considers that the proposed development is therefore in the public interest.</p>

## APPENDIX C CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

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

The aims of *the State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) are to identify State significant development and State significant infrastructure and provide the necessary functions in determining development applications.

The proposal triggers the criteria in clause 5 of Schedule 2 of *the SRD SEPP* as it involves development with a capital investment value of more than \$10 million in the Western Parklands. Therefore, the project is considered State significant development and the Minister for Planning is the consent authority for the development.

### State Environmental Planning Policy (Infrastructure) 2007

*The State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.

The proposal satisfies the criteria for traffic generating development under Clause 104 the SEPP and therefore must be referred to RMS (a part of Transport for NSW) for comment under the ISEPP.

The proposal was referred to both Transport for NSW and RMS for comment in accordance with the ISEPP and their combined comments are summarised in **Section 4.2** of this report. The proposal is considered to be consistent with the ISEPP given the consultation and consideration of the issues raised by TfNSW/RMS in the Department's assessment in **Section 5** of this report.

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

*The State Environmental Planning Policy (Western Sydney Parklands) 2009* (Parklands SEPP) aims to provide planning controls that enable the development of the Western Sydney Parklands into a multi-use urban parkland. clause 12 of the Parklands SEPP details the matters to be considered by the consent authority in determining a development application.

The Applicant provided an assessment against the provisions of clause 12 of the Parklands SEPP and concluded that the proposed development is consistent with the aims of the Parklands SEPP, the *Parklands Plan of Management 2020* and will not impact on the important features of the WSP.

The Department has reviewed the Applicant's assessment and considers that the development would be undertaken in a manner that is consistent with all of the provisions of the Parklands SEPP.

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

*State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* (SEPP 33) aims to identify proposed developments with the potential for significant off-site impacts, in terms of risk and/or offence (odour, noise). A development is described as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have a significant risk and/or offence impact on off-site receptors.

The proposed quantities of dangerous goods to be stored at the facility would be below threshold limits established in SEPP 33 and therefore, the development does not constitute a potentially hazardous development. The Department's assessment therefore concludes that the proposal is consistent with the relevant provisions of SEPP 33. Notwithstanding, the Department has recommended conditions of consent that:

- restrict the Applicant from storing or handling dangerous goods above the thresholds outlined in SEPP 33 without the prior approval of the Secretary; and
- require the Applicant to store and handle all dangerous goods and hazardous materials in accordance with the *Australian Dangerous Goods Code* and AS 1940-2004: *The storage and handling of flammable and combustible liquids*.

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

*State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) aims to provide a State wide approach to the remediation of contaminated land. In particular, SEPP 55 aims to promote the remediation of contaminated land to reduce the risk of harm to human health and the environment by specifying:

- the circumstances under which consent is required;
- the relevant considerations for consent to carry out remediation work; and
- the remediation works undertaken meet certain standards and notification requirements.

The potential for site contamination was assessed prior to the determination of the HDBP bulk earthworks and subdivision application (SSD 5169). This assessment concluded that there is contaminated land near the northern boundary of the Martin Brower site. In order to ensure that the site can be made suitable for its future use as a business hub the Department included a condition of consent requiring the Applicant to remediate the site prior to the issue of a Subdivision Certificate.

As the proposed development cannot commence until the bulk earthworks approved under SSD 5169 are complete, the Department is satisfied that the site will be made suitable for its proposed use as a warehouse and distribution facility. Notwithstanding the above, the Department has recommended a condition of consent requiring the Applicant submit a validation report and a Site Audit Statement to the Secretary demonstrating that the site is suitable for warehouse and distribution uses prior to the commencement of works on-site.

### **State Environmental Planning Policy No. 64 – Advertising and Signage**

*State Environmental Planning Policy No. 64 – Advertising and Signage* (SEPP 64) aims to ensure that any signage that is visible from a public place is compatible with the amenity and visual character of the area, is suitably located and is of high quality.

Pursuant to section 5 of SEPP 64, the policy does not apply to land to which the Parklands SEPP applies and therefore, SEPP 64 does not apply to the subject site.

### **State Environmental Planning Policy No. 19 – Bushland In Urban Areas**

State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19) aims to protect and preserve bushland within urban areas. Consent is required to disturb any bushland that is zoned or reserved for public open space.

Pursuant to section 3 of SEPP 19, the policy does not apply to land to which the Parklands SEPP applies and therefore, SEPP 19 does not apply to the subject site.

### **Sydney Regional Environmental Plan No. 20 Hawkesbury – Nepean River**

Sydney Regional Environmental Plan No. 20 Hawkesbury – Nepean River (SREP 20) aims to protect the environmental of the Hawkesbury Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. It provides general and specific planning policies, recommended strategies and development controls aimed at minimising impacts to environmentally sensitive areas in the catchment.

The subject site is in the South Creek catchment of the Hawkesbury – Nepean River and is not in the vicinity of any wetlands, scenic corridors or areas of regional or local significance. Further, the proposed development includes a number of water management measures to ensure that the proposed development will not adversely impact on the hydrology or water quality of the South Creek catchment. Given the above, the Department is satisfied that the proposed development is consistent with the requirements of SREP 20.

## **APPENDIX D ENVIRONMENTAL IMPACT STATEMENT**

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The Environmental Impact Statement and associated documentation is located on the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7078](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7078)

## **APPENDIX E SUBMISSIONS**

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Submissions are located on the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7078](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7078)

## **APPENDIX F     RESPONSE TO SUBMISSIONS**

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See the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7078](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7078)

## APPENDIX G COMPLAINECE WITH FAIRFIELD DCP

Table 1: Compliance with Fairfield DCP Chapter 9

DCP Control	Proposed Development	Compliance
<b>Site and Built Form</b>		
Minimum frontage to The Horsley Drive is 60 m.	The site frontage is 475.38 m.	Yes
Minimum of 20 m setback from The Horsley Drive, of which 10 m is to be used for landscaping only. The remainder of the setback may be used for car parking services.	The minimum setback to the Horsley Drive is 20 m, of which 10 m comprises landscaping.	Yes
<b>Advertising Signage</b>		
Total advertising area of up to 0.5 m <sup>2</sup> for every metre of lineal street frontage.	Two signs containing the Martin Brower logo are proposed adjacent to the frontage of the internal access road. These signs have a total area of 27.21 m <sup>2</sup> .	Yes
On corner allotments, only the largest street frontage can be used to calculate the allowable advertising area. However, no sign to exceed an area of 30 m <sup>2</sup> .	One sign with the Martin Brower logo is proposed along the Cowpasture Road frontage, with an area of 27.06 m <sup>2</sup> .	Yes
Only one freestanding commercial sign per development.	Two 8 m x 1.8 m freestanding signs are proposed along the main site frontage. As the number of signs exceeds the maximum number of signs outlined in the DCP, and no design details have been provided for these signs, the Department has recommended a condition of consent requiring the Applicant to submit a signage strategy for the Secretary's approval prior to the installation of any signage on-site.	Capable of compliance, subject to conditions.
<b>Streetscape and Amenity</b>		
Incorporate decorative paving treatments.	Concrete pavers with an aggregate finish are proposed at the office entrance.	Yes
Open car parking areas should be landscaped.	Native grasses and trees are proposed on the pedestrian islands in the carpark and trees, small shrubs and grasses are proposed around the perimeter of the carpark.	Yes
Fencing along a front boundary or facing an arterial road must be a maximum of 2.4 m in height, solid construction up to 600 mm above natural ground level, be an open style and, for security fencing, only palisade fencing made from metal is permitted.	A 2.1 m high chain wire fence is proposed along the western and southern boundaries of the site, an Armco crash barrier is proposed along the eastern boundary and a black, 1.8 m high palisade fence is proposed along the northern boundary.	Yes
Fencing along the side or rear boundaries should be a maximum of 2.4 m in height and constructed in an open style.		
Details of building construction and the materials to be used on external facades should be provided.	Details of colours and materials proposed for all external facades have been provided in Appendix 4 of the EIS.	Yes