



Planning &
Environment

STATE SIGNIFICANT DEVELOPMENT ASSESSMENT
Warehouse and Distribution Facility
for Sigma Pharmaceuticals,
Site 3A, Oakdale South Industrial Estate, Kemps Creek
(SSD 7719)



Assessment Report
Section 89H of the *Environmental Planning and Assessment Act 1979*

July 2017

Cover Photograph: Artist impression of proposed warehouse and distribution facility for Sigma Healthcare

(Source: EIS 2016)

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Published July 2017

Department of Planning and Environment

www.planning.nsw.gov.au

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ABBREVIATIONS AND DEFINITIONS

Applicant	Goodman Property Services (Aust) Pty Ltd
AS	Australian Standard
ARI	Average Recurrence Interval
BioBanking Regulation	<i>Threatened Species Conservation (Biodiversity Banking) Regulation 2008</i>
CEMP	Construction Environmental Management Plan
CIV	Capital Investment Value
Construction	The demolition of buildings or works, carrying out of works, including earthworks, erection of buildings and other infrastructure covered by this consent
Council	Penrith City Council
DA	Development Application
Day	The period from 7 am to 6 pm on Monday to Saturday, and 8 am to 6 pm on Sundays and Public Holidays
Department	Department of Planning and Environment
Development	The Development as described in the EIS and RTS for the construction of a warehouse and distribution facility for Sigma Healthcare
DCP	Penrith Development Control Plan 2014
Earthworks	Bulk and detailed earthworks
EEC	Endangered Ecological Communities
EIS	Environmental Impact Statement titled ' <i>Environmental Impact Statement, Sigma Pharmaceutical Warehouse and Distribution Facility</i> ', prepared by Urbis Pty Ltd, dated 4 November 2016
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
EPLR	Erskine Park Link Road (Lenore Drive)
Minister	Minister for Planning
NCC	National Construction Code
NOW	NSW Office of Water
OEH	Office of Environment and Heritage
OSD	On-site detention
OWR	Old Wallgrove Road
PMF	Probable Maximum Flood
RMS	Roads and Maritime Services
RTS	Response to Submissions letter titled ' <i>SSDA 7719 – Sigma Warehouse and Distribution Centre</i> ', prepared by Urbis Pty Ltd, dated 3 March 2017
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment, or nominee
Site	Oakdale South Industrial Estate comprised of Lot 12 in Deposited Plan 1178389
SLRN	Southern Link Road Network
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development
SSD 6917	Oakdale South Industrial Estate Concept and Stage 1 approval
VPA	Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement between the Minister for Planning, Goodman Property Services (Aust) Pty Ltd, BGAI 6 Pty Ltd, BGMG 8 Pty Ltd, BGAI 2 Pty Ltd and the Austral Brick Co Pty Ltd, executed on 12 March 2015 and amended by the letter of offer dated 23 January 2017
WSEA	Western Sydney Employment Area
WSEA SEPP	<i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>
WSUD	Water Sensitive Urban Design

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EXECUTIVE SUMMARY

Goodman Property Services (Aust) Pty Ltd (the Applicant) has lodged a Development Application (DA) and accompanying Environmental Impact Statement (EIS) seeking consent to develop a warehouse and distribution facility within Precinct 3 of the Oakdale South Industrial Estate at Kemps Creek in the Penrith Local Government Area. The proposed warehouse would be used by Sigma Healthcare (Sigma) as a pharmaceutical distribution facility.

The Oakdale South Industrial Estate was approved on 26 October 2016 by the Executive Director Key Sites and Industry Assessments and included a Concept Proposal and concurrent development application for Stage 1 (SSD 6917). The approval was subsequently modified by the Director Industry Assessments on 21 April 2017.

The approved concept layout sets a maximum gross floor area (GFA) of 331,311 m² across six development precincts and includes 15 building envelopes, conceptual subdivision, landscaping, stormwater and utilities infrastructure, car parking and biodiversity offset requirements. The Stage 1 DA included the construction and use of nine warehouse buildings as well as estate wide bulk and detailed earthworks, internal access roads and installation of estate wide infrastructure.

This development application proposes the construction, fitout and use of a warehouse for Sigma to use as a pharmaceutical distribution facility. It would be a significant distribution facility for Sigma in NSW ensuring that the company can continue to provide efficient and high quality service to its pharmaceutical clients.

The development itself has a footprint of approximately 4.16 hectares, has a capital investment value (CIV) of \$61.7 million and is expected to generate some 50 construction and 166 operational jobs. It is the second company to move into Oakdale South Industrial Estate, joining Toyota Australia that received approval from the Executive Director Key Sites and Industry Assessments in May this year.

The proposed development is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it satisfies clause 12, Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), being for the construction of a warehouse and distribution facility with a CIV over \$50 million. Consequently, the Minister for Planning is the consent authority for the proposed development.

The Department exhibited the EIS from 17 November 2016 to 16 December 2016 (30 days). A total of 12 submissions were received during the exhibition period including submissions from Penrith City Council (Council) and other public authorities. No submissions were received from the general public.

Key concerns raised in the submissions related to layout and orientation of the building, landscaping, noise from loading docks, signage, boundary fencing, boundary interfaces, Water Sensitive Urban Design (WSUD) and bushfire risk to property.

The Applicant submitted a Response to Submissions (RTS) report on 3 March 2017, to address and clarify matters raised in the Council and other public authority submissions. The RTS included an options analysis exploring alternative site layouts, and revised architectural plans to include bicycle parking. Amended elevation drawings and landscape plans were also subsequently provided to address ongoing concerns raised by Council and the Department.

The Department has assessed the application in accordance with the requirements of the EP&A Act. The Department has identified the key issues for assessment relate to: consistency with the Concept Approval; urban design and visual impacts; noise and vibrations; and traffic.

The Department's assessment concludes the proposed development is consistent with the Concept Approval and the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. Consequently, the Department considers the proposed development is in the public interest and is recommended for approval, subject to conditions.

1. INTRODUCTION

1.1. Assessment Report

This report details the Department of Planning and Environment's (Department) assessment of a State significant development application (SSD 7719) for the construction, fitout and operation of a warehouse and distribution facility for Goodman Property Services (Aust) Pty Ltd (the Applicant) within the approved Oakdale South Industrial Estate (SSD 6917) at Kemps Creek.

The Department's assessment considers all documentation submitted by the Applicant, including the Environmental Impact Statement (EIS), the Response to Submissions (RTS), and the submissions received from Penrith City Council (Council) and other public authorities. The Department's assessment also considers the legislation and environmental planning instruments (EPI) relevant to the site and the proposed development.

This report describes the proposed development, surrounding environment, relevant strategic and statutory planning controls and the issues raised in submissions. The report evaluates the key issues associated with the Development Application (DA) and provides recommendations for managing the environmental impacts of the proposed development. The Department's assessment of the DA concludes the proposed development is in the public interest and should be approved, subject to conditions.

1.2. Background

On 26 October 2016, the Executive Director Key Sites and Industry Assessments approved a concurrent Concept Proposal and Stage 1 DA for a warehousing and employment precinct, referred to as the Oakdale South Industrial Estate (SSD 6917). The approval established 15 building envelopes for warehouse and distribution facilities across six development precincts, and conceptual subdivision, landscaping, stormwater and infrastructure designs; conceptual site levels; conceptual car parking and biodiversity offset requirements. The Stage 1 DA includes the construction and use of nine warehouse buildings within Precincts 1, 4 and 5, estate wide bulk earthworks, access roads, infrastructure services, parking and landscaping.

The Applicant is now seeking development consent for a warehouse and distribution facility on Site 3A within Precinct 3 of the Oakdale South Industrial Estate, at Kemps Creek in the Penrith local government area (LGA). Once operational, the facility would be leased to Sigma Healthcare (Sigma) for the storage and distribution of pharmaceutical products operating 24 hours a day, seven days a week.

The site is located approximately 41 kilometres (km) west of the Sydney city centre, approximately 21 km east of Penrith and approximately 3.4 km from the M7 Motorway (see **Figure 1**).



Figure 1: Site Location within Kemps Creek

The site is also located in Precinct 8 of the Western Sydney Employment Area (WSEA) which is strategically identified industrial and employment land under *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) (see **Figure 2**).

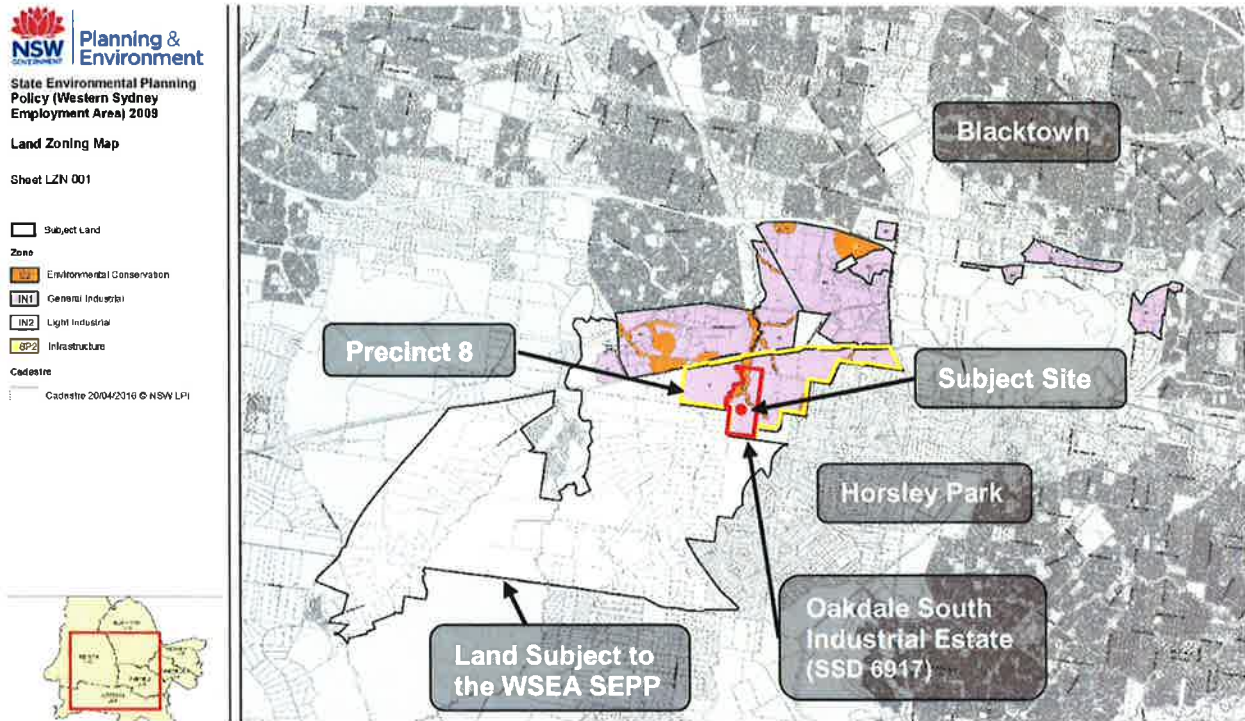


Figure 2: Western Sydney Employment Area

1.3. Site Description

The site is legally described as Lot 12 in Deposited Plan 1178389 and is approximately 7.04 hectares (ha) in area.

The site forms part of the recently approved Oakdale South Industrial Estate (SSD 6917) and comprises vacant land historically used for pastoral grazing. Remnant vegetation exists along the western boundary of the Estate. Ropes Creek passes along the western boundary and two unnamed tributaries traverse the site from the north-west to the south east. High voltage electricity transmission lines cross the south-western corner of the Estate (see Figure 3).

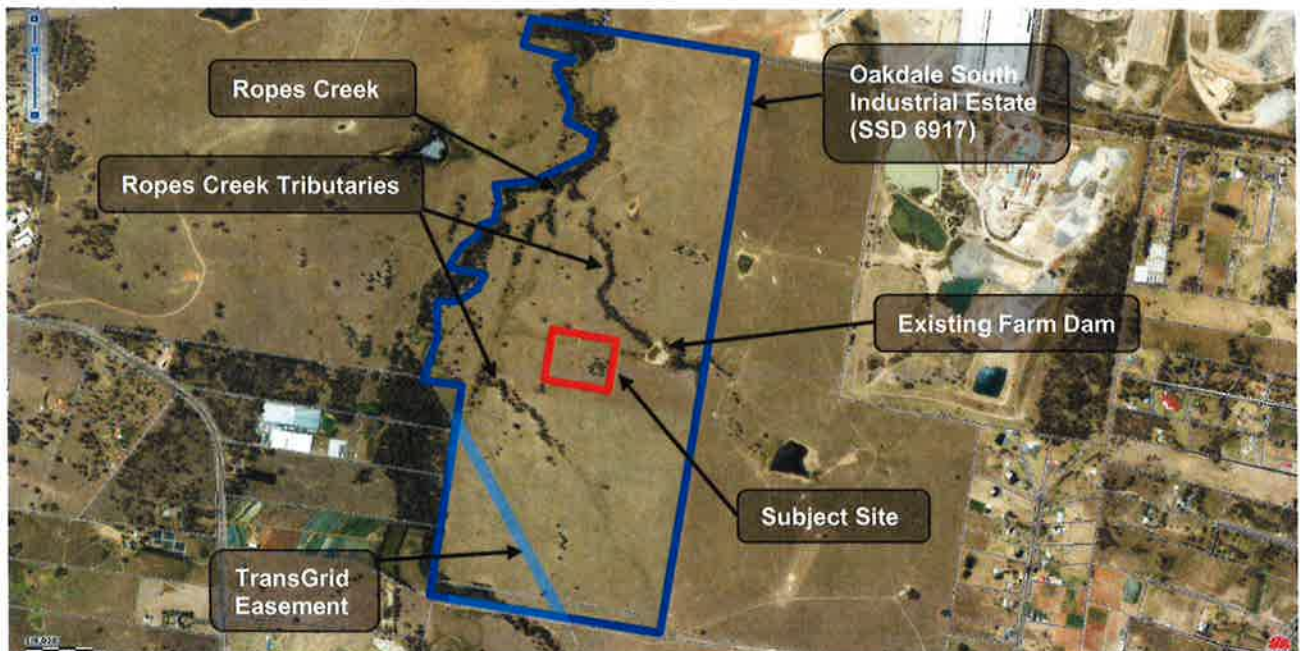


Figure 3: Existing Site Features

1.4. Surrounding Land Uses

Generally, surrounding land uses include those associated with industrial activities in the WSEA to the north, east and west and residential land uses are located further to the east, south and south-west. More specifically, land uses in the vicinity of the site include:

- the Oakdale Central Industrial Estate (SSD 6078) and Millner Avenue to the north;
- the proposed Oakdale West Industrial Estate (SSD 7348) to the west;
- the Jacfin Horsley Park warehousing hub (MP 10_0129 and MP 10_0130) approved in October 2013 and RU4 zoned land to the east with residential development potential for 2 ha lots; and
- vacant E4 zoned land immediately south of the site. There is an existing development consent permitting the creation of 42 residential lots on this land (referred to as the Capitol Hill Subdivision).

The nearest existing residential receivers are located approximately 800 metres (m) to the west in Kemps Creek, approximately 1.2 km to the east in Horsley Park and approximately 1.2 km to the south in Mount Vernon. The surrounding road network comprises internal estate roads included in the Oakdale South Industrial Estate approval (SSD 6917), connecting into Milner Avenue / Old Wallgrove Road (see **Figure 4**).

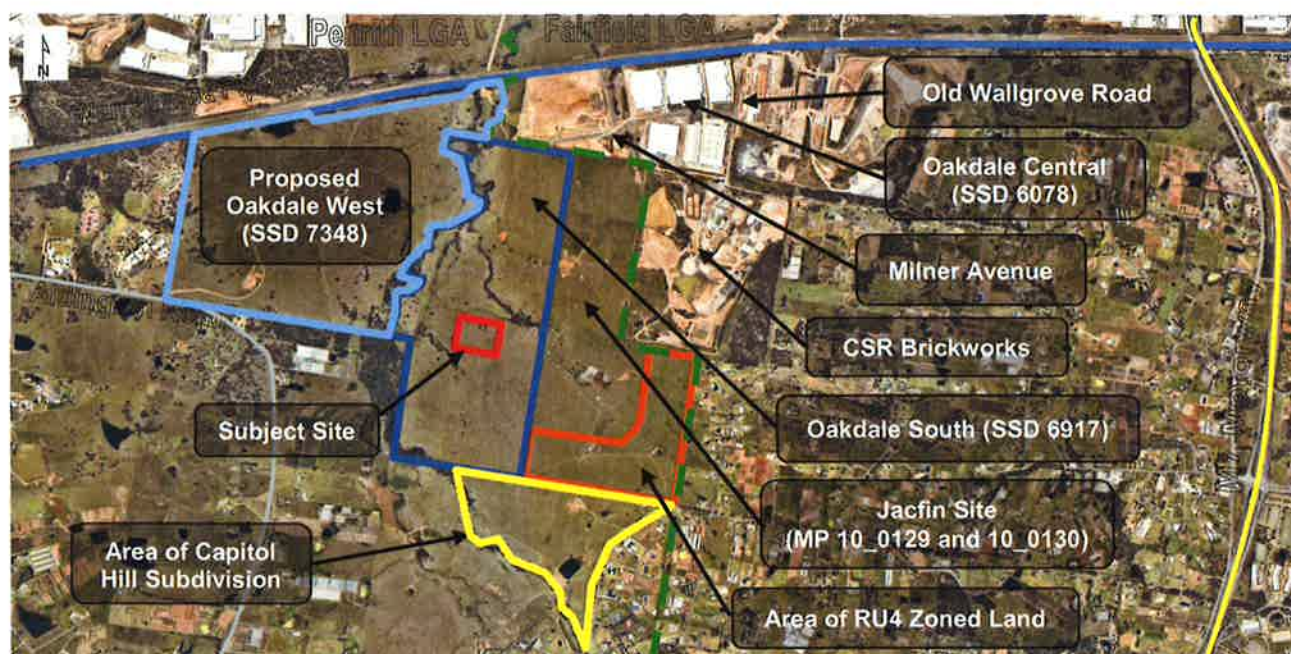


Figure 4: Local Context

1.5. Previous Modifications

To facilitate the proposed development, the Applicant submitted a modification to the Oakdale South Industrial Estate Concept and Stage 1 SSD (SSD 6917 MOD 1) which was approved on 21 April 2017. The modification included:

Concept Proposal

- Amendment to the layout of Precincts 3, 4 and 5 and reduction in Gross Floor Area (GFA) from 395,880 m² to 331,311 m²; and
- The 'potential services lot' to be incorporated into Precinct 2 and inclusion of 'amenity lot'.

Stage 1 SSD

- Amendment to the subdivision layout to reflect changes made to the Concept Proposal;
- Amendment to the road layout including Estate Road 1 and 3 and introduction of Estate Road 4;
- Reduction of the amount of fill importation;
- Realignment of Ropes Creek Tributary; and
- Removal of the construction and use of buildings in Precincts 4 and 5.

One of the purposes of the modification was to facilitate the site layout and design requirements of future tenants including the Applicant of the proposed development. The location of the subject site (approved and as modified) is shown in **Figure 5** and **Figure 6** below.

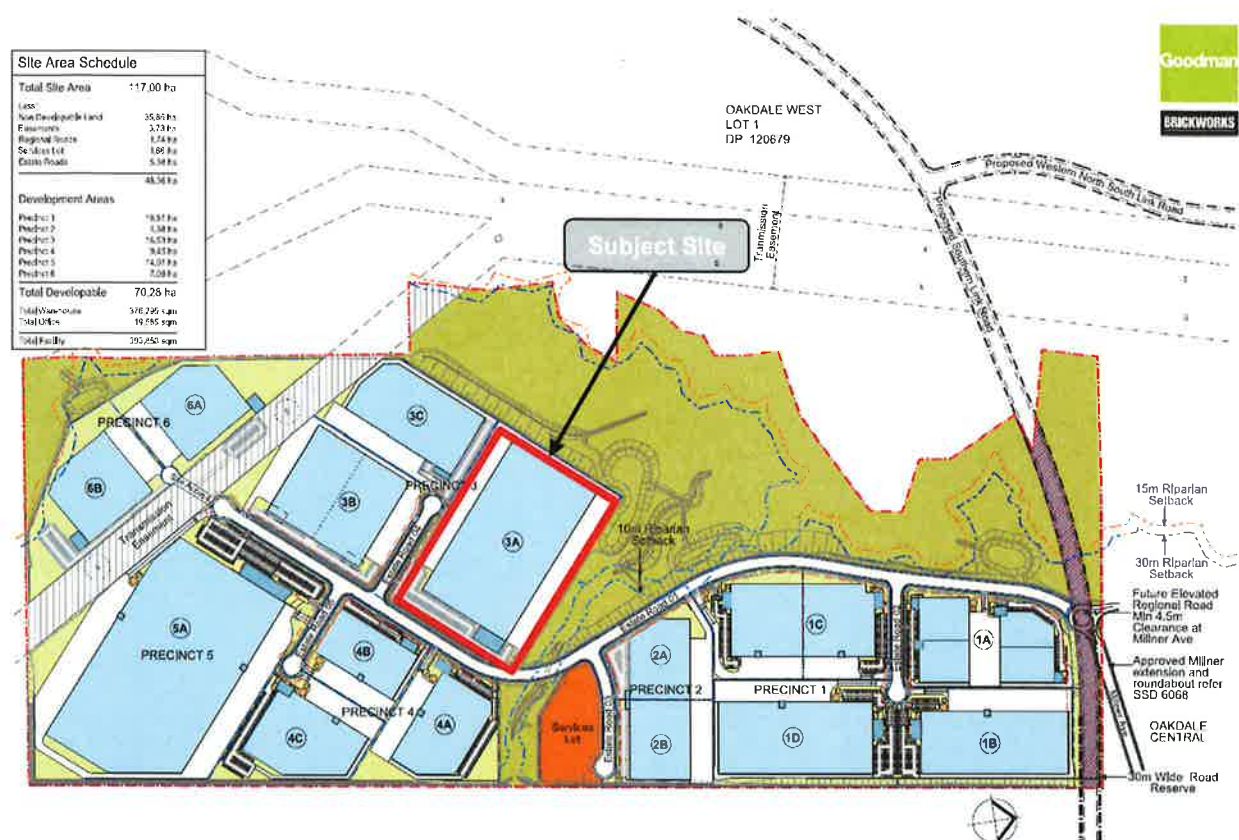


Figure 5: Oakdale South Industrial Estate Approved Concept Layout

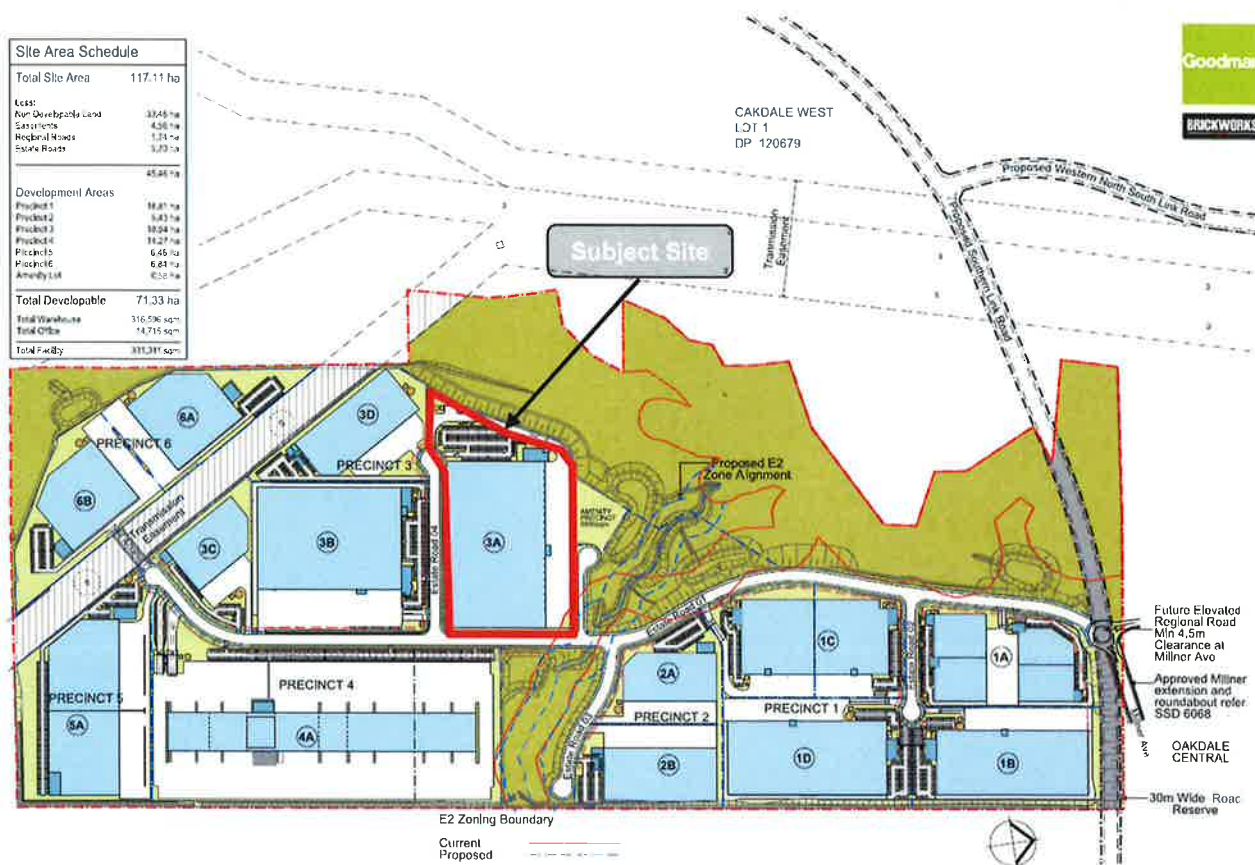


Figure 6: Oakdale South Industrial Estate Approved Modified Concept Layout

2. PROPOSED DEVELOPMENT

2.1. Development Summary

The Applicant proposes to construct and operate a warehouse and distribution facility, which would be leased to Sigma for the storage and distribution of pharmaceutical products operating 24 hours a day, seven days a week.

The major components of the proposed development are summarised in **Table 1** and shown in **Figure 7**. The proposed development is described in full in the EIS, and clarified in the RTS (see **Appendix G** and **Appendix I** of this report).

Table 1: Main Development Components

Aspect	Description
Development Summary	Construction, fitout and operation of a warehouse and distribution facility, including ancillary office
Site area and development footprint	- the site is approximately 7.04 ha in area; and - the development footprint is approximately 4.16 ha.
Earthworks, civil works and services extension	- site level refinement; - hardstanding; - external lighting; - drainage infrastructure; and - utility installation.
Proposed Use	Warehousing and distribution with ancillary office space
Warehouse (m ²)	40,090
Office (m ²)	1,472
Safe/Vault (m ²)	100
Cool rooms/freezer rooms (m ²)	480
Dock Office (m ²)	230
Docks (No.)	18
Car parking (spaces)	200
Bicycle parking (spaces)	10
Building height (m)	13.7
Access	Separate access for light and heavy vehicles off Estate Road 4. Emergency vehicle access off Estate Road 1 and 4
Fitout	Pallet racking and long span shelving, live storage lanes and picking module, automated picking module, multi-channel fulfilment zone, despatch buffer storage and integrated conveyor system and office spaces
Stormwater and Drainage	- rainwater harvesting and re-use; and - Installation of a gross pollutant trap. Note: the site would drain to Basic C to the east in accordance with the approved Concept Proposal
Landscaping	car park planting and screen planting along the warehouse frontage
Signage	2x 7 m x 2.5 m illuminated business identification warehouse signs; and 1x 4 m x 1.2 m illuminated business identification pylon sign.
Hours of Operation	24 hours per day, seven days per week
Capital Investment Value	\$61,816,000
Employment	50 construction jobs and 166 operational jobs

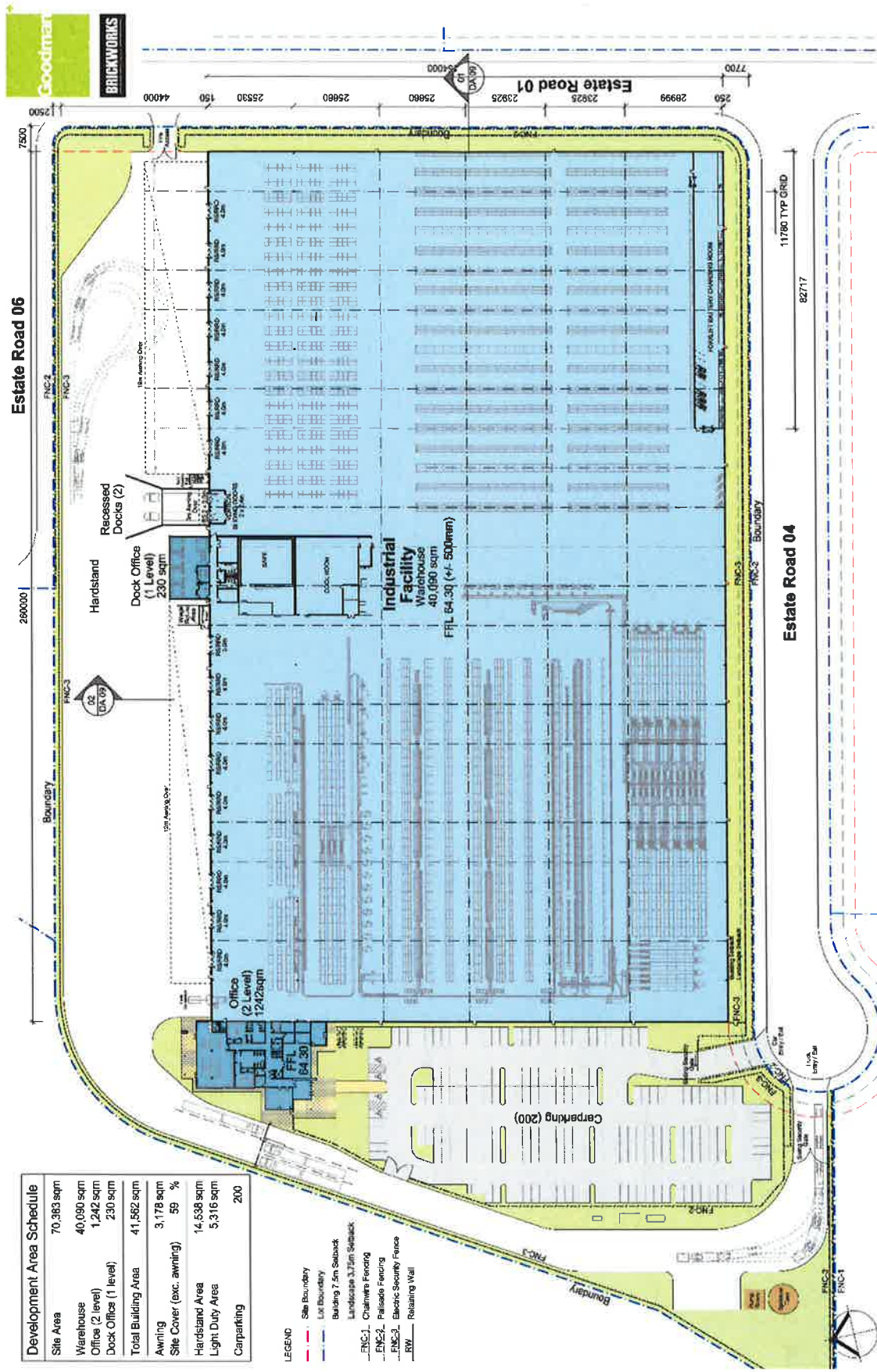


Figure 7: Proposed Layout

2.2. Justification for the Development

Goodman (the Applicant) is a global property group that owns, develops and manages large-scale logistics, business park and office developments. In Australia, Goodman currently manages 206 properties in Sydney, Melbourne, Brisbane, Adelaide, Canberra and Perth, with assets under management totalling \$30.3 billion. Some of the company's key clients include Toll, Linfox, Coles, Coca-Cola, DHL, TNT and Brambles.

The new facility would be leased to Sigma, which is a pharmacy wholesale and distribution business. The company has the largest pharmacy network in Australia with over 1,200 stores and pharmacy retail brands including Amcal, Guardian, PharmaSave, Chemist King and Discount Drug Stores. The company was initially established in 1912 and currently employs approximately 850 staff.

The site is well located in a strategic location with easy access to Sydney's motorway network. It would be a significant storage and distribution facility for Sigma within NSW and would continue to ensure the company provides efficient and high quality service to its pharmaceutical clients.

In addition, the Applicant considers the proposal is consistent with *A Plan for Growing Sydney* as it would contribute to the growth of industry and the provision of employment opportunities in Western Sydney.

3. STRATEGIC AND STATUTORY CONTEXT

3.1. Strategic Context

In 2015, the NSW Government announced the Premier's Priorities which cover 12 key areas including economic growth, provision of infrastructure, protection of vulnerable communities, improving education and environmental protection. One of the Premier's key priorities is 'Creating Jobs'. The NSW Government aims to provide 150,000 new jobs in NSW by 2019.

The construction and operation of the new facility would contribute towards economic growth by investing approximately \$62 million in Western Sydney and generate 50 construction jobs and 166 full-time equivalent jobs once operational.

The proposed development 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 (Direction 1.4) by:

- providing growth and investment in an identified industrial precinct with high levels of accessibility to the regional road network;
- providing additional employment opportunities within close proximity to existing residential developments in Western Sydney; and
- providing a warehouse and distribution facility that would stimulate economic activity and create new jobs within the Western Sydney Priority Growth Area and Western Sydney Employment Area.

The Greater Sydney Commission has released the draft of six district plans encompassing Greater Sydney which will guide the delivery of *A Plan for Growing Sydney*. The draft district plans set out the vision, priorities and actions for the development of each district. The site is located within the West District which encompasses the Blue Mountains, Hawkesbury and Penrith LGAs. The Penrith LGA is identified as an economic and service hub for the District and provides a gateway to the Blue Mountains. The proposal would assist in achieving a number of the productivity actions of the draft District Plan by increasing investment and jobs in the region.

3.2. State Significant Development

The proposal is State significant development pursuant to section 89C of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves the construction and operation of a warehouse and distribution facility with a capital investment value greater than \$50 million, which meets the criteria in clause 12, Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP). Consequently, the Minister for Planning is the consent authority for the proposed development.

3.3. Permissibility

The site is zoned *IN1 - General Industrial* and in part *E2 - Environmental Conservation* under the WSEA SEPP. The proposed warehouse and distribution facility itself (excluding the landscaping proposed in the north eastern corner of the site) is located on the portion of the site zoned IN1. It is permissible with development consent in the zone and is consistent with the objectives of the IN1 zone.

The E2 zone occupies a small portion of land in the north eastern corner of the site, resulting from the layout changes associated with the Oakdale South Industrial Estate MOD 1, approved in April 2017. Landscaping is proposed in this area of the site, a use which is prohibited in this zone. Notwithstanding, under Section 89E(3) of the EP&A Act, development consent may be granted for a SSD despite being partly prohibited under an environmental planning instrument (EPI). As such, the Minister or his delegate may grant consent to the SSD application.

3.4. Consent Authority

On 16 February 2015, the Minister delegated his functions to determine SSD applications to the Executive Director, Key Sites and Industry Assessments where:

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

The Acting Executive Director, Key Sites and Industry Assessments may determine the DA as:

- Penrith City Council, as the relevant council, did not object to the application;
- no reportable political donations were made by the Applicant or by any person who lodged a submission; and
- no objections were received from the public during the exhibition period.

3.5. Section 79C

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

- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *State Environmental Planning Policy No. 55 – Remediation of Land;*
- *State Environmental Planning Policy No. 64 – Advertising and Signage;*
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development;*
- *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007;*
- *Sydney Regional Environmental Plan No. 9 – Extractive Industry (No. 2);*
- *Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River; and*
- *Penrith Local Environmental Plan 2010.*

The Department is satisfied the proposal generally complies with the relevant provisions of these EPI's. Detailed consideration of the provisions of all EPIs that apply to the proposal is provided in **Appendix C**.

3.7. Public Exhibition and Notification

Under section 89F(1) of the EP&A Act, the Secretary is required to make the DA and any accompanying information for an SSD application publicly available for at least 30 days. The application was placed on public exhibition from 17 November 2016 until 16 December 2016 (30 days). Details of the exhibition process and notifications are provided in **Section 4.1** below.

3.8. 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 EP&A 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, and
- (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 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 proposal (see **Table 2**).

Table 2: Objects of the EP&A Act and Relevance to the proposed development

Object	Consideration
5(a)(i)	The proposal would enable the development of industrial zoned land that has been strategically identified under the WSEA SEPP. Development of the site would promote the economic enhancement of the community through the provision of 50 construction jobs and up to 166 full-time operational jobs. The proposed development has been designed to meet 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 would ensure the orderly and economic use of suitably zoned land strategically identified for an industrial use within the WSEA and would be used economically to ensure the employment of 166 full-time operational staff.
5(a)(vi)	The Department's assessment in Section 5 of this report demonstrates that with the implementation of the recommended conditions of consent, the impacts of the proposed development can be mitigated and/or managed to ensure the environment is protected.
5(a)(vii)	The proposed development is unlikely to have an adverse impact on native flora or fauna, including threatened species, populations and ecological communities or their habitats. The proposal incorporates a range of measures to improve energy efficiency and resource consumption, including building design for passive ventilation, controlled LED lighting, individual on-lot water harvesting and re-use, solar hot water systems, efficient water fixtures and translucent roof panelling for natural light. Overall, the Department considers the proposed development is consistent with the principles of ESD.
5(b)	The Department has assessed the proposed development in consultation with, and giving due consideration to, the technical expertise and comments provided by other Government authorities (including Council) (see Section 4). 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 EP&A Act to provide public involvement and participation in the environmental planning and assessment of this application. Additionally, the Secretary's Environment Assessment Requirements required the Applicant to consult with relevant agencies/community during the preparation of the EIS.

4. CONSULTATION AND SUBMISSIONS

4.1. Consultation

The Applicant undertook consultation with relevant local and State authorities as well as the community and affected landowners. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

4.1.1. Consultation by the Applicant

The Applicant sought input from Council, relevant public authorities and the general public as part of the preparation of the EIS. A summary of which is provided in the EIS.

4.1.2. Consultation by the Department

The Department consulted with relevant public authorities during the preparation of the Secretary's Environmental Assessment Requirements (SEARs).

After accepting the EIS, the Department:

- made it publicly available from **17 November 2016** until **16 December 2016** (30 days):
 - on the Department's website;
 - at the Department's Information Centre (Sydney); and
 - at Penrith City Council (High Street, Penrith);
- notified landowners in the vicinity of the proposed development about the exhibition period by letter;
- notified relevant State government authorities, and Penrith City Council by letter; and
- advertised the exhibition in the Penrith Press and Fairfield City Champion.

A total of 12 submissions were received from public authorities raising concerns and providing comments on the proposed development. No submissions were received from the general public. A summary of the issues raised in submissions is provided below. Each submission is provided in full at **Appendix H**.

4.2. Public Authorities

Penrith City Council (Council) did not object to the application but raised several concerns including site layout and orientation, setbacks, landscaping and built form. These concerns generally related to the presentation of the proposal to Estate Roads 1 and 4. Additional concerns related to fencing, Water Sensitive Urban Design (WSUD) principles including rainwater tank capacity, operational noise, environmental health (contamination, noise, hazardous and dangerous goods), services, retaining walls and pedestrian access.

Department of Primary Industries (DPI) indicated that it had provided a number of comments on the approved modification, particularly in relation to the realigned Ropes Creek Tributary (**Section 1.5**). DPI stated that these comments should be taken into account in respect of the current application where relevant. The issues raised related to the riparian corridor, design of the creek and consistency with DPI Water's *Guidelines for Controlled Activity on Waterfront Lands (2012)*.

Heritage Council of NSW (Heritage Council) noted that the EIS relies on the heritage report prepared for the adjacent Toyota site to the south (located on the same lot) and that each SSD should have its own.

TransGrid did not object to the proposed development but provided the *TransGrid Easement Guidelines for Third Party Development (V10)* for information.

Endeavour Energy did not object but provided a number of general comments and requirements relating to connections, safety, earthing, vegetation management, public safety and emergency contacts.

Environment Protection Authority raised no objections.

Office of Environment and Heritage (OEH) raised no objections.

Transport for NSW (TfNSW) raised no objections.

Roads and Maritime Services (RMS) raised no objections.

WaterNSW raised no objections.

Fire & Rescue NSW (FRNSW) raised no objections.

Rural Fire Service (RFS) raised no objections, however recommended a number of conditions.

4.3. Public Submissions

The Department did not receive any submissions from surrounding landowners or the general public.

4.4. Response to Submissions

On 24 March 2017, the Applicant provided a Response to Submissions (RTS) report addressing the issues raised by Council and public authorities (see **Appendix I**). The RTS included: an options analysis to further

justify the preferred loading dock and office location; a revised Traffic Impact Assessment to clarify traffic generation, comparing the approved Concept Proposal (and subsequent modification) to the subject SSD; revised plans showing bicycle parking; and examples of hard stands on street frontages.

The Department made the RTS publicly available on its website in accordance with Clause 85B of the *Environmental Planning and Assessment Regulation 2000* (Regulation).

Penrith City Council maintained its concerns regarding site layout, setbacks, built form, fencing, landscaping, WSUD and environmental health (contamination, noise, hazardous and dangerous goods) and recommended conditions relating to landscaping, external finishes and services.

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:

- consistency with the Concept Approval;
- urban design and visual impacts;
- noise and vibration; and
- traffic.

The Department's assessment also considers a number of other issues, which are considered minor and are addressed in **Table 5**.

5.1. Consistency with the Concept Approval

The Concept Approval (as modified) sets out a number of requirements and parameters for future DAs in developing the Oakdale South Industrial Estate. Any development within the lands covered by the Concept Approval must be consistent with that approval. The Department has assessed the proposal against the conditions of the Concept Approval and concludes that it would not exceed the maximum GFA permitted under the approval and is consistent with the approved building envelope. Furthermore, the proposal complies with Penrith DCP 2014 (DCP) controls in terms of height, bulk, scale, setbacks and site coverage.

The Department has undertaken a detailed consideration of the proposed development against the requirements of the Concept Approval at **Appendix E** and considers it is consistent with this approval.

5.2. Urban Design and Visual Impacts

The proposal has the potential to have an adverse visual impact due to the built form and site layout when viewed from both internal estate roads and surrounding properties. The EIS considers urban design and visual impact and includes a Visual Impact Assessment. The Concept and Stage 1 approval included site-specific development controls, which now form part of the DCP. The Department's assessment of the proposal against the DCP is included in **Appendix F**.

Site Layout

The Applicant has stated that the site layout has been selected following extensive operational analysis and design development, which has been refined over a 12 month period through detailed design and site optimisation. The layout features a north facing loading dock, which protects it from gusty southerly and westerly winds, separation of heavy vehicles and light vehicle traffic promoting internal road safety and emergency vehicle access around the site perimeter. The office is located towards the north western corner of the site providing views over the biodiversity corridor and ensuring access to natural light for future occupants. The location of the proposed office has also been driven by the specific security needs of Sigma.

Built Form and Setbacks

The proposed built form can be described in two main components: the main warehouse building with loading dock office; and the office component. Ancillary facilities such as rainwater tanks, pump room and fire services are located in the south-western corner of the site adjacent to the truck entry/exit driveway.

The proposed main warehouse building is 260 m x 154 m with a maximum height of 13.7 m. Two awnings measuring 12 m x 114 m and 19 m x 93 m are proposed over the north facing loading dock, covering an area of 3,178 m² of hard stand. The proposed two storey office building is attached to the main warehouse building

at the northern end of the western elevation and measures approximately 38.7 m x 25.2 m in area and 7.8 m in height. External finishes include Kingspan insulated panels, painted precast concrete dado panels, painted precast cement panels, Terracade TN sandblasted façade system and aluminium composite panels. The proposed office contrasts with the main warehouse building in a complementary way given its smaller scale and use of extensive glazing, louvres, mixture of materials and colour.

In relation to building setbacks, the proposed warehouse building has a 7.5 m setback from Estate Road 1, 7.7 m from Estate Road 4 and 44 m from Estate Road 6. The proposed warehouse and office are setback between 20-100 m from the rear boundary adjoining the environmental conservation corridor. The Department's assessment of setbacks against the Oakdale South Industrial Estate Concept Plan and Stage 1 Approval and Penrith DCP is provided in **Appendices E and F**, which indicates compliance.

The Department is satisfied that the character, height and scale of the proposed development would be consistent with the approved development controls, and would also be in keeping with existing and proposed adjoining and nearby industrial land uses.

Visual Amenity

The EIS provided an assessment of the visual impacts of the development and included a copy of the Visual Impact Assessment (VIA) that was prepared for the Concept Proposal and Stage 1 SSD modification (SSD 6917 MOD 1), which addressed the broader visual impact issues for the Oakdale South Industrial Estate. The subject site is located centrally within the Oakdale South Industrial Estate and would be surrounded by other warehouse buildings of similar height and scale.

The VIA states that of the six views assessed, view 6 from the south has the greatest potential for the proposed warehouse to be visible from surrounding land uses (**Figure 8** and **Figure 9**). However, given the approved 30 m landscaped buffer and 5 m landscaped mound along the southern boundary of the estate required as part of the Oakdale South Industrial Estate, any visual impact would be negligible. Further, the proposed signage would be located below the maximum height of 13.7 m. The VIA has concluded that any visual impacts from the proposal would be negligible for any occupiers in the vicinity of the site, or within the broader estate.



Figure 8: Location of View 6

Due to the nature of the products handled within the proposed facility, the Applicant proposes a combination of electric security fencing behind palisade fencing along all boundaries, consistent with the design principles of the Concept Approval. Additionally, the proposed palisade fencing would have a 1 m setback from Estate

Roads 1, 4 and 6, allowing additional landscaping between these boundaries and proposed fence to soften the boundaries and improve visual amenity within the Oakdale South Industrial Estate.

The Applicant concludes that the high standard of development sought for the site would encourage adjacent vacant sites to achieve a higher level of building design. The Applicant also considers the proposed development would result in a negligible visual impact given the perimeter landscape treatments and mounds for the broader Oakdale South Industrial Estate and the central location of the site within the estate.



Figure 9: Photomontage of the Oakdale South Industrial Estate from View 6

Council's main concerns related to the siting of the proposed warehouse, location of the office towards the rear of the site and use of unarticulated panelling fronting Estate Roads 1 and 4. Council also recommended a number of conditions relating to servicing requirements, fencing and landscaping.

The Department agreed with Council's views and also raised concerns about the proposed layout of the site, given the blank facades proposed along Estate Roads 1 and 4. As such, the Department requested the Applicant provide an options analysis to support the proposal.

The Applicant provided an options analysis which was included as part of the RTS (**Figure 10**) that compared the preferred option to three alternative options for loading dock locations (south, west and north). The Department notes the following benefits of the proposed layout:

- occupants of the proposed north facing office would enjoy abundant natural light and views over the environmental zone;
- the north facing loading docks would be protected from adverse weather conditions being driven from the south west in winter;
- the north facing loading docks satisfy Sigma's docking requirements;
- the north facing loading docks enable a single entry/exit point permitting an essential security checkpoint;
- the north facing loading dock can accommodate industry preferred truck reversing technique (right hand down);
- the proposed warehouse size and building orientation enables Sigma's preferred internal racking and automation system to be used; and

- the proposed parking area is located adjacent to the proposed office to enable passive surveillance and ease of access for office staff.

The Department acknowledges that no other option provided the same level of operational efficiency and safety as the proposed layout (see **Figure 10**) and as such, considers that the preferred layout option can be supported, given the constraints of the site and specific Sigma requirements.

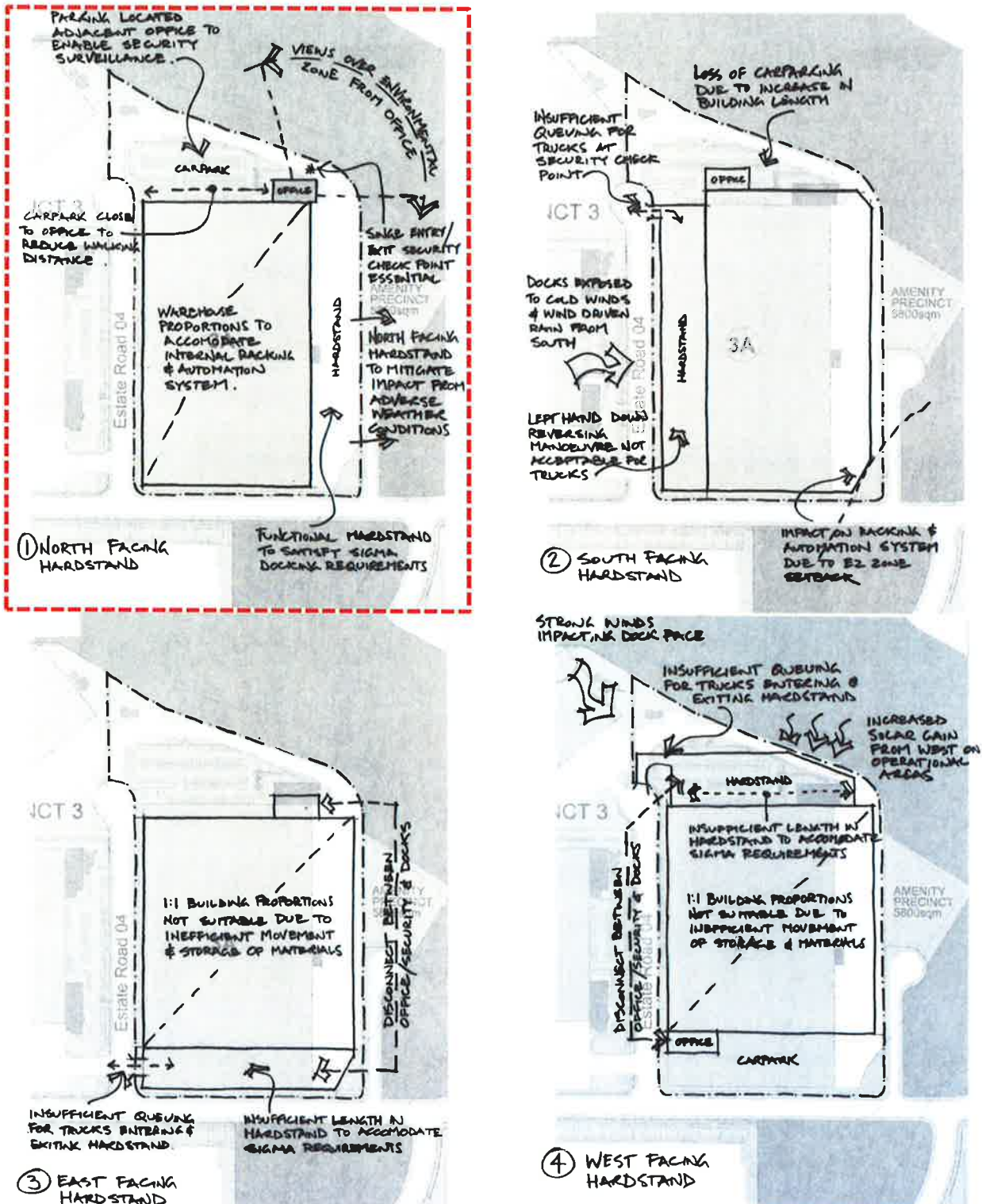


Figure 10: Alternative Options – Comparison Between North, South, East and West facing loading docks (red outline of preferred option)

The Department notes that the façade would be seen by road users or customers but not by local residents. In response to the concerns raised by Council about the presentation to Estate Road 1 and Estate Road 4, the Applicant provided amended elevations (**Figure 11**) and a colour and materials samples board. The Department considers the amended plans demonstrate an improved façade for all elevations, with the main change being an increase to the frequency of the coloured vertical stripes in Sigma branding colours (yellow and purple).

The Department considers that the introduction of additional colour to each façade has lessened the overall bulk and scale of the proposed warehouse by enhancing a design element and would contribute to maintaining a high standard of architectural interest within the broader Oakdale South Industrial Estate. In relation to fencing, the Department is satisfied that the setback within the landscaped zone and colour/style is appropriate for the facility and consistent with the broader urban design principles for the Oakdale South Industrial Estate.

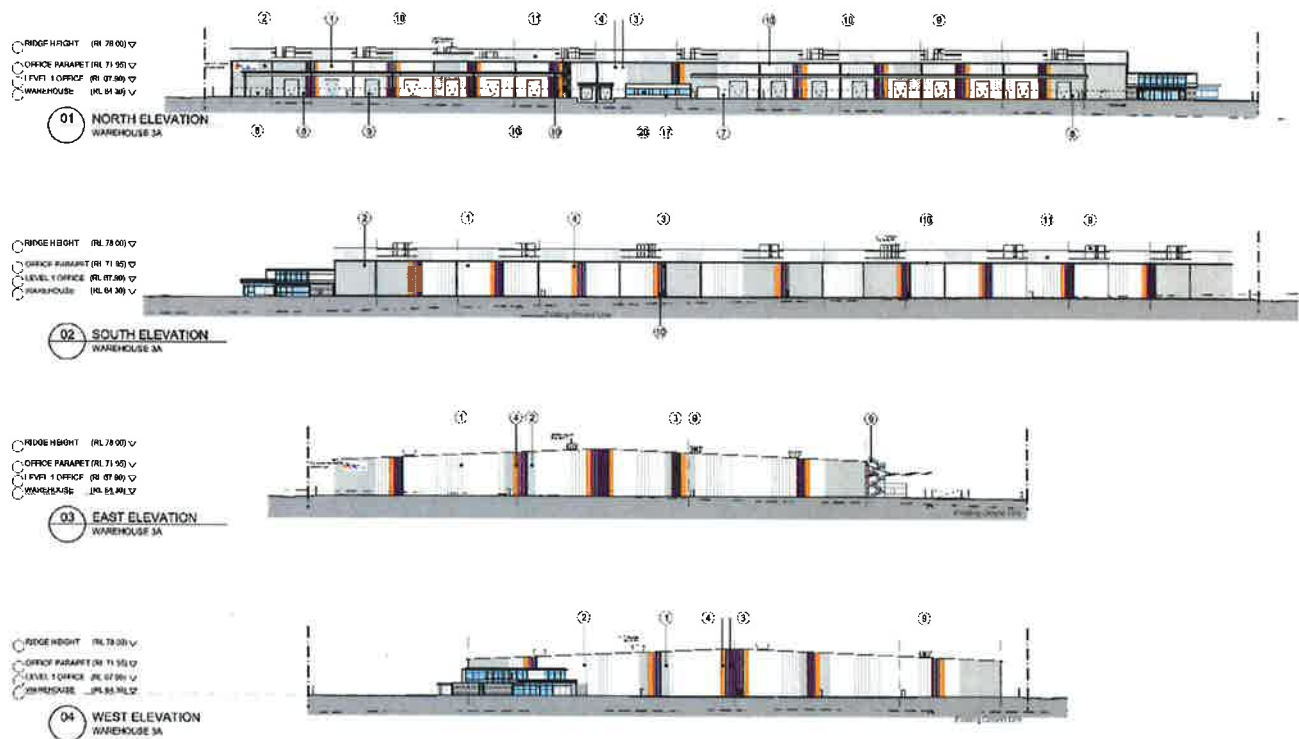


Figure 11: Proposed Elevations and Colour Treatments

In relation to the landscaped setback along Estate Road 1 and Estate Road 4, the Department understands that Sigma have specific requirements around permitter surveillance and requested low height shrubs be planted to maintain visual surveillance. The Department acknowledges security is a key concern for the future tenant, however presentation to the street is also of high importance. As such, the Department required the Applicant to amend its landscape plan to include Spotted Gums (*Corymbia maculata*) along the perimeter of the site for two main reasons: firstly, to soften the façade of the warehouse building and improve visual amenity; and secondly to maintain planting and species consistent with the adjacent Toyota site to the south. The Department believes these high canopy eucalypts would not compromise visual surveillance due to limited foliage under the main canopy.

In response to the concerns raised by Council and the Department, the Applicant provided an amended landscape plan which included 104 Spotted Gums. Of the 104 trees, 23 groups of three (69 trees) are proposed along Estate Road 1 and Estate Road 4, and 5 groups of four (20 trees) are proposed along Estate Road 6 to the north. To complement these, a variety of ground covers, grasses and shrubs/hedges are also proposed around the site. This combination of landscaping would also assist in screening servicing utilities.

The Department accepts the Applicant's justification for the siting of the building and concludes the amended façade design of the warehouse building, the scale, siting and colours/materials of the office building, associated landscaping and fencing would result in a positive design outcome, consistent with the design principles of the approved Oakdale South Industrial Estate. The Department also considers the proposal to be

consistent with the relevant controls in Penrith DCP 2014 (refer to **Appendix F** for a full assessment). The Department considers that any visual impact from longer distant views would be negligible when viewed in the context of other industrial buildings in the area, including the recently approved Toyota warehouse and distribution facility on an adjacent site (when built) and the proposed landscaped buffer approved along the southern boundary of the estate boundary.

5.3. Noise and Vibration

The proposed development has the potential to result in adverse noise and vibration impacts on surrounding residential properties due to construction activities and from plant, equipment and increased traffic during operation. The nearest residential receiver is located approximately 900 m south west of the site in Kemps Creek (see **Figure 12**).

The EIS included a Noise and Vibration Impact Assessment (NVIA) prepared by SLR Consulting. The assessment considered potential impacts of all on-site noise and vibration sources on the closest residential areas and other sensitive land uses. The assessment was conducted in accordance with the *NSW Industrial Noise Policy* (INP) (EPA), *Assessing Vibration: A Technical Guideline* (DEC), and the *Interim Construction Noise Guidelines* (ICNG) (DECC). The assessment identified noise and vibration impacts due to construction and operation of the development and included consideration of road traffic noise. Cumulative impacts associated with the broader Oakdale South Industrial Estate have also been included in this assessment.

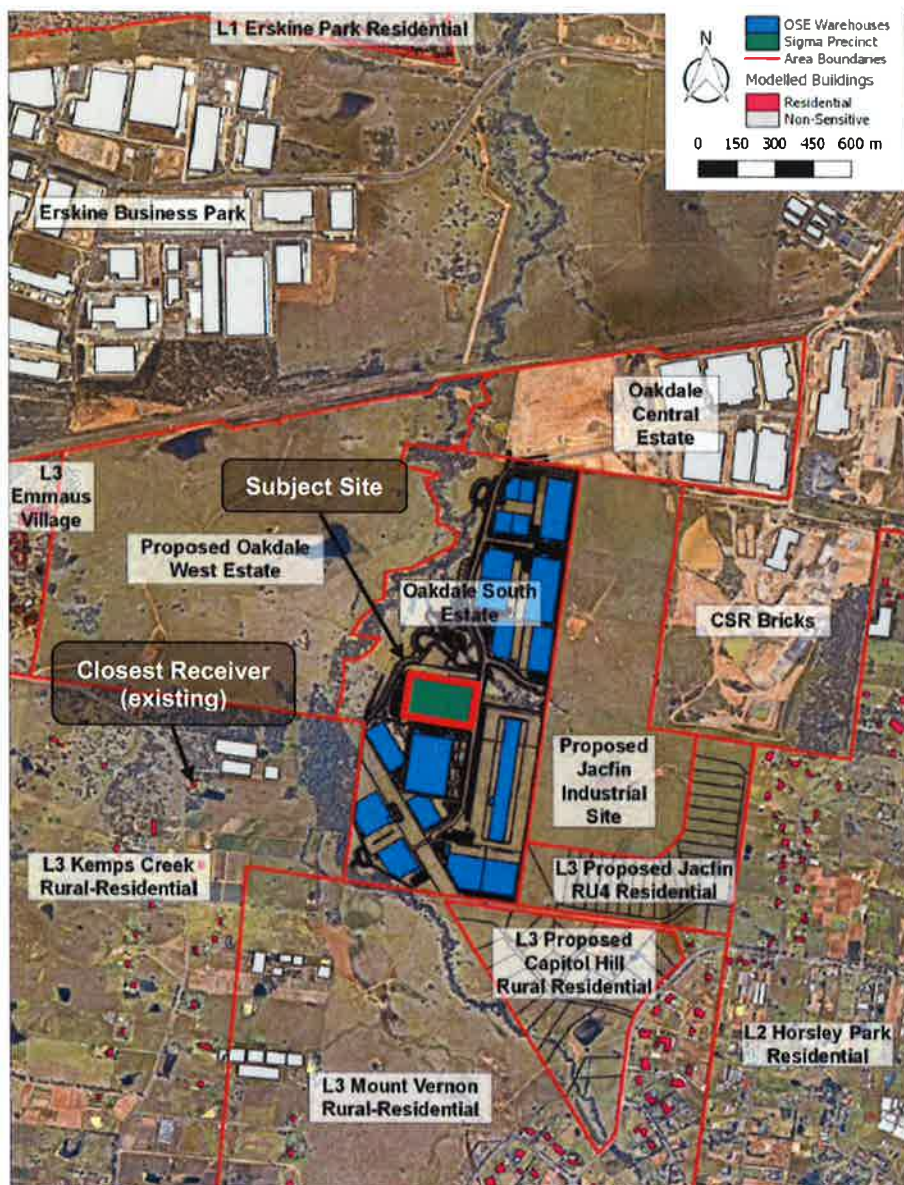


Figure 12: Sensitive Receiver Locations

The proposal would generate noise from construction activities and during operations, with the main noise sources including: heavy vehicle movements to, from and within the site; loading/unloading and the operation of forklifts at the loading dock; and plant and equipment. Warehouse operations including packing and unpacking may also generate noise, however, these activities would occur internally and would therefore contribute less to off-site noise levels.

5.2.1 Construction

The NVIA included an assessment of the potential noise and vibration impacts associated with the proposed construction works. Noise generated would primarily arise from finishing works to the land and the construction of the warehouse building during standard construction hours over a 9 month period. The Applicant established construction noise management levels (NML's) of 42 dB(A) (RBL+10 dB(A)) in accordance with the ICNG. The NVIA predicted the maximum worst case construction noise levels of 38 dB(A) at the nearest sensitive receivers, therefore no exceedances of the NML's are predicted to occur.

It is important to note that large-scale bulk earthworks and associated activities are already being undertaken across the wider Oakdale South Industrial Estate site to facilitate new industrial development in the precinct. As such, construction noise from the proposal is unlikely to be perceptible above the noise generated by these wider Estate works. In light of this, and given the low levels of construction noise predicted over a relatively short time period, the Department is of the view that minimal additional noise impacts to sensitive receivers would occur during the construction phase.

Notwithstanding, the Applicant has committed to employing a series of management and mitigation measures to minimise noise impacts much like those already deployed for the wider Estate works, including avoidance of noisy plant operating concurrently, shutting down of equipment used intermittently, orienting directional noise sources away from sensitive receivers, regular compliance checks and maintenance of equipment and use of non-tonal reversing alarms. Permanent noise barriers are being installed to mitigate noise impacts to residents to the south east of the site in accordance with the Oakdale South Industrial Estate Concept and Stage 1 Approval, being residents in Mount Vernon, Capitol Hill and on land owned by Jacfin (see **Figure 12**).

Overall, the Department considers construction from the proposed development would not result in loss of amenity for sensitive receivers given the separation between the site and surrounding residential properties, the fact that construction works are only to be carried out during the daytime and that any noise impacts are likely to be indistinguishable from major bulk earthworks already being carried out in the immediate area. Notwithstanding, to ensure noise impacts from construction are minimised, the Department has recommended conditions restricting construction to daytime construction hours and requiring compliance with the ICNG.

In terms of vibration impacts, the NVIA identified the main vibration generating activities are associated with the use of plate compactors and vibratory rollers during paving works and concrete pours. Based on the typical vibration levels generated by these activities and distances from the site, the vibration levels would be below the relevant criteria for human comfort and cosmetic building damage. Accordingly, the Department has concluded the proposed development is unlikely to cause vibration disturbance or damage at the nearest receivers including other industrial developments.

5.2.2 Operational Noise

The Applicant is seeking to operate the warehouse and distribution facilities 24 hours per day, seven days a week. Noise associated with the operation of the proposed development includes:

- on-site operational noise (machinery and plant);
- noise resulting from internal traffic; and
- noise associated with additional traffic movements.

To manage the noise impacts of individual developments, the INP recommends the use of project specific noise levels (PSNLs). The Applicant has adopted the operational noise limits approved for the Oakdale South Industrial Estate Concept and Stage 1 Approval (SSD 6917) as PSNLs.

Based on the results of the Applicant's NVIA, the Department concludes that the proposal would comply with the PSNLs during normal and adverse weather conditions at all receivers at all times during operation (see **Table 3** for PSNL's and predicted noise levels). Sleep disturbance criteria would also be complied with. Further, the Department has considered that cumulative noise impacts (i.e. also taking account the broader Oakdale South Industrial Estate) would not result in any exceedances of the PSNLs in all weather conditions.

Table 3: Recommended PSNLs and Predicted Operational Noise Levels

Location *	PSNL Day, Evening & Night Leq (15 min) dB(A)	Predicted Noise Levels Leq (15 min) dB(A)
L1* North of Pipeline	37 / 37 / 37	<30
L2* Horsley Park	39 / 39 / 39	31
L3* Kemps Ck, Mt Vernon, Jacfin, Capitol Hill Residential, Emmaus Village	40 / 40 / 40	32

* Refer to Figure 12 for receiver locations

In relation to road traffic noise, the Department considers the predicted traffic volumes entering the road network would also have a negligible impact on sensitive receivers given the comparatively high traffic volumes on Old Wallgrove Road and Lenore Drive and the distance to the nearest residential receivers.

The Department's assessment concludes the proposal would not result in any unacceptable construction or operational noise impacts. The Department has recommended several conditions to mitigate and manage noise including a requirement to submit an operational noise audit after 6 months of commencement of operation primarily to verify that actual noise emissions are as were predicted.

5.4. Traffic

The proposed development would result in additional traffic movements which has the potential to affect the local road network by contributing towards congestion resulting in increased delays. The Applicant's Traffic Impact Assessment (TIA) considered potential impacts of additional vehicle movements comprising heavy vehicles transporting goods to and from the site and light vehicles associated with staff trips.

5.4.1 Road Network and Site Access

WSEA Regional Road Network

The WSEA SEPP outlines the conceptual regional road network intended to service the WSEA. This network comprises the Erskine Park Link Road, the Southern Link Road Network and a series of north/south connector roads (see Figure 13).



Figure 13: Refined Southern Link Road Network Design Alignment

The Erskine Park Link Road is fully constructed and the upgrade of Old Wallgrove Road is currently underway. However, to date construction on the Southern Link Road Network has not commenced. It is likely this road network would be constructed progressively as the southern areas of the WSEA are developed.

The Oakdale South Industrial Estate Concept and Stage 1 Approval included a new north-south spine road, known as Estate Road 1, which connects to the portion of Millner Avenue located within the Oakdale Central Industrial Estate. The Department's recommended conditions require basic utilities, roads and stormwater infrastructure be installed and constructed prior to the operation of the proposed development.

Site Access and Internal Circulation

The site is located on the corner of Estate Road 1 and Estate Road 4 and has a rear frontage to Estate Road 6, all of which were approved as part of the Oakdale South Industrial Estate. Staff and visitor parking would be accessed via an entry/exit driveway off the cul-de-sac end of Estate Road 4. Heavy vehicles would also access the site via a separate entry/exit driveway off the cul-de-sac end of Estate Road 4 (see **Figure 13**). This would ensure separation between light and heavy vehicles and minimise light and heavy vehicle conflicts on site.

The EIS also included a swept path analysis, demonstrating that B-Double combination vehicles can adequately enter, exit and manoeuvre within the site, and that fire trucks and emergency service vehicles can adequately access all hard stand areas on site.

5.4.2 Traffic Impacts

Construction Traffic

The TIA stated that while a construction program has not been finalised, workforce arrival and departure trips would occur between 6:30 am – 7:00 am and 5:00 pm – 5:30 pm and heavy vehicle deliveries are likely to occur outside of peak traffic hours, resulting in limited impact on the surrounding road network. Further, the TIA noted that construction related traffic volumes are expected to be less than the predicted operational traffic numbers anticipated in the Oakdale South Industrial Estate Concept Approval and as such, it concludes that existing intersections would be able to accommodate construction traffic movements.

The Department concurs with this view and does not anticipate any traffic related impacts during construction. Notwithstanding, due to the location of the site within a broader construction zone where formal sealed roads may not be established, a condition has been recommended requiring the Applicant to prepare and implement a Construction Traffic Management Plan prior to the commencement of construction.

Operational Traffic

The TIA of the approved Oakdale South Industrial Estate Concept and Stage 1 DA considered potential operational traffic impacts for the broader Oakdale South Industrial Estate. Traffic generation rates were calculated based on GFA in accordance with the RMS *Technical Direction 04a: Traffic Generated Developments – Updated traffic surveys*.

Condition D9 of the Oakdale South Industrial Estate Concept and Stage 1 Approval set a maximum GFA for Precincts 1, 4 and 5. GFAs for the remaining Precincts (2, 3 and 6) were calculated as the difference between the approved total GFA and the approved GFA of precinct 1, 4 and 5. The approved SSD 6917 MOD 1 included minor adjustments to GFA and also traffic generation figures (see **Table 4**).

Table 4: Oakdale South Industrial Estate Approved Precinct Peak Hour Traffic Generation Rates

Precinct	Approved* GFA (m ²)	Approved* vehicles per hour (vph)
1	104,739	171
4	30,607	50
5	29,931	49
2, 3 & 6	166,034	271
Total	331,311	541

* Approved GFA as modified by SSD 6917 MOD 1

Based on RMS guidance, traffic generation was calculated as follows:

- 1.892 daily vehicle trips per 100 m² of industrial GFA including ancillary office space; and

- 0.163 peak hour vehicle trips per 100 m² of industrial GFA including ancillary floor space.

The TIA for the proposed development calculates network peak hour traffic generation to be 68 trips per hour, which equates to 786 trips per day based on the proposed GFA. Based on the operational data provided by Sigma, it is estimated this figure could be as low as 596 trips per day comprising 266 operational trips per day (74 heavy vehicles) and 330 staff trips per day. Notwithstanding, the Applicant has based its assessment on the worst-case scenario figures of 68 trips per hour (786 trips per day).

Taking into account the approved maximum number of trips per hour approved for Precincts 2, 3 & 6 (271), combined with the warehouses already approved under the Oakdale South Industrial Estate Stage 1 Approval and the approved Toyota facility leaves a balance of 208 trips per hour. Assuming Sigma's likely traffic generation of 68 trips per hour would still leave capacity for 140 trips per hour for the remaining development sites within Precincts 2, 3 and 6. Given the small-scale nature of the remaining development sites within these precincts, the Department is satisfied that sufficient capacity remains to accommodate the trips that would be generated by them. As such, the Department concludes that traffic generation would be consistent with the conditions of the Oakdale South Industrial Estate Concept and Stage 1 Approval and approved intersection upgrades would be sufficient to cater for the traffic generated by the proposed development.

In relation to public and active transport, given the location of the site, it is considered that minimal cycling, public transport and pedestrian trips would occur to and from the site. However, cycle parking for 10 bicycles and end of trip facilities such as change rooms and showers are proposed.

The Department notes that upgrades to the existing road network near the Oakdale South Industrial Estate are either planned, under construction or complete. These upgrades were identified in traffic assessments prepared in 2013 as part of the strategic planning for the WSEA road network and included consideration of both Oakdale South and Oakdale Central Industrial Estates at full operation. These assessments estimated that the Oakdale South Industrial Estate would generate 672 vehicle trips per hour by 2031. The approved Oakdale South Industrial Estate Concept and Stage 1 Approval estimated 645 vehicles per hour, which is within the estimated traffic volumes for the local and regional road upgrades planned for the region. The recently approved MOD 1 reduces this estimate to 541 vehicles per hour.

In assessing the Concept Proposal, the Department concluded that the two key intersections being, Old Wallgrove Road / Erskine Park Link Road and Old Wallgrove Road / Millner Avenue would be operating at a Level of Service (LoS) B and A in the AM peak and LoS D and B in the PM peak respectively, demonstrating sufficient capacity at these intersections. The proposal's contribution to traffic volumes were included in estimates and modelling at the time of this assessment. The TIA of the proposed development confirms that vehicle numbers are consistent with those approved under the Concept Plan (and subsequently modified).

The Department's assessment concludes the proposal would not result in any additional traffic impact beyond that anticipated in the Concept Proposal and concurs with the Applicant's conclusions that no further road upgrades are required to support the proposal. Notwithstanding, a number of conditions have been recommended relating to car parking, cycle parking and the need for an Operational Traffic Management Plan (OEMP). A further condition is also recommended to ensure that all necessary road infrastructure is constructed in accordance with the Concept Proposal and Stage 1 DA prior to the commencement of operation.

5.5. Other Issues

The Department's assessment of other issues is provided in **Table 5** below.

Table 5: Assessment of Other Issues

Consideration	Recommended Conditions
Car Parking	
• The proposed development would result in staff and delivery trips requiring on-site parking. The EIS addresses parking in the TIA. • The Penrith DCP 2014, which was amended by the development controls contained in the approved Concept Layout, provides the following car parking rates to be applied to proposed developments: ○ 1 space per 300 m² of warehouse GFA; ○ 1 space per 40 m² of office GFA; and ○ 2 disabled spaces for every 100 car parking spaces.	Require the Applicant to: • provide 200 permanent car parking spaces (including 4 accessible) for the life of the development; and • design and construct all car parking and internal road surfaces in accordance with

Consideration	Recommended Conditions
- The car parking rates require a total of 170 car parking spaces to be provided. The proposal includes 200 car parking spaces, including 4 accessible car parking spaces. - The Department has reviewed the proposed car parking provision and concludes that it is satisfactory and consistent with the DCP.	the relevant Australian Standards.
Soil and Water	
- The proposed development has the potential to adversely impact water quality and flooding both during construction and operation through increased sediment loading and changes to flood regimes. - The EIS included a Stormwater Management Report and Stormwater Management Plans, prepared by AT&L, which details hydraulics, site drainage, external catchments and flooding. - These assessments were based on assessments completed and approved as part of the Oakdale South Industrial Estate Approval (SSD 6917), which includes an Estate wide stormwater management system. - This system contains five stormwater catchment areas, draining to four precinct-based detention and bio-retention basins, with final discharge into Ropes Creek. - The EIS also concluded that: - the water demand for Lot 3A would be minimal; - a 75,000 litre (L) rainwater tank would be required to meet water use reduction targets; - erosion and sedimentation impacts can be addressed with proposed mitigation measures; - the likelihood of encountering groundwater would be negligible; and - the proposal would have no flooding impacts for all storm events up to the Probable Maximum Flood extent within the surrounding area. - Council requested conditions to ensure the Water Sensitive Urban Design (WSUD) devices modelled are installed as per the modelling used, and ongoing cleaning and maintenance of WSUD devices are carried out. Council also required the preparation of an OEMP which includes measures for maintaining WSUD measures in perpetuity. - The Department notes that the stormwater infrastructure would connect into the approved Estate wide system, which demonstrated that post-development flows downstream of the broader site would not be increased.	Require the Applicant to: - implement erosion and sedimentation control measures during construction; - install a 75,000 L rainwater tank to meet water use reduction targets; - prepare a final MUSIC model to the satisfaction of the Certifying Authority prior to the issue of an Occupation Certificate; - ensure regular cleaning and maintenance of WSUD devices is carried out; and - require the preparation of a CEMP and OEMP to manage soil and water impacts.
Air Quality	
- The proposed development has the potential to adversely impact air quality during construction and operation due to increased emissions from plant, equipment and traffic. - The Applicant submitted an Air Quality Impact Assessment (AQIA), prepared by SLR, dated 11 August 2016. The AQIA was originally prepared for the modification application to the Oakdale South Industrial Estate Approval (SSD 6917 MOD 1), however it included a quantification of the impacts on air quality from the specific end users within some of the precincts within the Oakdale South Industrial Estate, including the subject site. - The AQIA recommended all air emissions during the construction phase be managed through compliance with a Construction Environmental Management Plan (CEMP). - The EPA advised the proposed development would not require an EPL and did not recommend any conditions of consent. - The assessment for the operation of the subject site concluded the proposal would comply with all relevant ambient air quality criteria at all surrounding sensitive receivers. - The Department notes that air quality impacts are within the limits of the Oakdale South Industrial Estate Approval (SSD 6917) and that bulk earthworks are already being carried out under this consent so emissions from the development are considered negligible in this context. - Notwithstanding, the Department has recommended conditions to ensure the construction and operational phases of the proposed development incorporate best practice air quality management techniques.	Require the Applicant to: - prepare and implement a CEMP during the construction phase; and - take all reasonable steps to minimise dust generated during all works authorised by this consent.
Contamination	
The EIS for the Oakdale South Industrial Estate (SSD 6917) included a Phase 1 Contamination assessment, which identified two areas of potential environmental concern requiring further investigation.	Require the Applicant to: implement an unexpected finds protocol for potential

Consideration	Recommended Conditions
- The consequential Phase 2 Investigation concluded no significant contaminants occur on this site, that there is low potential for groundwater contamination and that the soils are suitable for commercial/industrial uses. - Under the conditions of the Oakdale South Industrial Estate Concept and Stage 1 Approval, the Applicant must implement an Unexpected Finds Protocol as well as a Fill Importation Protocol prior to the commencement of construction. - The Department's assessment concludes the site is suitable for its intended use as a warehousing and distribution facility. The existing conditions of consent imposed on the Concept Proposal and Stage 1 DA and a recommended condition requiring the preparation and implementation of an Unexpected Finds protocol during construction adequately address potential contamination issues associated with the development.	contamination during construction.
Waste	
- The proposed development would result in the generation of construction and operational waste which needs to be appropriately handled. - The EIS included a Waste Management Plan (WMP), prepared by SLR, which identifies the potential waste management impacts during construction and operation of the facility. - The WMP was prepared in accordance with the EPA's <i>Waste Avoidance and Resource Recovery Strategy 2014-21</i> and other relevant legislation and guidelines. - The WMP identified the construction waste streams would include green waste from site clearing, excavation material, construction waste, plant maintenance waste, packing waste, employee waste and wastewater. Operational waste streams would include general waste, packaging waste, steel, office waste, garden organics, amenity waste and maintenance waste. - The WMP includes recommended site-specific waste avoidance, re-use and recycling measures. - The Department's assessment of the WMP concludes it provides adequate measures to avoid, minimise, re-use, recycle and dispose of waste streams during the construction and operation of the facility.	Require the Applicant to: manage all waste streams in accordance with the WMP for the duration of construction works and the operational life of the development.
Signage	
- The proposed development includes signage which has the potential to result in an adverse visual impact due to size, content, illumination and clutter. - The EIS included a Signage Plan, prepared by SBA Architects. - Given the nature of the operation and security of the proposed use, the Applicant noted business identification signage is of a low priority. As such, signage for Site 3A is limited to pylon signs and two relatively small signs on the warehouse building. - Signage comprises: 2x 7 m x 2.5 m illuminated business identification warehouse signs; and 1x 4 m x 1.2 m illuminated business identification pylon sign. - Council noted the location of the proposed signage was not provided and requested internally illuminated signage be positioned to avoid nuisance glare. - In the RTS, the Applicant advised that signage provided would be in accordance with the estate wide signage strategy. The Applicant committed to avoid nuisance and glare from signage. - The Department has assessed the Signage Design plan against the requirements of <i>State Environmental Planning Policy No. 64 – Advertising and Signage</i> at Appendix C and considers it to be consistent with the SEPP. - The Department notes that amended plans have been received which indicates the location of the proposed signage however the specific type of illumination is not known. This can be addressed by way of a condition requiring all signage to be internally illuminated. - The Department's assessment has concluded the proposed signage would provide adequate wayfinding for vehicles entering and exiting the site. The Department considers the low emphasis on building identification signage appropriate for the proposed use.	Require the Applicant to: - ensure all signage is installed in accordance with the Signage Plan OAK 3A DA 10 (B); and - require illuminated signage to be internally illuminated.
Hazards and Risk	
The proposed development includes storage of dangerous goods which if not handled and stored correctly can be hazardous to the environment and human health.	Require the Applicant to: ensure the storage of Dangerous Goods do not exceed the thresholds

Consideration	Recommended Conditions
- A SEPP 33 Hazards Assessment prepared by Core Engineering Group, dated 8 September 2016 was provided as part of the EIS. - The Applicant advised that the quantities of dangerous goods (DG) proposed for storage and handling at the warehouse do not exceed the maximum permissible threshold quantities under SEPP 33. - The Department has recommended standard conditions limiting the storage of dangerous goods below the SEPP 33 threshold volumes and storage of all DGs in accordance with the relevant Australian Standards.	outlined in the <i>Hazardous and Offensive Development Application Guidelines: Applying SEPP 33</i>; and store any Dangerous Goods in accordance with all relevant Australian Standards.
Fire Safety	
- The proposed development has the potential to result in a fire risk during operation. - The EIS includes a Fire Engineering Report and a Fire Safety Strategy, prepared by Core Engineering Group which develops a Fire Safety System and nominates proposed performance solutions for assessing compliance with the BCA. - The EIS concludes that the detailed design documentation would address all recommendations and non-compliances identified within the Fire Safety Strategy prior to the issue of a Construction Certificate. - FRNSW and RFS raised no issues in relation to fire safety and bushfire. - FRNSW recommended that all fire safety measures meet all relevant Legislative, National Construction Code and other Department instrument requirements. - FRNSW noted the site has adequate measures in place to mitigate the risk of significant fire spread throughout the site and has adequate access into and around the property. - The Department's assessment has concluded fire risks can be managed, subject to the Applicant implementing the Fire Safety Strategy.	Require the Applicant to: ensure the design and operation of the facility is consistent with the Fire Safety Strategy.
Contributions	
- Clause 29 of the WSEA SEPP requires satisfactory arrangements to be made for contributions toward regional transport infrastructure and services in the WSEA. - The <i>Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA)</i>, executed on 12 March 2015 and amended by the letter of offer dated 23 January 2017 applies to the site. - On 24 March 2017, the Deputy-Secretary, Growth, Design and Programs, as the Secretary's delegate, certified the <i>Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA)</i>, executed on 12 March 2015 and amended by the letter of offer dated 23 January 2017, will ensure satisfactory arrangements are in place for regional transport infrastructure and services for SSD 6917 (see Appendix J). - The Department is therefore satisfied the proposal complies with clause 29 of the WSEA SEPP and would provide for regional transport infrastructure and services.	Require the Applicant to: provide all monetary contributions under section 94EF of the EP&A Act in accordance with the VPA.

6. RECOMMENDED CONDITIONS

The Department's recommended conditions of consent for the development are attached in **Appendix A**.

These conditions are required to:

- prevent, minimise, and/or offset adverse impacts of the development;
- ensure standards and performance measures for acceptable environmental performance;
- ensure regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

Overall, the Department is satisfied that its recommended conditions would ensure the residual environmental impacts of the development are effectively mitigated, minimised and managed, provide an appropriate level of protection for the local environment and the amenity of the local community and promote the orderly development of land.

These conditions have been reviewed and accepted by the Applicant.

7. CONCLUSION

The Department has assessed the development application, EIS, submissions, RTS and additional information provided by the Applicant in accordance with the requirements of the EP&A Act.

The Department's assessment concluded that there would be limited additional construction impacts as the proposed warehouse and distribution facility is being constructed given the context of large-scale bulk earthworks and associated activities currently being undertaken across the wider Oakdale South Industrial Estate site to expand this industrial precinct. A CEMP would be required to be put in place to manage any localised environmental impacts.

The final design of the warehouse building, complemented with a robust landscaping scheme, is considered appropriate for this area. It would be constructed to a high standard whilst providing operational efficiency for its agreed occupants. The Department is also satisfied that the site layout, built form, character, height and scale of the development would be in keeping with similar industrial users in this area.

Once the facility becomes operational, there is the potential for amenity impacts to occur mainly in the form of increased noise and traffic in the local area. However, the Department's assessment has shown that these impacts are not particularly significant and can be addressed through a series of recommended conditions. Managing ongoing issues would take place through the implementation of an OEMP for the site.

The Department has also assessed the proposal against the strategic goals and directions outlined in the *Premier's Plan* and *A Plan for Growing Sydney* and has concluded the application would:

- 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, and existing and planned public transport and cycle infrastructure (Direction 1.4);
- provide additional employment opportunities within close proximity to existing residential developments in Western Sydney (Direction 1.4); and
- support the development of a priority economic sector by developing appropriately zoned industrial land (Direction 1.9).

The proposal also represents the development of a strategically identified industrial area in metropolitan Sydney, resulting in the creation of 50 construction and 166 operational jobs.

The Department's assessment concludes that the proposal is consistent with the conditions of the Oakdale South Industrial Estate Concept Approval, the approved building envelopes and can be adequately connected to the existing and approved strategic road network.

The Department's assessment considers the proposal is consistent with the conditions of the Concept Approval and concludes the impacts of the development can be appropriately managed through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions.

8. RECOMMENDATION

It is recommended the Acting Executive Director, Key Sites and Industry Assessments:

- **consider** the findings and recommendations of this report;
- **approve** the Development Application for the Sigma Healthcare Warehouse and Distribution facility (SSD 7663) within the Oakdale South Industrial Estate under section 89E of the *Environmental Planning and Assessment Act 1979*; and
- **sign** the attached development consent (see **Appendix A**).


Chris Ritchie
Director
Industry Assessments

14/7/17.

ENDORSED:


Mike Young
A/Executive Director
Key Sites and Industry Assessments

28/7/17.

APPENDIX A CONDITIONS OF CONSENT

The Instrument of Consent can be viewed on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7719

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

Section 79C of the EP&A Act requires the consent authority, when determining a Development Application, must take into consideration the following matters:

Table 6: Compliance with Section 79C of the Act

(a) the provisions of:	The Department has considered the relevant Environmental Planning Instruments in its assessment of the proposed development.
(i) any environmental planning instrument, and	
(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	N/A
(iii) any development control plan, and	Under clause 11 of the SRD SEPP, development control plans do not apply to State significant development. Notwithstanding, the Department has assessed the proposed development against the Penrith DCP 2014 at Appendix F .
(iiia) 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	As part of the Concept Proposal and Stage 1 SSD, the Applicant entered into the <i>Oakdale Central and Oakdale South Horsley Park Planning Agreement</i> for contributions to regional infrastructure in the form of works in kind. This VPA was executed on 12 March 2015. On 24 March 2017 the Deputy Secretary, Planning Growth and Design, as the Secretary's delegate, certified satisfactory arrangements are in place for the proposed development.
(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and	The Department has assessed the proposal in accordance with all relevant matters prescribed by the regulations, the findings of which are contained in this report.
(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,	N/A. The site is not located within a coastal zone.
(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,	The Department's assessment of the likely environmental impacts of the proposed development can be found in Section 5 of this report.
(c) the suitability of the site for the development,	The site is located in Precinct 8 of the WSEA which is strategically identified land for a range of industrial and employment generating uses in Western Sydney. The site has access to the M7 Motorway via Millner Avenue and Old Wallgrove Road. The site is zoned <i>IN1 - General Industrial</i> and <i>E2 - Environmental Conservation</i> . The Department considers the site is suitable for the proposed development.
(d) any submissions made in accordance with this Act or the regulations,	The Department has assessed the proposal having regard to the all issues raised in the submissions in Section 5 of this report, noting that no public submissions were received.
(e) the public interest.	The socio-economic benefits of the proposal include the generation of 50 construction jobs and up to 166 operational jobs, along with an associated increase in local business turnover. The recommended conditions of consent will impose a range of controls, which the Department considers would mitigate any residual environmental impacts of the proposal.

APPENDIX C CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

The aims of the SRD SEPP are to identify State significant development and State significant infrastructure and provide the necessary functions in determining development applications.

The proposed development triggers the criteria in clause 12, Schedule 1 of the SRD SEPP as it involves the construction and operation of warehouse and distribution complex with a CIV in excess of \$50 million. Therefore, the proposal is State significant development and the Minister for Planning is the consent authority for the proposed development.

State Environmental Planning Policy (Western Sydney Employment Area) 2009

The WSEA SEPP aims to promote economic development and employment, provide for the orderly and coordinated development of land, rezone land for employment of conservation purposes, ensure development occurs in a logical, cost-effective and environmentally sensitive manner and conserve and rehabilitate areas with high biodiversity, heritage or cultural value within the WSEA. Part 5 of the WSEA SEPP sets out the principal development standards within the WSEA. The proposed development has been assessed against these standards and a summary of the Department's assessment is provided at **Appendix D**.

Clause 29 of the WSEA SEPP requires the Secretary to certify that satisfactory arrangements are in place for the provision of regional transport infrastructure and services prior to the determination of a DA. As discussed in **Appendix D** the Applicant is a party to the *Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA)* executed on 12 March 2015. On 24 March 2017, the Deputy Secretary, Growth Planning and Design, as delegate of the Secretary certified satisfactory arrangements are in place for the proposed development (see **Appendix J**).

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

The 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.

As the proposed development satisfies the criteria for traffic generating development under Clause 104 the ISEPP, it was referred to RMS and TfNSW for comment. These comments are summarised in **Section 4.2** of this report. The proposed development is considered to be consistent with the ISEPP as it will not result on any adverse road safety impacts or reduce the efficiency of the road network.

The proposal also meets the criteria for development likely to affect an electricity transmission or distribution network under Clause 45 of the ISEPP. As such, the application was referred to Transgrid for comment, the outcome of which is summarised in **Section 4.2** of this report. Transgrid had no objection to the application.

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) is the primary environmental planning instrument guiding the remediation of contaminated land in NSW. SEPP 55 aims to:

- provide a consistent State wide approach to the remediation of contaminated land;
- identify when consent is required for remediation works;
- specify certain considerations that are relevant to applications for consent to carry out remediation work; and
- require remediation work meet certain standards and notification requirements.

Clause 7 of SEPP 55 states a consent authority must not consent to the carrying out of any development on land unless:

- it has considered whether the land is contaminated;

- if the land is contaminated, it is satisfied the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the proposed development is proposed to be carried out; and
- if the land requires remediation, it is satisfied the land will be remediated before the land is used for its intended purpose.

The Concept Proposal and Stage 1 Application included a Phase 1 Contamination assessment, which identified two areas of potential environmental concern requiring further investigation. The consequential Phase 2 investigation concluded there are no significant contaminants on-site, the site soils are suitable for commercial/industrial uses and there is a low potential for groundwater contamination.

The Department has reviewed the assessment and considers the site is fit for its intended purpose of warehousing and distribution uses. The Department considers the proposed development is consistent with the aims, objectives and provisions of SEPP 55.

State Environmental Planning Policy No. 64 - Advertising and Signage (SEPP 64)

SEPP 64 aims to ensure any signage visible from a public place is compatible with the amenity and visual character of the area, is suitably located and is of high quality. SEPP 64 contains development controls and matters for consideration for a range of advertisements and locations, including within transport corridors.

The proposal includes building identification and wayfinding signage. Under clause 9 of the SEPP, business and building identification signs which are exempt development are not subject to the SEPP.

A Signage Strategy including a hierarchy of signage types throughout the site, an entry statement and directional signage for traffic and pedestrians was approved as part of the Oakdale South Industrial Estate Concept Proposal. The Department's assessment of the proposal concludes the proposed signage is consistent with the approved Signage Strategy.

Part 1, Clause 3 of SEPP 64 requires advertising signs to meet the following aims and objectives:

- (i) *is compatible with the desired amenity and visual character of an area, and*
- (ii) *provides effective communication in suitable locations, and*
- (iii) *is of high quality design and finish.*

The proposed advertising signs are compatible with the above aims and objectives of SEPP 64.

In addition, the Department has considered the proposed signed against the assessment criteria as stated in Schedule 1 of the SEPP 64 (see **Table 7**). Based on this assessment, it is considered that the proposed advertising signs are satisfactory, having regard to the aims and objectives as well as the Assessment Criteria of the SEPP.

Table 7: Compliance with Schedule 1 of SEPP 64

Schedule 1 – Assessment Criteria	Compliance
1 Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes, the proposed signs are compatible with the future character of the locality as they are business identification signage.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	Yes, the proposed signage is consistent with the signage strategy approved as part of the Concept Proposal and Stage 1 SSD.
2 Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not located within any conservation areas or open space.
3 Views and vistas	

Schedule 1 – Assessment Criteria		Compliance
Does the proposal obscure or compromise important views?		The proposed signs would not obscure or compromise any view.
Does the proposal dominate the skyline and reduce the quality of vistas?		The proposed signage would not dominate the skyline nor does it reduce the quality of the Oakdale South Industrial Estate vista.
Does the proposal respect the viewing rights of other advertisers?		The proposed signage is not considered to compromise the viewing rights of other advertisers.
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?		Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?		Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?		N/A
Does the proposal screen unsightliness?		Being a greenfield site there is no existing unsightliness to screen.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?		No
Does the proposal require ongoing vegetation management?		No
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?		Yes
Does the proposal respect important features of the site or building, or both?		Yes, the proposed signs are complimentary to the features of the proposed warehouse and office buildings.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?		The proposal demonstrates an appropriate level of imagination and innovation.
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?		The proposal includes business identification signage, consistent with the approved signage strategy under the Concept Proposal and Stage 1 SSD.
7 Illumination		
Would illumination result in unacceptable glare?		No, new advertising signs would not result in unacceptable glare.
8 Safety		
Would the proposal reduce the safety for any public road?		The proposed signs would not affect road safety.
Would the proposal reduce the safety for pedestrians or cyclists?		The proposed signs would not affect pedestrian or cyclists' safety.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?		The proposed signs would not obscure any sightlines from public areas.

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 developments with the potential for significant off-site impacts, in terms of risk and/or offence (odour, noise, etc). A development is defined 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 development would involve the storage of dangerous goods in quantities that would not exceed the maximum permissible threshold quantities in Applying SEPP 33. As such, SEPP 33 does not apply. Notwithstanding, the Department's assessment of hazardous and dangerous goods is contained in **Section 5.5** of this report.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

The SEPP aims to manage and develop mineral, petroleum and extractive industries to promote the social and economic welfare of the state, facilitate the orderly and economic use of land containing mineral, petroleum and extractive mineral resources, promote the development of significant mineral resources and establish planning controls to encourage ecologically sustainable development through environmental assessment.

Clause 13(1) of the SEPP applies to Development Applications located on land immediately before its determination in the vicinity of an existing mine, petroleum production facility or extractive industry. Clause 13(2) requires the consent authority to:

- (a) consider:
 - (i) the existing uses and approved uses of land in the vicinity of the development, and
 - (ii) whether or not the development is likely to have a significant impact on current or future extraction or recovery of minerals, petroleum or extractive materials (including by limiting access to, or impeding assessment of, those resources), and
 - (iii) any ways in which the development may be incompatible with any of those existing or approved uses or that current or future extraction or recovery, and
- (b) evaluate and compare the respective public benefits of the development and the uses, extraction and recovery referred to in paragraph (a) (i) and (ii), and
- (c) evaluate any measures proposed by the applicant to avoid or minimise any incompatibility, as referred to in paragraph (a) (iii).

Mining Lease 1636 is located 2 km to the east of the site and is currently held by CSR Building Products Limited. Development of the site for a warehousing and distributing complex would sterilise the ability to recover the clay/shale resources for brick manufacture. Notwithstanding, this is an acceptable outcome as extractive industries are prohibited within IN1 and E2 zoned land under the WESEA SEPP. The Division of Resources and Geoscience raised no objection and advised potential mineral resource issued have been addressed in the EIS.

Sydney Regional Environmental Plan No 9 - Extractive Industry (No 2 - 1995) (SREP No. 9)

SREP No. 9 aims to facilitate the development of extractive resources in proximity to the Sydney metropolitan area, ensure consideration is given to the impact of encroaching development on extractive industries, promote the carrying out of extractive industries in an environmentally acceptable manner and prohibit extractive industries on environmentally sensitive land.

The site is zoned IN1 – General Industrial under the WSEA SEPP. Extractive industries are prohibited under the WSEA SEPP. Clause 4 of SREP No. 9 states it prevails to the extent of any inconsistency, except a SEPP. Therefore, the provisions of the WSEA SEPP prevail over SREP No. 9.

Sydney Regional Environmental Plan No. 20 – Hawkesbury – Nepean River (No 2 – 1997) (SREP 20)

SREP 20 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.

The application has been assessed against the general planning considerations, specific planning policies and recommended strategies of SREP 20, including those relating to total catchment management, water quality and flora and fauna.

The Department is satisfied that with the necessary environmental controls in place, the proposal complies with these requirements and is consistent with the aim of SREP 20.

Penrith Local Environmental Plan 2010

Clause 8 (2) of the WSEA SEPP specifies the WSEA SEPP prevails to the extent of any inconsistency with any local environmental plan (LEP) or environmental planning instrument (EPI). The Department has reviewed the relevant provisions of the Penrith LEP and notes the site is not identified in any maps of the Penrith LEP relating to principal development standards. The Department also notes the provisions relating to clauses 7.2 - Flood planning, 7.4 - Sustainable development and 7.5 - Protection of scenic character and landscape values have been assessed through the provisions of the WSEA SEPP in **Section 5, Table 5 and Appendix D** of this report.

APPENDIX D COMPLIANCE WITH THE WSEA SEPP

Table 8: Compliance with WSEA SEPP Development Standards

WSEA Principal Development Standard	Department Comment
Cl. 18(1) Requirement for development control plans A consent authority must not grant consent to a Development Application unless a development control plan (DCP) has been prepared for that parcel of land.	The Concept Proposal (SSD 6917) included an amendment to Part E6 of the <i>Penrith Development Control Plan 2014</i> (DCP) The DCP applies to the subject site, however, clause 11 of the SRD SEPP states that DCPs do not apply to the assessment of State significant development. Notwithstanding, the Department has provided an assessment against the DCP in Appendix F of this report.
Cl. 20 Ecologically Sustainable Development The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise: (a) the consumption of potable water, and (b) greenhouse gas emissions.	The EIS includes a Sustainability Management Plan and a range of sustainability measures designed to reduce energy and resource use during operation. These include: • passive building design for natural ventilation; • controlled LED lighting; • on-lot water harvesting and re-use; • solar hot water systems; • efficient water fixtures; and • translucent roof panelling for natural light. The Department considers the range of proposed measures satisfies clause 20 of the WSEA SEPP.
Cl. 21 Height of buildings The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that: (a) building heights will not adversely impact on the amenity of adjacent residential areas, and (b) site topography has been taken into consideration.	The proposed building height is 13.7m which complies with the Concept Proposal (SSD 6917) and DCP height limit of 15m.
Cl. 22 Rainwater harvesting The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General.	The proposal incorporates a rainwater harvesting system with roof run-off areas connected to a 75 kilolitre rainwater tank. The proposed system would ensure a minimum of 80 per cent of all non-potable water demand is sourced from the proposed rainwater tanks. The Department has recommended a condition requiring the proposed warehouse building is connected to the rainwater harvesting system prior to the issue of any occupation certificate.
Cl. 23 Development adjoining residential land (1) This clause applies to any land to which this Policy applies that is within 250 metres of land zoned primarily for residential purposes. (2) The consent authority must not grant consent to development on land to which this clause applies unless it is satisfied that: (a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and (b) goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and (c) the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and	The site is located greater than 250m from land zoned primarily for residential purposes. N/A

WSEA Principal Development Standard	Department Comment
(d) noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and (e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and (f) the development will provide adequate off-street parking, relative to the demand for parking likely to be generated, and (g) the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.	
Cl. 24 Development involving subdivision The consent authority must not grant consent to the carrying out of development involving the subdivision of land unless it has considered the following: (a) the implications of the fragmentation of large lots of land, (b) whether the subdivision will affect the supply of land for employment purposes, (c) whether the subdivision will preclude other lots of land to which this Policy applies from having reasonable access to roads and services.	N/A. The proposal does not include subdivision.
Cl. 25 Public utility infrastructure (1) The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required. (2) In this clause, public utility infrastructure includes infrastructure for any of the following: (a) the supply of water, (b) the supply of electricity, (c) the supply of natural gas, (d) the disposal and management of sewage. (3) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.	This clause has been addressed through the Concept Proposal (SSD 6917). The Applicant proposes to connect into the services provided through the development of the Oakdale South Industrial Estate.
Cl. 26 Development on or in vicinity of proposed transport infrastructure routes (1) This clause applies to any land to which this Policy applies that is situated on or in the vicinity of a proposed transport infrastructure route as shown on the Transport and Arterial Road Infrastructure Plan Map. (2) The consent authority must refer to the Secretary of the Department of Planning any application for consent to carry out development on land to which this clause applies. (3) The consent authority must, before determining any such development application, consider any comments made by the Secretary as to the compatibility of the development to which the application relates with the proposed transport infrastructure route concerned.	The Oakdale South Industrial Estate is located on the proposed transport infrastructure route for the Southern Link Road Network (SLRN). The impacts on the SLRN were considered as part of the Concept Proposal (SSD 6917).

WSEA Principal Development Standard	Department Comment
Cl. 27 Exceptions to development standards	N/A. The proposal does not include a request for an exemption to a development standard under the WSEA SEPP.
Cl. 29 (3) Industrial Release Area - Satisfactory Arrangements Despite any other provision of this Policy, the consent authority must not consent to development on land to which this clause applies unless the Secretary has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies.	The Applicant is a party to the <i>Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA)</i> executed on 12 March 2015 as amended by the deed of variation. On 24 March 2017, the Deputy Secretary, Growth Planning and Design, as delegate of the Secretary certified satisfactory arrangements are in place for the proposed development (see Appendix J).
Cl. 31 Design Principles In determining a Development Application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not: (a) the development is of a high quality design, and (b) a variety of materials and external finishes for the external facades are incorporated, and (c) high quality landscaping is provided, and (d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.	The application includes: • architectural plans showing the colours and materials of the warehouse building and ancillary office; and • landscape plans showing the proposed hard and soft landscaping across the site. The Department's assessment of the urban design and visual impacts of the proposal is provided in Section 5.1 of this report. The Department's assessment concludes the proposal satisfies the WSEA SEPP as it: • is of a high quality design; • incorporates a range of materials and external finishes in a cohesive manner which is consistent with the character of the broader Oakdale Industrial Estate; and • incorporates high quality landscaping.

APPENDIX E CONSISTENCY WITH CONCEPT APPROVAL

The Department's assessment of the proposal against the conditions and future assessment requirements of SSD 6197 is provided in **Table 9** below.

Table 9: Compliance with relevant conditions and future assessment requirements of SSD 6197

Condition	Department Comment	Complies?																						
B9 The following limits apply to the Concept Proposal for the Development: (a) the maximum GFA for the land uses in the Development shall not exceed the limits outlined in Table 1 below; (b) no car parking is permitted in TransGrid easement; (c) no loading docks, delivery bays or heavy vehicle movements are permitted along the southern property boundary; (d) the loading dock, heavy vehicle route and associated hardstand along the southern elevation of building 5A are not approved; and (e) the portion of land zoned E2 – Environmental Conservation located on the north eastern corner of Lot 3A between estate road 01 and estate road 06 shall be used for landscaping purposes only. Table 1: GFA Maximum for Concept Proposal <table><tr><th>Land Use</th><th>Maximum GFA (m²)</th></tr><tr><td>Total General Warehousing</td><td>316,596</td></tr><tr><td>Total Office</td><td>14,715</td></tr><tr><td>Total GFA</td><td>331,311</td></tr></table>	Land Use	Maximum GFA (m ²)	Total General Warehousing	316,596	Total Office	14,715	Total GFA	331,311	The proposed GFA is less than the maximum limits. N/A N/A N/A N/A 40,670 m² 1,702 m² 46,456 m²	Yes														
Land Use	Maximum GFA (m ²)																							
Total General Warehousing	316,596																							
Total Office	14,715																							
Total GFA	331,311																							
B10 The Applicant shall ensure the Development is consistent with the development controls in Table 2 below: Table 2: Development Controls <table><tr><th>Development Aspect</th><th>Control</th></tr><tr><td>Southern Link Road Setback</td><td>20 m</td></tr><tr><td>Internal Estate Roads Setback</td><td>7.5 m</td></tr><tr><td>Rear and side boundary setbacks to development adjacent to the Oakdale South Industrial Estate, excluding the southern property boundary</td><td>5 m</td></tr><tr><td>Boundary setbacks along the southern property boundary of the Oakdale South Industrial Estate</td><td>30 m</td></tr><tr><td>Side boundary setbacks within the Oakdale South Industrial Estate</td><td>0 m, subject to compliance with fire rating requirements</td></tr><tr><td>Height</td><td>15 m</td></tr><tr><td>Minimum lot size</td><td>5,000 m²</td></tr><tr><td>Minimum frontage</td><td>40 m (excluding cul-de-sacs)</td></tr><tr><td></td><td>35 m minimum lot width at the building line.</td></tr><tr><td>Site coverage</td><td>Maximum of 65 %</td></tr></table>	Development Aspect	Control	Southern Link Road Setback	20 m	Internal Estate Roads Setback	7.5 m	Rear and side boundary setbacks to development adjacent to the Oakdale South Industrial Estate, excluding the southern property boundary	5 m	Boundary setbacks along the southern property boundary of the Oakdale South Industrial Estate	30 m	Side boundary setbacks within the Oakdale South Industrial Estate	0 m, subject to compliance with fire rating requirements	Height	15 m	Minimum lot size	5,000 m ²	Minimum frontage	40 m (excluding cul-de-sacs)		35 m minimum lot width at the building line.	Site coverage	Maximum of 65 %	Refer to Appendix F for detailed consideration against development controls.	Yes
Development Aspect	Control																							
Southern Link Road Setback	20 m																							
Internal Estate Roads Setback	7.5 m																							
Rear and side boundary setbacks to development adjacent to the Oakdale South Industrial Estate, excluding the southern property boundary	5 m																							
Boundary setbacks along the southern property boundary of the Oakdale South Industrial Estate	30 m																							
Side boundary setbacks within the Oakdale South Industrial Estate	0 m, subject to compliance with fire rating requirements																							
Height	15 m																							
Minimum lot size	5,000 m ²																							
Minimum frontage	40 m (excluding cul-de-sacs)																							
	35 m minimum lot width at the building line.																							
Site coverage	Maximum of 65 %																							

B13 A maximum of one illuminated sign is permitted on each elevation of each warehouse building. All illuminated signage shall be orientated away from residential receivers.	No signage is proposed to the warehouse building.	Yes																								
B14 Underground car parking is not permitted on-site.	Underground car parking is not proposed.	Yes																								
B15 The Applicant shall provide bicycle racks, and amenity and change room facilities for cyclists in accordance with Planning Guidelines for Walking and Cycling (December, 2004), NSW Department of Infrastructure, Planning and Natural Resources; Roads and Traffic Authority.	Bicycle racks, and amenity and change room facilities for cyclists are proposed.	Yes																								
B18 The Applicant shall ensure the Development does not exceed the noise limits provided in Table 3 below and the receiver locations (L1, L2 and L3 shown in Appendix 4): Table 3: Project Specific Noise Limits dB(A) <table><tr><th>Location</th><th>Day</th><th>Evening</th><th>Night</th></tr><tr><td></td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td><td>L_{Aeq}(15 minute)</td><td>L_{A1}(1 minute)</td></tr><tr><td>L1 North of Warragamba Pipeline</td><td>37</td><td>37</td><td>37</td><td>47</td></tr><tr><td>L2 Horsley Park</td><td>39</td><td>39</td><td>39</td><td>49</td></tr><tr><td>L3 Kemps Creek, Mt Vernon, Jacfin and Capitol Hill</td><td>40</td><td>40</td><td>40</td><td>48</td></tr></table> Note: Noise generated by the Development is to be measured in accordance with the relevant procedures and exemptions (including certain meteorological conditions) of the NSW Industrial Noise Policy.	Location	Day	Evening	Night		L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)	L1 North of Warragamba Pipeline	37	37	37	47	L2 Horsley Park	39	39	39	49	L3 Kemps Creek, Mt Vernon, Jacfin and Capitol Hill	40	40	40	48	The proposal would not exceed the operational noise limits provided in Table 3. The Department has recommended a similar condition is placed on the development consent.	Yes
Location	Day	Evening	Night																							
	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{Aeq} (15 minute)	L _{A1} (1 minute)																						
L1 North of Warragamba Pipeline	37	37	37	47																						
L2 Horsley Park	39	39	39	49																						
L3 Kemps Creek, Mt Vernon, Jacfin and Capitol Hill	40	40	40	48																						
C1 Future Development Applications shall identify whether the provisions of Council's 94 Contributions Plan or any voluntary planning agreement(s) apply to the site.	The Applicant is a party to the <i>Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA)</i> . Refer to Appendix D for further details.	Yes																								
C2 Future development applications shall demonstrate how the Development incorporates the principles of ESD in the design, construction and on-going operation of the Development.	The EIS includes a Sustainability Management Plan and a range of sustainability measures designed to reduce energy and resource use during operation. Refer to Appendix D for further consideration.	Yes																								
C3 Future Development Applications must demonstrate compliance with the Sustainability Strategy approved under Condition B17.	A Sustainability Management Plan has been provided as part of the EIS and is in accordance with Condition B17.	Yes																								
C4 Future Development Applications shall be accompanied by a detailed assessment of the traffic, and transport impacts on the surrounding road network and intersection capacity, and shall detail provisions demonstrating that sufficient loading/unloading, access and car parking has been provided having regard to the car parking rates approved under Condition C5 below, and details to promote non-car travel modes. The traffic and transport impact assessment shall also have specific regard to the scope and timing of road infrastructure works in the surrounding road network.	A TIA was submitted as part of the EIS. Refer to Section 5 for detailed consideration of traffic and transport impacts.	Yes																								
C5 Car parking shall be provided in accordance with the following rates, unless evidence is provided in accordance with Part C10, section 10.5.1, C1) f) of the Penrith DCP: (f) 1 space per 300 m ² of warehouse GFA;	Car parking is in accordance with these rates. Refer to Appendix F for consideration.	Yes																								

(g) 1 space per 40 m ² of office GFA; and (h) 2 disabled spaces for every 100 car parking spaces.		
C6 To ensure that potential conflicts between heavy vehicles and light vehicles are minimised, future Development Applications shall include details demonstrating satisfactory arrangements have been made to separate heavy and light vehicle movements.	Separate driveways and circulation spaces for light and heavy vehicles is proposed.	Yes
C7 To ensure that sustainable transport modes are supported, all future Development Applications proposing the construction of new warehouse buildings shall include a Sustainable Travel Plan. All Sustainable Travel Plans shall identify the pedestrian and cyclist facilities to service the proposed warehouse buildings.	A Sustainable Travel Plan was included as part of the TIA addressing sustainable modes of transport.	Yes
C8 Future Development Applications for warehouse buildings shall demonstrate compliance with the relevant provisions of <i>Planning for Bushfire Protection</i> (PBP) and the asset protection zones recommended in the <i>Oakdale South Estate Bushfire Protection Assessment</i> , prepared by Australian Bushfire Protection Planners Pty Ltd, dated July 2015.	Due to the central location of the site within the Oakdale South Industrial Estate, bushfire is not considered to be a relevant issue. Notwithstanding, the Applicant has committed to ensuring the proposed development meets PBP and the Building Code of Australia.	Yes
C10 Future Development Applications for the construction of buildings shall demonstrate compliance with the BCA, as relevant.	A BCA Assessment Report was included as part of the EIS demonstrating the proposal complies with the BCA.	Yes
C11 Future Development Applications shall include a noise assessment identifying the noise and vibration impacts associated with the construction and operation of future warehouse buildings. The assessment must also identify whether appropriate acoustic amenity can be achieved at surrounding sensitive receivers and identify all mitigation measures, such as noise barriers, necessary to achieve compliance with the requirements of the project specific noise levels identified in Condition B18.	A NIA was included as part of the EIS. Refer to Section 5 for consideration.	Yes
C12 Future Development Applications shall include a Waste Management Plan prepared in accordance with the EPA's <i>Waste Classification Guidelines</i> (DECCW, 2009).	A Waste Management Plan was included as part of the EIS demonstrating compliance with the EPA's guidelines.	Yes
C13 Future Development Applications are to ensure compliance with <i>AS/N21158.3:1999 Pedestrian Area (Category P) Lighting</i> and <i>A54282:1997 Control of Obtrusive Effects of Outdoor Lighting</i> .	The EIS includes a mitigation measure consistent with this condition. The Department has also included this as a recommended condition.	Yes
C14 Future Development Applications shall include details of any external advertising signage and demonstrate compliance with the requirements of Condition B13 and <i>State Environmental Planning Policy No. 64 - Advertising and Signage</i> .	Refer to Appendix C for consideration against SEPP 64.	Yes
C15 The visible light reflectivity from building materials used in the façades of the buildings shall not exceed 20 per cent and shall be designed so as to minimise glare. A report demonstrating compliance with these requirements is to be submitted to the satisfaction of the Certifying Authority for each future warehouse building prior to the issue of the relevant Construction Certificate.	The EIS includes a mitigation measure consistent with this condition. The Department has also included this as a recommended condition.	Yes
C16 Future Development Applications shall identify whether any road upgrades are required as a result of the development works.	The TIA does not identify any road upgrade requirements as a result of the proposal. Refer to Section 5 for further consideration.	Yes
C16 All future Development Applications shall demonstrate that the design of the warehouse buildings, plant and equipment and hardstand areas are consistent with the: (a) <i>Civil, Stormwater and Infrastructure Services Strategy</i> , rev 5, report no 14-193-R001, prepared by At&, dated September 2015;	The EIS includes a Civil Report and Plans which demonstrates compliance with this condition.	Yes

(b) <i>Flood Impact Assessment: Oakdale South Industrial Estate</i>, ref: 59915094, prepared by Cardno, dated 16 September 2015; and (c) Letter report titled '<i>SSD6917 Oakdale South Industrial Estate, TransGrid Easement Flooding</i>', prepared by At&I, ref: 14-193-ATL-L004, dated 18 April 2016 and all appendices.		
As part of future Development Applications, the Applicant shall implement the recommendations outlined in the Salinity Management Plan prepared by Pells Sullivan Meynink, reference PSM1541-113L Rev 3, dated 9 September 2015.	These recommendations have been included as mitigation measures in the EIS.	Yes
As part of future Development Applications for the warehouse buildings located in Precincts 3 and 6, the Applicant shall demonstrate that the design of the warehouse buildings and hardstand allows accumulated stormwater to drain away from the TransGrid easement.	The EIS includes a Civil Report and Plans which demonstrates compliance with this condition. All stormwater is proposed to drain away from the transmission line into Bio-Retention Basin C to the north.	Yes

APPENDIX F DEVELOPMENT CONTROLS

The Department's assessment of the proposal against the provisions of the Penrith DCP 2014 is provided in **Table 10** below.

Table 10: Compliance with relevant controls in the Penrith DCP 2014 Parts E6, C9 and C10

Part E6 – Erskine Business Park		
DCP Control	Department Comment	Complies?
6.3 Site Development and Urban Design		
6.3.1 Maximum Height The maximum height is 15 m This control seeks to encourage building forms that respond to site topography and ensure a scale of development that minimises the impact on adjoining residential areas.	The proposed building height is 13.7 m.	Yes
6.3.2 Site Coverage The DCP sets a maximum site coverage control of 65 %. This control seeks to limit the density of development and encourage the provision of open space.	The proposed site coverage is 59 %.	Yes
6.3.3 Setback Requirements Southern Link Road – 20 m Estate Roads within the estate – 7.5 m Side Setback – 0 m subject to compliance with fire rating requirements Rear setback – 5 m Park edge – 5 m The control seeks to provide open streetscapes with areas for landscaping and enhance the visual quality of the development and urban landscape.	N/A Estate Road 1: 7.5 m, Estate Road 4: 7.5 m >20 m (western boundary) 46.5 m N/A	Yes
6.3.4 Urban Design The controls seek to encourage a high standard of architectural design using a range of materials and	The EIS included architectural plans showing the colours and materials of the warehouse building, ancillary office, landscaping and fencing. The Department considers the design of the warehouse building, the scale, siting and colours/materials of the office building, associated landscaping and fencing would result in a positive design outcome, consistent with the design	Yes

finishes comprised of soft grey/grey/blue tones, minimise the perceived scale of development to prevent monotonous building forms and establish a cohesive urban environment.	principles of the approved Concept Proposal and Stage 1 SSD. Refer to Section 5.1 for discussion.	
6.3.5 Signage and Estate Entrance Walls The controls seek to promote an integrated design approach in a locality.	A Signage Strategy was included in the approval of the Concept Proposal and Stage 1 SSD. The proposed business identification and wayfinding/directional signage is consistent with this strategy (Table 8, Section 5.5) and also SEPP 64 (Appendix C).	Yes
6.3.6 Lighting The controls seek to provide adequate security lighting for business premises while minimising off-site amenity impacts.	The Department notes the Applicant's proposed mitigation measure to ensure outdoor lighting complies with AS/N21158:1999 Pedestrian Area (Category P) Lighting and A54282:1997 Control of Obtrusive Effects of Outdoor Lighting. A condition of approval is recommended to ensure the installation of appropriate outdoor lighting.	Yes
6.3.7 Fencing The controls seek to ensure fencing complements the landscaping and streetscape of the site.	The proposal includes the installation of palisade fencing along Estate Road 1, Estate Road 4 and Estate Road 6. Electric security fencing is also proposed along all lot boundaries as a secondary fence (behind primary palisade fence with landscaping in between). Chainwire fencing is proposed along a short section of southern boundary adjoining Lot 3D. It is noted that Council raised concern relating to the siting of fences on the boundary and the need for these to be located behind landscaping in accordance with the DCP. The proposed fencing is considered to be consistent with the approved Concept Proposal and Stage 1 SSD and is located within the landscaped setback (not in front).	Yes
6.3.8 Services The controls seek to ensure adequate services are provided for a development.	The proposal would connect into services being extended as part of the Concept Approval.	Yes
6.4 Environmental Quality		
6.4.1 Noise Pollution Acoustic reports shall be provided for noise generating developments adjacent to residential areas. Noise mitigation measures should be provided to demonstrate compliance with Council's acoustic criteria.	The EIS included a Noise Impact Assessment. The conclusions of the assessment and Department's consideration is summarised in Section 5.3 of this report.	Yes
6.4.2 Air Pollution Air emissions must comply with the limits outlined in the PEOA Act. Applications shall include information detailing the air quality impacts of a proposal and demonstrate measures to minimise air quality impacts.	The application included an Air Quality Impact Assessment. The conclusions of the assessment are summarised in Section 5.5 of this report.	Yes

6.4.4 Energy Conservation Applications shall demonstrate the measures investigated to facilitate effluent re-use, minimise and/or recycle water, and minimise and/or recycle waste on-site.	The application includes a number of measures to promote energy conservation. Refer to Section 3.10 and Appendix D .	Yes
6.9.5 Landscape Areas (a) Southern Link Road: Average of 20m depth along the site frontage. 20m setback/10 m landscape; (b) Collector Road: 7.5m, or average of 50% of setback along the frontage; (c) Local Estate Road: Average of 50% of setback along the frontage; (d) Side boundary: no minimum requirement; and (e) Rear boundary: 2.5m. Functional areas for landscape plantings are provided; screening of undesirable views occurs, and landscaping contributes to the overall character of the locality.	Refer to Section 5.2 for consideration. N/A N/A Almost the entire frontages to Estate Road 1 and Estate Road 4 are landscaped with the exception of access driveways for emergency, light and heavy vehicles. 7.5 m (eastern boundary), 2.5 m (western boundary) 2.5 m.	Yes
C10 – Transport, Access and Parking		
DCP Control	SSD 6917 Proposal	Department Comment
10.5 Parking, Access and Driveways		
1 space per 300 m² of warehouse GFA; 1 space per 40 m² of office GFA; and 2 disabled spaces for every 100 car parking spaces.	The car parking rates require a total of 195 car parking spaces to be provided. The proposal includes 200 car parking spaces, including 4 accessible car parking spaces. Refer to Section 5.3 for discussion.	Yes

APPENDIX G ENVIRONMENTAL IMPACT STATEMENT

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=7719

APPENDIX H SUBMISSIONS

Submissions are located on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7719

APPENDIX I RESPONSE TO SUBMISSIONS

The Response to Submissions is located on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7719

APPENDIX J SATISFACTORY ARRANGEMENTS CERTIFICATE

The Satisfactory Arrangements Certificate is located on the Department's website at:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7719