

Elizabeth Drive Subdivision

Amended Environmental Impact Statement

Prepared For:

ELIZABETH DRIVE PTY LTD

22 SEPTEMBER 2020



ae design partnership has prepared this document for the sole use of the **ELIZABETH DRIVE PTY LTD.**

No other party should rely on this document without the prior written consent of **ae design partnership**.

ae design partnership may also have relied upon information provided by the Client and other third parties to prepare this document.

ae design partnership

Contact Details: 3|780 Darling Street, Rozelle NSW 2039
02 9818 5898
mail@aedesignstudio.com.au
www.aedesignstudio.com.au

ABN: 85 162 968 103

Nominated Architect: N R Dickson #7061



Statement of Validity

Environmental Impact Statement prepared by

Name Rohan Dickson
Qualifications Registered Architect 7061
Address Suite 3 780 Darling Street, Rozelle SYDNEY NSW 2139
In respect of State Significant Development - Development Application for the Elizabeth Drive Subdivision

State Significant Development Application

Applicant Name AE Design Partnership
Applicant Address Suite 3 780 Darling Street, Rozelle SYDNEY NSW 2139
Land to be developed Lot 2 Section 4 DP 2954 (No. 1111/1141) Elizabeth Drive Cecil Park SYDNEY NSW 2178
Proposed Development Enabling works to facilitate the development of the Elizabeth Drive Business Hub

Environmental Impact Statement

Certification I certify that I have prepared the content of this EIS to the best of my knowledge:

- It is in accordance with Schedule 2 of the Environmental Planning and Assessment Regulation 2000;
- All available information that is relevant to the environmental assessment of the development to which the statement relates; and
- The information contained in the statement is neither false nor misleading.

Signature

Name Rohan Dickson
Date 22 September 2020

Contents

Statement of Validity	3
Appendices	6
Glossary and Abbreviations	7
Executive Summary	8
1.0 Introduction	9
1.1 Overview	9
1.2 Background to Development	9
1.3 Project History	11
1.4 Summary of Amendments	12
1.5 Amended Objectives of Development	14
1.6 Analysis of Alternatives	14
1.7 Secretary's Requirements	17
1.8 Management Measures	19
2.0 Project Description	20
2.1 Greater Context	20
2.2 Locality	21
2.3 The Site	22
3.0 Description of Amended Proposal	24
3.1 Overview	24
3.2 Urban Design	26
3.3 Building Form and Layout	28
4.0 Engagement	30
4.1 Stakeholder Engagement	30
4.2 Community Engagement	31

5.0	Planning & Statutory Framework	34
5.1	Approvals Process	34
5.2	Legislation	34
5.3	Environmental Planning Instruments and Policies	36
5.4	Local Matters	40
5.5	Policies and Guidelines	41
6.0	Environmental Impact Assessment	47
6.1	Biodiversity	47
6.2	Bushfire Hazard/Management	50
6.3	Stormwater Management and Dams	52
6.4	Flooding	56
6.5	Noise and Vibration Impact/Management	58
6.6	Aboriginal Cultural Heritage	60
6.7	Economic Impact Assessment	61
6.8	On-site Wastewater Assessment	63
6.9	Service Utility Infrastructure Assessment	64
6.10	European Heritage	66
6.11	Site Contamination Investigation	67
6.12	Salinity and Geotechnical Assessment	68
6.13	Traffic, Parking and Accessibility	69
6.14	Waste Minimisation and Management	72
7.0	Mitigation Measures	74
8.0	Justification of the Proposal	76
		76
8.1	Social and Economic	76
8.2	Biophysical	77
8.3	Ecologically Sustainable Development	77
9.0	Conclusions	79

Appendix 1	Proposed Acquisition Notice dated 7 May 2020 <i>TfNSW</i>
Appendix 2	Capital Investment Value <i>Altus Group</i>
Appendix 3	Secretary's Environmental Assessment Requirements <i>DPIE</i>
Appendix 4	RFI dated 23 August 2018 <i>DPIE</i>
Appendix 5	RTS dated 15 April 2019 <i>DPIE</i>
Appendix 6	Concept Subdivision Plan <i>AE Design Partnership</i>
Appendix 7	High Value Vegetation <i>DPIE</i>
Appendix 8	Urban Design Report <i>AE Design Partnership</i>
Appendix 9	Drawing Package <i>AE Design Partnership</i>
Appendix 10	Biodiversity Assessment Report <i>GHD</i>
Appendix 11	Concept Stormwater Management Plan <i>GHD</i>
Appendix 12	Aboriginal Cultural Heritage <i>AMAC Archaeological & Streat Archaeological Services</i>
Appendix 13	Aboriginal Test Excavation <i>AMAC Archaeological & Streat Archaeological Services</i>
Appendix 14	European Cultural Heritage <i>Urbis</i>
Appendix 15	Service Utility Infrastructure Report <i>Martens Consulting Engineers</i>
Appendix 16	Flooding Review <i>GHD</i>
Appendix 17	Preliminary On-Site Waste Water <i>Martens Consulting Engineers</i>
Appendix 18	Detailed Site Investigation <i>Martens Consulting Engineers</i>
Appendix 19	Remedial Action Plan <i>Martens Consulting Engineers</i>
Appendix 20	Traffic and Access Report <i>Varga Traffic</i>
Appendix 21	Bushfire Hazard Assessment <i>GHD</i>
Appendix 22	Noise and Vibration Assessment Review <i>MRA Consulting Group</i>
Appendix 23	Economic Impact Assessment <i>AEC Group</i>
Appendix 24	Preliminary Salinity and Geotechnical <i>Martens Consulting Engineers</i>
Appendix 25	Concept Civil Designs Plans <i>Martens Consulting Engineers</i>
Appendix 26	Waste Minimisation and Management <i>MRA Consulting Group</i>

Glossary and Abbreviations



ADT	Average Daily Traffic	OEH	Office of Environment and Heritage
AEC	Areas of Environmental Concern	PCT	Plant Community Type
ASP	Accredited Service Provider	POEO Act	Protection of the Environment Operations Act
BAM	Biodiversity Assessment Method	PS&GA	Preliminary Salinity and Geotechnical Assessment
BC Act	Biodiversity Conservation Act 2016	PSI	Preliminary Site Contamination Investigation
BDAR	Biodiversity Development Assessment Report	RAPS	Registered Aboriginal Parties
BOS	Biodiversity Offset Scheme	RMS	Roads and Maritime Services
CEEC	Critically Endangered Ecological Community	SAC	Site Acceptance Criteria
CEMP	Construction Environmental Management Plan	SEARs	Secretary's Environmental Assessment Requirements
CICL	Cast Iron Cement Lined	SEPP (WSP) 2009	State Environmental Planning Policy (Western Sydney Parklands) 2009
CIV	Capital Investment Value	SEPP SRD	State Environmental Planning Policy (State and Regional Development)
COPC	Contaminants of Potential Concern	SHR	State Heritage Register
CPTED	Crime Prevention Through Environmental Design	SSD	State Significant Development
DA	Development Application	The Department	Department of Planning and Environment
DECCW	Department of Environment, Climate Change and Water	TIA	Traffic Impact Assessment
DFBP	Planning for Bushfire Protection 2006	WDP	Western District Plan
DoPE	Department of Planning and Environment	WSP	Western Sydney Parklands
DSI	Detailed Site Investigation	WSPT	Western Sydney Parklands Trust
EAR	Environment Assessment Report		
EIA	Environmental Impact Assessment		
EIS	Environmental Impact Statement		
EPA	Environmental Protection Authority		
EPI	Environmental Planning Instrument		
EPL	Environmental Protection License		
EP&A Act	Environmental Planning & Assessment Act 1979		
EP&A Regulation	Environmental Planning & Assessment Regulation 2000		
EPBC Act	Environmental Impact Assessment		
ESD	Ecologically Sustainable Development		
FCWDCP	Fairfield City Wide Development Code Plan, 2013		
FELS	Fairfield Employment Lands Strategy, 2008		
FLEP 2013	Fairfield Local Environmental Plan, 2013		
FR&CCS	Fairfield Residential and Commercial Centres Study, 2005		
FTE	Full Time Equivalent		
HIA	Heritage Impact Assessment		
HIS	Heritage Impact Statement		
HV	High Voltage		
IPC	Independent Planning Commission		
MNES	Matters of National Environmental Significance		
NBN	National Broadband Network		

Purpose of this Report

This Amended Submission to the Department of Planning, Industry and Environment (the Department) comprises of an amended Environmental Impact Statement (EIS) for a Development Application (SSD 8859) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This report has also been prepared in response to the proposed acquisition of part of the site which will reduce the site area by 26,617m². The acquisition of the area of the site proposed by Transport for NSW (TfNSW) has required amendments to be made to the proposed development and development footprint which requires a re-assessment of the impacts and design which responds to the new development site.

On 19 September 2019, landowners were approached by *Transport for New South Wales* (TfNSW) formally opening negotiations for the compulsory acquisition of 26,617m² (or 36% of the original site area) of the site to facilitate the re-alignment of Wallgrove Road. On 7 May 2020, landowners received a letter (**Appendix 1**) from TfNSW outlining the boundary for acquisition has been amended, such that the land required to be temporarily leased for construction purposes is no longer required.

Following the imminent compulsory acquisition of 26,617m² of the site by TfNSW, an application to submit an amended proposal pursuant to Clause 55(1) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) was granted by the Minister on the 25 August 2020.

The amended proposal relates the preparatory enabling works required to facilitate the development of tourism and associated facilities on the property at Lot 2 Section 4 DP 2954, otherwise known as No. 1111-1141 Elizabeth Drive, Cecil Park (the site).

The Western Sydney Parklands are identified as a State Significant Site in Schedule 2 of the *State Environmental Planning Policy (State and Regional Development) 2011*. Development within the Parklands with a capital investment value of more than \$10 million is identified as State Significant Development (SSD) for the purposes of the EP&A Act. As the proposed development will have an estimated capital investment value of over \$10 million (**Appendix 2**) it is deemed to be SSD.

This submission has been prepared in accordance with the Department's guidelines for SSD applications lodged under Part 4 of the EP&A Act.

Overview of the Project

The amended Development Application (DA) seeks approval for the conduct of enabling/preparatory works to facilitate the development of tourism and associated facilities across 12 indicative allotments on the site.

The Site

The Elizabeth Drive Subdivision Site comprises 4.72 hectares and is situated on the corner of Elizabeth Drive and the new Wallgrove Road alignment in Cecil Park within the Western Sydney Parklands, to the west of the M7 Motorway.

It is formally known as Lot 2 Section 4 DP 2954 (No. 1111-1141) Elizabeth Drive, Cecil Park.

Section 2.0 provides a detailed description of the site.

Planning Context

Section 5.0 of this amended EIS considers all applicable legislation in detail. State Environmental Planning Policy (Western Sydney Parklands) 2009 sets out what development is permissible and the matters for consideration for development located within the Parklands.

The proposal is consistent with the Western Sydney Parklands Plan of Management 2030. Importantly the proposal does not compromise designated bushland and riparian corridors.

Environmental Impacts and Mitigation Measures

This amended EIS provides an updated assessment of the environmental impacts of the project in accordance with the SEARs dated 29 November 2017 (**Appendix 3**) and subsequent RFI's dated 23 August 2018 (**Appendix 4**) sets out measures to manage and minimise potential impacts arising from the formative development.

The key issues related to appropriate environmental management practices are located in **Section 6.0** and **Section 7.0** of this report.

Ecologically Sustainable Development

The principles of ecologically sensitive development inclusive of:

- The precautionary principle;
- Intergenerational equity;
- Conservation of biological diversity and ecological integrity;
- Improved valuation, pricing and incentive mechanisms; and the
- Decision making process;

are considered in this amended EIS whereupon it is concluded, that the development is justified, subject to a series of environmental management measures referenced in **Section 7.0**.

Conclusion and Justification

The potential impacts of the development are acceptable and are able to be managed. Given the planning merits of the proposal, the proposed development warrants approval by the Minister for Planning.

1.0 Introduction



This amended Environmental Impact Statement (EIS) is submitted to the Department of Planning and Environment pursuant to Clause 55 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) in support of an amended application for a SSD.

The Western Sydney Parklands are identified as a State Significant Development Site in Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. Development with a capital investment value of more than \$10 million on the site is deemed SSD for the purposes of the EP&A Act.

This amended report has been prepared by AE Design Partnership Pty Ltd on behalf of Elizabeth Drive Pty Ltd and is based on the amended Concept Subdivision Layout Plan forming **Appendix 6** and other supporting technical information appended to the report (See List of Appendices).

This EIS should be read in conjunction with the supporting information and plans appended to and accompanying this report.

1.1 Overview

This application seeks approval for the preparatory/enabling works required to facilitate the development of tourism and associated facilities within the Elizabeth Drive Subdivision.

The concept subdivision layout has capacity to accommodate a range of uses which will leverage off its strategic location/setting including; highway service centre; food and drinks premises; eco-tourist facility; tourist and visitor accommodation; recreation areas; recreation facilities; information and education facilities.

1.2 Background to Development

The planning and management of the Western Sydney Parklands has, of recent years, established that there are strategic opportunities (in less environmentally sensitive and areas of high accessibility) to facilitate limited precinct based “non-traditional” park activities.

The site is located within Cecil Park North Precinct (Precinct 11 in the WSPT PoM) situated at the corner of Wallgrove Road and Cecil Road, Cecil Park (Refer to **Figure 1**).

The Precinct is noted to be relatively flat with excellent exposure for business, lying adjacent to Wallgrove Road, with such being parallel to the M7 Motorway. It is proximate to Elizabeth Drive and forms the boundary between Liverpool and Fairfield Local Government Areas.

Precinct 11 is earmarked to accommodate tourism and associated facilities, amongst others due to its location proximate to new and existing regional arterial road infrastructure, therefore providing good vehicular access and excellent exposure for business from passing traffic. Good access for heavy vehicles is also a feature.

Finally, the precinct is identified to have low environmental and recreational value to other areas in the Parklands and is segregated from the core Parklands corridor by the M7 Motorway, Wallgrove Road and Elizabeth Drive.

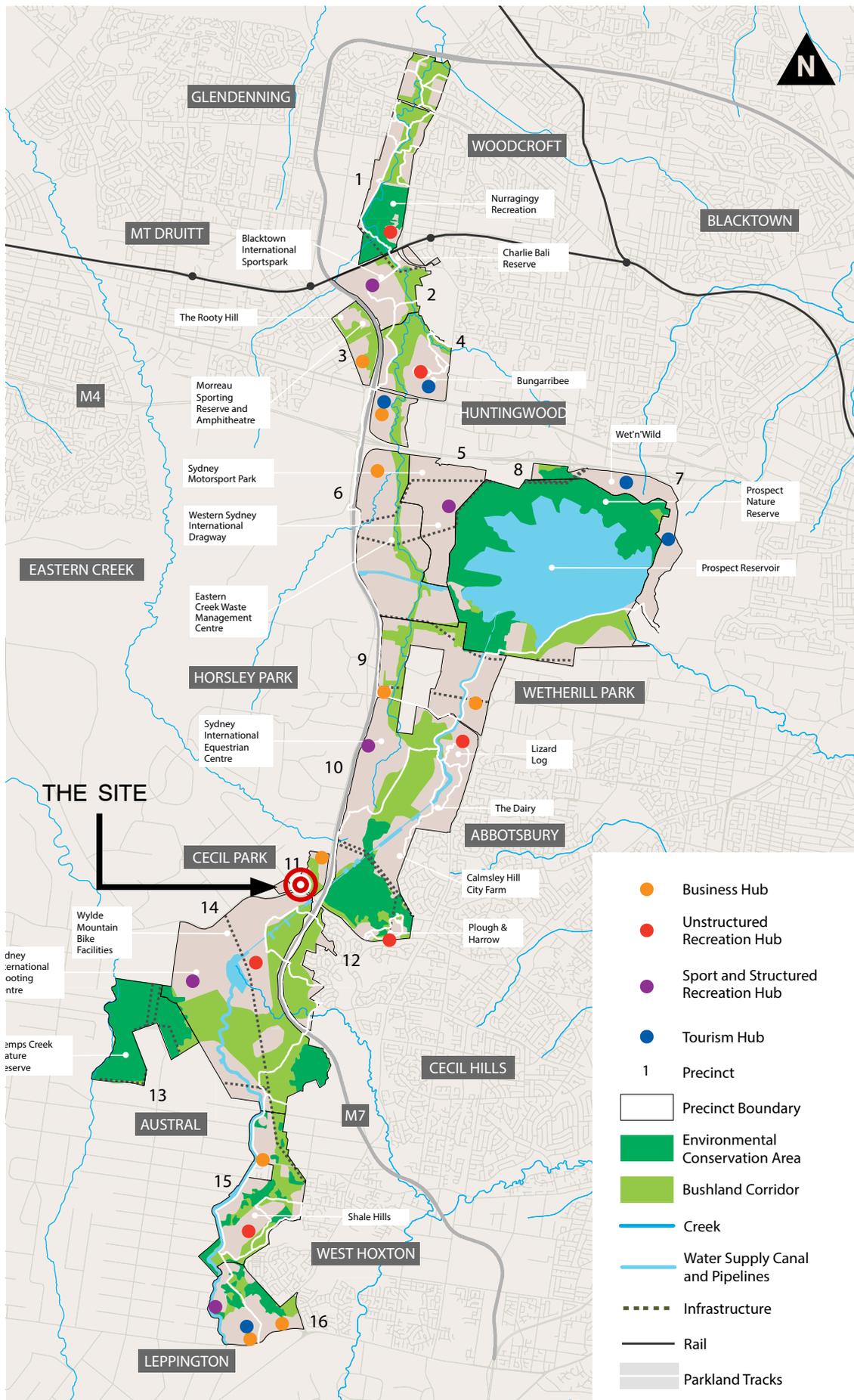


Figure 1: Extract of WSPT 2030 Plan of Management

1.3 Project History

May 2017	Fairfield Council - Kelly Coyne Council advised comment will be provided following issue of SEARs and input from the DoPE.	Interim	AE Design Partnership Prepares EIS and Response to SEARs
18 May 2017	Meeting with DoPE - Joanna Bakopanos and Thomas Piovesan Recommendation to consult with RMS regarding road access and planned upgrades for the area.	7 September 2018	AE Design Partnership Formal EIS Submission to the Department with exception of Biodiversity Report
14 June 2017	Meeting with RMS Agreed that: <ul style="list-style-type: none"> • Proposal will have unreasonable impact on the road network; and • Alternative access from Cecil Road could not be achieved due to location of Cumberland Plain Woodland. 	14 September 2018	DPIE - Chloe Dunlop Request for Additional Information
25 June 2017	DoPE - Sally Munk Request for SEARs lodged via email to enable development of the subject site in accordance with an illustrated 'potential development outcome' incorporating a range of commercial uses complimenting the site's strategic location.	7 December 2018	AE Design Partnership Prepares EIS and Response to SEARs
25 October 2017	DoPE - Sally Munk Request for updated Request for SEARs to be lodged via DoPE SSD portal.	24 January 2018 - 25 February 2019	DPIE - Chloe Dunlop Public Exhibition Period
27 October 2017	AE Design Partnership Request for SEARs formally lodged via the DoPE SSD portal.	15 April 2019	DPIE - Chris Ritchie DPIE issues request for information in response to issues raised DPIE and all other submissions.
29 November 2017	DoPE - Chloe Dunlop SEARs issued including: <ul style="list-style-type: none"> • Technical and Policy Guidelines; and • Public Authority Responses to Request for Key Issues. 	12 September 2019	TfNSW Letter formally opening negotiations for the acquisition of land.
		15 May 2020	TfNSW - Awindra Prasad Letter from TfNSW indicated the commencement of the six month negotiation period for the acquisition of land.
		19 August 2020	AE Design Partnership Request to amend application under Clause 55(1) of the Environmental Planning and Assessment Regulation 2000.
		25 August 2020	Joanna Bakopanos Request to amend application granted by DPIE.

1.4 Summary of Amendments

Table 1: Summary of amendments

Issue	Original Application	Amended Application	Reason for Changes
1. Site Area	73,787m ²	47,170m ² (or 63.9% the original site area).	On 19 September 2019, landowners were approached by TfNSW formally opening negotiations for the compulsory acquisition of 26,617m ² of the site to facilitate the re-alignment of Wallgrove Road.
2. Subdivision Layout	14 lots	12 lots	On 7 May 2020, landowners received a letter from TfNSW (Appendix 1) outlining the boundary for acquisition has been amended, such that the land required to be temporarily leased for construction purposes is no longer required.
3. Internal Road Layout	New access road from Cecil Road	New access road from proposed Wallgrove Road re-alignment	The Subdivision Plan has been amended (Appendix 6) in response to the compulsory acquisition of 26,617m ² of the site.
4. Vehicle Access from Elizabeth Drive	Deceleration Lane along Elizabeth Drive	Removal of all vehicle access points from Elizabeth Drive	<p>In May 2020, TfNSW issued the new Wallgrove Road re-alignment including proposed connections to the new access road into the revised site boundary. The amended application does not propose any amendments to the new access point into the site as provided by TfNSW.</p> <p>Prior to the imminent compulsory acquisition of a portion of the site to facilitate state road upgrades associated with Wallgrove Road and Elizabeth Drive, a deceleration lane was provided in response to Roads and Maritime Services (RMS) request for a deceleration lane instead of a service road to provide access to any future service station only.</p> <p>On 7 August 2020 a meeting was held via video conference with TfNSW representatives, to discuss the implications of the proposed road upgrades associated with Wallgrove Road and Elizabeth Drive in relation to proposed development on the site. It was at this meeting, where TfNSW confirmed that a deceleration lane or any vehicle access points along Elizabeth Drive will not be supported.</p> <p>The amended application only has one access point into the site via the new internal access road as anticipated by TfNSW (refer to Item 3 above).</p>
5. Future Intended Land Uses	Industrial/urban services; Highway service centre; Fast food outlets; Large format retail; Short-term accommodation	Highway service centre; Food and drinks premises; Eco-tourist facility; Tourist and visitor accommodation; Recreation Areas; Recreation facilities (indoor); Recreation facilities (outdoor); Recreation facilities (major); Information and education facility	<p>The amended application does not propose development for the purposes of a Business Hub within the Western Sydney Parklands.</p> <p>The amended application provides opportunities for tourism and associated facilities consistent with the land use opportunities outlined in Precinct 11: Cecil Park North.</p> <p>We note there have been no disagreement to date regarding the intended future land uses provided to the Department on 22 October 2019.</p>
6. Biodiversity	35,447m ² of PCT849 – Grey Box – Forest Red Gum Grassy Woodland on Flats (Cumberland Plain Woodland) identified within the site	11,876m ² (or 34% of the original area) of PCT849 – Grey Box – Forest Red Gum Grassy Woodland on Flats (Cumberland Plain Woodland) identified within the revised site boundary	<p>26,570m² (or 66% of the original area) of PCT849 – Grey Box – Forest Red Gum Grassy Woodland on Flats (Cumberland Plain Woodland) was located within the area to be acquired by TfNSW to facilitate state road upgrades associated with Wallgrove Road and Elizabeth Drive.</p> <p>The amended application proposes to remove the remainder PCT849 – Grey Box – Forest Red Gum Grassy Woodland on Flats (Cumberland Plain Woodland) within the revised site boundary to facilitate site preparation and bulk earthworks associated with the subdivision.</p>

7. Department Identified High Value Vegetation	26,284m ² of high value vegetation identified by DPIE within the site	6,066m ² of high value vegetation identified by DPIE within the revised site boundary	<p>On 11 December 2019, DPIE provided an aerial image identifying areas of vegetation to be considered by the Proponent to avoid (directly and indirectly) by the development or by any associated infrastructure or bushfire requirements (Appendix 7).</p> <p>20,218m² of the high value vegetation identified by the Department is located within the portion of the site to be acquired by TfNSW to facilitate state road upgrades associated with Wallgrove Road and Elizabeth Drive, diminishing the existing biodiversity corridor along the former north-western boundary of the former site area.</p> <p>The amended application proposes to remove the remainder high value vegetation within the revised site boundary to facilitate site preparation and bulk earthworks associated with the subdivision.</p>
8. Stormwater	Co-located flood detention basin and bio-retention area at the northern boundaries of the site	On-site detention basin located within Lot 12	<p>Given the extent of amendments associated with the amended subdivision plan, revised stormwater plans were required. The amended application proposes a stormwater treatment train including rainwater tanks, gross pollutants traps and a bio-retention basin.</p> <p>Any issues associated with the dam within the former site boundaries are no longer considered an issue.</p>

1.4.1 Supporting Technical Studies

The DA is supported by specialist consultant reports provided in the appendices of this amended EIS. These technical studies were undertaken to inform the design of the proposed subdivision in the context of future land uses, urban structure and built form and to assess potential economic, social and environmental impacts. Following the modification of the proposal several consultant reports were updated.

The amended EIS was prepared based on all documents listed at the front of and appended to this Statement.

1.5 Amended Objectives of Development

The amended development seeks to:

1. Optimise the development opportunities accessioned by the prevailing positive locational and accessibility attributes, including relative proximity to the:
 - Proposed Western Sydney Aerotropolis; and
 - Imminent road upgrades associated with the new M12 Motorway, the new Wallgrove Road alignment and Elizabeth Drive;
2. Respond to the environmental sensitivities of the site/precinct;
3. Provide land use opportunities for tourism and associated facilities in the Parklands
4. Improve the hydrological and stormwater attributes of the locality; and
5. Generate employment opportunities for Western Sydney.

1.6 Analysis of Alternatives

1.6.1 Strategic need for the proposal

The amended proposal seeks to capitalise on its unique setting and in doing so deliver local and district service outcomes at an early stage in the evolution of the broader Aerotropolis influenced precincts.

The proposed site layout will accommodate a range of uses which leverage off its strategic location/setting in proximity to the proposed Western Sydney Aerotropolis including; highway service centre, food and drinks premises, eco-tourist facility, tourist and visitor accommodation, recreation areas. recreation facilities (indoor), recreation facilities (outdoor), recreation facilities (major) and information and education facility.

1.6.2 Alternative Options

Develop an Alternative Site

There are few other opportunities to leverage off the Western Sydney Parklands surplus lands areas generally located on the side of the M7 Motorway that are not subject to flooding constraints, environmentally sensitive lands, poorly accessed or highly visible within the main Park area.

The site was selected largely having regard to its relative remoteness from the main body of the Parklands, its location at the corner of Cecil Road, Elizabeth Drive and Wallgrove Road and its visibility from the M7 Motorway.

Develop the Site for Alternative Uses

The Proposal represents the highest and best use of the land when considering the context of the site, environmental land use constraints and opportunities. The proposed tourism and associated facilities also respond to the needs of the surrounding community whilst limiting any impact on regional centres.

The proposed future intended uses were derived from the desire to locate tourism and associated facilities within the Cecil Park North Precinct (Precinct 11 in the WSPT PoM). Therefore, developing the site for alternative uses is not a viable option.

Do Nothing

The 'do nothing' option would result in the site not being developed for its highest and best use and the opportunity to generate additional employment and investment in the area would also not materialise.

Further the site would provide a 'depressed' context for the proposed Wallgrove Road Business Hub. Additionally, the more significant natural assets would unlikely be subject to appropriate conservation initiatives.

1.6.3 Alternative Concept

Option A

This option involves two points of entry from Elizabeth Drive. Large allotments are provided with potential to provide larger buildings footprints on sites.

This option does not consider the vegetation and riparian corridors required for the stream which borders the northern boundaries of the site.

Advice provided by traffic consultants concluded the outcome of ingress into the site via two access streets from Elizabeth Drive is not ideal as it would result in implications to traffic along Elizabeth Drive.



Option B

This option involves access streets from both Cecil Road and Elizabeth Drive. Laneways divide central lots for rear-lane access into site.

This option does not consider the required 20m riparian corridor for the second order stream which bounds the northern site boundaries.

The following advice was provided by traffic consultants: laneways do not seem to serve a purpose; splay corners to provide larger radius to accommodate truck turning manoeuvres; provide 20m access street reserve through the site; no street connections from service station from Elizabeth Drive.



Option C

This option removes access street to Elizabeth Drive and provides deceleration lane to the property with a 13m carriageway. Laneways have also been removed with proposed blocks with splayed corners.

Due to flooding constraints to the second order stream at the northern site boundaries, stormwater consultants advised access street from Cecil Road to 'bend' consistent with the contours. Given the subject development is classified as a state significant project, the proposal does not require a 'controlled activity approval' for the access street which is located within 40m of the riparian corridor (approval for 'controlled activities' within 40m of a stream are required under the Water Management Act 2000). This applies to all options on the site.

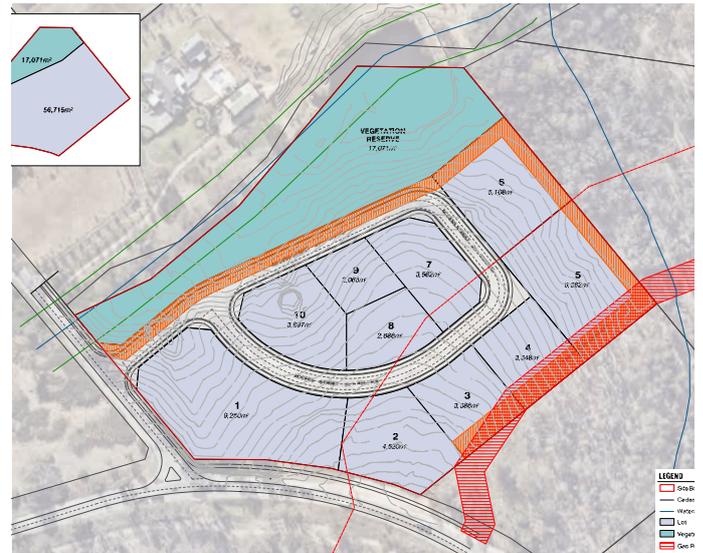


Option D

Option D was prepared following a series of meetings and email correspondences between DPIE and OEH.

This option reduces the proposal footprint in consideration of the high value vegetation provided in December 2019 (Refer to **Appendix 7**), increasing the proposed vegetation reserve in the north of the site.

The footprint has reduced the impacts on the CEEC Cumberland Plain Woodland (PCT 849) from 2.35 ha to approximately 2.00 ha and has increased the width of retained vegetation in the northern portion of the site.



Option E

This option was conceived following ongoing consultation with DPIE and OEH in relation to avoiding impacts on the CEEC Cumberland Plain Woodland (PCT 849) and consultation with TfNSW regarding the compulsory acquisition of a portion of the lot to facilitate the new Wallgrove Road easement associated with the M12 Motorway. The revised proposal footprint has reduced the proposed impacts to CEEC Cumberland Plain Woodland (PCT 849) from 2.35 ha to 1.15 ha.



1.7 Secretary's Requirements

1.7.1 SEARs

In accordance with Part 4 of the EP&A Act, the Secretary of the Department of Planning and Environment issued the requirements for the preparation of the EIS on 29 November 2017. A copy of the Secretary's Environmental Assessment Requirements (SEARs) is included in **Appendix 3**.

Table 2 provides a detailed summary of the individual matters listed in the SEARs and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

General	Environmental Impact Statement	
Key Issues	Report / EIS	Technical Study
The Environmental Impact Statement (EIS) must address the <i>Environmental Planning and Assessment Act 1979</i> and meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 in the <i>Environmental Planning and Assessment Regulation 2000</i> .		
Strategic Context	Sections 1, 2, 3, 4, 5, & 6	Various
Biodiversity	Section 6.1	Appendix 10
Socio-Economic Impact	Section 6.7	Appendix 23
Traffic and Access	Section 6.13	Appendix 20
Urban Design	Section 3.2	Appendix 8
Contamination	Section 6.11	Appendix 18
Soil and Water	Section 6.12	Appendix 24
Flooding	Section 6.4	Appendix 16
Noise and Vibration	Section 6.5	Appendix 22
Waste Management	Section 6.14	Appendix 26
Heritage	Section 6.6 & 6.7	Appendix 12, 13 & 14
Infrastructure Requirements	Section 6.9	Appendix 15
Bushfire	Section 6.2	Appendix 21
Air Quality	Section 7.0	-
Plans and Documents	Section 3.2	Appendix 9
Consultation	Section 4.0	-

1.7.2 RFI dated 23 August 2018

In accordance with Part 4 of the EP&A Act, the Secretary of the Department of Planning and Environment issued a Request for Additional Information on 23 August 2018 and is included in **Appendix 4**.

Table 3 provides a detailed summary of the individual matters listed in the RFI and identifies where each of these requirements has been addressed in this report and the accompanying technical studies.

Table 3: Request for Additional Information		
General	Environmental Impact Statement	
SEARs Requirements		
Key Issues	Report / EIS	Technical Study
Strategic Need	Sections 1, 2, 3, 4, 5, & 6	Various
Biodiversity	Section 6.1	Appendix 10
Socio-Economic	Section 6.7	Appendix 23
Traffic and Access	Section 6.13	Appendix 20
Urban Design	Section 3.2	Appendix 8
Contamination	Section 6.11	Appendix 18 & 19
Heritage	Section 6.6 & 6.7	Appendix 12, 13 & 14
Infrastructure Requirements	Section 6.9	Appendix 15
Air Quality	Section 7.0	-

1.8 Management Measures

A series of mitigation measures are mentioned in passing in **Section 6.0** of this EIS and the appended specialist consultant reports; whilst **Section 7.0** outlines more fully a range of specific mitigation/management measures.

Further, a range of foreshadowed investigations pertaining to the ultimate business park development are also cited.

The EIS in considering the environmental, social and economic impacts (including the principles of ecologically sustainable development) of the enabling/preparatory works directed toward facilitating the ultimate development of a mixed-use business hub concludes that the project is justified. Further, it details a series of mitigation measures and foreshadowed investigations to be implemented in order to achieve a satisfactory outcome, as mentioned above.

2.0 Project Description



2.1 Greater Context

Cecil Park comprises a peri-urban suburb immediately west of the M7 Motorway within the Fairfield Local Government Area. The local centre of Cecil Hills is approximately 1.4km east of the site, with the strategic centre of Liverpool and Leppington (8.8km and 9.2km south respectively).

Elizabeth Drive is a major arterial road connecting the Northern Road and Mamre Road roundabout, which currently experiences approximately 30,000 Average Daily Traffic (AADT) and has had a growth of around 3.2% per annum over recent years.

The M7 Motorway is a major arterial road and forms part

of the larger Sydney Orbital network, providing uninterrupted links to the M2, M4 and M5 Motorways. Direct access from Elizabeth Drive is provided from northbound and southbound entry/exit points (approximately 200m and 500m east of the site respectively).

The M7 currently experiences 185,000 vehicle movements per day, with an average annual growth of 6.2% annualised.

The proposed Western Sydney Airport is located 7.5km to the east along Elizabeth Drive.

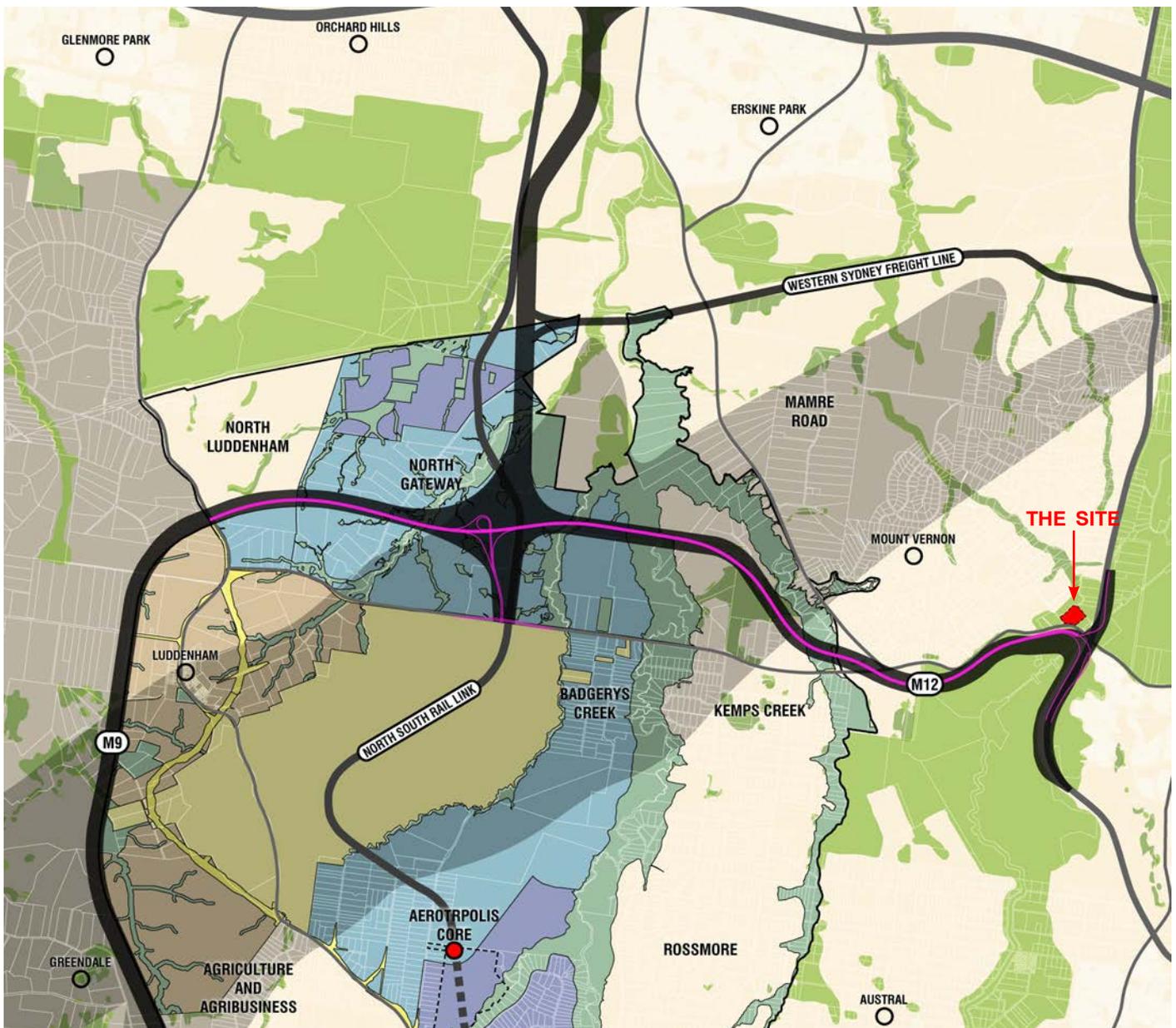
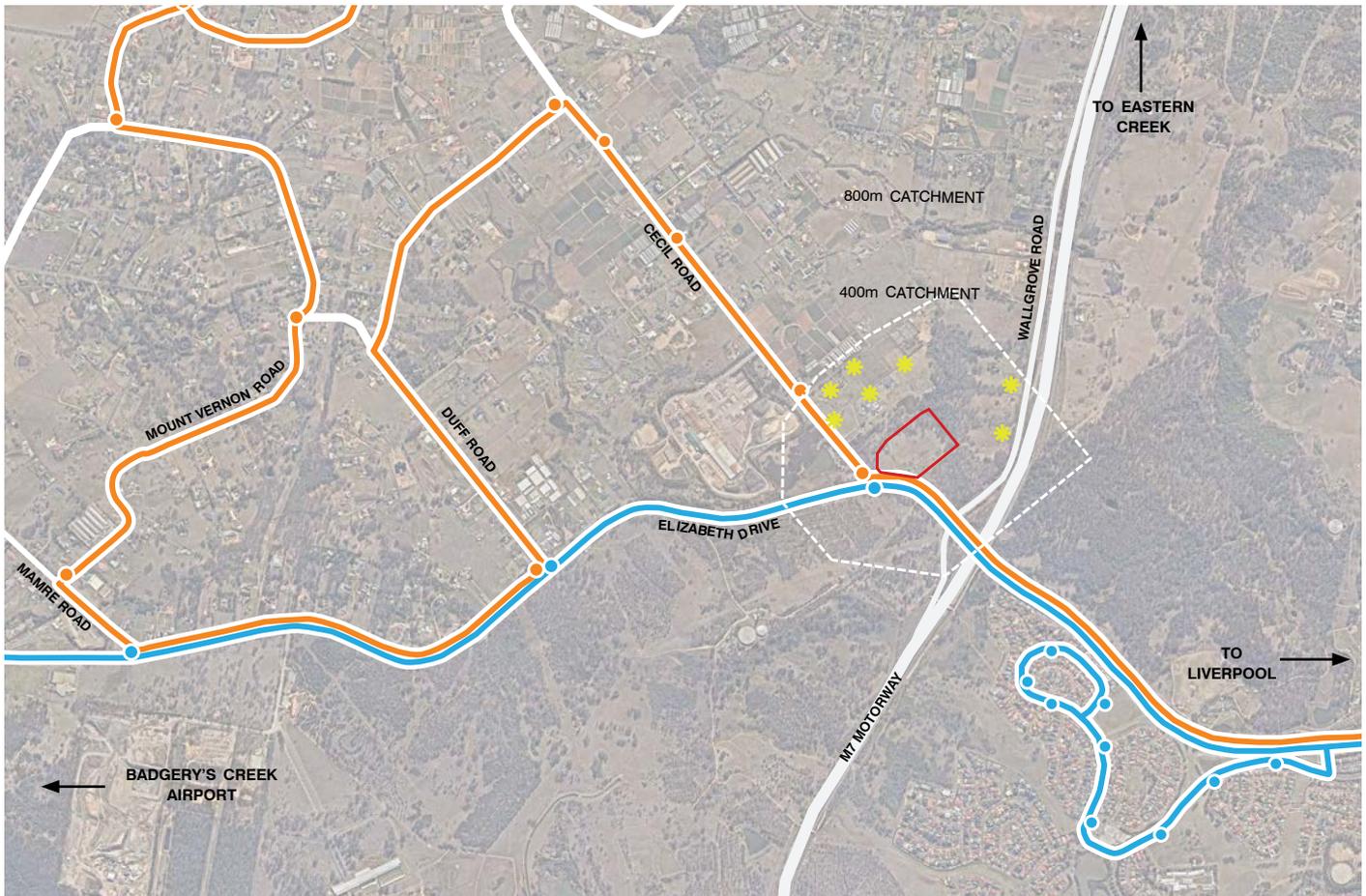


Figure 2: Greater Context

2.2 Locality



LEGEND

	Site Boundary		Bus Route 813
	Bus Stops		Bus Route 801

Figure 3: Site Locality Map - Bus Stops

Noise Sensitive Receptors

The site is currently serviced by two bus routes:

Bus Route 801

Connections to Liverpool; Cabramatta West; Bonnyrigg; Bonnyrigg Heights; Cecil Hills; Cecil Park; Kemps Creek and Badgerys Creek.

Bus Route 813

Connections to Bonnyrigg; Bonnyrigg Heights Cecil Hills; Cecil Park; Mount Vernon; Horsley Park; Wetherill Park; Prairiewood; Smithfield and Fairfield.

2.3 The Site

The site is known as Lot 2 Section 4 DP 2954 and is situated at No. 1111-1141 Elizabeth Drive (Corner Cecil Road), Cecil Park.

Due to the acquisition of a portion of the site by TfNSW along the sites north-west and south-west boundary as shown in hatch in **Figure 4**, the total area of the site has been reduced to 4.72 hectares.

The new site boundary is irregular in shape and will have frontages to the new Wallgrove Road alignment and Elizabeth Drive.



LEGEND

	Subject Site		Land Acquired by TfNSW		Existing Road Network
	Original Site Boundary		Existing Cadastre		

Figure 4: The Existing Site



The site is characterised by modest slopes as depicted in the contours in **Figure 5** below. The highest point is approximately RL 105.5, situated in the north-western eastern corner. It falls generally in a northerly direction reflected in the following:

- South-western corner of revised site boundary: RL 110.0
- North-western corner of revised site boundary: RL 105.5
- Northern corner of revised site boundary: RL 102.0
- Eastern corner of revised site boundary: RL 101.5

A dwelling, former dwelling, domestic gardens and series of outbuildings and animal enclosures and small orchard are located largely in the south eastern corner. Sparse vegetation is evidenced in the north east, south west and aligning along the northern (riparian) boundaries. A large dam is located in the northern corner.

In summary, the site exhibits typical rural/residential qualities.

The site is noted to be administratively in the Fairfield City Local Government Area and the Greater Sydney Region and Western City District.



LEGEND

Figure 5: The Revised Site



- | | | | | | |
|--|------------------------|--|---------------------------|--|-----------------------|
| | Subject Site | | Contours (0.5m Intervals) | | Existing Road Network |
| | Original Site Boundary | | Revised Cadastre | | Proposed Road Network |

3.0 Description of Amended Proposal



3.1 Overview

The amended proposal seeks to undertake enabling/preparatory works facilitate the ultimate development of tourism and associated facilities comprising 9,490 sqm of gross floor area across 12 allotments incorporating a range of land uses including a highway service centre (including a service station and fast food premises); eco-tourist facilities; tourist and visitor accommodation; various recreation areas facilities; information and education facilities and an on-site detention basin.

An indicative land use breakdown is provided in **Table 4** below:

Table 4: Indicative Land Use Breakdown

Lot	Lot Area	Indicative GFA	Land Use
1	2,511m ²	628m ²	Highway service centre
2	2,511m ²	628m ²	Food and drink premises
3	3,879m ²	970m ²	Eco-tourist facility
4	3,727m ²	932m ²	Tourist and visitor accommodation
5	6,811m ²	1,703m ²	Recreation areas Recreation facilities (indoor) Recreation facilities (outdoor) Recreation facilities (major) Information and education facility
6	2,831m ²	708m ²	Food and drink premises
7	2,087m ²	522m ²	Eco-tourist facility
8	2,087m ²	522m ²	Recreation areas
9	2,087m ²	522m ²	Recreation facilities (indoor)
10	5,084m ²	1,271m ²	Recreation facilities (outdoor)
11	4,343m ²	1,086m ²	Recreation facilities (major)
12	3,419m ²	-	On-site detention basin
Total	41,377m²	9,490m²	

Each of the proposed development lots will accommodate off-street parking in accordance with prevailing requirements and on-site waste water management system. Access provision will be described later in this section.

The enabling works include in summary:

- subdivision;
- demolition of structures;
- site remediation;
- bulk earth works;
- construction of stormwater management and lead-in services;
- environmental works and water channel works;
- construction of vehicular access points and connections to an internal road network; and
- complementary landscaping.

The aforementioned preparatory works is not staged and will be subject to future development applications

Table 5: Details of Site Preparatory Works.

Works	Detail									
Site Preparation	<ul style="list-style-type: none"> • Prior to the commencement of clearing of construction footprint, erosion and sediment controls would be established. • During construction, water and soil management works would involve the early establishment of operational water management swales and the construction of a permanent OSDs, which would require earthworks. • Existing Structures and vegetation removal will be undertaken as part of the Early Works after erosion and sediment controls have been established. 									
Bulk Earthworks	<ul style="list-style-type: none"> • The Proposal site would be levelled and raised in preparation for the construction of the internal road. • The cut to fill operation, comprising excavation, transporting, crushing, screening and spreading of excavated material on site, would be carried out concurrently with the placement of imported fill. • Earthworks plant would be used to spread and compact the material on site. Appropriate erosion and sediment controls, and dust suppression measures would be implemented to manage potential air quality, erosion and sedimentation impacts during the earthworks period. • A summary of the earthworks volumes for the Proposal is shown in the table below: <table border="1" style="margin-left: 20px;"> <thead> <tr> <th></th> <th>Cut</th> <th>Fill</th> </tr> </thead> <tbody> <tr> <td>Earthworks Volume (m³)</td> <td>28,303</td> <td>31,494</td> </tr> <tr> <td>Earthworks Balance (m³)</td> <td>-</td> <td>3191</td> </tr> </tbody> </table> 		Cut	Fill	Earthworks Volume (m ³)	28,303	31,494	Earthworks Balance (m ³)	-	3191
	Cut	Fill								
Earthworks Volume (m ³)	28,303	31,494								
Earthworks Balance (m ³)	-	3191								
Internal Road	<p>Works for the establishment of the internal road network would generally comprise:</p> <ul style="list-style-type: none"> • Earthworks/sub-grade preparation • Placement of select and pavement layers • Kerb and gutter • Final pavement layers • Line marking and signage. 									
Vegetation Removal & Landscaping	<ul style="list-style-type: none"> • All vegetation on the Proposal site would be removed prior to or during the site preparation phase of construction for the Proposal. • Following construction activities, any area not forming part of the operational footprint would be appropriately rehabilitated. Cut and fill batters associated with the construction would be stabilised to minimise the potential for ongoing erosion. • Landscaping would be undertaken on the site as part of the Proposal and would be included on all boundaries of the Proposal Site. 									

	<ul style="list-style-type: none"> The landscape design for the Proposal aims to integrate the site into the broader environment with the following: <ul style="list-style-type: none"> Use of species that are local to the area, hardy and easy to maintain Use of trees within the site to provide a uniform canopy cover within vegetated areas Use of local species as understory planting to support and enhance local habitat values Use (where reasonable and feasible) of seeds collected within the local area for planting to reinforce the genetic integrity of the region.
--	---

Eco-tourist Facility	<p>eco-tourist facility means a building or place that:</p> <ol style="list-style-type: none"> provides temporary or short-term accommodation to visitors on a commercial basis, and is located in or adjacent to an area with special ecological or cultural features, and is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact. <p>It may include facilities that are used to provide information or education to visitors and to exhibit or display items.</p>
Recreation areas	<p>recreation area means a place used for outdoor recreation that is normally open to the public, and includes:</p> <ol style="list-style-type: none"> a children’s playground, or an area used for community sporting activities, or a public park, reserve or garden or the like, <p>and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).</p>
Recreation Facility (Indoor)	<p>recreation facility (indoor) means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.</p>
Recreation Facility (Major)	<p>recreation facility (major) means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.</p>
Recreation Facility (Outdoor)	<p>recreation facility (outdoor) means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).</p>

3.1.1 Intended Future Land Uses

A detailed description of the proposed land uses are detailed in **Table 6** below.

Table 6: Land Use Definitions

Land Use Term	Land Use Definitions
- Nil -	<p>highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:</p> <ol style="list-style-type: none"> a restaurant or cafe, take away food and drink premises, service stations and facilities for emergency vehicle towing and repairs, parking for vehicles, rest areas and public amenities.
Food and Drink Premises	<p>food and drink premises means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following</p> <ol style="list-style-type: none"> a restaurant or cafe, take away food and drink premises, a pub, a small bar
Tourist and Visitor Accommodation	<p>hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:</p> <ol style="list-style-type: none"> comprises rooms or self-contained suites, and may provide meals to guests or the general public and facilities for the parking of guests’ vehicles, <p>but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.</p>

3.2 Urban Design

3.2.1 Overview

Subdivision plan is contained in **Appendix 6** and reproduced below:



LEGEND

Figure 6: Subdivision Plan

	Revised Site Boundary		Revised Cadastre		Proposed Saleable Lot
	Original Site Boundary		Eastern Gas Pipeline Easement		Proposed On-site Detention Lot
	Existing Road Network				



LEGEND

Figure 7: Plan of Development

	Site Boundary		Revised Cadastre		On-site Detention Basin
	Original Site Boundary		Saleable Lot		Footpath & Cycle-path
					Retaining Wall

INTERNAL BUILT FORM OUTCOME

	Indicative Car Park Location - Preferred Location		Building Front Setback (Primary 10.0m & Secondary 5.0m)
	Required Landscape Front Setback (5.0m to new access road and 10m to Walgrove Road and Elizabeth Drive.		Building Side Setback (3.0m)
	Vehicle Access - Preferred Location		Asset Protection Zone (APZ)

Table 7: Key Development Information

Component	Proposal			
Site Area	4.12 ha			
Indicative GFA	9,490 sqm			
Maximum Height	15 m			
Developable Footprint	4.12 ha			
Gas Pipeline Easement	20 m			
No. of Lots	14			
Envelope Setbacks	Minimum Distance in Metres from Outermost Projection to a Lot Boundary			
	Front	Secondary Front	Rear	Side
	10.0m	5.0m	0.0m	3.0m

3.3 Building Form and Layout

The amended Urban Design report prepared by ae design partnership (Refer to **Appendix 8**) assesses the urban design of the proposed subdivision layout, which includes:

- Detail the likely land uses on lots and conceptual layout of buildings;
- Provide Plans showing suitable landscaping of the site incorporating locally native species; and
- Detail pedestrian and cycle routes in accordance with CPTED principles.

3.3.1 Fixed Elements

Fixed elements govern the developable area of each allotment on the site. These include:

- On-site detention basin lot;
- Footpaths 1.2 metres wide;
- Cycle-paths 2.5 metres wide;
- Retaining walls;
- Gas Pipe Line Easement of 20 metres;
- Asset Protection Zone of:
- 10 m at the NW and NE site boundaries;
- 15 m at SE site boundary;
- Landscaped front setback of 5.0 metres; and
- Landscaped setback of 10.0 metres addressing Wallgrove Road and Elizabeth Drive.

3.3.2 Pedestrian and Cyclepaths

Proposed cycle paths within the site ensure natural surveillance by:

- Maintaining sightlines along paths between destination points; and
- Allowing overlooking from adjacent areas.

The relationship between footpaths, cycleways and vehicular road network are shown in the Typical Road Type Cross Sections for the Access Street and Deceleration Lane are shown in Section 6.5.3 of the Urban Design Report found in **Appendix 8**.

3.3.3 Visual Analysis

An updated Visual Analysis is not required given the extent of road upgrades associated with the new Wallgrove Road re-alignment

3.3.4 Landscaping and Public Domain

The Urban Design Report provides an indicative landscape plan which details proposed plant species on public land. Landscaping for each individual lot will be subject to development application approval. The proposed development has been assessed against CPTED principles, reproduced from the Urban Design Report below:

1. Surveillance

Proposed pedestrian and cycle paths within the site are located to ensure natural surveillance by:

- Maintaining sightlines along paths between destination points;
- Allowing overlooking from adjacent properties; and
- Providing landscaped vegetation in the public domain to increase the aesthetic appeal of the environment without providing opportunity for offenders a place to hide (See Section 5.7 of this report).

2. Access Control

A new local road is proposed off the new Wallgrove Road alignment from an intersection provided by TfNSW. All lots will be accessible via the new local road directly from Wallgrove Road.

Physical barriers may be proposed to restrict access onto internal areas or high-risk areas (such as car parks) during detailed development application stages for each lot to ensure effective access control.

3. Territorial Reinforcement

Community ownership of public spaces makes people feel comfortable and more likely to visit places that feel 'owned' and cared for. The proposal ensures boundaries for the public domain, that is pedestrian paths and roads, are easily distinguishable and are defined by landscaped nature strips.

Subject to development applications on each lot, territorial reinforcement can be achieved by:

- providing landscapes that channel and group pedestrians to generate activity;
- providing clear transitions and boundaries between public and private spaces; and
- design cues such as landscaping, to distinguish who and what the space is used for without making public spaces private spaces.

4. Space Management

The nature of the proposal being a subdivision with a proposed access road will mean that proposed public land will be maintained by the relevant public authority (Fairfield City Council). This includes maintenance of roads, pedestrian paths and landscaping, and bio detention basin lot.

The management of each lot will be maintained by each owner to ensure site cleanliness, rapid repair of vandalism and graffiti and refurbishment of decayed physical elements.

3.3.5 Access/Loading/Servicing

A new public local road is proposed to be constructed to provide access into future lots, in accordance with Fairfield Council's DCP 2013 road design requirements, which will connect to the new Wallgrove Road alignment, approximately 170m north-east of the new Cecil Road signalised intersection. Access for the new local road was provided by TfNSW in May 2020.

It is pertinent to note in this regard that despite Clause 101(2a) of SEPP (Infrastructure) 2007 which states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that, *"where practicable, vehicular access to the land is provided by a road other than the classified road"*, RMS would provide *"in principle support to a left-in/left-out access arrangement on Elizabeth Drive to the potential future service station and fast food premises only, given that service centres cater primarily for passing traffic...on the condition that there is no vehicular connection from the proposed service station and fast food premises to other developments proposed on the site."* As a result of road upgrades to Elizabeth Drive and the new Wallgrove Road easement, support for a 'left-in and left-out' access via a deceleration lane along Elizabeth Drive was withdrawn by TfNSW.

Loading/servicing for the proposed development is expected to be undertaken by a variety of commercial vehicles including small, medium and large rigid trucks, depending on the land use. Appropriate loading facilities will ultimately be provided for the respective uses and comply with Australian Standards.

Fuel deliveries will likely be made by articulated tankers, with the precise location of the fueling point subject to future design at development application stage. The future arrangement should allow tankers to undertake deliveries to the site without disrupting other vehicle movements on the site.

4.0 Engagement



4.1 Stakeholder Engagement

Preliminary consultation was undertaken with Fairfield City Council and the Western Sydney Parklands Trust with the outcomes of such consultation summarised below:

Fairfield City Council

Fairfield City Council identified the following key issues to be addressed in the EIS:

- Ingress/Egress into the site via Cecil Road and Elizabeth Drive;
- Flooding Impacts
- Vegetation Reserve, specifically bio-banking credit score which is subject to review by the Office of Environment and Heritage; and
- Consultation with Liverpool Council.

Western Sydney Parklands Trust

Western Sydney Parklands Trust identified 2 key issues to be addressed in the EIS:

1. Objectives of all relevant statutory legislation needs to be addressed, including:
 - State Environmental Planning Policy (Western Sydney Parklands) 2009;
 - The Parklands Plan of Management 2020;
 - The Parklands Plan of Management Supplement;
 - The Parklands draft Plan of Management 2030.
2. The Plan of Management already identifies allocation of 2% of the Parklands to Business Hubs.
 - Proposal to demonstrate strategic merit behind addition of the site within 2% allocation.

These issues have been addressed at Section

Other Authorities/Agencies

Additionally, preliminary consultation with select authorities/agencies, as nominated, occurred during the compilation of the SEARs. The salient conclusions of such initial consultation is summarised below:

Water NSW

Provided no specific comment but requested to be notified during the EIS exhibition process (Refer to **SEARs**).

Environmental Protection Authority

The proposal does not constitute a scheduled activity under Schedule 1 of the Protection of the Environment Operations Act (POEO Act).

It is not considered that the proposal will require an Environment Protection License (EPL) under the POEO Act.

Accordingly, the EPA has no further interest in the proposal (Refer to **SEARs**).

Transport for NSW (formerly RMS)

On 19 September 2019, landowners were approached by Transport for New South Wales (TfNSW) formally opening negotiations for the compulsory acquisition of 26,617m² of

the site to facilitate the re-alignment of Wallgrove Road.

On 7 May 2020, landowners received a letter (**Appendix 1**) from TfNSW outlining the boundary for acquisition has been amended, such that the land required to be temporarily leased for construction purposes in no longer required.

On 7 August 2020 a meeting was held via video conference with TfNSW representatives, to discuss the implications of the proposed road upgrades associated with Wallgrove Road and Elizabeth Drive in relation to proposed development on the site. It was at this meeting, where TfNSW confirmed that a deceleration lane or any vehicle access points along Elizabeth Drive will not be supported.

The amended application only has one access point into the site via the new internal access road as anticipated by TfNSW

The Proponent maintains ongoing consultation with TfNSW representatives throughout the duration of the compulsory acquisition process.

Office of Environment and Heritage

A comprehensive response to the concerns raised by OEH has been prepared by GHD and is appended to the Response to Submissions forming part of this amended application.

Additional comments were provided by NSW Environment, Energy and Science (“EES” formerly known as OEH) in November 2019 in relation to the (then) revised concept plan. Responses to these comments have been provided by GHD in relation to revised concept plan and is appended to the Response to Submissions forming part of this amended application.

Endeavour Energy

Local electricity infrastructure presence is documented.

The need for future consultation in respect of construction to existing infrastructure is outlined.

Bushfire Risk Management requirements are detailed. Refer to **Section 6.2** of this amended EIS.

Protocols in respect of earthing, vegetation management, dial before you dig, demolition, public safety and emergency contact are outlined.

NSW Heritage Council

The site is established to not be within the curtilage of any State Heritage Register (SHR), terms or historic archaeology, nor is it in the immediate vicinity of any SHR items.

The relationship to the SHR listed Pheasants Nest to Prospect Reservoir Upper Canal System is documented.

Requirements for a Heritage Impact Assessment is documented, including a need to address potential significant historic archaeological deposits.

4.2 Community Engagement

4.2.1 Original Findings

Community Consultation occurred over a two week period from 22 October to 2 November.

The Engagement Program involved a series of engagement tools detailed in **Table 8** below:

Table 8: Engagement Program

Channel/Tool	Purpose
Fact Sheet	Primary tool used to inform the local community Invite feedback via the nominated phone number and email address
Doorknock	Secondary tool to inform “high priority” residents and businesses – completed in addition to the factsheet Receive direct, in-person feedback
Flyer (“Sorry we missed you”)	Advise “high priority” residents and businesses of unsuccessful doorknock attempt Invite feedback via the nominated phone number and email address
Social Media (Facebook)	Distribute factsheet to stakeholders that could not be reached via letterbox drop, doorknock, phone, or email Invite feedback via the nominated phone number and email address
Email	Receive feedback from all stakeholders
Phone	Receive feedback from all stakeholders

A summary of feedback reproduced from the Community Consultation Report from the original application is reproduced below:

Channel/Tool	Addressed in the EIS
Benefits to the local community	Section 2.0 & 6.7
<ul style="list-style-type: none"> Positive reaction to the development proposal’s benefits, including access to services and employment 	
Traffic and road use	Section 6.13
<ul style="list-style-type: none"> Comment that improved road and traffic infrastructure would need to be constructed Concern that the proposed traffic solution may lead to traffic congestion and usage conflicts along Elizabeth Drive and Cecil Road Concern that the proposed traffic solution will not allow for entry and exit to Cecil Road from Elizabeth Drive 	

<ul style="list-style-type: none"> Concern that the proposed development may lead to increased use of Cecil Road by trucks and other heavy vehicles Concern that the cumulative impact of the proposed development, when considered in conjunction with the planned M12, will be unacceptable Concern that since M12 planning is not yet finalised and approval of this development could jeopardise essential road infrastructure Concern at the potential for M7 and M12 fragmentation 	
Noise	Section 6.5
<ul style="list-style-type: none"> Concern that neighbouring residents will be impacted by noise levels during both construction and operation 	
Amenity	Section 3.2 and Appendix 8.
<ul style="list-style-type: none"> Concern that the development proposal will decrease visual amenity during operation Concern that accessibility and the recreational and environmental values of the Western Sydney Parklands will be compromised as the development will create fragmentation and alienation of potential recreational land 	
Ecology and Biodiversity	Section 6.1
<ul style="list-style-type: none"> Concern that the reported impact to biodiversity may be larger than has been reported; publicly available information suggests that the proposed site provides potential habitat for additional threatened species Interest shown in more detailed information on potentially impacted species Negative reaction and concern towards the potential erosion of a fauna movement corridor and fragmentation of the Western Sydney Parkland 	
Economic Impacts	Section 6.7
<ul style="list-style-type: none"> Concern that the proposed land-uses will be incompatible with existing land uses which will lead to operational restrictions which will impact on the financial viability and growth of local businesses 	

<p>Development of the proposed site</p> <ul style="list-style-type: none"> • Concern that the development proposal is inconsistent with existing planning controls applying to the proposed site • Concern that the development proposal may interfere with the “green belt” present along the north-western boundary of the proposed site • Negative reaction to the size of the development proposal; concern that it is “uncharacteristic” for a development the size of that proposed to be situated on “rural” land 	<p>Section 1.0 and 2.0</p>	<p>Development of the broader region</p> <ul style="list-style-type: none"> • Concern that the development will lead to increased development of the broader region • Negative reaction on the basis that it is not fair for the development to proceed, as the respondent has previously been denied permission to subdivide their own property • Concern that the development proposal is premature in its assumption to support Government strategic planning relating to the Aerotropolis • Concern that the development lies outside and is not compatible with the Government’s Western Sydney Priority Growth Area, the Western Sydney Plan of Management 2020, the Plan of Management Supplement or the Western City District Plan 	<p>Section 1.0 and 2.0</p>
<p>Development of the local area</p> <ul style="list-style-type: none"> • Positive reaction to development of the local area • Concern that the development proposal will alter the character of the neighbourhood • Negative reaction to increased “industrial” land-use in the local area • Negative reaction that the proposed land-use will be incompatible with existing land uses in particular, proposed sensitive land uses such as childcare and short-term accommodation 	<p>Section 1.0 and 2.0</p>		



Figure 8: Flyer Distribution Area (Elton Consulting)



Figure 9: Doorknock Area (Elton Consulting)

5.0 Planning & Statutory Framework



5.1 Approvals Process

5.1.1 State Significant Development (SSD)

Section 4.36 of Division 4.7 of the EP&A Act details provisions in respect of SSD. Developments with state significance due to the size, economic value or potential impacts are subject to such provisions.

Development deemed to be of State Significance (SSD) is identified in the State and Regional Development SEPP (SEPP SRD). Schedule 2 of SEPP SRD, at item 5 identifies development with a capital investment value of more than \$10 million on land within the Western Parklands to be SSD.

The subject site is situated within the Western Sydney Parklands. Further, the proposal has a projected capital investment value of \$10,512,716 (Refer to **Appendix 2**). Accordingly, the proposal has been deemed to be SSD and subject to the relevant planning provisions.

5.1.2 Assessment

State Significant Development (SSD) applications are assessed by the Department of Planning and Environment. The Department's assessment and recommendation are set out in an Environmental Assessment Report. The recommendation (including either conditions of consent or reasons for refusal) is referred to the Minister or his delegate for determination.

5.1.3 Approval

The Minister for Planning is the consent authority for SSD applications. In some cases, the Minister may delegate the decision making function to Department staff.

In addition, if an SSD proposal is not supported by relevant local council(s), or the Department has received more than 25 public objections, the Department's recommendation is referred to the Independent Planning Commission (IPC) for determination.

The public exhibition period began on 24 January 2019 and concluded on 25 February 2019. A total of seven (7) submissions were received during the public exhibition period:

- Four (4) submissions from the public; and
- Three (3) submissions from organisations.

Referral to the IPC is not warranted.

5.2 Legislation

5.2.1 Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

An updated detailed Biodiversity Development Assessment Report (BDAR) has been prepared by GHD Pty Ltd and is provided in **Appendix 10**. The BDAR concludes the proposal will result in impact to 1.15 ha of Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest CEEC which is a Matters of National Environmental Significance (MNES) protected under the EPBC Act. An assessment of significance has been prepared. The outcome of this assessment is that the proposal is unlikely to result in a significant impact on this MNES, however to minimise risk to the project, and to gain certainty, it is recommended that the proposal be referred to the Commonwealth Environment Minister for assessment.

No other vegetation communities on the Site conform to any EPBC Act listed threatened ecological community. Therefore, the Project is unlikely to have a significant impact on threatened ecological communities listed under the EPBC Act.

No other MNES are expected to be impacted by the development.

No endangered aquatic communities, aquatic fauna or marine vegetation listed under the FM Act or EPBC Act occur in the subject site and no significant impacts on riparian vegetation or habitats downstream of the subject site are anticipated as a result of the project.

5.2.2 Environmental Planning and Assessment Act 1979 (NSW)

The proposed development has been declared by the Minister as State Significant Development (SSD) under Division 4.7, Section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

This application seeks approval to undertake enabling/preparatory works to facilitate the ultimate development of tourism and associated facilities within the Elizabeth Drive Subdivision under Section 4.38 of the EP&A Act.

The proposed development has been evaluated and assessed against the relevant heads of consideration under Section 4.15 of the EP&A Act and is considered to be consistent with the objects of the EP&A Act for the following reasons:

- It promotes the orderly and economic use and development of land, and
- It has been designed to be responsive to the environment and does not result in an unacceptable impact on the environment, including native animals and plants, including threatened species, populations and ecological communities and their habitats, and
- It will provide an outcome that is consistent with the principles of ecologically sustainable development.

5.2.3 Environmental Planning and Assessment Regulation 2000 (NSW)

The EIS has addressed the specific criteria within Clause 6 and Clause 7 of Schedule 2 of the EP&A Regulation. Similarly, the EIS has addressed the principles of ecologically sustainable development in **Section 8.3**.

As required by Clause 7(1)(d)(v) of Schedule 2 of the EP&A Regulation, additional approvals will also be required in order to permit the proposed development to occur. **Table 9** provides an overview of legislation in respect of the proposed development.

Table 9: Legislation and application to State Significant Development

Act	Approval Required
<i>Coastal Protection Act 1979</i>	No approvals required as site is not within coastal zone.
<i>Fisheries Management Act 1994</i>	No approvals required as the development does not include dredging work, impact on marine vegetation or any proposal to block fish passage.
<i>Heritage Act 1977</i>	No approvals required as there are no items listed as being of heritage significance that would be adversely impacted by the proposed development at the site.
<i>National Parks and Wildlife Act 1974</i>	But for Section 4.41 of the EP&A Act an Aboriginal heritage impact permit under section 90 of the National Parks and Wildlife Act 1974 would be required for the proposed impacts to Aboriginal items.
<i>Native Vegetation 2003</i>	But for Section 4.41 of the EP&A Act an authorisation would be required under section 12 of the Native Vegetation Act 2003 to clear native vegetation.
<i>Rural Fires Act 1997</i>	The Assessment notes that the Fairfield Bushfire Prone Land Map shows that the Site contains areas of Category 1 Bushfire Prone Vegetation with the remainder being impacted by the buffer zone to the bushfire prone vegetation. The proposed Bushfire Protection measure will ensure compliance with the Aims and objectives of PFBP. A bushfire safety authority is not required as the proposed development does not involve subdivision of the site for residential or rural residential purposes.
<i>Water Management Act 2000</i>	But for Section 4.41 of the EP&A Act a water management work approval under section 90 of the Water Management Act 2000 would be required for works on waterfront land (i.e. land within 40m of Ropes Creek tributary)
<i>Mine Subsidence Compensation Act 1961</i>	Not relevant – the Site is not in a Mine Subsidence District.
<i>Mining Act 1992</i>	Not relevant – the proposal is not mining.
<i>Petroleum (Onshore) Act 1991</i>	Not relevant – the proposal is not for the production of petroleum.
<i>Protection of the Environment Operations Act 1997</i>	Not relevant – the proposal is not for development that requires an Environmental Protection Licence.
<i>Roads Act 1993</i>	Coordination with TfNSW may be required should there be any further changes to the proposed Wallgrove Road easement proposed for the site.
<i>Pipelines Act 1967</i>	Not relevant – the proposal is not for a pipeline.

5.3 Environmental Planning Instruments and Policies

5.3.1 Introduction

The subject site/proposal is impacted by a number of state, regional and local planning policies and plans which are discussed in the following pages in a compliance context.

5.3.2 State Environmental Planning Policies

5.3.2.1 SEPP Western Sydney Parklands

Aim and Relationship to Local Planning Matters

This Policy seeks to facilitate the development of the Western Parklands as multi-use urban parkland for Western Sydney (Clause 2). In such context the provisions of Fairfield Local Environmental Plan 2013, as previously cited do not apply (Clause 6). Similarly, as cited above the provisions of development control plans not made by the Minister do not apply (Clause 6A).

Application of the Policy

The Policy applies to the Western Sydney Parklands and as such the subject site (Clause 3).

Means of realising the Policy Aims

The diverse means of realising the overarching Policy Aim are documented at Clause 2. The means of particular relevance to the subject proposal include; interalia:

- i. Allowing for a range of commercial, retail infrastructure and other uses consistent with the Metropolitan Strategy, which will deliver beneficial social and economic outcomes to Western Sydney, and
- ii. Protecting and enhancing the natural systems of the Western Parklands, including flora and fauna species and communities and riparian corridor
- iii. Protecting and enhancing the cultural and historical heritage of the Western Parklands
- iv. Ensuring that development of the Western Sydney Parklands is undertaken in an ecologically sustainable manner.

Zoning

The land is unzoned (Clause 9)

Land Uses

The proposal is not precluded by the provisions detailed at Clause 11. Indeed, pursuant to sub clause (2) it is permissible, subject to consent.

Matters to be considered in the determination of development applications (Clause 12)

An outline of compliance with the subject provisions is provided in **Table 10** below. Importantly, all provisions where relevant are satisfactorily addressed or not compromised.

Table 10: Assessment against Clause 12 of SEPP Western Sydney Parklands

Clause 12.	
In determining a development application for development on land in the Western Parklands, the consent authority must consider such of the following matters as are relevant to the development:	
	Comment
a) the aim of this Policy, as set out in clause 2,	See comments regarding to Clause 2 in this section.
b) the impact on drinking water catchments and associated infrastructure,	Refer to Stormwater Report in Appendix 11 .
c) the impact on utility services and easements,	The Updated Services and Utility Infrastructure Assessment Report at Appendix 21 concludes "...subject to site rezoning and detailed design of the subdivision, utility services shall be generally available to individual lots within the subdivision, with the notable exception of reticulated sewerage services by Sydney Water. It is unclear at the time of writing when such a sewerage service shall be available to the area."
d) the impact of carrying out the development on environmental conservation areas and the natural environment, including endangered ecological communities,	Refer to revised BDAR report in Appendix 10 .
e) the impact on the continuity of the Western Parklands as a corridor linking core habitat such as the endangered Cumberland Plain Woodland,	See Section 5.1 .

<p>f) the impact on the Western Parkland's linked north-south circulation and access network and whether the development will enable access to all parts of the Western Parklands that are available for recreational use,</p>	<p>The proposed subdivision makes publicly accessible land, presently locked away in private ownership. It is envisaged that the site will accommodate a range of tourism uses complimenting its strategic location to create local employment opportunities, as well as serve the needs of:</p> <ul style="list-style-type: none"> Local residents; Passing motorists along the western arm of Sydney's orbital network, the Westlink M7; Workers traveling to and from the new Western Sydney Airport during its construction and subsequent operation phases; and Travellers commuting to/from airport departures/arrivals, once operational.
<p>g) the impact on the physical and visual continuity of the Western Parklands as a scenic break in the urban fabric of western Sydney,</p>	<p>The subdivision of the subject site to enable a range of commercial uses (subject to future DA) complimenting the site's strategic location will not adversely effect the visual continuity of the Western Sydney Parklands beyond the subject site on the grounds that the site is located:</p> <ul style="list-style-type: none"> At the edge of the Western Sydney Parklands; At the narrowest point of the Western Sydney Parklands (approximately 860 metres between eastern and western edge); Less than 400 metres from the 80 metre-wide West Link M7 which has the effect of physically and visually disrupting the parklands at its narrowest point; and Approximately 500 metres from existing suburban residential development to the south-east.
<p>h) the impact on public access to the Western Parklands,</p>	<p>The proposed subdivision makes publicly accessible land, presently locked away in private ownership.</p>
<p>i) consistency with: (i) any plan of management for the parklands, that includes the Western Parklands, prepared and adopted under Part 4 of the Western Sydney Parklands Act 2006, or (ii) any precinct plan for a precinct of the parklands, that includes the Western Parklands, prepared and adopted under that Part,</p>	<p>See Section 5.4.4.</p>

<p>j) the impact on surrounding residential amenity,</p>	<p>Refer to Urban Design Report in Appendix 8.</p>
<p>k) the impact on significant views,</p>	<p>Refer to Urban Design Report in Appendix 8.</p>
<p>l) the effect on drainage patterns, ground water, flood patterns and wetland viability,</p>	<p>Refer to Stormwater, Flooding and Dams Report in Appendix 11.</p>
<p>m) the impact on heritage items,</p>	<p>Refer to Aboriginal Cultural Heritage Report and European Cultural Heritage Report in Appendix 12 and Appendix 14, respectively.</p>
<p>n) the impact on traffic and parking.</p>	<p>See Section 6.12.</p>

Bulk water supply infrastructure not to be impacted (Clause 13)

The subject provisions are not adversely impacted by the proposal (Refer to **Section 6.8** and **Appendix 15**).

Development in areas near nature reserves or environmental conservation areas (Clause 14)

The subject land is not proximate to the identified lands (Refer to Section 6.1 and **Appendix 10**).

Flood Planning (Clause 14A)

The proposal complies with the espoused flood planning provisions (Refer to **Section 6.4** and **Appendix 16**).

Heritage Conservation (Clause 15)

The proposal has no adverse impact upon the heritage significance of the Western Parklands conservation thereof (Refer to **Section 6.5** and **6.9** and **Appendices 12** and **14**).

Signage (Clause 16)

The proposal does not currently entail signage. Future signage will need to conform with the provisions of this clause and would likely be capable of doing so.

Development on Private Land (Clause 17)

The implications of the proposal have been discussed with the Western Sydney Parklands trust who raised no objection to the proposal in the context of this clause.

See **Table 11** below for detailed assessment.

Table 11: Assessment against Clause 17 of SEPP Western Sydney Parklands

Clause 17.	
Development consent must not be granted to development on private land in the Western Parklands unless the consent authority has considered the following:	
	Comment
a) whether the development will contribute or impede the implementation of the aim of this policy,	See comments regarding to Clause 2 in this section.
b) the need to carry out development on the land,	<p>The proposal seeks to capitalise on the unique setting and in doing so deliver local and district service outcomes at an early stage in the evolution of the broader Aerotropolis influenced precincts.</p> <p>The proposed site layout will accommodate a range of tourism and associated uses which leverage off its strategic location/setting in proximity to the proposed Western Sydney Aerotropolis including; inter alia, highway service centre; food and drinks premises; eco-tourist facility; tourist and visitor accommodation; recreation areas; recreation facilities; information and education facilities.</p>
c) the imminence of acquisition of the land,	Subject to Legal Advice.
d) the effect of carrying out the development on acquisition costs,	<p>The effect of carrying out development on the land would increase acquisition costs on the grounds that:</p> <ul style="list-style-type: none"> • Proximity to the Western Sydney Aerotropolis which will provide: <ul style="list-style-type: none"> • 11,346 jobs during the construction phase; • 27,947 jobs in the operation phase (2031); and • 47,474 jobs in the operation phase (2041). • Proximity to the Western Sydney Employment Area (approximately 3 kilometres east); • Provision of Jobs during both construction and operational phases: <ul style="list-style-type: none"> • Construction Phase: 151 FTE jobs • Operational Phase: 443 FTE jobs

e) the effect of carrying out the development on the natural systems of the Western Parklands,	See Section 5.5.4.
f) the cost of restoring those systems after the development has been carried out.	Any costs associated with the management of vegetation and implementation of water sensitive urban design is to be borne by the developer.

Essential Services (Clause 17A)

Adequate essential services are available to service the proposed development except for sewerage services. In this latter regard appropriate on-site disposal can be achieved (Refer to **Sections 6.8 and 6.9** and **Appendices 15 and 17**).

Earthworks (Clause 17B)

The proposed nature and extent of earthworks which are central to the development proposal, are to be conducted in such a manner that does not have an unacceptable detrimental impact on the environmental functional functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land, The mitigation and management practices proposed are critical in this regard (Refer to **Appendix 24 and 25**).

Exempt Development (Clause 18)

The proposal does not comprise exempt development, hence the compilation of this EIS.

Acquisition of land by corporation (Clause 19)

The provisions are noted. It is not proposed that the site be acquired.

Preservation of Trees and Vegetation (Clause 19A)

Trees and vegetation of significance will be retained and embellished where aligning with the riparian zone. Other trees/vegetation to be removed will be subject to appropriate compensation measures (Refer to **Section 6.1** and **Appendix 10**).

5.3.2.2 State Environmental Planning Policy No.55 - Remediation of Land

At Section 4.2 of the Preliminary Site Contamination Report prepared by Martens & Associates, it was recommended that:

“Prior to the proposed subdivision, assessment of the AECs and COPCs as noted in this PSI should be undertaken. To address potential identified AECs and COPCs, a detailed site investigation (DSI) including intrusive soil sampling and testing is recommended”

Accordingly, a Detailed Site Investigation (**Appendix 18**) was undertaken by Martens & Associates, which concludes

“This DSI has identified asbestos containing material fragments both at the site surface and within shallow fill material at the site, which will require remediation and/or management before the site is considered suitable for the proposed commercial development.

... A Remediation Action Plan (RAP) will be required for the site to guide the remediation of identified asbestos contamination. Current site data has confirmed that asbestos is present in fill material at shallow depths or on the ground surface.”

(p.28, **Appendix 18**)

Subsequently, a Remedial Action Plan (**Appendix 19**) was prepared, outlining a Remediation Plan (see Section 7 of RAP), Site Management Plan for Remediation (see Section 8 of RAP), Compliance with Environmental Regulatory Requirements (see Section 9 of RAP) and a Contingency Plan for Remediation and Redevelopment (see Section 11 of RAP).

“This RAP provides data gap closure, remediation and validation methodology to manage risk posed by contamination and render the site suitable for the proposed development.

Subject to the findings of the data gap assessment and validation assessment works to confirm the successful implementation of the remediation strategy outlined in the RAP, the site may be considered fit for the proposed commercial subdivision.”

(p.38, **Appendix 19**)

5.3.2.3 State Environmental Planning Policy (Infrastructure) 2007

The proposed development is identified as traffic generating development under Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007.

The updated Traffic and Parking Assessment Report details:

“It is pertinent to note that despite Clause 101(2a) of SEPP (Infrastructure) 2007 which states that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that, “where practicable, vehicular access to the land is provided by a road other than the classified road”, RMS (now TfNSW) provided “in principle” support to a left-in/left-out access arrangement on Elizabeth Drive to the potential future service station and fast food premises only, given that service centres cater primarily for passing traffic....on the condition that there is no vehicular connection from the proposed service station and fast food premises to other developments proposed on the site.

As noted in the foregoing however, despite giving in principle support to a new slip lane access directly off Elizabeth Drive into the site on the previous concept scheme (for the service station lot only), TfNSW have since withdrawn their support for direct access (both entry and exit) due to the Elizabeth Drive upgrade works and the potential to impact road safety and network efficiency.

All vehicular access is now proposed to be provided via the abovementioned new local through the site, via the new Wallgrove Road. The proposed new local road will have a road reservation width of 20m, with a carriageway width of 13m, consistent with the Council’s DCP 2013 requirements for “industrial” subdivision roads.” (bold added)

(p.9, **Appendix 20**)

5.4 Local Matters

5.4.1 Fairfield Local Environmental Plan 2013 (FLEP 2013)

The subject comprehensive local planning instrument has no effect in respect of land located in the Western Sydney Parklands.

As such the relevant provisions of FLEP 2013 do not apply to the subject site.

5.4.2 Fairfield City Wide Development Control Plan - 2013 (FCWDPC)

This comprehensive plan applies to all land within Fairfield City with the exception of certain town centres and outlines detailed controls in support of FLEP 2013.

It has been previously noted that the site is not subject to the provisions of FLEP 2013. Further, at clause 1.3.1 the DCP notes that by virtue of Clause 6A of *Western Sydney Parklands State Environmental Planning Policy 2009* the FCWDPC does not apply to the subject site.

5.5 Policies and Guidelines

5.5.1 NSW State Plan

The NSW State Plan sets out a 10-year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen the local environment and communities. Improving the performance of the NSW economy is a key objective of the State Plan which seeks to grow business investment by an average of 4% per year to 2020 and Gross State Product per capita by 1.5% per year on average.

Some of the actions the plan commits to in respect of investment, jobs and infrastructure are congruent with the proposal.

5.5.2 Greater Sydney Region Plan - A Metropolis of Three Cities

The subject plan was released in March 2018 and is the current Metropolitan Plan for Sydney. It sets the 40-year vision up to 2056 and provides a 20-year plan to manage growth and change in Sydney.

The amended proposed development is noted to be proximate and connected to the major Western City Airport focus of the Western City and capable of leveraging off existing and proposed infrastructure and contributing to the influence of the proposed Aerotropolis. Further, it specifically stands to benefit and integrate with the companion State Infrastructure Strategy 2018-2038 and Future Transport Strategy.

The proposal is importantly consistent with the key directions in respect of; inter alia, infrastructure and collaboration, liveability, productivity and sustainability.

5.5.3 Western City District Plan

The Western City District Plan (WCDP) was released in March 2018 and provides a 20 year plan to manage growth in the context of economic, social and environmental matters to achieve the vision for Greater Sydney at a District Level.

It is founded on 10 Directions, in a manner consistent with the Greater Sydney Regional Plan and reflected in Key Priorities and Actions.

As with the Greater Sydney Region Plan the proposal in the WCDP context is seen to be consistent with the key directions in respect of: infrastructure and collaboration, liveability, productivity and sustainability and in particular:

Planning Priority W1	Planning for a city supported by infrastructure
Planning Priority W2	Working through collaboration
Planning Priority W3	Providing services and social infrastructure to meet peoples changing needs.
Planning Priority W7	Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City
Planning Priority W8	Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis
Planning Priority W9	Growing and Strengthening the Metropolitan Cluster
Planning Priority W10	Maximising freight and logistics opportunities and planning and managing industrial and urban services land
Planning Priority W11	Growing investment, business opportunities and jobs in strategic centres.
Planning Priority W12	Protecting and improving the health and enjoyment of the District's waterways.
Planning Priority W15	Increasing urban tree canopy cover and delivering Green Grid connections.
Planning Priority W19	Reducing urban emissions and managing energy, water and waste efficiently.

5.5.4 Western Sydney Parklands Plan of Management 2020

The *Western Sydney Parklands Plan of Management 2020* (adopted by the Minister for Western Sydney on 25 January 2011) provides a framework for the operation and development of the Western Sydney Parklands.

The Strategic Directions for *Parklands Development and Management* outlines a desire to “Develop new business opportunities to support the management and further development of the Parklands” and “Allow for new infrastructure/utilities and achieve a balance between the recreation and aesthetic values of the Parklands and the infrastructure needs of external agencies.

The site is located within Precinct 11 - Cecil Park North, which occupies 65ha of bushland and rural residential lands. This plan identifies the Precinct is isolated from the main Parklands corridor as a result of the M7 motorway and Elizabeth Drive.

It is noted the PoM 2020 has been superseded by the current PoM 2030, however given the nature of this application over the life of the PoM, this EIS acknowledges historical amendments to the plan.

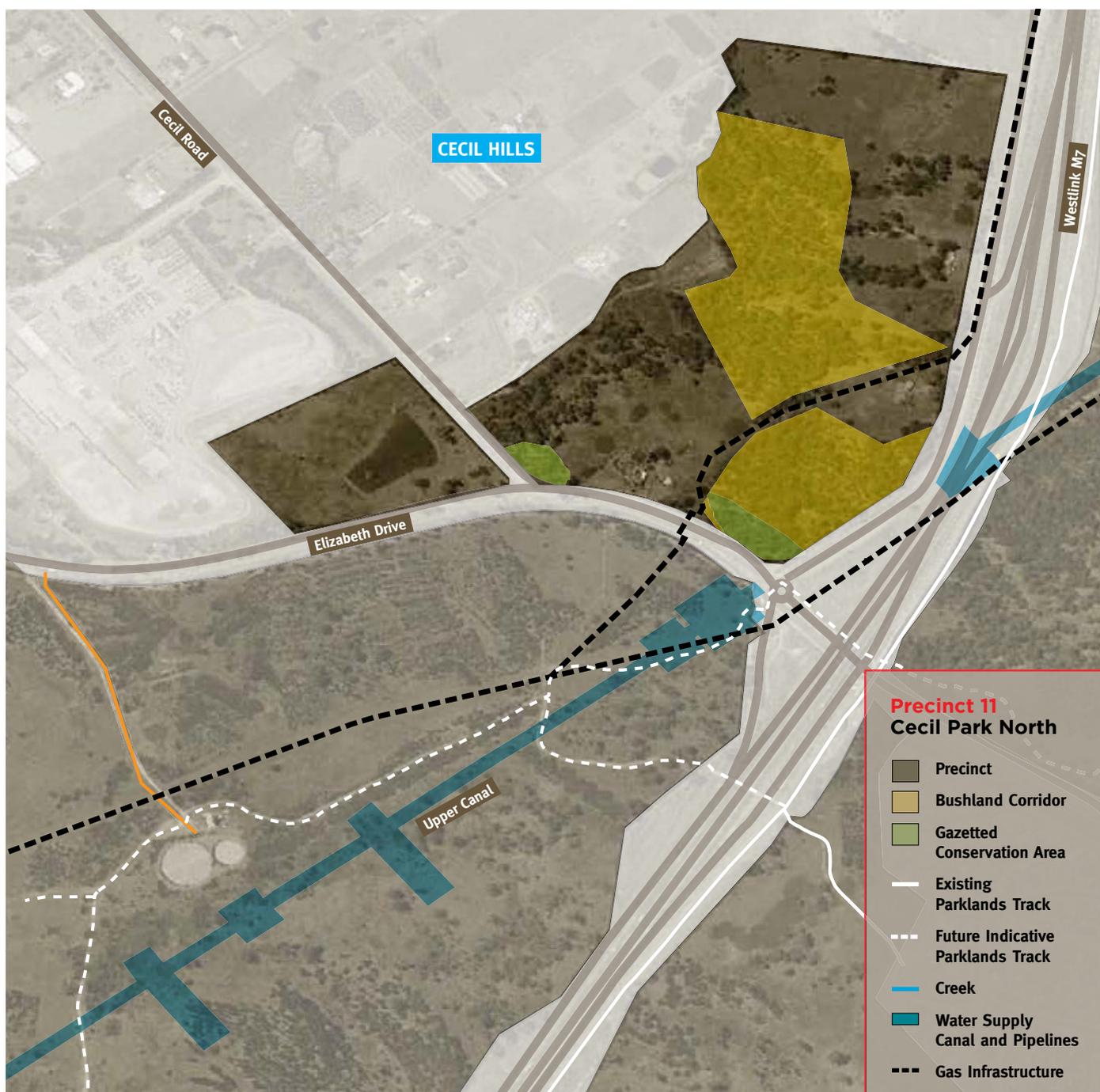


Figure 10: Map of Precinct 11 - Cecil Park North (WSP Plan of Management 2020, p.67)

5.5.4.1 Plan of Management 2020 - Supplement

On 2 March 2014, the Minister for Environment adopted an amendment to the *Plan of Management 2020* known as The Plan of Management Supplement for Western Sydney Parklands (the Supplement).

The purpose of the Supplement is to detail “the ways in which better use of the Parklands’ assets and innovative thinking will enable the Trust to achieve the \$20 million per annum required to manage and develop the Parklands in the long term” with particular relation to the proposed locations for business hubs throughout the Parklands.

Following a series of correspondence with the WSPT, the amended proposal no longer proposes development for the purposes of a subdivision to facilitate a business hub within the Parklands.

The amended proposal aligns with the land use opportunities for tourism and associated facilities to:

- *deliver sustainable management of the Parklands Trust’s assets*
- *maximise the use and community benefits of existing and new leased assets in the Parklands;*
- *develop new business opportunities to support the management and further development of the Parklands; and*
- *allow for new infrastructure/utilities and achieving a balance between the recreation and aesthetic values of the Parklands and the infrastructure needs of external agencies.*

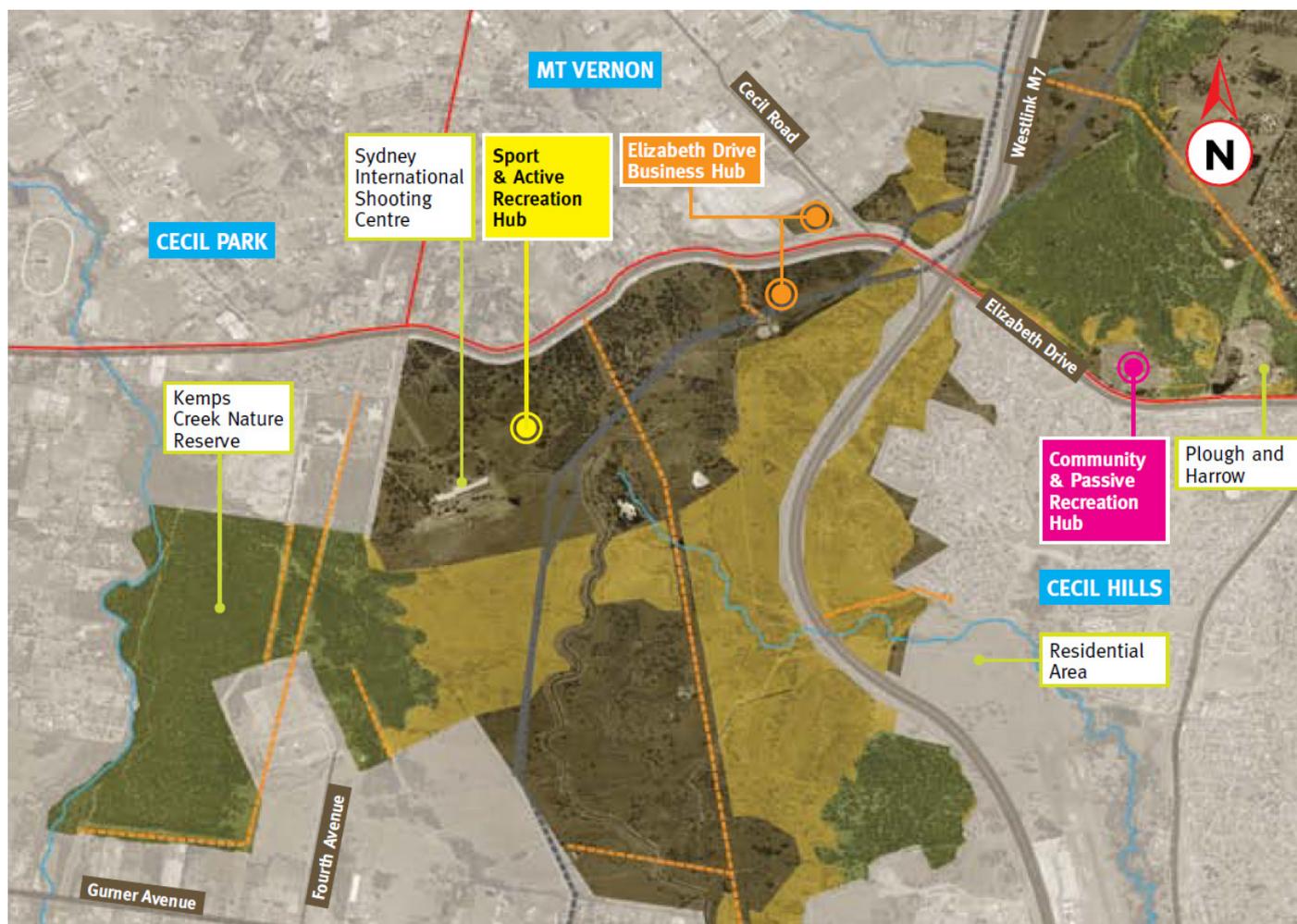


Figure 11: Precincts 12-16 (WSP Plan of Management 2020 - Supplement, p.21)

5.5.4.2 Plan of Management 2030

The current Plan of Management 2030 was adopted by the Minister for Environment and Heritage on 17 December 2018.

The amended proposal resonates strongly with the following principles identified in the Draft Plan of Management 2030:

Principle	Proposed Development
<p>Principle 1</p> <p>Protect natural environmental values:</p> <p>deliver environmental benefits and protect environmental values through sustainable park management</p>	<p>On May 2020, the landowners were approached by TfNSW to compulsory acquire 26,617m² of the site to facilitate the re-alignment of Wallgrove Road.</p> <p>A Revised Subdivision Plan can be found on Drawing Sheet DA05 in the Drawing Package at Appendix 9 illustrating extent of acquired land. A revised BDAR has also been prepared by GHD at Appendix 10.</p> <p>The former site boundaries were occupied by a mix of native and non-native vegetation, where majority of such species were located at the northern and north-western boundaries. Approximately 2.35ha of threatened species PCT 849 - Grey Box - Forest Red Gum grassy woodlands were located within the former site boundary.</p> <p>The original proposal sought to impact 2.35 ha of PCT 849 (GHD 2018). This amount was reduced to 2.00 ha in October 2019 following consultation with DPIE on an acceptable quantum of impacts. This amount has been further reduced to 1.15 ha in the current BDAR, taking into account the constraints associated with the proposed land acquisition for the M12 Motorway, while still achieving a viable development.</p>
<p>Principle 2</p> <p>Respond to the needs of new and existing communities:</p> <p>be accessible and safe for people of all ages, cultural groups, and abilities</p>	<p>The amended application does not propose development for the purposes of a Business Hub within the Western Sydney Parklands. The amended application provides opportunities for tourism and associated facilities consistent with the land use opportunities outlined in Precinct 11: Cecil Park North.</p> <p>In October 2019, intended future land uses were provided to the Department for comment. Intended future land uses are as follows:</p> <ul style="list-style-type: none"> • Highway service centre • Food and drinks premises • Eco-tourist facility • Tourist and visitor accommodation • Recreation Areas • Recreation facilities (indoor) • Recreation facilities (outdoor) • Recreation facilities (major) • Information and education facility <p>We note there have been no disagreement to date regarding the intended future land uses provided to the Department on 22 October 2019.</p>

<p>Principle 3</p> <p>Build a strong identity:</p> <p>promote community awareness, visitation and engagement</p>	<p>The amended proposal ensures boundaries for the public domain, that is pedestrian paths and roads, are easily distinguishable and are defined by landscaped nature strips.</p> <p>Subject to development applications on each lot, territorial reinforcement can be achieved by:</p> <ul style="list-style-type: none"> • providing landscapes that channel and group pedestrians to generate activity; • providing clear transitions and boundaries between public and private spaces; and • design cues such as landscaping, to distinguish who and what the space is used for without making public spaces private spaces.
<p>Principle 7</p> <p>Co-locate complementary land uses:</p> <p>create dynamic, activated places meeting a wide range of community needs</p>	<p>The proposal seeks to undertake enabling/preparatory works facilitate the ultimate development of a mixed-use Business Hub comprising 12,324 sqm of gross floor area across 14 allotments incorporating a range of land uses including a highway service centre (including a service station and fast food premises); industrial and urban services (including logistics and warehousing organisations); large format retail; and short-term accommodation.</p> <p>See Section 3.0.</p>
<p>Principle 8</p> <p>Be accessible to visitors:</p> <p>attract local and city-wide visitors traveling via active, private and public transport.</p>	<p>There are few other opportunities to leverage off the Western Sydney Parklands surplus lands areas generally located on the - side of the M7 Motorway that are not subject to flooding constraints, environmentally sensitive lands, poorly accessed or highly visible within the main Park area.</p> <p>The proposal seeks to capitalise on the unique setting and in doing so deliver local and district service outcomes at an early stage in the evolution of the broader Aerotropolis influenced precincts.</p>
<p>Principle 10</p> <p>Contribute to the economic development of Western Sydney:</p> <p>encourage and boost the visitor economy on local, regional and international scales.</p>	<p>Proposed development on the site will contribute to the economic development of Western Sydney on the grounds that:</p> <ul style="list-style-type: none"> • Development provides a range of complementary land uses; • Proximity to the Western Sydney Aerotropolis which will provide: <ul style="list-style-type: none"> • 11,346 jobs during the construction phase; • 27,947 jobs in the operation phase (2031); and • 47,474 jobs in the operation phase (2041). • Proximity to the Western Sydney Employment Area (approximately 3 kilometres east); • Provision of Jobs during both construction and operational phases: <ul style="list-style-type: none"> • Construction Phase: 107 FTE jobs • Operational Phase: 490 FTE jobs



Figure 12: Map of Precinct 11 - Cecil Park North (Draft WSP Plan of Management 2030, p.75)

5.5.5 Fairfield Employment Lands Strategy 2008 (FELS)

The Fairfield Employment Lands Strategy 2008 was prepared to provide a vision and an appropriate framework (through DCP and LEP amendments) to attract employment generating uses into the Fairfield LGA. It sets out a number of recommendations and guiding principles for industrial and employment lands.

The ELS identified a number of key guiding principles for industrial and employment lands within the LGA, with the following considered of relevance to The Proposal;

- *Promotion of a robust and diverse employment area, particularly urban services which support the surrounding residential population.*
- *Preserve zoned land that can accommodate relatively large floor plates (large sized lots) and that highly accessible to the surrounding road network.*
- *Encourage the clustering of businesses to reduce land use conflicts, improve business efficiency and identity.*
- *Consider bulky goods retailing outside of commercial centres and within industrial precincts where exposure and accessibility to arterial roads is available.*

Although the FELS does not apply to the WSP SEPP it is noted that the proposal aligns with the strategic vision of the FELS; namely;

- *The Site is strategically located on the corner of Elizabeth Drive and the M7 Motorway which are both major arterial roads.*
- *The Proposal envisages a variety of uses to service the surrounding population.*
- *The Site is large and can there accommodate a number of large sized lots for a variety of land uses.*
- *The Proposal will allow for a number of similar uses to cluster (service centre uses, urban services).*
- *The small component of bulky goods proposed on the Site is considered appropriate given the high level of exposure and strong accessibility given its location.*

The proposed development is therefore considered to provide an outcome that is consistent with the Fairfield Employment Lands Strategy 2008.

5.5.6 Fairfield Retail and Commercial Centres Study 2005 (FR&CCS)

The Fairfield Retail and Commercial Centres Study 2005 presents the findings of a study and strategy for the four major retail/commercial centres in Fairfield, being Fairfield CBD, Cabramatta, Bonnyrigg Town Centre and Prairiewood.

The related policy seeks to avoid “unacceptable economic impacts” on existing/planned centre development that may arise from “unplanned” retail and commercial development.

The proposal in **Section 6.7** and **Appendix 23** is identified to provide a strong positive economic impact (compared to the Base Case) and unlikely to adversely impact existing markets.

5.5.7 Development Near Rail Corridors and Busy Roads - Interim Guideline

The aim of the Guideline is to assist in reducing the health impacts of rail and road noise and adverse air quality on sensitive development adjacent to rail corridors and busy roads. Whilst the site is adjacent to the M7/Wallgrove Road corridor (which is a busy road), the proposed development is for principally commercial development (which is not a sensitive development). As such, the guideline is not relevant to the proposal, with the exception of the short-term accommodation.

The design and integration of noise attenuation measures can be readily embraced with the any future detailed development on the site.

6.0 Environmental Impact Assessment



6.1 Biodiversity

6.1.1 Original Findings

A Biodiversity Development Assessment Report (BDAR) was undertaken by GHD Pty Ltd for the original application to identify the potential impacts of the proposed development on biodiversity values within the subject site. Such assessment was undertaken in accordance with the Biodiversity Assessment Method (BAM).

The relatively small site is noted to be characterised by a patch of modified native vegetation surrounding cleared land and a residential dwelling. The proposal is further noted to have been purposefully designed to minimise impacts upon biodiversity values as far as is practicable.

The assessment concluded that the proposal would result in the following impacts:

- Removal of 2.35 ha of PCT 849 – Grey Box – Forest Red Gum grassy woodland on flats, which is listed as Cumberland Plain Woodland in the Sydney Basin Bioregion CEEC under the BC Act and Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest CEEC under the EPBC Act.
- Removal of 2.35 ha of assumed habitat for the threatened flora species; *Pultenaea pedunculata*.
- Removal of 2.35 ha of assumed habitat for the Bush Stone-curlew, Cumberland Plain Land Snail and Southern Myotis.
- Potential indirect impacts to adjoining vegetation associated with edge effects, light spill, noise and introduction of weeds and pathogens.

It was further concluded that threatened flora and fauna species could not reliably be excluded from occurring on the subject site based on the nature of the survey to date, as such they were assumed to be present in accordance with the BAM. Impacts on any threatened biota listed under the Fisheries Management Act, 1994 were, however, excluded.

A biodiversity assessment and credit calculations were performed in accordance with the BAM (OEH 2017a) and using credit calculator version 1.21 established that the following credits are required to be retired to offset the impacts of the proposal:

- 100 ecosystem credits to offset impacts to 2.35 ha of PCT 849 – Grey Box – Forest Red Gum grassy woodland on flats of the Cumberland Plain.
- 80 species credits to offset impacts to 2.35 ha of assumed Bush Stone-curlew habitat.
- 80 species credits to offset impacts to 2.35 ha of assumed Cumberland Plain Land Snail habitat.
- 80 species credits to offset impacts to 2.35 ha of assumed Southern Myotis habitat.
- 40 species credits to offset impacts to 2.35 ha of assumed Matted Bush-pea habitat.

Other threatened species identified as potentially being impacted by the proposal are ecosystem credit species which would be offset through the retirement of the above listed ecosystem credits.

Impacts to a total of 3.66 ha would not require offsetting as this area is not native vegetation as defined in the BAM and comprises exotic vegetation or cleared land that currently contains buildings, infrastructure and dumped fill.

To avoid and minimise potential impacts of the proposal on biodiversity, a series of mitigation and management measures have been identified, which would be implemented as part of the construction environmental management plan for the site.

The preferred approach to offset the residual impacts of the proposal is to secure and retire appropriate credits from stewardship sites that fit within the trading rules of the BOS in accordance with the 'like for like' report generated by the BAM calculator. If such credits are unavailable, credits would be sourced in accordance with the 'variation report' generated by the BAM calculator.

A payment to the Biodiversity Conservation Trust would only be considered if a suitable number and type of biodiversity credits cannot be secured from third parties.

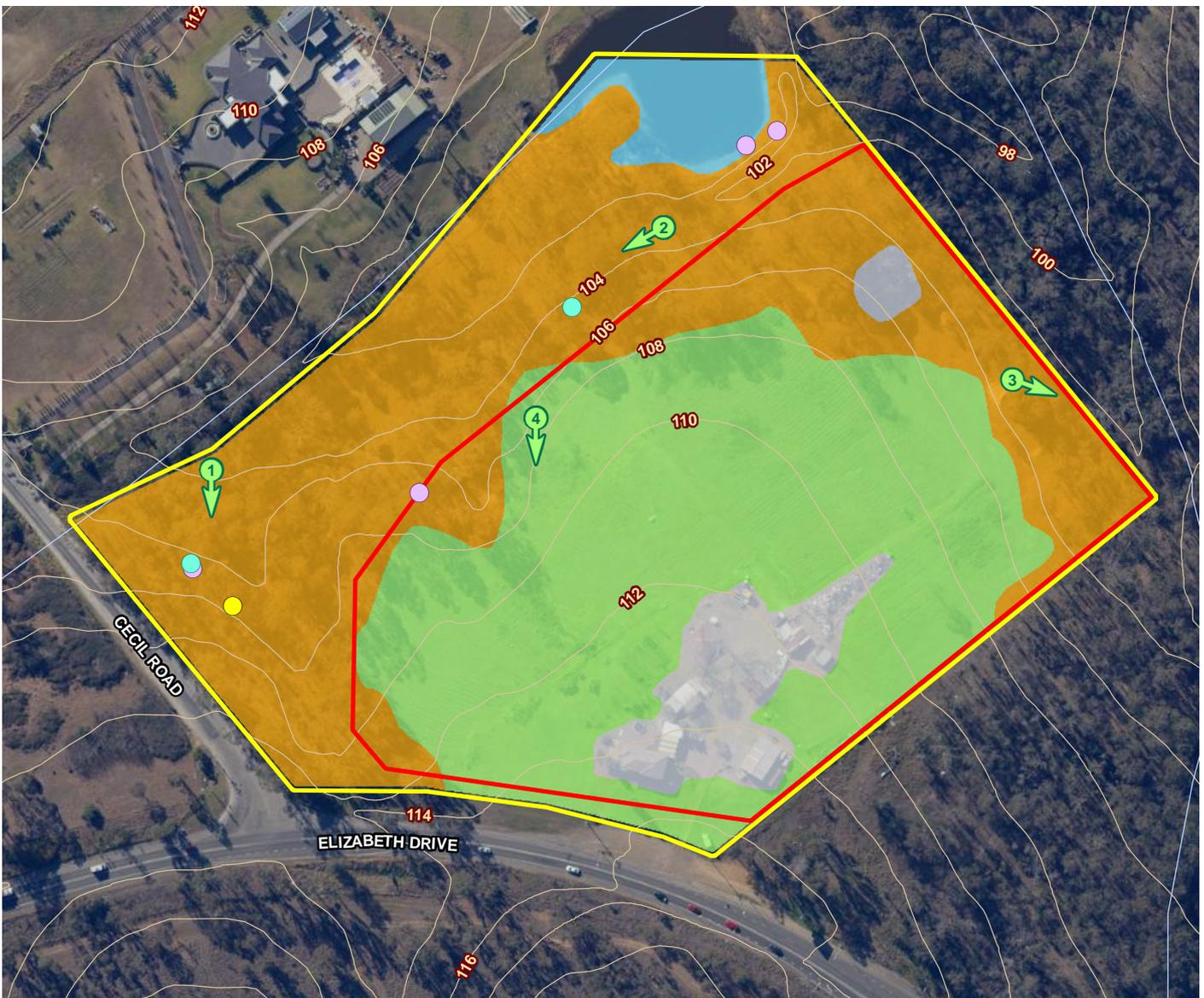
No assessment of significance of impacts to Cumberland Plain Shale Woodlands and Shale-Gravel Transition Forest CEEC listed under the EPBC Act (PCT 849) has been completed to date. An assessment of significance would be required and should be included in a referral of the project to the Commonwealth Minister for the Environment.

6.1.2 Amended Proposal

A revised Biodiversity Development Assessment Report (BDAR) was undertaken by GHD Pty Ltd (Refer to **Appendix 10**) to identify the potential impacts of the proposed development on biodiversity values within the revised site boundaries. Such assessment was undertaken in accordance with the Biodiversity Assessment Method (BAM).

The amended proposal would result in impacts to one plant community type (PCT) comprising removal of 1.15 hectares (ha) of PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats of the Cumberland Plain, Sydney Basin Bioregion (HN528, Moderate).

A map of existing vegetation and habitat resources is produced below as **Figure 13**.



LEGEND

- | | | |
|-----------------------|---|--|
| Study Area | Waterways | Waterbody |
| Revised Site Boundary | Buildings, Infrastructure and Dumped Fill | PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats |
| Contours | Exotic Grassland | |

Figure 13: Map of Existing Vegetation and Habitat Resources (Amended BDAR prepared by GHD)



Summary of Impacts

The revised assessment concluded the proposal would result in the following impacts:

- Removal of 1.15 ha of PCT 849 – Grey Box - Forest Red Gum grassy woodland on flats, which is 1.2 ha (or 51%) less than the original proposal.
- Removal of 1.06 ha of known habitat for the Southern Myotis.
- Potential indirect impacts to adjoining vegetation associated with edge effects, light spill, noise and introduction of weeds and pathogens.

The proposal would not impact any threatened biota listed under the *Fisheries Management Act 1994*.

A BAM assessment and credit calculations was performed in accordance with the methodology (OEH 2017a) and using credit calculator version 1.2.7.4.

Credits required to be retired to offset the impacts of the proposal include:

- 48 ecosystem credits for impacts on PCT 849 – Grey Box - Forest Red Gum grassy woodland on flats.
- 36 Southern Myotis species credits.

Similarly with the original application, other threatened species identified as potentially being impacted by the proposal are ecosystem credit species which would be offset through the retirement of the above listed ecosystem credits. The BDAR notes a review by OEH and/or the BCT is required to verify inputs into the BAM calculator tool to determine the final credit impact score.

Avoid/Minimise Measures

Comments from the original findings remain applicable to the amended proposal.

Assessment of Significance

An assessment of significance has been prepared. The outcome of this assessment is that the proposal is unlikely to result in a significant impact on this MNES, however to minimise risk to the project, and to gain certainty, it is recommended that the proposal be referred to the Commonwealth Environment Minister for assessment. Should the proposal be considered a controlled action, additional offsets may be required.

6.2 Bushfire Hazard/Management

6.2.1 Original Findings

The site is designated as bushfire prone due to the presence of bushfire prone land within and adjoining the site (as per Fairfield City Council mapping), confirmed in the Bushfire Assessment prepared by GHD for the original application. The presence of bushfire prone vegetation within and adjoining the subject site (to the east). The Assessment was prepared (in accordance with the provisions of Planning for Bushfire Protection) having regard to:

- The subdivision layout and intended use
- Vegetation classification
- Slope
- Environmental values
- Threatened fauna and flora
- Aboriginal cultural heritage values

Table 12: Original APZ Defendable Space Dimensions

Vegetation	Slope Class	APZ	Lots
Woodland	Upslope/ Flat	10 m	1, 9 and 14 (northern boundary) 8 (northern and eastern boundary) 7 (eastern boundary)
Woodland	>0-5 degrees	15 m	4-6 (southern boundary)

The original assessment concluded that:

- Management of APZ's will meet and largely exceed the requirements of standards for Asset Protection Zones (NSW RFS 2005)
- That satisfactory access and egress for emergency services personnel and people is available
- Utility services can be readily provided to meet the needs for firefighting.

Finally, the original assessment noted:

- The PBP objectives in respect of APZs is achieved
- Safe operational access and egress for emergency service personnel and residents is available
- Provision is made for ongoing management and maintenance of bushfire protection measures, including fuel loads in the APZs.
- Adequate utility services to meet the needs of fire fighters (and others assisting in bushfire fighting) are proposed.

A summary of compliance with the objectives of PBP and demonstration of adequacy for the issuance of a bushfire safety certificate is provided in Table 3 of the original Bushfire Assessment report.

5.2.2 Amended Proposal

A revised Bushfire Assessment (**Appendix 21**) has been prepared in response to the proposed lot boundary changes as a result of the acquisition of a portion of the site proposed by TfNSW to accommodate the new Wallgrove Road easement associated with the M12 Motorway. This has been added as a constraint to the potential bushfire impacts under *Section 2.2* of the revised report.

Asset Protection Zones

Table 13: Revised APZ Defendable Space Dimensions

Vegetation	Slope Class	APZ	Lots
Woodland	Upslope/ Flat	12 m	11 (north-eastern boundary) 10 (eastern boundary)
Woodland	>0-5 degrees	16 m	6, 7, 8, 9 and 10 (southern - eastern boundary)
Woodland (interim, to be developed)	Upslope/ Flat	12 m	1, 3, 4 and 5* (north-western boundary)

*Should any of Lots 1, 3, 4, and 4 be developed after clearing of vegetation for the future M12 is completed, the APZ will no longer be required.

APZs within the proposed development will largely comprise of landscaped areas (to the north) and hardstand areas surrounding commercial/industrial buildings. As such there is little opportunity for fuel hazards to accumulate. Therefore management of APZs will meet and largely exceed the requirements of Standards for Asset Protection Zones.

Access

Access to lots will be available via the M12 to be developed on the northern and western borders of the block. This road is to be constructed to meet the width specifications set out in the PBP (Table A3.2, NSW RFS 2019), and be a two-wheel drive, all weather road.

Water/Utilities

For each lot, a dedicated accessible water supply is to be located on-site in compliance with the conditions set out in Section 3.4.1. Gas and electricity can be installed to limit the potential for ignition to bushland.

Special Fire Protection Purpose Uses

The revised Bushfire Assessment also identifies bushfire constraints associated with potential future use for some lots to have Special Fire Protection Purpose uses such as short term or tourist accommodation and other purposes described under the Rural Fires Act 1997.

Individual lots to be developed for SFPP will require referral of the DA to the NSW Rural Fire Service for the issue of a Bush Fire Safety Authority. At DA stage for development of individual lots, bushfire risk considerations applicable for SFPP development will require assessment if SFPP development is being proposed.

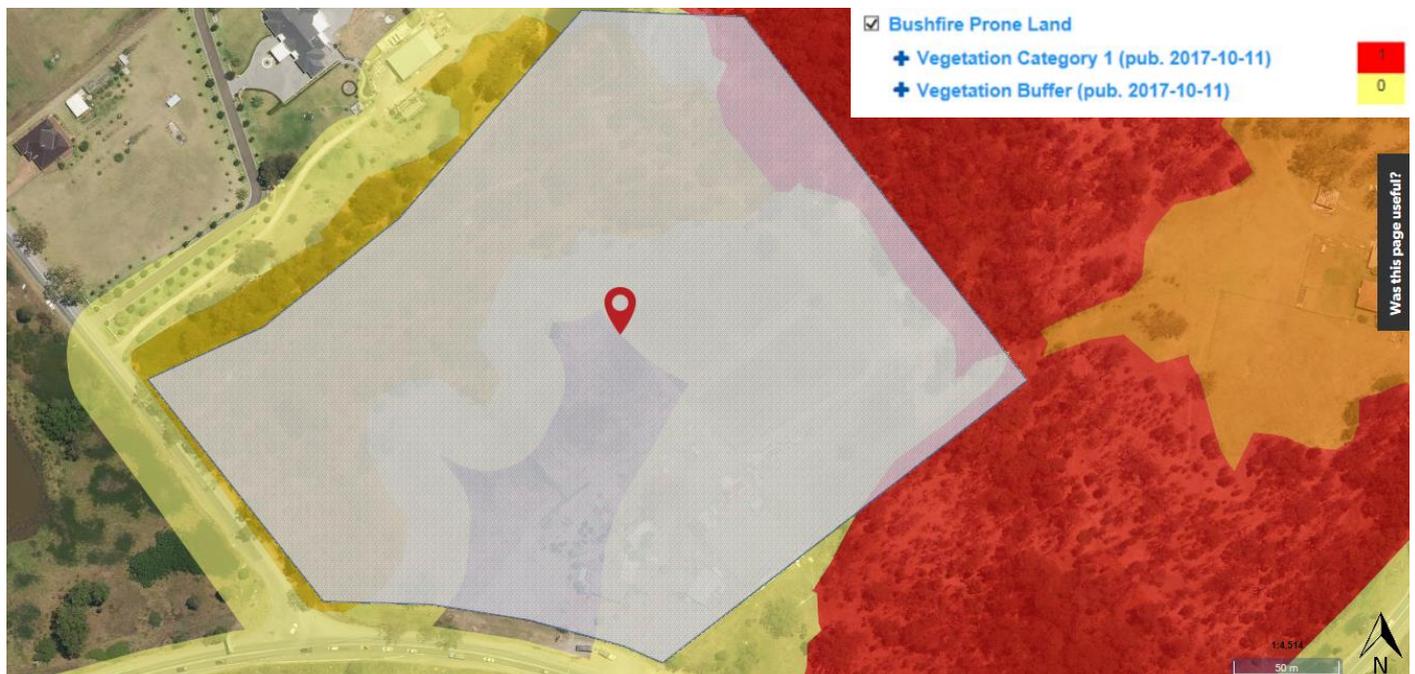
Additional requirements for SFPP development are set out in Table 5 of the report.

Table 14: Revised APZ Defendable Space Dimensions for SFPP

Vegetation	Slope Class	APZ	Lots
Woodland	Upslope/ Flat	42 m	11 (north-eastern boundary) 10 (eastern boundary)
Woodland	>0-5 degrees	50 m	6, 7, 8, 9 and 10 (southern - eastern boundary)
Woodland (interim, to be developed)	Upslope/ Flat	42 m	1, 3, 4 and 5* (north-western boundary) (interim APZ, to be extinguished following M12 development)

* Lots 1, 2, 3, 4 and 5 would be suitable for SFPP development once vegetation clearance works for the future M12 development has been completed.

In summary, conclusions from the original findings remain applicable to the amended proposal.



LEGEND

-
- Site Boundary
-
- Waterway
-
- Cadastral
-
- PCT 849 - Grey Box - Forest Red Gum grassy woodland on flats
-
- Bushfire Vegetation Buffer

Figure 14: Bushfire Prone Land

6.3 Stormwater Management and Dams

6.3.1 Original Findings

The key impacts on stormwater quality of development as proposed will relate to sediments from disturbed/cleared areas during the construction phase and litter and pollutants from developed lots. Further, pollutants may also arise from the proposed roadway and trafficked areas of the development.

Appropriate sedimentation and erosion control measures and astute civil works practices will be a key to minimising adverse stormwater quality impacts during the formative/preparatory subdivisional works.

A Stormwater Management Plan has been prepared to ensure appropriate water quantity and quality outcomes. It has been informed by the principles of Water Sensitive Urban Design and forms Appendix 'B' of the Assessment reproduced as **Appendix 12**.

The key components of the subject stormwater management plan include:

The stormwater runoff and pollution loads modeling results are produced in the following tables:

Table 15: Site Runoff

Scenario	20% AEP	1% AEP
Pre-Development	1.18	2.70
Post Development	1.15	2.55

Table 16: Stormwater Pollution Loads (total site)

Description	Developed Condition Load	Developed Post Treatment	% Reduction improvement relative to Developed	Western Sydney Technical Guidelines % treatment target*
Flow (ML/yr)	23.4	22.4	4.4	N/A
Total Suspended Solids (kg/yr)	4010	324	92	80
Total Phosphorus (kg/yr)	7.64	3.22	58	55
Total Nitrogen (kg/yr)	46.2	20.7	55	40
Gross Pollutants (kg/yr)	439	0	100	90

The stormwater outcomes importantly meet the Fairfield Citywide Development Control Plan 2013, requirements with regard to flooding and stormwater management.

A detailed commentary in respect of the management of the on-site dams in acceptable environmental and engineering terms are detailed in Appendix 'C' of the Assessment reproduced in the original Stormwater, Flooding and Dams report prepared for the original application.

Retention of the dam to the north

Disused Dam

A disused dam is located in the middle of the site where the wall of the embankment has been breached from both the upstream side and the downstream side. No water is stored in the dam.

The embankment will be removed and this material will be compacted into the disused dam storage area.

North Eastern Dam

The site extends through a portion of the dam on the north-eastern corner of the site which is believed to have shared ownership with adjacent property directly to the site's north.

It is uncertain whether the adjacent property will wish to retain the dam, however it is not unreasonable to assume this will be the case as the dam may provide visual amenity to the property or water for irrigation (it is important to note no pumps were seen on the day of inspection).

Retention of the Dam

The retention of the dam will be subject to the NSW Dams Safety Committee (DSC) to identify any risks that might place any persons at risk, which will require an ongoing financial commitment to prepare Surveillance Reports and the like.

Removal of the Dam

In the situation where adjacent owners agree to remove the dam, the removal will require the following to be evaluated before water will need to be pumped out of the dam and the embankment be breached:

- Presence of endangered fauna and flora;
- Water quality; and
- Existence of pollutants in the dam storage area and silt.

Stormwater Management Plan

As illustrated in Figure 15 the original Stormwater, Flooding and Dams report prepared for the original application), the stormwater management plan illustrates the drainage network for the proposed development. The plan involves:

- A co-located flood detention basin and bio-retention area at the northern boundaries of the site with a basin depth of 1.8m and batters 1:4;
- Low level outlet and spillway from detention basin;
- Discharge channel from basin with low flow channel; and
- Pit/pipe drainage following proposed road network adjacent kerb and gutter.

6.3.2 Amended Proposal

A revised Concept Stormwater Management Plan has been prepared by Martens & Associates (Refer to **Appendix 11**) providing an assessment of the proposed development with respect to stormwater quantity and quality management.

Stormwater Quality

Modeling has been undertaken in accordance with Fairfield Council guidelines with the developed site based on proposed grading and subdivision layout and water quality treatment devices included to achieve adopted objectives.

The MUSIC model layout is provided in MA planset P706121PS03 drawing PS03-E700.

MUSIC modelling results indicate that post development water quality objectives will be met by the proposed stormwater treatment train. The proposed stormwater treatment train includes:

- Rainwater tanks.
- Gross pollutants traps.
- A bio-retention basin.

Further refinement of the model at detailed design stage may alter the sizes and locations of proposed treatment structures; however, performance outcomes of the final design are to achieve specification provided in this report.

Stormwater Quantity

Preliminary hydraulic calculations indicate that provision of storage achieves water quantity objectives. Detailed design of the site drainage system and OSD structures including sizes, locations, dimensions, outlet controls, overflow weirs and final volumes will need to be undertaken during the detailed design stage of the development.

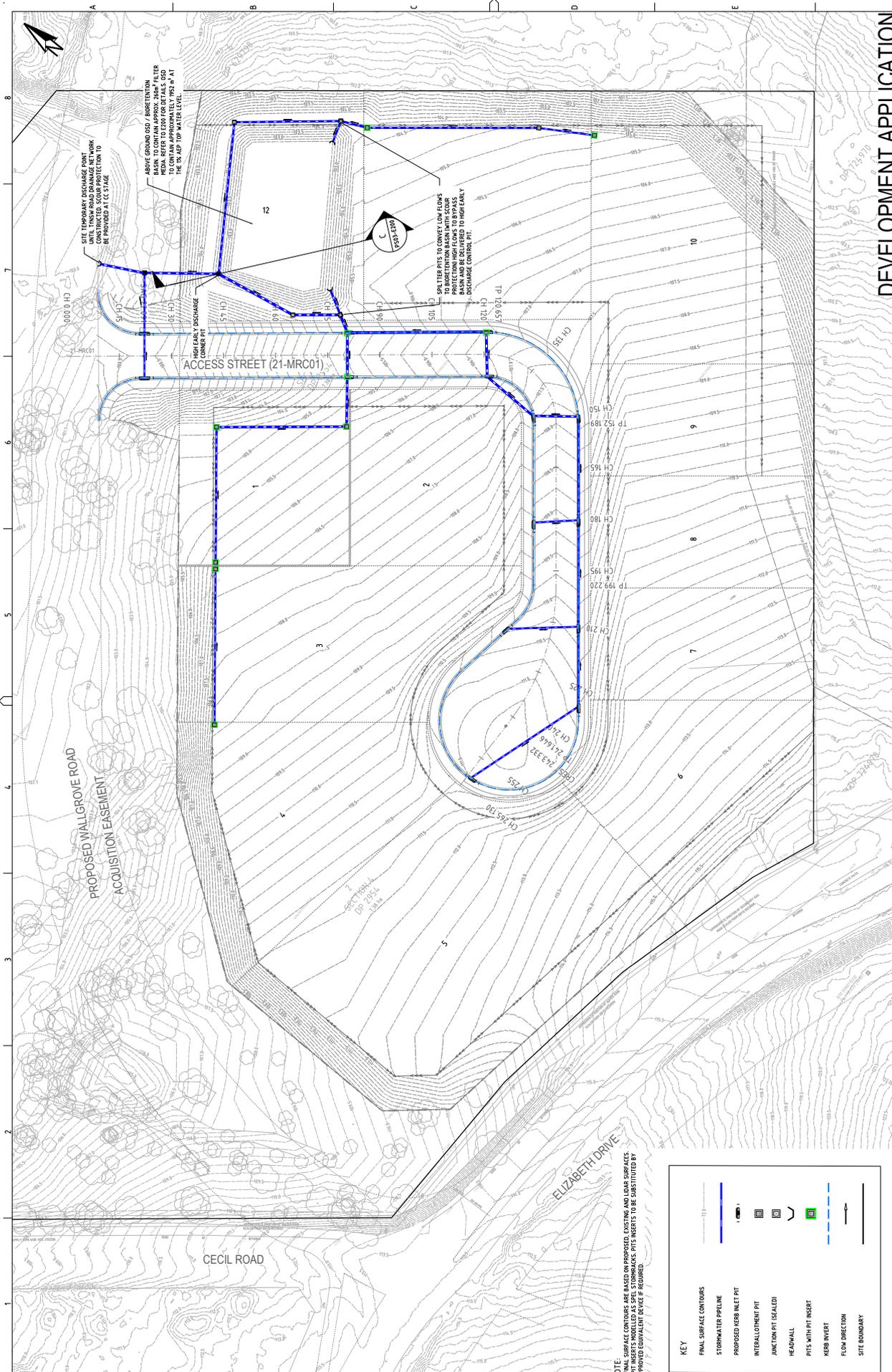
Retention of the dam to the north

In the original proposal a large dam was located in the north-eastern corner of the site. This dam is now located in the portion of the site which has been acquired by TfNSW.

Stormwater Treatment Strategy

The stormwater treatment strategy for the site aims to provide at source and end of line controls, in accordance with the principles of WSUD, to satisfy treatment objectives. Major treatment components include:

- Rainwater tanks
 - A minimum of 168 kL of rainwater tank volume will be required for the site (representing a rate of 10 kL/1000 m² of roof area) with water to be reused internally. The reuse rate applied to the rainwater tanks was 0.23 L/s/ha, this rate was determined based on values from the Water Supply Code of Australia (2002) for commercial land uses with a 50% reduction factor applied.
- Gross pollutant traps (GPTs)
 - GPTs are devices proposed to treat and capture coarse pollutants in stormwater to prevent them from travelling further downstream. GPTs function by filtering the water as it passes through the device. SPEL Stormsacks were modelled in MUSIC. The modelled treatment efficiency of the device is based on the manufacturer's specifications, equivalent pit inserts from other suppliers could be substituted.
- A bio-retention basin
 - An end-of-line bio-retention basin is proposed for the development site (to be configured with an OSD basin), allowing contaminants in stormwater runoff to be removed via settling, filtration and adsorption.. Location of the bioretention basin is shown on MA planset P1706121PS03 drawing PS03-E100 with additional details on drawing PS03-E200.



NOTE:
 FINAL SURFACE CONTOURS ARE BASED ON PROPOSED, EXISTING AND LIDAR SURFACES.
 PIT INSERTS SHOWN AS SEE STORMWATER PITS INSERTS TO BE SUBSTITUTED BY
 APPROVED EQUIVALENT DEVICE IF REQUIRED.

DATE	DRAWN	ISSUED	CHECKED	APPROVED	SCALE
16/02/2020	JS	CG	SA	TH	AS SHOWN
06/02/2020	JG/OP	CG/AVG	SA	TH	1:500 (1:10,000)

DESCRIPTION	SYMBOL
FINAL SURFACE CONTOURS	Thin grey line
STORMWATER PIPELINE	Blue line with arrows
PROPOSED KERB INLET PIT	Black square with 'I'
INSTALLMENT PIT	Black square with 'I'
JUNCTION PIT (SEALED)	Black square with 'J'
HEADWALL	Black square with 'H'
PITS WITH PIT INSERT	Green square with 'P'
KERB INVERT	Black line with 'K'
FLOW DIRECTION	Blue arrow
SITE BOUNDARY	Black line

DEVELOPMENT APPLICATION

DRAWING NO. PS03-E100

PROJECT NO. P1706121

DRAWING NO. PS03-E100

REVISION B

DRAWING TITLE
DRAINAGE PLAN

PROJECT NO. P1706121

DRAWING NO. PS03-E100

REVISION B

PROJECT NO. P1706121

DRAWING NO. PS03-E100

REVISION B

PROJECT NO. P1706121

DRAWING NO. PS03-E100

REVISION B

Figure 16: Stormwater Management Plan (Stormwater Drainage Report)

6.4 Flooding

6.4.1 Original Findings

GHD initially noted in the Stormwater, Flooding, Dams Report for the original application dated May 2018, that the site is not identified as a flood risk precinct in accordance with Fairfield Local Environmental Plan 2013. Notwithstanding, relevant modelling was undertaken having regard to the proposed development design.

The modelling results demonstrated that in general the development proposal results in only minor flood impacts. In terms of velocity impacts in the 1% AEP event, only localised in areas increases in velocity are predicted by the flood modelling. These increases are importantly confirmed to areas within the site boundary (Refer to **Figure 17**).



LEGEND

Figure 17: Increase in Flood Levels for the Original Application



	Site Boundary		-0.2 - -0.1		0.05 - 0.10
	Cadastre		-0.1 - -0.05		0.10 - 0.20
	Existing Contours		-0.05 - -0.03		0.20 - 0.40
	< -0.67		-0.03 - -0.01		0.40 - 0.50
	-0.67 - -0.5		Not Shown		> 0.50
	-0.5 - -0.4		0.01 - 0.03		
	-0.4 - -0.2		0.03 - 0.05		

6.4.2 Amended Proposal

An assessment of the flooding impacts with the revised proposal was undertaken by GHD (**Appendix 16**) which concluded the site will be unaffected from flooding associated with the adjacent creek in events up to and including the 1 in 100 AEP flood event.

*“The revised proposal presents a slightly updated layout to accommodate proposed land acquisition for Wallgrove Road. The Wallgrove Road alignment will be along the north western boundary of the amended site and will be located between the adjacent creek and the site. On the basis that the design flood immunity for Wallgrove Road is likely to be the 1 in 100 AEP flood, the road embankment would provide a physical impediment to flooding from the creek, extending to the site. As such **the site is expected to be unaffected from flooding associated with the adjacent creek in events up to and including the 1 in 100 AEP flood event.**” (bold added)*

6.5 Noise and Vibration Impact/Management

6.5.1 Original Findings

An extensive Noise and Vibration Impact Assessment was undertaken in respect of the original development proposal by VMS Australia Pty Ltd.

The existing acoustic environment is noted to be impacted by traffic generated noise associated with the M7 motorway and related local road network.

The noise assessment concluded numerous exceedances of established acoustic amenity standards in respect of immediate residential premises and the need for the proposed development to not exacerbate such impact.

The prospect of acceptable management strategies is raised; however, the relevant detail is deferred until a more detailed knowledge of the development phase/operational environment is known.

Further reference is made to the need to secure the ultimate on-site work environment through the ultimate employment of glazing of appropriate thickness's.

Experiences in respect of vibration are likely to be limited largely to civil works phase and associated principally with the employment of rock breakers and similar. Light capacity rock breaking equipment is nominated as being desirable and the dropping of heavy objects is documented to be avoided.

Damage to nearby buildings is considered to be a remote prospect, although risk management protocols are nominated.

Seven nearby noise sensitive receivers were identified near the site (See table below).

Table 17: Nearby Representative Noise Sensitive Receivers

Receiver Number	Address	Description	Proximity from Site
1	28 Cecil Road	Residential	Within 200m
2	30-36 Cecil Road	Residential	Within 300m
3	38-42 Cecil Road	Residential	Within 300m
4	18 Cecil Road	Residential	Within 100m
5	20-22 Cecil Road	Residential	Within 100m
6	87-95 Wallgrove Road	Residential	Within 400m
7	37-73 Wallgrove Road	Residential	Within 200m

As a result of the site's topography characterised by modest slopes and fall from the south-west to the north, the nearest noise sensitive receptors generally overlook the proposed development.

It is concluded in summary that acoustic and vibration impacts associated with the interim and ultimate development phases can be satisfactorily mitigated and would not preclude the proposed development or its viability by the need for excessive mitigation measures.

M12 Motorway

The M12 Motorway is proposed by the NSW Government as part of the Western Sydney Infrastructure Plan and will provide direct access from Sydney's current motorway network to the future Western Sydney Airport at Badgerys's Creek. The M12 motorway is expected to increase road capacity, reduce congestion and travel time along neighbouring existing roads such as Elizabeth Drive.

It is unknown as to whether the M12 Motorway will have any effect on the road configuration of Elizabeth Drive in the immediate vicinity of the site.

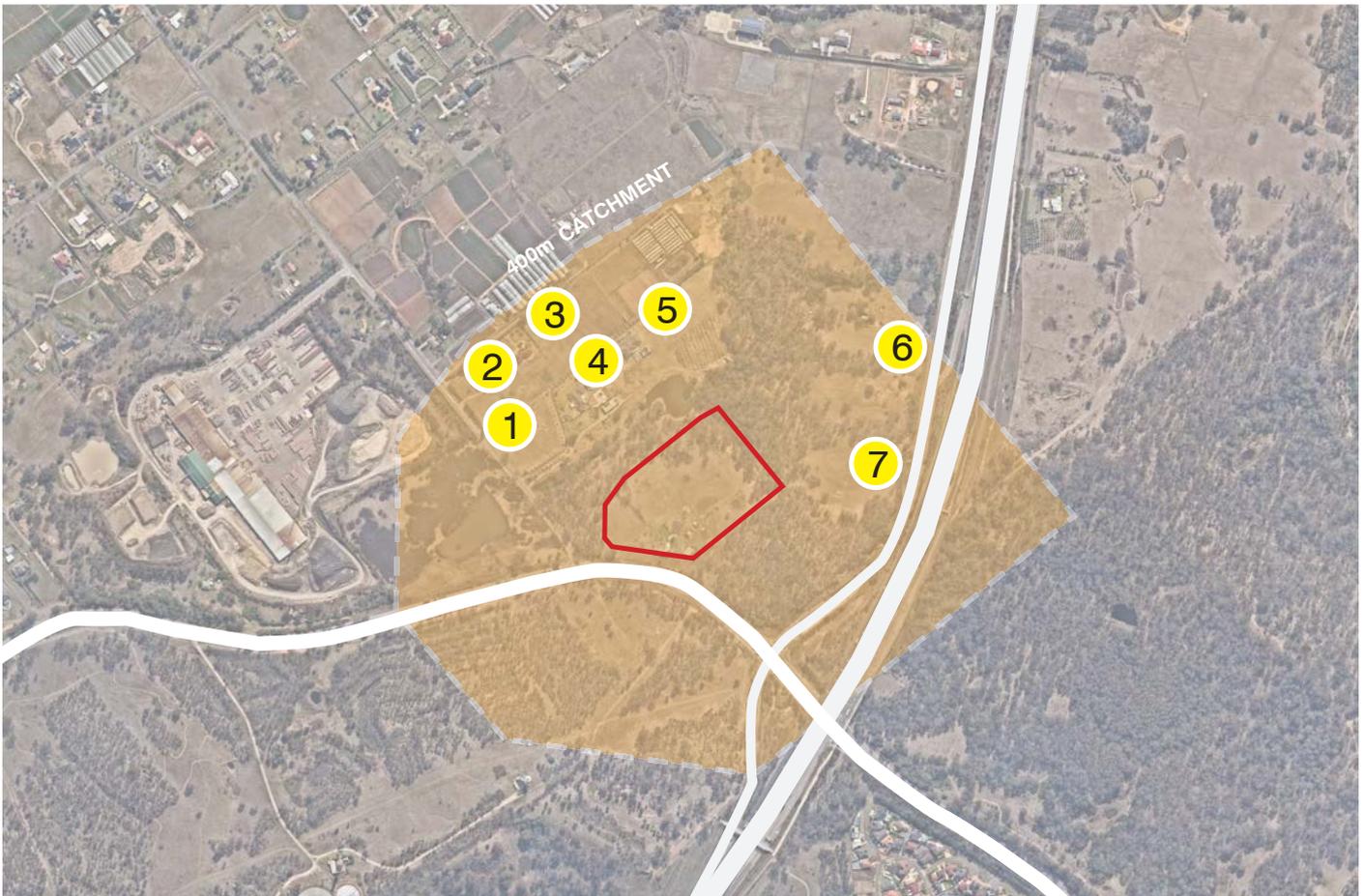
6.5.2 Review of Amended Proposal

Due to the proposed compulsory acquisition of a road easement through the original site area for the proposed M12 Motorway (proposed Wallgrove Road Acquisition Easement), the proposal has been amended based on the revised lot boundary.

VMS Australia Pty Ltd has prepared an updated Noise and Vibration Impact Assessment Review at **Appendix 22**, which concludes "*...the revised Project layout at 1111-1141 Elizabeth Drive, Cecil Park will not result in any increase to the potential noise and vibration impacts on the surrounding residential receivers*" for the following reasons:

1. The site area will see a reduction in the footprint area.
2. Reduction in commercial lots by two (2).
3. Commercial operations moving further away from identified residential receivers to the north and north-west.
4. Commercial operations would have a frontage away from residential receivers.
5. Separation between the proposed lots as a result of the proposed Wallgrove Road Acquisition Easement.

Proposed amendments to the proposal result in a reduction to the potential noise impacts to surrounding residential receivers from the operation of the revised Project compared to the findings presents in the original Noise and Vibration Impact Assessment.



LEGEND

Figure 18: Map showing proximity of noise sensitive receptors and bus routes.



- | | | | |
|---|---------------|---|---------------------|
|  | Site Boundary |  | Sensitive Receptors |
|  | Cadastral |  | 400M Catchment |

6.6 Aboriginal Cultural Heritage

6.6.1 Original Findings

An Aboriginal Cultural Heritage Assessment was undertaken by the Archaeological Management Consulting Group (AMAC) and Streat Archaeological Services Pty Ltd (SAS) for the original EIS application in 2018.

Aboriginal Consultation

Consultation was undertaken in accordance with the Office of Environment and Heritage and National Parks and Wildlife Act 1974: Part 6; National Parks and Wildlife Act Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010).

The consultation concurred with the evidence, significance and management recommendations detailed below.

Physical Evidence

Test excavation was undertaken over four days 26/03/18 – 29/03/18. The programme was conducted under the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales and consisted of the excavation of 30 test trenches (50cm x 50cm).

Test excavation resulted in the absence of any Aboriginal objects and/or deposits or features of cultural significance. Significant disturbance was encountered towards the furrowed paddocks as a result of past agricultural activity which a reformed topsoil was evident overlaying the B Horizon. Further investigation is not warranted and works may 'proceed with caution'.

Conclusion

The findings from the test excavation indicate the site to be of nil-low archaeological significance. Intact A and A2 horizons were present although the majority of the study area was disturbed from past agricultural land use. The test excavation resulted in no Aboriginal objects and/or deposits of cultural significance being located, therefore no further investigation is warranted and the development should be allowed to proceed with caution.

The recommendations for managing Aboriginal Cultural Heritage Significance proponent and the OEH;

- Consultation with the registered Aboriginal stakeholders should continue. Stakeholders have been given the opportunity to comment on the recommendations of this report and these comments are included in this report;
- An Aboriginal Cultural Heritage Management Plan should be devised as a final document for the study area when State Significant Development (SSD) archaeological and cultural constraints that may arise;

- Archaeological test excavation in accordance with Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, (DECCW 2010) revealed no Aboriginal archaeological objects or deposits: the subdivision as shown (Figures 8.1) should be allowed to 'proceed with caution';
- After this and before any ground disturbance takes place all development staff, contractors and workers should be briefed prior to works commencing on site as to their responsibilities regarding any Indigenous archaeological deposits and/or objects that may be located during the following development;

If any Aboriginal archaeological deposits and/or objects are located during the development:

- All work is to cease in the immediate vicinity of the deposits and/or objects
- The area is to be demarcated
- OEH, a qualified archaeologist and the participating RAPs are to be notified.

Should any human remains be located during the following development;

- All excavation in the immediate vicinity of any objects of deposits shall cease immediately;
- The NSW police and OEH's Enviroline be informed as soon as possible;
- Once it has been established that the human remains are Aboriginal ancestral remains, OEH and the relevant Registered Aboriginal Parties will identify the appropriate course of action.

6.6.2 Review of Amended Proposal

A revised Aboriginal Cultural Heritage Assessment was undertaken by the AMAC and SAS (**Appendix 12**).

Aboriginal Consultation

Following minor amendments made to the report in September 2020, a copy of the updated report will be given to the registered Aboriginal Stakeholders for comment.

Physical Evidence

Comments from the original findings remain applicable to the amended proposal.

Conclusion

The amended proposal does not alter the management and mitigation measures recommended in the original Aboriginal Cultural Heritage Assessment report submitted in the original application.

6.7 Economic Impact Assessment

6.7.1 Original Findings

Introduction/Purpose/Approach

An Economic Impact Assessment was undertaken by AEC Group Ltd to establish the market and economic impacts for the original application. To this end the assessment focused on:

- The impacts of the proposal on the supply and demand of future proposed end land uses
- The economic impacts and net community benefit of the Proposal.

The Proposal

The ultimate development, is noted to propose a range of land uses including a highway service centre (including a service station and fast food premises), recreation facilities (indoor, outdoor and major), information and education facility and short-term accommodation (including an eco-tourist facility). The proposed distribution of such uses is summarised as follows:

- Highway service centre (1,215 sq.m)
- Food and drinks premises (2,373 sq.m)
- Indoor recreational facilities (2,870 sq.m)
- Outdoor recreational facilities (475 sq.m)
- Recreation areas (122 sq.m)
- Information and education facilities (122 sq.m)
- Accommodation (2,316 sq.m, indicative 73 room facility)

Strategic Context

The strategic setting of the site to capitalise on significant projected infrastructure led growth and maturing residential precincts is highlighted. Its exposure and accessibility to the major transport arteries in the form of Elizabeth Drive and the M7 Motorway and primary entry point to the proposed Western Sydney Airport, proximity to the North-South rail link, M12 Motorway and Outer Sydney Orbital auger well for its projected development success.

Economic Activity and Economic Impacts

Building upon positive construction led economic activity the operations phase of the proposal will produce on-going positive economic outcomes and a strong net community benefit as is reflected in summary in:

- Estimated 259 jobs on-site (direct) and 184 indirect jobs in the locality.
- Estimated \$96m in output and more than \$47m contribution to GDP.

The proposed development will generated the following jobs during construction phase:

Table 18: Construction Activity Supported.

Impact	Employment (FTEs)
Direct	52
Indirect - Type I	52
Indirect - Type II	47
Total	151

The proposed development will generate the following jobs during operational phase:

Table 19: Operational Activity Supported

Impact	Employment (FTEs)
Direct	259
Indirect - Type I	73
Indirect - Type II	111
Total	443

Market Impacts

The following market impact observations are noted:

- There are few easily accessible highway service centres, with the proposal likely to meet a growing demand without adversely impacting surrounding service centres.
- The demand for short-term accommodation is likely to rise particularly within the catchment of the Western Sydney Airport. Accordingly, delivery of short-term accommodation on the site is considered to provide a positive market impact.
- There are limited indoor and outdoor recreational facilities provided in the Catchment Area. Population growth is likely to increase demand for these facilities in order to improve the livelihood of the surrounding residential areas.

In general, the Assessment noted that development in the Catchment Area is relatively undefined and sparse in nature and as such new development that responds to market demand is unlikely to adversely impact the existing service markets. The Proposal will accommodate a number of land uses that are in strong demand from an economic and market perspective.

6.7.2 Amended Proposal

A revised Economic Impact Assessment has been prepared by AEC Group Ltd (**Appendix 23**) for the amended application. Similarly, this assessment focused on:

- The impacts of the amended proposal on the supply and demand of future proposed end land uses
- The economic, retail and market impacts and net community benefit of the amended Proposal.

Strategic Context

The strategic setting of the site to capitalise on significant projected infrastructure led growth and maturing residential precincts is highlighted, with specific regard to the transport infrastructure programme envisioned for the South West region of Sydney. Its exposure and accessibility to the major transport arteries in the form of Elizabeth Drive and the M7 Motorway and primary entry point to the proposed Western Sydney Airport, proximity to the North-South rail link, M12 Motorway and Outer Sydney Orbital auger well for its projected development success.

Economic Activity and Economic Impacts

If compared with a base case where the Site remains undeveloped, once fully developed and operational, the Proposal could provide significant economic benefits to the Fairfield LGA each year. Economic activity of the proposed uses from businesses locating to the site, as well as through induced visitor spend in the Fairfield LGA economy, is estimated to support 259 jobs on-site (direct jobs) and 184 indirect jobs elsewhere in the Fairfield LGA. The economic activity is estimated to support over \$96 m in output and more than \$47m in contribution to GDP with circa \$27m in incomes and salaries paid to households.

The amended proposal does not result in any changes to the resultant number of jobs during construction phase:

Table 20: Construction Activity Supported.

Impact	Employment (FTEs)
Direct	52
Indirect - Type I	52
Indirect - Type II	47
Total	151

The amended proposal does not result in any changes to the resultant number of jobs during operational phase:

Table 21: Operational Activity Supported

Impact	Employment (FTEs)
Direct	259
Indirect - Type I	73
Indirect - Type II	111
Total	443

Retail Impacts

A Retail Impact Assessment (RIA) was prepared by Location IQ in 2019 to assesses the impact of the Proposal on the surrounding retail hierarchy, i.e. local and district centres. The Retail Impact Assessment considered retail-related uses only; service station and fast food, not motel uses. The key findings of the Retail Impact Assessment include:

- There is an ongoing need for the proposed retail land uses (service station, fast food) based on projected population growth and the existing under supply of facilities.
- Many of the proposed land uses do not typically locate in centres.
- The size and scale of the Proposal means that any trading impacts will be minimal and not have the ability to result on any impacts on larger retail facilities in the broader area.
- Consequently, the closest retail centres such as Cecil Hills and Woolworths supermarket will not be impacted with facilities further of field (e.g. Bonnyrigg and Edensor Park) unlikely to be impacted.

The report concludes that the Proposal would not threaten the viability of any centre or operator within the region with no substantial impacts on the hierarchy of centres expected.

Market Impacts

The following market impact observations are noted:

Highway Service Centre

There are very few highway service centres easily accessible from the M7 Motorway; the closest offering at Horsley Park is small and difficult to access. The Proposal has the opportunity to meet a growing market demand for highway service centre uses and is unlikely to negatively impact surrounding service centres which generally derive trade from the surrounding population catchment as opposed to traffic generated from the M7 Motorway.

Short-Term Accommodation

The Western Sydney Airport will undoubtedly drive demand for short-term accommodation uses within the Catchment Area into the future in order to service a growing visitor and worker population. Accordingly, delivery of short-term accommodation of the Site is considered to provide a positive market impact.

Recreation facilities

Review of the existing provision of recreation facilities indicates that it is limited in the Catchment Area currently. Population growth indicates that demand for these facilities is likely to increase. There is limited opportunity for the Site to accommodate major recreation facilities due to the restrictive lot sizes and large landholding requirements for this type of facility. Indoor and outdoor recreation facilities, however, is more suitable for the Site and can provide much-needed facilities for the growing local community.

6.8 On-site Wastewater Assessment

6.8.1 Original Findings

Martens and Associates undertook a Preliminary On-site Wastewater Assessment for the original application to establish the feasibility of developing and installing an on-site wastewater management system.

The Assessment after detailed review including:

- Individual system wastewater management
- Soil capability assessment
- Preliminary land capability assessment for on-site effluent re-use
- Buffer setbacks for effluent reuse areas
- Equivalent population and effluent areas projections
- Effluent application rates for sub-surface irrigation
- Soil water and nutrient modelling
- Irrigation requirements

Made a series of recommendations for on-site wastewater management including:

- Minimum system requirements
- Effluent management areas
- Systems maintenance requirements

The Assessment concluded that on-site wastewater management to acceptable levels, is possible in respect of the proposed subdivision, provided the recommendations contained in the report are adhered to in respect of design and construction of the on-site wastewater management and efficient disposal systems.

Additional works at the detailed design stage are noted in conclusion, as to is the need to obtain approval under Section 68 of the Local Government Act.

6.8.2 Amended Proposal

A revised Preliminary On-site Wastewater Assessment (**Appendix 17**) has been prepared in response to the proposed lot boundary changes as a result of the acquisition of a portion of the site proposed by TfNSW to accommodate the new Wallgrove Road easement associated with the M12 Motorway.

On-site Wastewater Assessment

- In terms of soil permeability, the silty clay subsoil found within the site is considered a moderate limitation for sub-surface effluent irrigation/application. It is noted that soils would be sufficiently permeable to assimilate applied wastewater without allowing excessive leaching to lower soil profiles or deep groundwater.
- Effluent disposal areas will not be affected by flooding (see **Section 6.4**).
- Fill material is consistent with natural site material and will not cause excessively slow drainage nor allow preferential or unacceptable rapid drainage.
- A wastewater collection and pump-out system is recommended to manage wastewater generated from each lot of the proposed development.

Recommendations/Conclusions

- In absence of reticulated sewer services, a pump-out system is the most suitable compliant wastewater management solution to service the proposed commercial lots.
- As lots 1, 2, 3, 4 and 5 have been identified for potential short-term accommodation, there is potential that wastewater generated may be greater than indicated in the amended report. The scope of accommodation is subject to detailed design stage of each lot.
- If greater wastewater generation rates are assessed at detailed DA stage for any development, regardless of whether they are short term accommodation uses of other commercial developments, then septic tank and collection well sizes will need to be recalculated.
- Additional works is required at detailed design stage of each lot.

In summary, the proposal as amended is capable of being used for proposed commercial subdivision, provided recommendations given in this report are adhered to in design and construction of the future on-site wastewater management systems.

6.9 Service Utility Infrastructure Assessment

6.9.1 Original Findings

A Service Utility Infrastructure Assessment was undertaken by Martens and Associates for the original application to establish the nature of existing service utilities infrastructure servicing the site and local area and to determine the likely augmentation requirements to service the proposed conceptual and land use.

Potable Water

An existing 150mm diameter CICL water main is located adjacent to the site in the Elizabeth Drive and Cecil Road reserves.

A request for a Notice of Requirements from Sydney Water was lodged to confirm the availability of connection to water mains adjacent to the site, sufficient to supply potable water to all new lots created as part of the subdivision.

Sewerage

The site has no access to reticulated sewer services. Further, the nearest reticulated sewerage network is located approximately 800 metres to the south and east of the site. The capacity of such system to accommodate the proposal ultimate development is unknown whilst the nearest trunk sewer is located approximately 1.7km to the east and south of the site. Any connection to such system is likely to require a rising main traversing both Elizabeth Drive and the M7 Motorway Road corridors and is concluded to be unlikely to be feasible.

The site is, however, noted to be capable of satisfactorily addressing waste water disposal on site.

Gas

A 150mm secondary gas main is currently located on the northern side of the Elizabeth Drive Road reserve, whilst a 110mm supply gas main is located on the western side of the Cecil Road reserve.

Communication with Jemena indicated that the site is likely to be able to be supplied with reticulated gas, subject to a detailed design and review of the and state proposed development.

National Broadband Network

An in-service cable is located within the Cecil Road reserve adjacent to the site. Further, the ability to connect the proposed subdivision to the NBN has been confirmed by the NBN.

Telecommunications

Telstra has an obligation, pursuant to its charter, to provide standard telecommunication services to the proposed development. Final commitments can only be established on consideration of a final design. Additionally, an Optus cable exists within the Cecil Road reserve adjacent to the site. The capacity of Optus to supply the site, as an alternative, is unknown.

Electricity Supply

Endeavour Energy high voltage (HV) and low voltage (LV) supply cables are in the Cecil Road and Elizabeth Drive road reserves. Communication from Endeavour Energy has confirmed electricity will be available to the proposed subdivision, subject to consideration of a detailed design of the electricity supply network within the subdivision.

Additional Service Utilities

The proposed subdivisional works will include a pedestrian and vehicle access network and stormwater drainage system.

The Assessment concluded in summary that, subject to detailed subdivision design, utility services will be generally available, with the exception of reticulated sewerage services. Satisfactory on-site waste water management opportunities have been previously established.

6.9.2 Amended Proposal

The Service Utility Infrastructure Assessment was updated (Refer to **Appendix 15**) to reflect the revised concept layout as a result of Transport for NSW's compulsory acquisition of a portion of the site for the proposed M12 Motorway.

Dial Before You Dig Inquiry

There have been no changes to the following services in light of the revised concept layout:

- Liverpool Council
- Pipe Networks/TPG
- Sydney Water
- RMS/RTA
- Uecomm
- Optus
- Endeavour Energy
- Jemena

The NBN service has changes to assets augmented along the lots to the northwest, and at the Cecil Park intersection with Elizabeth Drive.

Potable Water

Comments from the original findings remain applicable to the amended proposal.

A response to the request for a Notice of Requirements from Sydney Water was received noting that the land requires to be rezoned before Sydney Water is able to assess requirements.

Sewerage

Comments from the original findings remain applicable to the amended proposal.

Refer to the Martens revised On-Site Wastewater Management Assessment reproduced at **Appendix 17**.

Gas

Comments from the original findings remain applicable to the amended proposal.

Correspondence from *Jemena* from the second DBYD indicated development in the area of the high pressure gas transmission pipeline may be referred to *Jemena* for comment by the Council.

Works near the pipeline may require the preparation of a Safety Management Study at detailed DA stage.

National Broadband Network

Comments from the original findings remain applicable to the amended proposal.

Telecommunications

Comments from the original findings remain applicable to the amended proposal.

Electricity Supply

Comments from the original findings remain applicable to the amended proposal.

Additional Service Utilities

Comments from the original findings remain applicable to the amended proposal.

6.10 European Heritage

6.10.1 Original Findings

Urbis prepared a Heritage Impact Statement (HIS) for the original application. The HIS initially noted that the subject property is not identified as a heritage item.

Further, it established that there are no heritage items in the vicinity of the subject property and that it does not fall within the boundaries of a Conservation Area.

The subject site is identified, however, to be in the general vicinity of the State heritage listed Upper Canal System (Pheasants Nest Weir to Prospect Reservoir). It is importantly not within the curtilage or immediate vicinity of the Item, with such being located underground, approximately 200 metres southwest of the subject site.

The HIS concluded that the proposal has an acceptable impact on the heritage significance of the state heritage listed Upper Canal System and will not produce any adverse visual impacts on the Item.

Additionally, the adjoining bushland provides a buffer between the site and the heritage item.

The assessment of the subject property did not establish any heritage values which warranted the retention of the existing building and ancillary structures on the site or maintain the existing boundaries of the site.

In summary, the proposal was not considered to generate any adverse impacts to the heritage item in the vicinity the State Heritage Listed Upper Canal System, with Urbis concluding the approval of the proposal from a heritage perspective to be in order.

Any new future works in conclusion will be the subject of independent heritage assessment.

6.10.2 Amended Proposal

Comments and recommendations from the original findings remain applicable to the amended proposal.

As the HIS prepared for the original proposal established that the proposal was not considered to generate any adverse impacts to the heritage item in the vicinity the State Heritage Listed Upper Canal System, the proposed reduction in footprint and developable area would not result in any impacts to any heritage items within the vicinity of the site.

6.11 Site Contamination Investigation

6.11.1 Preliminary Site Contamination Investigation

A Preliminary Site Contamination Investigation (PSI) was undertaken by *Martens and Associates* for the original application to establish if there were any constraints and/or remediation actions required to facilitate the development proposal.

The PSI established, in respect of the more recent history of the site, that the site had been used for a range of agricultural activities, with associated structures and potentially posed a number of contamination risks.

Contaminants potentially present on the site were identified to include asbestos, pesticides, heavy metals hydro carbons, lead based paints, galvanised metal and agricultural chemicals. Additionally, there may have been uncontrolled filling of dam/s and potential contaminated dam silts, together with stockpiles of old building materials, miscellaneous drums, vehicles, tyres and scrap metals.

Overall, the site was considered to have a risk of contamination and poses a potential risk to human health and the environment under proposed development condition.

The PSI concluded that the Areas of Environmental Concern (AECs) and Contaminants of Potential Concern (COPC) identified should be the subject of further assessment in the form of a detailed site investigation (DSI) including intrusive soil sampling and testing, with the results assessed against established site acceptance criteria (SAC).

Provided the preceding process is adhered to and any identified contaminants are subsequently remediated, Martens and Associates opined that the site is capable of being made suitable for the proposed formative (subdivisional) development works.

6.11.2 Detailed Site Investigation

A Detailed Site Investigation (DSI) of the revised proposal was undertaken by Martens and Associates (Refer to **Appendix 18**) to:

- Evaluate identified areas of environmental concern (AEC) and associated contaminants of potential concern (COPC) as documented in the previous PSI (MA, 2018a).
- Provide comment on the suitability of the IA for the proposed development, and where required, recommendations for additional investigations.

Walkover and Visual Inspection

The DSI walkover and visual inspection conducted on 3 July 2020 observed that site structures and general features were similar to those observed during the PSI. Material samples from the site surface and within shallow fill material retrieved during inspection, reported positive for the presence of asbestos.

Investigations were limited to external areas surrounding site structures. As all site structures are to be demolished as part of the proposed development, additional soil testing will be required post demolition.

Recommendations/Conclusions

Additional assessment be completed within all site areas expected to contain fill material as per PSI and DSI observations, in order to delineate asbestos impacts within fill material.

An additional asbestos assessment be performed following site demolition works so that all recommended works may be performed concurrently.

A Remediation Action Plan (RAP) (Refer to **Appendix 19**) has been prepared for the site to guide the remediation of identified asbestos contamination and confirm the full extent of asbestos contamination and determine the most practical remediation solution.

The RAP outlined additional investigation, remediation and validation requirements to address data gaps and identified ACM contamination at 1111 – 1141 Elizabeth Drive, Cecil Park, NSW. From review of the Detailed Site Investigation findings and the proposed development objectives, excavation and offsite disposal of ACM impacted fill material was considered the most appropriate remediation technique.

Post remediation, a Site Validation Report will be required to confirm the remediated site's suitability for the proposed development.

Where any soil material is to be removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).

6.12 Salinity and Geotechnical Assessment

6.12.1 Original Findings

A Preliminary Salinity and Geotechnical Assessment (PSGA) was undertaken by *Martens and Associates* for the original application to establish if there were any specific salinity and/or geotechnical constraints, including groundwater impacts

Hydrogeology

In respect of ground water the assessment concluded that the assumed limited bulk excavations for proposed development will not intercept groundwater.

Notwithstanding further investigation in respect of the zone of influence of the dam and drainage depression was foreshadowed as potentially required.

Salinity

The salinity investigations concluded:

- Dams, drainage depression, drainage channel and adjacent area are moderately saline
- Area impacted by irrigation, such as gardens are slightly saline
- The remainder of the site is non-saline.

Given the presence of slightly and moderately saline soil conditions across the site, the assessment recommended the preparation of saline soil management strategies at the Construction Certificate Stage following review of the proposed development levels and the extent of proposed cut/fill and final development levels.

A series of preliminary management strategies inclusive of strategies for new buildings and services are documented in the Assessment and are not considered to represent excessive constraints to development.

Geotechnical

A profile of preliminary soil and rock strength properties were documented and inform an assessment that the risk occasioned by landslide or soil creep to below, subject to the recommendations of the Martens report and adoption of relevant engineering standards and guidelines.

A series of specific geotechnical recommendations are documented in respect of factings and foundations, drainage requirements and site classification. Further general geotechnical recommendations are also appended to the report.

In summary, the Preliminary Salinity and Geotechnical Assessment did not raise any significant development constraints, but preceded to outline a range of management strategies/good practice measures.

6.12.2 Amended Proposal

A Detailed Site Investigation (DSI) of the revised proposal was undertaken by Martens and Associates (Refer to **Appendix 24**) to:

- Evaluate identified areas of environmental concern (AEC) and associated contaminants of potential concern (COPC) as documented in the previous PSI (MA, 2018a).
- Provide comment on the suitability of the IA for the proposed development, and where required, recommendations for additional investigations.

Hydrogeology

DSI investigations encountered groundwater at a depth of 0.4 mbgl in one test pit (TP210) in the western-most former dam. It is expected that this water represents ephemeral water within the soil profile and that the regional aquifer is located at a deeper depth.

Should further investigation on permanent site groundwater be required, additional investigations will need to be undertaken (i.e. installation of groundwater wells).

Salinity

Comments and recommendations from the original findings remain applicable to the amended proposal.

Geotechnical

Comments and recommendations from the original findings remain applicable to the amended proposal.

Concept Civil Design

Amended Concept Civil Design drawings have been prepared in response to the revised concept subdivision layout at **Appendix 25** detailing:

- a) The height of all proposed retaining walls
- b) Sectional Plans
- c) Retaining wall design
- d) Cut and fill proposed on the site.

6.13 Traffic, Parking and Accessibility

6.13.1 Original Findings

A Traffic and Parking Assessment was undertaken by Varga Traffic Planning Pty Ltd for the original application.

There are two bus services which operate in the vicinity of the site, with the nearest bus stop located directly outside the site on Elizabeth Drive and also Cecil Road.

A number of on-road and off-road bicycle routes that are readily accessible from the subject site to/from the greater local Fairfield and Liverpool area, including along Elizabeth Drive (east of the M7 Motorway) and also the Westlink M7 shared path.

In order to increase the alternative transport options construction of a new shared pathway and end-of-trip facilities and suitable bike storage areas should be considered.

Kerbside parking restrictions are noted. Additionally, the indicative end-state demand for a national 248 spaces can be readily accommodated on-site.

Having regard to detailed SIDRA analysis it was established that in order to maintain satisfactory Levels of Service, consideration should be given to constructing a new roundabout at the Elizabeth Drive and Cecil Road intersection as well as widening Elizabeth Drive to two-lane/two-way between Cecil Road and Wallgrove Road.

The assessment also established that the subdivision would ultimately satisfy established parking and loading requirements.

Having regard to the foregoing the assessment concluded that the proposed subdivision will not have any unacceptable implications in terms of road network capacity or off-street parking/loading/access requirements.

M12 Motorway

The M12 Motorway is proposed by the NSW Government as part of the Western Sydney Infrastructure Plan and will provide direct access from Sydney's current motorway network to the future Western Sydney Airport at Badgery's Creek.

The M12 Motorway is expected to increase road capacity, reduce congestion and travel time along neighbouring existing roads such as Elizabeth Drive. It is unknown as to whether the M12 Motorway will have any effect on the road configuration of Elizabeth Drive in the immediate vicinity of the site.

Recommended Intersection Treatment

The assessment identified that the existing configuration of the Cecil Road and Elizabeth Drive intersection often results in long wait times for vehicles exiting Cecil Road onto Elizabeth Drive.

Whilst treatment of this intersection is still unknown, consideration for a new roundabout would assist turning movements into/out of Cecil Road however also allow vehicles heading west along Elizabeth Drive to undertake a u-turn manoeuvre to access the service station and/or fast food restaurants.

In order for a new roundabout to operate at optimum efficiency at this intersection, the Elizabeth Drive carriageway, in between Cecil road and Wallgrove Road, would need to be widened to two lanes in each direction. A standard priority controlled "give-way" intersection at the future intersection of Cecil Road and the proposed new access local road is considered appropriate as a result of the relatively modest levels of traffic along Cecil Road.

Timing

Subject to referral from Roads and Maritime Services, the design of the roundabout will be determined in a later stage.

The Traffic and Parking Assessment confirms the recommended intersection treatment at Cecil Road and Elizabeth Drive will have sufficient turn radii (25 metres) to accommodate the largest vehicle expected to service the subdivision and will be designed in accordance with Council's industrial subdivision requirements.

6.13.2 Amended Proposal

A revised Traffic and Parking Assessment was undertaken by Varga Traffic Planning Pty Ltd (Refer to **(Appendix 20)** response to the proposed acquisition of part of the site by TfNSW to facilitate the new realigned Wallgrove Road and Cecil Road which forms part of the Elizabeth Drive upgrade which extends between the M7 Motorway interchange and Badgery's Creek Road.

Proposed Traffic Amendments

A new public local road is proposed to be constructed to serve future lots within the concept subdivision plan, in accordance with Fairfield Council's DCP 2013 road design requirements, which will connect to the new Wallgrove Road, approximately 170m north-east of the new Cecil Road signalised intersection.

Public Transport Services

Comments from the original findings remain applicable to the amended proposal.

Bicycle Network

Comments from the original findings remain applicable to the amended proposal.

TfNSW have also recommended that the shared pathway be extended from Elizabeth Drive along the new Wallgrove Road site frontage.

Parking

Kerbside parking restrictions are noted. The precise future uses on the site are not yet known, nor the sizes of any future buildings, such that it is difficult to accurately quantify the off-street parking requirements of the proposed subdivision. In any event, off-street car parking for each lot will be the subject of separate development applications.

M12 Motorway

As a consequence of the M12 Motorway investigation area, the northern portion of the subject site is to be acquired in order to accommodate the redirected Wallgrove Road.

Intersection Treatment

TfNSW have also provided the future road layout and configuration in the immediate vicinity of the site which include two to three traffic lanes in each direction plus single and twin turning lanes.

As such, the future traffic volumes generated by the proposed land uses within the subdivision are not expected to result in any unacceptable traffic implications in terms of road network capacity, nor will any further upgrades works be required.

Recommendations/Conclusions

A detailed Construction Traffic Management Plan be included as part of any development consent issued for the subdivision to manage construction vehicle activity.

In the circumstances, it is therefore reasonable to conclude that the proposed subdivision will not have any unacceptable implications in terms of road network capacity, construction-related impacts or off-street parking/loading/access requirements.

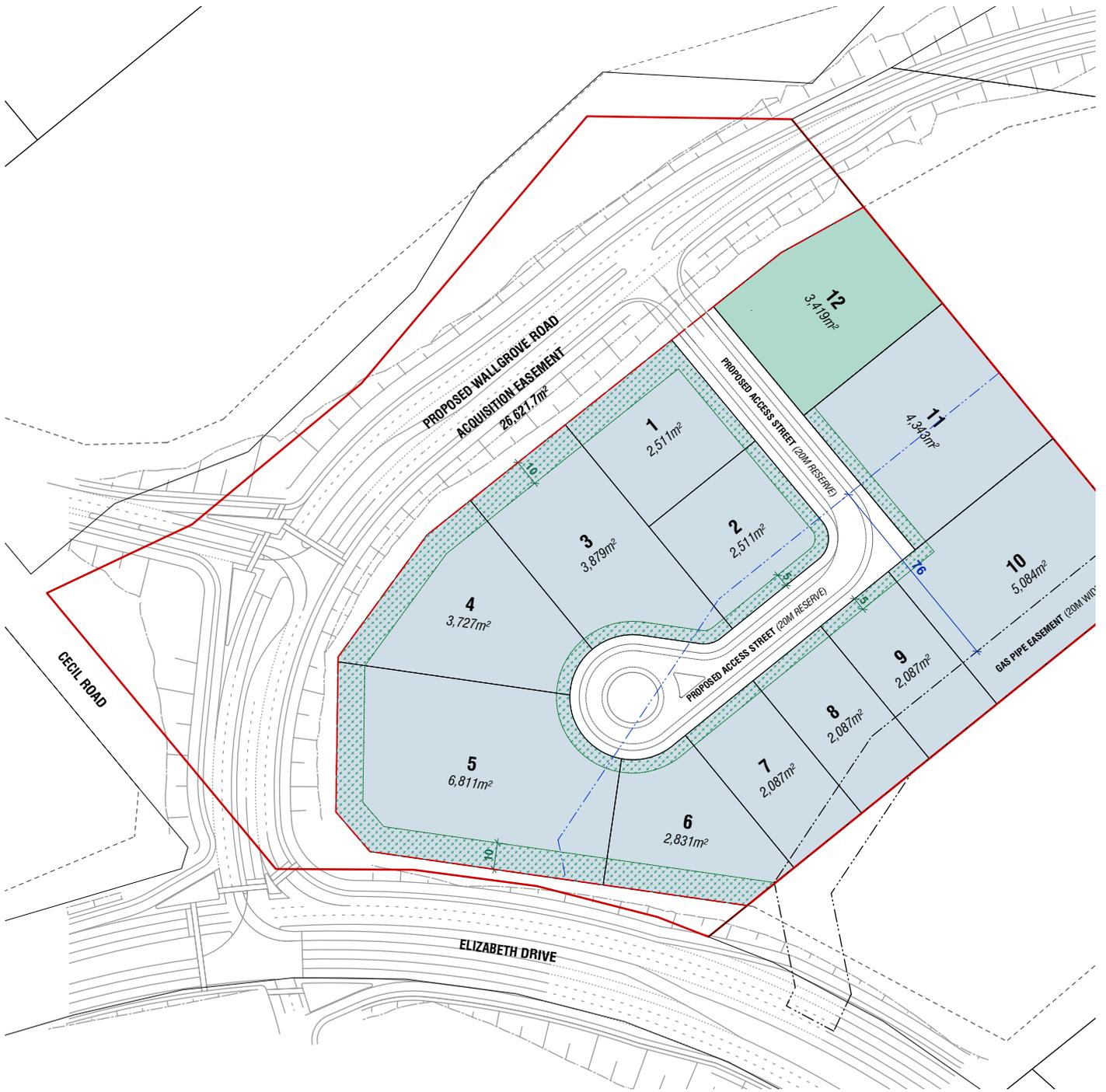


Figure 19: Amended Proposal showing Road Configuration

6.14 Waste Minimisation and Management

6.14.1 Original Findings

A Waste Minimisation and Management Assessment was undertaken by MRA Consulting Group for the original application. Expected waste materials and anticipated quantities for the preliminary site works based on municipal (City of Sydney) and state (EPA Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities) guidelines, given the absence of specific guidelines from Fairfield City Council.

Classification of Waste Streams

Preliminary Site Works

The M12 Motorway is proposed by the NSW Government. Classification of waste materials is expected at each stage of the development of the site. Material will reflect the types of activities occurring at each stage of development. The majority of waste generated during preliminary site works would be classified as general solid waste (non-putrescible).

There is also potential for other waste types, including asbestos waste, waste tyres and putrescible waste.

Future Construction Works

The development of the site for building has potential to produce a mixture of construction and demolition waste (including excavation waste). It is expected that the majority of waste would consist of excess construction materials, which have the potential for recycling as general solid waste (non-putrescible). General waste (putrescible) would be generated during the daily consumption of food and other items and from night soil as a result of the use of portable toilets.

Future Operation

Depending on the future occupation of individual land parcels outlined in the Proposal, it is possible that some special or hazardous wastes may be produced by future site occupants. It is expected that general solid waste (putrescible and non-putrescible) will be the most common waste types generated at the Site. The management of future waste at the Site would be the subject of future development applications.

Quantities of Waste Streams

Preliminary Site Works

Predicted Waste Quantities are detailed in Table 1 of the original Waste Minimisation and Management Report.

Future Construction Works

Construction and excavation waste generation estimates will be required for the preparation of a waste management plan during Detailed DA stage for each lot. Waste generation for each specific development is likely to vary greatly based on the scope and scale of the development and therefore, should be explored further when specific details are determined for each site.

Future Operation

Waste generation relating to the operation of commercial and industrial facilities is highly variable, depending largely on the scope and scale of an establishment. The estimated waste generation rates for likely site occupants, for typical waste types such as putrescible general waste (general waste) and non-putrescible general waste (co-mingled recycling) is detailed in Table 2 of this report.

Waste Storage, Handling, Transport, and Disposal

Waste infrastructure is not necessary for storage of waste. Waste would be placed in designated bins which would be contracted at a capacity to contain maximum quantities of materials in accordance with pick-up schedules.

In relation to handling of waste, all material generated would be separated where possible, to maximise resource recovery potential and reduce the need for disposal of residual materials to landfill. Any material deemed unsuitable for reuse or recovery would be disposed of to an appropriately licensed landfill.

The handling of asbestos requires special precautions due to the hazardous nature of the materials. Any handling of asbestos waste must be performed in accordance with Clause 42 of the PoEO Act, 1997.

Both the owner of the waste and the transporter are legally responsible for proving the waste was transported to a lawful place, pursuant to Section 143 of the *Protection of the Environment Operations Act 1997*. To show that waste has been lawfully disposed of records should be kept.

The disposal of waste is recommended after recycling options have been implemented. Materials may only be disposed of materials to a facility which is licensed to take the particular type of waste.

Management and Disposal of Wastewater and Effluent

No discharge to sewer or stormwater is expected the subdivision and preliminary infrastructure development since there is currently no relevant infrastructure.

No specific waste water or effluent management measures would be required during for the subdivision and preliminary works.

NSW WARR Strategy 2014-21

The management measures outlined in Section 3.6 of this report would ensure that waste is managed in accordance with the WARRR Strategy 2014-2021 and will assist in achieving the target of 80% diversion from landfill in the C&D sector.

6.14.2 Amended Proposal

An updated Waste Minimisation and Management Assessment has been prepared by MRA Consulting Group in response to the proposed acquisition of part of the Site which will reduce the site area by 26,617m².

Classification of Waste Streams

Comments from the original findings remain applicable to the amended proposal for all stages of development.

Quantities of Waste Streams

Comments from the original findings remain applicable to the amended proposal for all stages of development.

Waste Storage, Handling, Transport, and Disposal

Comments from the original findings remain applicable to the amended proposal.

Management and Disposal of Wastewater and Effluent

Comments from the original findings remain applicable to the amended proposal for all stages of development.

NSW WARR Strategy 2014-21

Management measures outlined in Section 3.6 of the updated report ensures anticipated waste as a result of proposed development is managed in accordance with the WARR Strategy 2014-2021 and will assist in achieving the target of 80% diversion from landfill in the C&D sector.

Site specific waste management should be detailed in an operational waste management plan detailing expected waste generation rates for different waste streams and relevant waste management methods for reuse, recovery and disposal.

7.0 Mitigation Measures



A series of mitigation measures are detailed in the environmental assessment at **Section 6.0** of this amended EIS and the appended supporting specialist consultant reports. Further, a range of foreshadowed investigations pertaining to the ultimate Subdivision development were also cited. The collective measures required to mitigate the potential impacts identified and foreshadowed are detailed in **Table 22** below.

Table 22: Mitigation Measures and Foreshadowed Investigations

<p>Biodiversity</p>	<ul style="list-style-type: none"> Adhere to proposed development footprint (to avoid/minimise impact) Prepare a Construction Environmental Management Plan prior to issue of the Construction Certificate and Implement during the construction phase of the project. Offset impacts of development by preferably securing and retiring appropriate credits from stewardship site/s or if unavailable in accordance with the BAM “variation report” and/or payment to the Biodiversity Conservation Trust. <p><i>Foreshadowed</i></p> <ul style="list-style-type: none"> A series of operational phase management practices are suggested (Refer to Section 5.3.2 of the revised BDAR at Appendix 10).
<p>Bushfire</p>	<ul style="list-style-type: none"> Asset Protection Zones shall be provided to the proposed development as listed in Table 3 of the revised Bushfire Assessment at Appendix 21). APZs are to be installed and permanently maintained in accordance with NSW RFS document “Standards for asset protection zones” with the exception of interim APZ’s identified in Table 3 and Table 6 of Appendix 21. Each proposed lot is to be provided with a dedicated, accessible water supply (Refer to Section 3.4.1 in Appendix 21). Electrical services should be underground where practical or comply with the requirements detailed at Section 3.4.2 of Appendix 21. Gas supplies, where installed shall comply with AS.NZS 1596 (2014). All fixed gas cylinders are kept clear of flammable materials, close to the building with release valves pointing away from the building.
<p>Stormwater Management and Dams</p>	<ul style="list-style-type: none"> An Erosion and Sediment Control Plan, for construction activities, shall be prepared and implemented in accordance with the Department of Housing Managing Urban Stormwater: Soils and Construction (1998) (Blue Book). The Stormwater Management Plan detailed in Appendix “B” of Appendix 11 to this EIS shall be implemented and maintained. Dam modification works shall take place in accordance with the detail presented in Appendix “C” of Appendix 11 to the EIS.

<p>Flooding</p>	<ul style="list-style-type: none"> No Mitigation Measures required for proposed subdivision. See Section 5.4 of this amended EIS.
<p>Noise and Vibration Impact</p>	<ul style="list-style-type: none"> A comprehensive assessment of noise impacts shall be undertaken in the context of mechanical plant, vehicle class and movements and operational impacts and a relevant mitigation strategy developed and implemented. Development end state glazing requirements as detailed in Section 7.1 of the original Noise and Vibration Impact Report shall be implemented. Safe working distances in respect of potential vibration impacts as detailed in Section 8.1 of the original Noise and Vibration Impact Report shall be observed, as a minimum.
<p>Aboriginal Cultural Heritage</p>	<ul style="list-style-type: none"> Consultation with the registered Aboriginal stakeholders should continue. An Aboriginal Cultural Heritage Management Plan shall be devised and implemented. The proposed subdivision should “proceed with caution”. All development staff, contractors and workers should be briefed prior to construction of protocols in respect of indigenous archaeological deposits and/or objects.
<p>On-Site Wastewater Management</p>	<ul style="list-style-type: none"> An on-site wastewater management report for each lot in conjunction with a Development Application for each commercial building detailing: <ul style="list-style-type: none"> Confirmation of building size and use to assess appropriate wastewater generation loads. Treatment system specification, septic tank volume calculation, collection well sizing and required pump-out design (such as location of tanks, tanker stand and suction lines). Prior to the installation of the sewage management system approval from Council is required under S68 of the Local Government Act. Further approval to operate is required prior to system commissioning.
<p>Service and Utility Infrastructure</p>	<ul style="list-style-type: none"> A water servicing coordinator will be engaged to design the internal water supply network and a Section 73 compliance certificate be obtained from Sydney Water. A Level 3 ASP Electrical designers be engaged to design the internal electricity supply system and obtain requisite approvals. A suitably qualified gas network designer shall design the required gas supply network and obtain requisite approvals. Submission of proposed plans to Jemena for analyses by their assets management team with respect to the proposed layout and land use at the site, as it pertains to potential impacts on the major gas supply main on the site.

	<ul style="list-style-type: none"> • A suitably qualified person shall be engaged to design the telecommunications network (including NBN connection) and obtain the requisite approvals. • Knowledge of future reticulated sewer be obtained from Sydney Water.
European Heritage	<ul style="list-style-type: none"> • Any future works will be subject to independent heritage assessment and any identified actions.
Site Contamination	<ul style="list-style-type: none"> • Additional asbestos assessment be performed following site demolition works. • Subject to the findings of the data gap assessment and validation assessment works to confirm the successful implementation of the remediation strategy outlined in the RAP (Appendix 19). • Site Validation Report will be required to confirm the remediated site's suitability for the proposed development • Where any soil material is to be removed from site, a formal waste classification assessment shall be required in accordance with the NSW EPA Waste Classification Guidelines (2014).
Salinity and Geotechnical Sensitivity	<ul style="list-style-type: none"> • Saline soil management strategies shall be prepared at the Construction Certificate stage and subsequently implement management strategies identified in <i>Section 4.6</i> of the revised Preliminary Salinity and Geotechnical Assessment at Appendix 24. • The series of geotechnical recommendations in respect of footings and foundations, drainage requirements and site classification and geotechnical practices generally as detailed in <i>Section 5.3</i> of the revised Preliminary Salinity and Geotechnical Assessment at Appendix 24 shall be implemented. • Additional works prior to Construction Certificate: <ul style="list-style-type: none"> • If higher end bearing pressures are required, rock coring and point load testing of collected rock samples to assess rock strength. • Further salinity testing to confirm / revise preliminary salinity and exposure classifications and to delineate salinity conditions across soil profiles in development areas, if required, following consideration of final development details. • Detailed design of foundation structures. • Additional advice by Martens and Associates (MA) for cut and fill requirements, if applicable, following consideration of final development details. • Review of the final design by a senior geotechnical engineer to confirm adequate consideration of the geotechnical risks and adoption of the recommendations provided in this report.

Traffic, Parking and Accessibility	<ul style="list-style-type: none"> • At Detailed DA stage for each lot: <ul style="list-style-type: none"> • Satisfy Council's off-street parking and loading requirements • Design of the vehicular access and car parking/loading facilities will ultimately be designed in accordance with Australian Standards requirements • Detailed Construction Traffic Management Plan be included as part of any development consent issued for the subdivision
Waste Minimisation and Management	<ul style="list-style-type: none"> • Waste Management Planning be undertaken at detailed DA stage for each lot. • Waste be placed in designated bins which would be contracted at a capacity to contain maximum quantities of materials in accordance with pick-up schedules. • All material generated would be separated where possible, to maximise resource recovery potential and reduce the need for disposal of residual materials to landfill. Any material deemed unsuitable for reuse or recovery would be disposed of to an appropriately licensed landfill. • Any handling of asbestos waste must be performed in accordance with Clause 42 of the PoEO Act, 1997. • Before commencing any work, a risk assessment should be carried out. Safe work procedures would be devised that minimise exposure. • Retain lawfully disposed records. • Waste materials be disposed to a facility which is licensed to take the particular type of waste. • A licensed contractor would be engaged to manage the disposal of nightsoil from portable toilets. • Future developments on Site subdivisions may require trade wastewater agreements with Sydney Water. If a trade waste agreement is required, it would be developed in to meet trade waste specifications. • All future disposal of wastewater and effluent will be through a licenced operator. • Site specific waste management should be detailed in an operational waste management plan detailing expected waste generation rates for different waste streams and relevant waste management methods for reuse, recovery and disposal
Air Quality	<ul style="list-style-type: none"> • Subject to further information regarding road upgrades within vicinity of the site, an air quality impact assessment (AQIA) will be undertaken for construction and operation phases of development. • The AQIA will demonstrate ability to comply with the relevant regulatory framework, specifically the Protection of the Environment Operations Act 1997 and the Protection of the Environment Operations (Clean Air Regulation (2010)

8.0 Justification of the Proposal



In general, investment in major projects can only be justified if there is a net positive benefit. The assessment underpinning a conclusion in this regard must consider all costs and benefits, inclusive of those that are not easily quantified. In this regard, the EP&A Act specifies that such a justification must be made having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development.

This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be fully quantified or not.

The proposed development has been the subject of a comprehensive assessment at the formative stage and also makes some observations in respect of the end state development.

8.1 Social and Economic

The environmental impact assessment of the amended proposal has demonstrated that development will have an overall positive social and economic impact. The proposal will facilitate the delivery of the preparatory works associated with the formative stage of the proposed Elizabeth Drive Subdivision. The proposed Subdivision will negate the need to acquire the subject land as part of the Western Sydney Parklands.

This will accordingly provide a social and economic benefit to the broader community.

In addition, the proposal:

- Will provide direct employment during the construction phase and permanent employment during the operational phase;
- Addresses the demand for additional convenience retail and commercial and short duration accommodation opportunities in the local area as it evolves, and
- Will not unduly impact on other commercial centres within the region

The Proposal will fill the void by the “lock of traction” of the nearby proposed Wallgrove Road Business Hub.

8.1.1 Economic Demand for Proposed Land Uses

The revised Economic Impact Assessment (Refer to **Appendix 23**) outlines the strong demand for the proposed land uses of the subject development. This is reproduced in **Table 23**

Table 23: Economic Demand for Proposed Land Uses

Land Use	Demand
Highway Service Centre	Population benchmarking suggests there is an under supply of service stations and fast food outlets in the Catchment Area. The proposed highway service centre is unlikely to negatively impact surrounding service centres.
Short-term Accommodation	Delivery of short-term accommodation is envisaged in the longer-term as the surrounding population grows and operation of the Western Sydney Airport has commenced.
Recreational Facilities	Audit of existing land uses suggest there are limited indoor and outdoor recreational facilities provided in the Catchment Area. Population growth is likely to increase demand for these facilities in order to improve the livelihood of the surrounding residential areas.

8.2 Biophysical

The environmental impact assessment of the proposed development demonstrated that:

- The proposal would not have any unjustified effect on threatened species, populations or ecological communities or their habitats arising from the construction or use of the site; and
- The proposal will not result in any undue impacts on air quality, bushfire, noise, waste or stormwater quality.

8.3 Ecologically Sustainable Development

8.3.1 Introduction

One of the objectives of the EP&A Act is 'To encourage ecologically sustainable development'. The EP&A Regulation lists four principles of ecologically sustainable development to be considered in assessing a project, namely,

- The precautionary principle - if there are any threats of serious or irreversible environmental damage, lack of scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation;
- Inter-generational equity - the present generation should ensure the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations;
- Conservation of biological diversity and ecological integrity - this is a fundamental consideration; and
- Improved valuation, pricing and incentive mechanisms - environmental factors should be included in the valuation of assets and services.

The EPBC Act also identified a fifth principle for consideration in environmental impact, namely:

Decision making processes should effectively integrate both long term and short term economic, environmental, social and equitable considerations.

These five principles are interrelated and need to be considered both individually and collectively as part of determining whether or not a project would be consistent with the principles of ESD in Australia.

An overview assessment of the Proposal against the principles of ESD is provided below.

Precautionary Principle

The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment. Specialist impact assessments were undertaken in areas projected to have a potential adverse impact or where potential impacts were uncertain or unable to be otherwise quantified.

This EIS has important not identified any serious threat of irreversible damage to the environment and therefore the precautionary principle is not strictly relevant to the proposal. It is noted, however, that a conservative approach has been applied to all specialist studies supporting the application.

Further, a range of environmental safe guards and mitigation measures have been advanced to achieve a neutral or beneficial effect on the environment.

Intergenerational Equity

The proposal has been designed to benefit both the existing and future generations by:

- Avoiding the need to acquire the subject site as part of the Parklands.
- Implementing safeguards and management measures to protect environmental values;
- Facilitating job creation and new services in proximity to existing populations; and
- Ensuring a high quality public domain and amenity within and around the site.

The proposal has integrated short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures described in this EIS and the appended technical reports.

Conservation of biological diversity and ecological integrity

The principle of biological diversity upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration. The potential impacts of the development on the environmental value of the site and surrounds has been assessed as part of this EIS, wherein it is concluded that the Proposal will not have any significant adverse impact on the biological diversity and ecological integrity of the site and surrounds.

Improved valuation, pricing and incentive mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all environmental resources which may be affected by a proposal, including air, water, land and living things. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation will be implemented to ensure resources are used responsibly in the first instance. Additional measures will be implemented to ensure no environmental resources in the locality are adversely impacted during the construction or operational phases.

Decision Making Process

The proposed project requires approval pursuant to the State Significant Development Provisions.

An assessment of the short, medium and long-term impacts of/the proposed project, taking into account the principles of ESD is described in this EIS. The measures detailed in **Section 6.0** of this amended EIS for the environmental mitigation, management and monitoring requirements for the proposal and its proposed operations.

The development assessment process prescribed under the Act and companion legislation and subsequent environmental management frameworks, ensure that decision making and monitoring of the Proposal would be undertaken in an integrated manner, having regard to relevant issues associated with the Proposal within its context.

Additionally, transparency throughout the decision-making process for the design, impact assessment and development of management measures has been carried out through consultation with Government authorities , community members, Aboriginal groups and other stakeholders during the preparation of the EIS (see **Section 4.0**). This has allowed comment and discussion regarding potential environmental impacts, revision of aspects of the Proposal and the development of site specific environmental management procedures.

9.0 Conclusions



This Amended Environmental Impact Statement (EIS) has been prepared to consider the environmental, social and economic impacts of the enabling/preparatory works to facilitate the ultimate development of a mixed-use Business Hub. The EIS has addressed the issues outlined in the Secretary's Environmental Assessment Requirements and accords with Schedule 2 of the EP&A Regulation.

Having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified.

In summary, the Elizabeth Drive Subdivision is consistent with the SEARs and subsequent RFI's in respect of SSD 8859.

- The proposal is permissible with consent and meets all requirements of the relevant planning controls for the site.
- The development will provide a new subdivision to facilitate a range of tourism and associated uses to service the needs of the surrounding community and evolving locality.
- The development provides direct employment during the construction phase and permanent employment during the operational phase.
- The potential adverse environmental impacts associated with the construction and operation of the facilities can be appropriately mitigated.
- The foreshadowed development provides adequate parking to service the uses and will not increase on-street parking demand nor cause any adverse traffic impacts,
- The proposal can be adequately serviced.
- There are unlikely to be significant adverse market demand impacts.

Overall the application facilitates the delivery of a subdivision in the subject locality in consideration of imminent compulsory acquisition of a portion of the site to facilitate the new Wallgrove Road easement associated with the M12 Motorway in respect of the subject site.

Given the merits described above it is recommended that the application be approved.

3|780 Darling Street, Rozelle NSW 2039
02 9818 5898
mail@aesignstudio.com.au
www.aesignstudio.com.au

