



NSW GOVERNMENT
Department of Planning

***MAJOR PROJECT ASSESSMENT:
Goodman Fielder Food Production
and Warehouse Project,
Erskine Park***



Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

July 2008

Cover photo: Proposed view of the Goodman Fielder Facility
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Published July 2008
NSW Department of Planning
www.planning.nsw.gov.au

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1. EXECUTIVE SUMMARY

On 1 March 2007, the Minister for Planning approved a concept plan application for the establishment of a warehouse and distribution complex on 38 hectares of land, in the Penrith local government area. The approval provided for the subdivision of the land into six lots and development of one of those lots for a Distribution Centre. The approval has now been modified to broaden the range of uses permitted on these lots to include manufacturing.

GPT Group (GPT) now propose to develop another lot on the approved industrial estate, site area E, as a manufacturing and distribution facility (see Figure 2). The proposal - known as the Goodman Fielder Food Production Project - involves the construction and operation of a food manufacturing and distribution facility and associated infrastructure including oil and vinegar storage tanks.

The project has a capital investment value of \$20 million and would employ around 150 people during construction and around 120 people once operational.

The proposal constitutes a 'major project' under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), and consequently the Minister is the approval authority for the project.

The Department exhibited the Environmental Assessment of the project from 21 May 2008 to 23 June 2008, and received 6 submissions on the proposal all from government authorities. There were no objections to the project.

The Department has assessed the project application, Environmental Assessment, and submissions on the project, in accordance with the objects of the EP&A Act, and is satisfied that there is sufficient information available to determine the application.

This assessment found that the main issues associated with the project relate to; visual impacts, site elevations and soil and water management. The Department is satisfied however, that these impacts can be adequately mitigated and/or managed to ensure an acceptable level of performance and has recommended a range of conditions to ensure this occurs.

In addition, the Department's assessment recognises the significance and need for the project in terms of promoting the development of the Western Sydney Employment Hub and the Erskine Park Employment Area. The project is consistent with the objectives of the Sydney Metropolitan Strategy providing for the early development of employment lands and generating jobs in Western Sydney.

The Department is satisfied that the project has significant social and economic benefits for the Western Sydney community and that it is therefore in the public interest.

Consequently, the Department recommends that the Goodman Fielder Food Production Project be approved, subject to conditions.

2. BACKGROUND

On 1 March 2007, the Minister for Planning approved a concept plan (06_0216) for the creation of an industrial estate on 38 hectares of land (off Lenore Lane) in the Erskine Park Employment Area, in the Penrith local government area (see Figure 1). The Erskine Park Employment Area is approximately 500 ha in size and forms part of the broader Western Sydney Employment Hub. A number of warehouse and manufacturing facilities have already been approved in the area including the adjacent BlueScope facility and the nearby Interlink Industrial Estate.

The concept plan approval was for the:

- subdivision of the site into 6 development lots;
- construction of 6 warehouses, including the associated bulk earthworks and provision of estate-wide infrastructure;
- construction and use of a warehouse and associated infrastructure on one of these development lots (site area H); and
- stormwater management infrastructure including the realignment of the creek and landscaping.

The construction of the estate (bulk earthworks and infrastructure) started in 2007, and is now well advanced.

The approved concept plan was recently modified to:

1. change the layout of site area H and C; and
2. allow additional uses on the estate, including manufacturing and amenities (eg food and beverage facilities and childcare).

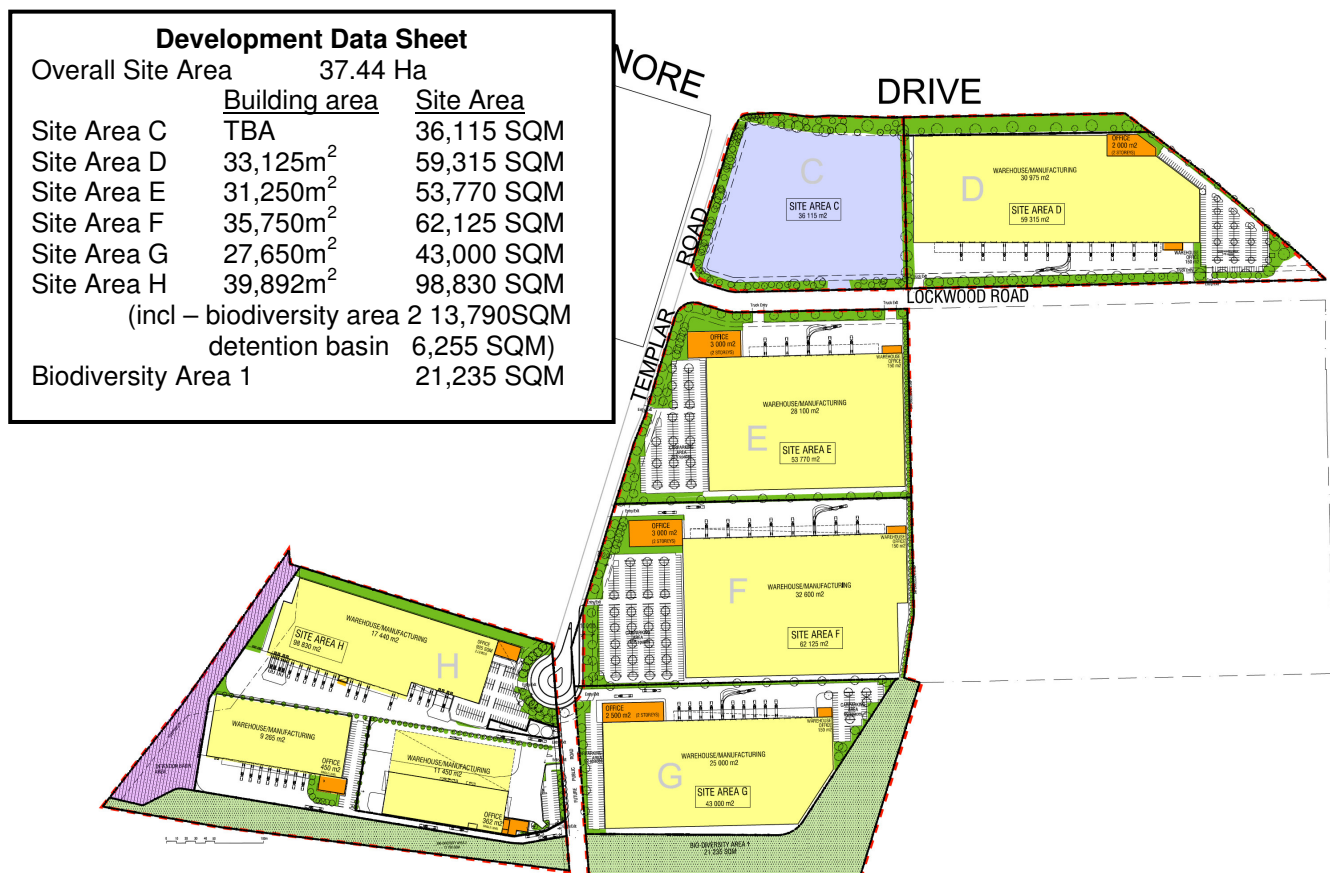


Figure 1: Approved Concept Plan Layout

The recent modification to the concept plan allows the Department to now consider GPT's current proposal to develop a manufacturing facility on site area E in the Industrial Estate. GPT is seeking approval for this development proposal under part 3A of the *Environmental Planning*

and Assessment Act 1979 (EP&A Act). The proposed development lot is shown in Figure 2, and has an approximate area of 5.4 hectares.

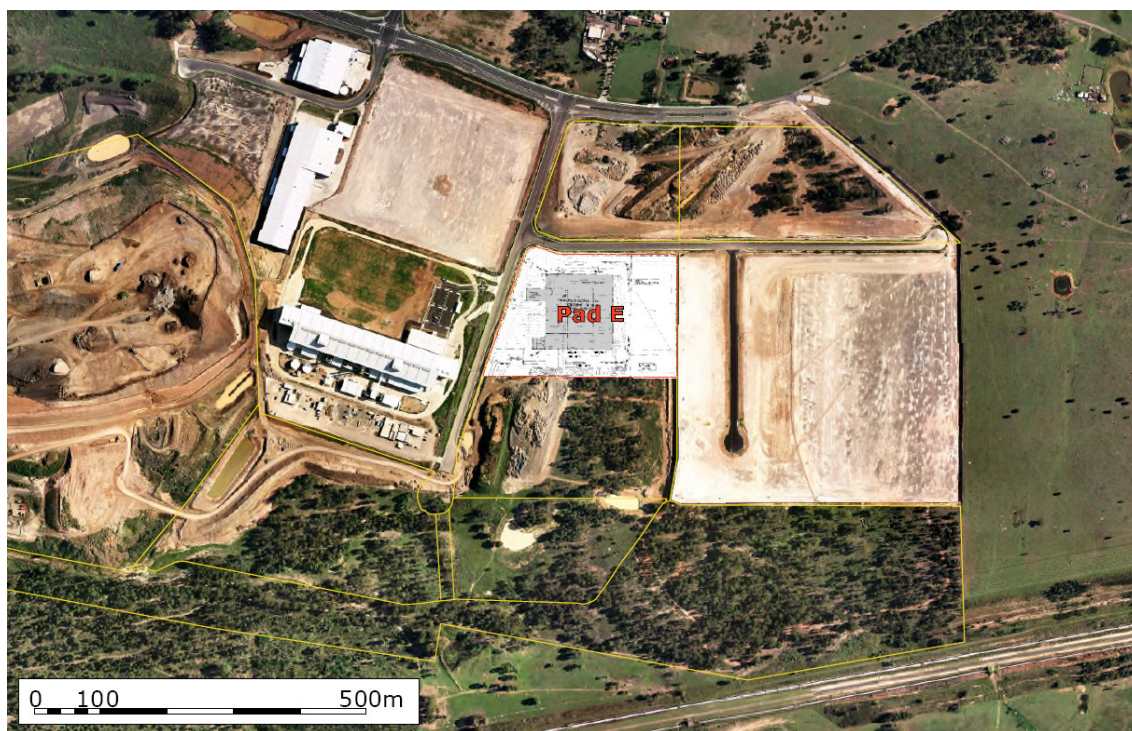


Figure 2: Proposed Project Site

3. PROPOSED PROJECT

GPT proposes to develop site area E of the Industrial Estate for Goodman Fielder. Goodman Fielder is a leading grocery supplier of items including cooking oils, dressings, mayonnaise, flour and cake mixes. Essentially, the proposal involves the construction and use of a food production and warehouse facility, and provision of a range of associated infrastructure such as oil and vinegar storage tanks, internal roads and parking on the 5.4 ha site.

The proposal is known as the Goodman Fielder Food Production and Warehouse Project (the Project). The major components of the project are summarised in Table 1, and depicted in Figure 3 and Figure 4. The project is described in full in GPT's Environmental Assessment (EA), which is attached as Appendix E.

Table 1: Major components of the project

Aspect	Description
Project Summary	Construction and use of development site area E as a Goodman Fielder Food Production and Warehouse Facility and a range of associated infrastructure.
Production Facility	<ul style="list-style-type: none"> construction and use of a food production and distribution facility and associated infrastructure for Goodman Fielder; the facility would: <ul style="list-style-type: none"> produce liquid groceries such as salad dressings, mayonnaise, table sauces and vinegar, with a production capacity of approximately 20,000 tonnes; produce dry mixes such as cake and bread mixes; be developed in 2 stages: <ul style="list-style-type: none"> Stage 1 would be comprised of a 13,990m² production, warehouse and ancillary office space, a tank farm and a trade waste plant; Stage 2 would be a future expansion on the remaining 14,175m². Approval for stage 2 is not sought at this time; the facility would have 125 car parking spaces.
Employment	Peak construction workforce - 150 Estimated operational workforce – 120
Capital Value	\$20 million.

Aspect	Description
<i>Construction</i>	Construction of the facility is expected to be completed by March 2009.
<i>Hours of Operation</i>	Operations would take place 24 hours a day, 7 days a week.

The Goodman Fielder facility forms part of the Erskine Park Employment Area, which was established in 1994 and is now rapidly developing. It is fairly remote from any established residential areas (the Erskine Park suburban area is 870m to the North), and is also fairly remote from sensitive land users to the south of the estate, which include a Christian college, school, retirement village and some rural residences. The closest rural residences are the Emmaus Retirement Village which is 820 m to the south of the site and isolated rural residences 1.2km to the south of the site.

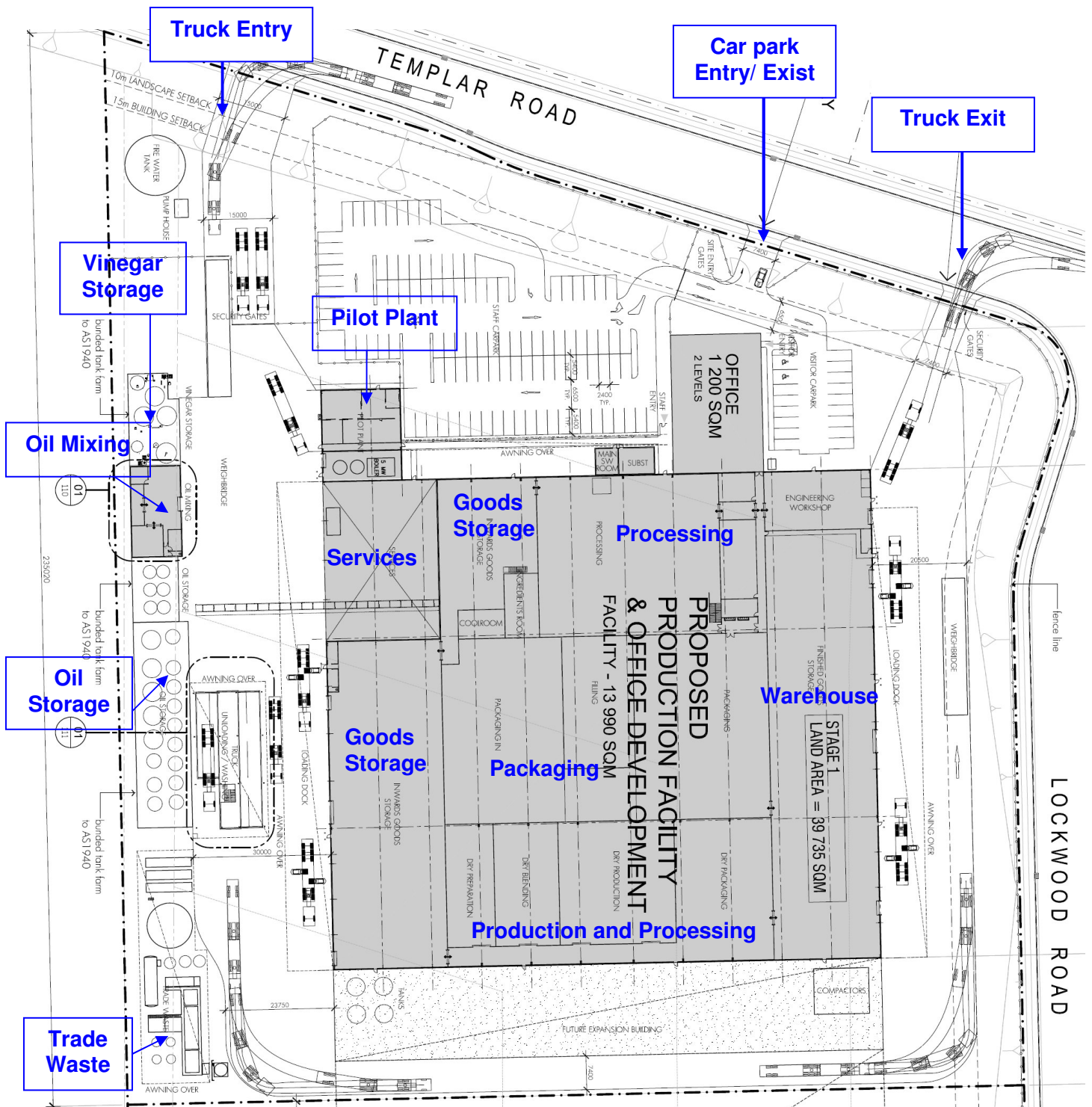


Figure 4: Goodman Fielder Food Production and Warehouse Facility

4. STATUTORY CONTEXT

4.1. Major Project

The proposal is classified as a major project under Part 3A of the EP&A Act, because it includes development for the purpose of food processing, and therefore triggers the criteria in Clause 3 of Schedule 1 of *State Environmental Planning Policy (Major Projects) 2005*. Consequently, the Minister for Planning is the approval authority for the project.

4.2. Permissibility

The site is zoned 4(e) 'Employment' under the *Penrith Local Environmental Plan (Erskine Park Employment Area) 1994*. The project is permissible with development consent as an industry (employment generating development) in this zone.

Consequently, the Minister may approve the project.

4.3. Exhibition and Notification

Under Section 75H (3) of the EP&A Act, the Director-General is required to make an EA for a project publicly available for at least 30 days.

After accepting the EA for the project, the Department:

- made it publicly available for four and a half weeks, from 21 May 2008 until 23 June 2008:
 - on the Departments website; and
 - at the Departments Information Centre, Penrith Council and the Nature Conservation Council;
- notified landowners in the vicinity of the site about the exhibition period by letter;
- notified relevant State government authorities and Penrith City Council by letter; and
- advertised the exhibition in the Penrith Press.

This satisfies the requirements in Section 75H(3) of the EP&A Act.

4.4. Environmental Planning Instruments

Under Section 75I of the EP&A Act, the Director-General's report is to include a copy of or reference to the provisions of any:

- *State Environmental Planning Policy* (SEPP) that substantially govern the carrying out of the project; and
- environmental planning instruments that would (but for Part 3A) substantially governs the carrying out of the project and that have been taken into consideration on the environmental assessment of the project.

The Department has considered the project against the relevant provisions of several Environmental Planning Instruments and is satisfied that none of these provisions substantially govern the carrying out of the project (see Appendix C).

4.5. Objects of the Environmental Planning and Assessment Act 1979

The Minister is required to consider the objects of the EP&A Act when he makes decisions under the Act. These objects are detailed in Section 5 of the Act, and include:

'The objects of this Act are:

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
- (iii) the protection, provision and co-ordination of communication and utility services,*
- (iv) the provision of land for public purposes,*
- (v) the provision and co-ordination of community services and facilities, and*

- (vi) *the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- (vii) *ecologically sustainable development, and*
- (viii) *the provision and maintenance of affordable housing, and*
- (b) *to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) *to provide increased opportunity for public involvement and participation in environmental planning and assessment.'*

The objects of most relevance to the Minister's decision on whether or not to approve this project are those under Section 5(a)(i), (ii) and (vii).

With respect to ecologically sustainable development (ESD), the EP&A Act adopts the definition in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD 'requires the effective integration of economic and environmental considerations in decision-making processes' and that ESD 'can be achieved through' the implementation of the principles and programs including the precautionary principle, the principle of inter-generational equity, the principle of conservation of biological diversity and ecological integrity, and the principle of improved valuation, pricing and incentive mechanisms. In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the project application.

This assessment integrates all significant economic and environmental considerations and seeks to avoid any potential serious or irreversible damage to the environment, based on an assessment of risk-weighted consequences.

GPT have also considered alternatives to the proposed project (including the alternative of not proceeding).

4.6. Statement of Compliance

Under Section 75I of the EP&A Act, the Director-General's report is required to include a statement relating to compliance with the environmental assessment requirements with respect to the project.

The Department is satisfied that the environmental assessment requirements have been complied with.

5. ISSUES RAISED DURING CONSULTATION

During the exhibition period, the Department received six submissions on the project (see Appendix D), all from public authorities [Penrith City Council (Council), Roads and Traffic Authority (RTA), Sydney Catchment Authority (SCA), Sydney Water, NSW Fire Brigades and Integral Energy].

None of the public authorities objected to the proposal. However, they raised a number of issues in relation to visual amenity, landscaping, compliance with Australian Standards, wastewater and stormwater management which have been addressed through the provision of additional information or in the recommended conditions of approval.

A full copy of these submissions is provided in Appendix D.

GPT have provided responses to the issues raised in submissions (see Appendix D), as well as a revised statement of commitments. These have been made publicly available on the Department's website.

The Department has considered the issues raised in submissions, and GPT's responses to these issues, in its assessment of the project.

6. ASSESSMENT OF ENVIRONMENTAL IMPACTS

The Department has assessed the environmental impacts of the project in detail, and considers the key issues to be visual amenity, site elevations, wastewater management and soil and water management.

6.1. Issues

Issue	Key Impacts	Conclusions of Assessment
Visual	<ul style="list-style-type: none"> • The site elevations and proposed firewater tank location may have the potential to impact on the visual amenity of the Erskine Park Employment Area. • Council raised concerns that the building pad is over 4 m above Templar Rd, that the firewater tank needed screening and that landscaping should be increased. • The building pad height was approved in the concept plan and is constrained by the elevations of the surrounding area. The building pad on the adjacent site is a further 6m above the proposed site. 	<ul style="list-style-type: none"> • Residences are relatively distant and the facility is located within the 500 ha Erskine Park Employment Area. Views of the building would predominantly be from the estate roads and can be managed through screening and architectural design features. • The Department has recommended conditions requiring the preparation of a building design and treatment plan to ensure the firewater tank would be screened, the site elevations would not dominate the surrounding area and further landscaping is provided. • The Department is therefore satisfied the facility would not impact on the visual amenity of the area.
Site elevations	<ul style="list-style-type: none"> • The site elevations also have the potential to cause steep driveway grades, exceeding Australian Standards. • GPT have confirmed the facility would conform to Australian Standards. 	<ul style="list-style-type: none"> • The Department has recommended conditions to ensure all driveways, internal roads and parking spaces meet the Australian Standards. • The Department is therefore satisfied the facility would comply with the Australian Standards.
Noise	<ul style="list-style-type: none"> • Construction, operation and traffic all have the potential to create noise emissions. • The closest noise sensitive receivers are the Erskine Park residential area, 870m to the north, a retirement village and school 820m to the south and isolated rural residences 1.2 km to the south. • The predicted noise levels from construction, operation and traffic are below the noise criteria. 	<ul style="list-style-type: none"> • The Department recommends conditions to set noise limits as described in the Industrial Noise Policy and is therefore satisfied the proposal would not cause considerable noise emissions.
Waste	<ul style="list-style-type: none"> • As a food manufacturing facility, the project is expected to generate general solid, putrescible, sewage and trade waste and would recycle plastic and glass. 	<ul style="list-style-type: none"> • The Department recommends GPT prepare a waste management plan in consultation with Council for approval prior to operation and including details of the waste to be reused, recycled and if necessary disposed of. • The Department also recommends conditions to ensure a Wastewater Management Plan is prepared and implemented, outlining measures to manage wastewater associated with the project. • The Department is therefore satisfied waste from the project would be minimised and appropriately managed.

Energy and Water	<ul style="list-style-type: none"> The facilities energy and water use has not been quantified at this stage. 	<ul style="list-style-type: none"> The Department recommends conditions to ensure an Energy and Water Savings Plan is prepared to ensure all reasonable and feasible measures to reduce energy and water use are undertaken. The Department is therefore satisfied the facility would minimise energy and water consumption.
Soil and Water	<ul style="list-style-type: none"> Development of the site could cause post development stormwater flows to exceed predevelopment flows. The Sydney Catchment Authority recommended the post development flows should not exceed predevelopment flows. Council raised concerns about the proposed drainage lines for the site. Council recommended stormwater from the site should be discharged to the existing street drainage infrastructure which has been designed to handle this. 	<ul style="list-style-type: none"> The Department recommends conditions to ensure the final stormwater management system is designed in accordance with Council's requirements and the stormwater discharge does not exceed predevelopment flows. The Department is satisfied that the soil and water on site can be appropriately managed.
Traffic	<ul style="list-style-type: none"> The Traffic Impact Assessment predicts that once operational the facility would generate up to 62 trips an hour during the morning. Strategic planning for the Erskine Park Employment Area was based on a traffic generation rate of 15 trips/hectare/hour or 80 trips for the proposed 5.39 hectare site. 	<ul style="list-style-type: none"> Traffic generation from the proposal is therefore very unlikely to exceed the road traffic capacity. The Department has recommended conditions to ensure vehicles would not park or queue on public roads. The Department is therefore satisfied traffic from the project would not exceed the road capacity.
Parking	<ul style="list-style-type: none"> The project would provide 125 parking spaces; this exceeds the RTA guidelines, however is considerably less than the Penrith DCP requirement of 158 spaces. RTA and Council raised no concerns, however the RTA recommended the installation of bicycle parking and cycle facilities. The number of parking spaces has been calculated to meet the requirements of the end-user (Goodman Fielder) based on staff numbers. 	<ul style="list-style-type: none"> The Department is satisfied the number of parking spaces is sufficient and recommends conditions to provide bicycle parking and associated facilities.
Air Quality	<ul style="list-style-type: none"> Construction works have the potential to generate dust emissions. The facilities are located within an industrial area, with the nearest residential area 1.5km away. Air emissions associated with the operation of the facilities would be from vehicles and plant. 	<ul style="list-style-type: none"> Dust emissions have been addressed in the Construction Management Plan. Operational emissions are not expected to be greater than typical light industrial facilities. The Department is therefore satisfied the project would not cause considerable air emissions.
Flora and Fauna	<ul style="list-style-type: none"> Provisions for biodiversity conservation were made under the concept plan approval. There are unlikely to be flora and fauna impacts from this proposal as the site has already been cleared. 	<ul style="list-style-type: none"> The Department recommends conditions to ensure the landscape plan uses endemic flora in the landscaping of the site and is therefore satisfied any flora and fauna impacts would be minimised.

7. RECOMMENDED CONDITIONS

The Department has prepared recommended conditions of approval for the project (see Appendix B). These conditions are required to:

- prevent and minimise adverse impacts of the project;
- set standards and performance measures for acceptable environmental performance;
- ensure regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.

GPT does not object to these conditions.

8. CONCLUSION

The Department has assessed the merits of the project in accordance with the requirements in the EP&A Act, and is satisfied that the environmental impacts of the project can be mitigated and or managed to ensure an acceptable level of performance.

It is also satisfied that the project would make a major contribution towards the effective delivery of the Western Sydney Employment Hub, which is one of the primary objectives of the metropolitan strategy, principally by:

- allowing the development of a new facility within the Erskine Park Employment Area;
- attracting a capital investment of at least \$20 million to the region; and
- creating at least 120 new jobs in Western Sydney.

Consequently, the Department believes that the project is in the public interest and should be approved subject to conditions.

9. RECOMMENDATION

It is RECOMMENDED that the Minister:

- consider the findings and recommendations of this report;
- approve the project application, subject to conditions, under section 75J of the *Environmental Planning and Assessment Act 1979*; and
- sign the attached project approval (see Appendix B).

Megan Webb
Manufacturing and Rural Industries
Major Development Assessment
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Executive Director
Major Project Assessment

Sam Haddad
Director-General

APPENDIX A – SUMMARY OF RECOMMENDED CONDITIONS OF APPROVAL

<i>Aspect</i>	<i>Condition</i>	<i>Requirement</i>
<i>Schedule 2: Specific Environmental Conditions</i>		
<i>Visual and Landscaping</i>	22-26	Requires additional landscaping of the site and other measures to ensure the building does not detract from the visual amenity of the area.
<i>Transport</i>	19-21	Ensures access roads and parking comply with the Australian Standards and requires the provision of bicycle facilities.
<i>Soil and Water</i>	13-17	Requires appropriate bunding, rainwater harvesting and a soil and water management plan detailing erosion and sediment control measures and stormwater infrastructure.
<i>Noise</i>	28-31	Noise limits and working hours for construction and operation.
<i>Air</i>	32-34	Ensures no offensive odour emissions and dust minimisation.
<i>Waste</i>	18 & 35	Requires waste management, minimisation and monitoring and a Wastewater Management Plan.

APPENDIX B – CONDITIONS OF APPROVAL

APPENDIX C – CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

1 SEPP (Infrastructure) 2007

SEPP (Infrastructure) 2007 aims to ensure the RTA is made aware of and allowed to comment on projects for developments listed in Schedule 3 of the SEPP. Schedule 3 identifies development including industry with a site area of more than 20,000m², or any purpose with a capacity of 200 or more motor vehicles. The project therefore triggers the Infrastructure SEPP. The project was referred to the RTA for comment in accordance with the Infrastructure SEPP.

2 SEPP No.33 – Hazardous and Offensive Development

The Department is satisfied that the project does not represent a 'potentially offensive industry' or a potentially hazardous industry' as defined under clause 3 of SEPP 33. The proposed facilities are not expected to involve the storage, distribution or use of significant quantities of dangerous goods or hazardous substances.

3 SEPP No.64 – Advertising and Signage

The Department has recommended conditions to ensure detailed signage plans are prepared in consultation with Penrith City Council and to the satisfaction of the Director-General. The Department is satisfied the building and identification signage will be consistent with the aims and objectives of SEPP 64.

4 Draft SEPP No.66 – Integration of Land Use and Transport

Draft SEPP 66 "aims to ensure that urban structure, building forms, land use locations, development designs, subdivision and street layouts help achieve the following planning objectives:

- a) improving accessibility to housing, employment and services by walking, cycling and public transport,
- b) improving the choice of transport and reducing dependence solely on cars for travel purposes,
- c) moderating growth in demand for travel and distances travelled especially by car,
- d) supporting the efficient and viable operation of public transport services,
- e) providing for the efficient movement of freight.

The Department is satisfied the proposal is not contrary to the above objectives and considers the project would help achieve objective a) by providing employment lands within the Western Sydney Employment Hub and objective e) through the sites proximity to the Orbital Motorway Network.

5 Draft SEPP (Western Sydney Employment Hub) 2008

The proposal is consistent with the aims of the Draft SEPP (WSEH) as it will assist in meeting the objectives of the Sydney Metropolitan Strategy, provide for new economic activity in Western Sydney and provide for efficient land use in the employment lands. Despite this the SEPP does not apply to the proposal as it has not yet commenced.

6 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River

The site is located in the South Creek catchment identified under the SREP. The Department is satisfied the proposal does not conflict with the aims of the plan as the Stormwater Management will ensure that post-development flows do not exceed pre-development flows and water polishing will ensure any water discharged meets stormwater quality guidelines.

7 Penrith Local Environmental Plan 1994 (Erskine Park Employment Area)

Penrith Local Environmental Plan provides development controls for development in the Erskine Park Employment Area. The proposed facility is located in land zoned 4(e) (Employment Zone). The objectives of the zone are to provide opportunities for a diverse range of employment generating activities. The Department is satisfied that the proposed facility is consistent with the objectives of the zone.

APPENDIX D – SUBMISSIONS

APPENDIX E – ENVIRONMENTAL ASSESSMENT
