



**Environmental Assessment K Mart Warehouse &
Distribution Centre for**

Eastern Creek Stage 3
Part Lot 2 DP 1149138

ENVIRONMENTAL ASSESSMENT



Proposed Warehouse & Distribution Centre For K Mart

Eastern Creek Stage 3
Part Lot 2 DP 1149138

Prepared for



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Perspective of proposed K Mart Warehouse & Distribution Facility



Perspective of proposed K Mart Office component

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AUTHORS CERTIFICATION OF ENVIRONMENTAL ASSESSMENT

Part 3A Environmental Assessment

Prepared pursuant to the Environmental Planning & assessment Act 1979

1. Environmental Assessment prepared by:

Name: Christopher Blyth

Position held: Director, Boston Blyth Fleming Pty Ltd Town Planners acn 121 577 768

Address: Suite 1, No. 9 Narabang Way Belrose NSW 2085

2. Project Details

Application Number: 10_0082

Project: The K Mart Warehouse and Distribution Centre Project, including the construction, fitout and operation of the warehouse and distribution centre within Stage 3 of Eastern Creek Business Park

Proponent: Australand Holdings Limited

Proponent Address: Locked Bag 2106 North Ryde NSW 1670

Land subject of Part 3 A Project Application: Proposed Lot 8 in a subdivision of Lot 2 DP 1149138 Wonderland Drive Eastern Creek 2766

3. Certification

I hereby certify that I have prepared this environmental assessment and that it has been prepared to the best of my knowledge in accordance with the requirements of Part 3A of the Environmental Planning & Assessment Act 1979 and does not contain any false or misleading statements or information

3. Signed:



Name: Christopher Blyth

Date: 20 July 2010

EXECUTIVE SUMMARY

The Eastern Creek Precinct is part of land to which the recently repealed State Environmental Planning Policy No.59 – Central Western Sydney Economic and Employment Area (SEPP 59) relates.

SEPP 59 was gazetted on 19 February 1999 however was repealed in relation to employment and conservation zoned land on 21 August 2009 with the gazettal of State Environmental Planning Policy (Western Sydney Employment Area) 2009.

The majority of land in Stages 1 & 2 has been developed for large scale industrial facilities predominantly warehouse and distribution centres.

The balance of the land within the Eastern Creek Precinct constitutes the Stage 3 release and was declared as such by the Minister on 7 March 2003.

Primary planning and site development criteria are contained within the SEPP 59 Employment Lands Precinct Plan – Eastern Creek that was prepared by Blacktown Council and adopted in its final form on 14 December 2005.

The Precinct Plan provides objectives and detailed requirements for servicing, environmental management, biodiversity, traffic and transport, development and community services within the release area. It remains valid pursuant to Cl.19 of the new SEPP which relates to precinct plans prepared under SEPP 59.

Australand has a Voluntary Planning Agreement in place with Blacktown Council in relation to the entirety of Stage 3 of the Estate that requires construction of local roads pursuant to the Precinct Plan. It also requires the payment of contributions towards trunk drainage, detention basins and riparian zones and upgrading of Old Wallgrove Rd, Archbold Road and the Link Road.

Australand has a contract with K Mart to design and construct a warehouse and distribution centre on proposed Lot 8 within the estate subdivision servicing 43 retail outlets within New South Wales. The subdivision of the site is subject to a separate application that has been submitted to Blacktown City Council.

The proposal is for the erection of the buildings and facilities constituting the warehouse and distribution centre. Earthworks, tree removal and road construction and drainage are subject to an existing development consent issued by Blacktown Council in 2006, DA 06-1992 on 27 May 2009.

The proposal is a Part 3A project application that has a total CIV of \$31M. The facility will employ during normal business operations some 220 persons.

The Director General's requirements for the project were received from the Department of Planning by letter dated 23 June 2010 after correspondence was issued

by the Director, as a delegate of the Minister on 4 May 2010 declaring the proposal to be a major project.

The Director General's Requirements have been addressed in this Environment Assessment in the following sections:

- (i) Executive Summary Pg 7;**
- (ii) Detailed Description Section 3.0;**
- (iii) Risk Assessment Section 5.1;**
- (iv) Assessment of Key Issues Section 5.1 – 5.15;**
- (v) Strategic & Statutory Context Section 4.0;**
- (vi) Statement of Commitments Section 8.0;**
- (vii) Conclusion & Justification Section 9.0;**
- (viii) Authors Signed Statement pg 6;**
- (ix) Infrastructure Section 5.3 & 5.4;**
- (x) Transport Access & Parking Section 5.9;**
- (xi) Noise & Vibration Section 5.5 & 5.10;**
- (xii) Soil & Water Section 5.5;**
- (xiii) Design & Visual Section 5.10;**
- (xiv) Sustainable Development section 5.6, 5.6.1, 5.6.2, 5.6.3;**
- (xv) Hazards Section 4.1.5;**
- (xvi) Waste Management Section 5.5.6;**
- (xvii) References Section 7.0;**
- (xviii) Consultation Section 9.0;**

This Environmental Assessment concludes that the proposal is appropriate for the site and is of acceptable environmental impact.

1.0 INTRODUCTION

1.1 Summary

This Environmental Assessment (EA) has been prepared on behalf of Australand Holdings Limited (AHL) to accompany a major project application made pursuant to Part 3A of the Environmental Planning & Assessment Act 1979.

AHL has been commissioned to design and construct a new warehouse and distribution facility for K Mart on the subject site within Stage 3 of the Eastern Creek Employment Lands.

The Minister for Planning has determined that the subject development is one that is classified as a Major Project and as such is subject to the provisions of Part 3A of the Environmental Planning & Assessment Act 1979 pursuant to a notice dated 4 May 2010.

Development of Stage 3 of the estate will provide land for employment generating land use as well as addressing transport, pedestrian, servicing, transport and environmental management issues.

1.2 History

Land within Stage 3 has a history of development applications and approvals issued by Blacktown Council for the following:

- (i) Development Application 06-1992 was approved 27 May 2009 relating to subdivision, new road construction, bulk earthworks and tree removal on to Lot 122 DP 1049623. The consent also approved earthworks pad levels for all sites including K Mart as well as the Precinct Plan road layout and stormwater systems (refer copy Annexure 3).
Included with this application were reports covering all relevant issues including environmental reports, flora and fauna reports, bushfire report, phase 2 site assessment report covering contamination and salinity.
The application was also accompanied by a S.90 consent to salvage from the Department of Conservation (NSW) pursuant to the National Parks & Wildlife Act 1974 and advice from the Australian Department of Environment & Heritage that approval was not required pursuant to Chapter 4 of the Environment Protection and Biodiversity Conservation Act 1999;
- (ii) On 4 September 2009 a Section 96 application to modify the collector road location to accord with the Precinct Plan and amend some conditions of consent was approved by Blacktown Coty Council on 9th September 2009.
- (iii) Development Application to subdivide Stage 3 into industrial residue lots and conservation area lots was approved by Blacktown Council on 27 November 2009;
- (iv) Development Application JRPP-09-2804 on proposed Lot 3 DP 1149138 to establish a warehouse and distribution centre for Pepkor was submitted to

- council in late 2009 and approved by the Sydney West JRPP on 19th March 2010;
- (v) Development Application 10-485 on proposed Lot 7 in the subdivision to establish a warehouse and distribution centre for Cassons was submitted to Blacktown city Council in March 2010;
 - (vi) Subdivision DA 10-486 for site subdivision to create proposed Lot 7 to accommodate the Cassons facility was submitted to Blacktown City Council in March 2010;

1.3 Proposed Subdivision

The land subject to this application, proposed Lot 8 will form a new subdivision lot that is part of a separate application that has been submitted to Blacktown Council. At the time of writing that application was undetermined however approval from Council was expected by the end of July 2010. A copy of the plan of subdivision is enclosed within this EA (Fig 5) and also in Annexure 2.

The proposed Lot is located in accordance with the development consents issued in particular Development Consent 06-1992 and as subsequently modified pursuant to S.96. It is noted that road 3, located to the east of the proposed Kmart site Lot 8, will not be constructed as it is now unnecessary due to the proportions of proposed Lot 8. A S.96 application will be made to Blacktown Council to delete this road from the approved road layout (refer Annexure 3 for copy of approved road layout extracted below).

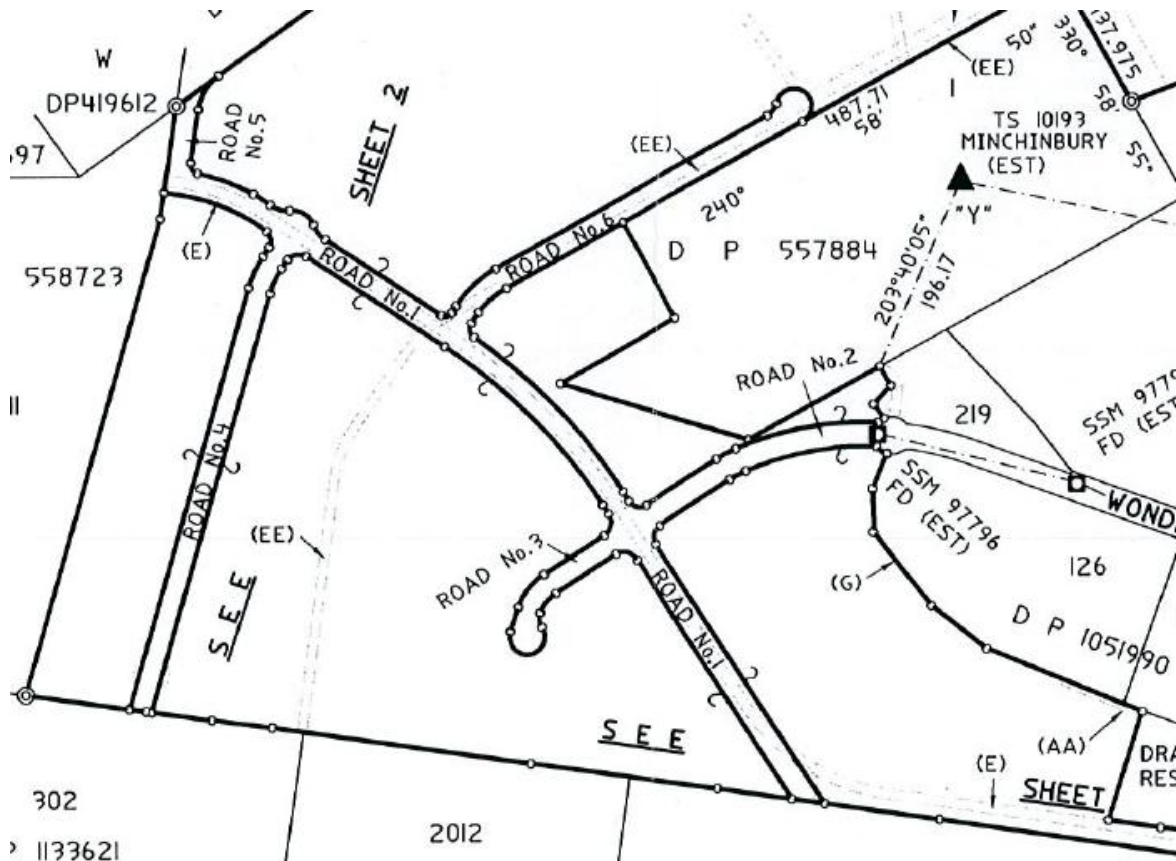


Fig 1. Approved road layout Stage 3 (S.96 09-1535)

1.4 Need for the project and alternatives

K Mart is proposing to relocate from Huntingwood and requires a new State warehousing and distribution facility to cope with increased demand.

The facility will service a network of retail stores located around New South Wales.

A location with ready access to the State and regional road network is required and the subject site was chosen due to proximity to markets and store locations, availability of land of the required area and availability of an employment base.

Kmart had explored other sites within Western Sydney but given the availability of the subject land and the advanced state of preparation of the estate, Eastern Creek became the favoured alternative.

The alternative to the project not proceeding would be the prolongation of inefficiencies related to site characteristics at Huntingwood creating difficulties in servicing of clients, suppliers and K Mart stores.

1.5 Documentation

This project application is accompanied by the following reports and documentation:

- **Architectural plans prepared by Australand Holdings Limited;**
- **Civil Engineering plans, Stormwater Management Plan, Erosion & Sedimentation Control prepared by Costin Roe Consulting, Civil & Structural Engineers;**
- **Landscape Plan prepared by Peter Glass & Associates;**
- **BCA report prepared by Mackenzie Group Limited;**
- **Traffic Impact report prepared by Road Delay Solutions;**
- **Water Management report prepared by Steve Paul & Partners;**
- **Energy Report prepared by Steensen Varming (Australia) Pty Ltd;**
- **Environmental Noise Emission report and Vibration and Noise Management Plan prepared by Acoustic Logic Limited;**
- **Waste Management Plan prepared by Australand Holdings Limited;**

2.0 SITE AND CONTEXT

2.1 Locality Description

The Eastern Creek Precinct has a highly strategic location at the intersection of the M7 and the M4 motorways. The entire precinct has very good connections to Sydney Airport, Port Botany, Goulburn, Canberra and beyond.

The nearest residential areas to the subject site are St Clair to the west and Rooty Hill to the north

The entirety of land encompassing the Stage 3 declared area is some 600ha in area and is an area of land identified by State Environmental Planning Policy (Western Sydney Employment Area) 2009

Stages 1 & 2 or the Eastern Creek Business Park are located to the east of Stage 3 and are accessed via Wonderland Drive from Wallgrove Rd.

Stages 1 & 2 have been developed by Australand Holdings Limited and support numerous large industrial facilities operated by well known corporations such as LG, SWADS, CCL, Costas and Makita to name some.

Land within Stage 3 subject to this application is situated to the north and west of the former theme park site, and to the west of Stage 1 lands and the Minchinbury Reservoir. Hanson's Quarry abuts to the west.



Fig 2 Regional Context

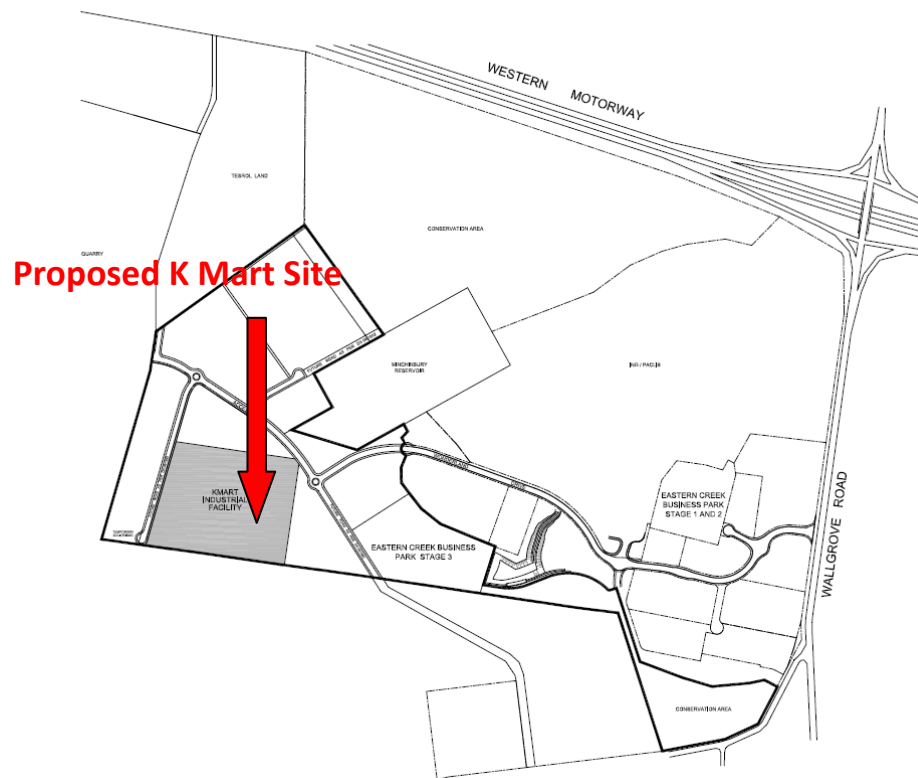


Fig 3. Site Location plan



KMART SITE - EASTERN CREEK STAGE 3



Fig 4. Aerial photograph of site and adjacent properties

2.2 Site Description

The site subject of this application is known as part of Lot 2 DP 1149138. The entire lot consists of an area of some 10.731ha. It is to be known as Lot 8 in a proposed plan of subdivision, a copy of which is provided separately and indicated in Figure 3 above and provided in reduction at Annexure 2.

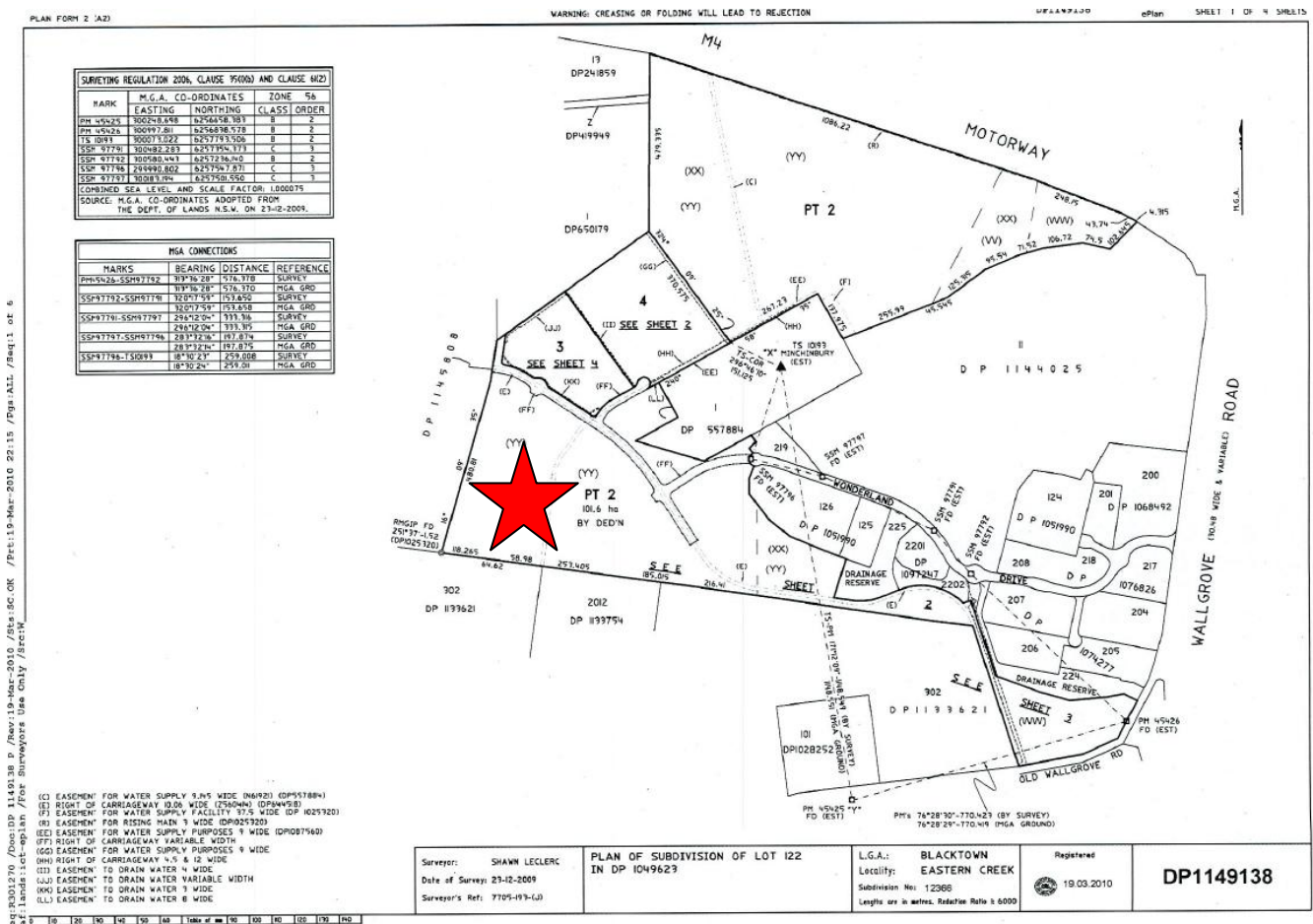


Fig 5. Extract DP 1149138

2.3 Site Conditions

As referred to in the opening of this environmental assessment, development consent 06-1992 have been issued for the property for civil and infrastructure works including vegetation removal, road construction, pad levels and drainage. It has no known history of industrial use being formerly used for agriculture.

Clearing has not yet been undertaken on the K Mart site which remains in the condition indicated by the above aerial photograph.

The site has a high point in roughly the centre of the site at rl 91, generally sloping away to the south east and North West. The approved pad level will enable a warehouse to be established at rl 81.4 ± 1m.

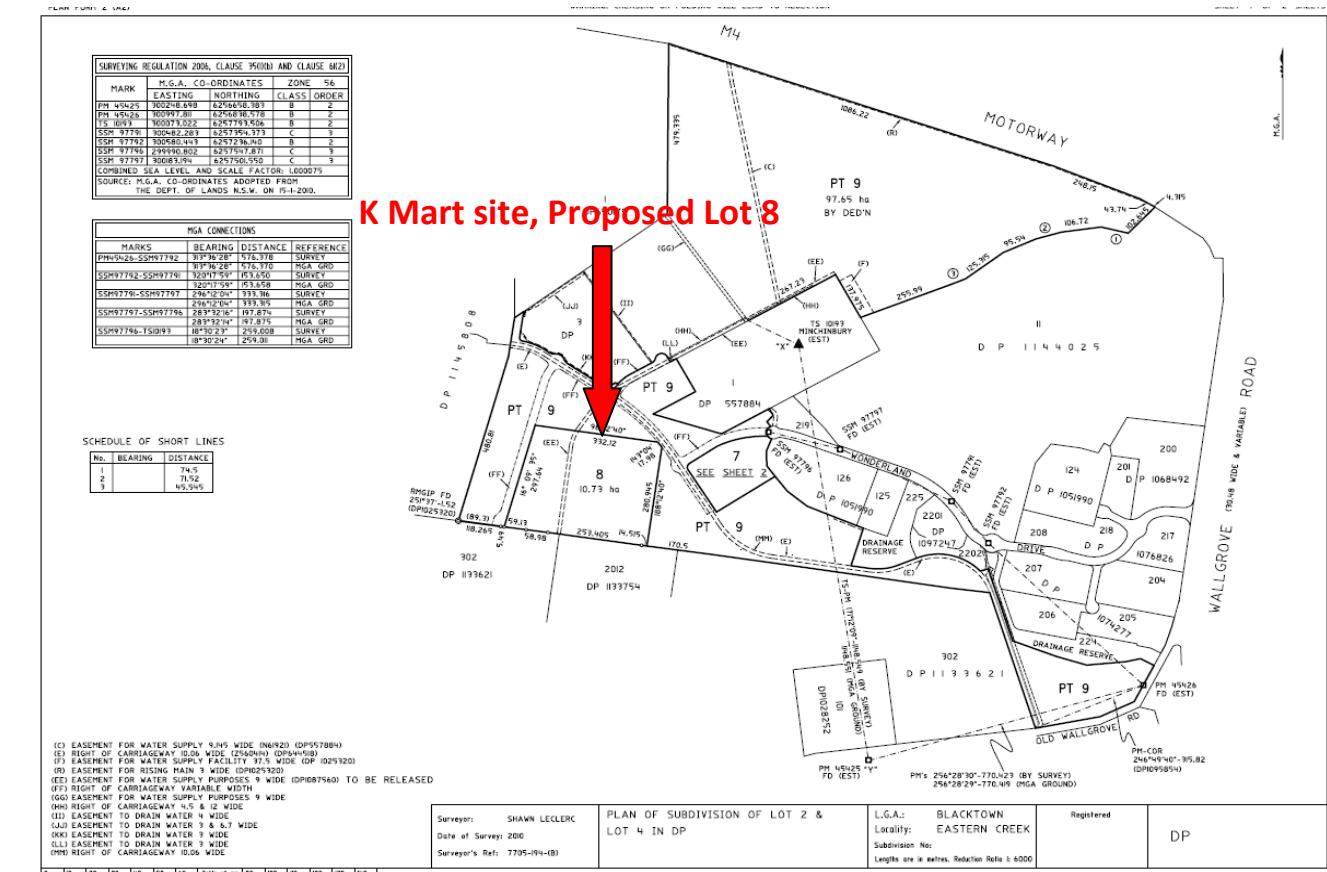


Fig 6. Extract proposed subdivision to create K Mart site proposed Lot 8

3.0 DESCRIPTION OF PROJECT

3.1 Summary

It is proposed that the site be developed to accommodate a warehouse and distribution centre for occupation by K Mart.

Kmart operates 182 stores throughout Australia and New Zealand and employs thousands of local residents. With our massive range of products, including men's, women's and children's wear; garden; home; health & beauty; outdoor living; entertainment; toys & sporting; camping & fishing; automotive; DIY and everyday needs, Kmart is sure to make anytime a good time. (source <http://www.kmart.com.au/AboutKmart/TheKmartStory.aspx>)

The project application is for the construction, fit out and operation of the warehouse and distribution centre that will service 43 retail outlets within New South Wales. The project has a capital investment value of \$31M.

The layout of the proposed building, parking areas and the location of the estate access road is shown on the accompanying drawing set prepared by Australand Holdings limited. Reduced plans of the proposed site development are contained in Annexure3.

There are no processes involved in the operation of the site which is proposed to be accessed via Road 4 to be constructed off the estate access road, Road 1 as per approved DA 06/1992.

The use is proposed to operate 24 hours per day seven days per week with during normal working hours, up to 220 employees on site.

The warehouse and attached office component will be constructed with a variety of materials and finishes to achieve a modern visually pleasing elevation to the public domain.

Containers are proposed to be stored in a fenced and landscape screened compound within the eastern setback of the building. Two pallet yards are also proposed adjacent to the container yard on its southern side. Viewing into the container yard will be difficult from Road 1 due to setbacks, fencing and landscape screening.

3.2 Layout and planning

It is proposed that the site be developed as a warehouse and distribution centre to be occupied by K Mart. Annexure 3 of this EA contains reduced drawings of the proposed development. K Mart is a large well established corporation involved in the retail industry.

The proposed site has an area of 10.73ha with a frontage to Road 4 of 297.64m. It also has a minor frontage (no access) to Road 1 of 17.98m.

Access to the site is proposed to be by way of a temporary right of carriageway over Road 1 until such time as the access road is dedicated. Road 4 will be constructed from the estate access road to provide direct points of access to the K Mart facility also by right of carriageway until dedication.

The proposed distribution centre itself is rectangular in form and has dimensions of 241.865m X 206.730m, plus attached office component and a total area inclusive of offices and gatehouse of 51,660m². The warehouse is proposed with an FFL of 81.4 ± 1m.

Separated car and truck entry/exit points are provided. Two well separated car entry/exit points are proposed across the frontage of the site. The truck entry/exit point is located at the south western corner of the frontage with ingress and egress points separated by an island with gate house (refer Fig.6).

The truck access circles the entire building enabling 100% drive around ability. A weighbridge is proposed on the immediate southern side of the gatehouse at the truck exit from the site.

A minimum 10m landscaped setback is proposed to the minor frontage to Road 1. A 7.5m landscaped buffer is proposed to access road No.4.

The car entry/exit point provides access to a parking area for 250 vehicles situated adjacent to the west elevation of the building within the building line area. Provisional car parking is allocated for a further 38 spaces in parallel fashion along the northern boundary of the site and 42 spaces along the southern boundary in parallel fashion making an additional 80 provisional spaces.

The truck entry leads to a series of loading docks positioned across the northern, southern and eastern sides of the warehouse and are provided with awnings for weather protection. A variety of flush and recessed docks are proposed.

The main office component is two level and 1140m² in area. The office will include facilities such as:

- *Canteen;*
- *Open office space;*
- *Staff change rooms with lockers and amenities;*
- *Outdoor recreation area with shade sails;*
- *Enclosed meeting rooms;*
- *Conference rooms;*
- *Amenities;*
- *IT & communication room;*
- *Compactus*

In addition to the main office there will be a 285m² dispatch office and a 285m² receiving office. A small 25m² gate house is also proposed.

3.3 Container Storage

A container storage area is proposed on the eastern side of the distribution centre. It will be setback 13.8m from the site boundary. The setback contains a retaining wall landscaped and stepped from the boundary, truck access, driveways and landscape screening.

An architecturally designed 8m high metal screen wall is proposed to screen the container yard which will also feature significant tree planting along the central section of the proposed wall. To the north of the yard adjacent to the truck entry and receiving office, planting areas are also proposed that will obscure views into the container yard from collector road 1.

The yard will store a variety of both 6m and 12m long full and empty containers in two rows.

The eastern row will be up to three high and will provide predominantly for longer term storage of containers, a percentage of which will contain pre packed product that will be shipped directly from the site.

The western row adjacent to the distribution centre will be one high 6m and 12m containers that will be unloaded directly into the distribution centre by forklift.

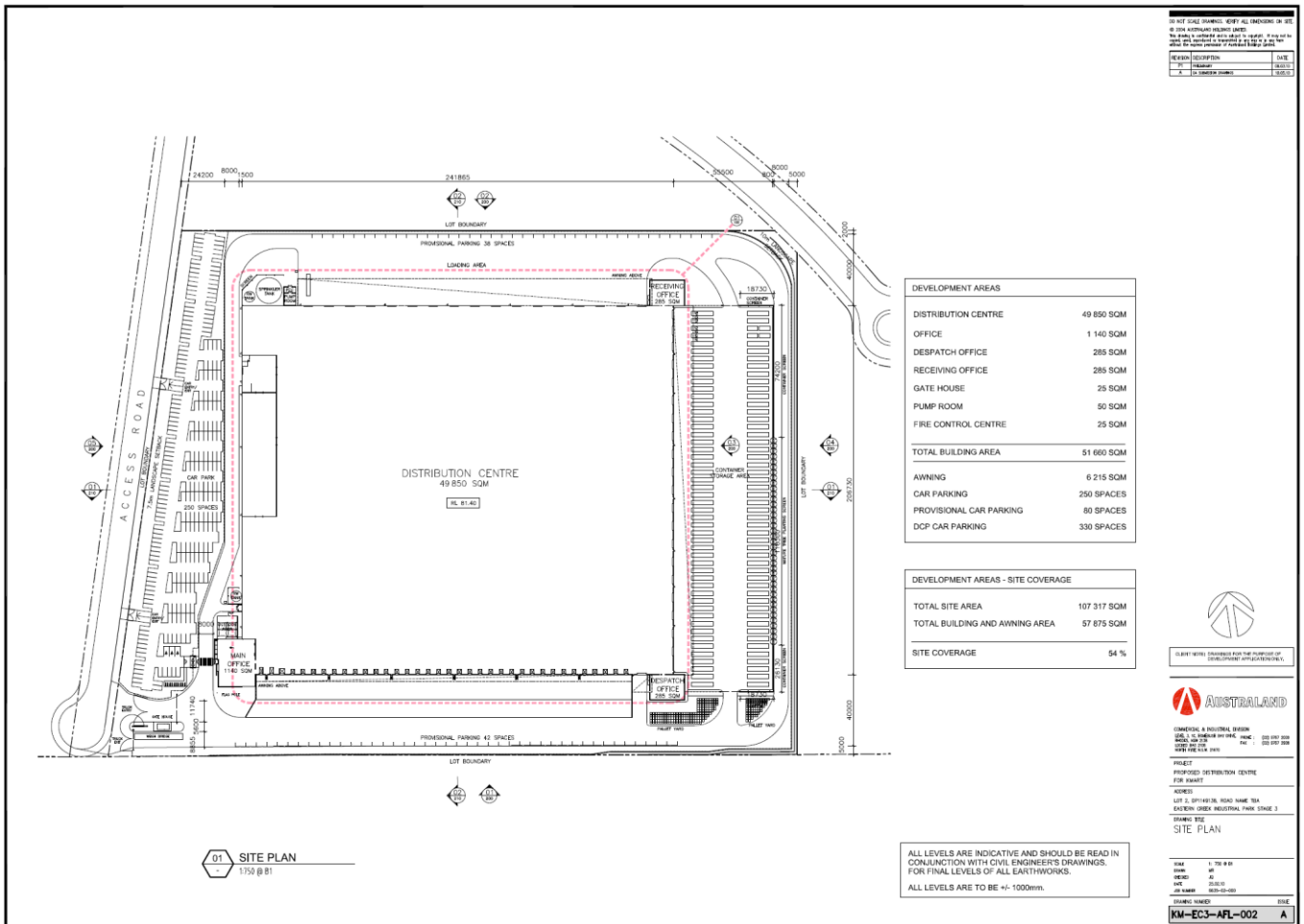
The container arrangement on the drawing is indicative of absolute full capacity, a situation which will however never eventuate. Space will always be available for forklifts to access the eastern row from the docks on the eastern elevation of the warehouse.

The container yard will operate with one isolader.

3.4 Site Calculations

The site calculations are as follows:




SITE AREA	:	107317m²
GROSS FLOORSPACE:		
<i>Distribution Centre:</i>		49,850m²
<i>Main Office:</i>		1,140m²
<i>Despatch Office:</i>		285m²
<i>Receiving Office:</i>		285m²
<i>Gate House:</i>		25m²
<i>Pump Room:</i>		50m²
<i>Fire Control Centre:</i>		25m²
TOTAL:		<u>51,660m²</u>
F.S.R. :		. 48:1






3.5 Materials and Finishes

The building is to be in steel framed construction. External finishes of the warehouse will be pre finished metal wall sheeting with precast concrete dado panels below on the north, west and eastern elevations. On the southern elevation the precast panels will extend to the underside of the loading dock awning.

COLORBOND FINISHES

	E-CO 1 DISTRIBUTION CENTRE, OFFICE WALL AND GUTTERS COLORBOND "MONUMENT"
	E-CO 2 OFFICE WALL AND ROLLER SHUTTER DOORS COLORBOND "SURFMIST"
	E-CO 3 DISTRIBUTION CENTRE WALL, ROLLER SHUTTER DOORS COLORBOND "LOFT"

PAINT FINISHES

	E-PT 1 OFFICE ENTRY CANOPY AND DISTRIBUTION CENTRE WALL TO MATCH K MART CORPORATE RED
	E-PT 2 DISTRIBUTION CENTRE DADO PANEL TO MATCH COLORBOND "MONUMENT"
	E-PT 3 DISTRIBUTION CENTRE AND OFFICE WALLS TO MATCH COLORBOND "SURFMIST"

GLAZING

	E-GL1 EXTERNAL GLAZING
	E-RF 1 ROOF ZINCALUME

RETAINING WALL

	E-RW 1 BORAL KEYSTONE COLOUR "CHARCOAL"
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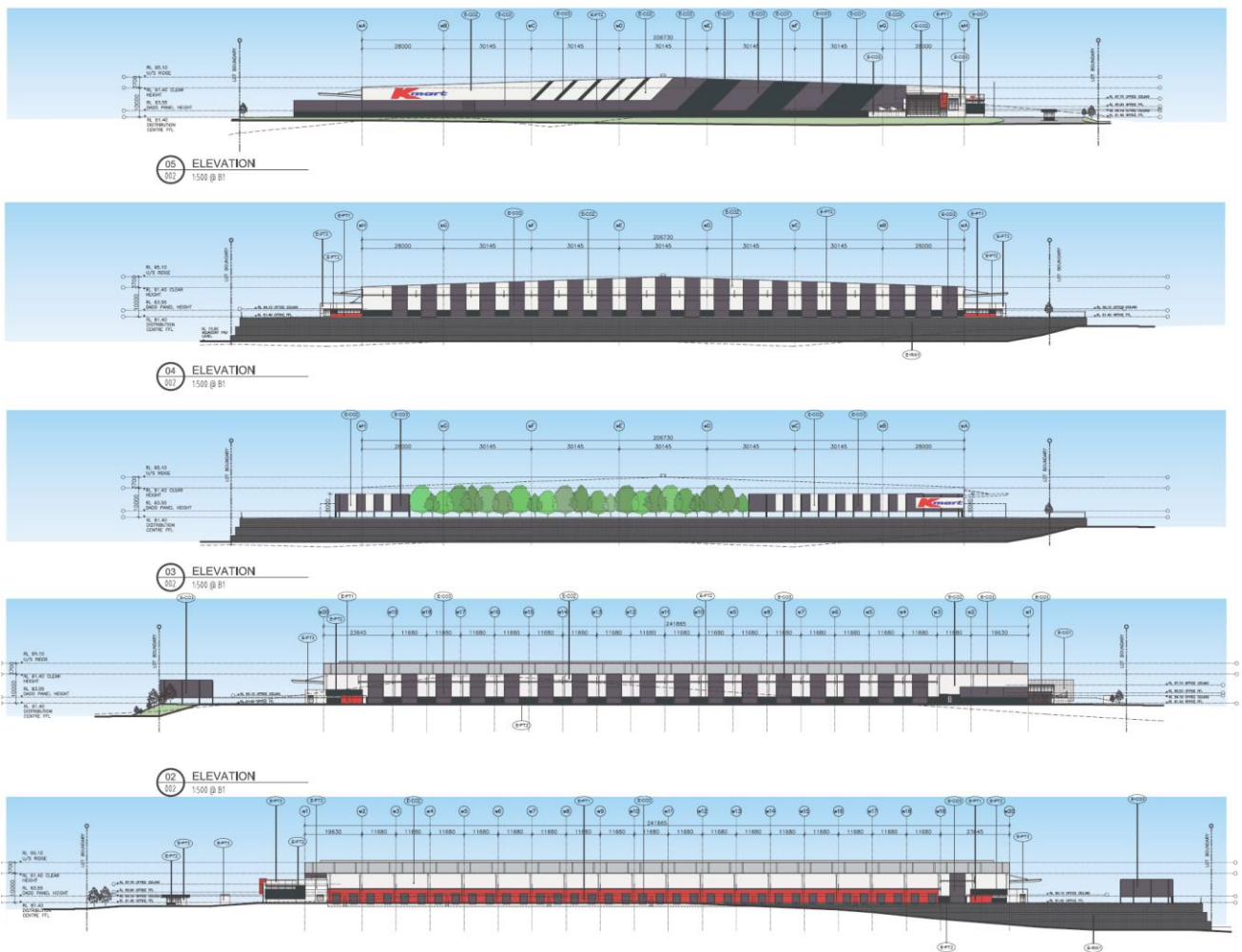


Fig 9. Elevations of proposal, materials and finishes

The office component will be constructed in a variety of materials including painted precast walls, CFC and composite cladding and aluminium framed glazing and an external staff area with shade sails.

Landscape planting is proposed within the street frontage front setback and side boundary setbacks of the building as well as within the car parking area and adjacent to the building in accordance with the design of Peter Glass & Associates which accompanies the application.

3.6 Description of K Mart Occupation

i) Nature of Use

K Mart operates 43 retail outlets in New South Wales. The site will be used as a facility to warehouse and distribute a large range of consumer products throughout New South Wales.

The facility will provide pick and pack as well as catering for cross dock operations. It will process 8 million general merchandise cartons to 43 retail outlets within NSW. Merchandise is received on pallets from local Australian as well as overseas suppliers on pallets within shipping containers.

Approximately half of the floorspace within the facility will be provided with racking with the remainder accommodating a mechanised sortation system as indicated on the distribution centre floor plan 100C, and bulk floor stacking.

ii) Operation

The premises are proposed to operate with a total number of employees of 220 on a 24 hour seven day basis. Three shifts daily are proposed with a 60/40 male female split. The workforce has potential to be expanded by a further 8% within 5 years. The site will accommodate, as set out in detail above, the following activities:

- *Receipt despatch, cross docking, storage & distribution of goods;*
- *Administration offices;*
- *Car parking & loading areas;*
- *Container storage*

Products will be unloaded and transported within the warehouse by forklift. No retailing is proposed from the site.

iii) Truck Movements

All product arriving at the site will arrive in a variety of truck sizes from class 3 & 4 rigid trucks to class 7 to Class 10 (B-Double) vehicles. Approximately 100 incoming movements and 100 outgoing movements are proposed daily.

A report into the traffic aspects of the proposal prepared by Road Delay Solutions accompanies the application which concludes that the traffic generation of the

development at 276vph during the morning and evening peak periods will be capably handled by the planned road network.

Heavy vehicle movements will occur during business and off peak hours. The accompanying traffic impact report has modeled a worst case scenario of 42 heavy vehicle trips during each of the morning and evening peaks, 30 outbound and 12 out in the am and 30 in bound and 12 outbound in the pm.

The site is very well located and laid out to cater for the number of truck movements envisaged, including separated ingress and egress points for trucks and 100% drive around capability.

iv) **Materials Storage**

Materials and operations associated with the usage will be contained within the building. The proposed container storage yard at the eastern end of the building will be well setback from the eastern boundary by 13.8m and will be screened by significant tree planting (*lilli pilli* sp to 12m in height) installed at 1.8m in height and an architectural metal screen fence. Additional landscape planting adjacent to the entry driveway and receiving office will effectively prevent viewing from Road 1, the estate access road.



Fig 10. Detail of proposed landscape treatment, north east corner of site

There are no dangerous goods involved in the use of the site other than LPG gas bottles for forklifts that will be stored in approved enclosures. Quantities involved are below those prescribed in State Environmental Planning Policy No.33 as requiring separate assessment.

4.0 STATUTORY PLANNING

4.1 State & Regional Environmental Plans

Relevant state and regional plans include:

4.1.1 State Environmental Planning Policy (Major Projects) 2005

Pursuant to Cl.6(1) of the SEPP the proposed development is a major project that has been determined by the Minister as being a form of development described in Schedule 1 of the State Policy, that is a warehouse and distribution centre with a CIV in excess of \$30M.

4.1.2 State Environmental Planning Policy (Western Sydney Employment Area) 2009

The SEPP was gazetted on 21 August 2009 and replaced SEPP 59 other than for land zoned residential and open space.

The site is within Stage 3 of the Eastern Creek release which is an area of land approximately 600 hectares in area. Stage 3 was declared by the Minister on 7 March 2003.

The subject site is within the IN1 General Industrial pursuant to the SEPP.

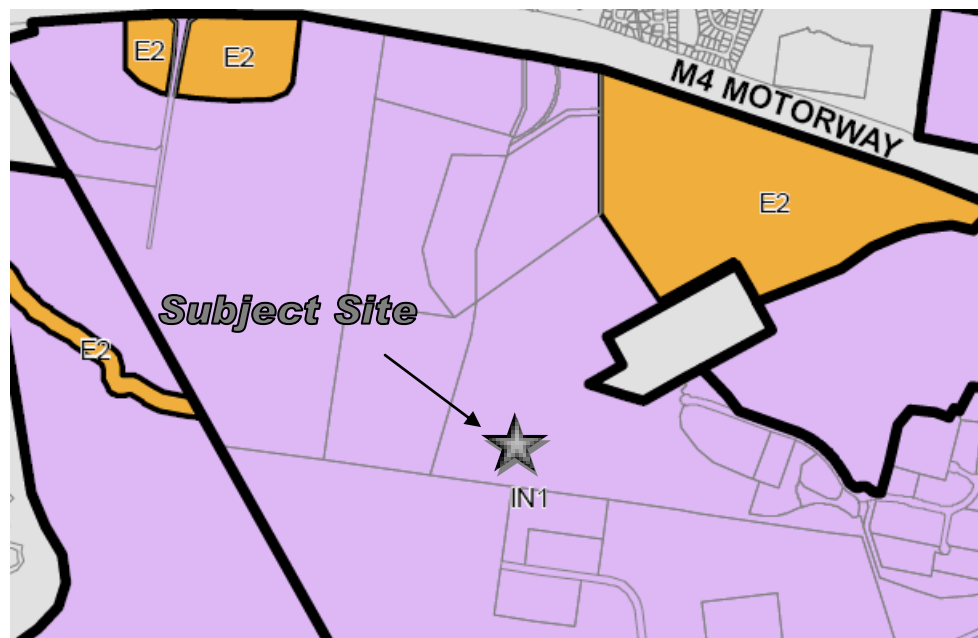


Fig 11. Zoning

The proposal is a use that is permissible in the zone and which will achieve the zone objectives:

- ***To facilitate a wide range of employment-generating development including industrial, manufacturing, warehousing, storage and research uses and ancillary office space.***

The proposed use is for a warehouse and distribution centre that will generate 220 jobs and achieves the objective.

- ***To encourage employment opportunities along motorway corridors, including the M7 and M4.***

Again the proposal will achieve this objective by creating 220 jobs.

- ***To minimise any adverse effect of industry on other land uses.***

The use will contain its impacts to its site and building. As a warehouse the use is not associated with any process or activity causing emissions or adverse impact.

The locality is fully industrial in character and there are no sensitive uses nearby with which any interaction might occur. The site layout is well designed to cater for the characteristics of the user and there is not likely to be any adverse impact on adjacent land uses, present or future.

- ***To facilitate road network links to the M7 and M4 Motorways.***

The site development is not specifically related to this objective however the construction of the approved roads will link the site to the main road network.

- ***To encourage a high standard of development that does not prejudice the sustainability of other enterprises or the environment.***

The application is for construction and use of a warehouse and distribution centre and will be constructed with energy efficient fittings and lighting. A detailed waste management plan will accompany the application. Rainwater harvesting will be employed on site.

Australand also has a Memorandum of Understanding with Sydney Water to save 35% of potable water on all Australand sites.

The design is in modern industrial typology incorporating variety in materials and finishes with a comprehensive landscape scheme.

- ***To provide for small-scale local services such as commercial, retail and community facilities (including child care facilities) that service or support the needs of employment-generating uses in the zone.***

Not applicable to the proposed development.

It can be seen from the above that the proposal will be in compliance with the zone objectives.

• **Part 5 Principal Development Standards**

Part 5 Clauses 20 – 27 contains the principal development standards of the SEPP and is responded to in the following compliance table:

CONTROL	PROPOSED	COMPLIANCE
<p>20. Ecologically sustainable Development</p> <p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that the development contains measures designed to minimise:</p> <p>(a) the consumption of potable water, and</p> <p>(b) greenhouse gas emissions.</p>	<p>(a) A water management plan has been prepared by Steve Paul & Partners and accompanies the application recommending:</p> <ul style="list-style-type: none"> - A 100kl rainwater harvesting system; - 4 star WELS rated toilets - 5 star WELS rated urinals - 3 star WELS rated showers - 5 star WELS rated tapware <p>The report recommends adoption of the Water Management Plan (refer separate report and comments in relation to the Precinct Plan). These measures have been assessed as achieving a reduction in cold potable water consumption of 46.2% which is in excess of the 35% subject to the Statement of cooperation between Sydney Water and Australand Holdings Limited.</p> <p>(b) An energy report prepared by Steensen Varming accompanies the application. Passive solar strategies will be adopted a suitable to the site orientation and development. Energy efficient lighting, fixtures and fittings will be employed. (refer also separate report and comments in relation to Precinct Plan)</p>	<p>YES</p>
<p>21. Height of Buildings</p> <p>The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:</p> <p>(a) building heights will not adversely impact on the amenity of adjacent residential areas, and</p> <p>(b) site topography has been taken into consideration.</p>	<p>(a) The site is not adjacent to any residential area and as such no such impact results.</p> <p>(b) The necessity of creation of a level platform for viable industrial development determines the need for cut and fill however as regards topography retaining walls are necessary but have been kept to a minimum height of 3m beyond which stepping and landscaping will occur.</p>	<p>YES</p>
<p>22. Rainwater Harvesting</p> <p>- The consent authority must not grant consent to development</p>	<p>It is understood that there is no scheme approved by the Director General</p>	

on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General	however the accompanying Water Management plan recommends installation of a 100kl rainwater harvesting system which will be adopted.	YES
23. Development adjoining residential land	n.a. The development does not adjoin residential land	N.A.
24. Cl.24 Development Involving Subdivision Considerations: The implications of the fragmentation of large lots of land Whether the subdivision will affect the supply of land or employment purposes Whether the subdivision will preclude other lots of land to which this policy applies from having reasonable access to roads and services	The proposed development is to be established on a proposed Lot in a separate subdivision application submitted to Blacktown Council, and meets the objectives for the zone and relevant subdivision standards. The subdivision will increase the amount of land available for employment. The subdivision is in accordance with the Stage 3 Precinct Plan and will not preclude any access.	YES
25. Public Utility Infrastructure. Public Utility infrastructure to be available or adequate arrangements are to be in place Supply of water Supply of electricity Supply of natural gas Disposal and management of sewage	Arrangements have been put in place with the referred to infrastructure suppliers and this requirement is already subject to conditions of consent in DA 06-1992 for earthworks, road construction and tree removal.	YES
26. Development on or in the vicinity of proposed transport infrastructure routes - Clause applicable to land shown on the Transport and Arterial Road Infrastructure Map	n.a. the subject land is not in the vicinity of any such transport infrastructure shown on the map.	N.A.
27. Exceptions to development standards	n.a. no variations to standards are proposed	N.A.

• **Part 6 Miscellaneous Provisions**

The following compliance table addresses the relevant provisions of Part 6 of the SEPP.

PROVISION	PROPOSED	COMPLIANCE
29. Industrial Release Area—satisfactory arrangements for the provision of regional transport infrastructure and services - the consent authority must not consent to development on land to which this clause applies unless the Director-General has certified in	The applicant is aware and acknowledges the provisions of this clause and has had discussions with the Department in relation to the determination of satisfactory arrangements.	YES

writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of regional transport infrastructure and services (including the Erskine Park Link Road Network) in relation to the land to which this Policy applies		
<p>31 Design principles</p> <p>In determining a development application that relates to land to which this Policy applies, the consent authority must take into consideration whether or not:</p> <p>(a) the development is of a high quality design, and</p> <p>(b) a variety of materials and external finishes for the external facades are incorporated, and</p> <p>(c) high quality landscaping is provided, and</p> <p>(d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.</p>	<p>The design is in modern industrial typology consistent with recent approvals and buildings constructed within Stage 1 & 2 of Eastern Creek Business Park. A variety of materials, colours and finishes has been employed in the warehouse elevations to provide visual interest and articulation. The proposed finishes include an architecturally designed façade treatment consisting of alternate colored pre-finished metal wall cladding with feature cladding to the office building. The warehouse has an overall springing height of 10m and 13.7m to the ridge. There is no issue of scale arising. A high level of landscape planting is proposed to soften and enhance the building. The container yard similarly will be well screened by an architecturally designed metal screen wall and high levels of landscaping at the north eastern corner of the site. A panel of finishes accompanies the application indicating the variation in colours proposed.</p>	YES
32 Preservation of trees or vegetation	<p>Whilst the vegetation on the site has not yet been removed, Development Consent DA 06-1992 relates to tree removal. No existing vegetation is to be retained on site.</p>	N.A.

4.1.3 State Environmental Planning Policy (Infrastructure) 2007

The proposal is one that would require referral to the RTA being an industrial use greater than 20,000m² in area and having a container depot greater than 8,000m² in size as set out in Schedule 3 of the SEPP.

Preliminary consultation with the RTA has been carried out. See later comments in regard to consultation.

4.1.4 State Environmental Planning Policy No.19 Bushland in Urban Areas

SEPP 19 aims to protect bushland in public open space and areas adjacent. Tree removal formed part of the approved consent 06-1992.

A detailed flora and fauna assessment by Conacher Travers including a 7 part test was submitted with development application 06-1992 addressing S.5A of the Environmental Planning & Assessment Act and the Threatened Species Conservation Act (1995) which are provisions more fundamental and specifically relevant than those covered by SEPP No.19.

The compensation provided by creation of 60 hectare of conservation area offsets the loss of trees and vegetation on the developable portions of the site.

4.1.5 State Environmental Planning Policy No.33 Hazardous and Offensive Development

As the proposed distribution centre does not involve any process or produce any effects that are classified as offensive or potentially hazardous the provisions of the SEPP are not applicable.

Additionally there are no materials stored on site that involve quantities that require assessment pursuant to the SEPP. K Mart does not currently have a dangerous goods license and one is not needed in the operations of the site.

4.1.6 State Environmental Planning Policy No.55 Remediation of Land

Previous use of the land was for agricultural purposes. In 2005 Environmental Investigation Services Pty Ltd carried out a preliminary site contamination assessment and a salinity assessment of the land and concluded that the site could be safely used for industrial/commercial purposes.

These reports were considered as part of the Earthworks approval 06-1992 issued by Blacktown Council.

4.1.7 State Environmental Planning Policy No.64 - Advertising and Signage

Two building identification signs are proposed on the Western elevation of the building. These are illuminated corporate brands in signature red and blue reading simply:

- 1) "K Mart" at the northwestern corner of the distribution centre measuring 15.68m X 2.8m**
- 2) "K Mart" on the main office at the south western corner of the building measuring 5.035m X 900mm**
- 3) "K Mart" adjacent to the north eastern corner of the container screen fence Measuring 16.250m X 3.6m**

The SEPP has the following objectives:

- (a) to ensure that signage (including advertising)
 - (i) is compatible with the desired amenity and visual character of the area, and

- (ii) provides effective communication in suitable locations, and
- (iii) is of high quality design and finish, and
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time limited consents for the display of advertisements
- (d) to regulate the display of advertisements in transport corridors, and
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

In response to these objectives the following conclusions are presented in compliance table format:

Objective	Proposed	Achievement
compatibility with amenity and visual character	The proposal is for signage which is low in scale and visual impact. It is contextual in format with respect to overall dimensions, scale, colour and position on the building. The visual impact is concluded as appropriate and reasonably expected in the context of the Business Park. A result sympathetic to the building and in logical positions will be achieved	YES
provides effective communication in suitable locations	The proposed signage is in an appropriate logical position and is within the envelope of the building. It is well oriented to provide effective communication on a part of the building suitable for the accommodation of such signage.	YES
is of high quality design and finish	The design and finish is of the sign will be durable and of very high quality.	YES
to regulate signage & to provide time limited	Objectives noted	YES
to regulate the display of advertisements in transport corridors, and	n.a. proposal not defined as an advertisement and as such it is not a Part 3 proposal and the SEPP 64 Transport Corridor Guidelines July 2007 do not apply	n.a.
to ensure that public benefits may be derived from advertising in and adjacent to transport corridors	n.a. as above	n.a.

It is concluded that the objectives of the SEPP have been achieved in the application.

Clause 8 of the SEPP requires that prior to granting consent Council is satisfied as to consistency with the objectives of the SEPP and that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1 of the policy.

The previous section of this statement addresses the objectives of the SEPP whilst the following compliance table (over page) relates to the Schedule 1 matters:

Requirement	Proposed	Compliance
1. Character of the area, Compatibility with existing or desired future character and theme for outdoor advertising	The proposed signage is typical of much existing building identification signage in Stage 1 & 2 of the Business Park. The signage is low in scale given the size of the building, fully within the envelope of the structure and is well below the top of the respective walls. The proposed signage will thus be of low impact.	YES
2. Special Areas	The site is not within a conservation area, area of open space or scenic landscape area or an environmentally sensitive area.	n.a.
3. Views and vistas	The signage does not compromise or obscure any views and is below the top of the building in each case. No other advertiser viewing right is offended.	YES
4. Streetscape setting or landscape	The proposed signage is sympathetic to the scale of the building and in context with other identification signage in the locality. It will have minimal impact on the streetscape and/or roofscape of the Eastern Creek Business Park. From a landscape perspective the proposed signage is simple and in character with the building and the desired future character of Stage 3.	YES
5. Site and Building	The proposed signage utilises appropriately proportioned lettering and does not break the envelope of the building or rise above the structure. It does not obscure any architectural feature. The colour of the signage will complement the tones of the building façade.	YES
6. Associated devices & logos	n.a.	YES
7. Illumination	Illumination is proposed and the overall quantum of illumination will be sufficient to allow legibility.	YES
8. Safety	The proposal displays a simple straightforward message (corporate brand) designed to register immediately to prevent any potential safety issue with motorists.	YES

As the proposal represents building identification signage the provisions of Part 3 of the SEPP do not apply to the proposal.

4.1.8 Sydney Regional Environmental Plan No.20 Hawkesbury – Nepean River 1997

SREP 20 aims to protect the catchment of the Hawkesbury and Nepean Rivers. The primary considerations of the REP as they relate to the subject proposal were addressed in the reports and servicing proposals prepared by Henry & Hymas that accompanied DA 06-1992.

No further issue arises in this relation to the subject proposal. The proposed storm water drainage from the building and hard paved areas will connect into the approved system and has been addressed in the design and reports prepared by Costin Roe Consulting.

4.1.9 Draft State Environmental Planning Policy No. 66 – Integration of Land Use and Transport;

The draft SEPP has as its aim to integrate land use and transport and to make certain that land use planning and development proposals achieve important objectives including the following:

- *Facilitation access housing, employment and services through modes of transport such as cycling, walking and public transport;*
- *Reduction in the dependence on private motor vehicles;*
- *Reduction in trip times principally those by private car*
- *Increase in the choice alternate modes of transport;*
- *Provide for efficient movement of freight*

Future public transport services to the site have been addressed in the accompanying report prepared by Road Delay Solutions. Public Transport is also noted as a matter addressed in the Stage 3 Precinct Plan.

Public transport to the area generally has been improved in recent times and there are bus services from Rooty Hill station to the business park. As Stage 3 develops it is envisaged that services will be extended further along Wonderland Drive.

Future investigation of a Western Sydney modal interchange within the precinct may also further assist in increasing the efficiency of freight movement.

The site is concluded as being well located for the proposed development due to proximity to main roads and an employment base in western Sydney and will thus achieve the objectives of the draft SEPP.

5.0 Key Issues

5.1 Environmental Risk Analysis

Environmental Risk	Significance	Means to Address
1. Flora & Endangered Species Assessment	Low. Site has been approval for vegetation removal and earthworks pursuant to consents 06-1992	n.a. consent received for vegetation removal in DA 06-1992
2. Acoustic Impact	Moderate. Site is fully within an industrial zone however significant truck movements are proposed and a container yard as well as proposes 24 hour operation.	An acoustic report prepared by Acoustic Logic Consultancy has been prepared examining ambient noise levels and noting low potential to cause adverse impact.
3. Aboriginal Archaeology	Low. S.90 consent to destroy has been received and acted upon.	n.a. consent received and issue addressed.
4. Traffic Access & Parking	High. Use proposed seven day 24 hour operation with truck movements of up to B-Double size.	A detailed traffic impact assessment has been prepared by Road Delay Solutions to accompany the environmental assessment. An acoustic impact report prepared by Acoustic Logic consultancy has also to be submitted with the EA.
5. Stormwater Management	Moderate. Issues of water retention and minimisation of runoff etc are significant.	A site specific proposal will to accompany EA. The proposal has been prepared along with a Stormwater Management report by Costin Rode Consulting.
6. Bulk Earthworks Erosion & Sedimentation	Low. DA 06-1992 has already approved earthworks for the subject site.	A detail erosion and sedimentation prepared by Costin Roe Consulting control plan has been prepared to accompany the EA to ensure minimisation of potential impacts.
7. Salinity	Low. A preliminary environmental site assessment investigation report prepared by Environmental Investigation Services accompanied the earthworks application concluding that salinity levels in the site soils were non saline to slightly saline. It was also recorded that the groundwater in the underlying shale was extremely saline and it is recommended that appropriate drainage and detention basins be established. An effective erosion and sedimentation control plan was recommended as necessary. There is no evidence of contamination on the site.	n.a. in this application Addressed in relation to DA 06-1992. Recommended are measures to be incorporated into the building design + include in Statement of Commitments.
8. Air Quality	Low. The site will accommodate a warehouse and is not likely to produce	Conditions of approval and site management practices are to be adopted.

	emissions. Normal site controls will control dust during construction.	
9. Visual Impact & Urban Design	High. Site will be visible from proposed access roads and the proposed building is of considerable dimensions.	The approach is to achieve a modern well designed and visually interesting building. A schedule of materials colours and finishes has been prepared and accompanies the EA. A high quality landscape proposal has also been prepared.
10.Environmentally Sustainable Development	High. Issues of efficient water, energy use and waste management in construction and operation of the premises are vital.	An energy statement has been prepared by Steensen Varming to accompany the EA as well as a Water Management report prepared by Steve Paul & Partners and plan providing for water retention & harvesting. A comprehensive Waste Management Plan prepared by Australand Holdings Limited has also be prepared and accompanies the EA.
11. Bushfire Risk	Low. A bushfire report was included as part of the DA submission resulting in the approval of DA 2006-1992	n.a. Issues addressed in DA 06-1992
12. Contamination	Low. A preliminary environmental site assessment investigation report prepared by Environmental Investigation Services and accompanied the earthworks application. There is no evidence of contamination on the site.	n.a. Contamination issues resolved in assessment of DA 06-1992.

5.2 SEPP 59 Employment Lands Precinct Plan - Eastern Creek

The precinct plan was adopted on 14 December 2005. It was prepared in accordance with the provisions of SEPP 59 and remains valid through the operation of CL19 of SEPP Western Sydney Employment Area 2009.

The Ministers declaration of the Stage 3 release was subject to conditions that the Minister is satisfied that the requirements of the RTA and Transport NSW be met and that provision be made for conservation of biodiversity and aboriginal heritage.

The Precinct Plan is the guiding document for the development of Stage 3 and covers a wide range of relevant matters including:

- *Infrastructure and service provision;*
- *Stormwater management;*
- *Ecologically sustainable development;*
- *Minimisation of impact on biodiversity;*
- *Traffic and public transport management;*
- *Excellence in urban design;*

- *Community services;*
- *Adequate and high quality landscaping and open space provision;*

Each of these matters has been considered in the development of the scheme which has been designed to achieve the requirements of the Precinct Plan.

The Director General's Requirements for the project included the following Key Issues:

- **Strategic and Statutory Context**
- **Infrastructure**
- **Transport Access & Parking**
- **Noise and Vibration**
- **Soil and water**
- **Design and Visual**
- **Sustainable Development**

The strategic and statutory context has been addressed in the previous section and the remainder of issues are matters subject to consideration under the Precinct Plan. Accordingly these key issues will be primarily addressed within the Precinct Plan analysis following.

5.3 General Services

Chapter 4.0 of the Precinct Plan concerns the Provision of services to the Estate.

(i) Water Services

Currently there are no water services available to the Stage 3 release area. This is recognised in the Precinct Plan and the need to establish new mains is stated. Separate application will be made to Sydney Water Corporation for construction of water service.

Australand has received the revised water pipe sizing strategy from Sydney Water in early June 2010 and this is being incorporated into the water service design. Once completed, the design will be submitted to Sydney Water for approval. The redesign includes water reticulation to all the roads within the estate including road 4 being the main road frontage to K Mart.

The proposed approved public road system will however cater for efficient water main design as required by the precinct plan.

(ii) Sewerage services

There are also no sewerage services currently available however a sewerage service design has been approved by Sydney Water for the entire estate.

The infrastructure requirements set out in the Precinct Plan are acknowledged. There is no aspect of the subject application which would derogate against the future provision

of the required works. The proposed warehouse will be able to connect to the approved design without any difficulty.

(iii) Power Telecommunications & Gas supply

Provision of power, telecommunications to the Stage 3 land will be separately sought from the relevant Service Authorities and constructed within the roads proposed.

With respect to communications, Telstra has approved the design for roads 1 and roads 2. The remaining roads are currently being designed with expected approval towards the end of July 2010.

Power conduits and street lighting have been approved by Integral Energy for Roads 1, 2 and 6 within Stage 3. Road 4 which will access K Mart is currently with Integral Energy for approval. Power cabling has been submitted for approval in relation to Roads 1 and 2 primarily for power supply to the Pepkor facility.

Power cabling design to accommodate Cassons and K Mart is in the design phase and will be submitted to Integral Energy prior to the end of July 2010.

There is no gas supply to the estate nor is it required for the K Mart facility. There is no aspect of the proposal therefore which hinders the future provision of these services.

5.4 Infrastructure Contributions

Australand has in place, a Voluntary Planning Agreement with Blacktown Council. The agreement relates to the entire Stage 3 release and requires that:

- The developer design and construct the local roads in accordance with the Precinct Plan and the development consent for the development (DA 06-1992)
- Contributions are made in respect of the Old Wallgrove Road Upgrade, the Archbold Road Upgrade and
- The Link Road Upgrade;
- Truck drainage, detention basins and riparian zones required in relation to development on land covered by the Precinct Plan

Contributions required pursuant to the agreement will be paid to Blacktown Council prior to release of the subdivision certificate.

Contributions for Regional transport Infrastructure required pursuant to Cl.29 of SEPP (Western Sydney Employment Area) 2009 will be required by condition of consent to be paid prior to release of a construction certificate. This is an established procedure applied in the recent consents for Pepkor and Cassons.

5.5 Storm Water Management

Costin Roe Consulting has prepared hydraulic drawings to accompany the project application and a Stormwater Management Plan.

The drawings indicate how stormwater is to be managed appropriately for the proposed warehouse and distribution centre. Building roof and hard paved area drainage will be connected into the road drainage system approved as part of DA 06-1992.

A sediment and erosion control plan has also been prepared incorporating silt fences, a stabilized truck construction entrance truck shaker and stockpile control measures.

The hydraulics system has been designed to achieve the environmental urban amenity and engineering objectives of the Precinct Plan.

The design principles and objectives of stormwater management are summarised as follows:

(i) Hydrology

The design of the storm water system has been carried out to Australian Standard practice, Blacktown City Council policies and accepted engineering practice.

The system has been designed to cater for the 1 in 100 year ARI storm event. The construction of Stage 3 of Eastern Creek has included the installation of gross pollutant traps and wetlands consisting of two large detention basins serving as detention of the estate and as such meaning that no on site detention is required.

(ii) Hydraulics

Costin & Roe will prepare calculations to ensure that the surface and sub surface drainage system will achieve or better the relevant standard. This will include achievement of the required standards in relation to freeboard, public safety for pedestrian traffic, roadway drainage and overland flow.

(iii) Water Quality Controls

The necessity to minimise the impact of pollutants in stormwater runoff has been acknowledged to meet the requirements of the Blacktown City Council Stormwater Quality Control Policy.

The installation of detention and bio retention basin as part of the overall Stage 3 construction is a primary strategy available in the Estate. This system achieves detention objectives and also acts as a tertiary stormwater treatment system allowing fine sediment, hydrocarbon and nutrient removal.

The onsite drainage system is a split system proposal differentiating between roof and hard stand drainage.

Roof drainage will be directed to a first flush pit for treatment then discharged to the estate truck drainage.

Runoff from hardstand and car parking areas requires treatment by stormwater Treatment Measures (STMs). The proposed treatment includes features such as:

(a) Hardstand

- Grated pit covers;
- Bio retention swales to northern and southern boundaries;
- A sediment/filtration basin in the north eastern corner of the site;

(b) Car Parking

- Grated pit covers;
- Siphon –actuated filtration

Gross pollutants and litter will be trapped by the pit covers. Pollutants passing through the grates will be trapped by the bio retention swales including gross pollutants, coarse and fine sediments, a percentage of oils, grease and hydrocarbons. Remaining pollutants would be discharged to the filtration unit.

The siphon actuated system is a custom unit with filter media designed to target pollutants required to be retained such as fine sediments, nutrients and hydrocarbons.

The proposed STMs will be subject to monitoring at 3 month intervals for the first year of operation and 4 month intervals in the second year with appropriate records to be kept in relation to the type and amount of pollutants recorded. After the first two years a maintenance schedule will be established with future cleaning to occur with a maximum of 6 month intervals

(iv) Erosion & Sediment Control Plan

Costin & Roe has also prepared a plan to control sediment and erosion during construction. The proposal incorporates:

- A minimum 10m wide stabilized construction entrance to the site incorporating a 2m wide truck shaker cattle grid;
- Silt fencing with 600mm wide hydromulch lined catch drains around the site boundaries;
- Kerb in let pit controls incorporating coarse filter cloth sausages filled with blue metal;
- Grated in let pit controls surrounded with coarse filter cloth sausages filled with blue metal and provided with a geotextile fabric fence;
- Stockpiles to be stabilized and placed on the contour as low flat mounds with height restricted to less than 2m where possible. A silt fence and catch drain to be constructed upslope of the stockpile;

5.6 Environmental Management

The material in relation to this section of the Precinct Plan concerns ESD, water conservation, energy efficiency, air quality, waste, contamination, salinity, noise and vibration.

A stormwater management proposal has been prepared by Costin Roe Consulting for the proposed development incorporating the required measures to manage sediment and runoff (refer above summary).

As regards the balance of matters in Chapter 3, the following compliance table is provided:

REQUIRED	PROPOSED	COMPLIANCE
7.0 Environmental Management	SEPP 59 Principles are to be followed in the construction and operation of the development.	YES
7.1 Ecologically Sustainable Development (see also following comments)	Passive solar strategies will be adopted a suitable to the site orientation and development. Energy efficient lighting, fixtures and fittings will be employed. Accompanying the EA is an energy statement prepared by Steensen Varming that determines the development using the Green Building Council Greenstar Industrial Tool may be 30% more energy efficient than a comparable building which would deliver 3 Greenstar points. It is noted however that the tool was not used in the design development process.	YES
7.2 Water Conservation (see also following comments)	Water efficient fittings are to be employed in the building. A Storm water management strategy accompanies the DA in accordance with Precinct Guidelines to ensure runoff is appropriately handled. A water management plan has been prepared by Steve Paul & Partners and accompanies the application recommending: <ul style="list-style-type: none"> - A 100kl rainwater harvesting system; - 4 star WELS rated toilets - 5 star WELS rated urinals - 3 star WELS rated showers - 5 star WELS rated tapware - The report recommends adoption of the Water Management Plan (refer separate report and comments in relation to the Precinct Plan). These measures have been assessed as achieving a reduction in cold potable water consumption of 46.2% which is in excess of the 35% subject to the Statement of cooperation between Sydney Water and Australand Holdings Limited.	YES
7.3 Energy Efficiency (see also following comments)	Energy efficient measures will be adopted in the operation and construction of the building as applicable and as recommended in the energy	

	statement of Steensen Varming. Energy efficient lighting, translucent roof sheeting, override switches etc are to be employed as detailed in the energy statement. Construction will utilise reinforced concrete slabs which are of high thermal mass. External lighting is also the by metal halide with photo electric cells that switch lights on when natural light is insufficient. In the office energy efficiency is to be achieved through the use of T5 Triphosphor tubes in recessed luminaries which is an efficient form of lighting. The office component will incorporate a central panel where all light are overridden by a single switch such that the last one to leave ensures all lights are extinguished. The office will be air conditioned. Shading devices are proposed to the west facing office windows as indicated on the drawings. Water heating will be energy efficient and plumbing for amenities will comply with Australian Standards. Fixtures are to be AAA rated.	YES
7.4 Air Quality	Dust control impacts during construction will be controlled by wetting down and use of mist water. No processes are involved on site that cause emissions. No adverse impact is likely to result to any residential or other sensitive use due to the fact that the area is fully industrial in nature. The proposed use is not scheduled pursuant to the Protection of the Environment Operations Act 1997. The nature of the proposed uses determines that there is no necessity for a Protection of the Environment Policy (PEP) to be made pursuant to the Act.	YES
7.5 Waste Management (see also following comments)	A comprehensive waste management plan (WMP) prepared by Australand accompanies the application to the standards of the Precinct Plan. The WMP covers the construction and operational stages of the development of the site. The plan nominates materials to be recycled and the contractor involved at construction stage. Operational stage waste is noted as broken pallets, general recyclable and non recyclable office and warehouse waste. SITA is the nominated contractor for handling the operational waste.	YES
7.6 Contamination 7.7 Salinity	A preliminary environmental site assessment investigation report prepared by Environmental Investigation Services dated 26 th February 2010 No. E19609KGrpt accompanied the earthworks application concluding that salinity levels in the site soils were non saline to slightly saline. It was also recorded that the groundwater in the underlying shale was extremely saline and it is recommended that appropriate drainage and detention basins be established. An effective erosion and sedimentation control plan was recommended as necessary. There is no evidence of contamination on the site.	YES

7.8 Noise & Vibration (see also following comments)	<p>An Environmental Noise Emission Assessment has been prepared by Acoustic Logic Consultancy. Noise will be generated during the construction period however in view of the industrial nature of the locality and lack of any nearby sensitive land uses it is not considered that construction noise presents any difficulty or adverse impact. Acoustic Logic has also prepared a Construction Vibration and Noise Management Plan. The plan acknowledges a low risk of noise nuisance being caused and recommends the following of good practice.</p> <p>The proposed use is not a high generator of noise or vibration nor will it be associated with any other emissions.</p> <p>Operation of the facility is only likely to generate noise in relation to motor vehicles manoeuvring etc and movement of product within the facility itself and within the container yard. Potential noise emissions will thus not be of a nature of level that is unusual for the locality. No adverse impact is likely to result to any residential or other sensitive use due to the fact that the area is fully industrial in nature.</p> <p>The Acoustic Logic Environmental Noise Emission Report accompanying the EA concludes:</p> <p>- Potential noise emission will satisfy the assessment criteria at the nearest residential receiver;</p> <p>The proposed use is not scheduled pursuant to the Protection of the Environment Operations Act 1997. The nature of the proposed uses determines that there is no necessity for an Protection of the Environment Policy to be made pursuant to the Act</p>	<p>YES</p>
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5.6.1 Water Conservation

Steve Paul & Partners has prepared a Hydraulic & Wet services Water Management Plan for the proposed development.

The report included modelling for proposed water usage at the facility using the following parameters (source Steve Paul & Partners 9 June 2010):

5.1 Water Efficiency Indoor Water Requirements

- 4 Star WELS rated water closets, having an average volume per flush of 3.5 litres.
- 5 Star WELS rated urinals, having an average volume per flush of 1 litre.
- 5 Star WELS rated tapware, having a flow rate of 6 litres per minute.
- 3 Star WELS rated showers, having a flow rate of 9.0 litres per minute.
- Assuming 1 credit points for the Tra-3 option

The indoor water demand with these parameters has been estimated at 43.010kL per week throughout the development.

5.2 Water Efficiency Outdoor Water Requirements

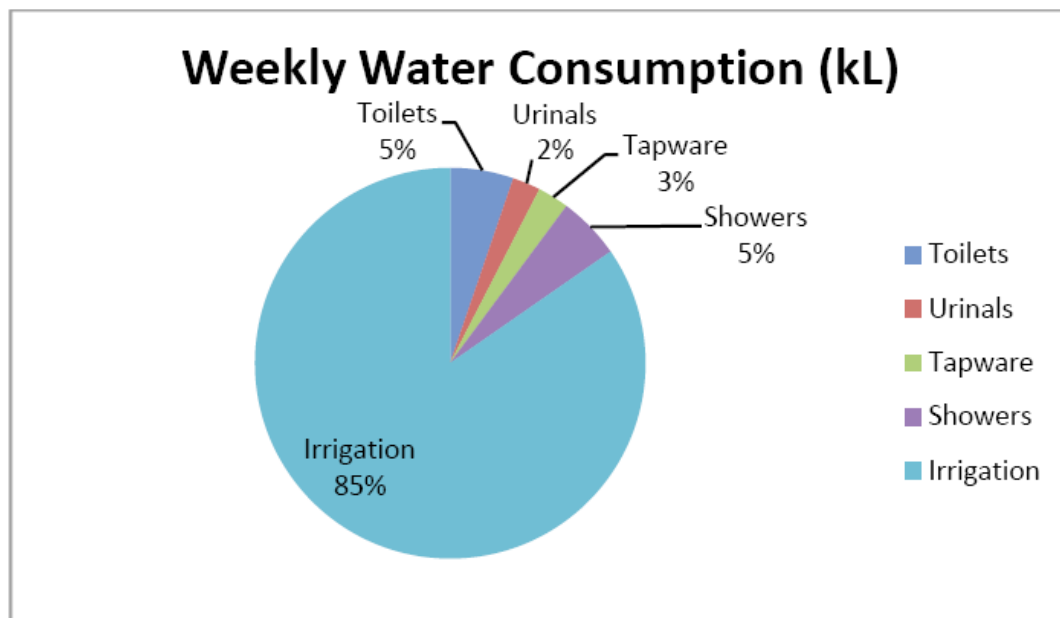
Water consumption within each landscape irrigation system varies depending upon the nature of the irrigation system, species of planting, and the prevailing climate. For the proposed Kmart development the water efficiency outdoor water demand has been developed using following information;

- Irrigation area of approximately 9,500m²
- Irrigation rate 25mm/m²
- Irrigation application once a week

The outdoor water demand with these parameters has been estimated at 237.500kL per week throughout the development.

5.3 Total Water Efficiency Water Consumption

Based on the estimated indoor water requirements of 43.010kL per week, and the estimated outdoor water requirements of 237.500kL per week, the total water efficiency model water consumption for this development will be 280.510kL per week.



Water Efficiency Water Consumption

Source Steve Paul & Partners 9 June 2010

The overall water consumption of 280.510kl per week will be provided by 157.380kl potable supply and 123.130kl from rainwater.

To achieve the goals of the SEPP and the Stage 3 Precinct Plan Steve Paul & Partners has recommended a series of measures set out in the following table (source Steve Paul & Partners 9 June 2009):

Requirement	Recommended Measures	Comment
35% reduction of potable cold water consumption in accordance with the Water Sustainability Statement of Cooperation determined between Sydney Water and Australand Holdings Limited.	100kL Rainwater Harvesting System 4 Star WELS rated toilets throughout the development. 5 Star WELS rated urinals throughout the development. 5 Star WELS rated tapware throughout the development. 3 Star WELS rated showers throughout the development.	Recommended water efficiency measures have been demonstrated to achieve an 46.2% reduction in potable cold water consumption.
Clause 7.2 - Water Conservation, of SEPP 59 – Eastern Creek Precinct Plan (Stage 3) a) Development should incorporate water efficient fixtures such as taps, showerheads, and toilet suites (cisterns and urinals). The fixtures must be rated to at least AAA under the National Water Conservation Rating and Labelling Scheme	Star WELS rated toilets throughout the development. 5 Star WELS rated urinals throughout the development. 5 Star WELS rated tapware throughout the development. 3 Star WELS rated showers throughout the development.	Recommended WELS ratings for fixtures and tapware comply with this requirement.
Clause 7.2 - Water Conservation, of SEPP 59 – Eastern Creek Precinct Plan (Stage 3) b) Development Applications are required to submit a Site Water Management Plan that investigates, and where feasible, provides for the integrated management and use of water.	Adoption of this Water Management Report	This Water Management Report addresses the integrated management and use of water throughout the development.
Clause 20 – Ecologically Sustainable Development, of the State Environmental Planning Policy (Western Sydney Employment Area) The consent Authority must not grant consent to development on land which this Policy applies unless it is satisfied that the development contains measures designed to minimise; (a) The consumption of potable water (b) Greenhouse gas emissions	100kL Rainwater Harvesting System 4 Star WELS rated toilets throughout the development. 5 Star WELS rated urinals throughout the development. 5 Star WELS rated tapware throughout the development. 3 Star WELS rated showers throughout the development.	Recommended water efficiency measures have been demonstrated to achieve an 46.2% reduction in potable cold water consumption.
Clause 22 – Rainwater Harvesting, of the State Environmental Planning Policy (Western Sydney Employment Area) The consent Authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director General	100kL Rainwater Harvesting System	Recommended water efficiency measures include a rainwater harvesting system in accordance with this requirement.

Source: Steve Paul & Partners 9 June 2010

5.6.2 Energy Efficiency

A comprehensive energy statement has been prepared by Steensen Varming to assess the energy performance of the proposed development and also to address Section J of the Building Code of Australia.

The consultant's report makes the following observations, in summary in relation to energy efficiency in the operation of the proposed facility:

- *Australand have optimised their design with a minimum 5% of the roof area being given over to 'roof lights'. With this configuration in use at a similar Australand site, we have measured natural light levels of 300+ lux at 1.5m above warehouse floor.*
- *lighting within the warehouse areas will be provided by metal halide lamps. In this type of application metal halides are generally the most efficient type of lamp. Based on our observations at a similar Australand site, spacing will be optimised to ensure code compliance without over-lighting. Metal Halide lamps take time to 'warm up' so they do not lend themselves to occupancy detection switching. We are advised that central switching will be provided, which is appropriate in this instance. The switches will be suitably located, and the circuits will be bundled to reduce the amount of switches needed, so reducing the risk of some circuits being left on.*
- *There is some external metal halide lighting, which will be controlled via a photo electric cells and time switches (the cell switches the lights on when daylight is insufficient, and the time switch resets the lighting). Again this is an appropriate energy efficient solution.*
- *The office and amenities component of the development is a fraction of the size of the respective warehouses. The lighting in the office areas is provided by T5 Triphosphor tubes in recessed luminaries. This is an efficient form of lighting. The lights will be switched via a central panel, and all office lights will be overridden by a central 'override' switch (the last occupant activates this switch to ensure that all lights are extinguished – an important energy saving initiative that is rarely found on similar developments).*
- *We understand that all artificial lighting will be designed to meet or exceed the minimum efficiency requirements of the BCA Part J6 requirements, including recent revisions.*
- *We understand that the warehouses will be naturally ventilated. There will be a requirement that the toilet areas be mechanically ventilated.*
- *We have been advised that the offices will be air conditioned using reverse cycle air cooled heat pumps, so configured to ensure proper zonal control. The use of such equipment is considered appropriate in this instance.*
- *We understand that the ventilation and air conditioning systems will meet the minimum efficiency requirements of the BCA Part J5, including recent revisions.*
- *Hot water use is minimal and will be provided by a system that will meet the efficiency requirements of the BCA Part J7, including recent revisions.*
- *From a water use perspective, a number of water savings initiatives are called for, including the use of AAA rated fittings waterless urinals and rainwater harvesting.*
- *Based on information provided by members of the design team, we have estimated that total electrical power consumption is likely to be in the order of 3.4GJ per annum. This is generally a 24 hours per day, 7 days per week facility, and 23% of the consumption is related to internal transportation needs (fork-lift charging and conveyors).*
- *Recently the Green Building Council of Australia released a 'Greenstar Industrial' tool. Whilst the tool was not used in the design development process, we have undertaken our own brief analysis to determine possible implications. Preliminary results suggest that this development may be some 30% more energy efficient than a comparable building, which would deliver 3 Greenstar points and potentially save some 1,527 Tonnes CO_{2e} per annum (based on published emissions value of 1.07kgCO_{2e} /kW for NSW). These savings can be attributed to the measures noted above.*

Accordingly the consultants concluded that the energy efficiency of the development has been adequately taken into consideration during the design process and that the development will be designed to meet or exceed the energy provisions (Section J) of the BCA.

5.6.3 Waste Management

Australand has prepared a Waste Management Plan (WMP) for the development covering the three phases of development.

As the site is a greenfield one and consent is in place for bulk earthworks and site preparation there is no waste apparent at the demolition stage.

During construction of the proposed facility waste will be generated. Again as bulk earthworks and tree removal were approved under a separate development application there is no excavation material or green waste associated with the proposal.

Waste associated with the construction of the facility is noted as bricks & blocks, concrete, timber, plasterboard and metals. Wastage is kept to a minimum with material that is generated being recycled off site and at recycling depots with the contractors Reefway, being noted.

During operation of the facility by K Mart waste generated is noted as being broken wooden pallets, general non recyclable office and warehouse waste, recyclable office and warehouse waste.

Waste management facilities including dedicated recycling and waste containers are to be provided within the development in both the office and warehouse section of the proposal. Sita and Visy are noted as the appointed contractors.

5.5.4 BCA Assessment

McKenzie Group Consulting has carried out a BCA compliance assessment of the proposed development. The report addresses the areas of BCA classification, fire resistance, egress, disabled access, fire services & equipment ventilation sanitary facilities and energy efficiency.

The report has concluded that the proposal is capable of satisfying the relevant provisions of the BCA but also notes that there are a number of areas that will be required to be assessed pursuant to the relevant performance requirements of the BCA. Accordingly suitable fire engineered solutions are noted as being required prior to issue of a construction certificate in relation to the following sections of the BCA:

1. Egress Travel Distances and Distances between Alternate Exits (DP4),
2. Smoke hazard Management (EP2.2)
3. Fire Hydrant protection (EP1.3).

The report also notes that fire engineered solution relating to EP1.4 and EP2.2 will need to be approved after consultation with the NSW Fire Brigade as part of the Construction Certificate process.

The necessity to provide access for persons with a disability has also been noted and it was concluded that the design has addressed the requirements of the Development Disability Act.

5.7 Biodiversity

Section 8 of the Precinct Plan covers Biodiversity.

A detailed report prepared by Conacher Travers accompanied the earthworks development application DA06-1992.

The report noted the removal of 37.5ha of Cumberland Plain Woodland and 22.25ha of grassland from the site but acknowledges the compensatory effect of the provision of 60 hectares of conservation area through the creation of Lot 1220.

As regards bushfire management, series of measures to reduce bushfire were also recommended and incorporated into the previous applications. Such recommended measures included in summary:

- *Maintenance of the landscaped and turfed areas of the entire estate on a regular basis;*
- *Provision of asset protection zones on the periphery of the estate;*
- *Access to the estate accord with the specifications of Section 4.3 of 'Planning for Bushfire Protection, 2001.*
- *Hydrants and hose reels to be installed in accordance with BCA, AS2419.1 1994 (hydrants) and AS 2441 (Hose Reels)*
- *An evacuation plan should be prepared for the estate to enable orderly evacuation in the event of a bushfire*

No additional issues are raised by the proposed development of the subject lot for the K Mart warehouse and distribution facility.

5.8 Heritage

There are no non indigenous heritage items located on the subject site.

As regards Aboriginal heritage Stage 3 has previously been subject to an investigation carried out by Jo McDonald CHM Pty Ltd and a S.90 permit was received from the Department of Environment and Conservation.

No additional issues are raised by the proposed development of the subject lot for the K Mart warehouse and distribution facility.

5.9 Traffic & Transport

The report prepared by Road Delay Solutions accompanying the EA addresses the traffic generation and parking aspects of the proposed development.

(i) Car Parking

The report has reference to the provisions of the RTA parking requirements as well as the Precinct Plan. It concludes that the site development has provided adequately for onsite parking noting that the parking provision exceeds the RTA requirements in the physical provision of 250 car spaces and with provision for an additional 80 spaces. Provision for vehicle access and manoeuvring is concluded as being appropriate and not giving rise to any unacceptable traffic related impacts on the estate roads.

Blacktown Council's car parking requirement through the Precinct Plan would require 319 spaces whereas the RTA requirement is 198.

In total 250 spaces are to be provided which has been found to be sufficient for staff, clients and visitors and thus the projected traffic generation for the site and given also the projected employee numbers for K Mart.

Given the availability of an additional 80 spaces on a provisional basis the Council DCP requirement is also noted as being satisfied. In total 330 spaces is concluded as appropriate and as catering for the needs of K Mart.

Parking for heavy vehicles is also noted as being provided on the hardstand areas of the site and within the dock areas around the perimeter of the warehouse sufficient to cater for the needs of K Mart.

(ii) Traffic Impacts

The traffic impact report also includes a table reproduced following that illustrates that modelling and analysis of access conditions and the surrounding road network has been undertaken for the projected year of 2016.

The suggested volume of traffic in 2016 and the interaction between local traffic and the associated vehicle generations by development will result in an acceptable satisfactory level of service during both morning and evening peaks.

Table 2: Year 2016 Intersection and Access Performances

Netanel Intersection No. Facility Location (Control Mode)	DS		AVD (sec)		LoS	
	AM	PM	AM	PM	AM	PM
10423 Handsen Quarry Road and North/South Road B (Roundabout)	0.42	0.47	4	4	A	A
10501 Car Park North/South Road B - Passenger Car Driveway (Sign Priority)	0.12	0.10	3	3	A	A
10501 Car Park North/South Road B - Passenger Car Driveway (Sign Priority)	0.10	0.10	2	2	A	A
10499 Secure Truck Gateway North/South Road B - Truck Access (Sign Priority)	0.10	0.10	2	3	A	A
10391 North/South Road B and East/West Local Road (Roundabout)	0.39	0.37	10	10	A	A

Source Road Delay Solutions 10 June 2010

The increase in traffic generation at the hands of this proposal assessed at 276vph during the morning and afternoon peak is concluded as being able to be satisfactorily managed within the existing and planned road network (refer following extract from Road delay Solutions report Table 1). A total of 552 vehicles is therefore assessed as being generated in both morning and evening consisting of 468 passenger vehicles and 84 heavy vehicle movements.

Table 1: RTA Traffic Generation Rates

Development Component	Area (m ²)	Daily RTA Trip Rate	Peak Hour RTA Trip Rate	Peak Hour Generation (vph)
Warehouse and Ancillary Facilities	50,520	4/100m ² (GFA)	0.5/100m ² (GFA)	253
Office	1,140	10/100m ² (GFA)	2/100m ² (GFA)	23
Total Peak 1 Hour Generation				276

NB: No retail or manufacturing operations are envisaged at the site.

Source Road Delay Solutions 10 June 2010

The total number of daily trips based on RTA data is noted as 2,135 with as stated above 276 movements in both morning and evening peaks split as follows:

- Morning 235 inbound and 41 outbound
- Evening 41 inbound and 235 outbound

The report notes that 85% of the movements constitute passenger car during the peaks with heavy vehicle movements noted as occurring during business and off peak periods.

As a worst case 42 heavy vehicle movements were modeled during the peak periods.

(iii) Heavy Vehicle Access

The report notes the ingress and egress points for heavy vehicle access and that up to Class 10 B-Doubles are able to enter and manoeuvre on site. Swept path diagrams has been included illustrating the feasibility of such access as reproduced below.

(iv) Public transport

Draft State Environmental Planning Policy No.66 is noted as promoting improved accessibility to urban services through transport modes other than private motor vehicle.

Higher rates of car usage for the journey to work are noted as occurring in Western Sydney however public transport planning for Eastern Creek is noted as being improved and subject to further investigation.

The following are noted as being of specific relevance to public transport provision in the Precinct:

- Increased services along Route 738 from Mount Druitt Station to Old Wallgrove Rd and Wonderland Drive;
- Extension to current services to and from Rooty Hill railway Station to serve Eastern Creek along Wallgrove Rd and Roberts Road;

Whilst no services are noted as being currently available along the access road serving this site it is noted that as further development proceeds and the road network is extended future bus services will be likely to be introduced.

The possibility of establishment of a Western Sydney Modal Interchange outlined in the Metropolitan Strategy is referred to however noted as not yet subject to investigation.

(vi) Conclusions

The conclusions reached in the report on this basis in relation to the proposal are as follows:

- *The total parking complement being 250 physical and a further 80 provisional satisfies RTA and Council DCP parking requirements;*
- *The proposed development has no unacceptable traffic implications in regard to road network capacity;*

- *The development will comfortably accommodate the level of commercial vehicle activity K Mart generates;*
- *The accessways manoeuvring and loading provision have been designed to accommodate the identified classes of vehicles including Class 10 B-Doubles;*
- *The internal structure and design of the development conforms to AS 2890.1 and AS 2890.2;*

It has therefore been concluded that the project is acceptable in terms of its traffic and parking impacts.

(vii) Construction Traffic

Construction of the proposed facility will involve up to 80 employees. The number of vehicle involved will be within the numbers modeled in the Traffic Impact Report prepared by Road Delay Solutions.

Truck traffic during the construction phase will vary with at maximum up to twenty (20) movements in and twenty (20) out daily.

The heaviest truck traffic will be cement trucks of which there will be during concrete pours at maximum ten (10) in and ten (10) daily.

Again this number of movements is within the numbers modeled in the Traffic Impact report.

5.10 Noise & Vibration

Acoustic Logic Consultancy as prepared an Environmental Noise Emission Assessment and a Construction – Vibration and Noise Management Plan for the proposed development. These are discussed as follows:

5.10.1 Environmental Noise Emission Assessment

Noise emissions were modeled for the movements of vehicles within the depot and noise breakout from the distribution centre.

The assessment was carried out for the DECCW time periods being:

- Day Time (7am-6pm),
- Evening Time (6pm - 10pm),
- Night Time (10pm – 7am).

Noise levels at the residential receivers (1.1km to the north and 2.4m to the west) were predicted based on the numbers of expected vehicle movements previously measured equipment noise emissions and an assumed internal noise level within the warehouse. The noise generated by container movements and use of an isoloader within the container yard were also included.

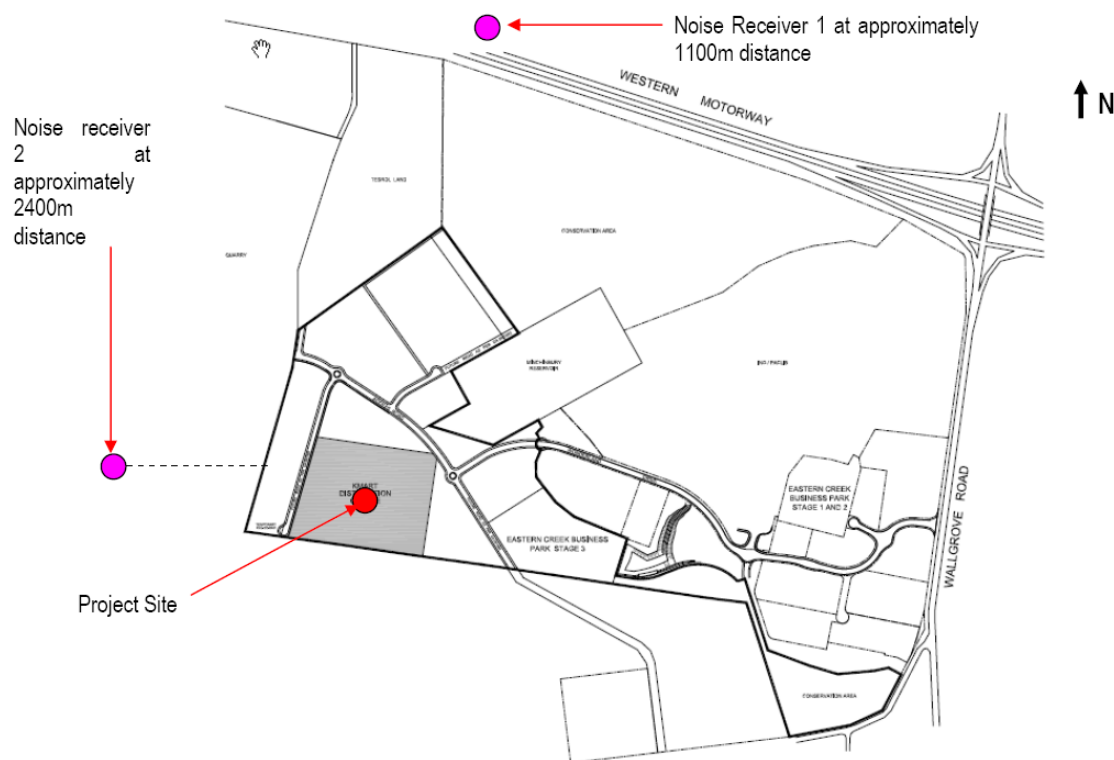


Figure 1 Site Map and Noise Receiver Locations

Source: Acoustic Logic Consultancy 18 June 2010

Criteria adopted for the assessment were those of the SEPP 59 Employment Lands Precinct Plan - Eastern Creek and DECCW Industrial Noise Policy.

Table 2 –Noise Goals by Precinct Plan

Period	Zone 5
Day	49 dB(A)
Evening	39 dB(A)
Night	34 dB(A)

Table 3 - DECC Recommended Acceptable Noise Levels

Type of Receiver	Time of day	Recommended Acceptable Noise Level dB(A) L_{eq}
Residential Urban	Day	50
	Evening	45
	Night	40

Source: Acoustic Logic Consultancy 18 June 2010

As is evident from the above, the Precinct Plan requirements are more stringent than the Industrial Noise Policy. The adopted noise objectives for residential receivers were then determined as:

Table 4 - Noise Objectives for Residential Receivers, dB(A)

Receiver	Time of day	Estimated Background Noise Level	Amenity Criteria L_{eq}	Intrusiveness Criteria L_{eq}	Objective
Noise Receiver 1	Day	50	50	55	50 dB(A) L_{eq}
	Evening	45	45	50	45dB(A) L_{eq}
	Night	40	40	45	40 dB(A) L_{eq} and 55 dB(A) L_1
Noise Receiver 2	Day	40	50	45	45 dB(A) L_{eq}
	Evening	35	45	40	40dB(A) L_{eq}
	Night	30	40	35	35 dB(A) L_{eq} and 45 dB(A) L_1

Source: Acoustic Logic Consultancy 18 June 2010

The worst noise impact scenario will be night time operation. Predicted noise levels were calculated and are presented in the following table:

Table 7 – Predicted Noise Levels

Noise Receiver	Predicted Noise Level dB(A)	Criteria	Compliance
Noise Receiver 1- Residents located across M4	32 dB(A) L_{eq} 45 dB(A) L_1	Night : 34 dB(A) L_{eq} and 55 dB(A) L_1	Yes
Noise Receiver 2- Residents located Western to the site	29 dB(A) L_{eq} 38 dB(A) L_1	Night : 34 dB(A) L_{eq} and 45 dB(A) L_1	Yes

Source: Acoustic Logic Consultancy 18 June 2010

As can be seen from the table the predicted noise levels are below the acceptable criteria pursuant to both the DECCW Industrial Noise Policy and the Precinct plan requirements

Accordingly it was determined that there will not be an adverse impact on any residential receiver caused by the proposed development.

5.10.2 Vibration & Noise Management Plan

The objective of the Management Plan is to make sure that work is carried out in a controlled manner such that emissions will be minimised and the amenity of the sensitive receivers surrounding is protected.

The relevant adopted standards are:

- “NSW Draft Construction Noise guidelines” which nominates the following objectives for the proposed hours of construction:
- Australian Standard 2436-1981 “Guide to Noise Control on Construction Maintenance and Demolition Site”.

The DECCW construction noise and vibration guidelines have been utilised in the assessment of noise and vibration emissions and it has been noted that impacts could result from the various stages of construction being:

- Detailed site preparation
- Erection of the structure
- Internal fitout
- Landscaping

The results of noise level prediction assessment at the nearest resident receivers were found to be less than 40 dB (A) which complies with the Background Noise + 5 dB (A) criteria and will therefore not adversely impact these properties.

With respect to vibration it was found that because the site is well separated from the nearest sensitive receiver being in excess of 1100m, vibration is not expected to be perceptible at any sensitive receiver.

Because the analysis indicates that there is a low risk of any adverse impacts no site specific recommendations were determined as being necessary other than following good practice.

5.11 Urban Design

Section 11 of the Precinct Plan concerns Urban Design.

The following table covers the matters raised in this chapter of the Precinct Plan:

REQUIRED	PROPOSED	COMPLIANCE
11.1 Site Analysis	A site analysis has been prepared and accompanies the application as required by section 11.1	YES
11.2 Subdivision	The site far exceeds the 5000m ² minimum at 10.73ha. It has a lengthy road frontage to the proposed road 4 and sufficient area on site to cater for all required activities including vehicle manoeuvring and container storage.	YES
11.3 Entrance Treatment	The office component has a legible entry point visible from the road frontage on the western elevation of the building defined by architectural features and identification signage.	YES
11.4 Siting & setbacks - 10m front setback to industrial collector road; - 5m front setback	The proposed building location is in compliance with the minimum setbacks, adopting a minimum setback of between 38m and 50m to road 4 and 50m to Road 1. The gatehouse is set back 22m from Road 4 and the container screen fence is 13m set back from Road 1. A rear boundary setback to the east of 13.8m to the screen fence is proposed. To the north and south the required 3m side	YES

to any other roads for corner sites - 3m side and rear boundaries	boundary minimum is far exceeded with setbacks to the edge of the awning of 27m and 41m proposed respectively.	
11.5 Building Heights & Design 11.6 External Building Materials & Colour	A variety of materials and finishes has been employed in the primary warehouse elevation to the collector road to provide visual interest and articulation. The proposed finishes include an architecturally designed façade treatment consisting alternate colored pre-finished metal cladding with feature cladding to the office building. The warehouse has an eaves height of 10m and an overall height to the ridge of 13.8m and as such there is no issue of view loss. A high level of landscape planting is proposed to soften and enhance the building. Significant tree planting to 15m in height on the batter at the north eastern corner of the site. The building has been designed with materials and finishes to create visual interest and achieve articulation. A panel of finishes accompanies the application indicating the variation in colours proposed.	YES
11.7 Ancillary Buildings Storage and Service Areas	Ancillary structures include a sprinkler tank and pump room that will be screened by a metal clad screen and softened by landscape planting. Similarly the proposed container yard will be screened by significant tree planting (installed at 1.8m in height) from Road 1 with trees to 15m being provided on the batter at the north east corner. An 8m high metal fence that is to be setback 13.8m from the eastern site boundary also provides screening. The metal fence is proposed at the northern and southern portions of the boundary fencing with the 12m Lilli Pilli planting in the central section in association with chainwire fencing.	YES
11.8 Cut and Fill	There will be a minimum of fill introduced to the site. Existing stockpiled surplus fill material will be utilised to achieve a level building platform. Retaining walls will be up to a maximum 3m in height prior to adopting 1.5m step with planting	YES
11.9 Fencing	Fencing is to be in accordance with the Precinct Plan requirements. The rear and side boundaries will feature security fencing being black plastic coated chain wire 2.1m in height. To the access road 4 fencing is to be integrated with the landscaping and will be "Diplomat" style as required. The fence is to be provided on the boundary rather than with a 1m setback in order for ease of landscape maintenance and to facilitate security.	YES
11.10 Signage & Lighting	Building Identification signage will be provided in two positions attached to the warehouse and office components as indicated and not occupying more than 10% of the particular façade (refer earlier SEPP 64 assessment). Security lighting will be established externally.	YES
11.1 Private Open Space	As required an area equivalent to 5% of the office floor area has been provided as an external open space area for employees. With inclusive of receiving and dispatch offices 1,710m ² provided, 85m ² is required whereas 141m ² has been provided. The dimensional requirements of 7m X 7m and a minimum dimension of 2.5m have also been complied with overall dimensions of 11m X 12.8m again, well	YES

	exceeding the requirement.	
11.12 Safety and security	Safety issues noted and will be adhered to in housekeeping. Security fencing is proposed to all boundaries. Office windows overlook the car park and main entry area from Road 4, assisting passive surveillance. External lighting is proposed is to all pathways and car parking areas.	YES

5.12 Community Services

The primary requirements of section 12, Community Services of the Precinct Plan are noted however are not generally relevant to the subject proposal.

Adequate provision will be made on site to cater for the daily needs of staff, drivers and visitors to the facility.

5.13 Open Space

The primary requirements of Section 13 are not generally relevant to this specific proposal. Again adequate provision will be made on site to cater for the daily needs of staff, drivers and visitors to the facility including the provision of an external open space for recreation.

There is no aspect of the proposal that specifically relates to the objectives of this section of the Precinct Plan.

5.14 Landscaping

A street tree and allotment planting programme will be implemented as part of the construction of the collector road as required at 14.3.2, Streetscape and Allotment Frontages.

The application is accompanied by a landscape plan prepared by Peter Glass & Associates which indicates landscaping of the setback areas within the proposed site as required. Frontage planting has been approached in accordance with the setbacks and planting requirements of the Precinct Plan.

The landscape plan is a detailed proposal that has specifically addressed the context of the site and includes a comprehensive specification for landscape construction including site preparation, excavation, earthworks, soil preparation, planting fertilization and staking, irrigation and landscape maintenance.

The plan has specifically addressed the location and context of the site and incorporates a hierarchy of planting tailored to provide adequate screening and softening of the site development.

Of specific note are significant tree and screen planting to the retaining walls on the eastern boundary of the site and at the north eastern corner of the site to screen views towards the container storage area. A highly landscaped frontage to the site access road

is also proposed incorporating a 5m wide buffer strip and planting within the car parking area at regular intervals.

5.15 Voluntary Planning Agreement

The development of Stage 3 is subject to a signed Voluntary Planning Agreement (VPA) made pursuant to S.93F of the Environmental Planning & Assessment Act 1979.

The agreement provides for monetary contributions, provision of works or the dedication of land for a public purpose as set out in S.92 (2). It may provide for the non applicability of S.94 and 94A of the Act.

Specifically the VPA requires that:

- The developer design and construct the local roads in accordance with the Precinct Plan and the development consent for the development (DA 06-1992)
- Contributions are made in respect of the Old Wallgrove Road Upgrade, the Archbold Road Upgrade and
- The Link Road Upgrade;
- Truck drainage, detention basins and riparian zones required in relation to development on land covered by the Precinct Plan

Contributions required pursuant to the agreement will be paid to Blacktown Council in this case prior to release of the subdivision certificate due to the fact that the Consent Authority for the development is the Minister.

6.0 CONSULTATION

Consultation has been carried out with a number of authorities in the course of preparation of this application including:

(i) Department of Planning

The Department has been consulted as required by the Act at the initial determination stage of the project as a major project, submission of the preliminary EA and receipt of the Director General's requirements.

(ii) Blacktown Council

Representatives of AHL met Council's Development Advisory Panel on 17 February 2010 to present and discuss the project. Minutes of the meeting were obtained and are enclosed at Annexure 4.

Council officers subsequently expressed concern in relation to the visibility of containers in the container yard. This was responded to by AHL on the basis that screening measures would be developed. The plan presented at the 17 February meeting was very preliminary and did not incorporate any screening along the eastern boundary and at the northeastern corner of the yard.

Subsequently Council's response to the Department forming part of the Director General Requirements stated that 2 high container stacking would be the acceptable.

The planting proposals and 8.5m high architecturally designed screen fence have been developed along with increased planting area to the immediate north of the yard, the area most visible to the Road 1.

The following photograph (pg 40) is a perspective from Road 1 which shows the screen wall to the container yard and planting to the eastern boundary setback area as well as screen planting adjacent to the receiving office.

The perspective is a still frame from a computer generated video of the proposal designed to show the built form. In reality even less of the building and container yard will be visible as the picture does not show the areas of landscape planting proposed at the very north eastern corner of the site in the 10m landscape setback to Road 1.

The extent and orientation of these large planting areas is such that viewing into the container yard from road 1 will be very difficult.



Fig 12. Artists impression from Road 1, excludes the landscape screening provided screening vegetation on the batter (foreground).

Australand has had further discussions with Blacktown Council and after presentation of the above perspective and the following landscape batter detail Council has now accepted that 3 high container stacking is acceptable.



Fig 13. Landscape planting detail north east corner of site

The formerly expressed concern of the Council has now been successfully addressed in this manner and as advised to Australand on 5th July 2010 by email.

This issue and the other matters raised by Council being Landscaping strategy, Access and Car Parking and Stormwater & Civil Works were responded to in a letter from Australand dated 6 July 2010 to the Department of Planning.

A copy of this letter is enclosed at Annexure 5. The response by Australand provides further assurance (as also assessed in this EA) that these issues have been addressed in response to the requirements of the Eastern Creek Stage 3, Precinct Plan and in the case of the Stormwater and Civil Works, also in response to the policies and specifications of Blacktown Council as noted.

The landscape batter drawing and perspective at the north east corner as reproduced above, were also formally submitted with this letter as part of the project application.

(iii) Roads and Traffic Authority

Consultation was carried out with the RTA by Road Delay Solutions. After a telephone conversation on 15 June 2010 with Mr. Ken Moon, of the RTA Parramatta Mr. Moon expressed the following concerns regarding the development of the Eastern Creek Precinct:

1. The capability and required lane configuration of the Wallgrove Road intersection with Old Wallgrove Road to manage the projected traffic volumes, at 'End State', with the introduction of the southern arterial corridor extending from Lenore Lane, Erskine Park, and
2. The gazetted road reserve of Wallgrove Road and the capability of the reserve to facilitate the necessary lane configuration.

The RTA is concerned predominantly with the road connections of Archbold Road and Old Wallgrove Road, from Eastern Creek, to the arterial road network. It does not have any express opinion on individual developments within the precinct and are leaving individual determination in the hands of Council.

(iv) Sydney Water

Australand is well advanced in negotiations with Sydney Water for the provision of water and sewerage services to stage 3.

Australand received the revised water pipe sizing strategy from Sydney Water in early June 2010 and this is being incorporated into the water service design. Once completed, the design will be submitted to Sydney Water for approval. The redesign includes water reticulation to all the roads within the estate including road 4 being the main road frontage to K Mart.

The proposed approved public road system will however cater for efficient water main design as required by the precinct plan.

A sewerage service design has been approved by Sydney Water for the entire estate.

The infrastructure requirements set out in the Precinct Plan are acknowledged. There is no aspect of the subject application which would derogate against the future provision of the required works. The proposed warehouse will be able to connect to the approved design without any difficulty.

7.0 References

In preparing the project regard has been given to the following State Government Technical and Policy Guidelines.

Building Construction

- Building Code of Australia.

Noise

- NSW Industrial Noise Policy
- Interim Construction Noise Guidelines
- AS 2346-1981 Guide to Noise Control on Construction Maintenance and Demolition Site.”
- AS 1055.2-1997

Lighting

- Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, 1997 – AS 4282-1997).

Soil and Water

- As 3500.3 National Plumbing & Drainage Code Part 3 – Stormwater Drainage
- Australian rainfall & Runoff (1987 edition) Volumes 1 & 2 (AR&R)
- Blacktown City Council Stormwater Quality Control Policy

Traffic

- Guideline to Traffic Generating Development (RTA)
- Road Design Guide (RTA).
- AS 2890.1 & AS2890.2.

Water Management

- SEPP (Western Sydney Employment Area) 2009
- Stage 3 Eastern Creek Precinct Plan
- Green Star Industrial Potable water Calculator

Energy

- Building Code of Australia
- Green Star industrial tool

8.0 Proponents Statement of Commitments

MANAGEMENT ISSUE	PROPONENTS COMMITMENT
Infrastructure	<p>The proponent commits to provision of road infrastructure in accordance with the Precinct Plan and the development consent for the development (DA 06-1992 and as modified by S.96) as provided for in the Voluntary Planning Agreement with Blacktown City Council.</p> <p>The proponent also commits to the following also as part of the VPA with Blacktown Council prior to release of the subdivision certificate:</p> <ul style="list-style-type: none"> - Contributions in respect of the Old Wallgrove Road Upgrade, the Archbold Road Upgrade and - The Link Road Upgrade; - Truck drainage, detention basins and riparian zones required in relation to development on land covered by the Precinct Plan <p>The proponent also commits to provision of contributions for Regional Road Infrastructure pursuant to SEPP (western Sydney Employment Area) 2009 prior to release of the construction certificate for the development.</p>
Construction Management	<p>A Construction Environmental Management Plan (CEMP) is to be compiled and will be provided to the Director-General of the Department before construction begins.</p>
Operations Management	<p>An overall Operation Environmental Management Plan (OEMP) is to be prepared and provided to the Director-General before commencement of operation of the site. The OEMP will set out the environmental management structure and practices and measures to be adopted on site.</p>
Water Management	<p>Adoption of the accompanying Water Management report prepared by Steensen Varming including:</p> <ul style="list-style-type: none"> - Installation of a 100kl rainwater Harvesting System; - 4 Star WELS rated toilets throughout the development; - 5 Star WELS rated urinals throughout the development; - 5 Star WELS rated tapware throughout the development; - 3 Star WELS rated showers throughout the development
Waste management	<p>Adherence to the recycling and waste disposal measures set out in the accompanying Waste Management report including:</p> <ul style="list-style-type: none"> - Provision on site within both warehouse and office areas clearly marked recycling and waste bins; - Appointment of contractors to deal with waste removal and recycling as set out in the waste management plan; - Implementation of staff awareness and educational programs to supplement OH & S Environmental programs in relation to waste management; - Cleaning staff to be responsible for day to day management of all waste and recycling stations
Soil Erosion and Sediment Control	<p>The measures recommended in the accompanying sediment and erosion control plan prepared by Costin Roe Consulting including:</p>

- A stabilized minimum 10m wide construction traffic entry with a truck shaker;
- Catch drains and silt fencing;
- Kerb & Grated Pit in let controls;
- Stabilized stockpiles

Stormwater Treatment

The maintenance and monitoring measures recommended in the accompanying stormwater management plan prepared by Costin Roe Consulting as follows:

- proposed STMs will be subject to monitoring at 3 month intervals for the first year of operation and 4 month intervals in the second year;
- appropriate records are to be kept in relation to the type and amount of pollutants recorded;
- After the first two years a maintenance schedule will be established with future cleaning to occur with a maximum of 6 month intervals;

Air Quality

Dust management and mitigation measures will be included in the Construction Environmental Management Plan

Noise

DECCW criteria for construction and operation of the premises will be observed. Requirements set out in the Interim Construction Noise Guidelines and the NSW Industrial Noise Policy will be adhered to at all times as per the accompanying Acoustic reports. The proponent commits to achievement of the following noise objectives:

Table 4 - Noise Objectives for Residential Receivers, dB(A)

Receiver	Time of day	Estimated Background Noise Level	Amenity Criteria L_{eq}	Intrusiveness Criteria L_{eq}	Objective
Noise Receiver 1	Day	50	50	55	50 dB(A) L_{eq}
	Evening	45	45	50	45dB(A) L_{eq}
	Night	40	40	45	40 dB(A) L_{eq} and 55 dB(A) L_1
Noise Receiver 2	Day	40	50	45	45 dB(A) L_{eq}
	Evening	35	45	40	40dB(A) L_{eq}
	Night	30	40	35	35 dB(A) L_{eq} and 45 dB(A) L_1

Landscape management

The proponent commits to maintenance of all landscape planting on site with particular attention given to the screen planting proposes to the east and north of the container yard.

BCA Compliance

The report prepared by McKenzie Group Consulting in association with this application concludes that the proposal is able to comply with the BCA. The proponent commits to adherence to this report and ongoing compliance with the BCA including:

- preparation of suitable fire engineered solutions prior to issue of a construction certificate in relation to the following sections of the BCA:

1. Egress Travel Distances and Distances between Alternate Exits (DP4),
2. Smoke hazard Management (EP2.2)
3. Fire Hydrant protection (EP1.3).

9.0 Conclusion & Justification

Eastern Creek Employment area was specifically created for employment generating land use. SEPP 59 has been repealed and the statutory planning instrument applying to this subject site is SEPP Western Sydney Employment Area 2009.

The proposed development of the site as a warehouse and distribution centre is development specifically envisaged in the SEPP and which will generate 220 jobs thus in increasing employment opportunities in the locality.

The project is justified on the following grounds

- (i) It accords with the objectives and principles of SEPP (Western Sydney Employment Area) 2009;***
- (ii) It achieves the design and environmental management provisions of the Eastern Creek Stage 3 Precinct Plan;***
- (iii) It results in a state of the art warehouse and distribution facility for K Mart significantly improving the efficiency of the company's business operations and ability to service retail outlets and the public from a strategically well positioned site;***
- (iv) It provides new employment opportunities in the locality;***
- (v) On an estate wide basis 60ha of land will be returned to the public as a conservation area***

In conclusion it is considered that the proposed development of a warehouse and distribution centre for K Mart is environmentally acceptable. It is concluded that the site is suitable for the development, being designated as employment land pursuant to SEPP (Western Sydney Employment Area) 2009. The subject application represents an appropriate and reasonably expected development as a warehouse and distribution facility.

The following conclusions are made in relation to the use:

- It fully complies with the objectives and standards of SEPP No.59;***
- It fully complies with the objectives and intent of the Eastern Creek Business Park Precinct Plan Stage 3;***
- The proposal represents appropriate design in accordance with the desired character for development within Stage 3 of Eastern Creek Business Park;***

It is concluded that the proposed development is permissible pursuant to Part 3A of the Environmental Planning & Assessment Act 1979 and that this EA has provided a comprehensive response to the Director General's Requirements.

C.F. Blyth MPIA CPP Director,
Boston Blyth Fleming Pty Ltd

Reports\kmarteaREV3

ANNEXURE 1



Planning

Contact: Chris Ritchie
 Phone: 9228 6413
 Fax: 9228 6466
 Email: chris.ritchie@planning.nsw.gov.au
 Our ref: 10/09457

Mr Michael Robinson
 Development Manager
 Rylehall Pty Ltd
 Locked Bag 2106
 NORTH RYDE NSW 1670

Dear Mr Robinson

K MART Warehouse and Distribution Centre Director-General's Requirements

I refer to your application for the K MART Warehouse and Distribution Centre in the Blacktown Local Government Area.

I have attached a copy of the Director-General's requirements for the project. These requirements have been prepared based on the information you have provided to date.

Please note that the Director-General may alter these requirements at any time.

If the project is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection Biodiversity Conservation Act 1999* (EPBC Act). This approval is in addition to any approvals required under NSW legislation. It is your responsibility to contact the Department of Environment, Water, Heritage and the Arts in Canberra (6274-1111 or <http://www.environment.gov.au>) to determine if the proposal requires an approval under the EPBC Act. If it is subsequently determined that an approval is required under the EPBC Act, please contact the Department immediately as supplementary Director-General's requirements may need to be issued.

I would appreciate it if you would contact the Department at least two weeks before you propose to submit the Environmental Assessment (EA) for the project. This will enable the Department to determine the:

- applicable fee (see Division 1A, Part 15 of the Environmental Planning and Assessment Regulation 2000); and
- number of copies (hard-copy or CD-ROM) of the EA that will be required for exhibition purposes.

Once the Department receives the EA, it will review it in consultation with the relevant agencies to determine if it adequately addresses the Director-General's requirements, and may require you revise it prior to public exhibition.

The Department is required to make all the relevant information associated with the project publicly available on its website. Consequently, I would appreciate it if you would ensure that all

Bridge St Office GPO Box 39 SYDNEY NSW 2001
 Phone: (02) 9228 6111 Fax: (02) 9228 6455 Website: planning.nsw.gov.au

2

the documents you subsequently submit to the Department are in a suitable format for the web, and arrange for an electronic version of the EA to be hosted on a suitable website during the assessment process.

If you have any enquiries about these requirements, please contact Chris Ritchie on the above details.

Yours sincerely



23.6.10

Chris Wilson
Executive Director
Major Projects Assessment
As delegate for the Director-General

Director-General's Requirements

Section 75F and 75M of the *Environmental Planning and Assessment Act 1979*

Application Number	10_0082
Project	The K MART Warehouse and Distribution Centre Project, including the construction, fit out and operation of the warehouse and distribution centre
Location	Wonderland Drive, Eastern Creek 2766, Lot 2/DP1149138
Proponent	Rylehall Pty Ltd
Date of Issue	23 June 2010
General Requirements	<p>The Environmental Assessment of the project must include:</p> <ul style="list-style-type: none"> • an executive summary; • a detailed description of the project, including: <ul style="list-style-type: none"> – existing and approved operations/facilities, including any statutory approvals that apply to these operations/facilities; – the development to be carried out onsite, including plans of all proposed building works; and – the likely staging of the project; • a risk assessment of the potential environmental impacts of the project, identifying the key issues for further assessment; • a detailed assessment of the key issues specified below, and any other significant issues identified in the risk assessment (see above), which includes: <ul style="list-style-type: none"> – a description of the existing environment, using sufficient baseline data; – an assessment of the potential impacts of the project, including any cumulative impacts, taking into consideration any relevant guidelines, policies, plans and statutory provisions (see below); and – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the potential impacts of the project, including detailed contingency plans for managing any significant risks to the environment; • a suitable assessment of the other issues specified below, outlining the measures that would be implemented to minimise the potential impacts of the project; • a statement of commitments, outlining all the proposed environmental management and monitoring measures for the project; • a conclusion justifying the project on economic, social and environmental grounds, taking into consideration whether the project is consistent with the objects of the <i>Environmental Planning & Assessment Act 1979</i>; and • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Strategic and Statutory Context – including: <ul style="list-style-type: none"> – detailed justification for the proposal and suitability of the site to be developed; – demonstration that the proposal is generally consistent with: <ul style="list-style-type: none"> ○ the <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>; ○ other relevant State Environmental Planning Policies, environmental planning instruments, plans, policies and guidelines; ○ all relevant development control plans (including the approved <i>SEPP 59 Employment Lands Precinct Plan – Eastern Creek</i>); and ○ the NSW State Plan, Metropolitan Strategy and draft subregional strategy;

	<ul style="list-style-type: none"> o relevant local environmental plans; and – a description of the nature, extent and justification for any inconsistencies identified above. • Infrastructure – demonstrating that suitable arrangements are in place to provide the necessary local and regional infrastructure for the project; • Transport, Access and Parking – including: <ul style="list-style-type: none"> – predictions of the traffic volumes likely to be generated during construction and operation; – an assessment of the impacts of this traffic on the safety, capacity and efficiency of the surrounding road network, including modelling of key intersections; – detailed plans of any proposed road upgrades; – access, including detailed consideration of various access options and justification for the proposed location of the main access points; – details of the availability of non-car travel modes and measures to encourage greater use of these travel modes; and – parking. • Noise and Vibration – including construction, operation and traffic noise; • Soil and Water – including: <ul style="list-style-type: none"> – sediment and erosion controls during construction; – stormwater management during operations; – demonstration that flooding impacts can be managed onsite; • Design and Visual – including: <ul style="list-style-type: none"> – a detailed description (including photomontages and building elevations) of the measures to be implemented to: <ul style="list-style-type: none"> o demonstrate consistency with the relevant design and development standards in the <i>SEPP 59 Employment Lands Precinct Plan – Eastern Creek</i>; o determine building design and proposed mechanisms to ensure design excellence, heights, set-backs, floor space ratio; o manage the bulk and scale of the buildings; o minimise the visual impact of the project; – a detailed landscaping, lighting, and signage strategy for the project; • Sustainable Development – including: <ul style="list-style-type: none"> – a description of how the project will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the project; and – a description of the measures to be implemented to minimise consumption of resources, especially energy and water.
Other Issues	<ul style="list-style-type: none"> • Hazards – including: <ul style="list-style-type: none"> – from the storage and use of hazardous materials; and – fire risk and management; and • Waste – during construction and operations.
References	The environmental assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this project.
Consultation	<p>During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with the:</p> <ul style="list-style-type: none"> • Roads and Traffic Authority; Sydney Water; and Blacktown City Council. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed Refusal Period	60 days

Policies, Guidelines & Plans

Risk Assessment	
	AS/NZS 4360:2004 Risk Management (Standards Australia)
	HB 203: 203:2006 Environmental Risk Management – Principles & Process (Standards Australia)
Statutory Context	
	NSW State Plan
	Draft North West Subregional Strategy
	State Environmental Planning Policy (Western Sydney Employment Area) 2009
Transport and Access	
	Guide to Traffic Generating Development (RTA)
	Road Design Guide (RTA)
	State Environmental Planning Policy (Infrastructure)
Noise	
	NSW Industrial Noise Policy (DECC)
	Environmental Criteria for Road Traffic Noise (NSW EPA)
	Interim Construction Noise Guideline (DECC)
Soil & Water	
Salinity	NSW Salinity Strategy (DLWC)
Erosion & Sediment Control	Managing Urban Stormwater: Soils & Construction (Landcom)
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
Stormwater	Managing Urban Stormwater: Council Handbook. Draft (EPA)
	Managing Urban Stormwater: Treatment Techniques (EPA)
	Managing Urban Stormwater: Source Control. Draft (EPA)
	Managing Urban Stormwater: Harvesting and Reuse (DEC)
Flood Management	Floodplain Development Manual: the Management of Flood Liable Land (DIPNR)
	Floodplain Risk Management Guideline - Practical Consideration of Climate Change (DECC)
Site Design & Layout	
	Control of Obtrusive Effects of Outdoor Lighting (Standards Australia, 1997, AS 4282-1997)
	State Environmental Planning Policy No 64 - Advertising and Signage
Sustainable Development	
	National Greenhouse Accounts Factors (Australian Department of Climate Change (DCC))
	Guidelines for Energy Savings Action Plans (DEUS)
	Guidelines for Water Savings Action Plans (DEUS)
Hazards	
	State Environmental Planning Policy No 33 - Hazardous and Offensive Development
	Applying Sepp 33: Hazardous And Offensive Development Application Guidelines (DUAP)
Waste	
	Waste Avoidance and Resource Recovery Strategy (Resource NSW)
	Waste Classification Guidelines (DECC)

21 June 2010

DEPARTMENT OF PLANNING
GPO BOX 39
SYDNEY NSW 2001

Attention: Haley Rich

Dear Haley Rich,

Re: Preliminary Environmental Assessment Report relating to Part 3A Major Development Project- K Mart Facility, Eastern Creek

Reference is made to your correspondence dated 2 June 2009 and accompanying documentation giving Council an opportunity to comment on the Part 3A Major Development Project- K Mart Facility, Eastern Creek

Please be advised Council does not object in principle to the proposal over the site, but does raise concerns to certain aspects of the proposal. Council's concerns are based on the following:

Container Loading Area

Given the proposed storage containers are to be stacked 3 high in close proximity to the future road, Council considers that the maximum storage height be limited to only 2 high. This limitation will reduce the visual appearance of such containers from the streetscape.

Further, irrespective of the height of the containers additional screening should be included for the full length of the eastern boundary and include dense landscaping in an effort to conceal the containers and storage area.

The current photomontage plans do not show any views of the container storage area or its view from the proposed future road to the north east of the site, therefore making it difficult to properly assess its visual impact. Additional photomontage plans should be prepared.

Landscaping Strategy

Council requests that any landscaping strategy include a variety of suitable ground covers, shrubs and trees to complement the height, scale, design and function of the development by providing a variety of species which are endemic to the locality.

The landscaping plans should also consider measures designed to enable easy long-term maintenance of the property and a planting of a combination of 35 litre, 75 litre and 100 litre trees. All shrubs to be planted are to have a minimum pot size of 200mm.

The maximum heights and widths of any retaining walls and batters should comply with the design objectives contained in the Precinct Plan. All retaining walls should be suitably finished in an appropriate contrasting material, whilst all batters should be landscaped.

Access and Car Parking

All internal roads should be designed in accordance with Council's Engineering Guide for Development to ensure a satisfactory standard.

Parking should be provided in accordance with Council's Precinct Plan. The minimum amount of car parking provided on site should be 250 car spaces whilst the remaining 80 car spaces be provided in the future by way of a positive covenant on the land title as part of the condition of approval so that there is a mechanism for Council to be able to request the additional parking if the need arises or if a change in use of the premises warrants the need for this extra parking. The authority to enforce or vary this restriction is to be Council.

If any overnight truck parking is needed or will occur onsite then the applicant needs to demonstrate there are sufficient truck parking spaces onsite for this to occur to avoid the use of on street car parking.

Vehicular access should be restricted to only be off the western elevation road frontage in the manner currently proposed and not off the road to the north east and conditions added to any favourable approval to this effect.

Stormwater Drainage & Civil Works

Council anticipates that the DoP will ensure stormwater drainage from the site must be designed to satisfactorily drain rainfall intensities and ensures that the development, either during construction or upon completion, does not impede or divert natural surface water runoff so as to cause a nuisance to adjoining properties.

Council also requires that any site not draining directly to a public road be serviced by an inter-allotment drainage line and appropriate easement.

In relation to the civil, stormwater drainage and other ancillary engineering works required for the proposal, Council requests that such specifications be designed and undertaken in accordance with the relevant aspects of the following documents:

- (a) Blacktown City Council's Works Specification - Civil (Current Version).
- (b) Blacktown City Council's Engineering Guide for Development (Current Version).
- (c) Blacktown City Council Soil Erosion and Sediment Control Policy (Current Version).
- (d) Blacktown City Council Stormwater Quality Control Policy.

In finalising the proposed development, Council expects that the above-cited matters be subject to further consideration by Department of Planning.

Should you have any further enquiries concerning this matter, please contact Momcilo Romic of Council's Development Services Unit on the number below, between 9 am and 12 noon.

Yours faithfully,

Pauline Daw
Senior Town Planner

RTA Ref: RDC 10M1030 SYD10/00444
Contact: Angela Malloch T 6849 2041



The Director
Major Project Assessment
Department of Planning
GPO Box 39
Sydney NSW 2001

Attention: Haley Rich

**WAREHOUSE AND DISTRIBUTION CENTRE FOR K-MART – CONCEPT
PLAN AND STATE SIGNIFICANT SITE LISTING – DIRECTOR GENERAL'S
REQUIREMENTS.**

Dear Sir / Madam,

Reference is made to the Department's correspondence dated 2 June 2010 requesting the Roads and Traffic Authority (RTA) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Director General's Environmental Assessment (EA) requirements.

The RTA would like the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. It is noted that the Metropolitan Strategy has designated Blacktown as a Major Centre and a major focal point for regional transport connections and jobs growth. It is important that the development of the Warehouse and Distribution Centre for K-Mart takes into consideration, and contributes to the achievement of, transport objectives contained in this and other high-level NSW Government strategies.

These strategies include the NSW State Plan and draft Subregional Strategy. These policies share the aims of increasing the use of walking, cycling and public transport; appropriately co-locating new urban development with existing and improved transport services; and improving the efficiency of the road network.

By addressing both the supply of transport services and measures to manage demand for car use, the EA report should demonstrate how users of the Warehouse and Distribution Centre for K-Mart, will be able to make travel choices that support the achievement of relevant State Plan targets.

Roads and Traffic Authority

Page 1 of 2

27-31 Argyle Street Parramatta NSW 2150
PO Box 973 Parramatta CBD NSW 2150 DX28555 Parramatta
www.rta.nsw.gov.au | 13 17 82

2. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need / associated funding for upgrading or road improvement works (if required).

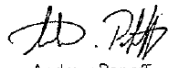
The key intersections to be examined/modelled include but not be limited to:

- Wallgrove Road/Wonderland Drive;
- Old Wallgrove Road/Wallgrove Road; and
- Wallgrove Road/M7 Off-ramp/M7 On-ramp.

3. Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
4. Proposed number of car parking spaces and compliance with the appropriate parking codes.
5. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
6. The RTA requires the EA report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan (eg 'Travelsmart' or other travel behaviour change initiative); and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport.
7. The RTA will require in due course the provision of a traffic management plan for all demolition / construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

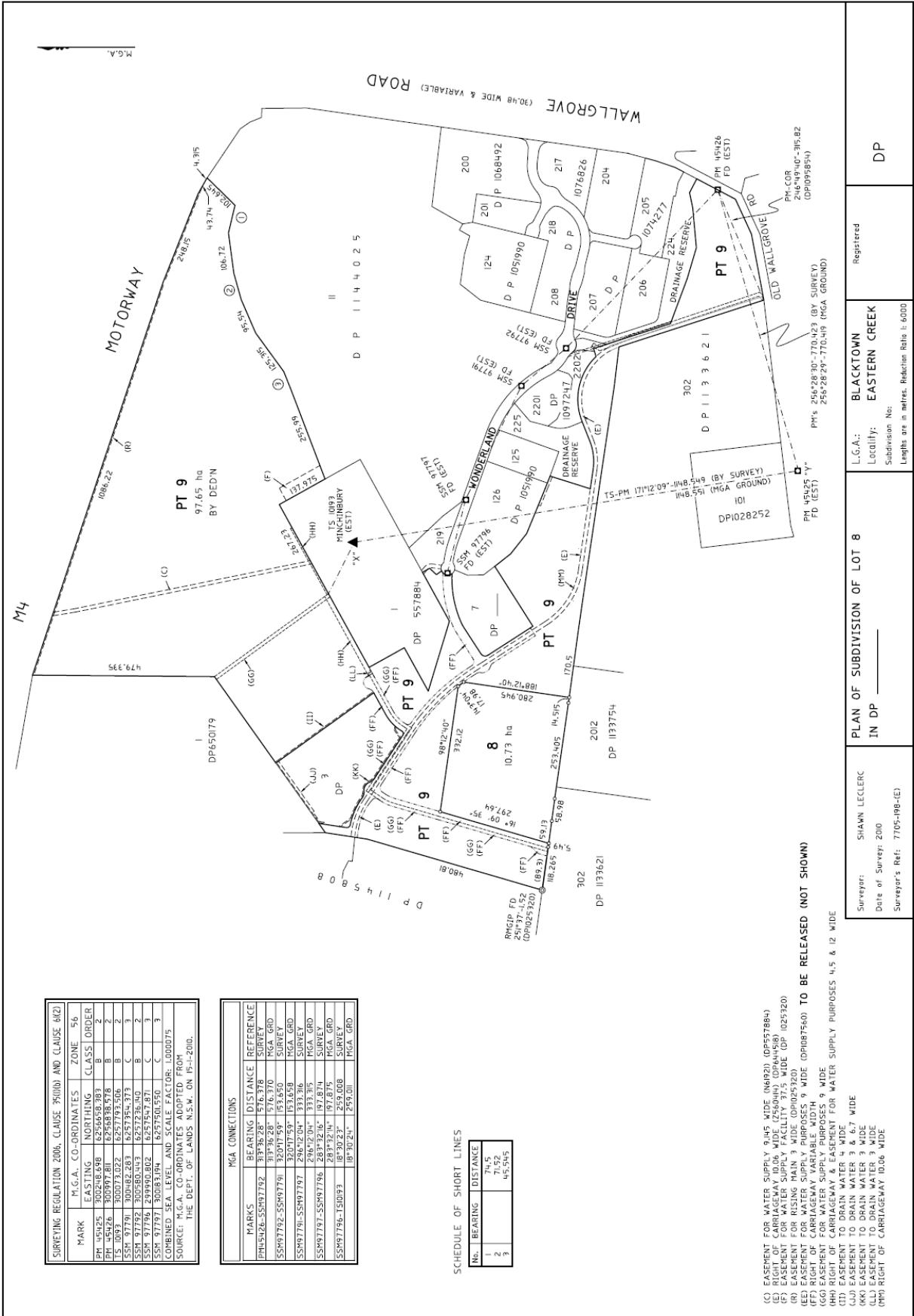
Further enquiries on this matter can be directed to Angela Malloch on phone 8849 2041 or facsimile (02) 8849 2918.

Yours sincerely



Andrew Popoff
A/Senior Land Use Planner
Transport Planning, Sydney Region
17 June 2010

ANNEXURE 2

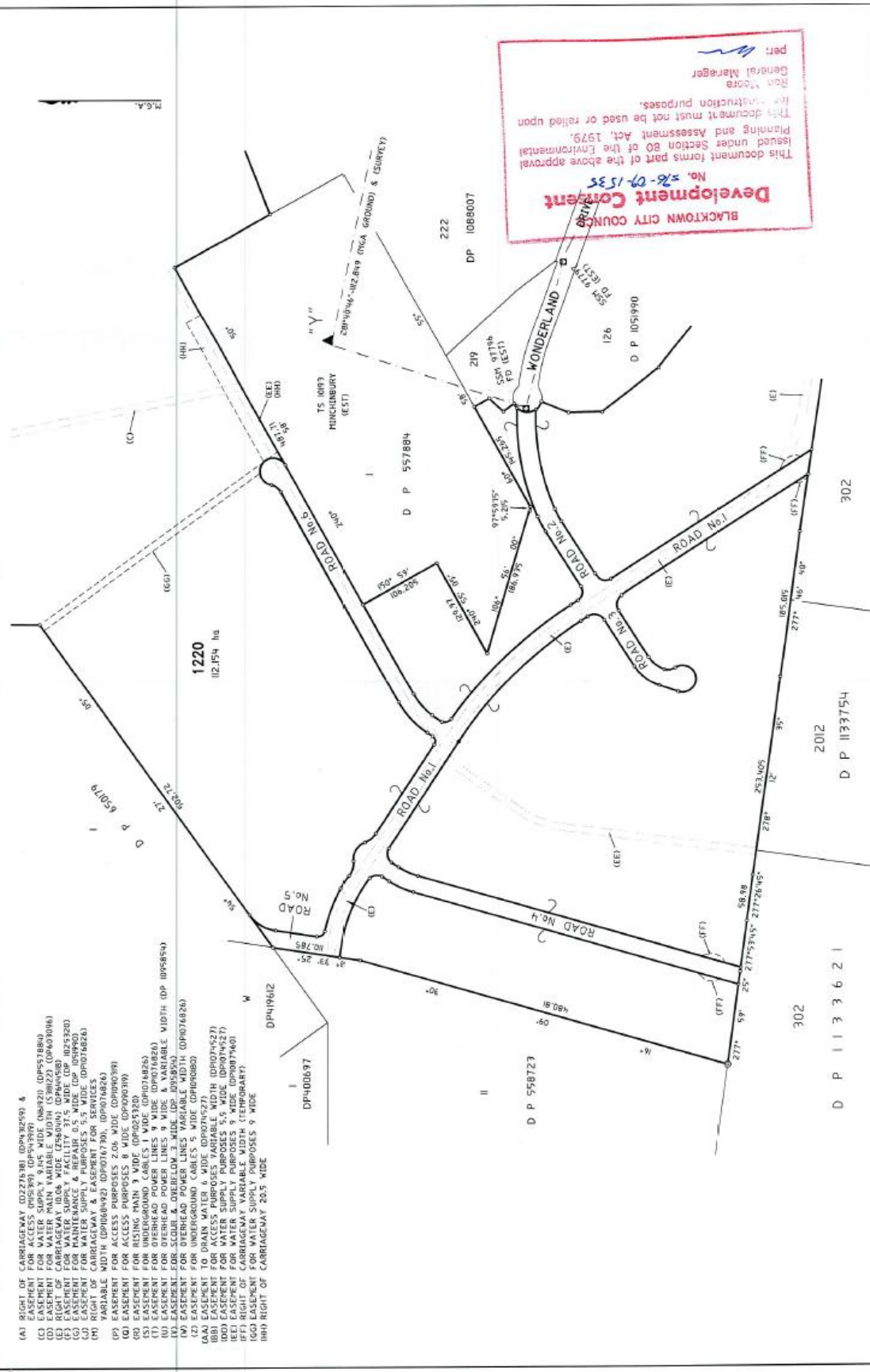


ANNEXURE 3

SHEET 2 OF 4 SHEETS

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 2 (A2)



PLAN OF SUBDIVISION OF LOT 122 IN DP 1049623		Registered	DP
Surveyor: SHAWN LE CLERC Date of Survey: 24-2-2009 Surveyor's Ref: 7705-01-(C)		L.C.A.: BLACKTOWN Locality: EASTERN CREEK Subdivision No: Lengths are in metres, Reticula Date is 2000	

PROPOSED DISTRIBUTION CENTRE FOR
KMART

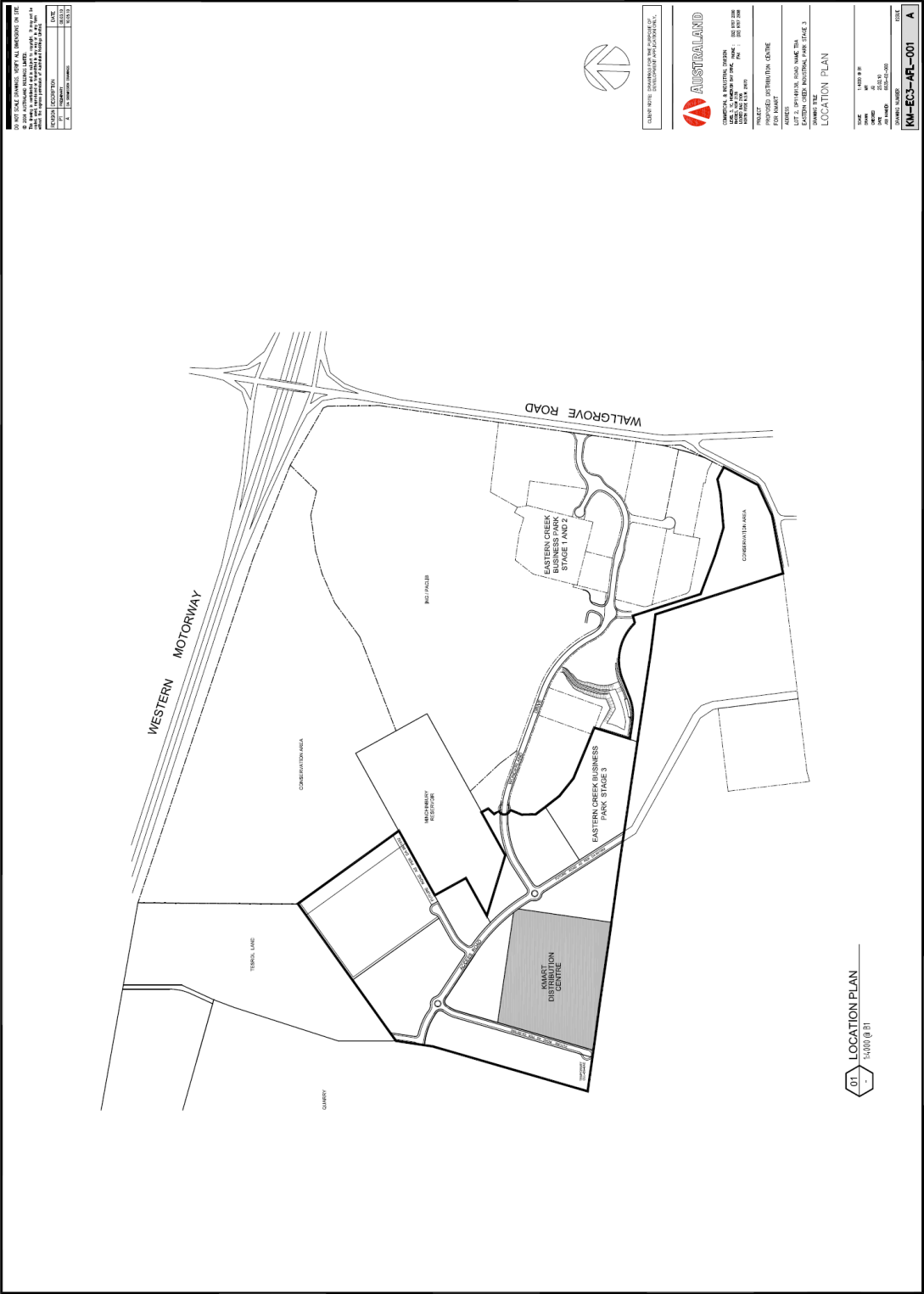
LOT 2, DP1149138, ROAD NAME TBA
EASTERN CREEK INDUSTRIAL PARK STAGE 3

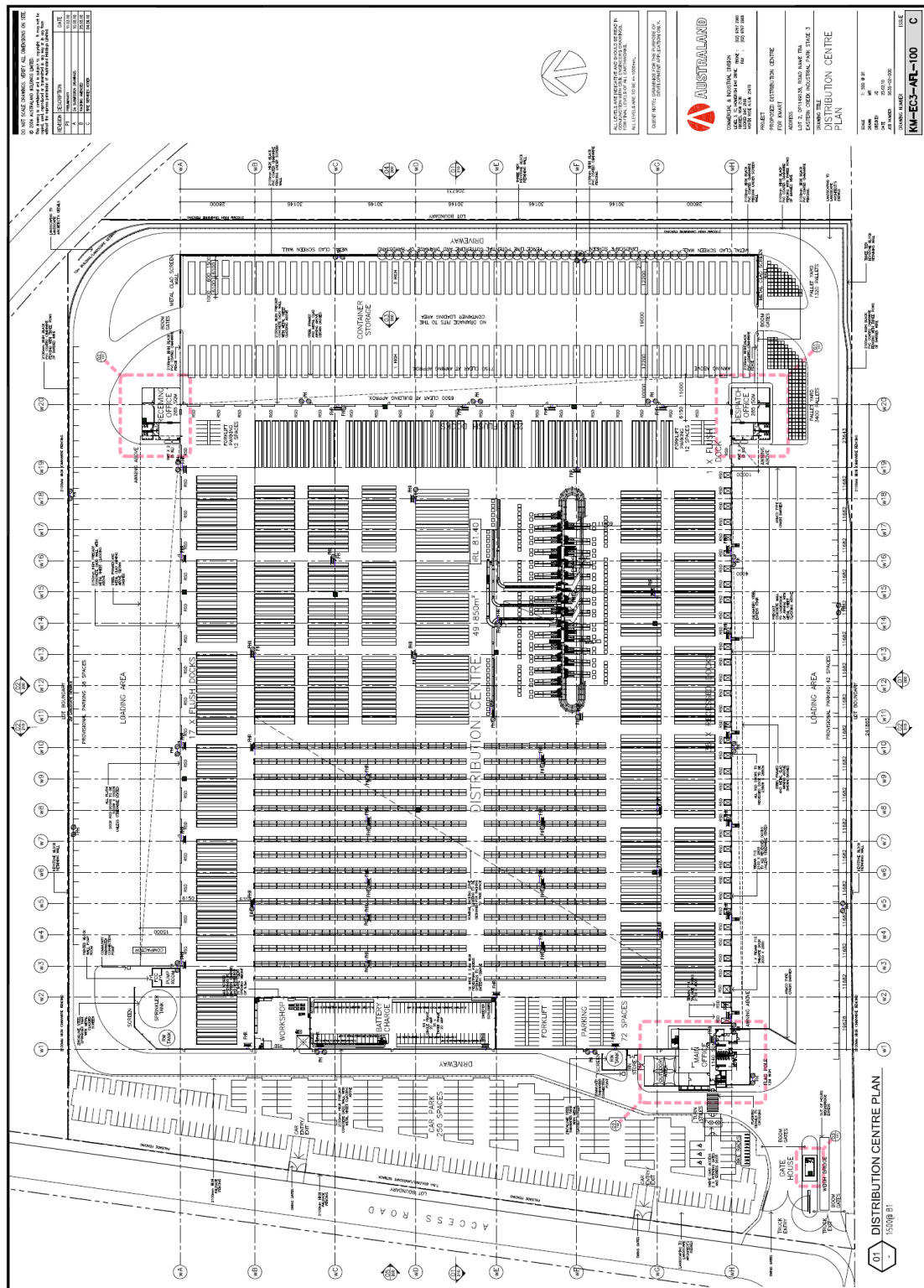
KM - EC3 - AFL - 000 - D	TITLE SHEET
KM - EC3 - AFL - 001 - A	LOCATION PLAN
KM - EC3 - AFL - 002 - A	SITE PLAN
KM - EC3 - AFL - 003 - A	SITE ANALYSIS PLAN
KM - EC3 - AFL - 100 - C	DISTRIBUTION CENTRE PLAN
KM - EC3 - AFL - 110 - A	MAIN OFFICE PLANS
KM - EC3 - AFL - 111 - A	DESPATCH / RECEIVING AND GATE HOUSE PLANS
KM - EC3 - AFL - 200 - C	DISTRIBUTION CENTRE ELEVATIONS
KM - EC3 - AFL - 201 - D	MAIN OFFICE, GATE HOUSE, AND TURNSTILE SHELTER ELEVATIONS
KM - EC3 - AFL - 210 - A	SECTIONS
KM - EC3 - AFL - 500 - B	COLOUR ELEVATIONS
KM - EC3 - AFL - 600 - A	OFFICE PERSPECTIVE
KM - EC3 - AFL - 601 - A	DISTRIBUTION CENTRE AERIAL PERSPECTIVE

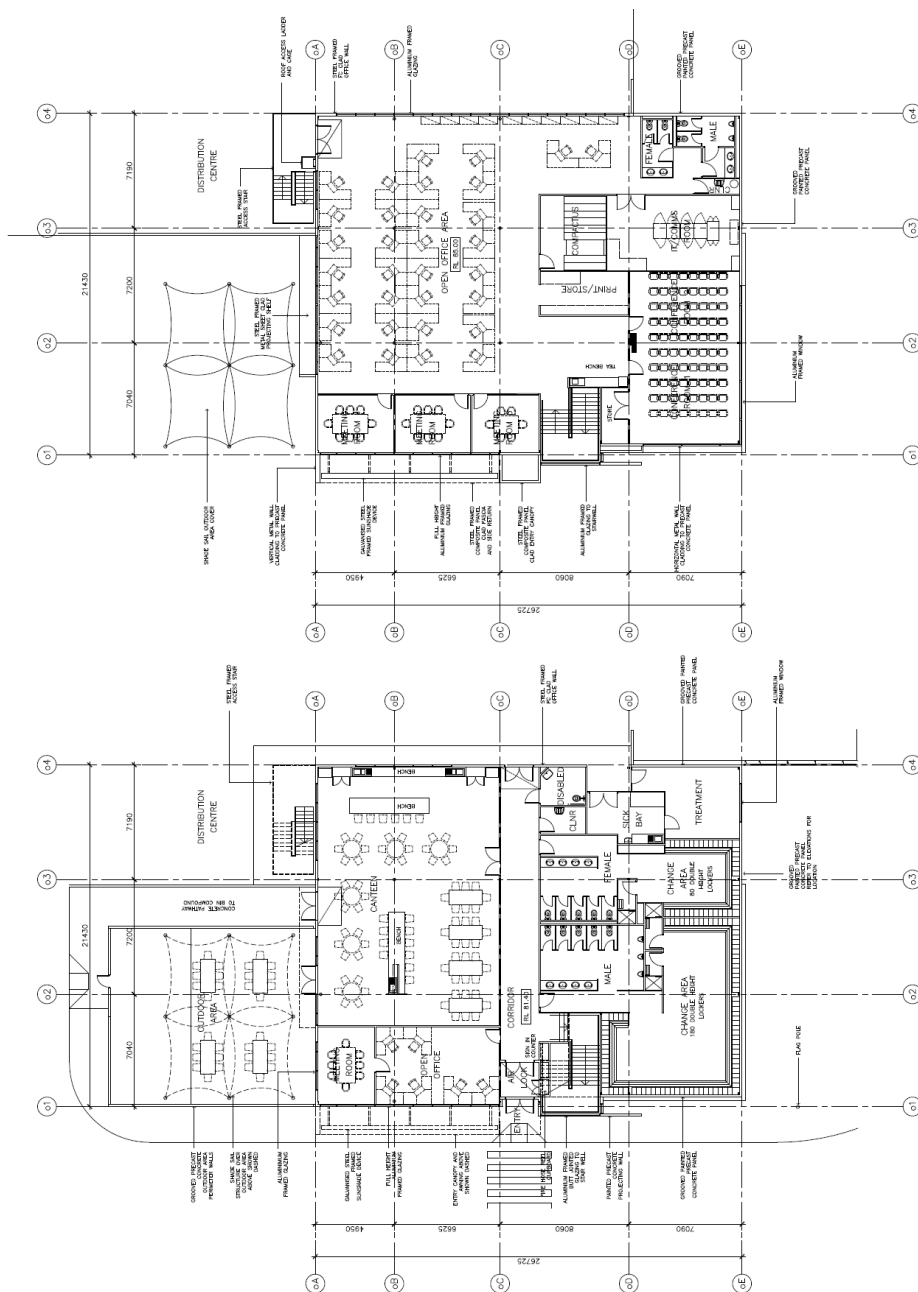
CLIENT: KIMBERLY CLARK
PROJECT: EASTERN CREEK INDUSTRIAL PARK STAGE 3
DRAWING: KM - EC3 - AFL - 000 - D



KM - EC3 - AFL - 000 - D TITLE SHEET







02 FIRST FLOOR OFFICE PLAN
- 1:100 @ B1

01 GROUND FLOOR PLAN
1:100 @ B1

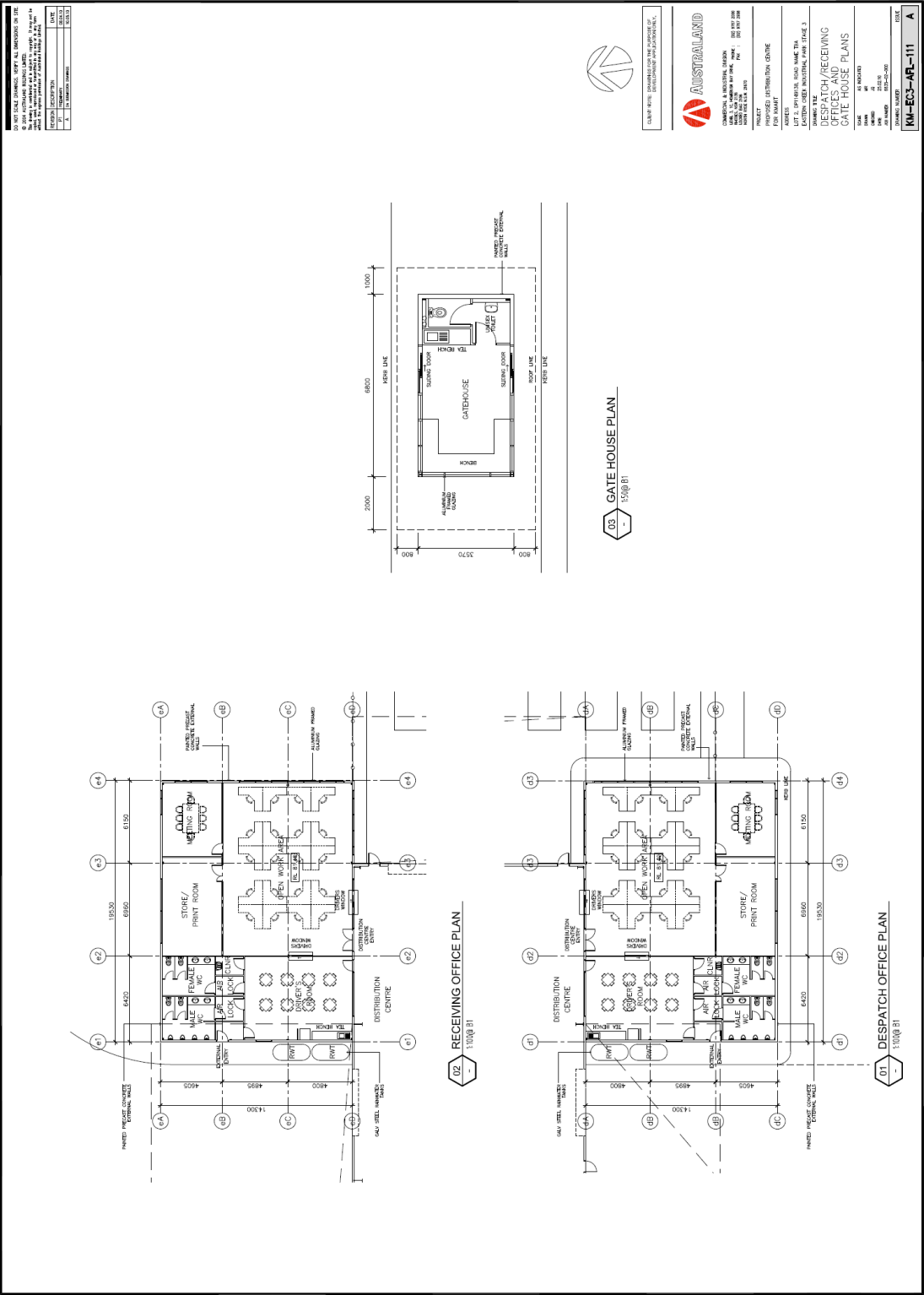












FIG. 1. DRAWINGS FOR THE PURPOSE OF
FIELD RESEARCH AND THE STUDY OF

AustraliAid

COMMERCIAL & INDUSTRIAL DIVISION
LEVEL 3, 10, HENDERSON BAY DRIVE
MATELAS, NEW ZEALAND
LUXURY BATH TUBS
800-767-8356 FAX 767-8356

PROJECT	PROPOSED DISTRIBUTION CENTRE
---------	------------------------------

FOR KUART

ADDRESS

LOT 2, DP1149138, ROAD NAME TBA
EASTDIN CREEK INDUSTRIAL PARK STAGE 3

OFFICE PERSPECTIVE

SCALE	1 4 3 2 0 0 0 0
CRITERION	500

CHARGE: J0
DATE: 25-02-93
JOB NAME: 00-05-02-000

DRAWING NUMBER
KM-EC3-DA-600



01 DISTRIBUTION CENTRE PERSPECTIVE

DO NOT SCALE DRAWINGS. VERIFY ALL DIMENSIONS ON SITE.

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The drawing is confidential and is subject to copyright. It may not be copied, sold, reproduced or transmitted in any way or by any form without the express permission of Australian Building Limited.

REVISION	DESCRIPTION	DATE
P1	ISSUED FOR TENDERS	21/03/04
A	10% DIMENSION INCREASE	16/05/04

REVISION	DESCRIPTION	DATE
P1	REQUIREMENTS	21-03-10
A	SA. DESIGN WORKS	18-05-10

CLIENT NOTE: DRAWINGS FOR THE PURPOSE OF
CONSTRUCTION SHALL BE A SEPARATE
DOCUMENT.



COMMERCIAL & INDUSTRIAL DIVISION
LEVEL 3, 10, HENDERSON BAY CIRCLE, SUITE 1
PHILADELPHIA, PA 19106
LOOKED 848 2738
NORTH 8702 N.W. 20570

PROJECT

PROPOSED DISTRIBUTION CENTRE
FOR KIMAT

ADDRESS

LOT 2, DE1149138, ROAD NAME: YIA
EASTERN CREEK INDUSTRIAL PARK STAGE 3

DRAWING FILE
DISTRIBUTION CENTREDISTRIBUTION CENTRE
AERIAL PERSPECTIVE

© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 101–108

SCALE	1:4000 @ 81
DATE	MM

ORDERED	20
DATE	25.02.10

DOI	Year	DOI	Year
10.1002/9781118445113.ch1	2016	10.1002/9781118445113.ch1	2016

NAME: KM-EC3-DA-601

ANNEXURE 4

Blacktown City Council

Civic Centre
Flushcombe Rd
Blacktown

No: 0114

Phone: 9839 6000
Fax: 9831 1961

Development Services Unit
Development Advisory Panel
Record of Minutes

File No

1. Date and time of Meeting 17/2/10 10.00 am
2. Meeting Attendees

Visitors

Ian Baxter
Michael Robinson

Council Officers

Pauline Daw
Judy Postle
Nader Khaw
Georg Erbel

3. Development Site K. Mart

4. Development proposal proposed lot in subdiv of lot 2 residue

5. Draft plans available for discussion Yes ☒ No ☐

6. Development enquiry information provided. Yes ☒ No ☐

7. Issues discussed at visitors' request:

- (a) Concept
- (b)
- (c)
- (d)
- (e)
- (f)
- (g)

treat office at receiving dock.

look at pathway within car park.

8. Council's Officers' response to issues raised:

- (a) Any temporary road affecting proposed K Mart lot to be removed so it does not affect.
- (b) Subdivision - to create K Mart lot - to address varied drainage strategy from original strategy - modify drainage & supercede 06-1992 drainage strategy.
- (c) No access to Road 1 - emergency access.
- (d) Road 4 - ~~10m~~ 7.5m setback & road 1 - nil only 3m to side boundary.
- (e) Check Regional Rain Water Harvesting opportunities for collect points - referral to DA's requested.
- (f) Similar WBD/treatment devices for stormwater treatment as discussed with Carrons.
- (g) 10m setback to Road 1 - planting & fencing detail required.

9. Other matters canvassed. * consider lodging DAs for triangle sites to cheel built form.

Look at lunch areas & recreat areas for staff off building

10. Further consultation recommended Yes ☐ No ☐

317 required by P.P & 250 provided as for client.

IMPORTANT NOTE

This is not a zoning certificate, nor is it intended to provide advice about the permissibility of a particular development proposal. Should the permissibility of a development proposal be in doubt, it is suggested that you obtain separate legal or town planning advice prior to further consultation with Council. The advice provided on this form/at this meeting is provided in good faith and on the understanding that Council's final decision regarding a development proposal can only be made upon the lodgement of an official Development Application and following Council's full and proper assessment of that application under Section 90(1) of the Environmental Planning & Assessment Act 1979 and other relevant legislation. It is advised that relevant policies may alter between the time that the information on this form is provided and the lodgement of any application. Should matters not addressed on this form/at this meeting arise during the processing of any formal application you will be duly advised in writing by Council.

Visitors' representative's signature

Senior Area Planner signature

Senior Policy Planner (or other) Signature

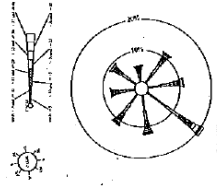
Date 17/2/10

Date 17/2/10

Architectural site plan of a warehouse complex. The main building is labeled "WAREHOUSE 50,000 SQ. FT." and is surrounded by a grid of streets. To the left is a "PARKING LOT" and to the right is a "LOADING DOCK". The plan includes various annotations such as "ELECTRIC", "GAS", "WATER", and "SEWER" lines, as well as "FIRE ALARM" and "FIRE EXTINGUISHER" locations. A "TRUCK" is shown in the parking lot. The plan is oriented with North at the top.



CONTAINER RATED HARDSTAND
11 350 sqm



ANNEXURE 5



COMMERCIAL & INDUSTRIAL DIVISION

6 July 2010

The Director General
NSW Department of Planning
23-33 Bridge Street
Sydney NSW 2000

ATTENTION: Ms Felicity Greenway

**RE: LOT 2 DP1149138 – EASTERN CREEK
DEVELOPMENT APPLICATION (MP10_0082) FOR THE K-MART PROJECT**

I refer to the Director General's Requirements dated 23 June 2010 for the abovementioned site, and our application lodged on 25 June 2010. We have had further, recent detailed discussions with Blacktown City Council, with particular focus on the matters raised in their letter to the Department, dated 21/6/10. The issues raised have been addressed as follows:

Container Loading Area

Kmart require the container storage area to have containers 3 high on the eastern side and one high on the western side, adjacent to the building. We have discussed this with Council and demonstrated how our proposed screening arrangement satisfactorily addresses this matter.

Additional photomontages have been prepared and provided to Council. Attached is a copy of recent correspondence from Council confirming that this matter has been addressed to their satisfaction. A copy of the same additional photomontages is enclosed for your reference and use.

Landscaping Strategy

We have submitted a comprehensive landscaping strategy and detailed planting schedule with our development application that fully addresses the matter raised by Council. All retaining walls fully comply with the requirements of the Precinct Plan, refer Drawings KM-EC3-AFL-100, 200, 210 and 500).The retaining walls are of a contrasting material (refer Drawing KM-EC3-AFL-500 Rev B) and the batters have been landscaped (we note the photomontage does not show the detailed landscaping of the batters, this is shown clearly on the submitted landscape plans).

Access and Car Parking

All internal roads have been designed in accordance with Council's Engineering Guide for Development.

Parking has been provided in accordance with Council's Precinct Plan. The 80 car spaces have been provided, so there is no need for a positive covenant, to provide the additional parking.

There is adequate space for truck parking with 54 roller shutter doors on the northern and southern side of the proposed building. It is not envisaged that trucks will park overnight as the facility will turn over the trucks quickly.

No vehicle access is proposed for the north eastern corner, all vehicle access is from the western road frontage.

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Stormwater Drainage and Civil Works

All works have been designed in accordance with the Council documents listed in the letter and comply with their requirements stated.

Accordingly we submit the following additional documentation as part of our Development Application for this project:

- Architectural Drawings, prepared by Australand Holdings Ltd (3 x A3 Sheets)
 - KM-EC3-AFL-000 Rev E – Title Sheet
 - KM-EC3-AFL-650 Rev A – North East Batter Details
 - KM-EC3-AFL-651 Rev A – North East Corner Perspective

Should you require further information on the above submitted documentation, please don't hesitate to contact me on Ph 0417 480 730.

Yours faithfully,

Australand Holdings Limited

Paul Solomon
DEVELOPMENT MANAGER – INFRASTRUCTURE AND APPROVALS

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