

Preliminary Environmental Assessment Report

Lot 5 DP 262213, Ropes Creek

Employment Lands Concept Plan and Project Application

Submitted to
Department of Planning
On behalf of Jacfin Pty Ltd

July 2010 ■ 10003

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This report has been reviewed by Gordon Kirkby

Signature

Date

A handwritten signature in blue ink that reads "Gordon Kirkby". The signature is written in a cursive style with a large initial 'G'.

04/07/2010

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1.0 Introduction

Jacfin Pty Ltd (Jacfin) is the owner of Lot 5 in DP 262213 (the Site) which is located in the Ropes Creek Precinct (Precinct 6) of the Western Sydney Employment Area (WSEA). The Site is located within the Blacktown local government area. Pursuant to *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) the site is zoned predominantly IN1 General Industrial. Jacfin proposes to develop the Site for industrial and employment purposes including, but not limited to, storage and distribution facilities and manufacturing (the Proposed Concept). To provide for the progressive development of the Site, Jacfin will submit a Concept Plan to provide the development framework for the whole Site and a concurrent Project Application for the first stage of development being a multi-warehouse, storage and distribution facility and associated road and utilities infrastructure along the eastern section of the Site (the Project Application). The existing legal road access is at the north-eastern corner of the Site. Access from the Site to Old Wallgrove Road via an easement right of carriageway across Lot 4 in DP 262213 (owned by the Department of Planning) and Lot 302 in DP 1133621 (owned by Jacfin).

The purpose of this submission is to seek the Minister's opinion pursuant to Clause 6 of *State Environmental Planning Policy (Major Development) 2005* (The Major Development SEPP) that the Proposed Concept and Project Application are development of the kind described in Schedule 1 (Clause 12 - Distribution and storage facilities over \$30 million) and therefore, are 'major projects' to which Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) applies.

If the Minister forms the opinion that the Proposed Concept is a major project, we request that:

- The Minister authorise Jacfin to lodge a Concept Plan for the site; and
- The Director-General issue his environmental assessment requirements for the Concept Plan and Project Application.

Should the Minister authorise Jacfin to lodge a concept plan, under Section 75M of the EP&A Act, this will satisfy the requirement to prepare a Development Control Plan for the Site in accordance with Clause 18 of the WSEA SEPP.

This Preliminary Environmental Assessment Report (PEAR) relating to the Proposed Concept has been prepared in support of the request for the Director General's requirements for the Environmental Assessment. The PEAR provides detail on the Site location, an outline of the scope of the Proposed Concept and Project Application, and identifies the key likely environmental and planning issues associated with the project.

The PEAR has been prepared on behalf of the applicant, Jacfin, by JBA Urban Planning Consultants Pty Ltd (JBA), and is based on information known about the Site and provided by Jacfin and its team of specialist consultants.

This preliminary assessment includes the following information relevant to the proposal:

- background to the Proposed Concept;
- a Site description;
- a description of the Proposed Concept;
- strategic planning context; and
- identification of the environmental issues associated with the Proposed Concept.

2.0 Background to the Proposal

Western Sydney Employment Area (WSEA)

In December 2005, the NSW Government announced the creation of the Western Sydney Employment Area (WSEA) covering approximately 2,450 hectares near the intersection of the M4 and M7 Motorways. The WSEA incorporates 10 precincts covering current and future employment lands in Blacktown, Penrith, Holroyd and Fairfield local government areas which were at the time subject to a variety of planning regimes and different zones.

In August 2009, the WSEA SEPP was gazetted, which provides consistent zoning and development control provisions to facilitate development of the WSEA for the purposes of employment and industry. The WSEA and its associated precincts are illustrated in **Figure 1**.

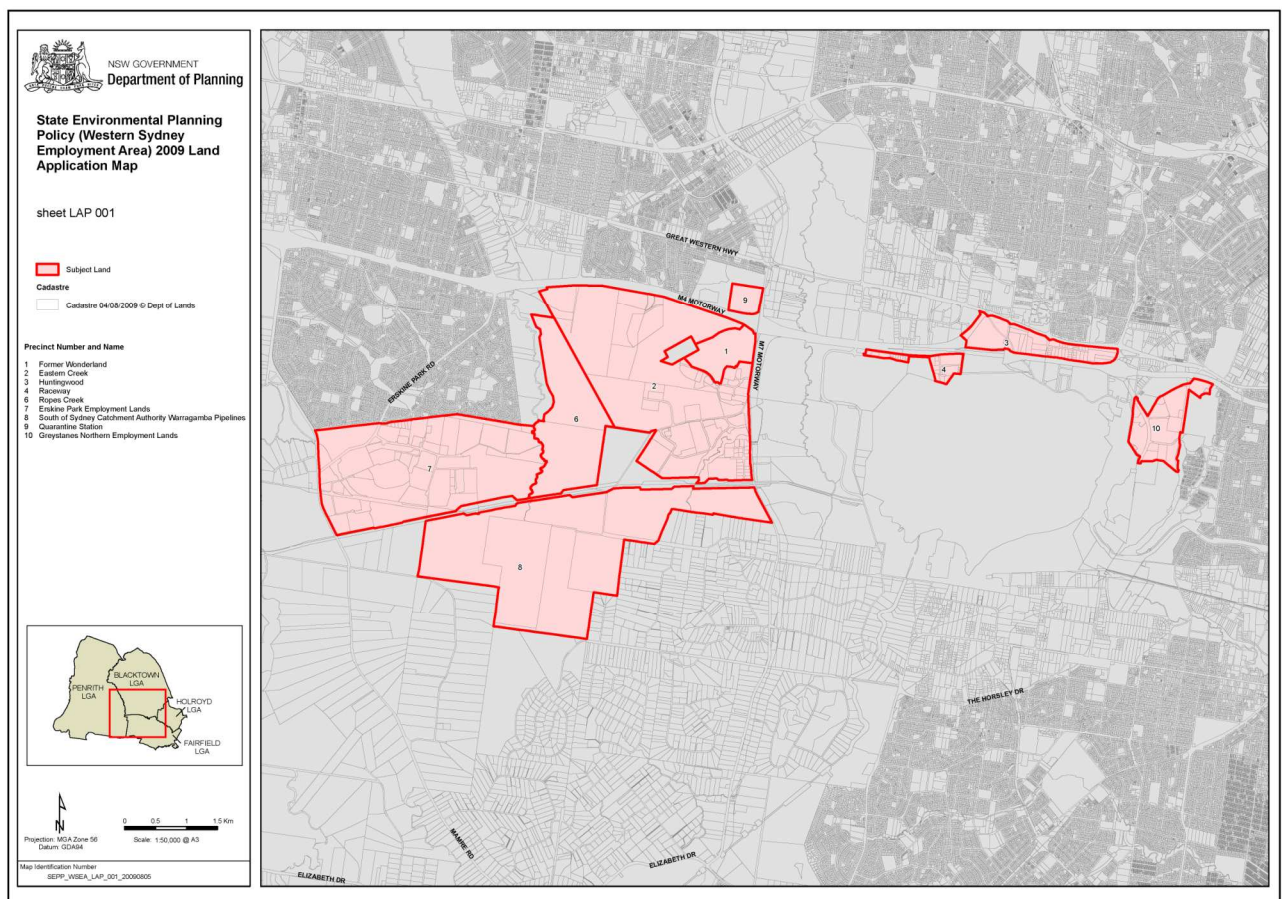


Figure 1 – Western Sydney Employment Area

The land owned by Jacfin and the subject of this application is located within Precinct 6 of the WSEA known as “Ropes Creek” (the Site). Precinct 6 has a total area of 190 hectares and the potential to generate up to 1,600 jobs. The Jacfin Site comprises approximately 105 hectares of this Precinct. The Jacfin Site is predominantly zoned IN1 General Industrial under the WSEA SEPP.

Link Road Network

Concurrent with the gazettal of the WSEA SEPP, the Minister for Planning approved a Concept Plan under Part 3A of the Act for a proposed 'link road network' connecting the existing and proposed employment lands within the WSEA with the external arterial road network. The network includes an extension of Lenore Lane in Erskine Park through to Old Wallgrove Rd at Eastern Creek. The approved route of this link largely runs along the northern boundary of the Site and when constructed is proposed to replace the existing access to the Site (at the north-east corner) with a remote access approximately 600 metres to the west.

This replacement access is in the location of a road identified in the gazetted WSEA SEPP as a "Transport Infrastructure Route", an alternate north-south link to the west of the Transgrid Substation connecting Precinct 8 to the east-west Erskine Park Link Road, and to Archbold Road and the M4 to the north. This link traverses the Site. The WSEA SEPP (Clause 26) includes provisions requiring referral of any application for development of land on or in the vicinity of a transport infrastructure route to the Director-General for his consideration as to the compatibility of the development with the proposed route concerned. The Site in the context of the Link Road Network is shown in **Figure 2**.

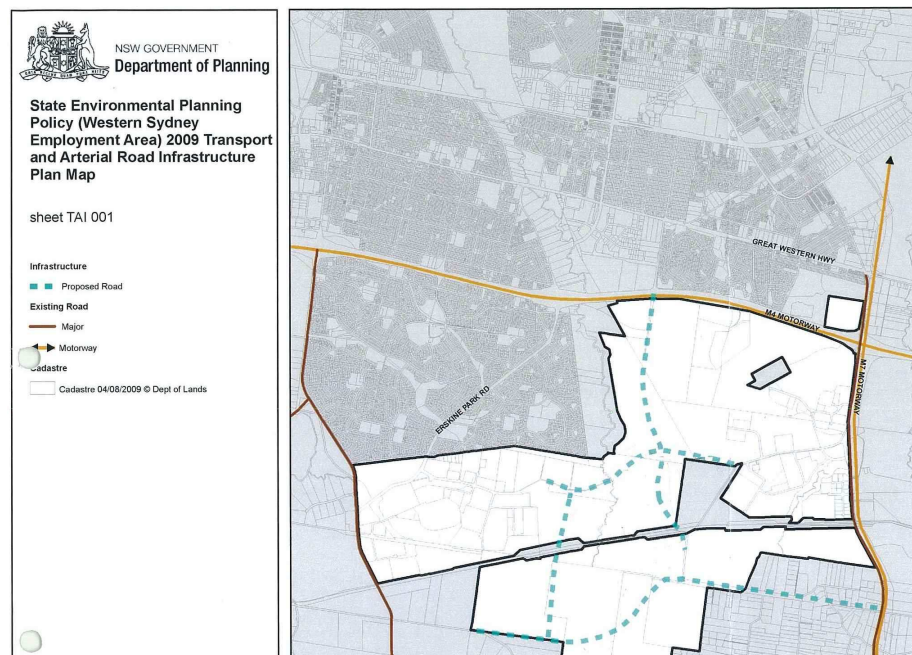


Figure 2 – Western Sydney Employment Area Link Road Network

3.0 Site Description

3.1 Local Context

The Site is located within the Blacktown local government area and within Precinct 6 (Ropes Creek) of the WSEA. Ropes Creek forms the site's western boundary which is also the LGA boundary between Blacktown and Penrith. The southern boundary is the Sydney Catchment Authority (SCA) water supply pipeline. To the east the Site adjoins a Transgrid Substation. To the north is land owned by the Department of Planning.

The Site is legally known as Lot 5 in Deposited Plan 262213 and is approximately 105 hectares in area. The location of the Site is illustrated on the plan at **Figure 3**.

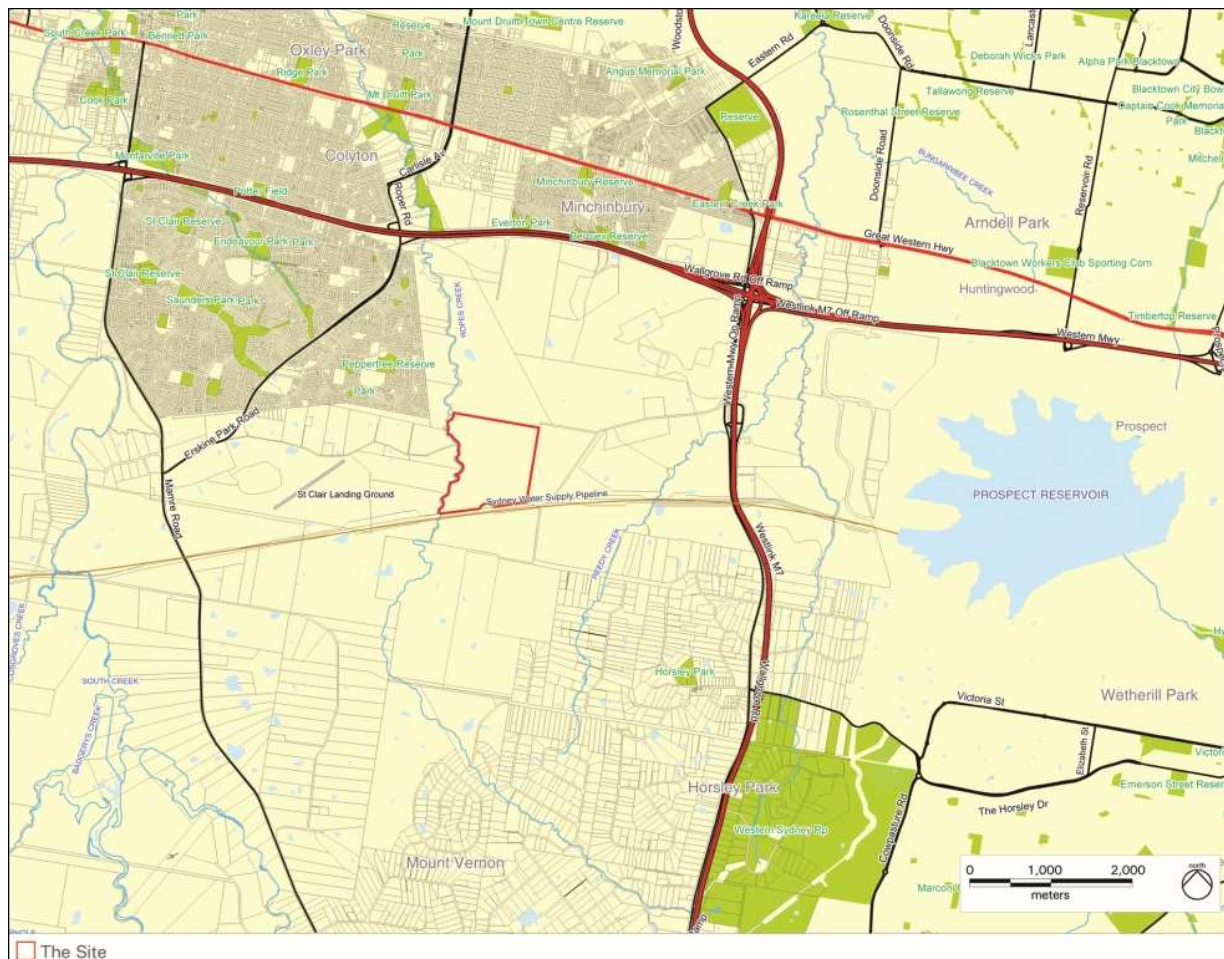


Figure 3 – The Site

3.2 Existing site characteristics and development

The Site is characterised by generally flat topography gently sloping south-westwards to Ropes Creek. The site is generally cleared grazing land. Three small farm dams are located on the Site in the south west corner, the central section of the Site and on the northern boundary.

High voltage transmission lines traverse the site to the west and south west from the adjoining Transgrid Substation. The associated easements vary in width from 125m to approximately 185m. With the exception of the transmission lines, there are no permanent structures on the Site.

An aerial photograph of the Site at **Figure 3**.



Figure 4 – Aerial Photo of Site

4.0 Project Description

4.1 Concept Plan

Jacfin proposes to develop the Site in stages for industrial and employment purposes including, but not limited to storage, and distribution facilities and manufacturing uses. The proposed Concept Plan will identify the provision of necessary infrastructure including roads, drainage, utility and communications services to support the proposed industrial and employment estate.

The Proposed Concept is of a type identified at Clause 12 of Schedule 1 of the Major Development SEPP - Distribution and storage facilities. The Proposed Concept of the 105ha Site will have a capital investment value of more than \$30 million. However, the Concept Plan proposal would also accommodate other uses listed in Schedule 1 of the SEPP.

The preparation of a Concept Plan for the Site will complement the NSW Government's broader strategic planning for the development of WSEA as proposed in the WSEA SEPP and is consistent the NSW Government's Action Plan for Employment which was released in March 2007 and the North West Sub Region Draft Subregional Strategy released in December 2007.

The Concept Plan process will enable the complex strategic issues, such as infrastructure and utilities provision and the general parameters of the project to be determined upfront, whilst still retaining the necessary level of flexibility for the more detailed design phase of the project. Retaining flexibility in the later stages of the redevelopment of the Site will be important to ensure future development opportunities on the Site remain innovative and responsive to market demand and staging over time. The Concept Plan will also satisfy the requirement to prepare development control plan for the Site in accordance with Clause 18 of the WSEA SEPP.

It is proposed to prepare a broad Concept Plan for the Site that will comprise:

- vision for the development of the Site;
- proposed land uses and future planning controls;
- staging of development;
- utilities and services provision; and
- road infrastructure.

4.2 Concept Plan Structure Plan

A preliminary Structure Plan for the Concept Plan is included at **Appendix A**. The Structure Plan presents Jacfin's preferred option for the road network connecting to the Site in the context of the regional road network.

The Concept Plan responds to and is flexible to a broader regional link road structure for the WSEA. The Concept plan will provide the opportunity for the early implementation of the north-south link road to Precinct 8 south of the pipeline.

The development of the Jacfin Site will benefit from utilising the Concept Plan approval process to provide the planning and infrastructure framework to coordinate the construction of the Erskine Park Link Road and provision of continued access for the redevelopment of the Site.

4.3 Project Application

Based on the framework established by the Concept Plan for the Site (Section 3.1 and 3.2), this application proposes to proceed with the first stage implementation of the following components of the development in accordance with the Project Application Plan at **Appendix A**.

Scope of the 1st stage Project Applications:

The project application will seek approval for the construction and operation of two warehouse buildings. Warehouse A will be located on a 3.3 ha lot located at the north-east corner of the Site. Warehouse A will be approximately 17,000m² (including ancillary offices). Warehouse B will be located on a 8 hectare lot in the south eastern section of the Site. Warehouse B will be approximately 36,600m² in area. The application will include subdivision and infrastructure works for the two warehouses including road access and augmentation and extension of existing utilities.

The capital investment value of the proposed Stage 1 Project Application development will be \$54.63 million (> \$30m).

Road Network

Road access to the Stage 1 site will be via a proposed new local road connecting the site with the proposed Erskine Park Link Road at the north-eastern corner of the Site. The said proposed road will traverse the eastern boundary of the site. This road presently does not form part of the proposed Erskine Park Link Road network.

However, acquisition of the land for the Erskine Park Link Road is apparently imminent and will extinguish existing access to the Site. Continued access is critical to maintain the joint grazing business that is conducted on Jacfin owned land at Eastern Creek (being Lot 302 in DP 1133621) and the Site. This business will continue jointly with the proposed staged development of the Site. Further, it is unlikely that the proposed Erskine Park Link Road will be in place prior to construction of the proposed Stage 1 development. It is proposed therefore to provide interim road access to the Site via the existing right of carriageway connecting the Site to Jacfin owned land in Eastern Creek and Old Wallgrove Road. Both the proposed permanent local road and the interim access road are shown in the annexed plan.

Sewer

The Project Application will detail a sewer connection to the Eastern Creek system. Existing services in Eastern Creek will be provided via the easement to the north-east corner of the Site (in the location of the temporary road) and then via the local road corridor within the Site.

Water

Potable water is available to be serviced from existing supplies for the first stage Project Application. Existing services in Eastern Creek will be provided via the easement to the north-east corner of the Site (in the location of the temporary road) and then via the local road corridor within the Site.

The Project Application will include measures to reduce reticulated water demand including harvesting of roof stormwater.

Electricity

Electricity is available to be serviced from existing supplies and planned upgrades in Eastern Creek.

Site Preparation Works

Detailed cut and fill plans and road layout plans for the first stage of development will be included with the Project Application.

5.0 Strategic Context

5.1 Overview of Policies and Planning Instruments Applying to the site

The following planning instruments and policy documents are of key relevance to the Proposed Concept and Project Application:

NSW State Plan

The Proposed Concept is consistent with the **Priority P1** of the State Plan – Increased Business Investment.

Metropolitan Strategy

The Proposed Concept is consistent with achieving **Action 1.5.2** – Protect and Enhance Employment Lands in the M7 Motorway Corridor and **Action 1.6** – Improve Planning and Delivery of Employment Lands.

Employment Lands for Sydney Action Plan (March 2007)

The proposal, being within the WSEH, is consistent with **Action 2** – Release More Employment Lands.

Draft North-West Sub-regional Strategy (December 2007)

The Proposed Concept, as part of the WSEA, is consistent with achieving **Action A1.5** – Protect and Enhance Employment Lands of State Significance.

State Environmental Planning Policy (Major Development) 2005;

The Proposed Concept to be included in the Concept Plan will meet the criteria in Clause 12 of Schedule 1 of the Major Development SEPP – Distribution and Storage facilities. The Project Application will be for the design and construction of facilities with a capital investment value in excess of \$30m.

State Environmental Planning Policy (Western Sydney Employment Area) 2009

The WSEA SEPP zones the site predominantly as General Industrial (IN1). The Proposed Concept and Project Application for industrial and employment purposes is directly consistent with the objectives and provisions of the Policy. Small areas along two riparian drainage lines in the site and along the Ropes Creek corridor are zoned E2 Environmental Conservation. Conservation of the biodiversity values of this area will be addressed in the applications.

State Environmental Planning Policy 55 – Remediation of Land (SEPP 55)

Investigations for the presence of and any subsequent remediation will be carried out in accordance with the requirements of SEPP 55.

State Environmental Planning Policy (Infrastructure) 2007

The proposed development within the Concept Plan will require referral to the Roads and Traffic Authority (RTA) during the assessment process on the basis of Schedule 3 of the Infrastructure SEPP.

6.0 Key Environmental Considerations

The information below has been prepared to assist the Director General in identifying the general requirements and key project-specific environmental issues to be addressed in an Environmental Assessment Report for the Concept Plan and Project Application. The key environmental considerations associated with the Proposed Concept and Project Application are as follows:

Layout and Design

It is anticipated that the land uses, scale and form of the proposed Concept Plan will conform with that envisaged under the WSEA SEPP and respond to the Structure Plan at **Appendix A**. An assessment of the consistency of the proposed Concept Plan and Project Application with these requirements will be provided and will include consideration of site coverage, lots sizes and positioning of lots.

Topography, soils, geotechnical and hydrological (flooding)

As outlined earlier the Site is characterised by generally flat topography that could be developed for employment related industries. The environmental assessment will provide an assessment of the geotechnical and hydrological features of the Site.

Flora and fauna

The Site has been largely cleared of its natural vegetation and is currently used for agricultural purposes. No significant stands of native vegetation exist on the Site. There are two areas zoned E2 Environmental Conservation under the WSEA SEPP. A seven hectare area adjacent to Ropes Creek will be revegetated in accordance with a condition of approval for PA07_0153 being the Minister's Part 3A approval for the Jacfin warehouse project at Templar Road in Erskine Park. A flora and fauna assessment will be undertaken of the Site to determine the presence of any threatened species.

Aboriginal archaeology and cultural heritage

No known sites of Aboriginal cultural heritage significance occur on the Site. However, an assessment of the Site will be undertaken in accordance with Department of Environment and Climate Change guidelines.

Contamination

Past land use of the Site has been limited to cattle grazing. Geotechnical investigations will be undertaken as part of the environmental assessment to determine the presence of any areas of contamination on the Site.

Access, transport and traffic impacts

The Site is currently accessed via an easement right of carriageway across Lot 4 in DP 262213 (owned by the Department of Planning) and Lot 302 DP 1133621 (owned by Jacfin) from the east to Old Wallgrove Road. Old Wallgrove Road provides access to the Eastern Creek employment precinct and to the M7 Motorway further to the east.

The proposed development will have direct address to the proposed Link Road network approved by the Minister for Planning. Two key components of that network directly affect the site. The extension of Lenore Lane (Erskine Park) to Old Wallgrove Road at Eastern Creek largely forms the northern boundary of the site. The north-south road linking Archbold Road with Precinct 8 south of the Sydney Catchment Authority pipelines traverses the site. The opportunity therefore exists for key components of the Link Road network to be implemented as part of the development.

The environmental assessment will include a traffic and transport impact assessment of the proposed development taking into account:

- the RTA Link Road Concept Plan approval;
- cumulative impacts with other proposed development in the locality; and
- interim traffic arrangements for the first stage Project Application in the event that the proposed Erskine Park Link Road is not completed.

Stormwater Management

The Concept Plan will include an assessment of the impact of stormwater from the development on flow and water quality on Site and downstream of the Site as well as measures to manage stormwater flows from upstream through the Site.

Utilities and services provision, including water supply, sewage treatment, electricity and gas

The first stage Project Application is able to connect into existing entitlements for water, sewer, electricity and gas.

The Concept Plan environmental assessment will include an infrastructure report that will address the broader regional infrastructure requirements and location both within and connecting to the Site.

Delivery and funding of infrastructure

The environmental assessment will detail scope, timing and funding of arrangements for the delivery of necessary infrastructure through, land dedication or contributions in accordance with regional or local contributions levies and plans or by way of an offer to enter into a voluntary planning agreement.

7.0 Conclusion

The information contained in this PEAR is to assist the Director General in determining the level and scope of any requirements for an environmental assessment to accompany the lodgement of a Concept Plan Application and first stage Project Application under Part 3A of the EP&A Act.

Having regard to the above and in accordance with provisions in Part 3A of the EP&A Act, it is requested that the Minister determine that the development is of a type and scale to which Part 3A of the EP&A Act applies and authorise the preparation of a Concept Plan, and the Director General issue the environmental assessment requirements for the Concept Plan and Project Application.