Our ref: DOC21/264895
Senders ref: SSD17161650 (Fairfield City)

David Koppers
Senior Environmental Assessment Officer
Energy Resource Assessments
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Mr Koppers,

Subject: Request for SEARs for Horsley Drive Business Park Stage 2 Buildings 2 and 3, corner Cowpasture Road and Trivet Street, Wetherill Park (SSD 17161650)

Thank you for your e-mail received on 7 April 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the Request for SEARs for Horsley Drive Business Park Stage 2 Buildings 2 and 3, corner Cowpasture Road and Trivet Street, Wetherill Park.

EES has reviewed the draft SEARs and the scoping report prepared by Ethos Urban dated 6 April 2021 and provides the following comments and recommendations at **Attachment A.**

Biodiversity

EES recommends that the attached biodiversity requirements be included within the SEARs.

Flooding

EES recommends that the attached flooding requirements be included within the SEARs.

Water and Soils

EES recommends that the attached water and soil requirements be included within the SEARs.

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or bronwyn.smith@environment.nsw.gov.au

Yours sincerely

S. Harrison

07/04/21

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation Division

Attachment A – EES Environmental Assessment Requirements - Horsley Drive Business Park Stage 2 Buildings 2 and 3, corner Cowpasture Road and Trivet Street, Wetherill Park (SSD 17161650)

Biodiversity
1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations). 2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method. 3. The BDAR must include details of the measures proposed to address the offset obligation as follows: • The total number and classes of biodiversity credits required to be retired for the development/project; • The number and classes of like-for-like biodiversity credits proposed to be retired; • The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules; • Any proposal to fund a biodiversity conservation action; • Any proposal to conduct ecological rehabilitation (if a mining project); • Any proposal to make a payment to the Biodiversity Conservation Fund. If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits. 4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM. 5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the Biodiversity Conservation Act 2016.

Water and soils

6. The EIS must map the following features relevant to water and soils including:
    a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
    b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method)
    c. Wetlands as described in s4.2 of the Biodiversity Assessment Method
    d. Groundwater
    e. Groundwater dependent ecosystems
    f. Proposed intake and discharge locations.

7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
    a. Existing surface and groundwater
    b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations
    c. Water Quality Objectives (as endorsed by the NSW Government http://www.environment.nsw.gov.au/ieo/index.htm) including groundwater as appropriate that represent the community's uses and values for the receiving waters
    d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government
    e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning.

8. The EIS must assess the impact of the development on hydrology, including:
    a. Water balance including quantity, quality and source.
    b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
    c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
    d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
    e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
    f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
    g. Identification of proposed monitoring of hydrological attributes.

Flooding and coastal hazards

9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
    a. Flood prone land.
    b. Flood planning area, the area below the flood planning level.
    c. Hydraulic categorisation (floodways and flood storage areas)
    d. Flood Hazard.
10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
        a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:
    a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
    b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
    c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
    d. Relevant provisions of the NSW Floodplain Development Manual 2005.
13. The EIS must assess the impacts on the proposed development on flood behaviour, including:
    a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
    b. Consistency with Council floodplain risk management plans.
    c. Consistency with any Rural Floodplain Management Plans.
    d. Compatibility with the flood hazard of the land.
    e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
    f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
    g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.
    h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
    i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
    j. Emergency management, evacuation and access, and contingency measures for the development considering the full range or flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
    k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)

DOC21/264845

Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: david.koppers@planning.nsw.gov.au

08 April 2021

No Comment to Planning Advice Request

I refer to your request for advice on the remaining development of Buildings 2 and 3 of Stage 2 Horsley Drive Business Park (Application SSD-17161650) located at corner of Cowpasture Road and Horsley Drive, Abbotsbury NSW 2176.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities or other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required, Fairfield City Council should be consulted as the appropriate regulatory authority for the *Protection of the Environment Operations Act 1997* in relation to the proposal.

If you have any questions about this request, please contact Environment Line on 131 555 and quote the above reference number.

Yours sincerely

Asela Atapattu
A/ Executive Director Regulatory Operations Metro
NSW Environment Protection Authority

20 April 2021 Our Ref:21/16969

David Koppers
Industry Assessments
Department of Planning Industry and Environment
320 Pitt Street
Sydney NSW 2000

FAIRFIELD CITY COUNCIL RESPONSE – SCOPING REPORT FOR SSD 17161650 - HORSLEY DRIVE BUSINESS PARK STAGE 2 BUILDINGS 2 AND 3

The purpose of this letter is to respond to the Department of Planning Industry and Environments (DPIE) request for comment on the scoping report for Buildings 2 and 3 of stage 2 of the Horsley Drive business park development (SSD 17161650). The scoping report was referred to relevant departments within Council and comments are provided below.

1. TRAFFIC

Council officers do not support the truck entry and exit points for Warehouses 1 and 2 nor the internal two-way road network for building 2 as shown on the proposed site plan (the plan).

A. Swept Path Diagram Warehouse 2 - The swept path diagrams on the plan for proposed warehouse 2 demonstrate that HRV's are unable to pass each other at the same time without colliding whilst turning at the sites north west corner. The applicant must demonstrate that HRV vehicles can pass without collision at the north-western portion of the internal road at proposed warehouse 2.

B. Estate Road Movements - HRV vehicles egressing from proposed warehouse 1 cannot make a safe turning path onto the estate road without conflicting with the HRV vehicles entering and or exiting from warehouse 2. The plan shows HRV's turning left from Cowpastures Road travel on the wrong side of the estate road for a considerable distance before ingress into the warehouses. This poses an unacceptable risk to estate road users especially for the 119 smaller vehicles that would make use of the car parking onsite. Additional information must be provided to Council to address these concerns.

C. Swept Path Diagram for Loading Docks – For building 1 The swept path diagram shall demonstrate how the largest vehicle can maneuver into and out of the loading dock as well as how it can satisfactorily turn into and out of the site without impacting traffic on the external road network.

2. FLOODING

A. Flood Assessment – The application must include an assessment of the impact of flooding on the proposed development for the full range of flood events up to the probable maximum flood event. The assessment must include dam break assessment of the basin directly upstream of the site.

B. Fairfield City Wide DCP 2013 – The application must include an assessment of the impact to

flood behaviour by the proposed development for the full range of flood events up to the probable maximum flood and any required mitigation measures to meet chapter 11 of the Fairfield City Wide DCP 2013.

C. **FCC Stormwater Management Policy –** The application must include details of the surface and stormwater management system including the required on-site detention measures to meet the FCC Stormwater Management Policy (2017).Details of the Water Sensitive Urban Design measures to be implemented to meet the FCC Stormwater Management Policy must be provided.

3. DEVELOPMENT DETAIL

A. **A Cut and Fill Plan Shall be Submitted** - . Cut and fill batters shall not exceed a slope of 1:4 and retaining walls if proposed shall be stepped down with landscaping provided in between level changes.

B. **Landscaping Setbacks** - There are no dimensions on the site plan in relation to landscaped setbacks. The landscape setbacks shall be minimum of 10 metres in accordance with the Fairfield City Wide Development Control Plan 2013.

C. **Acoustic Requirements** – An acoustic report shall be submitted to Council for assessment.

D. **Air Quality -** An Air Quality assessment will accompany the development application. Measures to mitigate potential air quality impacts will be included in the Construction Management Plan to be submitted with the SSDA.

E. **Contamination -** A Phase 2 Environmental Site Assessment and Remediation Action Plan were submitted with SSDA 7664, which identified the presence of bonded asbestos containing material on the site. However, the assessment concluded that the site could be made suitable for the proposed use.Conditions of consent were included to manage the remediation process including the engagement of an accredited Site Auditor. Remediation of the site will be undertaken under SSDA 7664 and therefore the development site will be remediated prior to any construction associated with the development in this SSDA.

F. **Waste -** A Waste Management Plan will be submitted with the SSDA.

G. **Hazard and Risk -** A Dangerous Goods assessment will be prepared and submitted with the SSDA if required. The Scoping Report adequately outlines the information about the proposal and the existing environment of the site and surrounding area and what is required to be address in the SEARs and EIS.

Patrick Warren
Senior Strategic Land Use Planner

19 April 2021

TfNSW Reference: SYD21/00412/01
DPIE Reference: SSD 17161650

David Koppers
Department of Planning and Environmental
GPO Box 39
SYDNEY NSW 2001

Dear Sir/Madam,

REQUEST FOR SEARS HORSLEY DRIVE BUSINESS PARK – STAGE 2 BUILDINGS 2 & 3 - CNR COWPASTURE ROAD AND TRIVET STREET, WETHERILL PARK

Reference is made to Department of Planning and Environment's correspondence dated 6 April 2021 requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the *Secretary's Environmental Assessment Requirements (SEARs).*

TfNSW would like the following issue to be included in the transport and traffic impact assessment of the proposed development:

1. Details of all traffic types and volumes likely to be generated by the proposed development during construction and operation, including description of heavy vehicle types, and haul route origins and destinations.
2. Daily inbound and outbound traffic profile by time of day and day of week broken down per vehicle types.
3. Details of the origin/destination of dangerous goods movements to/from the site (if any).
4. Traffic management plan on how to manage number of vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing that can be accommodated on the site to avoid queuing in the surrounding road network. This to demonstrate how internal and external traffic can be managed in conjunction with existing traffic on site.
5. Detailed plan site layout to demonstrate that the site will be able to accommodate the most productive vehicle types as well as the worst performing vehicles (sufficient loading/ unloading) and parking on site in accordance with the relevant Australian Standard and Council's Development Control Plan.
6. Details of the driver facilities provided on site.
7. Swept path diagrams to demonstrate the largest vehicles as well as the worst performing vehicles entering, exiting and maneuvering throughout the site.
8. An assessment of the forecasted impacts on traffic volume generated on road safety and capacity of road network including consideration of cumulative traffic impacts at key intersections (including intersections along Cowpasture Road and Victoria Street), using SIDRA or similar traffic model as prescribed by Transport for NSW.

Transport for NSW
27 Argyle Street, Parramatta NSW 2150 | Locked Bag 5085, Parramatta NSW 2124
P (02) 8849 2666 | W transport.nsw.gov.au | ABN 18 804 239 602

9. Measures to ameliorate any adverse traffic and transport impacts due to the development based on the above analysis, including, travel demand management programs to increase sustainable transport (such as a Green Travel Plan).
10. Detailed plans of any proposed road upgrades, infrastructure works or new roads required for the development and an assessment of potential impact on load road pavement lifespan.
11. The traffic impact assessment must include the cumulative study area traffic impacts associated with the redevelopment and any other known proposed developments in the area.

Relevant Policies and Guidelines:

- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).
- NSW Freight and Ports Plans 2018-2023.
- Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas.
- Cycling Aspects of Austroads Guides.
- NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004).
- Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Austroads, 2020).
- Australian Standard 2890.3 Parking facilities, Part 3: Bicycle parking (AS 890.3).

If you have any further questions, Sandra Grimes, Land Use Planner, would be pleased to take your call on (02) 9563 8651 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely

Pahee Rathan
Senior Land Use Assessment Coordinator

PO Box 398, Parramatta NSW 2124
Level 14, 169 Macquarie Street
Parramatta NSW 2150
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ABN 21 147 934 787

16 April 2021

Contact: *Justine Clarke*
Telephone: *0457 535 955*
Our ref: *D2021/45804*

Mr David Koppers
Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Koppers

Horsley Drive Business Park Stage 2 – Buildings 2 & 3 – Request for SEARs (SSD 17161650)

Thank you for your Major Projects Planning Portal referral dated 06 April 2021 requesting WaterNSW's input into the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above proposal. The proposed development would include the construction and 24-hour operation of the final two warehouse buildings on the site including associated office premises, parking, and associated landscaping and infrastructure.

The site (Lots 17-23 in DP 13961) was the subject of a Concept Plan and Stage 1 earthworks approval for the development of general industrial, light industrial, warehouse and distribution uses (SSD 7664 – November 2017) and stage 2 building construction and operation (SSD 10404).

WaterNSW owns and manages the Upper Canal corridor that forms the western boundary of Horsley Drive Business Park. The corridor is categorised as a 'Controlled Area' under the *Water NSW Act 2014* and its associated Regulation. The Upper Canal is a critical component of Sydney's bulk water supply infrastructure and is also State Heritage listed. Public access is prohibited unless a written access consent has been issued by WaterNSW. Notwithstanding, WaterNSW acknowledges the public shared pathway that has been constructed within the Canal corridor immediately adjacent to the subject site, which is managed as part of the Western Sydney Parklands. WaterNSW retains ownership of the entire corridor.

The location of the proposed warehouses is in the northern extent of the lots, with proposed warehouse 1 (Lot 2) directly adjacent to and downslope of the Upper Canal corridor. To ensure the development does not have any impacts on water flows, water quality, the structural integrity or the heritage significance of the Upper Canal System, WaterNSW requests the following points be incorporated into the SEARs.

- WaterNSW Guidelines – WaterNSW requests the proponent addresses WaterNSW's 'Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines' in the EIS to protect Sydney's critical water supply infrastructure.
- Risk assessment – an assessment of the risks to the integrity and security of the Upper Canal corridor that may result from the development and the proposed measures to mitigate against those risks and impacts.
- Consent conditions – all consent conditions issued for SSD 7664 related to this development should be addressed, including how landscape setbacks and boundary finishes are achieved and vibration management.

- Consultation – WaterNSW requests we are consulted during the preparation of the EIS to ensure the development considers all the impacts to the Upper Canal corridor.
- Soils and Water – Surface water is currently conveyed through a series of flumes and culverts across the corridor and then flows onto the subject site. The EIS should demonstrate how stormwater systems for the development would be designed to accommodate and not impede any upstream flows from systems that convey stormwater across, along or under the Upper Canal. The stormwater management system should ensure it makes allowance for all flow emanating from land to the west of the Upper Canal, as well as from the corridor itself, and all stormwater structures associated with the development should be kept within the development site.
- Western Sydney Parklands – the EIS should demonstrate how the development meets the provisions *within State Environmental Planning Policy (Western Sydney Parklands) 2009* specifically clauses 12 and 13.
- Heritage – the EIS should consider the heritage status of the Upper Canal and any potential impacts the proposed development on the heritage fabric of the corridor.
- Erosion and Sediment control plans – the EIS should consider any impacts from sediment or polluted run-off, and airborne dust emissions on the quality of the water in the Upper Canal. This should include mitigation measures for the prevention of impacts on the corridor and the open waters of the Upper Canal.
- Earthworks adjacent to the boundary with the Upper Canal:
  - the EIS should detail the proposed measures to prevent any impacts on the Upper Canal corridor from any additional earthworks (i.e. changed levels) required adjacent to the boundary, and
  - the EIS should outline plans for any retaining walls or similar structures where they would be installed along the boundary with the Upper Canal for WaterNSW assessment.
- Security – the EIS should address the need for a security fence to be erected to WaterNSW's standards on the boundary of the development site and the Upper Canal corridor, with the existing rural fencing being removed. The fencing required is either a 2.1 metre chain mesh fence with three barbed wire strands on top, or a 2.1 metre palisade fence.

WaterNSW would appreciate being advised when the EIS is exhibited for further review, and requests the Department continues to consult with us on any development that may impact on our assets, infrastructure or land, at Environmental.Assessments@waternsw.com.au.

If you have any questions regarding this letter, please contact Justine Clarke at justine.clarke@waternsw.com.au.

Yours sincerely

CLAY PRESHAW
Manager Catchment Protection