

OAKDALE SOUTH ESTATE

PLANNING SUBMISSION

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FINAL
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URBIS

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EXECUTIVE SUMMARY

This Planning Submission report has been prepared by Urbis on behalf of Goodman Property Services (Aust) Pty Ltd (the proponent), and seeks to amend the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA) as it applies to the Oakdale South Estate (the subject site). The Planning Submission is submitted to the Department of Planning and Environment. The Department have requested the previously submitted Planning Proposal be amended to a Planning Submission due to the minor nature of the proposed amendment.

The objectives and intended outcomes of this Planning Submission can be achieved through the amendment of the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* 'Land Zoning' map to correspond with the re-alignment of the Ropes Creek Tributary approved under SSD 6917 MOD 1. The Department of Planning have advised they will provide amended maps.

The lodgement of a Planning Submission to amend the *E2 Environmental Conservation* zone boundary to follow the approved creek alignment was a commitment made as part of SSD 6917 MOD 1 to ensure future environmental protection of the creek. Without the proposed realigned zone boundary, the E2 zone will intersect approved hardscaped area and local roads, whilst part of the creek and riparian corridor will remain zoned *IN1 General Industrial*.

The proposed amendment to the zoning map is considered to be procedural in aligning the approved concept scheme with the zoning map of SEPP WSEA.

1. INTRODUCTION

This report has been prepared on behalf of Goodman Property Services (Aust) Pty Ltd and seeks to amend the *State Environmental Planning Policy (Western Sydney Employment Area)* (SEPP WSEA) by way of a Planning Submission. The Planning Submission seeks to realign the *E2 – Environmental Conservation* zone boundary within the Oakdale South Estate (OSE) to allow for the future development of the subject site for industrial purposes. This Planning Submission is submitted to the Department of Planning and Environment.

The objective of the Planning Submission is to achieve a minor housekeeping amendment to the E2 Environmental Conservation zone boundary to correspond with the approved masterplan for the Oakdale South Estate. Currently, the E2 Zone does not reflect the realignment of the creek and overlaps with the proposed internal road network and future industrial land use areas.

Specifically, this Planning Submission seeks the following:

- To amend the SEPP WSEA Land Zoning Map to realign the *E2 Environmental Conservation* zone boundary to avoid intersecting with the proposal internal road network and hardscape areas associated with the proposed industrial land uses and to align with the re-aligned Ropes Creek Tributary, approved under SSD 6917 MOD 1.
- Provide justifications for the amendments to the SEPP WSEA proposed.

The intended outcome of the Planning Submission is that the creek tributary be zoned E2 Environmental Conservation, and other non-environmentally sensitive land be zoned IN1 General Industrial under SEPP WSEA.

2. THE SITE

The subject site is known as Oakdale South Estate (OSE), Horsley Park and is comprised of two allotments legally described as Lot 12 in DP 117839 and Lot 87 in DP 752041. The site has a total area of 117 hectares and is irregular in shape due to the western border that follows the Ropes Creek riparian corridor. An aerial image of the site has been provided below in Figure 1, outlining the subject site in blue.

Figure 1 – Aerial Image of subject site



The land is accessed via the approved internal road network, which connects with the existing Oakdale Central road network. Refer to Figure 2 overleaf for the approved Concept Masterplan Layout, which indicates the approved lot layout, building envelopes and internal road network.

The OSE comprises the second stage of development within the broader Oakdale Estate (see Figure 3). In its entirety, the Oakdale estate incorporates five separate allotments, described in Table 1.

The OSE is located within the Penrith Local Government Area (LGA), at the south-western end of Old Wallgrove Road at Erskine Park within the WSEA.

The small part of land to which the proposed rezoning relates is to the north of Lot 3A and west of Estate Road 1.

Figure 2 – Approved Oakdale South Estate Concept Layout (MOD1)

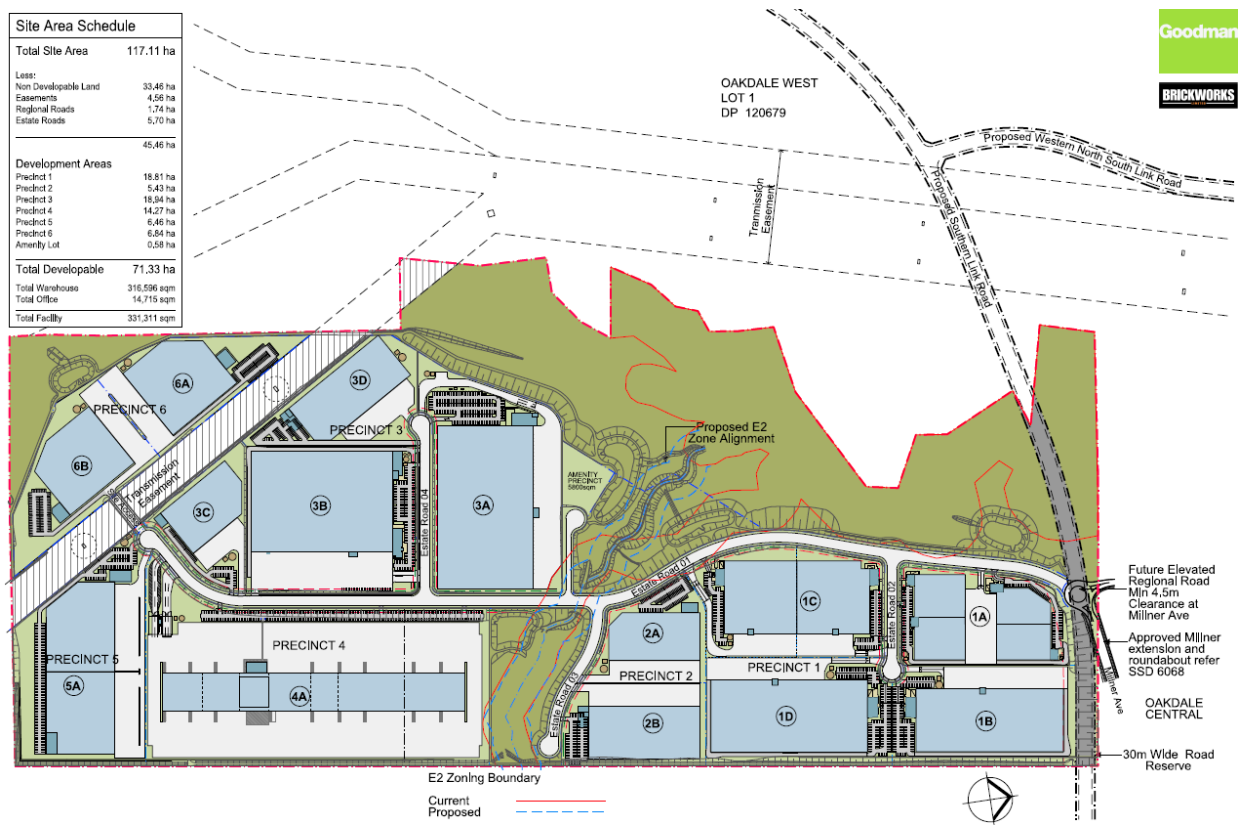


Figure 3 – Oakdale South within the Broader Oakdale Estate

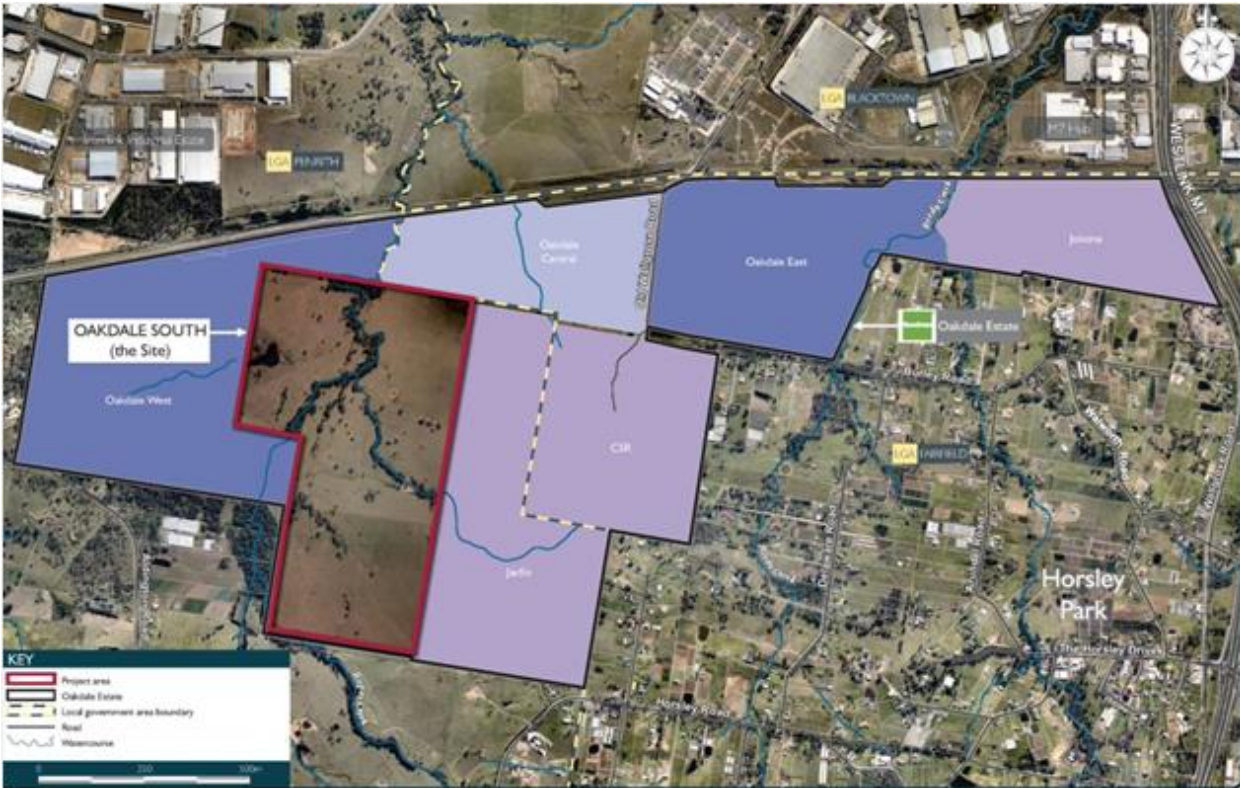


Table 1 – Oakdale Estate Lands

Lot	DP	Area	Oakdale Precinct
1	1178389	154 hectares	Oakdale West
2.1	1173181	62 hectares	Oakdale Central
1	843901	88 hectares	Oakdale East
12	1178389	114 hectares	Oakdale South
87	752041	3 hectares	Oakdale South
Total		421 hectares	

The site adjoins other Oakdale lands to the west and north (Oakdale West and Oakdale Central respectively). Land to the east is known as the Jacfin Estate (Jacfin) which is also zoned for industrial development. A portion of the Jacfin Estate, along its western boundary has been rezoned from IN1 to RU4 to allow for rural residential development. Lands further south of the OSE site, known as Pazit land (Pazit), are rural and rural residential in character currently zoned E4 Environmental Living.

Notwithstanding the above it is noted that these lands are included within the 'Western Sydney Priority Growth Area' which may see significant changes to land use character over time as the proposed second Sydney Airport at Badgerys Creek becomes operational.

2.1. BACKGROUND

SSD 6917 – Staged SSDA for the OSE

A State Significant Development (SSD 6917) was issued on 26 October 2016 for Concept Plan and Stage 1 Estate and Precinct Development works within the OSE. This approval was amended by SSD 6917 MOD 1 approved on 21 April 2017. Specifically, this consent authorised:

OSE Concept Proposal

- A site master plan to guide the staged development of the OSE along with core development controls that will form the basis for design and assessment of future development applications on the site (Refer to Figure 4 below).

Determination of the Concept Proposal included detailed consideration of impacts generated by the proposed future use of the site, including an assessment of estate-wide traffic generation and infrastructure demand, impact on Aboriginal and non-Indigenous heritage, impact on flora and fauna, riparian lands and creeks, acoustic, visual and air quality impact and overall consistency of the proposal with the strategic objectives of the WSEA SEPP and metropolitan planning strategy.

Figure 4 – Originally Approved OSE Masterplan



Stage 1 Development

- Stage 1 Estate Works:

Site preparation, civil and infrastructure work across the entire OSE, required to facilitate the stages development of the OSE.

This included bulk earthworks for Estate Road construction and interim development site pad levels, staged subdivision, provision of services infrastructure to the future development lots, construction of stormwater drainage within the Estate Road, and civil works for realignment of the Ropes Creek Tributary.

Stage 1 works also include vegetation and archaeological site clearance across the site.

- Stage 1 Precinct Development works:

This included construction and operational consent for built form, use and operational parameters of development lots within Precincts 1, 4 and 5.

MOD 1 – SSD 6917

Consent SSD 6917 MOD 1 was approved on 21 April 2017. MOD 1 modified the Concept Proposal and Stage 1 DA Layout including;

- Revised lot, building envelope and internal road layout under the Concept Proposal and Stage 1 DA,
- Addition of a 5,800sqm amenity lot,
- Amended subdivision layout,
- An increase of the total developable area for the estate from 70.28ha to 71.33ha,
- Amended bulk earthworks, estate infrastructure and landscaping works,
- Amended creek re-alignment works,
- Construction of extended noise walls, and

- Removal of all warehouse building construction in precincts 3,4 and 5 from the Stage 1 DA.

Subsequent Modifications

Two minor section 96 applications have been submitted to modify SSD 6917. These are described briefly as follows:

- **MOD 2 – Withdrawn.** This section 96(1) modification application was sought to amend Condition D16(e) of SSD 6917 to require Fire and Rescue NSW endorsement and approval by the Secretary prior to commencement of on-lot building works in Precinct 1, 4 or 5, rather than the Stage 1 Construction Certificate.
- **MOD 3 – Currently under Assessment.** Submitted in April 2017, this section 96(1A) modification application seeks to amend Condition E27 of SSD 6917 to extend the permissible Standard Construction Hours to carry out importation of fill activities during the hours of 7pm to 5am from Monday to Friday.

This extension specifically relates to the supply and importation of fill materials from the Westconnex M4 East project to the OSE site as required to establish the bulk earthworks for OSE. Capacity constraints at the Westconnex project necessitated an approval for that project to carry out exportation of fill outside of regular construction hours. This condition amendment facilitates the importation of fill to OSE for the bulk earthworks.

- **MOD 4 – Currently on Exhibition.** This section 96(1A) modification application was sought to amend the layouts and areas of Precincts 1 and 2, alter the layout of the estate road network to reflect changes to Precincts 1 and 2, addition of estate road between Precinct 1 and 2 and modifications to the built form within Precinct 1.

Other OSE SSD Applications

At the time of preparing this application a number of applications with regard to the Oakdale South Estate have reached varying stages of the application process, as outlined below:

- **SSD 7663** – Toyota Spare Parts Warehouse and Distribution Centre (Site 3B) – Approved
- **SSD 7719** – Sigma Pharmaceutical Warehouse and Distribution Facility (Site 3A) – Approved
- **SSD 8209** – Costco Wholesale (Site 4A) – on Public Exhibition

3. EXPLANATION OF PROVISIONS

3.1. STATE ENVIRONMENTAL PLANNING POLICY WESTERN SYDNEY EMPLOYMENT AREA 2009

The primary environmental planning instrument which governs development of the site is the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA). The subject site is currently zoned *E2 Environmental Conservation* and *IN1 General Industrial* under the plan.

The majority of the land within the OSE is zoned IN1, allowing future industrial and employment uses. The E2 Zone follows the Ropes Creek riparian corridor and its associated tributaries, and also includes other land within the WSEA of high environmental significance.

This Planning Submission seeks an amendment to the SEPP WSEA to allow for the realignment of a small portion of the E2 zone within the OSE via a Land Zoning Map Amendment.

The amendment is minor in nature and is informed by the concept proposal prepared by SBA Architects and will enable the Land Zoning Map to correspond with the layout of the OSE and follow the approved realignment of the Ropes Creek Tributary. As can be seen in Figure 5 (overleaf), the proposed realignment does not result in any discernible change to the extent of the E2 zoned land.

The approved concept plan for the OSE has been prepared by SBA Architects and is provided at Appendix A.

3.2. OBJECTIVES AND INTENDED OUTCOMES

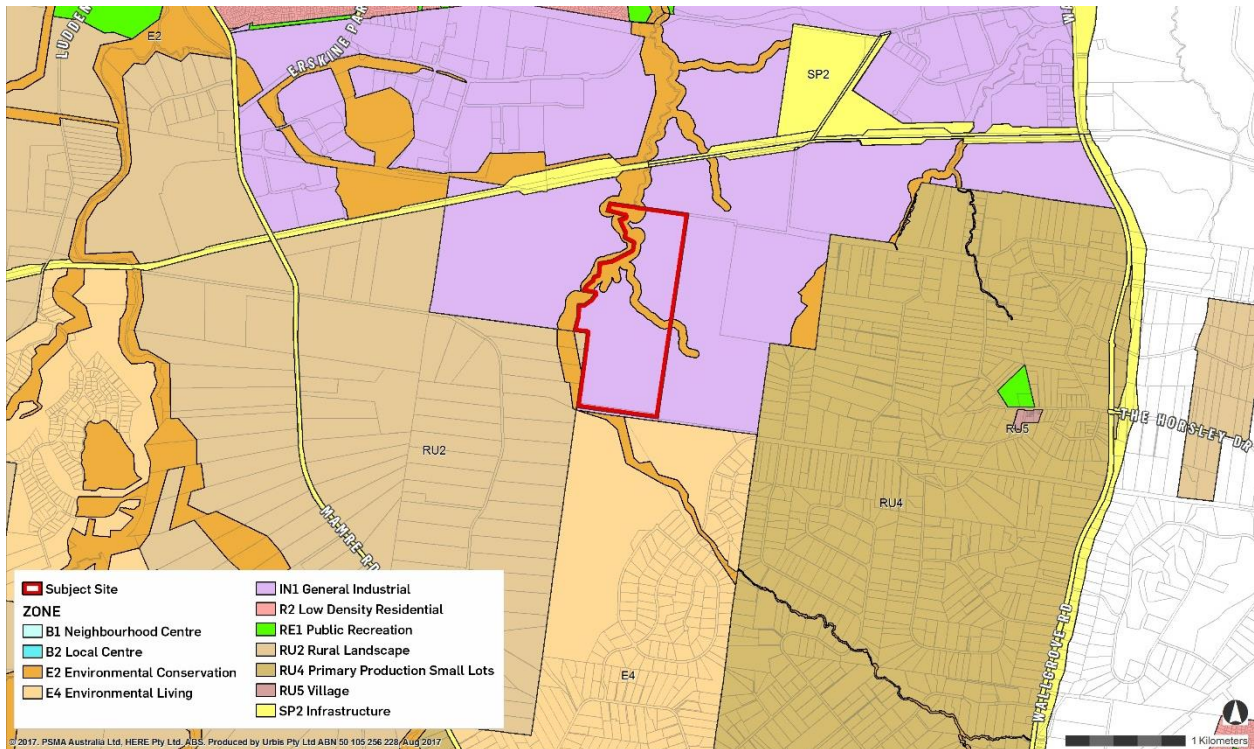
The objective of the planning justification report is to facilitate a minor housekeeping amendment to enable the Land Zoning Map to align with the approved Concept Proposal Layout for the subject site.

The Planning Submission seeks to facilitate the future redevelopment of the OSE for industrial land use purposes. This will be achieved by realigning the *E2 Environmental Conservation*, which currently does not reflect the riparian corridor and overlaps with Precinct 3 and Estate Road 06, such that

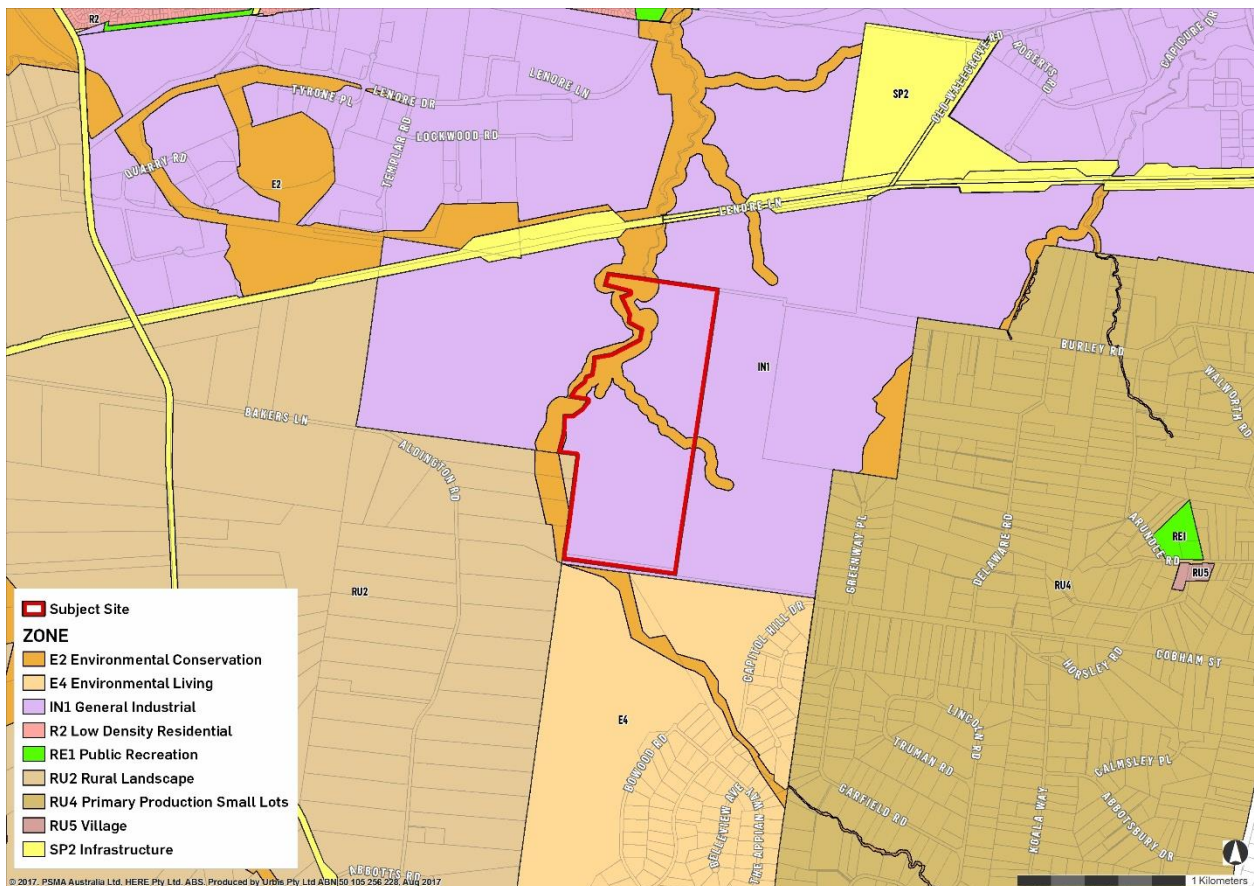
- Ropes Creek and its tributaries will be appropriately located within the E2 Environmental Conservation zone, and
- All other land is appropriately located within the IN1 General Industrial zone.

Figure 5 provides a comparison between the current WESA zoning map and the proposed WSEA zoning map, as amended. The Department of Planning have advised they will prepare formally amended maps.

Figure 5 – SEPP WSEA Zoning Maps, Existing and Proposed



Picture 1 – Existing WSEA Zoning Map



Picture 2 – Proposed WSEA Zoning Map

3.3. SECTION 117 DIRECTIONS

The planning proposal has been assessed against the relevant Ministerial Directions under Section 117 of the EP&A Act and is consistent, as seen below:

- **1.1 Business and Industrial Zones**

This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary)

The planning proposal is consistent with this Section 117 direction, as it is a procedure that will enable the development of the site for industrial land uses and encourage local employment growth within the Western Sydney Employment Area.

- **2.1 Environmental Protection Zones**

This direction applies whenever a relevant planning authority prepares a planning proposal.

The proposal seeks to realign the current environmental protection zone to correspond with the approved realignment of the Ropes Creek Tributary, and is consistent with the Section 117 Direction as it is of minor significance.

A Vegetation Management plan applies biodiversity offsets within non-developable land along the north western side of the E2 zone within the OSE. The realignment of the Ropes Creek Tributary will not affect the biodiversity offsets achievable.

4. CONCLUSION

This Planning Submission has outlined the proposed concept and background to the development of the Oakdale South Estate. The Concept Proposal prepared as part of SSD 6719 MOD 1 has been approved by the DP&E and necessitates the modification to the land use zone boundaries. The objective of this report is to make a minor realignment to the existing land use zone boundaries that apply to the site under the *State Environmental Planning Policy (Western Sydney Employment Areas) 2009*.

The purpose of this Report has been to:

- Explain the intention and minor nature of the proposed SEPP WSEA amendment to the Land Use Zoning Map; and
- Provide a planning justification for the proposed amendment.

DISCLAIMER

This report is dated February 18 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Goodman (**Instructing Party**) for the purpose of Planning Proposal (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A ARCHITECTURAL PLANS

APPENDIX B RIPARIAN CORRIDOR ASSESSMENT AND WATERCOURSE DESIGN REPORT

APPENDIX C CORRESPONDENCE FROM NSW OFFICE OF WATER

APPENDIX D CORRESPONDENCE FROM OFFICE OF ENVIRONMENT AND HERITAGE



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