ASICS Facility,
Sydney Business Park
Environmental Impact Statement

April 2018

Prepared for:

Marsden Park Developments Pty Ltd (Sydney Business Park)
920 Richmond Road
MARSDEN PARK NSW 2765

On behalf of:

ASICS Oceania Pty Ltd
10 Interchange Drive
EASTERN CREEK NSW 2766

Prepared by:

pjep environmental planning pty ltd, abn. 73 608 508 176
tel. 02 9918 4366
striving for balance between economic, social and environmental ideals…

PJEP Ref: ASICS Facility_EIS_Apr18

DISCLAIMER

DECLARATION BY AUTHOR

Environmental Impact Statement

Prepared under Part 4 of the *Environmental Planning and Assessment Act 1979*

EIS prepared by

Name	Phillip Jones
Position	Principal Planner
Qualifications	BAppSc
Company	PJEP Environmental Planning

Development to which Part 4 applies

Application number	SSD 9153
Development	ASICS Facility
Applicant name	Marsden Park Developments Pty Limited
Applicant address	920 Richmond Road MARSDEN PARK NSW 2765
Land to be developed	Part Lots 302, 303 & 304, and Lot 305, in DP 1213756, 4 Darling Street, Marsden Park

Declaration

I certify that I have prepared the contents of this document, and to the best of my knowledge the EIS:

(i) has been prepared in accordance with Part 4 Division 4.7 and the Regulations;
(ii) contains all available information that is relevant to the environmental assessment of the development; and
(iii) is neither false nor misleading.

Signature

Name Phillip Jones
Date 12 April 2018

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EXECUTIVE SUMMARY

Marsden Park Developments Pty Ltd (Sydney Business Park) is proposing to develop a world-class warehouse and retail facility on behalf of ASICS Oceania Pty Ltd (ASICS) in the Marsden Park Industrial Precinct in Western Sydney. The facility would be used to store and distribute ASICS' range of shoes and sporting goods, and would include a showroom and retail outlet for display and sale of goods to the public. It would also accommodate ASICS' Australian administrative headquarters.

The site of the proposed facility has an area of approximately 5.6 hectares, and is within the industrial estate known as Sydney Business Park, which forms a large part of the Marsden Park Industrial Precinct, one of the key employment precincts in the North West Growth Centre. The site is zoned for employment purposes under *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP), and is subject to a Precinct Plan under the SEPP.

The key components of the proposed development include:

- detailed earthworks associated with facility construction[1]; and
- construction and use of the ASICS Facility, comprising:
  - 24,965m^2 warehouse;
  - 4,000m^2 ancillary offices over 2 storeys;
  - 1,500m^2 showroom and retail outlet;
  - 4,500m^2 sports playing field and court; and
  - ancillary infrastructure and services

The development has a capital investment value of approximately $54 million (exc. GST), and would generate approximately 185 jobs once operational.

The proposal constitutes 'State Significant Development' under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979,* and consequently the Minister for Planning is the consent authority for the development.

The key environmental issues identified for assessment in this environmental assessment include:

- design and visual amenity;
- consistency with strategic and statutory planning instruments;
- soil and water;
- traffic and transport; and
- noise.

Assessment of these and other environmental issues indicates that the development is able to be conducted in a manner that would not result in any significant environmental impacts, or impacts on the amenity of surrounding land users. In particular, environmental assessment indicates that:

- the development is not expected to result in any adverse visual impacts, as it:
  - has been designed to a high architectural quality, particularly on the key frontages;
  - is not in proximity to any sensitive visual receivers;
  - is conservative in terms of setbacks, scale, bulk, height and site cover;
  - respects and addresses the attributes and constraints of the site, including the Transgrid easement that traverses through the site; and
  - adopts a high quality landscape plan.
- the development complies with the built form development standards of the Marsden Park Industrial Precinct Plan;

[1] It is noted that Sydney Business Park is undertaking site clearing, bulk earthworks and infrastructure delivery required for the proposal under separate approval.

- soil and water aspects (including erosion and sedimentation, contamination, salinity, drainage, riparian areas, pollution) are not significant, and are able to be effectively managed;
- traffic volumes are consistent with those assumed in planning for the wider industrial estate, and would not result in any significant traffic impacts;
- noise emissions are predicted to comfortably comply with applicable operational and road noise criteria; and
- all required infrastructure for the development is (or will be) in place.

The development is considered to be compatible with the future desired character of the area under the Marsden Park Industrial Precinct Plan, Growth Centres SEPP and the Sydney Metropolitan Plan (*A Plan for Growing Sydney*). The facility would have significant social and economic benefits for the local area through the provision of increased employment opportunities and a significant capital investment in Western Sydney. Importantly, the employment densities generated by the development (ie. about 33 jobs per hectare) would be considerably above those being achieved by contemporary warehousing developments in Western Sydney.

Accordingly, it is considered that the development represents orderly development of the land. It is respectfully requested that the Minister or his delegate, having due regard for the information submitted in this Environmental Impact Statement, grants approval to the proposed ASICS Facility at Marsden Park.

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1 INTRODUCTION

1.1 Overview

Marsden Park Developments Pty Ltd (Sydney Business Park) is proposing to develop a world-class warehouse and retail facility on behalf of ASICS Oceania Pty Ltd (ASICS) in Sydney Business Park, within the Marsden Park Industrial Precinct in Western Sydney (see **Figure 1.1**).

This Environmental Impact Statement (EIS) has been prepared by PJEP Environmental Planning Pty Ltd (PJEP) on behalf of Sydney Business Park and ASICS to assist the consideration of the development under the *Environmental Planning and Assessment Act 1979* (EP&A Act).

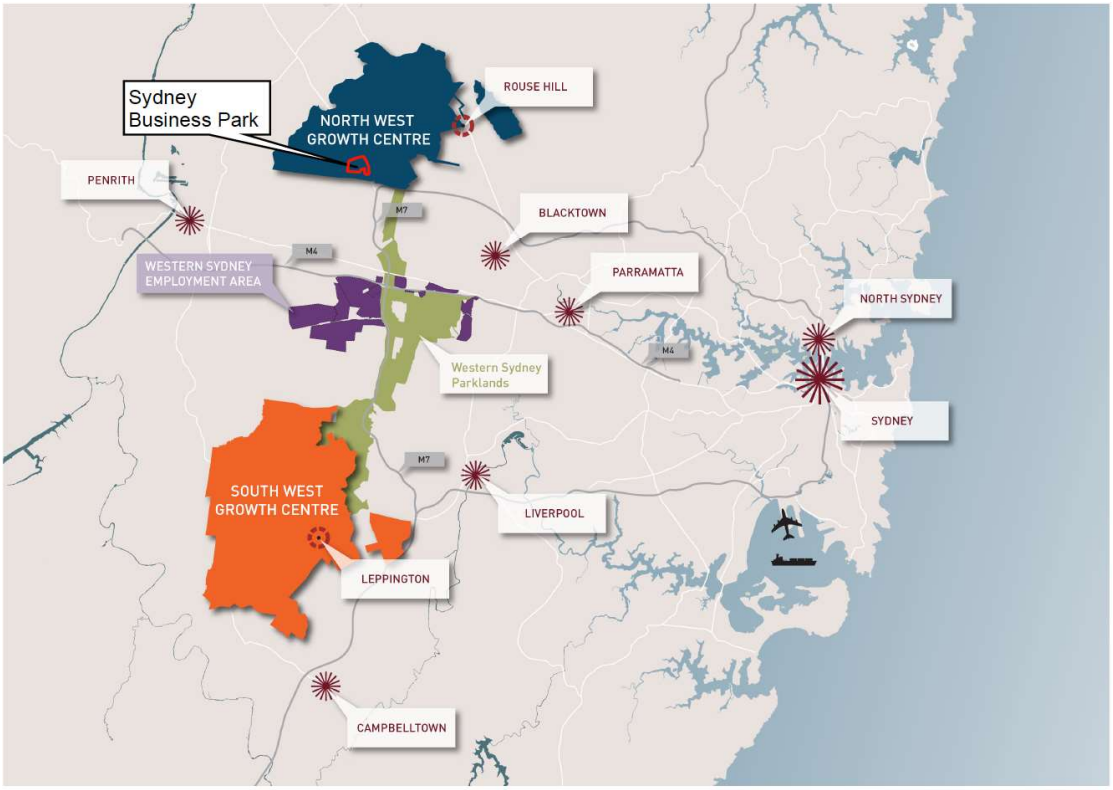


Figure 1.1: *Regional Context (Source: Department of Planning & Environment)*

1.2 Marsden Park Developments

Marsden Park Developments is owner and developer of Sydney Business Park, which is being developed as a world-class master planned estate. With plans to deliver 17,000 jobs, the project is the largest and fastest growing employment area in Sydney's North West Growth Centre.

Sydney Business Park aims to provide benchmark standards for business parks in Australia, prioritising staff amenity and creating a positive legacy for the local community. The business park provides high quality telecommunications and infrastructure provisions, landscaping, retail and recreational amenities and integrated green technology.

Sydney Business Park is already home to a wide range of international and national businesses, including ALDI, Bunnings, Coles Express, Costco Wholesale, Dulux, Home Hub Marsden Park, IKEA Marsden Park, IKEA Distribution Centre, Lindt & Sprungli, Linfox, Storage King, Swire, McDonald's, Reece, Shell and Toll.

1.3 ASICS

ASICS Group (ASICS) is one of the world's largest running shoe and sporting goods companies. Founded in Japan in 1949, the company has grown to become a globally recognised sporting brand, employing approximately 8,000 people worldwide with annual sales of over $4.5 billion.

ASICS' corporate vision is to 'Create Quality Lifestyle through Intelligent Sport Technology'. This vision is based on its founding philosophy 'Anima Sana In Corpore Sano', which translates as 'A sound mind in a sound body'.

The Group's corporate values include to:

- Provide valuable products and services through sport to all our customers
- Fulfill our social responsibility and help improve conditions for communities around the world
- Share profits brought by our sound services
- Maintain a spirit of freedom, fairness and discipline, respectful of all individuals.

1.4 EIS Project Team

This EIS has been prepared by PJEP in conjunction with a range of specialist consultants as listed in the following table.

Table 1.1: *EIS Project Team*

Discipline	***Organisation***	***Study/Deliverable***
Project Management	Marsden Park Developments	Project Management
Environmental Planning	PJEP Environmental Planning	Environmental Assessment
Architecture	Reid Campbell	Architectural Plans
Landscape Design	Coco Design Landscape	Landscape Plans
Soil and Water	Northrop	Civil Plans Erosion and Sediment Control Plan Stormwater Management Plan
Noise	Renzo Tonin and Associates	Noise Assessment
Traffic and Parking	Arup	Traffic Assessment
Bushfire	Eco Logical	Bushfire Review
Waste	PJEP	Waste Management Plan
BCA Compliance	Vic Lilli & Partners	BCA Compliance Report
Electricity Infrastructure	AECOM	Transgrid Clearance Assessment
Cost Estimate	MBMpl	Construction Cost Estimate

The EIS also benefits from a range of documents and studies that have been undertaken for the broader Sydney Business Park and Marsden Park Industrial Precinct. These studies include those listed in the following table.

Table 1.2: *Additional Sydney Business Park Studies*

Study/Document	***Date***	***Organisation***
Salinity Assessment and Management Plan	Oct 11	GHD
Site Contamination Assessment – Phase 1	Nov 08	GHD
Site Contamination Assessment – Phase 2	May 09	GHD
Ecological Assessment	Oct 11	Eco Logical
Aboriginal Heritage Assessment	Nov 11	Kelleher Nightingale Consulting
Aboriginal Heritage Impact Permit No.1131873	Mar 13	Office of Environment & Heritage
Non-Indigenous Heritage Assessment	Jul 09	Godden Mackay Logan
Transport Assessment	Oct 11	AECOM
Bushfire Assessment	Oct 11	Eco Logical

2 THE SITE

2.1 Location and Context

The site is located within the employment estate known as Sydney Business Park, Marsden Park. The site is located on the corner of the estate road known as Darling Street (formerly 'Road 5').

Sydney Business Park forms a large part of the Marsden Park Industrial Precinct, one of the key employment precincts of the North West Growth Centre. Sydney Business Park has an area of 256 hectares, while the wider Marsden Park Industrial Precinct has a total area of 551 hectares.

The North West Growth Centre and Marsden Park Industrial Precinct are shown on **Figure 2.1**, and the Sydney Business Park master plan is shown on **Figure 2.2**.

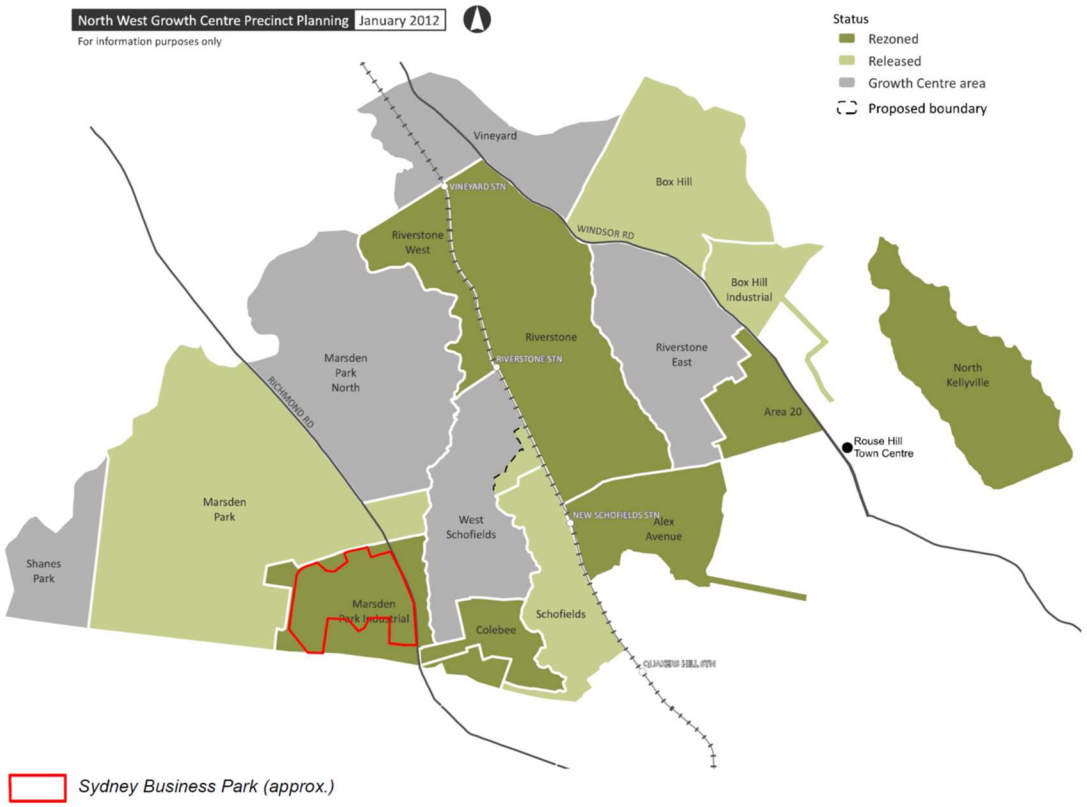


Figure 2.1: *North West Growth Centre (Source: Department of Planning & Environment)*

2.2 Sydney Business Park Estate Development

Sydney Business Park is being developed on a staged basis by the estate owner, Marsden Park Developments Pty Limited (Sydney Business Park).

The site is within the development stage known as 'Stage 1.02' of the Park (see **Figure 2.3**). On 18 March 2013, Blacktown City Council (Council) approved estate works across the Stage 1.02 area. The development consent (DA 11-2284) provides for:

- subdivision into 24 industrial lots and 6 residue lots;
- tree removal across the stage area;
- bulk earthworks across the stage area;
- road construction;
- precinct stormwater infrastructure;
- street tree planting; and
- associated subdivision works.

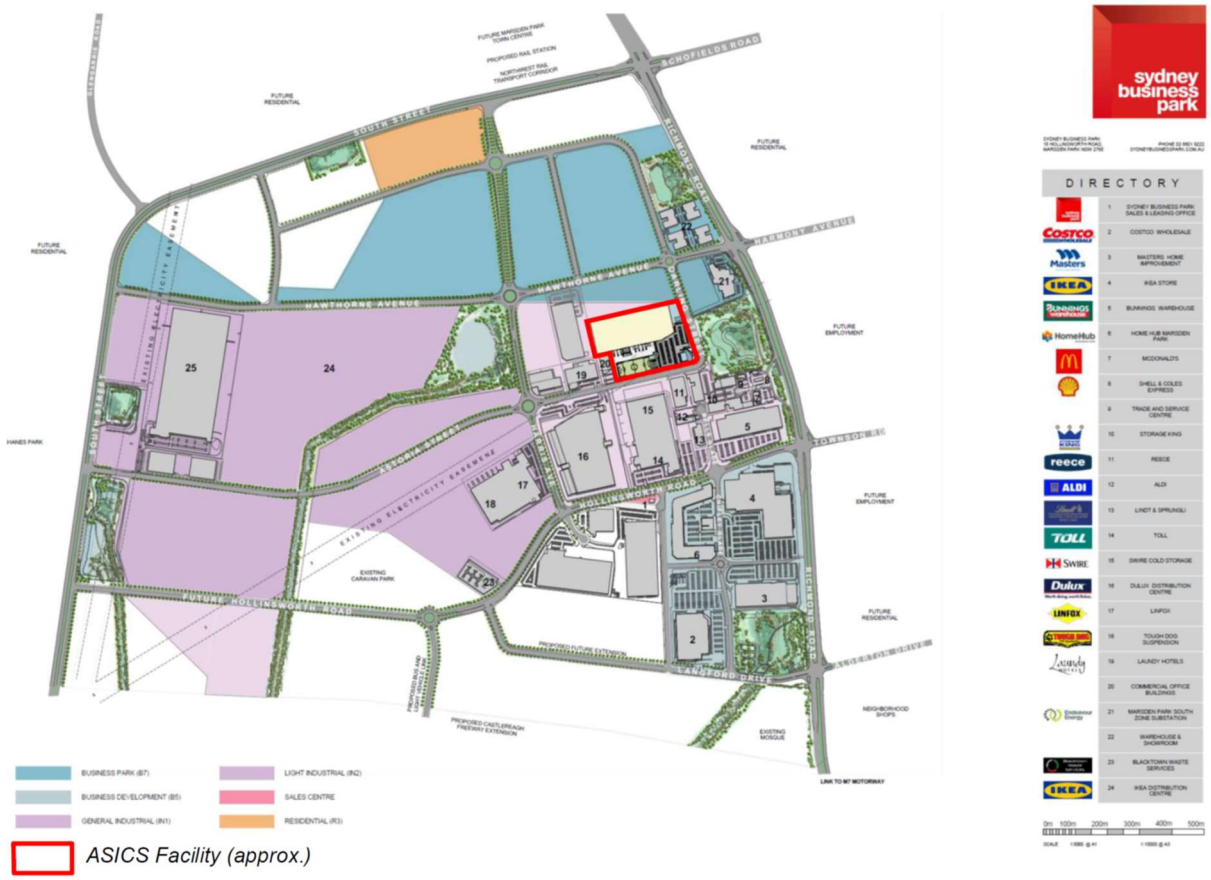


Figure 2.2: *Sydney Business Park Master Plan (Source: Sydney Business Park)*

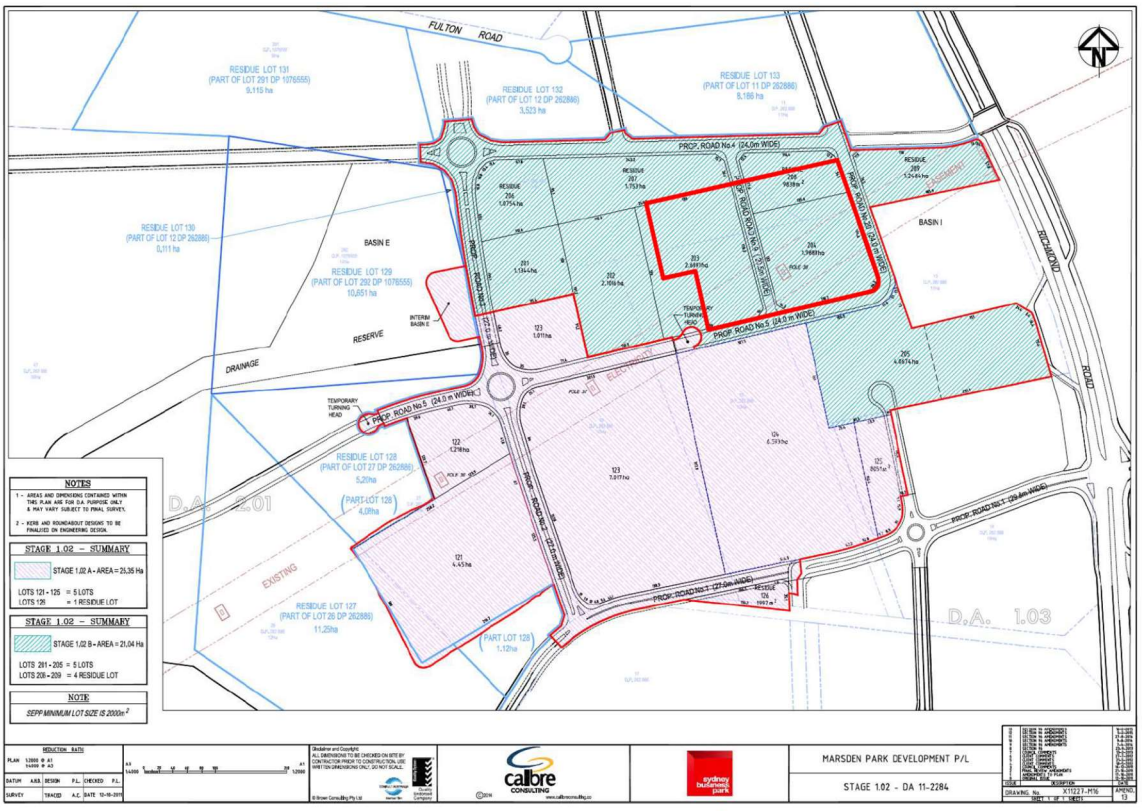


Figure 2.3: *Subdivision Master Plan – Stage 1.02 (Source: Sydney Business Park)*

The consent has been modified on a number of occasions since the original approval, to provide for changes to the subdivision layout to accommodate the needs of individual end users.

Sydney Business Park will undertake all subdivision, tree removal, bulk earthworks and infrastructure delivery (to the site) required for the proposed warehouse and distribution facility under this existing approval.

2.3 Site Description and Ownership

The site address is 4 Darling Street Marsden Park, and the real property description of the site is Part Lots 303 & 304, and Lot 305, in DP 1213756 (see **Figure 2.4**). The proposal also involves the use of a small part of Lot 302 in DP 1213756 for the construction of a retaining wall on the lot boundary.

These lots are in the process of being subdivided (under separate approval) to accommodate the proposal. The site is located on proposed Lot 3005 (see **Figure 2.5**).

The site has an area of 56,400 m^2, and is located in the Blacktown local government area. It is owned by Ganian Pty Ltd (as is Lot 302).

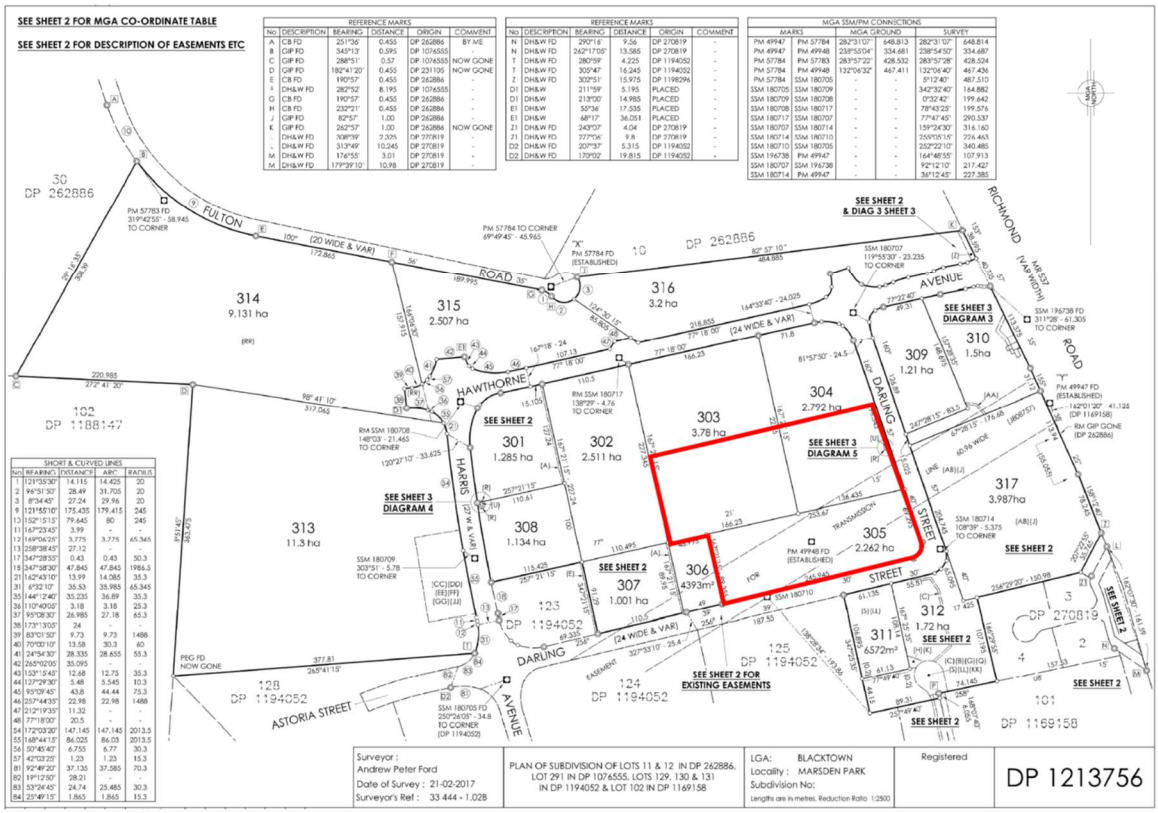


Figure 2.4: *Existing Survey Plan (Source: Sydney Business Park)*

2.4 Land Use

The site is currently vacant and awaiting redevelopment for employment purposes (see **Figure 2.6**). As outlined above, Sydney Business Park has or will be undertaking preliminary works for the proposed ASICS Facility (including tree removal and bulk earthworks) under separate approval. Prior to development of the business park, the site had been used predominantly for agricultural purposes (mainly grazing) and/or vacant bushland.

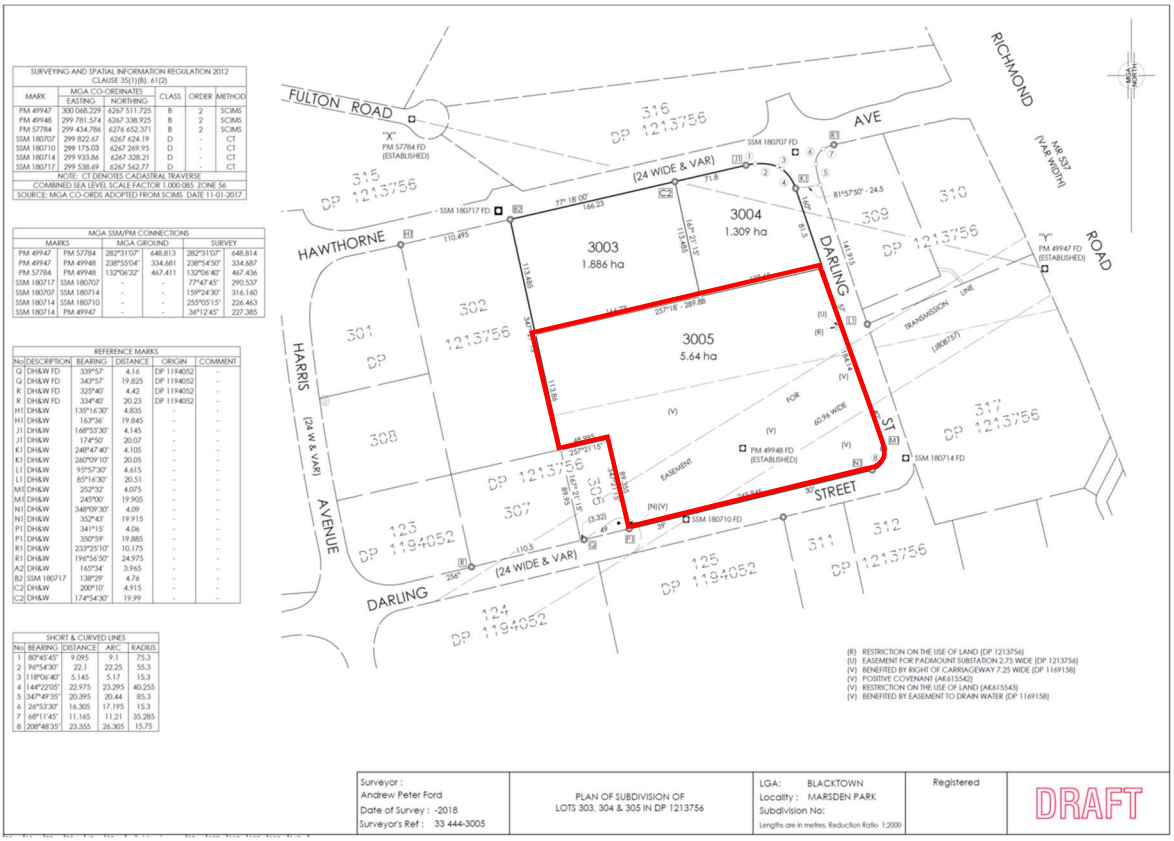


Figure 2.5: *Draft Survey Plan (Source: Sydney Business Park)*

ASICS Facility (approx.)

Figure 2.6: *Aerial Photo (Source: Sydney Business Park, c.2017)*

2.5 Surrounding Land Use

The site is surrounded on all sides by industrial, business and infrastructure (drainage) zoned land associated with Sydney Business Park and the wider Marsden Park Industrial Precinct. A number of other industrial/employment facilities in proximity to the site are currently either under construction or have commenced operations in recent years, including facilities for Laundy Hotels, Dulux, Lindt, Reece, Storage King and NewCold (see **Figure 2.2**).

There remain some residential land users within the re-zoned areas of the estate at present, including a caravan park (Town & Country Estate) located about 800 metres to the south-west of the site, at the end of Hollinsworth Road. These and other surrounding receivers can be seen on the aerial photo on **Figure 2.6**.

The closest residential zoned land is located approximately 300 metres to the north-east of the site, across Richmond Road (see **Figure 4.2**). Additional residential zoned land is located approximately 500 metres to the north-west of the site, and 750 metres to the south-east of the site.

2.6 Existing Environment

The site is has a slightly sloping topography, sloping gently to the east. Site elevation ranges from about 38.4 mAHD on the north-western side of the site to about 32 mAHD in the south-eastern corner of the site. Site drainage matches the topography, however there are no defined watercourses on the site. A stormwater detention basin servicing the site and wider areas of Sydney Business Park (Basin I) is located to the east of the site across Darling Street.

As outlined above, much of the site and surrounding area is currently subject to disturbance associated with the estate development works for Sydney Business Park, and all site clearing and bulk earthworks required to facilitate the proposed ASICS Facility is being undertaken by Sydney Business Park under separate approval.

2.7 Infrastructure and Services

Sydney Business Park has direct access to Richmond Road via Hollinsworth Road and the recently completed Hawthorne Avenue (previously known as ‘Road 4’), which have been constructed or upgraded by Sydney Business Park to service the needs of the industrial precinct. Hollinsworth Road and Hawthorne Avenue both accommodate 4 lanes, and have signalised intersections with Richmond Road. Richmond Road provides direct access to the M7 Motorway, which is located approximately 1 kilometre to the south of the business park.

The site has direct and extended frontage to Darling Street, which is an internal estate road that has recently been constructed by Sydney Business Park to service the industrial estate. Darling Street accommodates 2 traffic lanes and 2 parking lanes, and connects with Hawthorne Avenue to the north, and Hollinsworth Avenue to the south (via Harris Avenue). Other estate roads are also currently under construction, and other infrastructure to service the estate is being delivered with the estate road development.

A 60 metre wide 330kV Transgrid electricity easement traverses through the southern portion of the site.

3 PROPOSED DEVELOPMENT

3.1 Development Summary

Sydney Business Park is proposing to develop a world-class warehouse and distribution facility on the site on behalf of ASICS. The layout of the facility is shown on **Figures 3.1** to **3.7**, and the main components of the proposed development are outlined in **Table 3.1**. The full set of architectural design plans is attached at **Appendix B**, and a landscape plan is attached at **Appendix C**.

Table 3.1: *ASICS Facility Development Summary*

Development Summary	**Development of the ASICS Facility, including:**
	• **detailed earthworks;**
	• **construction and operation of the ASICS Facility, including:**
	  ○ **warehousing and distribution;**
	  ○ **ancillary office;**
	  ○ **showroom and retail outlet; and**
	• **ancillary development including car parking, infrastructure provision and landscaping (including private sports playing field and court)**

Proposed Use	Warehousing and distribution, with ancillary office, showroom and retail outlet, and private open space
Subdivision	The proposal does not involve any subdivision, which is being undertaken by Sydney Business Park under separate approval
Demolition and Earthworks	The proposal does not involve demolition, bulk earthworks and vegetation clearing, which are being undertaken by Sydney Business Park under separate approval. The proposal would involve some detailed earthworks to facilitate the construction of the facility
Facility Development	Construction and operation of the ASICS Facility, including (approx.): • 24,965m^2 warehouse; • 4,000m^2 ancillary offices (2 storeys); • 1,500m^2 showroom and retail outlet; • 4,500m^2 sports playing field and court; and • ancillary infrastructure and services
Landscaping	Implementation of site landscaping consistent with estate landscaping, including the multi-use sports playing field and court
Signage	Building identification, business identification and directional signage
Hours of Operation	24 hours a day, 7 days a week The showroom and retail outlet would operate from 7am to 9pm, 7 days a week
Capital Investment Value	$54 million (exc. GST)
Employment[1]	Construction: 150 Operation: 185
Infrastructure and Services	
Roads	The facility is proposed to be accessed from Darling Street. No external road works would be required to service the facility. The proposal would involve construction of internal driveways, hardstand and parking
Stormwater	Development of site stormwater infrastructure would be undertaken for the facility, draining to estate stormwater infrastructure
Electricity, Potable Water, Sewer and Telecoms	Connection to existing mains in Darling Street, and reticulation through the site

1 Estimate

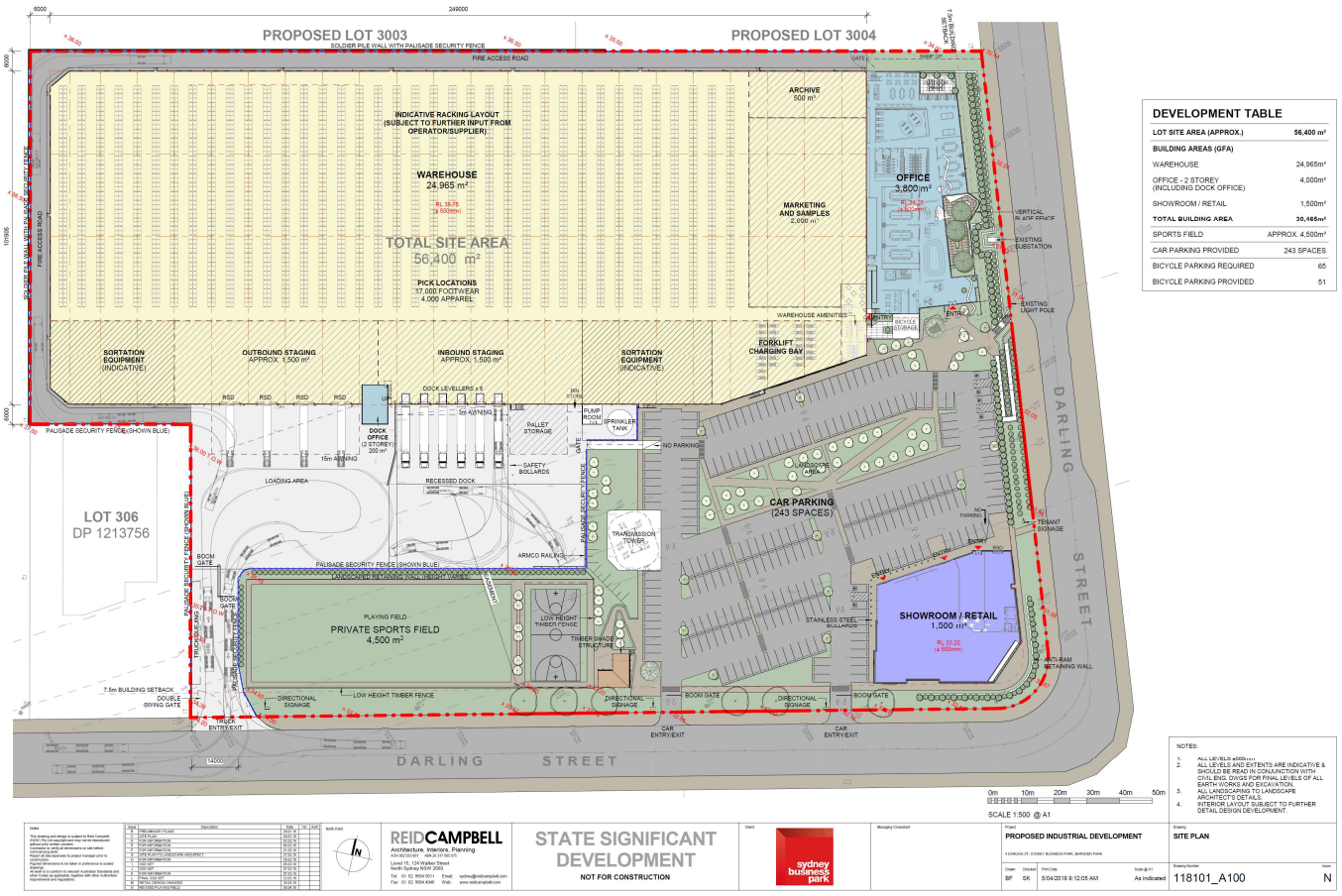


Figure 3.1: *Site Plan (Source: Reid Campbell)*

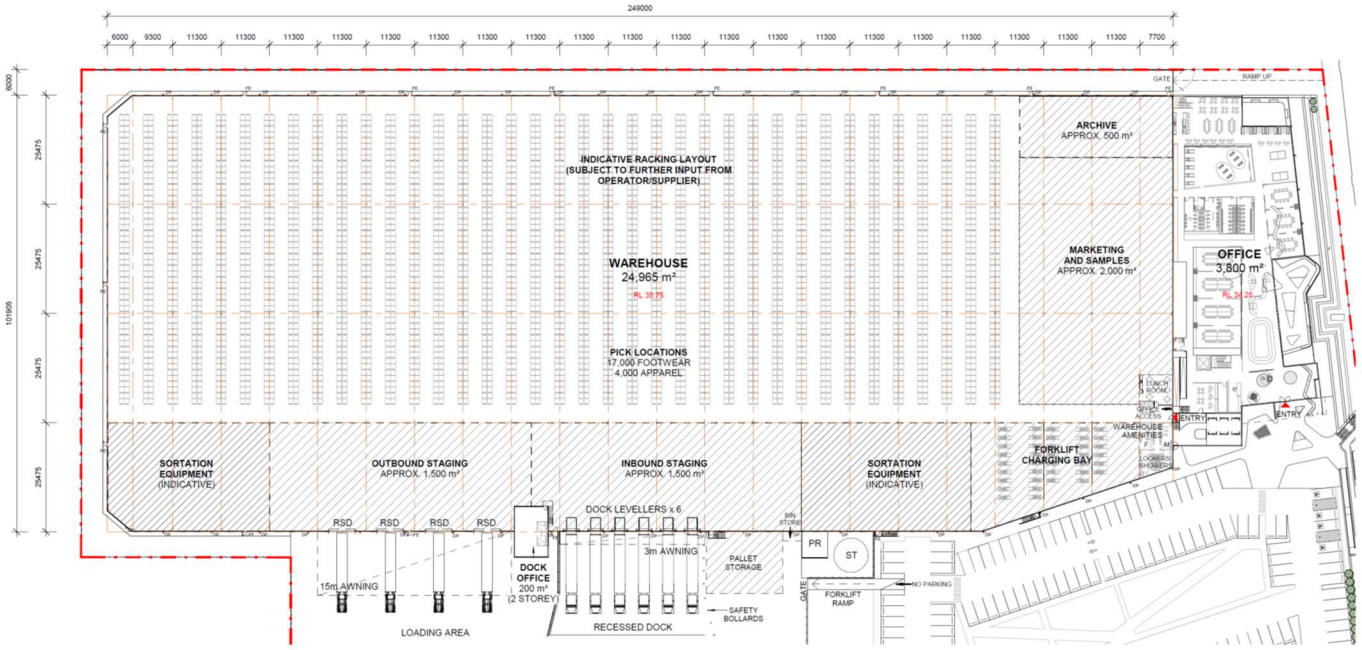


Figure 3.2: *Floor Plan – Warehouse (Source: Reid Campbell)*

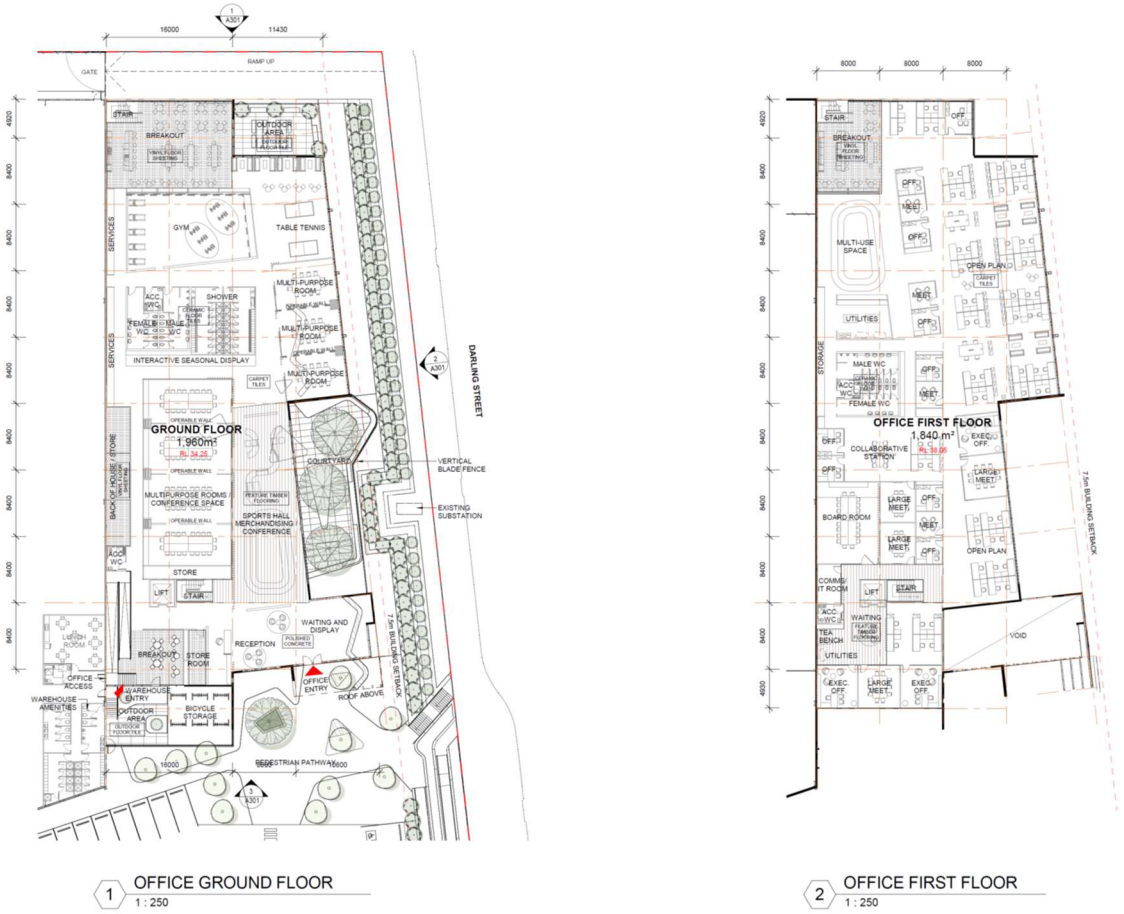


Figure 3.3: *Floor Plan – Office (Source: Reid Campbell)*

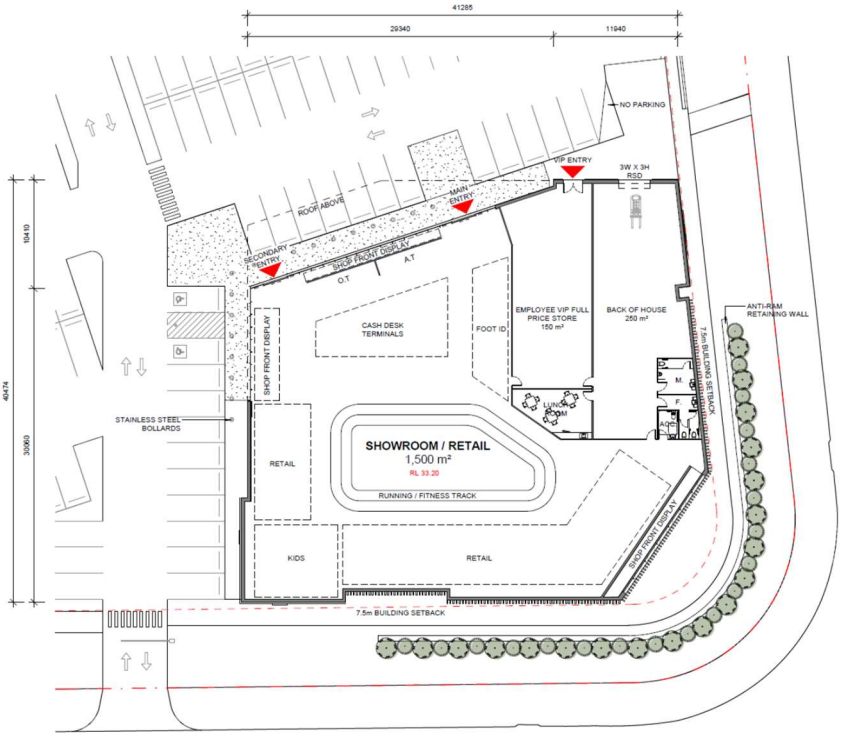


Figure 3.4: *Floor Plan – Showroom and Retail Outlet (Source: Reid Campbell)*

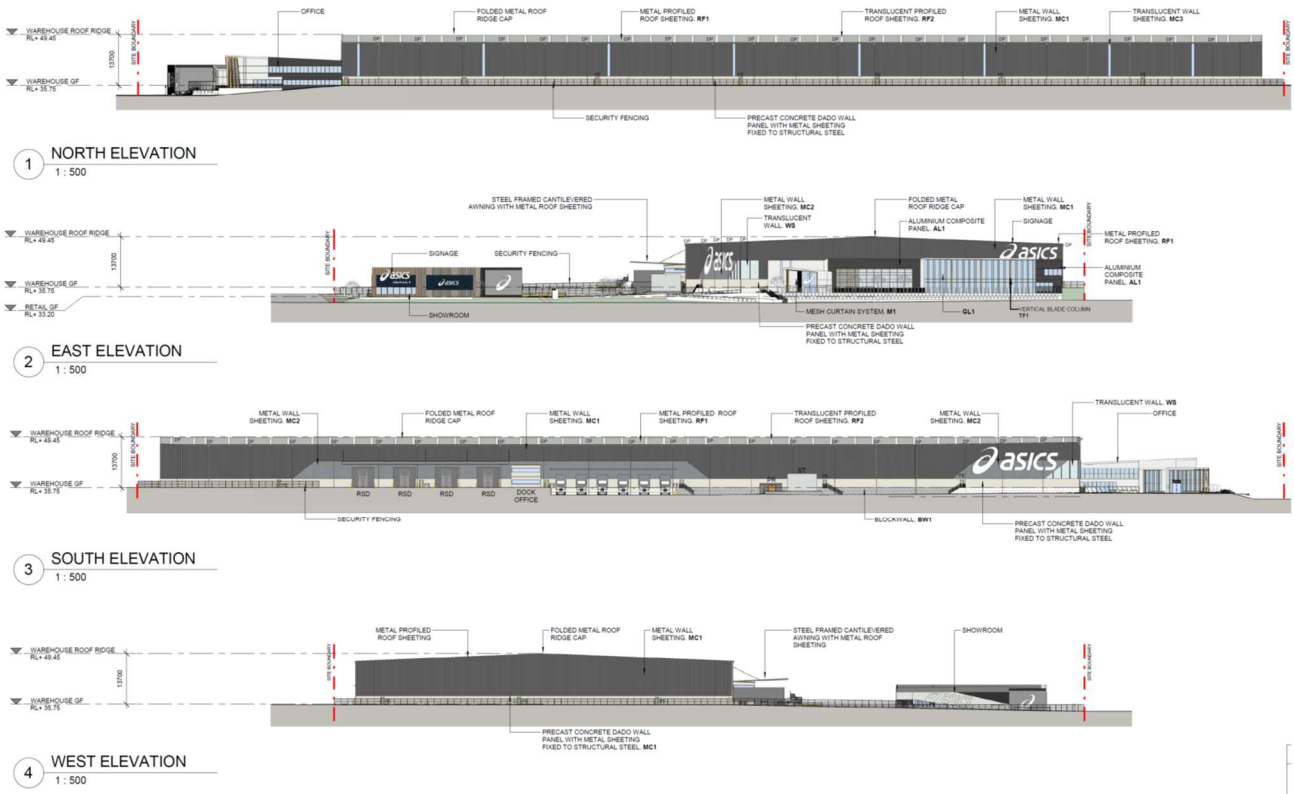


Figure 3.5: *Representative Elevations – Warehouse (Source: Reid Campbell)*

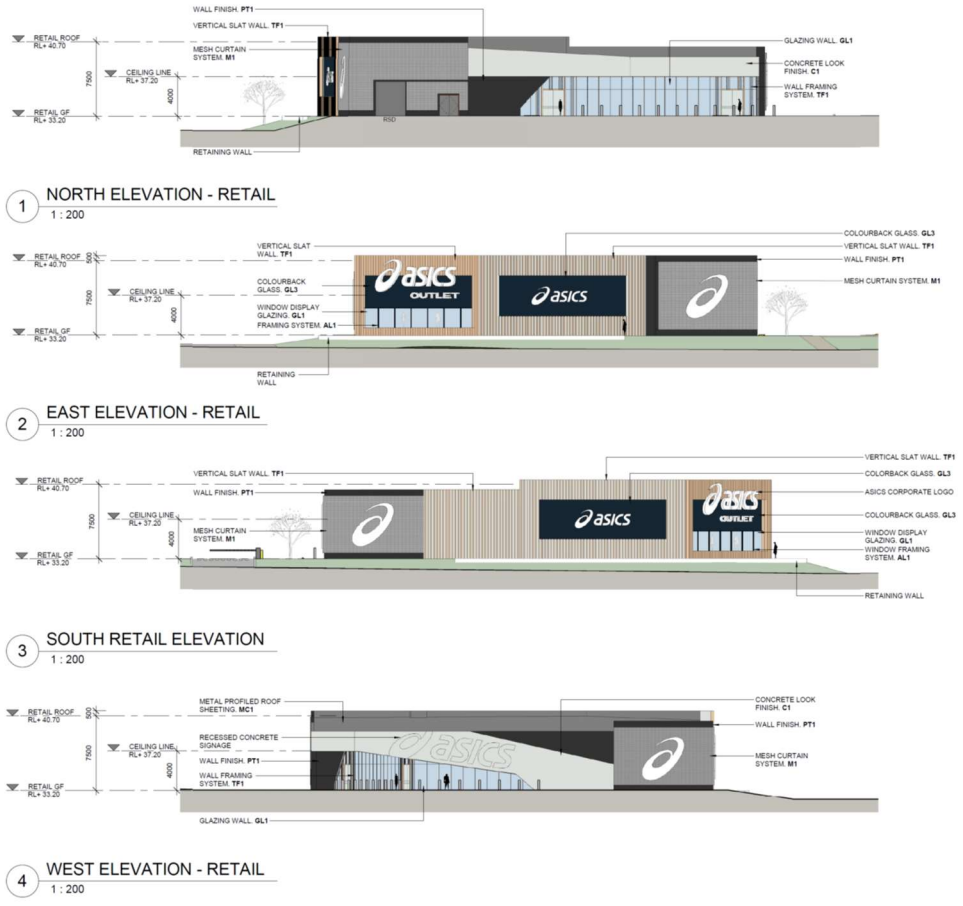


Figure 3.6: *Representative Elevations – Showroom and Retail Outlet (Source: Reid Campbell)*

Figure 3.7: *Representative Perspectives (Source: Reid Campbell)*

3.2 Subdivision, Demolition and Earthworks

As outlined above, Sydney Business Park is undertaking all subdivision, demolition, site clearing and bulk earthworks required for the proposed development under separate approval (see Section 2.2). These works will deliver a cleared, benched and level site ready for the development of the ASICS Facility.

The proposal does involve some detailed earthworks required for the construction of the facility foundations and site infrastructure. Relatively low masonry retaining walls of varying height would be constructed along sections of the (see **Figure 3.8**):

- northern and western site boundaries (up to approximately 2.5 metres in the north-west corner);
- eastern site area, including a series of 3 low decorative walls (generally less than 1 metre) in the setback area near the office; and
- southern area between the loading dock and sports playing fields (generally less than 1 metre).

3.3 Facility Description

The proposed ASICS Facility comprises two buildings separated by the existing Transgrid easement that traverses through the southern portion of the site. The northern building would accommodate the main warehouse and manufacturing areas and the 2-level ancillary office, while the smaller single-level southern building on the corner of Darling Street would accommodate the showroom and retail outlet.

A development schedule outlining the building elements, and the associated areas and heights, is presented in **Table 3.2** below.

Table 3.2: *ASICS Facility Development Schedule*

Aspect	***Detail***
Site Area	56,400 m^2
Building Areas	
- Warehouse	24,965 m^2
- Ancillary Office (2 levels)	4,000 m^2
- Showroom and Retail Outlet	1,500 m^2
- Total Building Area[1]	30,465 m^2
Awning Area	875 m^2
Hardstand Area (heavy duty + light duty)	15,701 m^2
Landscaping Area[2]	7,680 m^2
Site Cover (inc. awnings)	53%
Floor Space Ratio	54%
No. Office Levels	2
Max. Building Height	13.7 m
Minimum Building Setbacks	
- Darling Street	7.5 m
Parking Spaces	243 car spaces (including 6 disabled) Plus bicycle spaces

1 Including northern building (28,965m^2) and southern building (1,500m^2)

2 Including private sports playing field, court and 72m^2 timber shade structure, covering a total area of approx. 4,500m^2

The warehouse component of the facility would be used for the storage and distribution of ASICS sporting goods throughout NSW and beyond. The facility may also include some relatively minor research and development and light industrial processes (eg. printing) associated with the warehousing and distribution of these goods.

The two-storey ancillary office would be attached to the eastern side of the main warehouse building, and would be used to provide administrative support for the business, with the facility representing ASICS' Australian headquarters.

The detached showroom and retail outlet would be located in the south-eastern corner of the site, separated from the warehouse by the Transgrid easement. It would be used for the display, demonstration and sale of ASICS' sporting goods stored within the warehouse. It would also be used for small scale promotional activities associated with ASICS' sporting products[2].

The private sports playing field and court would be located within the Transgrid easement in the southern area of the site, and would be used for product testing, demonstration, small scale promotional activities and private recreation. The area would be made accessible by visitors to the facility and retail outlet under supervision, but would not be open to the general public. The area would include a turfed multi-use playing field, an acrylic hardcourt surface multi-use court, and a 72m^2 timber shade structure. The area would be surrounded by a low height (approx. 1.1m) timber picket fence.

An assessment of the facility's compliance with the Building Code of Australia (BCA) is attached as **Appendix E**. An assessment confirming the facility's compliance with minimum clearance requirements for the Transgrid easement is attached as **Appendix F**.

[2] Promotional activities in the retail facility and playing fields may include occasional meet-and-greets with sports stars and other marketing opportunities such as photo shoots, and trials of sporting shoes and equipment – similar to those undertaken in other retail facilities.

3.4 Hours of Operation

The proposed ASICS Facility would operate up to 24 hours a day, 7 seven days a week, 365 days a year. These hours are consistent with the approved hours of operation for other industrial uses in Sydney Business Park.

The showroom and retail outlet would operate between 7am to 9pm, 7 days a week. Supervised visitor access to the outdoor playing fields and court would be made available during similar hours.

Construction works for the development would be undertaken in accordance with the hours as stipulated in EPA's *Interim Construction Noise Guideline*, namely:

- 7:00am to 6:00pm Monday to Friday;
- 8:00am to 1:00pm Saturdays; and
- no work on Sundays or public holidays.

Construction works that are inaudible at surrounding receivers may be undertaken outside these times

3.5 Capital Investment

The development has a total capital investment value of approximately $54 million (exc. GST).

3.6 Employment

It is estimated that the ASICS Facility would provide employment for approximately 185 people (full-time equivalents) once operating, including:

- 65 warehouse staff;
- 100 administration staff; and
- 20 showroom and retail outlet staff.

The project would generate approximately 150 jobs (full-time equivalents) during the construction phase, which is expected to extend over a period of approximately 12 months.

3.7 Infrastructure and Services

3.7.1 Access and Road Network

Site Access and Internal Circulation

Vehicular access to the ASICS Facility would be provided via Darling Street, which fronts both the eastern and southern sides of the site.

Truck access and egress would be provided via a driveway in the south-west corner of the site, with ample (approx. 45 metres) queuing space provided between the street entrance and the security gates to ensure that trucks do not queue on the public road network. The facility has been designed to accommodate truck sizes up to and including B-double vehicles. Access for emergency vehicle access would be provided around the perimeter of the warehouse facility.

Passenger vehicle access to the main car park, showroom and retail outlet would be provided from Darling Street via 2 separate driveways along the southern frontage. Access for staff would be provided via the western driveway, while access to the showroom and retail outlet would be provided via the eastern driveway.

A network of pedestrian pathways would be provided to enable efficient access between the warehouse, ancillary office, showroom and retail outlet, private sports playing field and the car park.

External Roadworks
No external roadworks are required for the development, which are being undertaken by Sydney Business Park under separate approval.

Parking and Loading
A total of 243 car parking spaces would be provided (including 6 disabled spaces) in the main car park in the south-eastern area of the site.

The car park has been designed to provide a natural delineation between staff parking areas and visitor parking areas to the showroom and retail outlet, which would be further reinforced by signage. A total of 185 parking spaces would be provided for staff, and 58 spaces provided for visitors to the showroom and retail outlet. The car park has also been designed to avoid parking within the central portion of the Transgrid easement, to avoid potential conflicts with the easement.

The facility would provide ample loading facilities to service the warehouse facility, with these loading facilities located on the southern façade of the building. The showroom and retail outlet would be serviced directly from the warehouse, and would include a roller shutter door and back-of-house area in the northern part of the building to allow efficient loading and storage.

The loading areas and internal circulation have been designed so that all vehicles can enter and exit the site in a forward direction.

All parking spaces would be appropriately sealed and linemarked in accordance with Australian Standards (AS2890).

3.7.2 Stormwater Drainage

Stormwater management for the development has been designed in a manner that is consistent with Council's standards. The proposed stormwater management infrastructure is shown on **Figure 3.8** (and **Appendix D**), and would include (generally from upstream to downstream):

- rainwater harvesting tank (250kL below-ground tank) draining part of the warehouse and office roof, for re-use in toilet flushing and irrigation;
- primary treatment to parking and hardstand areas via the provision of Stormwater360 S200 Enviropod (or equivalent) pit inserts;
- secondary treatment to roof and hardstand areas via the provision of three Stormwater360 'Jellyfish' (or equivalent) gross pollutant traps, with the devices servicing the northern, eastern and southern catchments on site; and
- stormwater pits, pipes and drains to direct stormwater, prior to discharge to the estate stormwater system.

It is noted that on-site detention (OSD) is not required for the development, as precinct-based OSD has been provided by Sydney Business Park as part of the wider estate works.

Stormwater management is discussed further in Section 6.2.

3.7.3 Other Services

The facility would be connected to reticulated services (including potable water, sewer, electricity and telecommunications) in Darling Street, which are adequate to accommodate the demand from the development. No on-site fuel storage is proposed (other than LPG tanks for forklifts).

As discussed in Section 3.8 below, the development includes a number of water savings measures which would significantly reduce potable water use on the site.

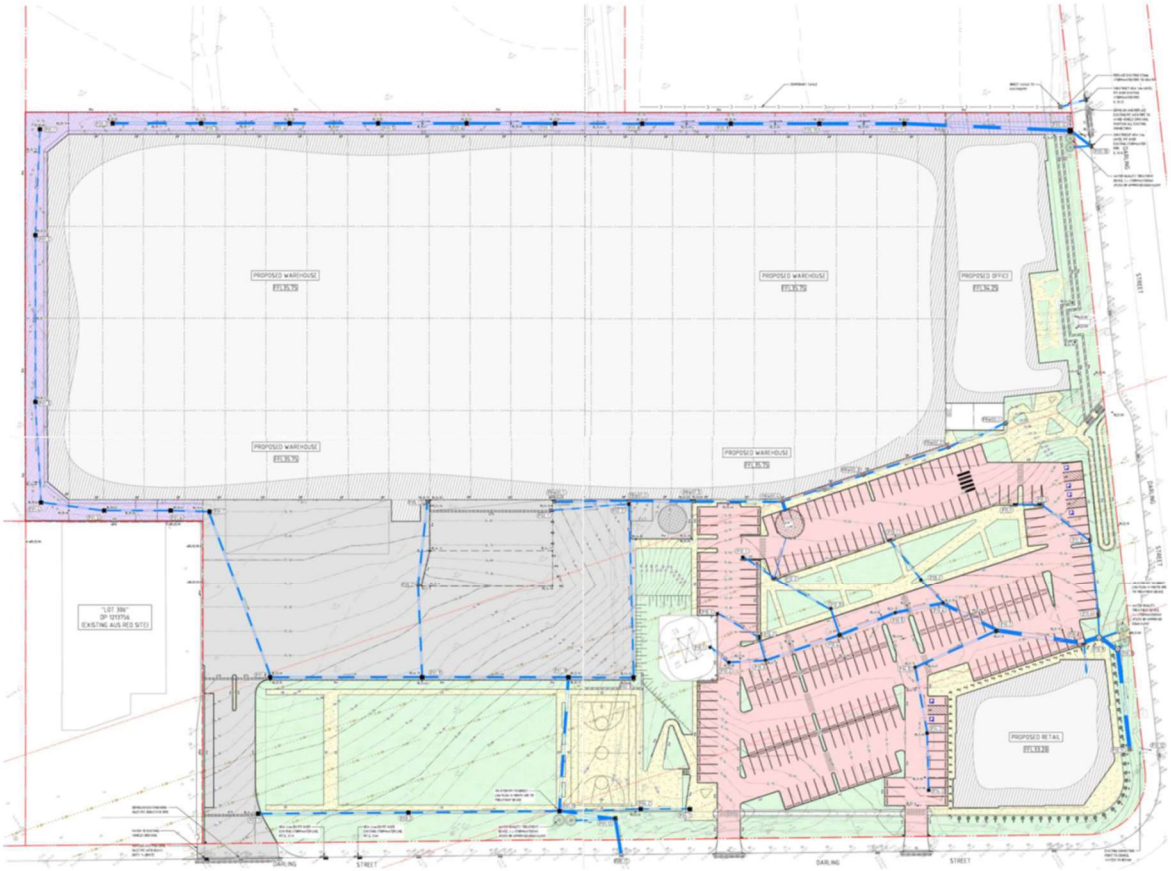


Figure 3.8: *Concept Stormwater Management Plan (Source: Northrop)*

3.8 Resource Use Management

3.8.1 Energy Conservation

The development includes a number of energy savings measures, including:

Passive measures:

- use of translucent roof sheeting (approx. 10%) to the warehouse to maximise natural lighting;
- maximising natural lighting to the offices; and
- use of performance glazing, eves or shading to protect windows and loading areas from summer sun;

Active measures:

- roof and facility insulation (in accordance with BCA requirements);
- use of low energy and LED lighting; and
- use of energy efficient plant, equipment and appliances.

3.8.2 Water Conservation

The development includes a number of water savings measures, including:

- roof rainwater harvesting tank (250kL tank) servicing the warehouse building, for use in toilet flushing and/or irrigation. The tank has been designed to cater for at least 80% of the water demand for these uses;
- installation of water efficient (4-star) fixtures to all sanitary fixtures; and
- adoption of water efficient landscaping techniques, including:
    - draining hardstand areas to soft landscaping areas where feasible and practical;
    - incorporating water efficient native landscaping species and mulched beds; and
    - installation of water efficient irrigation systems.

3.9 Landscaping

Landscaping would be undertaken in accordance with the Landscape Plan prepared for the proposed development by Coco Design Landscape (see **Appendix C**).

As outlined above, the landscaping includes the development of a 4,500m^2 private sports playing field and court within the Transgrid easement area. The area would include a turfed multi-use playing field, an acrylic hardcourt surface multi-use court, and a 72m^2 timber shade structure. The area would be surrounded by a low height (approx. 1.1m) timber picket fence.

Refer to Section 6.1 for detail on the landscaping principles.

3.10 Fencing, Lighting and Security

Security and other fencing would include:

- palisade fencing to the street frontages (it is noted that fencing to the street frontages has been minimised and would be kept behind the building line);
- palisade fencing or black vinyl coated chainwire fencing to other boundaries; and
- low height (approx. 1.1m) timber picket fence around the private sports playing field.

All fencing would be sited so it does not impede sight lines for drivers, and would be co-ordinated with the landscape, signage and lighting design.

The facility would include a range of other security installations, including:

- security gates, bollards and retaining walls to control vehicular entry;
- security personnel;
- a closed circuit TV security network;
- security lighting; and
- an internal security authorisation system.

All external lighting would be installed in compliance with *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*.

It is noted that the private sports playing field would not include night lighting, and the multi-use court would not be separately fenced (other than the fencing described above).

3.11 Signage

The ASICS Facility would include business identification signage (as façade mounted signs and pylon signs) and directional signage, as indicated on the architectural design plans (see **Appendix B**).

Two 'Type 1' pylon signs with maximum dimensions of 5m height by 2m width would be located within the setback to Darling Street to the south-west and north-east of the showroom and retail outlet. Three 'Type 2' pylon signs with maximum dimensions of 3m height by 1.1m width would be located adjacent the site entries along the southern frontage of the site. Façade mounted signs would be located on the eastern and southern sides of the warehouse and showroom and retail outlet buildings.

The signage would be illuminated (either internally or externally) up to 24 hours a day, 7 days a week.

4 PLANNING CONTEXT

4.1 Strategic Context

4.1.1 A Plan for Growing Sydney

A Plan for Growing Sydney, released in December 2014, is the State Government's long term planning blueprint for the Sydney Metropolitan Area for the next 20 years. It caters for the creation of 689,000 extra jobs over the period to 2034, with a considerable portion of these planned to be provided in Western Sydney. The Plan includes a vision for Western Sydney that will secure the city's productivity into the future – so that Western Sydney can meet its full potential, build strong centres and be an even greater place to live.

Sydney Business Park is identified in the Plan as part of Sydney's existing employment lands (see **Figure 4.1**). In this regard, the business park forms an integral component of the Plan's goal of creating additional jobs in Western Sydney.

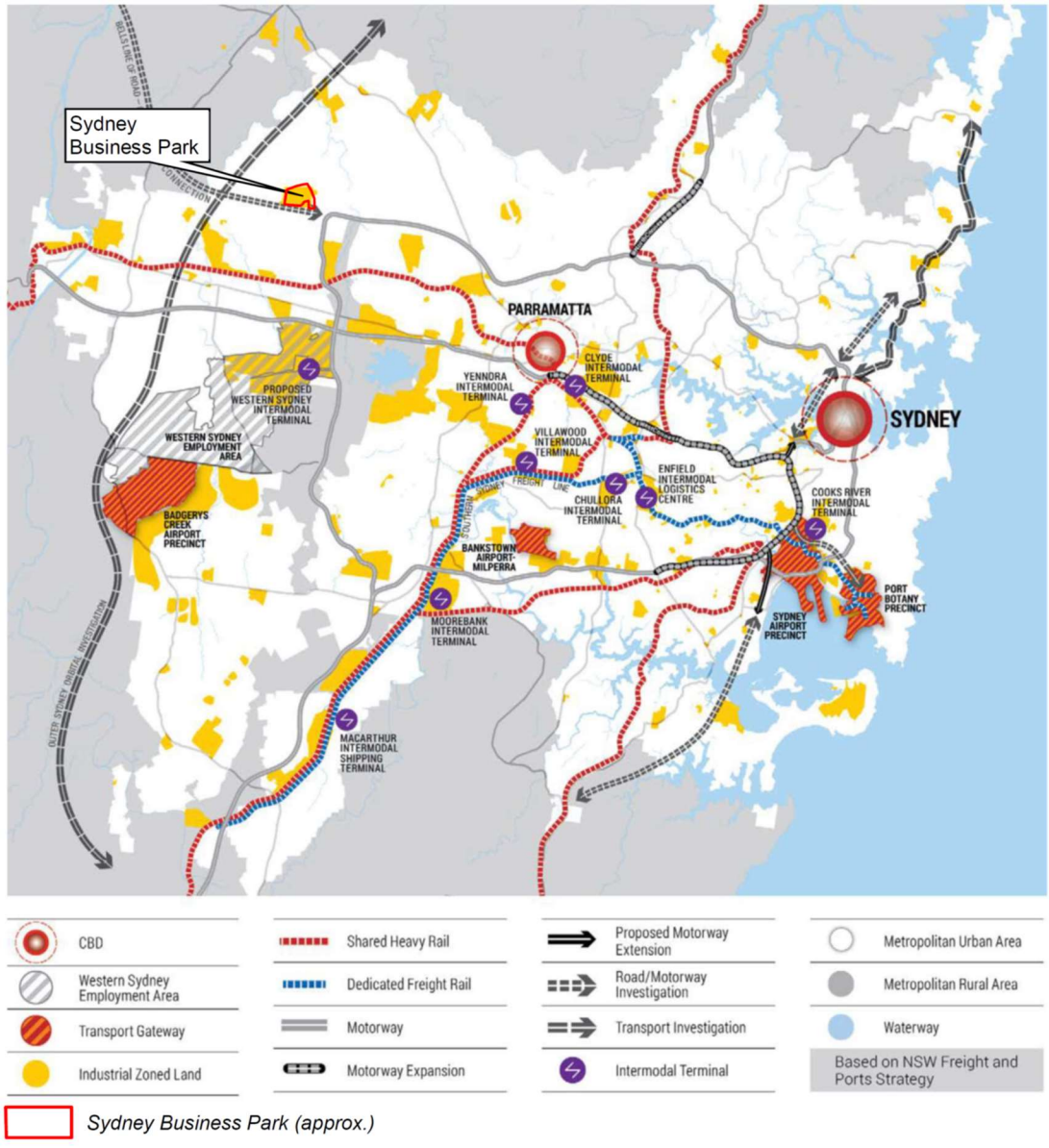


Figure 4.1: *Sydney's Key Industrial Land and Transport Network (Source: A Plan for Growing Sydney)*

It is considered that the ASICS Facility is wholly consistent with the Plan's balanced growth and productivity strategies, and is able to be conducted in a manner that is consistent with all other aspects of the Plan.

4.1.2 Other Strategic Plans

A number of other strategic plans are of some relevance to the development, including:

- *Draft Greater Sydney Region Plan* – This plan is being prepared to support the vision for a metropolis of three cities, including a Western Parkland City, Eastern Harbour City and a Central River City centred around Parramatta City (of which the site is located within). The plan will seek to rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney;
- *Draft Central City District Plan* – This plan is being prepared to provide a 20-year plan to manage growth and achieve the 40-year vision for the district, while enhancing Greater Sydney's liveability, productivity and sustainability into the future;
- *North West Land Use and Infrastructure Implementation Plan* – This plan sets out a number of key actions to support the delivery of new homes and jobs in the North West Priority Growth Area. These actions include:
    - Provide more land supply for new homes;
    - Protect and plan for major transport corridors;
    - Manage residential densities to align with infrastructure;
    - Protect assets and plan for evacuation;
    - Transfer more planning controls back to local councils;
    - Simplify planning controls within the Blacktown precincts in the North West Priority Growth Area;
    - Review infrastructure requirements and accelerate funding for capital works; and
    - Improve pedestrian, cycle and green connectivity;
- *NSW 2021* – the State's 10 year plan to rebuild the economy, provide quality services, renovate infrastructure, restore government accountability, and strengthen our local environment and communities;
- *NSW Long-Term Transport Master Plan* – the NSW Government's 20-year vision for the delivery of a world-class public transport, roads and freight network to the State;
- *NSW Freight and Ports Strategy* – the NSW Government's 20 year road map that will ensure freight is at the forefront of our economy, by providing a transport network that allows the efficient flow of goods to their market;
- *Sydney's Walking Future* – providing a plan to make walking the transport choice for quick trips under two kilometres and helping people access public transport;
- *Sydney Cycling Future* – a plan to encourage cycling as a priority transport choice; and
- *Planning Guidelines for Walking and Cycling* – providing guidelines to assist communities and the development industry to improve planning for walking and cycling.

The ASICS Facility project has been prepared in a manner that is broadly consistent with the aims, objectives and provisions of these strategic plans, including:

- generating considerable capital investment ($54 million) and job creation (some 185 operational jobs) in Western Sydney, thereby facilitating the NSW Government's goal of generating more jobs and investment closer to home;
- providing a world-class, integrated warehouse and distribution facility in Western Sydney that provides for the Australian headquarters of one of the world's most iconic sporting goods companies;
- providing a modern warehouse and distribution centre with efficient and direct access to Sydney's arterial road network, which would facilitate the efficient movement of freight; and
- provision of facilities to encourage the use of public transport, walking, cycling and healthy living.

4.2 Statutory Context

4.2.1 State Significant Development

The proposal is classified as State Significant Development under Part 4, Division 4.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), as it involves development with a capital investment value of more than $50 million for the purposes of warehousing and distribution, and therefore triggers the criteria in Clause 12 of Schedule 1 of *State Environmental Planning Policy (State and Regional Development) 2011*.

Consequently, the Minister for Planning is the consent authority for the proposed development.

4.2.2 Permissibility

The site forms part of the Marsden Park Industrial Precinct located within the North West Growth Centre, with land use planning regulated predominately under the Marsden Park Industrial Precinct Plan (the Precinct Plan) in Appendix 5 of the *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* (the Growth Centres SEPP). The site is zoned IN2 Light Industrial under the SEPP's Precinct Plan (see **Figure 4.2**).

The proposed ASICS Facility represents development for the purpose of warehousing and distribution and/or light industry. The Precinct Plan provides that development for these purposes is permissible with consent in the IN2 zone.

The office component of the development is considered to be ancillary and subservient to the dominant warehousing and light industrial purposes, and is therefore permissible as part of the development.

The showroom and retail outlet are also considered to be ancillary to the dominant uses, particularly for a state-of-the-art warehouse facility such as the ASICS Facility that seeks to integrate operations and showcase the company's range of goods in a high quality setting. However, it is acknowledged that these uses are not wholly subservient to the warehousing and light industrial uses.

In this regard, retail premises are prohibited in the IN2 zone[3]. However, under section 4.38(3) of the EP&A Act, the Minister may grant consent to State Significant Development that is partly prohibited by an environmental planning instrument. Consequently, the Minster may approve the showroom and retail outlet as part of the development.

It is considered that there are good environmental planning grounds to justify approving the proposed showroom and retail outlet as part of the development, particularly as the retail outlet would:

- comprise a minor component of the overall ASICS Facility, with the gross floor area of the building representing less than 3% of the site area and 5% of the total site building area. The area of the building that would be used for retailing purposes (ie. approx. 900m^2) represents only 1.6% of the site area;
- integrate ASICS' operations and assist in showcasing the company's range of outdoor sporting goods to the community in a high quality setting;
- assist in activating the site and improving the overall design quality and visual amenity of the warehouse facility;
- assist in creating a landmark architectural statement of the corner of Darling Street, with the site having quality views across the open space associated with the precinct stormwater basin;

[3] 'Industrial retail outlets' are permissible in the IN2 zone as an innominate purpose, however the proposed retail outlet does not meet the definition of an industrial retail outlet (as per the SEPP's Dictionary), as the proposed outlet does not involve retailing of goods manufactured on the site, and the outlet is proposed to be used in conjunction with a warehouse and distribution facility.

- make beneficial use of this corner of the site, which is otherwise constrained by its small size and the presence of the Transgrid easement;
- be compatible with other retail and business facilities in Sydney Business Park, including the Lindt Facility (including its industrial retail outlet) directly to the south, the proposed Marsden Park Trade Centre directly to the south-east, and the business-zoned land directly to the north; and
- enable ASICS to demonstrate its goods to the public and undertake promotional activities associated with the company's range of community, sponsorship and healthy-living programs, which would benefit the people of Western Sydney.

The private sports playing field and court are also ancillary to the dominant uses of the facility. These aspects of the proposal are considered to represent development for the purpose of private open space, which is permissible as an innominate purpose in the IN2 zone.

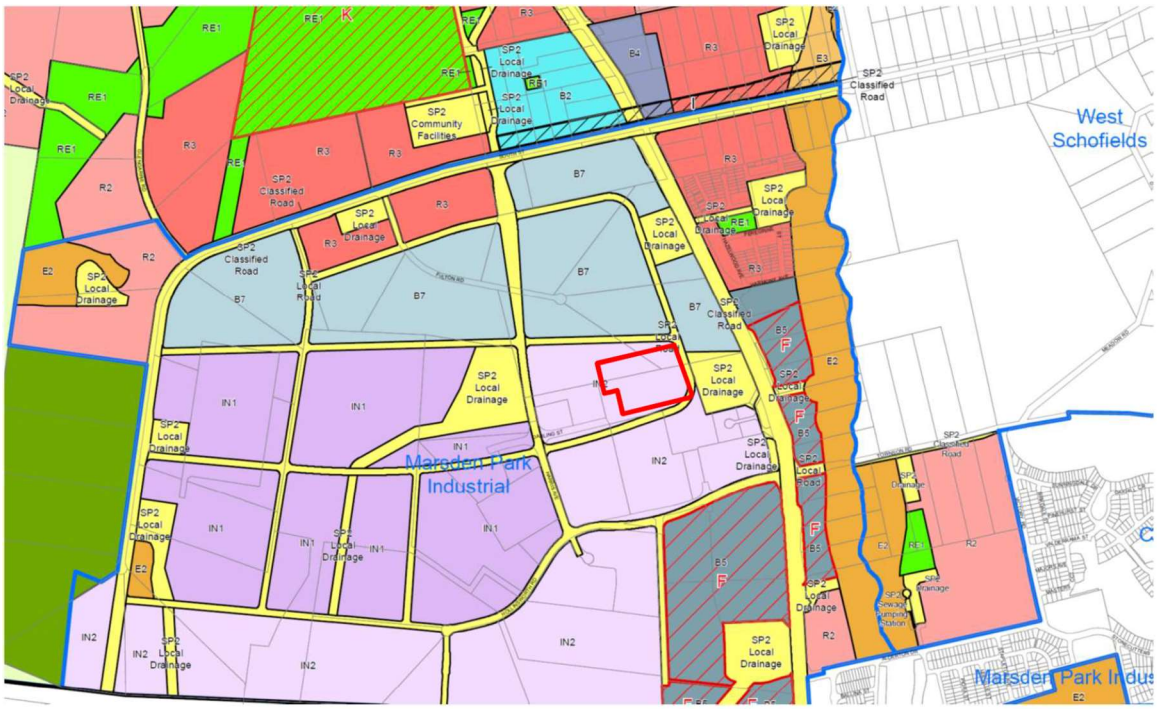


Figure 4.2: *Zoning Plan (Source: Growth Centres SEPP, Map LZN_005)*

4.2.3 Objects of the Act

Development under the EP&A Act is required to have regard to the objects set out in Section 1.3 of the Act. The proposal is considered to be consistent with the objects of the Act, the most relevant of which are reproduced below:

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources – the proposal is located within an existing industrial estate and is not expected to adversely affect the State's natural and other resources;

(b) to facilitate ecologically sustainable development (ESD) by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment – the proposal is consistent with the principles of ESD, including:

- *the precautionary principle* – the proposed development is not predicted to pose any threat of serious or irreversible environmental damage;
- *inter-generational equity* – the proposed development is not predicted to adversely affect the health, diversity and productivity of the environment for the benefit of future generations;

- *conservation of biological diversity and ecological integrity* – the proposed development is not predicted to have any significant adverse impacts on biodiversity; and
- *improved valuation, pricing and incentive mechanisms* – the project is consistent with this principle.

(c) *to promote the orderly and economic use and development of land* – the proposal facilitates the generation of significant economic activity and jobs in an existing industrial estate, and in an environmentally acceptable and orderly manner;

(e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats* – the proposal is not expected to result in any significant adverse environmental or biodiversity impacts;

(f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)* – the proposal is not expected to result in any adverse heritage impacts;

(g) *to promote good design and amenity of the built environment* – the proposed facility has been designed to a high standard with quality architecture, materials and generous open space; and

(h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants* – the proposed facility has been designed in accordance with the requirements of the BCA and in a manner that provides for safe and efficient access and circulation.

4.3 Environmental Planning Instruments

The following environmental planning instruments are relevant to and have been considered during the preparation of the EIS:

- *State Environmental Planning Policy (SEPP) No.33 – Hazardous and Offensive Development;*
- *SEPP No.55 – Remediation of Land;*
- *SEPP No.64 – Advertising and Signage;*
- *SEPP (Infrastructure) 2007;*
- *SEPP (State and Regional Development) 2011; and*
- *SEPP (Sydney Region Growth Centres) 2006*.

Consideration of these instruments is provided below. Based on this assessment it is considered that the development is able to be conducted in a manner that is consistent with the aims, objectives and provisions of all of the applicable instruments.

SEPP No.33 – Hazardous and Offensive Development

SEPP 33 provides definitions for hazardous and offensive industry to enable decisions on developments to be made on the basis of merit, rather than on industry type per se.

The ASICS Facility is proposed to be used for the storage and distribution of general consumer goods. Whilst the facility may store minor amounts of dangerous goods (eg. LPG tanks for forklifts, cleaning chemicals), any such storage would not exceed the screening thresholds in the Department of Planning & Environment's *Applying SEPP 33* guidelines (see Section 6.8).

Consequently, the facility is not considered to constitute a 'potentially hazardous industry' or 'potentially offensive industry', and the development is able to be conducted in a manner that is consistent with the aims, objectives and provisions of SEPP 33.

SEPP No.55 – Remediation of Land

SEPP 55 aims to provide for a statewide planning approach to the remediation of contaminated land, and in particular, to promote the remediation of contaminated land for the purpose of reducing risk of harm to human health or any other aspect of the environment.

Clause 7 of the SEPP requires a consent authority to consider whether the land to which a development application relates is contaminated, and if the land is contaminated, to be satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation), prior to granting consent.

The potential for site contamination on the subject land has been assessed, which found that the land is not contaminated and is fit for the intended industrial use (see Section 6.2 for detail). As such, the development is able to be conducted in a manner that is consistent with the aims, objectives and provisions of SEPP 55.

SEPP No.64 – Advertising and Signage

SEPP 64 aims to ensure that any signage associated with a development, including any advertisement, that is visible form a public place is compatible with the desired amenity and visual character of an area, provides effective communications in suitable locations, and is of a high quality and finish.

The development would involve business identification signs as defined in the policy. Clause 8 of the SEPP requires that a consent authority must not grant consent to an application to display signage unless it is satisfied that the signage:

- is consistent with the aims and objectives of the SEPP (as outlined above); and
- satisfies the assessment criteria in Schedule 1 of the SEPP.

A review of the proposed indicative signage in relation to the assessment criteria in Schedule 1 of the SEPP is provided in the following table. Based on this review it is considered that the proposed signage is consistent with the aims, objectives and assessment criteria of SEPP 64.

Table 4.1: *Consideration of SEPP 64 Assessment Criteria*

Aspect	***Assessment Criteria and Consideration***
Character of the area	• *Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?* • *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?* The proposed signage is considered to be compatible with the industrial/commercial nature of Sydney Business Park and the key visual catchment, as well as with signage on surrounding industrial buildings. The signage is of similar proportion as other business signs in the business park, which typically involve building identification and/or business identification façade signage. The signage would assist in place marking the facility and activating the streetscape to Darling Street, and in enhancing the overall quality of the estate.
Special areas	• *Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?* The proposed signage would not be visible from any special areas. As outlined above the site is located within Sydney Business Park and surrounded by industrial and infrastructure (drainage) lots of the business park on all sides. The signage is not expected to detract from the amenity of the precinct stormwater basin to the east of the site (Basin I).

Aspect	*Assessment Criteria and Consideration*
Views and vistas	• *Does the proposal obscure or compromise important views?* • *Does the proposal dominate the skyline and reduce the quality of vistas?* • *Does the proposal respect the viewing rights of other advertisers?* The site is located within Sydney Business Park and surrounded by business park lots on all sides. The signage would all be located below the maximum building height of the site and would not obscure or compromise any important views, or dominate the skyline. The signage would be located within the site boundaries, and would not affect the viewing rights of other land users or advertisers.
Streetscape, setting or landscape	• *Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?* • *Does the proposal contribute to the visual interest of the streetscape, setting or landscape?* • *Does the proposal reduce clutter by rationalising and simplifying existing advertising?* • *Does the proposal screen unsightliness?* • *Does the proposal protrude above buildings, structures or tree canopies in the area or locality?* • *Does the proposal require ongoing vegetation management?* The scale, proportion and form of the signage has been designed to integrate with the scale of the ASICS Facility and its setting. The signage would provide a consistent theme across the facility to ensure that the signage contributes to, and integrates with, the architectural merit of the facility. The proposed signage would not protrude above the prevailing height of buildings, structures and tree canopies in the area, and would not require ongoing vegetation management.
Site and building	• *Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?* • *Does the proposal respect important features of the site or building, or both?* • *Does the proposal show innovation and imagination in its relationship to the site or building, or both?* The signage is consistent with the scale and proportion of the site and the proposed building. The signage dimensions have been designed to be compatible with the overall design of the facility, and provide a high quality, consistent theme for the facility.
Associated devices and logos	• *Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?* Ancillary signage features would be hidden and/or integrated into the signage design.
Illumination	• *Would illumination result in unacceptable glare?* • *Would illumination affect safety for pedestrians, vehicles or aircraft?* • *Would illumination detract from the amenity of any residence or other form of accommodation?* • *Can the intensity of the illumination be adjusted, if necessary?* • *Is the illumination subject to a curfew?* The proposed 24 hour, 7 day illumination of the signage is compatible with the approved 24/7 operations for industrial facilities within Sydney Business Park. The illumination is

Aspect	*Assessment Criteria and Consideration*
	not expected to result in any adverse safety or amenity issues, given that the site is within Sydney Business Park, is surrounded by industrial or infrastructure zoned land, and is not in proximity to any residential receivers. All external lighting would be installed in accordance with *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*.
Safety	• *Would the proposal reduce the safety for any public road?* • *Would the proposal reduce the safety for pedestrians or bicyclists?* • *Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?* The proposed signage is not expected to result in any safety issues on local roads within Sydney Business Park including Darling Street and Richmond Road, given the nature of the signage and its location.

SEPP (Infrastructure) 2007

SEPP (Infrastructure) 2007 aims to facilitate the effective delivery of infrastructure across the State.

Clause 45 of the SEPP applies to development in the vicinity of electricity easements and ensures that the relevant electricity service provider is given the opportunity to make representations on the development application before a consent authority makes a determination on the proposal.

A 60 metre wide 330kV Transgrid high voltage electricity easement traverses through the site. Consequently, the application will need to be referred to Transgrid for comment.

The proposal has been designed to avoid any building works in this area of the site, with the development in the easement restricted to car parking, hardstand and open space. Carparking within the central component of the easement (ie. that area beneath the powerlines) has been minimised as far as practicable, and the facility has been designed to meet Transgrid's minimum clearance requirements (see **Appendix F**).

Clause 104 of the SEPP applies to traffic generating development and ensures that the Roads and Maritime Services (RMS) is given the opportunity to make representations on certain traffic generating development (as listed in schedule 3 of the SEPP) before a consent authority makes a determination on the proposal.

The development meets the thresholds in schedule 3 of the SEPP (ie. industrial facility over 20,000m^2, or parking for more than 200 cars), and is therefore considered to be traffic generating development for the purposes of the SEPP. Consequently, the application will need to be referred to RMS for comment.

A traffic assessment has been undertaken for the proposal, which indicates that the development is unlikely to result in any significant traffic impacts (see Section 6.7).

SEPP (State and Regional Development) 2011

SEPP (State and Regional Development) 2011 aims to identify developments of State or regional planning significance to which the approval and assessment process under the State significant provisions of the EP&A Act should apply.

As stated in Section 4.2.1 above, the development constitutes a class of development in Schedule 1 of the SEPP. Consequently, the Minister is the consent authority for the development.

SEPP (Sydney Region Growth Centres) 2006

The Growth Centres SEPP is the dominant environmental planning instrument applying to the site. As outlined in Section 4.1 above, Appendix 5 of the SEPP contains the *Marsden Park Industrial Precinct Plan* (the Precinct Plan), which provides the key development controls applicable to the site.

Part 4 of the Precinct Plan provides a number of principal development standards for development in the Marsden Park Industrial Precinct, and Parts 5 and 6 provide a number of additional applicable provisions. An assessment of the development against the relevant standards and provisions is provided in the following table.

As indicated in the table, it is considered that the development is able to be carried out in a manner that is consistent with all of the applicable standards and provisions of the SEPP.

Table 4.2: *Marsden Park Industrial Precinct Plan Compliance*

Clause	*Issue*	*Key Controls Summary*	*Complies*	*Comments*
4.1	Minimum Subdivision Lot Size	Applicable minimum lot size is 2,000m^2	Yes	• The proposal does not involve subdivision, but the site area (ie. 56,400m^2) nonetheless meets the standard
4.3	Height of Buildings	Applicable maximum building height for the site is 16 metres	Yes	• The proposed maximum building height (ie. 13.7m) is within the allowable maximum building height
4.4	Floor Space Ratio (FSR)	Applicable FSR for the site is 0.7:1	Yes	• The proposed facility has an FSR of 0.54:1
5.4	Miscellaneous Permissible Uses	Provides controls for certain permissible uses, including bed and breakfasts, home business, home industries, industrial retail outlets, farm stays, kiosks, neighbourhood shops, roadside stalls and secondary dwellings	Yes	• The proposed retail outlet does not meet the definition of an industrial retail outlet (as per the SEPP's Dictionary), as the proposed outlet does not involve retailing of goods manufactured on the site, and the outlet is proposed to be used in conjunction with a warehouse and distribution facility • The SEPP provides that industrial retail outlets are restricted to 40% of the gross floor area (GFA) of the building, or 400m^2, whichever is lesser. • The proposed showroom and retail outlet has a GFA of 1,500m^2, and constitutes 5% of the total building GFA
5.6	Architectural Roof Features	Provides controls for architectural roof features	Yes	• The proposed building does not involve architectural roof features above the maximum building height, and any rooftop plant would located so as to minimise obtrusiveness

Clause	*Issue*	*Key Controls Summary*	*Complies*	*Comments*
6.1	Public Utility Infrastructure	Requires consent authority to be satisfied that required infrastructure is or will be available	Yes	• All required infrastructure is or will be available for the development
6.4	Development Controls – Native Vegetation Retention Areas and Riparian Protection Areas	Requires consent, and provides standards, for clearing of native vegetation in mapped native vegetation retention areas (NVRA) and riparian protection areas (RPA)	Yes	• There are no mapped NVRAs or RPAs on or in the vicinity of the site, with the closest areas being about 300 metres to the east across Richmond Road, associated with Bells Creek (see **Figures 6.3** and **6.7**).
6.5	Development Controls – Existing Native Vegetation Areas	Restricts clearing in mapped existing native vegetation areas (ENVA)	Yes	• There is no mapped ENVA or in the vicinity of the site, with the closest areas being about 300 metres to the east across Richmond Road, associated with Bells Creek (see **Figure 6.7**).

4.4 Growth Centres Development Control Plan

The *Blacktown City Council Growth Centre Precincts Development Control Plan 2010* (the Growth Centres DCP) provides detailed guidance for development within the parts of the North West Growth Centre that are within the Blacktown LGA.

While DCPs do not strictly apply to State Significant Development[4], the Growth Centres DCP nevertheless provides guidance for development in Sydney Business Park. Provisions of the Growth Centres DCP of key relevance to the development include:

- Part 1, which provides a general introduction to the DCP;
- Part 2, which provides a number of development controls to achieve precinct-wide Precinct Planning Outcomes;
- Part 6, which provides detailed development controls relating to employment lands; and
- Schedule 3, which provides additional specific controls relating to the Marsden Park Industrial Precinct.

An assessment of the development against the applicable development controls in these parts is provided in the following table. It is noted that the controls in Part 2 generally relate to new subdivision, but consideration of the proposal against these controls is nevertheless provided for information purposes.

As indicated in the table, the proposed development complies with all of the development controls in the DCP, with the exception of car parking provision. This issue is discussed in detail in Section 6.7.

[4] Clause 11 of *SEPP (State and Regional Development) 2011* provides that DCPs do not apply to State Significant Development.

Table 4.3: *BCC Growth Centres DCP Compliance*

Clause	*Issue*	*Key Controls Summary*	*Complies (Yes or No)*	*Comments*
Part 2: Precinct Planning Outcomes				
2.2	Indicative Layout Plan	Requires development to be generally consistent with the Indicative Layout Plan (ILP), with any variations to be demonstrated to be consistent with the precinct planning vision.	Yes	• The proposal does not involve any subdivision or wider estate development, which is being undertaken separately by Sydney Business Park • The proposed development of the site is consistent with the ILP
2.3.1	Flooding and Water Cycle Management	Requires residential development to be generally above the 1% AEP flood level, and provides controls for flood affected land.	Yes	• The site is not flood affected – see Section 6.2
		Provides stormwater quantity and quality controls.	Yes	• The development is consistent with the stormwater criteria in the DCP – see Section 6.2
2.3.2	Salinity and Soil Management	Requires salinity reports and salinity management plans for applications in areas of potential salinity and soil aggressivity risk	Yes	• The site has some potential for saline soils, and a salinity management plan has been prepared for the industrial estate – see Section 6.2
		Requires soil and water management plans to be prepared	Yes	• A Stormwater Management Plan (including Erosion and Sediment Control Plan) has been prepared for the proposal – see Section 6.2
2.3.3	Aboriginal and European Heritage	Requires archaeological and heritage assessments for applications on land identified as having potential archaeological and heritage value	Yes	• Archaeological and heritage assessments have been undertaken for the wider estate, which have not identified any Aboriginal heritage items on the site – see Section 6.6
2.3.4	Native Vegetation and Ecology	Restricts clearing/development in riparian areas, other than for essential infrastructure	Yes	• The site is not in the vicinity of any riparian areas – see Section 6.2
		Restricts clearing of native vegetation, and requires development to avoid significant impact on the ecological values of the E2 Zone	Yes	• The proposal does not involve any native vegetation clearing – see Section 6.5
		Requires a landscape plan to be prepared	Yes	• A landscape plan has been prepared for the proposal – see Section 6.1
2.3.5	Bushfire Hazard Management	Requires Asset Protection Zones (APZs) and bushfire hazard management measures	Yes	• The site is not in the vicinity of any bushfire risk areas mapped in the DCP – see Section 6.8

Clause	*Issue*	*Key Controls Summary*	*Complies (Yes or No)*	*Comments*
2.3.6	Site Contamination	Requires site contamination assessments to be undertaken	Yes	• Phase 1 and Phase 2 site contamination assessments have been prepared for the industrial estate, which indicate that the site is not contaminated – see Section 6.2
2.3.7	Odour assessment and control	Notes that existing land uses have potential to generate odour	Yes	• The site is not expected to be adversely affected by odour-generating existing land uses in the area
Part 6: Employment Lands Subdivision and Development Controls				
6.2	Subdivision	Provides controls relating to subdivision in the employment lands.	Yes	• The proposal does not involve any subdivision
6.3	Landscape Design	Provides landscape design controls, including provision of landscaping/shade trees in car parks (maximum 25 metre intervals, or every 9 spaces), and provision of communal outdoor landscape areas (3% of site area in the IN2 zone).	Yes	• A landscape plan has been prepared for the proposal, and is generally consistent with the development controls – see Section 6.1 • The facility provides outdoor landscaping areas covering approximately 14% of the site area, with the main private sports playing field covering 8% of the site area
6.4.1	Setbacks	Requires buildings and hardstand to be set back at least 7.5m from the front boundary, with the setback area fully landscaped	Yes	• The proposed facility has a minimum setback to Darling Street of 7.5 metres
6.4.2	Building Design and Siting	Provides controls aimed at providing high quality architectural design and presentation to street frontages	Yes	• The proposed facility has been designed to a high quality in a manner that is consistent with the development controls, paying particular attention to the facades fronting Darling Street – see Section 6.1
6.4.3	External Building Materials and Colours	Provides controls aimed at ensuring buildings provide a combination of high quality, durable, low maintenance and sustainable finishes and materials	Yes	• The proposed facility has been designed with a range of high quality materials and in a manner that is consistent with the development controls – see Section 6.1
6.4.4	Entrance Treatment	Requires entries to be clearly visible and address the primary street frontage	Yes	• The facility has been designed with prominent entrances to the street frontages, particularly the corner of Darling Street for the showroom and retail outlet and the ancillary office – see Section 6.1

Clause	*Issue*	*Key Controls Summary*	*Complies (Yes or No)*	*Comments*
6.4.5	Ancillary Buildings, Storage and Service Areas	Requires that ancillary structures are integrated into the building design, setback and/or appropriately screened.	Yes	• The facility has been designed to ensure that ancillary structures are well setback from the street frontages and/or appropriately screened – see Section 6.1
6.5	Ecologically Sustainable Development	Provides controls aimed at maximising energy and water use efficiency, and management of waste and discharges	Yes	• The proposed development includes a number of energy and water efficiency measures – see Section 3.8 • A waste management plan aimed at maximising waste resource efficiency has been prepared – see Section 6.8
6.6	Fencing, Signage and Lighting	Applicable controls include: • palisade fencing to be provided to front boundaries and side boundaries within the setback; • plastic-coated chainwire fencing can be provided to side fencing; • fencing to be setback 1m from the front property boundary • signage to relate to the business use and not occupy more than 10% of any facade	Yes	• Fencing for the proposal has been minimised, and designed in a manner that is consistent with the controls – see Section 3.10 • Signage and lighting would be installed in a consistent and architecturally integrated manner that is generally consistent with the controls – see Section 3.11
6.7	Access and Parking	Provides controls requiring vehicles to enter and exit sites in a forward direction, and provide safe and efficient on-site circulation	Yes	• The proposed internal circulation for the facility has been designed in a manner that is consistent with the relevant controls – see Section 6.7
6.8	Car Parking	Applicable car parking rates for industrial development include: • 1 space per 75 m^2 for GFA up to 7,500 m^2; • 1 space per 200 m^2 for GFA over 7,500 m^2; and • 1 space per 40 m^2 for ancillary office GFA. 2% of parking spaces should be provided for disabled parking. Bicycle parking facilities are to be provided.	No	• The proposal provides 243 car parking spaces, which is based on the required provision under the RMS' *Guide to Traffic Generating Development,* and the expected demand from the facility • Under the DCP, a total of 321 parking spaces would be required, which significantly exceeds the facility's expected parking demand • Nonetheless, the EIS demonstrates that at least 321 spaces could be provided in the event that land use on the site changes in the future – see Section 6.7 • The proposal has been designed in accordance with other

Clause	*Issue*	*Key Controls Summary*	*Complies (Yes or No)*	*Comments*
				applicable controls (inc. disabled and bicycle parking)
6.9	Waste Management	Requires waste management plans for development using best practice waste management principles	Yes	• A waste management plan has been prepared for the facility, and waste management areas have been designed in accordance with the applicable controls – see Section 6.8
6.10	Safety and Surveillance	Requires development to meet 'Crime Prevention Through Environmental Design (CPTED)' principles	Yes	• The proposed facility has been prepared in accordance with CPTED principles – see Section 6.8
Schedule 3: Marsden Park Industrial Precinct				
2	Subdivision Planning and Design	Provides the planning vision for the precinct	Yes	• The proposed development is consistent with the precinct planning vision
2.3	Odour Management	Requires that consideration be provided for sensitive uses (such as dwellings) in the '2OU' odour buffer area of existing odour sources (poultry farms) in the locality	Yes	• The proposal does not constitute a sensitive use
2.4.1	Development of the Quarry Site	Provides controls for development within the 'quarry site'	Yes	• The site is not within the mapped 'quarry site'
3	Neighbourhood and Subdivision Design	Provides additional estate wide controls, including additional public transport and pedestrian cycle network controls	Yes	• The proposal does not involve or affect precinct wide subdivision design
4	Development in Residential Zones	Provides additional controls for residential development	Yes	• The proposal does not involve residential development
5	Employment Lands Subdivision and Development Controls	Provides additional controls relating to street types, development adjoining Richmond Road and South Street, development surrounding the existing caravan park, and ESD, including a requirement for 15% of the site area to be landscaped/pervious	Yes	• The proposal does not involve any change to street types • The site does not adjoin the nominated roads and is not in the 20 metre buffer zone to the existing caravan park • The proposal has been designed in a manner that is consistent with the ESD controls, with landscaping representing 14% of the site area

4.5 Development Contributions

There are two separate development contributions that are applicable to the site, namely a Special Infrastructure Contribution (SIC) payable for regional infrastructure and a Section 94 Contribution payable for local infrastructure. However, both of these contributions have been addressed by

Sydney Business Park as part of the wider estate development, and as such further contributions are not required as part of the proposed development.

These contributions requirements are detailed below.

4.5.1 Special Infrastructure Contribution

The Special Infrastructure Contribution (SIC) is payable under the *Environmental Planning and Assessment (Special Infrastructure Contribution – Western Sydney Growth Areas) Determination 2011* (the Determination).

The SIC is designed to fund 50% of the roads, bus depots, open space, planning and delivery costs as well as land required for social infrastructure within the Growth Centres. The remaining 50% of these costs is to be funded by Government, as is the construction of social infrastructure – including emergency services and justice, education and health facilities.

Condition 8.2.1 of Sydney Business Park's development consent (DA 11-2284) for the Stage 1.02 estate works requires payment of the SIC. As the SIC payable for the site has already been addressed as part of the estate works, no further SIC payment is required for the proposed development. In this regard, clause 5(3) of the Determination provides that a further SIC is not required to be made for development on land if a SIC has already been made for development on the land.

4.5.2 Section 94 Contributions Plan No.21 – Marsden Park Industrial Precinct

Blacktown City Council's *Section 94 Contributions Plan No.21 – Marsden Park Industrial Precinct*, prepared under Section 94 of the EP&A Act, requires contributions towards provision of local infrastructure and baseline facilities within the Marsden Park Industrial Precinct.

The applicable local infrastructure and contributions rates[5] for the proposal under the Section 94 plan include:

- Water Cycle Management Facilities (Bells Creek Catchment) – $403,923/ha for stormwater quantity and $134,693/ha for stormwater quality;
- Traffic & Transport Management Facilities – $155,423/ha;
- Open Space and Recreation Facilities – $9,654/person[6];
- Community Facilities – $124/person; and
- Combined Precinct Facility – $509/person.

As with the SIC, Sydney Business Park has addressed the payment of these developer contributions as part of the development of the wider estate (ie. under DA 11-2284). In this regard, Sydney Business Park and Blacktown City Council have entered into a voluntary planning agreement (VPA) which sets a legal framework for provision of the contributions, which are being provided via a number of land dedications and works-in-kind. The VPA is dated 13 October 2011, and is publicly available on Council's website.

Clause 5 of the VPA provides that the agreement does not exclude the application of other section 94 contributions to the development (ie. DA 11-2284), however the benefits provided by Sydney Business Park under the VPA are to be taken into consideration in determining any development contribution under section 94 of the EP&A Act.

Given that section 94 contributions for the land have been (or will be) addressed under DA 11-2284, no further section 94 contributions are required for the proposed development.

[5] As at June 2016. The contributions rates are subject to CPI.

[6] 'Person' based on residential population rates

5 CONSULTATION AND IDENTIFICATION OF KEY ISSUES

Development of Sydney Business Park has been subject to extensive consultation with government authorities, service providers, surrounding landowners and the wider community.

This consultation has occurred during the preparation of the original planning studies for the Marsden Park Industrial Precinct, during development applications for Sydney Business Park estate works, and during the numerous development applications for individual end-user facilities within the business park.

Planning for the proposed ASICS Facility has involved additional consultation with relevant government authorities, infrastructure and service providers, and surrounding landowners. Stakeholder consultation mechanisms employed for the proposal included:

- pre-application meetings with the Department of Planning & Environment (the Department) and Blacktown City Council (Council);
- telephone and/or email communications with authorities and service providers, including:
    - Council;
    - Environment Protection Authority (EPA);
    - Office of Environment and Heritage (OEH);
    - Department of Industry (DoI);
    - Roads and Maritime Services (RMS);
    - Transport for NSW (TfNSW);
    - Rural Fire Service (RFS);
    - Transgrid;
    - Endeavour Energy; and
    - Sydney Water; and
- telephone and/or email communications with landowners immediately surrounding the site.

The Secretary of the Department issued Secretary's Environmental Assessment Requirements (SEARs) for the proposal on 22 March 2018. The SEARs were prepared in consultation with key applicable authorities, with written responses received from Council, DoI, EPA, TfNSW, RMS and Transgrid. The SEARs, including the authority responses, are attached as **Appendix A**.

The additional consultation undertaken by Sydney Business Park during preparation of the EIS did not result in any additional issues being raised above and beyond those identified in the SEARs. Surrounding landowners responded with positive feedback and did not raise any issues requiring further assessment. Written feedback received is attached in **Appendix A**.

The level of consultation undertaken for the proposed development is considered to be appropriate given the previous consultation undertaken during development of the estate, and given that the site is fully established for industrial development, is not in proximity to any sensitive receivers, and does not contain any significant environmental features such as waterbodies, vegetation, habitat, or sites of conservation or heritage significance.

It is noted that, in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*, this EIS will be publicly exhibited for a period of at least 30 days by the Department following lodgment of the development application. During this time, any other interested stakeholders will have the opportunity to make a submission on the proposed development.

Based on the consultation undertaken, it is considered that the project team and the relevant stakeholders have gained a good appreciation of the key issues relevant to development of the site. Key issues raised by stakeholders consulted during recent and previous consultation are listed in the following table.

Table 5.1: *Stakeholder Consultation and Issues Raised*

Stakeholder	***Key Issues***
Government Authorities	
Department of Planning & Environment	• Strategic planning context • Consultation and stakeholder engagement • Traffic and access • Soil and water • Urban design • Noise and vibration • Infrastructure, esp. interaction with the Transgrid easement • Waste management • Air quality and odour • Developer contributions
Blacktown City Council	• Statutory planning context, inc. the retail outlet and playing fields • Noise and other amenity impacts • Traffic and transport • Soil and water • Developer contributions
Office of Environment & Heritage[1]	• Biodiversity • Heritage
Environment Protection Authority	• Soil and water • Noise • Air quality (dust) • Waste management
Department of Industry	• Soil and water, inc. groundwater and water licencing
Roads & Maritime Services	• Traffic and transport, inc. traffic generation, road network impacts, access and circulation, parking, public transport, pedestrian and cycle transport
Transport for NSW	• Traffic and transport, inc. traffic generation, public transport, pedestrian and cycle transport, access and circulation, parking, road network impacts, construction traffic management
Rural Fire Service[1]	• Bushfire hazard
Infrastructure and Service Providers	
Transgrid	• Electricity infrastructure, esp. the Transgrid easement
Sydney Water	• Potable water and sewer infrastructure, inc. construction timing
Endeavour Energy[1]	• Electricity infrastructure
Surrounding landowners	
AusReo, Lindt	• No specific issues raised

1 No specific feedback received in relation to the proposed development

The key issues identified for assessment in the SEARs and/or consultation and risk assessment of the project to date, include:

- design and visual amenity, including interaction with the Transgrid easement;
- consistency with strategic and statutory planning instruments;
- soil and water;
- traffic and transport; and
- noise.

These issues, along with other environmental issues of relevance to the project, are addressed in Section 6 below. Consistency with the relevant environmental planning instruments is addressed in Section 4.

6 ENVIRONMENTAL ISSUES

This section provides an assessment of the environmental impacts associated with the proposed ASICS Facility. The environmental assessment is based on a number of specialist studies undertaken for the development, and benefits from a range of additional studies undertaken on behalf of Sydney Business Park for planning and development of the estate.

6.1 Design and Visual

Sydney Business Park's and ASICS' objective for the development is to develop a world-class integrated warehouse facility befitting its intended use as ASICS' Australian operational and administrative headquarters. To help realise this design intent, the project team engaged respected industrial architects Reid Campbell and landscape architects Coco Design Landscape to develop a high quality architectural and landscape design for the facility.

In this regard, the architectural and landscape design for the ASICS Facility has been prepared in a manner that:

- respects and is generally consistent with the development controls for the Marsden Park Industrial Precinct;
- highlights ASICS' corporate identity and vision (see Section 1.3), including its founding philosophy of 'A sound mind in a sound body';
- maximises the realistic development potential of the site, in accordance with current and foreseeable market demand;
- incorporates a range of building materials, architectural elements and colours to provide a high quality and integrated architectural theme for the facility;
- respects and highlights the natural attributes of the site, particularly its corner location and outlook onto the open space associated with the precinct stormwater basin (Basin I); and
- respects and addresses the site's key constraint, namely the Transgrid easement that traverses through the site. In this regard, the proposal seeks to convert this key constraint into an opportunity, by siting the private sports playing field within the easement, and the showroom and retail outlet in the small parcel of land that would otherwise be cut off from the developable part of the site. The facility has also been designed to minimise parking within the easement area, particularly within the centre of the easement area (ie. that area directly below the powerlines).

Architectural Design and Visual Amenity

As discussed in Section 2, the site is located within Sydney Business Park and consequently there are few sensitive visual receivers in the vicinity of the site. The site is surrounded by industrial and infrastructure (drainage) zoned lots of the business park on all sides.

Notwithstanding, the site has extended direct frontage to Darling Street. Whilst this road will primarily cater for industrial and business-related traffic associated with the Marsden Park Industrial Precinct as the area is developed, the designers have been conscious of providing high quality frontage to this corner location, as well as to the open space associated with Basin I which leads on to Richmond Road.

The architectural design for the facility has paid particular attention to these key vistas. Measures to mitigate potential visual impacts, and ensure a high quality design, include:

- splitting the facility into two buildings separated by the Transgrid easement, with the main warehouse and industrial building located to the north of the easement and the smaller showroom and retail outlet building located to the south of the easement on the corner of Darling Street;
- orienting the facility so that the 2-level ancillary office presents to Darling Street and Basin I, and so that the smaller scale showroom and retail outlet building 'wraps' around the corner of Darling Street;

- building setbacks comply with the minimum requirements under the Growth Centres DCP (ie. 7.5 metres), with a generous setback of approximately 35 metres provided to Darling Street for the warehouse/industrial component of the building;
- the building height (ie. 13.7 metres) is reasonable and comfortably complies within the maximum height in the Marsden Park Industrial Precinct Plan (ie. 16 metres);
- floor space ratio for the facility (ie. 54%) is reasonable and well within the maximum allowable FSR under the Growth Centres DCP (ie. 70%);
- building facades, including the offices and the warehouse, have been designed to a high standard, providing good articulation and visual relief, particularly through the use of a mix of materials and colours, and extensive glazing to offices, to provide articulation and break down the bulk and scale of the warehouse;
- loading areas and plant and equipment have been set back well into the site, and effectively screened by landscaping elements; and
- generous landscaping is to be provided to the key frontages.

With the implementation of these measures, it is considered that the facility would not result in any significant adverse impacts on the visual amenity of the locality.

Landscape Design

The proposed landscape plan for the facility is attached as **Appendix C**. The plan aims to provide a high-quality landscape design for the facility, in a manner that is consistent with the public domain and landscaping principles in the Growth Centres DCP and Sydney Business Park's landscaping guidelines.

Key elements of the landscape plan include:

- development of a generous (approx. 4,500m^2) private sports playing field and multi-use court within the Transgrid electricity easement area for staff recreation, product demonstration, testing and promotional activities;
- provision of 3 other smaller garden areas and feature plantings adjacent to the office for passive staff recreation and to mark building entries;
- provision of a large area of landscaping within the centre of the Transgrid easement within the car park, to minimise impacts on the easement and provide shade for parking areas;
- provision of additional shade trees within the car parking areas; and
- use of predominantly locally endemic species of trees, large shrub screen planting, groundcover planting and native grasses in landscaping areas (approximately 20% of which are Cumberland Plain Woodland species), with some use of exotics for ornamental display and feature planting.

6.2 Soil and Water

6.2.1 Erosion and Sedimentation

A number of soil and water assessments have been undertaken for the Marsden Park Industrial Precinct, including salinity and contamination assessments by GHD (2011) for Sydney Business Park. The assessments indicate that the area is within the Blacktown (bt) soil landscape unit, which is described as a 'Residual Landscape' with gentle undulating rises on Wianamatta Group (shale) bedrock. This landscape is associated with dryland salinity, low permeability soils, which are moderately to highly reactive and dispersive. This unit typically has a high capability for urban development, when conducted with appropriate salinity and geotechnical design measures.

As detailed in Section 2.2, bulk earthworks required for the development are being addressed separately by Sydney Business Park, and do not form part of the proposal. Erosion and sedimentation risks associated with the development are therefore limited to those associated with detailed earthworks and facility construction, and would be effectively managed using standard best practice control measures, including:

- minimising disturbance areas;
- diverting 'clean' run-on water around disturbance areas;
- controlling 'dirty' run-off water from within the disturbance area via various controls such as sediment fencing and basins; and
- rehabilitating disturbed areas as quickly as possible following disturbance.

An Erosion and Sediment Control Plan (ESCP) has been prepared for the proposed facility by Northrop, and is attached in **Appendix D**. The ESCP has been prepared in accordance with the above principles and the Office of Environment & Heritage's (OEH's) *Managing Urban Stormwater – Soils and Construction* (ie. the 'Blue Book').

6.2.2 Site Contamination

Site contamination assessments have been undertaken by GHD on behalf of Sydney Business Park for development of the estate. These assessments include:

- a Phase 1 assessment based on literature review, site history investigation, site inspection and risk analysis (November 2008); and
- a Phase 2 assessment including soil, groundwater and surface water sampling in the areas identified in the Phase 1 assessment as being potentially contaminated (May 2009).

The assessments found that the developable areas of the estate do not contain any extensive or widespread contamination that would inhibit development of the estate, although some contamination was reported in some areas, which require supplementary assessment and/or potential remediation prior to redevelopment.

In this regard, the northern portion of the site and its surrounds has a site history that includes operation of a Council-owned sanitary depot, and was characterised as having a 'highly likely' risk of contamination (see **Figure 6.1**). The assessments concluded that the sanitary depot site would require further assessment and remediation prior to being suitable for commercial/industrial land use.

The sanitary depot was operated by Blacktown City Council from 1955, and accepted night soil or septic tank waste from the mid-1960s to the mid-1990s, where it was buried on site in shallow trenches. The depot ceased operations and was removed from the site prior to 2003.

A number of contamination assessments have been undertaken for the former depot site since 2002. The assessments identified contaminated soils in parts of the former depot site, including:

- the former workshop and associated drainage area in the eastern part of the depot site;
- the night soil disposal area in the south-western part of the depot site; and
- a relatively small number of localised hotspot areas across the depot site.

The assessments identified near-surface[7] contamination in these areas, with contaminants including total petroleum hydrocarbons (TPH), polycyclic aromatic hydrocarbons (PAH) and heavy metals, as well as some bonded asbestos within the workshop area. Groundwater was found to be generally non-contaminated, and suitable for the intended commercial/industrial land use.

The contaminated areas were subsequently remediated by excavation and disposal of the contaminated soils at appropriately licensed waste facilities. The remediation was undertaken in accordance with detailed Remedial Action Plans (RAPs) prepared by ERM in 2011. Approximately 23,000 tonnes of contaminated soils were removed from the depot site, and virgin excavated natural

[7] ie. generally to about 1 metre depth, and up to about 3 metres depth in hotspots.

material (VENM) has since been imported to the site to fill excavated areas and enable development of the site.

Remediation areas and filling areas were subsequently validated to confirm that the contaminated soils had been appropriately removed. Subsequently, a formal Site Audit Statement (No. GN 319B) under the *Contaminated Land Management Act 1997* was issued by accredited Site Auditor Graeme Nyland on 27 February 2013. The Site Audit Statement confirms that the former depot site is suitable for the intended commercial/industrial land use, subject to compliance with the site management plan (GHD, Feb 2013). The Site Audit Statement and applicable recent validation reports are attached as **Appendix G**.

Given the findings of the validation reports and the Site Audit Statement, it is considered that the site is suitable for the intended light industrial land use.

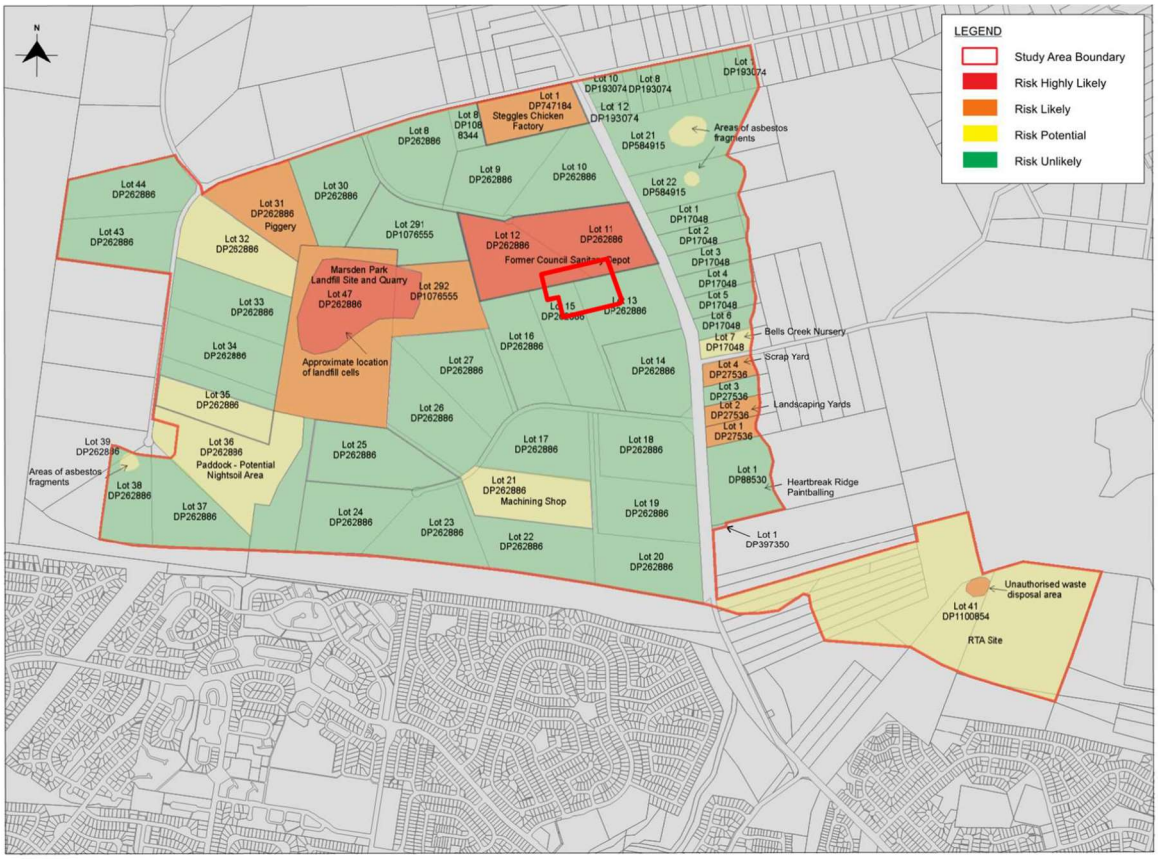


Figure 6.1: *Site Contamination Risk Ranking (Source: GHD, 2009)*

6.2.3 Salinity

A number of geotechnical and salinity assessments have been undertaken for the Marsden Park Industrial Precinct, including a Salinity Assessment of the Sydney Business Park estate by GHD in October 2011. The assessment was based on review of the *Salinity Potential in Western Sydney 2002* map, soil sampling, groundwater review and site inspection.

The analysis found that the residual soils on the estate have some salinity, with low to moderate salinity in the higher areas (Salinity Domain 1, or SD1), and moderate to high salinity in lower areas (Salinity Domain 2, or SD2). The site of the proposed facility is predominantly within the SD1 domain (see **Figure 6.2**).

The assessment concludes that the proposed development of the estate is not expected to adversely impact the existing salinity conditions of the site, provided good salinity management practices are adhered to in the development. These practices include:

- minimising cut and fill as far as practicable (Nb. as outlined above, the development does not include bulk earthworks);
- providing good surface and sub-surface drainage;
- adopting durable and saline resistant building materials and building techniques in accordance with applicable Australian Standards including AS2159, AS2870, AS3600 and AS3700, and OEH's *Building in a Saline Environment* guideline (including use of crushed igneous rock for pavement base course materials in the SD2 domain); and
- adopting water efficient landscaping with appropriate soil depths.

The development would be undertaken in accordance with these salinity management measures.

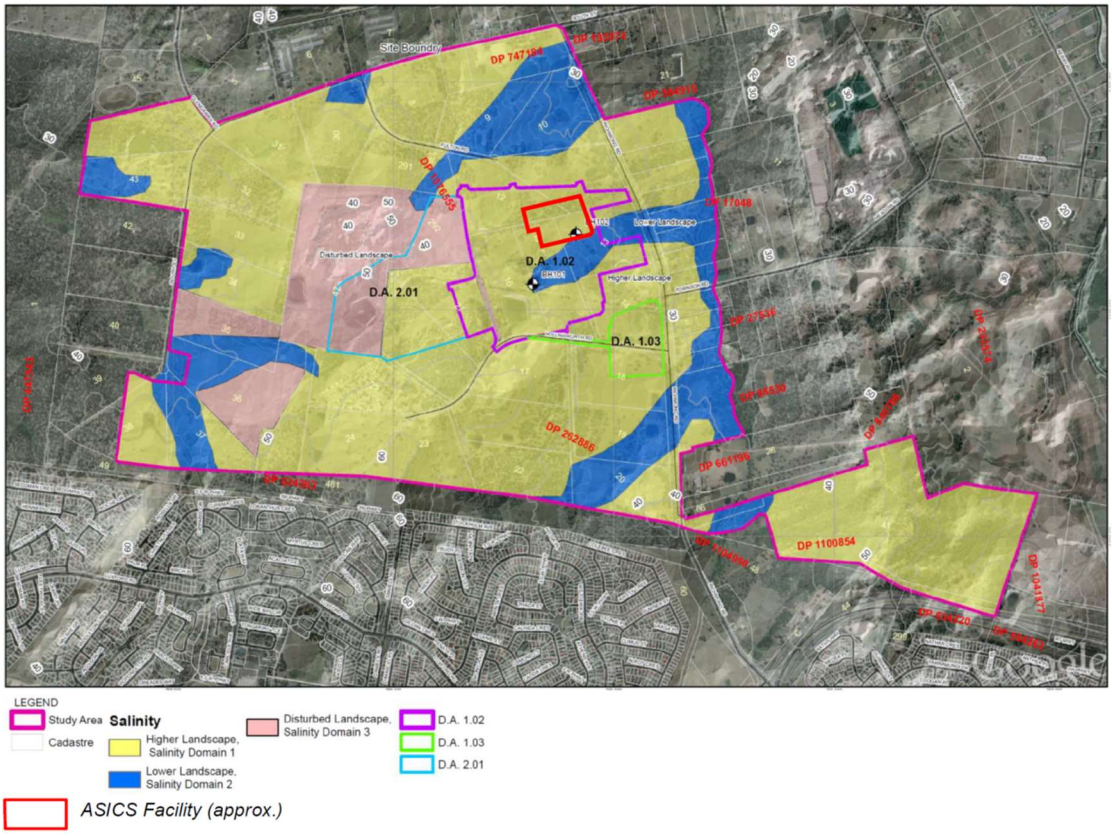


Figure 6.2: *Salinity Domains (Source: GHD, 2011)*

6.2.4 Acid Sulfate Soils

The site does not contain the potential for acid sulfate soils, given its elevation (ie. approx. 32-38m AHD). Acid sulfate soils are generally restricted to areas below 10m AHD.

6.2.5 Riparian Areas and Waterbodies

There are no riparian areas (ie. creeks and rivers) on or in proximity to the site. Accordingly, the development would not have any direct impacts on riparian areas.

Bells Creek is located approximately 350 metres to the east of the site, across Richmond Road. The proposed development is not expected to result in any impacts on the creek or its riparian environment, as mapped in the Growth Centres SEPP (see **Figure 6.3**).

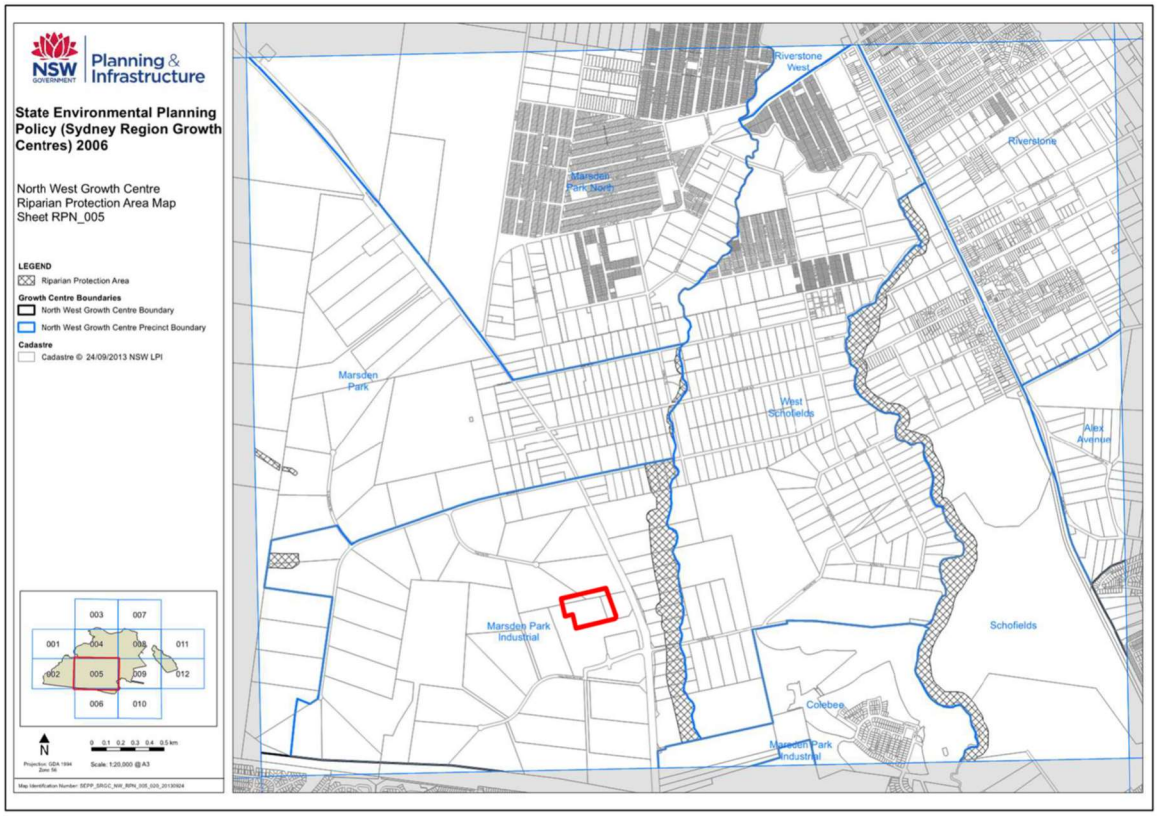


Figure 6.3: *Riparian Protection Areas (Source: Growth Centres SEPP)*

6.2.6 Groundwater

The proposal development does not involve any bulk earthworks or significant cut or fill, nor does the proposal involve use of groundwater or activities that have the potential to result in significant contamination of groundwater. Consequently, the proposal is not expected to result in any significant impact on groundwater resources of the locality. Measures to minimise the potential for soil or water pollution are outlined below.

6.2.7 Flooding

The site is not identified as flood prone land in the Growth Centres SEPP or Growth Centres DCP, and the development is not expected to adversely affect flooding in the locality. Stormwater management measures are detailed in the following section.

6.2.8 Stormwater Management

Broad drainage management for the industrial estate has been addressed by Sydney Business Park as part of the development of the estate.

In this regard, the estate stormwater infrastructure includes precinct-based detention systems to ensure that stormwater flow (or 'quantity') from the developed estate does not exceed pre-development flow in downstream waterbodies.

Whilst the estate-wide stormwater management system addresses stormwater quantity requirements for the estate (including the site), it does not manage all stormwater 'quality' requirements for the estate, with these aspects required to be addressed as part of the development of each lot.

In accordance with these principles, a stormwater management plan for the proposed ASICS Facility has been prepared by Northrop, and is included in **Appendix D** (and shown on **Figure 3.8**). The key elements of the plan include:

- rainwater harvesting tank (250kL below-ground tank) draining part of the warehouse and office roof, for re-use in toilet flushing and irrigation;
- primary treatment to parking and hardstand areas via the provision of Stormwater360 S200 Enviropod (or equivalent) pit inserts;
- secondary treatment to roof and hardstand areas via the provision of three Stormwater360 'Jellyfish' (or equivalent) gross pollutant traps, with the devices servicing the northern, eastern and southern catchments on site (see **Figure 6.4**); and
- stormwater pits, pipes and drains to direct stormwater, prior to discharge to the estate stormwater system in the southern, south-eastern and north-eastern areas of the site.

Figure 6.4: *Stormwater Catchments (Source: Northrop)*

The proposed rainwater tank has been designed to cater for at least 80% of the water demand from the facility.

The proposed stormwater scheme for the development has been modelled using MUSIC software. The results of the analysis are summarised in the following table, and indicate that the development would comply with the stormwater quality criteria in the Growth Centres DCP and Council's *Engineering Guide for Development*.

Table: 6.1: *Water Quality Modelling Results*

Pollutant	***Reduction***	***Reduction Criteria***
Gross Pollutant Loading	96%	90%
Total Suspended Solids	91%	85%
Total Phosphorus	65%	65%
Total Nitrogen	55%	45%

6.2.9 Soil and Water Pollution

The proposed ASICS Facility would involve storage of general, non-hazardous consumer goods. These goods would all be stored within the building, and as such the potential for significant soil or water pollution associated with these uses is considered to be low.

Notwithstanding, the facility would incorporate a number of measures to minimise the risk of soil or water pollution, including:

- the facility would be constructed as a closed facility with no internal drainage to the stormwater system;
- the loading area would be covered with awnings to minimise runoff to the stormwater system in the event of a spill;
- external stormwater pits would be located away from loading areas as far as practicable; and
- the on-site stormwater system would include stormwater treatment devices to collect and treat stormwater runoff from the site (see above).

Whilst the facility would not be used for storage of significant amounts of dangerous goods or hazardous materials (see Section 6.8), all storage and handling of all dangerous goods and hazardous materials would be undertaken in accordance with the Dangerous Goods Code and *AS 1940-2004: The storage and handling of flammable and combustible liquids*.

6.3 Noise

As detailed in Section 2, the proposed ASICS Facility is surrounded on all sides by industrial and infrastructure (drainage) zoned land associated with Sydney Business Park, and is not in proximity to any sensitive receivers. Road access between the site and the arterial road network (ie. Richmond Road) is available through industrial and business zoned land, and does not involve the need to travel through residential areas to access the site.

The nearest residential-zoned land is located approximately 300 metres to the north-east of the site, across Richmond Road. Additional residential zoned land is located approximately 500 metres to the north-west of the site, and 750 metres to the south-east of the site.

There also remain some residential land users within the industrial-zoned areas of the estate at present, including a caravan park (Town & Country Estate) located about 800 metres to the south-west of the site, at the end of Hollinsworth Road (see **Figure 2.2**).

To assess the potential noise impacts on these receivers, a Noise Assessment has been undertaken for the development by Renzo Tonin and Associates, and is attached as **Appendix H**. The assessment has been undertaken in accordance with applicable noise guidelines including the EPA's:

- *Noise Policy for Industry (NPI)*;
- *Interim Construction Noise Guideline*; and
- *Road Noise Policy*.

A summary of the findings of the assessment is provided below.

6.3.1 Operational Noise

Operational noise emissions have been modelled for each of the key noise sources associated with the development, including internal warehouse operations, on-site vehicle movement, loading dock operations, carpark activities, and mechanical plant and equipment.

Predicted operational noise levels from these combined noise sources at the nearest residential and other receivers are provided in **Table 6.2** below, along with the applicable criteria. The receiver locations are shown on **Figure 6.5**.

The modelling indicates that the operation of the development would comfortably comply with the applicable noise criteria during all time periods.

Table 6.2: *Operational Noise Predictions dB(A)*

Receiver ID and Location	***Receiver Type***	***Period***	***Noise Level, $dB_{LAeq(15min)}$***	
			Predicted	***Criterion***
A1 – Cnr Hazelwood Ave & Harmony Ave	Residential	Day	26	40
		Evening		38
		Night		33
A2 – 105 Hollinsworth Rd	Residential	Day	<20	43
		Evening		38
		Night		33
A3 – 140 Hollinsworth Rd	Residential	Day	20	43
		Evening		38
		Night		33
A4 – 235 South St	Residential	Day	20	43
		Evening		38
		Night		33
A5 – 15 Harmony Avenue	Child care centre	Day	25	45
		Evening		
		Night		
A6 – Lot 306 DP 1213756	Industrial	Day	62	70
		Evening		
		Night		

Notes: With regard to time periods:
- Day is the period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and public holidays;
- Evening is the period from 6pm to 10pm; and
- Night is the period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and public holidays.

The project is not expected to result in any significant cumulative noise effects with the development of the broader estate, given the comfortable compliance with the project specific noise level criteria, the nature of the development (which is consistent with the anticipated industrial land use of the area), the location of the development site (towards the centre of the industrial estate), and the distance to the nearest sensitive receivers.

Sleep Disturbance

In addition to the above operational noise emissions, which are based on average noise levels over a 15 minute period (ie. $L_{Aeq(15min)}$), sudden or short-lived noise emissions at night have the potential to result in sleep disturbance. Such sudden noise emissions associated with the development might include truck air brakes, vehicle door closing or vehicle engine starting.

The noise assessment includes modelling of these noise sources to provide a consideration of the potential for sleep disturbance associated with the development. The assessment indicates that worst case short-lived noise level from these sources would be 39 $dB_{LA1(1min)}$ at the nearest residential receiver (ie. Receiver A1), which comfortably complies with the applicable sleep disturbance criterion of 52 $dB_{LA1(1min)}$. Other assessment locations are also predicted to comfortably comply with the applicable criteria.

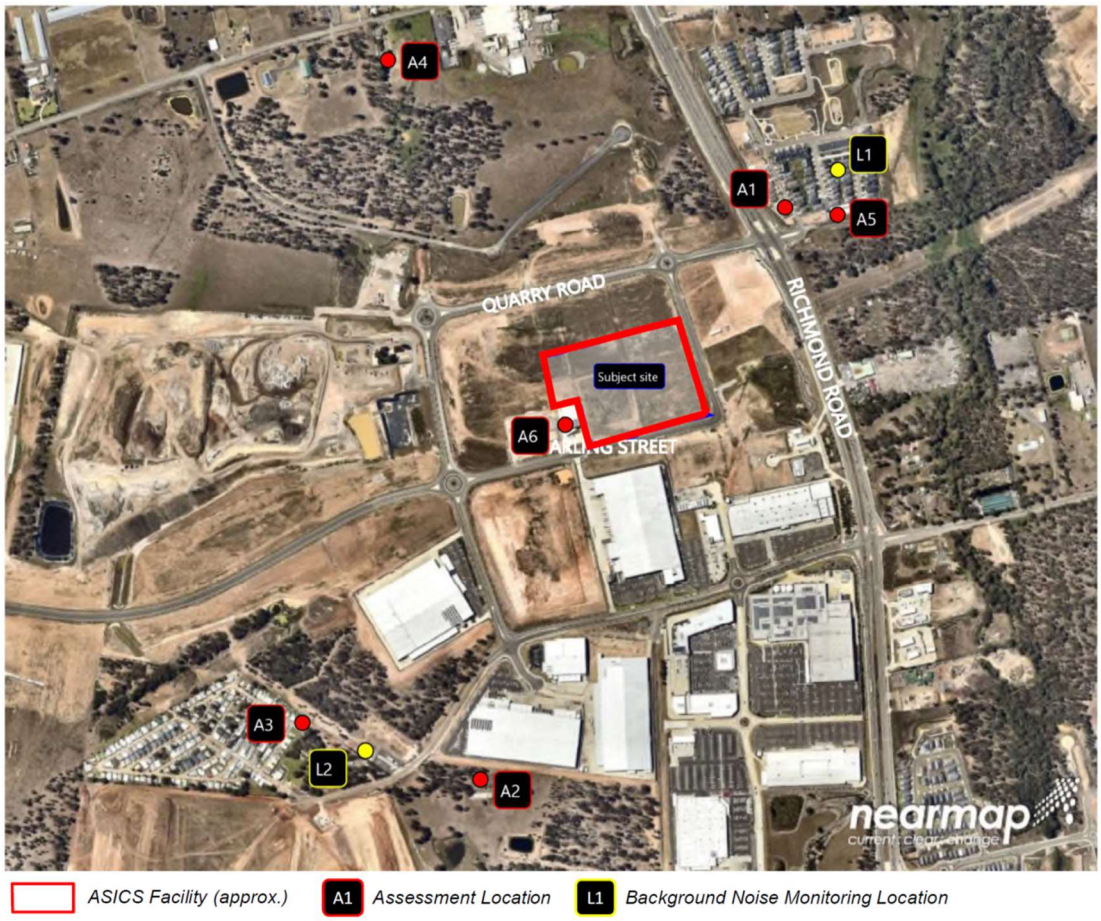


Figure 6.5: *Noise Receiver Locations (Source: Renzo Tonin)*

6.3.2 Traffic Noise

There is no residential zoned land or existing residences between the site and the arterial road network (ie. Richmond Road). Given this, and the minor volume of traffic from the development compared to existing daily traffic volumes on Richmond Road (ie. more than 30,000 daily vehicles), the noise assessment concludes that the additional traffic noise associated with the development would be insignificant and consistent with the requirements of the NSW Road Noise Policy.

6.3.3 Construction Noise

The construction period for the development is expected to extend for approximately 9-12 months. The main noise-generating construction works would be the earthworks phase, and to a lesser extent building construction. As outlined in Section 2, the bulk of the earthworks are being undertaken by Sydney Business Park under separate approval, as part of its wider estate works.

Given the distance to receivers and the findings of the operational noise assessment, the construction of the facility is unlikely to adversely affect any surrounding sensitive receivers.

To ensure that construction noise is appropriately managed, Sydney Business Park would undertake construction activities within the hours stipulated in the EPA's *Interim Construction Noise Guideline* (as reproduced in Section 3.4), and implement standard best practice measures including:

- scheduling noisy activities in less sensitive periods of the day;
- maintaining all plant and equipment in good condition; and
- maintaining a complaints handling and management system.

6.4 Air Quality and Odour

6.4.1 Air Emissions

The main sources of air emissions associated with the operation of the development would be vehicle emissions and emissions from plant and equipment, the levels of which are not expected to result in any significant adverse incremental or cumulative impact on the air quality of the locality.

Dust emissions during construction works are able to be managed in accordance with standard best practice techniques, including:

- minimising the area of disturbance as far as practicable during works;
- minimising drop heights for materials being worked on the site;
- keeping exposed surfaces moist at all times;
- rehabilitating/revegetating disturbed surfaces as soon as practicable; and
- ensuring that trucks are covered and do not track sediment onto public roads.

6.4.2 Odour

The ASICS Facility would involve the storage and distribution of general, non-hazardous consumer goods and is not expected to generate any significant odours.

6.4.3 Greenhouse Gases and Energy Efficiency

The main sources of direct and indirect greenhouse gas emissions associated with the proposed development would be electricity use and exhaust emissions from vehicles. These emissions are expected to be similar to those associated with any comparable, modern ambient-temperature light industrial facility, and would not be significant.

The proposed development includes a number of measures to maximise energy efficiency and therefore greenhouse gas emissions, as outlined in Section 3.8.

6.5 Flora and Fauna

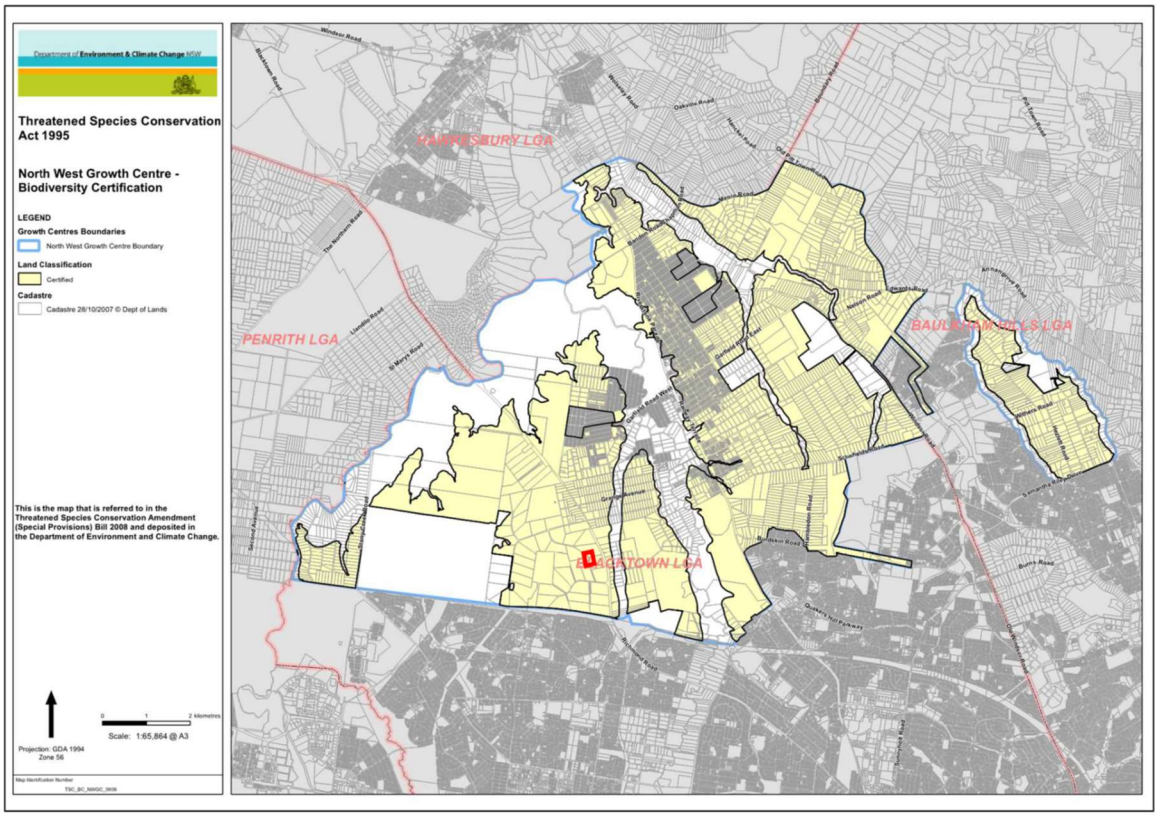
The site has been cleared of vegetation by Sydney Business Park as part of its estate development works (under separate approval). Accordingly, there is no vegetation or habitat of significance on the site (see **Figure 2.6**).

It is noted that flora and fauna impact assessment for the Marsden Park Industrial Precinct has been addressed and resolved as part of the strategic planning for the North West Growth Centre.

In this regard, large areas of the North West Growth Centre have been biodiversity 'certified' under the former *Threatened Species Conservation Act 1995* (the TSC Act)[8], meaning that the assessment of threatened species has already been done at the rezoning stage and does not need to be further considered at the development application stage. As outlined in the Growth Centres DCP, this approach provides for more strategic assessment and management of threatened species issues, and streamlines the development application process.

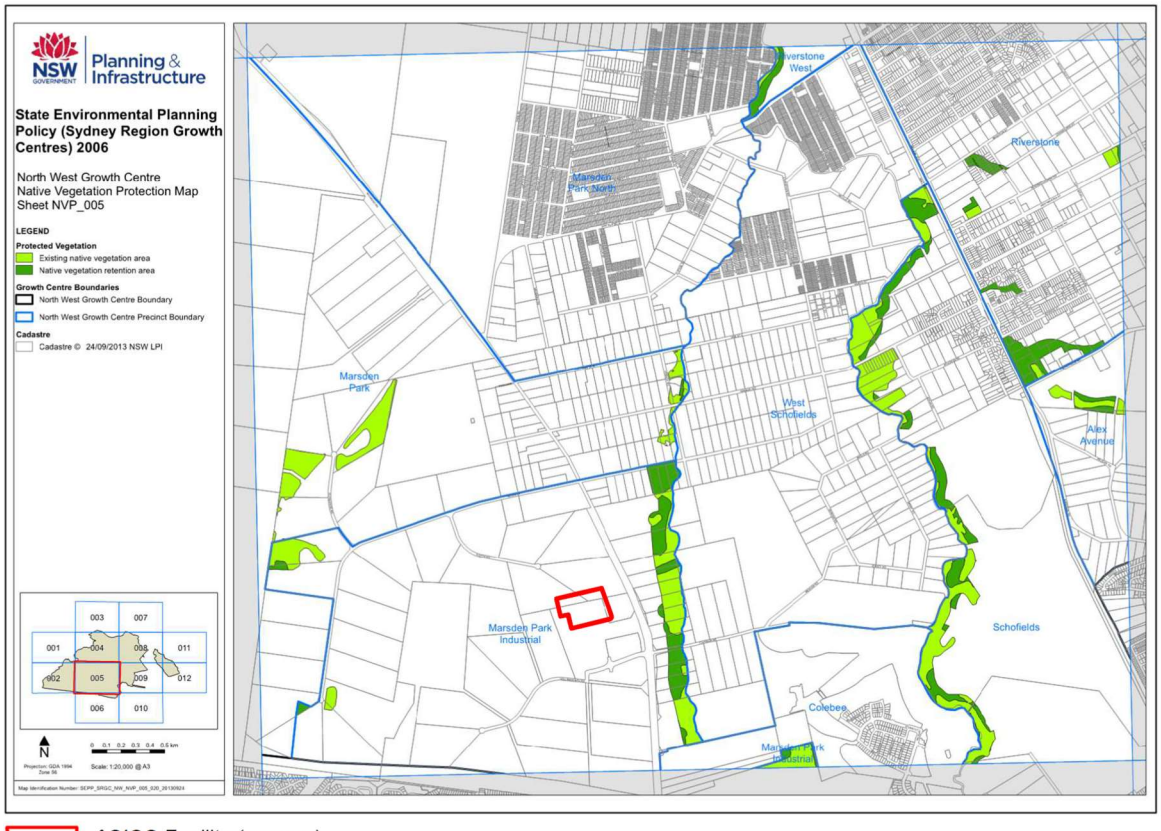
Biodiversity Certification was conferred upon the Growth Centres SEPP on 14 December 2007 via the gazettal of a Biodiversity Certification Order signed by the then Minister for Climate Change and the Environment. The biodiversity certified land is shown on **Figure 6.6**, and includes all of the site and its surrounds. Accordingly, no further assessment of threatened species is required for the development.

[8] Now *Biodiversity Conservation Act 2016*



ASICS Facility (approx.)

Figure 6.6: *Biodiversity Certified Areas (Source: Threatened Species Conservation Act 1995)*



ASICS Facility (approx.)

Figure 6.7: *Native Vegetation Areas (Source: Growth Centres SEPP)*

To offset the ecological impacts of development of the Growth Centre, the Biodiversity Certification Order requires 2,000 ha of 'existing native vegetation area' (ENVA) to be retained across the Growth Centres. ENVA, as well as native vegetation retention areas (NVRA), in proximity to the site are shown on **Figure 6.7**, in light green and dark green respectively. As indicated on the figure, the site is not in the vicinity of any ENVA or NVRA areas.

6.6 Archaeology and Heritage

6.6.1 Aboriginal Heritage

The site has and will be subject to clearing, disturbance and bulk earthworks across the site area by Sydney Business Park as part of its early development works. Accordingly, the site is unlikely to contain any archaeological resource potential following Sydney Business Park's works.

It is noted that the Marsden Park Industrial Precinct has been subject to comprehensive archaeological assessments, including a precinct-wide assessment undertaken by Kelleher Nightingale Consulting for the Department of Planning & Environment in 2009.

The assessment did not identify any Aboriginal sites within or in proximity to the site, although it did identify a relatively small number of sites in the wider Stage 1.02 area of Sydney Business Park (see **Figure 6.8**).

Based on this work, the Office of Environment and Heritage issued a consent to destroy these and other remaining Aboriginal sites/objects within the Stage 1.02 area, under section 90 of the *National Parks and Wildlife Act 1974* (Permit No. 1131873).

Accordingly, the development is not expected to have any impact on Aboriginal heritage.

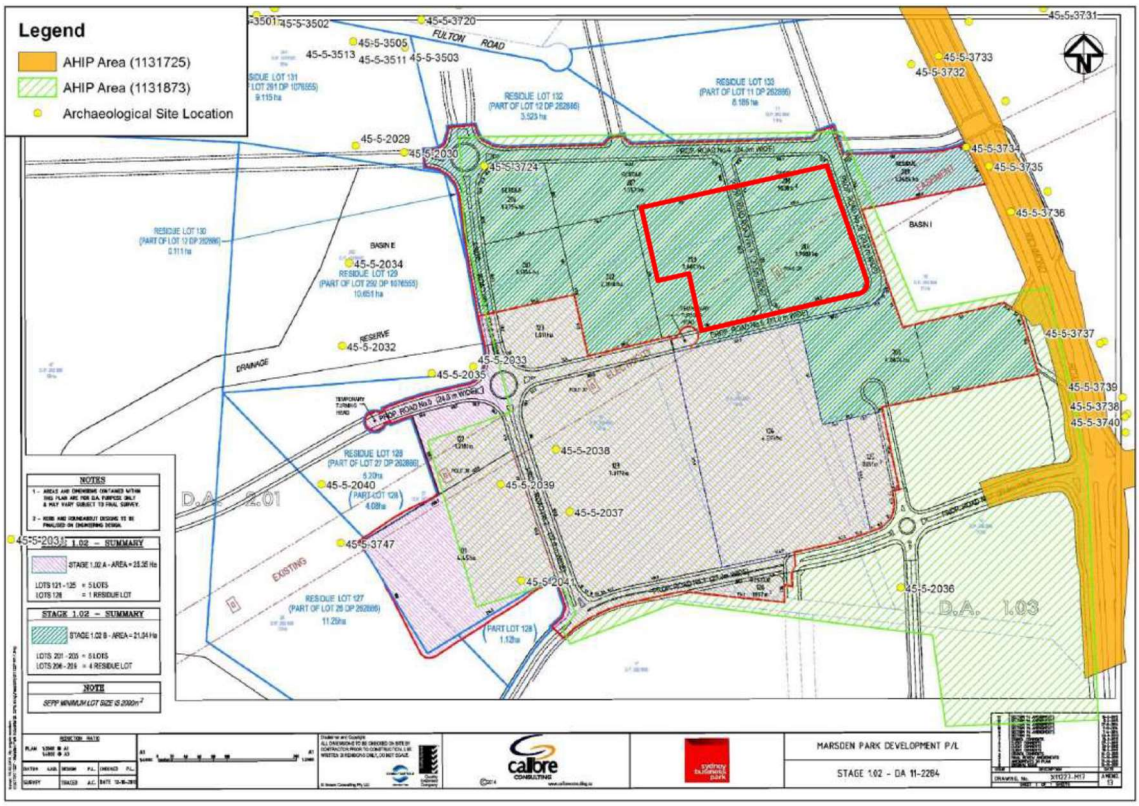


Figure 6.8: *Aboriginal Heritage Sites (Source: Kelleher Nightingale Consulting, Feb 2015)*

6.6.2 Historical Heritage

The site does not contain any improvements, and no items of historical heritage significance are identified within the Marsden Park Industrial Precinct on the maps to the Growth Centres SEPP or Growth Centres DCP (see **Figure 6.9**). Accordingly, the development is not expected to have any historical heritage impact.

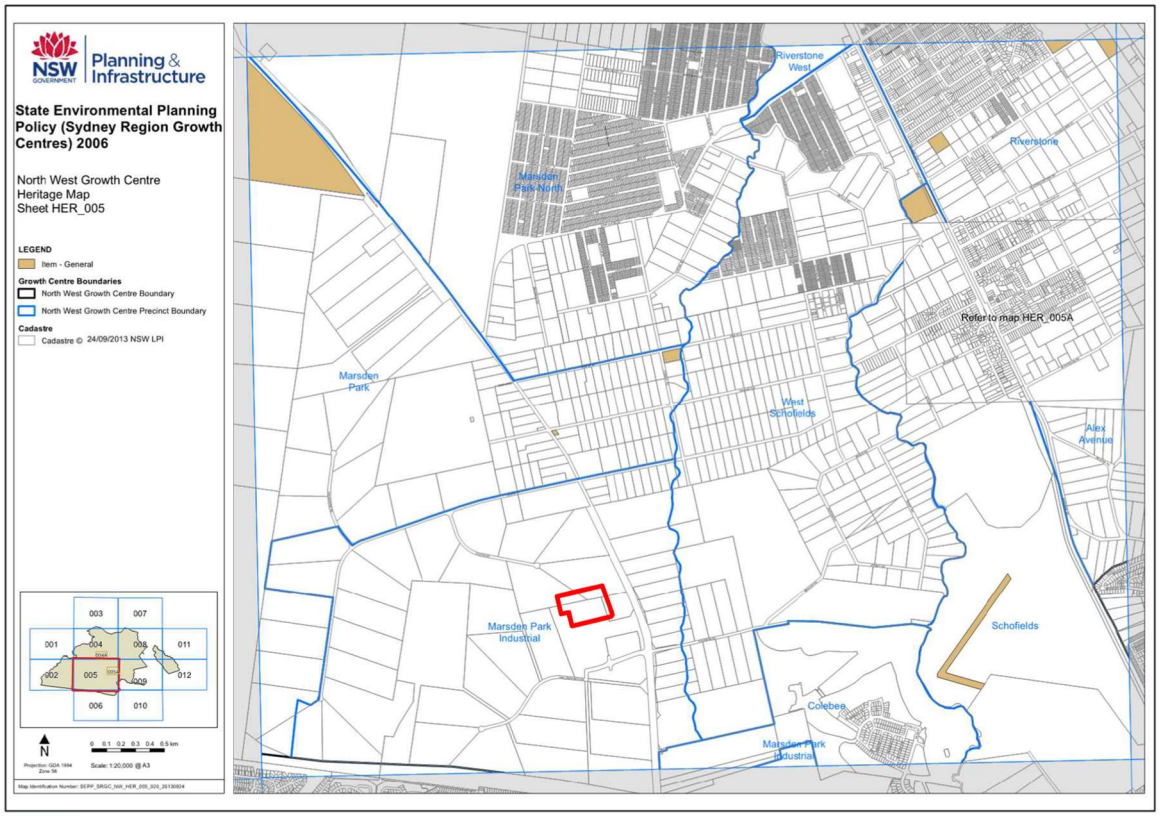


Figure 6.9: *Heritage Items (Source: Growth Centres SEPP)*

6.7 Traffic and Parking

A Traffic Assessment has been undertaken for the development by Arup, and is attached as **Appendix I**. A summary of the assessment is provided below.

6.7.1 Existing and Proposed Road Network

As outlined in Section 2, the site has access to Darling Street to the east and south, which is an internal estate road within Sydney Business Park.

Darling Street accommodates 2 traffic lanes and 2 parking lanes, and connects with Hawthorne Avenue to the north and Hollinsworth Road to the south (via Harris Avenue). Hollinsworth Road and Hawthorne Avenue connect to Richmond Road via signalised intersections. Richmond Road provides direct access to the M7 Motorway, which is located approximately 1 kilometre to the south of the business park.

The estate road network within Sydney Business Park has been designed to cater for the anticipated traffic generation from the completed industrial estate, in accordance with relevant Australian Standards (including AS2890.1 and AS2890.2) and a number of precinct-wide traffic assessments, including the:

- Marsden Park Industrial Precinct Transport and Access Study (Arup, Aug 2009); and
- Marsden Park Industrial Precinct DA2 Transport Impact Assessment (Aecom, Oct 2011).

To this end, the estate road network provides for the safe and efficient circulation (including adequate sight distances) of industrial traffic to, from and within the estate and the site.

6.7.2 Proposed Access and Internal Circulation

Vehicular access to the ASICS Facility would be provided from Darling Street.

Truck access and egress would be provided via a driveway in the south-west corner of the site. Appropriate queuing space (approx. 45 metres) has been provided between the street entrance and the security gates to ensure that trucks do not queue on the public road network. The facility has been designed to accommodate truck sizes up to and including B-double vehicles. Access for emergency vehicle access would be provided around the perimeter of the warehouse facility.

Passenger vehicle access to the main car park and the showroom and retail outlet would be provided from Darling Street via 2 separate driveways along the southern frontage. Access for staff would be provided via the western driveway, while access to the showroom and retail outlet would be provided via the eastern driveway.

A network of pedestrian pathways would be provided to enable efficient access between the warehouse, ancillary office, showroom and retail outlet, private sports playing field and the car park

The internal circulation has been designed so that all vehicles can enter and exit the site in a forward direction. All parking spaces would be appropriately sealed and linemarked in accordance with Australian Standards (AS2890).

The traffic assessment includes consideration of the site access, parking and internal circulation arrangements against the relevant Australian Standards (including AS2890), concluding that the internal layout is appropriate, efficient and compliant with the relevant standards (see swept paths for truck movements in **Appendix I**).

6.7.3 Traffic Generation and Impacts

The traffic assessment estimates that the ASICS Facility would generate up to 158 vehicle movements per hour in the AM peak and 170 vehicle movements per hour in the PM peak, using the rates in the *RMS Guide to Traffic Generating Developments*.

The traffic assessment notes that these traffic volumes are relatively minor, and consistent with the traffic volumes estimated for the wider industrial estate, which estimated that the estate would generate some 4,021 vehicle trips in the AM peak hour, and 4,487 trips in the PM peak hour. The assessment concludes that the proposed development would have minimal impacts on the surrounding road network performance, which as noted above has been designed to perform efficiently for the completed industrial estate.

Construction Traffic

The proposal would also generate construction-related traffic during the approximate 12 month construction period. Traffic generation associated with construction is likely to be similar to the operational traffic, and would access the site via the similar existing internal estate road network, with no access through residential or other sensitive areas.

As such, construction-related traffic is unlikely to result in any significant traffic or safety issues. Nonetheless, a Construction Traffic Management Plan (CTMP) would be prepared to appropriately

manage traffic during construction works. The plan would include best practice traffic management measures, including:

- minimising disruption to all road users during the construction period;
- providing traffic control to regulate construction traffic movements when required;
- ensuring construction traffic uses the estate arterial access roads, and minimising traffic during peak traffic periods where practicable;
- maintaining property access throughout the construction period with suitable alternative access arrangements provided otherwise; and
- providing clear signage and alternate pedestrian routes if footpaths are affected.

6.7.4 Parking

The proposed development includes the provision of a total of 243 car parking spaces in the main car park (including 6 disabled spaces). In addition to these parking spaces, bicycle racks and change facilities would be provided, as indicated on the site plans.

The car parking provision is based primarily on the expected parking demand from the facility, as well as consideration of the required parking rates in the RMS's *Guide to Traffic Generating Developments* and the Growth Centres DCP.

The proposed parking provision, together with the requirements of the Growth Centres DCP and the RMS Guide, are shown in the following table.

Table 6.3: *Proposed Parking Provision*

Land Use	***Gross Floor Area (m^2)***	***Growth Centres DCP***		***RMS Guide***		***Proposed Spaces***
		Required Parking Space Rate	***Total Required***	***Required Parking Space Rate***	***Total Required***	
Warehouse/ Industry	24,965	1 per 75m^2 for GFA <7,500m^2 1 per 200m^2 for GFA >7,500m^2	187.3	1 per 300m^2	83.2	243
Office	4,000	1 per 40m^2	100	1 per 40m^2	100	
Retail/ Showroom[1]	1,500	1 per 45m^2	33.3	1 per 45m^2	33.3	
Total	30,500		321		217	

1 Based on the rate for bulky goods retailing in the DCP (the RMS Guide does not provide rates), and conservatively assuming that the whole building would be used for retailing

As shown, the proposed parking provision is above the requirements of the RMS Guide, but below the requirements of the Growth Centres DCP.

It is noted that the required warehouse parking provision under the Growth Centres DCP is based on traditional industrial facilities, and is considered to be significantly in excess of the demand generated by modern large-footprint warehouse developments.

The proposed parking provision has been conservatively based on providing:

- 1 space for every employee (ie. 185 spaces);
- 50 spaces for the showroom and retail outlet; and
- a nominal number of spaces for visitors (ie. 8 spaces).

The traffic assessment considers that the proposed parking supply is reasonable, given that:

- not all staff would travel by single-passenger vehicle to the site, with some travelling by existing public transport services, and/or bicycle, shared transport or walking;

- shift workers would operate on site at different times; and
- additional on-site parking for the showroom and retail outlet would be available on weekends when fewer warehouse and office staff are on site.

Nonetheless, the site has ample open space that could be converted to provide additional car parking if a future land user required additional parking supply. Whilst any such future land use would require separate development consent, Sydney Business Park has prepared an illustrative concept plan that demonstrates how additional parking supply could be readily provided on the site. This plan, which shows how the full 321 spaces required under the Growth Centres DCP could be accommodated on the site, is shown on **Figure 6.10**.

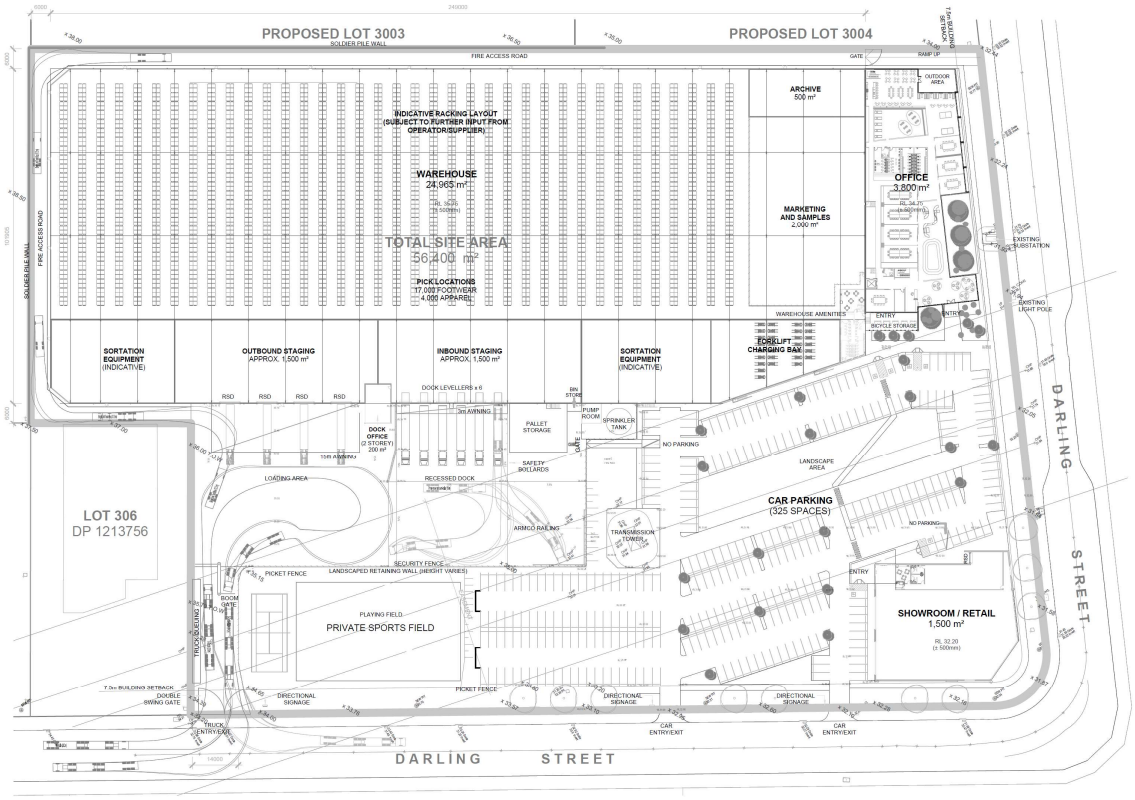


Figure 6.10: *Conceptual Site Plan, showing DCP parking compliance (Source: Reid Campbell)*

6.7.5 Pedestrians, Cycling and Public Transport

As outlined above, the proposal includes the development of a network of pedestrian pathways on-site to enable efficient and safe access to and between the warehouse, ancillary office, showroom and retail outlet, private sports playing field and the car park.

The proposal also includes the provision of 50 undercover bicycle parking spaces near the main entrance to the warehouse and office building, as well as secure internal locker and change facilities.

A comprehensive network of footpaths and signalised crossing locations are available on the surrounding road network, including a shared pedestrian and cycle path on the western side of Richmond Road.

Two bus services currently provide access to the business park, including Bus 757 which provides access to Riverstone and Mount Druitt Stations, and Bus 751 which provides access to Blacktown

Station. Bus stops within walking distance from the site are located on Hollinsworth Road and Richmond Road.

The traffic assessment concludes that the proposed on-site infrastructure, and existing off-site infrastructure and services, are adequate to accommodate and facilitate pedestrian, cycling and public transport demand from the proposed development.

6.8 Wastes and Hazards

6.8.1 Wastes

A Waste Management Plan for the construction and operational phases of the proposed development has been prepared by PJEP, and is attached in **Appendix J**. This plan has been prepared in accordance with the waste avoidance, reduction and recycling principles in the *NSW Waste Avoidance and Resource Recovery Strategy 2014*.

Construction Waste

As the clearing and bulk earthworks for the development would be undertaken under separate approval by Sydney Business Park, there would be no significant waste generation during the earthworks phase of the development. During the construction phase, waste generation could include concrete overpours and overcuts and broken masonry, plasterboard, metal (sheeting), plastics (electrical cabling), and some packaging waste (plastics, cartons). These wastes would be avoided as far as practicable through proper construction planning, and recyclable wastes would be separated and recycled as per the Waste Management Plan.

Operational Waste

The development is not expected to generate a significant amount of waste, with waste streams typical of standard warehousing and light industrial developments. The main waste types and anticipated disposal methods include:

- cardboard and paper – separated for off-site recycling;
- plastic packaging – separated for off-site recycling (where possible);
- pallets – returned to supplier or separated (where broken) for recycling (where possible);
- waste/reject product – returned to supplier or disposed to licensed waste management facility;
- recyclable glass, metal and plastic containers – separated for off-site recycling;
- non-recyclable general waste (inc. putrescible waste) – to licensed waste management facility;
- hazardous solid waste (inc. any dangerous goods) – to licensed waste management facility;
- liquid waste from kitchen – to sewer in accordance with Sydney Water requirements; and
- ablutions waste – to sewer.

6.8.2 Bushfire Hazard

The site is located within a zoned industrial area and is not in close proximity to bushfire risk areas mapped in the Growth Centres DCP (see **Figure 6.11**).

However, the site is located in proximity to bushfire prone land as mapped in Council's bushfire prone maps. These maps are based on dated vegetation mapping, and the area has undergone significant change (and vegetation clearing) in recent years with the development of Sydney Business Park and the wider North West Growth Centre.

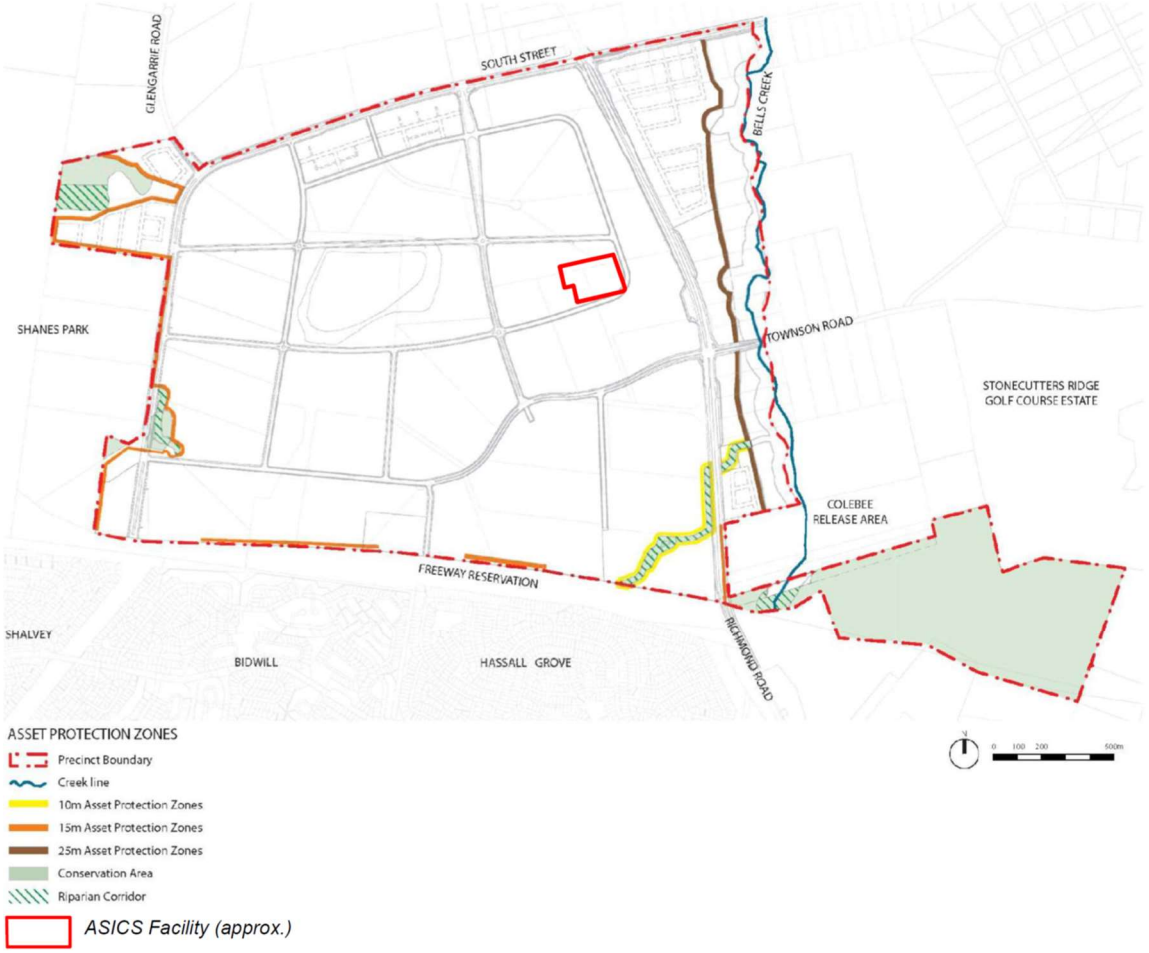


Figure 6.11: *Bushfire Risk Areas (Source: Growth Centres DCP)*

The nearest area of significant bushland is located approximately 300 metres to the east of the site across Richmond Road, associated with Bells Creek (see **Figure 6.7**). There are also some existing patches of less dense vegetation approximately 160 metres to the north of the site, although these are well separated from the site and are located within the industrial/business zoned areas of the Marsden Park Industrial Precinct.

There is also some open space associated with the Sydney Business Park estate detention basin (Basin I) to the east of the site across Darling Street, however this basin will be maintained as 'managed land' with only minor treed vegetation to ensure its effective ongoing role for stormwater detention.

The NSW Rural Fire Services' *Planning for Bush Fire Protection 2006* applies to development applications on bushfire prone land, and sets out requirements for assessment and management of bushfire risk at the planning stage of development.

Given the site's proximity to mapped bushfire prone land, a bushfire review for the proposal has been undertaken by Eco Logical, and is attached as **Appendix K**. The review confirms that the site is at least 160 metres from bushfire prone vegetation, and that the RFS guidelines do not prescribe any bushfire protection measures for developments located more than 100 metres from bushfire prone land. Consequently, the review concludes that the site is not affected by any bushfire hazards.

6.8.3 Crime Risk

The ASICS Facility is not expected to increase crime rates in the locality, as the proposed development has been designed to a high standard and does not involve any offensive activities, and is therefore not expected to degrade the amenity of the locality.

Notwithstanding, the facility has been designed in accordance with crime prevention through environmental design (CPTED) principles, and includes a number of security measures, including:

- design that provides for casual surveillance, and activation of the streetscape;
- providing clear sightlines and transitions between public and private space;
- high quality and attractive landscaping which does not provide opportunities for hiding or concealment;
- clear access and egress points;
- security fencing, located generally behind the building setback so as to not dominate the streetscape;
- security gates, bollards and retaining walls to control vehicular entry;
- a closed circuit TV security network;
- security lighting; and
- an internal security authorisation system.

With the implementation of these measures, the security threats associated with the development are expected to be able to be effectively managed.

Further details of CPTED measures are provided in the attached NSW Police checklist[9] (see **Appendix L**).

6.8.4 Dangerous Goods and Hazardous Substances

As outlined in Section 4.3, SEPP 33 and the Department of Planning and Environment's *Applying SEPP 33* guidelines are used to ascertain whether a proposal is a hazardous industry. If a proposed development involves storage of dangerous goods in excess of the thresholds in the SEPP 33 guidelines then it is deemed to be a 'potentially hazardous industry', and a more detailed Preliminary Hazard Analysis (PHA) is required to assess whether the development is a 'hazardous industry'.

The risk screening thresholds in the *Applying SEPP 33* guidelines are outlined in **Table 6.4** below.

The ASICS Facility is proposed to be used for the storage of general consumer sporting goods. The storage of any dangerous goods associated with the goods is expected to be relatively minor and would be managed so as to not exceed the screening thresholds in the *Applying SEPP 33* guidelines. Consequently, the proposed facility is not considered to constitute a 'potentially hazardous industry'.

Table 6.4: *SEPP 33 Risk Screening Thresholds*

Dangerous Goods Class	***Packaging Group***	***SEPP 33 Threshold[1]***
1.1 – Explosives	N/A	100 kg
1.2 – Explosives	N/A	5 tonne or <100m from residential area
1.3 – Explosives	N/A	10 tonne or <100m from residential area
2.1 – Flammable Gases Pressurised (excluding LPG)	N/A	100 kg

[9] These checklists are generally required to be completed for local development applications to Blacktown Council.

Dangerous Goods Class	*Packaging Group*	*SEPP 33 Threshold*[1]
2.1 – Flammable Gases Liquefied (excluding LPG)	N/A	500 kg
2.1 – LPG (above ground)	N/A	10 tonne or 16 m^3
2.1 – LPG (under ground)	N/A	40 tonne or 64 m^3
2.2 – Non-Flammable, Non-Toxic Gases	N/A	N/A
2.3 – Toxic Gases	N/A	5 tonne – Anhydrous ammonia
		1 tonne – chlorine and sulfur dioxide stored as liquefied gas
		100 kg – liquefied gas, or other poisonous gases
3 – Flammable Liquids	I	2 tonne
	II & III	5 tonne
4.1 – Flammable Solids	I, II & III	5 tonne
4.2 – Flammable Solids	I, II & III	1 tonne
4.3 – Flammable Solids	I, II & III	1 tonne
5.1 – Oxidising Substances	I, II & III	1 tonne – dry pool chlorine
		5 tonne – ammonium nitrate or other Class 5.1
5.2 – Organic Peroxides	I, II & III	10 tonne
6.1 – Toxic Substances	I	500 kg
	II & III	2.5 tonne
6.2 – Infectious Substances	I, II & III	500 kg
7 – Radioactive Material	N/A	Any
8 – Corrosive Substances	I	5 tonne
	II	25 tonne
	III	50 tonne
9 – Miscellaneous DGs	I, II & III	N/A
C1 – Diesel	N/A	N/A

1 Adapted and simplified from *Applying SEPP 33* guidelines. Some thresholds can be higher than these stated thresholds depending on distance to site boundaries and residential areas. Refer to Applying SEPP 33 guidelines for detailed information.

Nonetheless, the facility has been designed with a number of measures to mitigate the hazard and environmental risks associated with any dangerous goods storage, including:

- building construction in accordance with BCA requirements;
- the building would be constructed as a closed facility with no internal drainage to the stormwater system;
- external stormwater pits would be located away from loading areas as far as practicable; and
- the on-site stormwater system would include stormwater treatment devices to collect and treat stormwater runoff from the site (see Section 6.2).

Further, any dangerous goods and hazardous substances storage and handling on site would be undertaken in accordance with the Dangerous Goods Code and *AS 1940-2004: The storage and handling of flammable and combustible liquids*.

7 JUSTIFICATION AND CONCLUSION

7.1 Summary of Mitigation Measures

A summary of the proposed measures to mitigate and/or manage the environmental aspects of the proposed development is provided in the following table.

Table 7.1: *Summary of Mitigation Measures*

Issue	*Mitigation Measure*	*EIS Ref.*
Design and Visual	• The facility would be developed generally in accordance with the architectural and landscape plans for the ASICS Facility	• S.3 • App. B • App. C
	• All external lighting would be installed in accordance with *AS 4282(INT) - Control of Obtrusive Effects of Outdoor Lighting*	• S.3.10
Soil and Water	• The facility would be developed generally in accordance with the Erosion and Sediment Control Plan for the facility, and OEH's *Managing Urban Stormwater – Soils and Construction*	• S.6.2
	• The facility would be developed generally in accordance with the salinity management measures in the Salinity Assessment for Sydney Business Park (GHD, October 2011), applicable Australian Standards including AS2159, AS2870, AS3600 and AS3700, and OEH's *Building in a Saline Environment* guideline	• S.6.2
	• The facility would be developed in accordance with the Stormwater Management Plan for the facility	• S.6.2 • App. D
Noise and Air Quality	• Construction and operation of the ASICS Facility would be managed in accordance with the relevant noise criteria under the: o *Noise Policy for Industry (NPI)*; o *Interim Construction Noise Guideline*; and o *Road Noise Policy*	• S.6.3
	• Construction activities would be undertaken generally within the hours stipulated in the EPA's *Interim Construction Noise Guideline*	• S.3.4 • S.6.3
	• The hours of operation for the showroom and retail outlet, and supervised public access to the playing fields and court, would be limited to between 7am to 9pm, 7 days a week	• S.3.4 • S.6.3
	• Dust emissions during construction works would be managed in accordance with standard best practice techniques, including: o minimising the area of disturbance as far as practicable; o minimising drop heights for materials being worked on the site; o keeping exposed surfaces moist at all times; o rehabilitating/revegetating disturbed surfaces as soon as practicable; and o ensuring that trucks are covered and do not track sediment onto public roads	• S.6.4
Greenhouse Gas and Resource Use	• The facility would be developed in accordance with the energy and water resource use efficiency measures outlined in this EIS	• S.3.8
Traffic	• Site access, parking and internal circulation arrangements for the facility would be developed in accordance with relevant Australian Standards (including AS2890.1 and AS2890.2)	• S.6.6.2
	• A Construction Traffic Management Plan would be prepared to appropriately manage traffic and traffic-safety construction works	• S.6.6.2
Wastes and Hazards	• The facility would be developed and managed generally in accordance with the Waste Management Plan for the facility	• S.6.8 • App. I
	• All dangerous goods and hazardous substances storage and handling on site would be undertaken in accordance with the Dangerous Goods Code and *AS 1940-2004: The storage and handling of flammable and combustible liquids*	• S.6.8

7.2 Consideration of Alternatives

Alternatives to carrying out the development on the site in the proposed manner include:

- developing the site to a lesser or higher scale;
- developing the site with a different layout and/or design; and
- not undertaking the development, or components of it, at all.

In terms of scale, it is noted that:

- the floor space ratio (FSR) for the development is 54%, which is well below the 70% maximum FSR permitted under the Marsden Park Industrial Precinct Plan;
- the proposed facility has a maximum ridge height of 13.7 metres, which is within the 16 metre maximum height permitted under the Marsden Park Industrial Precinct Plan, and is consistent with contemporary warehouse buildings in the North West Growth Centre and Western Sydney Employment Area;
- the proposed facility has building setbacks to Darling Street that comply with the applicable setbacks in the Growth Centres DCP (ie. 7.5 metres), with the warehouse component of the facility setback at least 30 metres from the street;
- the proposed building scale has been designed in accordance with the constraints of the site, in particular the Transgrid easement that traverses through the site; and
- environmental assessment indicates that the development is able to be undertaken in a manner that would not adversely affect the environment or surrounding land users.

Accordingly, it is considered that the proposed scale of the ASICS Facility provides a reasonable balance between maximising the development and employment opportunities of the site whilst ensuring that the amenity of the surrounding area is not adversely affected.

In terms of alternative layouts and/or designs, it is noted that:

- the proposed ASICS Facility has been designed to a very high quality with a range of architectural forms, articulation and materials that respond to the site's attributes and constraints;
- the design of the facility has paid particular attention to key frontages to Darling Street. Loading areas, utilities, plant and equipment have been located away from the key frontages and/or effectively screened;
- the proposal has been designed in a manner that converts the site's main constraint (ie. the Transgrid easement) into an opportunity, by siting the private sports playing field within the easement, and the showroom and retail outlet in the small parcel of land that would otherwise be cut off from the developable part of the site. The facility has also been designed to minimise parking within the easement area;
- the proposed facility provides generous open space and recreation areas, which comprise approximately 14% of the site area;
- the facility complies with the built form development controls of the Marsden Park Industrial Precinct Plan and Growth Centres DCP, with the exception of car parking rates under the DCP. In this regard, adequate parking spaces have been provided for the expected demand generated by the facility, and ample open space is available on site if a potential future land user required additional on-site parking; and
- there are no sensitive visual receivers in the vicinity of the site.

Accordingly, it is considered that the layout and design of the proposed ASICS Facility provides a reasonable balance between the utilitarian needs of the facility, and the desire for an attractive and appealing development that complements the Sydney Business Park estate.

Not undertaking the development at all on the site is not considered to be a reasonable alternative, as:

- the development as a whole is permissible on the land and is consistent with the objectives of the Growth Centres SEPP and the Marsden Park Industrial Precinct Plan, particularly as it represents development for non-obtrusive warehousing and distribution purposes and incorporates a high quality architectural and landscape design;
- the development is not predicted to have any significant impacts on the environment or surrounding land users; and
- not undertaking the development would negate the facility's significant socio-economic benefits, including a capital investment of $54 million in the Marsden Park Industrial Precinct and the generation of approximately 185 jobs in Western Sydney.

Whilst the showroom and retail outlet component of the proposed development is nominally prohibited under the Growth Centres SEPP, as outlined in Section 4.2 the outlet may be approved as part of the development. It is considered that the proposed outlet component of the proposal is reasonable and justified, particularly as the retail outlet would:

- comprise only a minor component of the overall ASICS Facility, with the gross floor area of the building representing less than 3% of the site area and 5% of the total site building area. The area of the building that would be used for retailing purposes (ie. approx. 900m^2) represents only 1.6% of the site area;
- integrate ASICS' operations and assist in showcasing the company's range of outdoor sporting goods to the community in a high quality setting;
- assist in activating the site and street front, improving the overall design quality and visual amenity of the warehouse facility and the wider estate;
- assist in creating a landmark architectural statement of the corner of Darling Street, with the site having quality views across the open space associated with the precinct stormwater basin;
- make beneficial use of this corner of the site, which is otherwise constrained by its small size and the presence of the Transgrid easement;
- be compatible with other retail and business facilities in Sydney Business Park, including the Lindt Facility (including its industrial retail outlet) directly to the south, the proposed Marsden Park Trade Centre directly to the south-east, and the business-zoned land directly to the north; and
- enable ASICS to demonstrate its range of healthy-living goods to the public, and to undertake promotional activities associated with the company's range of community, sponsorship and healthy-living programs, which would benefit the people of Western Sydney.

7.3 Project Need and Justification

The proposed ASICS Facility would form an integral and central component of ASICS' Australian and global operations, comprising its national administrative headquarters and its core NSW warehousing and logistics facility.

The facility would provide a high quality integrated warehouse, office, retail outlet and generous open space that is in keeping with ASICS' healthy-living philosophy of 'A sound mind in a sound body', and in a manner that would complement the character of Sydney Business Park.

The development represents a significant capital and labour investment by ASICS in the Marsden Park Industrial Precinct and the wider North West Growth Centre, identified in the Sydney Metropolitan Plan (*A Plan for Growing Sydney*) as a key centre for employment and urban growth in Western Sydney over the next 20 years.

Importantly, the development will generate approximately 185 jobs, which represents a considerable employment density compared to contemporary warehousing developments in Western Sydney. To illustrate, the development would achieve an employment density of about 33

jobs per developable hectare, notwithstanding that a considerable portion of the site is effectively constrained from development by the presence of the Transgrid easement. This employment density is well above the 20 jobs per hectare used in strategic planning for employment lands in the Sydney Metropolitan Plan.

Environmental assessment indicates that the development is unlikely to result in any significant environmental impacts or adversely affect the amenity of the surrounding area. Further, the development is able to be undertaken in a manner that is consistent with the principles of ecologically sustainable development, which include[10]:

- *the precautionary principle* – the development is not predicted to pose any threat of serious or irreversible environmental damage;
- *inter-generational equity* – the development is not predicted to adversely affect the health, diversity and productivity of the environment for the benefit of future generations;
- *conservation of biological diversity and ecological integrity* – the development is not predicted to have any significant adverse impacts on biodiversity; and
- *improved valuation, pricing and incentive mechanisms* **–** the development is consistent with this principle.

The site is well suited to the development, as it is zoned for employment uses, is adjacent to other commercial and business zoned land, has access to all required services and utilities, is well removed from sensitive receivers and potential environmental hazard, and makes beneficial use of the Transgrid easement which would otherwise be a key constraint to development of the site.

On balance, it is considered that the development represents the orderly and reasonable development of the land, and is therefore in the public interest.

7.4 Conclusion

Having regard to all the salient environmental, social and economic issues, it is considered that the proposed development represents orderly development of the land. It is respectfully requested that the Minister for Planning (or his delegate), having due regard for the information submitted in this document, grants approval to the proposed ASICS Facility in Sydney Business Park.

[10] As outlined in the *Environmental Planning and Assessment Regulation 2000*

APPENDIX A

APPENDIX B

APPENDIX C

APPENDIX D

APPENDIX E

APPENDIX F

APPENDIX G

APPENDIX H

APPENDIX I

APPENDIX J

APPENDIX K

APPENDIX L