



HORSLEY LOGISTICS PARK STAGE 2 3 JOHNSTON CRESCENT, HORSLEY PARK

Scoping Report

Prepared for
ESR AUSTRALIA
3 May 2024

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Report Number	Final

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CONTENTS

Glossary and Abbreviations	1
1. Introduction	3
1.1. Applicant Details	3
1.2. Project Description	3
1.3. Project Background.....	5
1.3.1. The Former CSR Estate	5
1.3.2. Site History	6
2. Strategic Context.....	15
2.1. Project Justification	15
2.1.1. Greater Sydney Region Plan: A Metropolis of Three Cities	15
2.1.2. Our Greater Sydney 2056: Western City District Plan	16
2.1.3. Fairfield Local Strategic Planning Statement 2020	17
2.2. Key Features of Site and Surrounds.....	19
2.3. Cumulative Impacts with Future Projects	23
3. The Project.....	25
3.1. Proposed Development	25
3.2. Feasible Alternatives.....	26
4. Statutory Context	28
4.1. Statutory Requirements	28
4.2. Pre-Conditions	30
4.3. Mandatory Considerations	31
5. Community Engagement.....	33
5.1. Engagement Carried out.....	33
5.2. Engagement to be Carried out by the Applicant	33
6. Proposed Assessment of Impacts	34
6.1. Matters Requiring Further Assessment in the EIS	34
6.1.1. Built Form and Urban Design	34
6.1.2. Landscape	34
6.1.3. Traffic, Parking, Access.....	34
6.1.4. Amenity.....	35
6.1.5. Geotechnical and Soil.....	35
6.1.6. Stormwater and Flooding	35
6.1.7. Hazards and Risks	35
6.1.8. Infrastructure Servicing.....	35
6.1.9. Social Impact	36
6.1.10. Ecologically Sustainable Development	36
6.2. Matters Requiring No Further Assessment in the EIS	36
Disclaimer.....	39
Appendix A Scoping Summary Table	
Appendix B Preliminary Site Plans	
Appendix C Estimated Development Cost Cover Letter	
Appendix D Works As Executed Survey Plan Under DA893.9/2013	
Appendix E BDAR Waiver	

GLOSSARY AND ABBREVIATIONS

REFERENCE	DESCRIPTION
ACHAR	Aboriginal Cultural Heritage Assessment Report
AQIA	Air Quality Impact Assessment
BAM	Biodiversity Assessment Method
BC Act	<i>Biodiversity Conservation Act 2016</i>
BC Reg	<i>Biodiversity Conservation Regulation 2017</i>
BDAR	Biodiversity Development Assessment Report
CDA	Concept Development Application
CEMP	Construction Environmental Management Plan
CMP	Construction Management Plan
CTMP	Construction Traffic Environmental Plan
DCP	Development Control Plan
DPHI	NSW Department of Planning, Housing and Industry
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EPA Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EIS	Environmental Impact Statement
EPA	NSW Environment Protection Authority
LEP	Local Environmental Plan
PBP	Planning for Bushfire Protection
POM	Plan of Management
PSI	Preliminary Site Investigation
SEARs	Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
Site	Lot 301 in Deposited Plan 1244594
Planning Systems SEPP	<i>State Environmental Planning Policy (Planning System) 2021</i>
SSD	State Significant Development
SSDA	State Significant Development Application

TIA	Traffic Impact Assessment
WMP	Waste Management Plan
WSEA	Western Sydney Employment Area
WSUD	Water Sensitive Urban Design
WWTP	Wastewater Treatment Plant

1. INTRODUCTION

This Scoping Report has been prepared on behalf of ESR Australia and in support of a proposed warehouse and distribution centre within Horsley Logistics Park at 3 Johnston Crescent, Horsley Park. The proposed development is also known as Horsley Logistics Park Stage 2 development. It seeks Secretary's Environmental Assessment Requirements (**SEARs**) for the preparation of an Environmental Impact Statement (**EIS**) that will accompany a State Significant Development Application (**SSDA**).

This section of the report identifies the applicant for the project and describes the site, including site history and the proposed development.

1.1. APPLICANT DETAILS

The applicant details for the proposed development are listed in the following table.

Table 1 Applicant Details

DESCRIPTOR	PROPONENT DETAILS
Full Name(s)	ESR Australia
Postal Address	Level 24, 88 Phillip St, Sydney 2000
ABN	87 159 221 851
Nominated Contact	Grace Macdonald NSW Planning Manager
Contact Details	M +61 411 599 155 D +61 2 9186 4759 E Grace.Macdonald@esr.com

1.2. PROJECT DESCRIPTION

ESR Australia seeks to develop a high-quality warehouse and distribution facility that will complement the industrial operations of the broader Horsley Logistics Park. The proposal will deliver industrial land uses in an existing industrial area with key connections to infrastructure corridors and the Western Sydney Aerotropolis. The warehouse buildings will generate employment for the locality and maximise an underutilised site to strengthen the industrial operations of the Western Sydney Employment Area (**WSEA**).

The project comprises the construction of two warehouse buildings with ancillary offices. The two buildings occupy a single lot owned by ESR, comprising of a continuous pad level with split hardstand areas. Both buildings will support warehouse and distribution use.

The proposal includes a total GFA of 55,944m², split across two buildings, comprising of 53,091m² of warehouse GFA and 3,040m² of office GFA. The development will be supported by the construction of an internal hardstand access, with separate truck and car entry via Johnston Crescent along the eastern boundary, 258 onsite car parking spaces, and landscape setbacks. In addition, the proposal will involve minor earthworks from the established pad levels.

The proposed Warehouse B has an estimated development cost of \$51,000,000 (refer to Appendix C) and therefore exceeds the cost threshold for State Significant Development. The combined estimated development cost for the overall development is \$79,000,000. For the purpose of issuing SEARs for the entire project, it is considered that Warehouse A is sufficiently related to Warehouse B so as to enable it to also be declared SSD as part of the same application.

Both warehouse buildings will be located on the same lot owned by ESR and will have the same use. Both warehouse buildings will utilise the same singular vehicle access off Johnston Crescent and the central hardstand area, preventing the subdivision of the land to split the two buildings into separate ownership in the future.

Therefore, Warehouse A is sufficiently related to Warehouse B to enable both buildings to comprise the same SSDA under Schedule 1 of the State Environmental Planning Policy (Planning System) 2021 (**Planning Systems SEPP**), as a development that has a CIV of more than \$50 million for the purpose of a Warehouse or Distribution Centre, which is classified as SSD.

The Minister is the consent authority for the proposal in accordance with section 4.5 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. Accordingly, this SSDA is being lodged with the NSW Department of Planning, Housing and Industry (**DPHI**) as an SSDA seeking development consent for the proposed construction of two warehouse buildings with ancillary offices on a single lot.

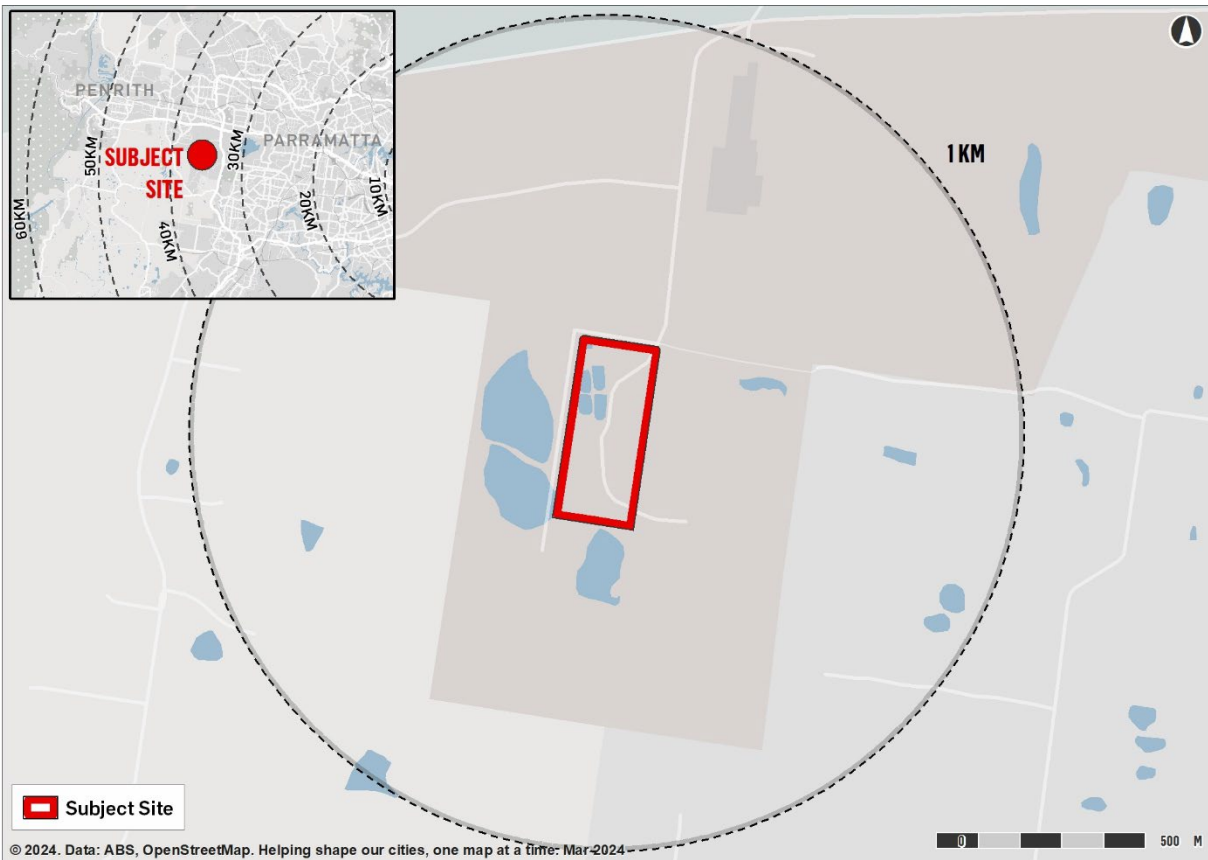
The site information relevant to the project is provided in the following table. A detailed description of the key features of the site and locality is provided in Section 2.3 of this report.

Table 2 Site Details

DESCRIPTOR	SITE DETAILS
Street Address	3 Johnston Crescent, Horsley Park
Legal Description	Lot 301 in Deposited Plan 1244594
Site Area	86,723m ²

A map of the site in its regional setting is provided at **Figure 1** and an aerial of the site is provided at **Figure 2**.

Figure 1 Local Context



Source: Urbis

Figure 2 Site location



Source: Urbis

1.3. PROJECT BACKGROUND

1.3.1. The Former CSR Estate

The subject site is located within the former CSR Estate, which covers an area of approximately 74.48 ha within the strategically significant WSEA. The WSEA has long been identified as the single largest greenfield industrial precinct to serve the growing demand for industrial lands in the Sydney Metropolitan Area for the next 20 to 30 years.

This subject SSDA relates only to the area outlined in red (refer to Figure 3), which is known as Horsley Logistics Park Stage 2 development. Planning and development of the remaining lands within the former CSR Estate is subject to separate assessment and approval.

Figure 3 ESR Estate and the subject site



Source: Urbis

1.3.2. Site History

The former CSR Estate lands have been previously used for brickmaking and quarrying. The operation of the quarry resulted in the clearance of all vegetation, removal of original soils and the overall wholesale disturbance of the landscape across the entire Estate, which includes the subject site. CSR identified large portions of land within the former CSR Estate as surplus and available for alternate development. As the land was no longer being utilised for quarrying, CSR has proceeded to subdivide and stage out the future development of its land. This has resulted in a series of development applications lodged with and approved by Fairfield City Council (Council) and the NSW Land & Environment Court. Following the undertaking of remediation, fill and benching in accordance with these consents, various parcels have been sold to developers including ESR.

The subject site formed part of 'stage 3A' of the former CSR Estate (refer to Figure 4).

Figure 4 Approved Staging Plan – the former CSR Estate



Source: CSR Limited

A summary of the relevant approvals over the former CSR Estate are detailed in Table 3.

Table 3 Site DA History

DA NUMBER	DATE OF APPROVAL	CONSENTING AUTHORITY	DESCRIPTION OF DEVELOPMENT
893.1/2013	19/12/2013	NSW Land & Environment Court	Torrens Title subdivision to create 14 lots and 1 residue lot in 3 stages.
893.4/2013	18/06/2018	Fairfield City Council	Minor amendments to features of the subdivision in each of the 3 stages.
893.8/2013	15/09/2021	Fairfield City Council	Stage 3: Roadworks, K&G, SW Drainage, Bulk Earthworks, Regrading, Lay
893.9/2013	12/05/2021	Fairfield City Council	Further Staging of Stage 3 into Sub-Stages 3A, 3B and 3C, including subdivision design and earth works within each stage.
893.12/2013	10/03/2022	Fairfield City Council	Stage 3: Roadworks, K&G, SW Drainage, Bulk Earthworks, Regrading, Lay
65.1/2016	04/02/2016	Fairfield City Council	Construction of a landscape bund water supply pond to facilitate an existing Brick Factory in Lot 2 DP 1228114 in Stage 3.
86.1/2016	15/02/2016	Fairfield City Council	Subdivision to create two (2) Torrens Title lots.

292.1/2016 04/08/2016 Fairfield City Council

Construction of roadworks, stormwater drainage, associated construction works and sediment control along an 160m portion of Old Wallgrove Road.

437.1/2016 November 2016 Fairfield City Council

The Proposal involved the installation of a biofiltration trench to manage air quality persisting from the 5.88ha existing landfill lot on the site in the south-west corner of the former CSR Estate.

The landfill site is currently subject to a Landfill Closure Plan (LCP) which was established in 1999 for the former Camide Landfill. The landfill is covered with a 1 metre clay cap to seal off the waste to allow decomposition in perpetuity.

As part of DA437.1/2016 a Remediation Action Plan (RAP) was endorsed which highlighted the monitoring of landfill gas which had previously been undertaken since 2007 by CSR to comply with Environmental Protection License #123 in accordance with the Landfill Closure Plan prepared by Egis Consulting in 1999.

21.1/2020 23/11/2020 Fairfield City Council

Earthworks and Remediation of contamination cell
Remediation of land in Stage 2 and 3 of the former CSR Estate by placing contaminated material from the former quarrying site in a containment cell excavation located on approved Lot 306 of DA 893.1/2013, which is located to the east of the subject site.



Lot 306 comprise a 10 metre high containment cell. The top of the containment cell will be clay capped with 2.5m of fill above the cell to a finished design level of approx. RL 86.5m.

As part of the application, a RAP was provided by ERM dated 20 December 2019 which concludes the site can be made suitable for the intended

industrial land use subject to appropriate remediation in accordance with the RAP and SEPP 55.

Remediation works for the subject site have been completed by the previous owner CSR

287.1/2020 287.2/2020	27/07/2020	Fairfield City Council	Construction to small corner sections of Stage 3 - Stage 3: Construction of Roadworks, SW Drainage, Traffic Islands, Line Marking
893.13/2013	12 May 2021	Fairfield City Council	Further staging of Stage 3 into Sub-Stages 3A, 3B and 3C. This SSDA relates to land identified as stage 3A.

The above table offers an overview of the approval history of the former CSR Estate. In terms of site preparation works to facilitate the future development at the subject site, the following staged works have been undertaken at the site as approved under **DA 893.1/2013**.

DA 893.1/2013 Approved Works – CSR Estate Subdivision, Earthworks & Infrastructure

DA893.1/2013 was lodged with Fairfield City Council on 19 December 2013 and determined by the LEC on 16 October 2015. The approval enabled the former CSR Estate to be subdivided and constructed in three stages. The subject site is located within Stage 3 area, and the approved works for stage 3 included:

Stage 3

- *The creation of 8 lots for future industrial purposes including Lot 5 being 2.015 ha in area, Lot 6 being 1.52 ha in area, Lot 7 being 1.50 ha in area, Lot 8 being 1.81 ha in area, Lot 9 being 1.82ha in area, Lot 10 being 4.02ha in area, Lot 11 being 4.19ha in area and Lot 12 being 4.19 ha in area;*
- *The construction, and continuation, of the proposed road from Stage 2 to intersect with Burley Road. The position of this intersection with Burley Road will allow for a four way intersection with Burley Road, Old Wallgrove Road and the proposed internal road. The intersection will be subject to future design in accordance with the upgrade of Burley Road to the Southern Link Road;*
- *Bulk earthworks to create future development lot pads;*
- *On lot stormwater detention and stormwater quality treatment for proposed Lots 5-12; and*
- *Tree removal.*

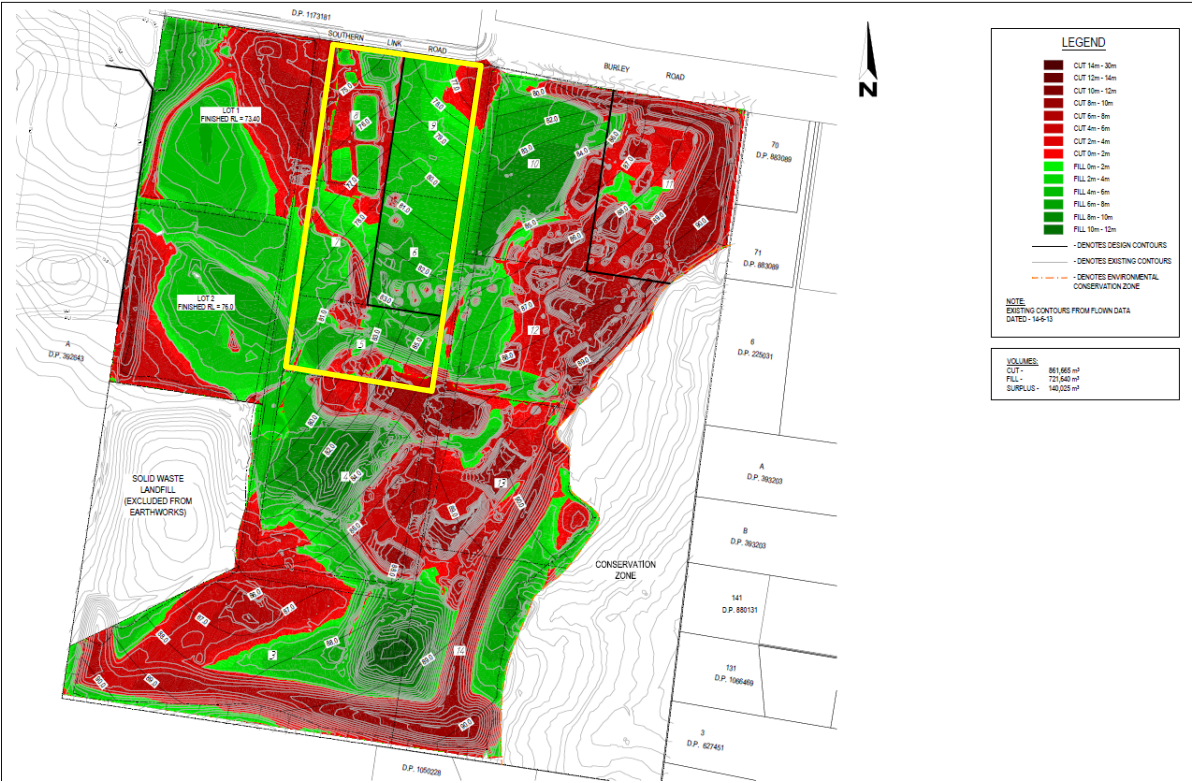
The indicative earthwork plan shown in Figure 5 was approved under DA893.1/2013, which demonstrates that the site has been cut and filled between 0-8m.

DA 893.9/2013 Approved Works - Subdivision design of Stage 3 and earth works within each stage

DA 893/2013 was subsequently modified a number of times. Under the approved modification application DA893.9/2013, stage 3 of the former CSR state was further subdivided into three separate lots. As part of this modification, extent of earthworks within the subject site was also modified and approved by Council. Section showing the extent of cut and fill within the subject site is shown in Figure 6. The works as executed survey plan are attached at Appendix D.

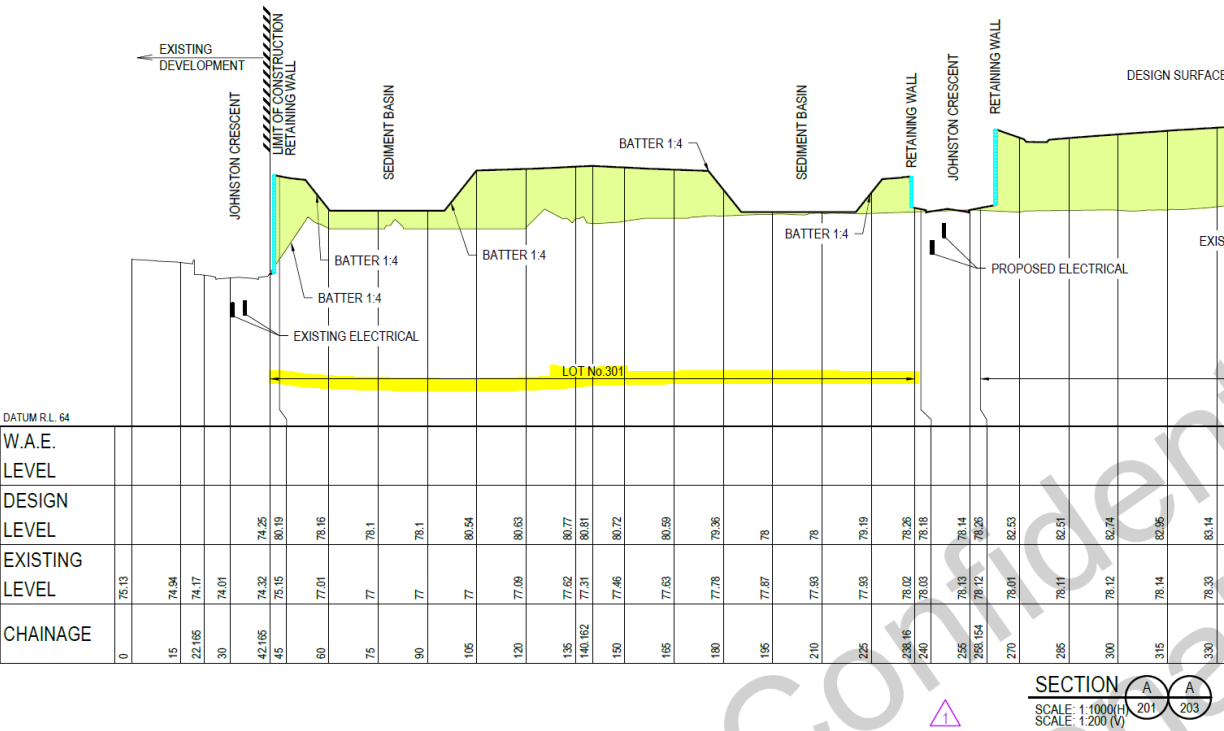
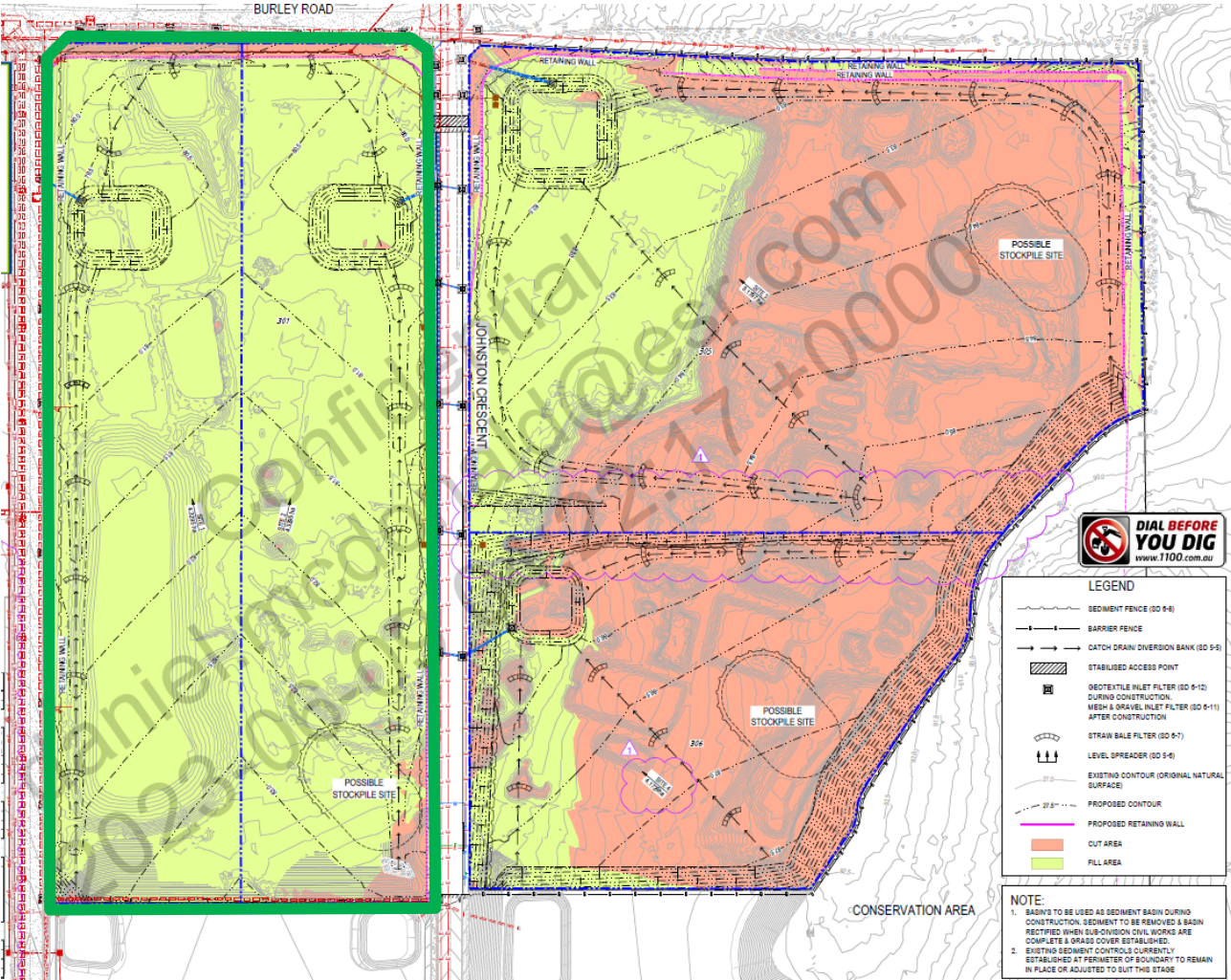
Bulk earthworks, including fill and benching of the site approved via DA893.1/2013 and DA893.9/2013 has since been completed. In addition, the remediation works approved under DA 21.1/2020 would have removed contaminated material and soil at the subject site. Refer to Figure 7 for aerial photography (with site plan overlays) showing evolution of ground conditions on the site from March 2021 to January 2024.

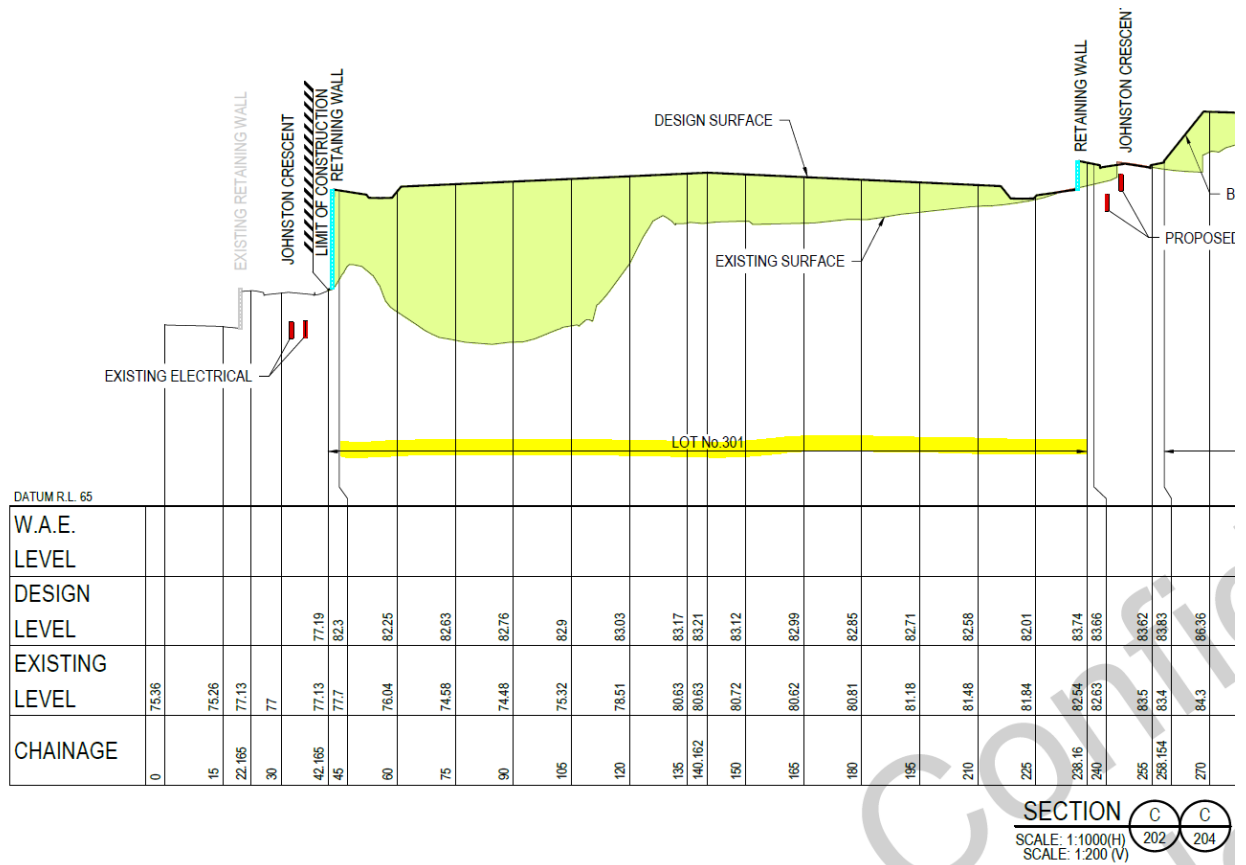
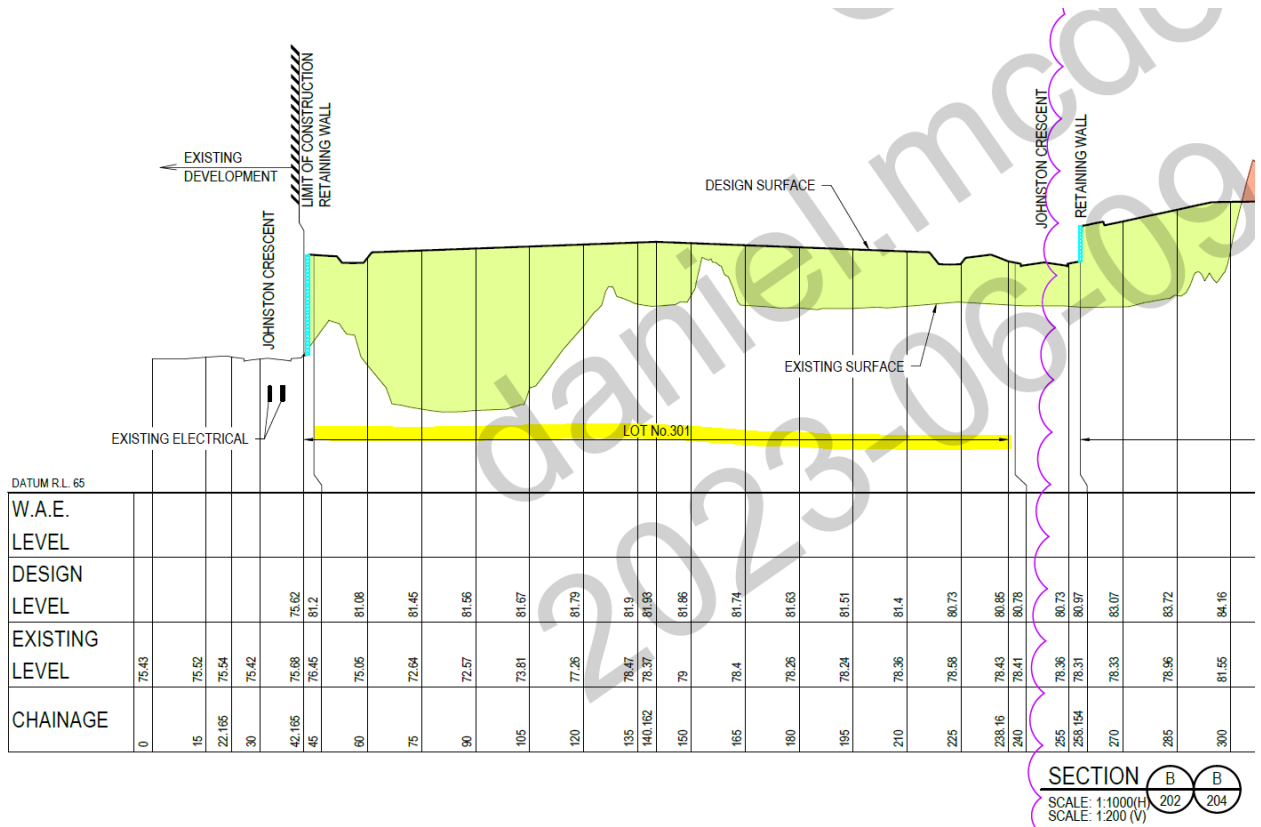
Figure 5 Approved Earthworks under DA893.1/2013 - subject site outlined in yellow

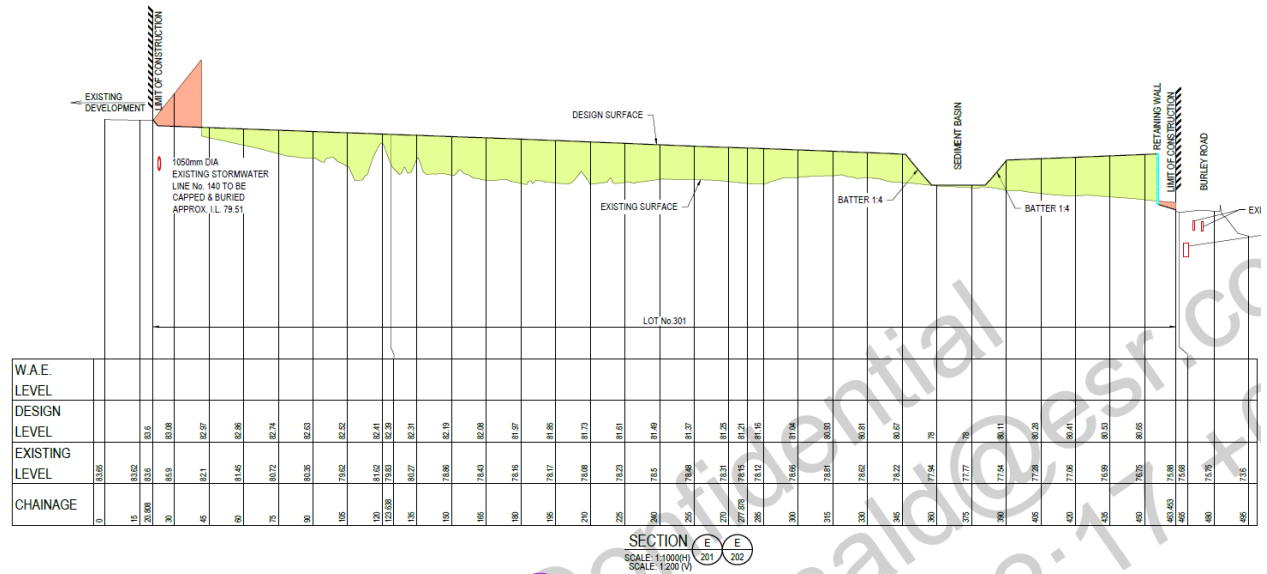
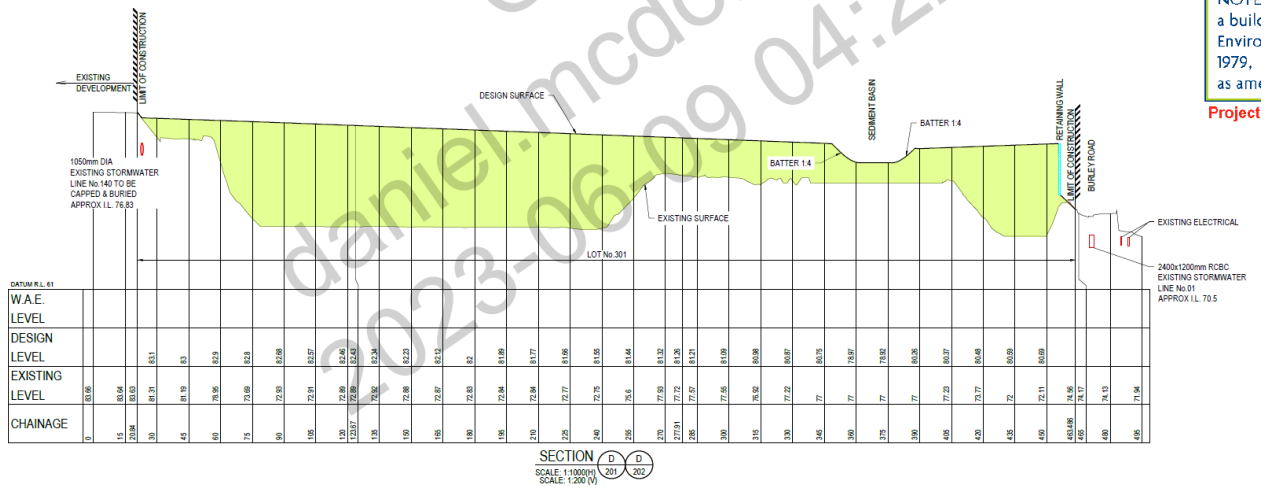


Source: Brown Smart Consulting

Figure 6 Approved Earthworks (plan and section) under DA893.9/2013 - subject site outlined in green

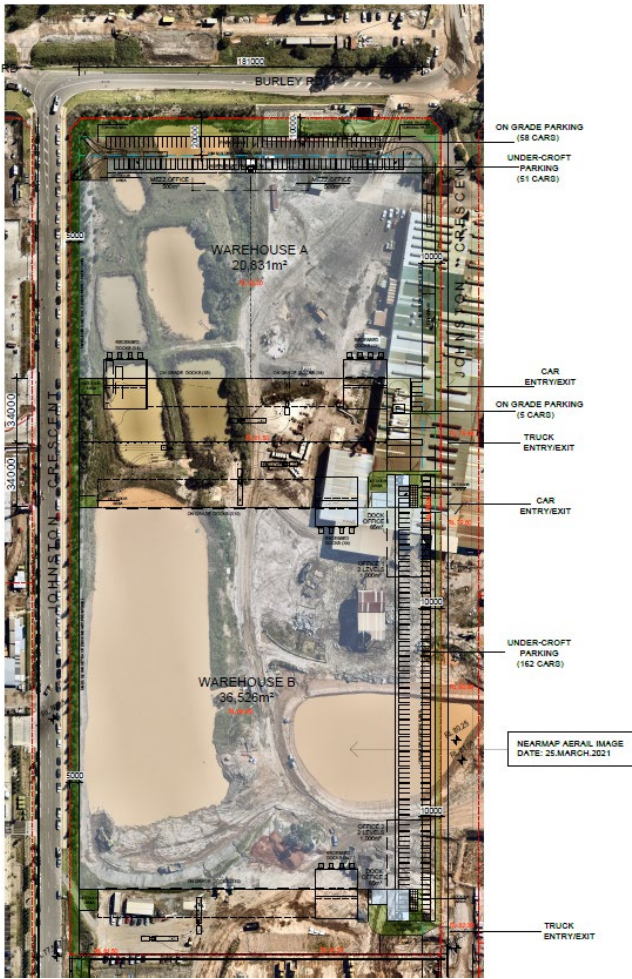




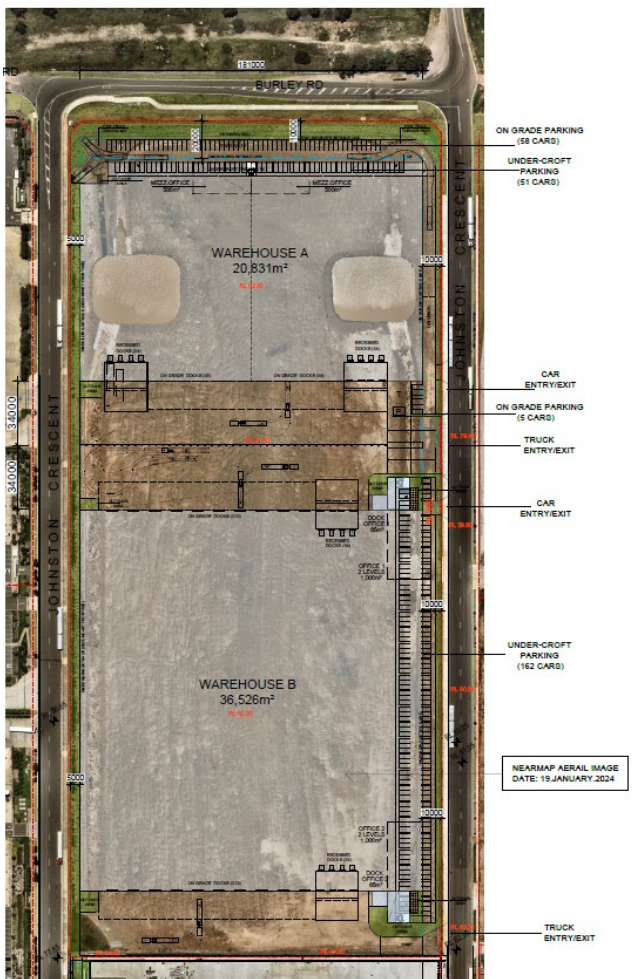


Source: Calibre

Figure 7 Site History – Ground condition of 2021 and 2024



Picture 1 Previous ground conditions - March 2021
Source: ESR



Picture 2 Existing ground conditions following earthworks - January 2024
Source: ESR

2. STRATEGIC CONTEXT

This section describes the way in which the proposal addresses the strategic planning policies relevant to the site. It identifies the key strategic issues relevant to the assessment and evaluation of the project which will be explored in further detail within the future EIS.

2.1. PROJECT JUSTIFICATION

The proposed development is aligned with the State, district and local strategic plans and policies applying to the site as outlined below.

2.1.1. Greater Sydney Region Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan (Region Plan) provides the overarching strategic plan for growth and change in Sydney. It is a 20-year plan with a 40-year vision that seeks to transform Greater Sydney into a metropolis of three cities - the Western Parkland City, Central River City and Eastern Harbour City. It identifies key challenges facing Sydney including increasing the population to eight million by 2056, 817,000 new jobs and a requirement of 725,000 new homes by 2036.

Under this Plan, the site is identified as being within the Western Parklands City, the emerging of the three cities which is set to experience unparalleled population growth over the next 40 years. The city will be established on the strength of the new international Western Sydney Airport and Badgerys Creek Aerotropolis. A key objective of the Parkland City is to optimise infrastructure and business investment, employment and liveability outcomes.

The Region Plan states the WSEA will be the single largest new employment space in the Sydney Metropolitan Area. Located on the intersection of the M7 and M4 Motorways near Eastern Creek, it will significantly expand the employment potential in this part of Sydney. The Region Plan identifies the WSEA as a region of strategic industrial importance due to its proximity to the Badgerys Creek Aerotropolis and proposed new transport infrastructure.

The proposal will help provide employment opportunities to existing and future residents through the delivery of a high-quality warehouse and distribution facility. The site is strategically located at the periphery of the Fairfield LGA and in proximity to the Western Sydney Aerotropolis. The land uses are compatible with the employment lands identified in the area and will help support strategic vision of WESA and operations of the future airport.

The objectives and actions likely to have implications for the proposed development are listed and discussed below:

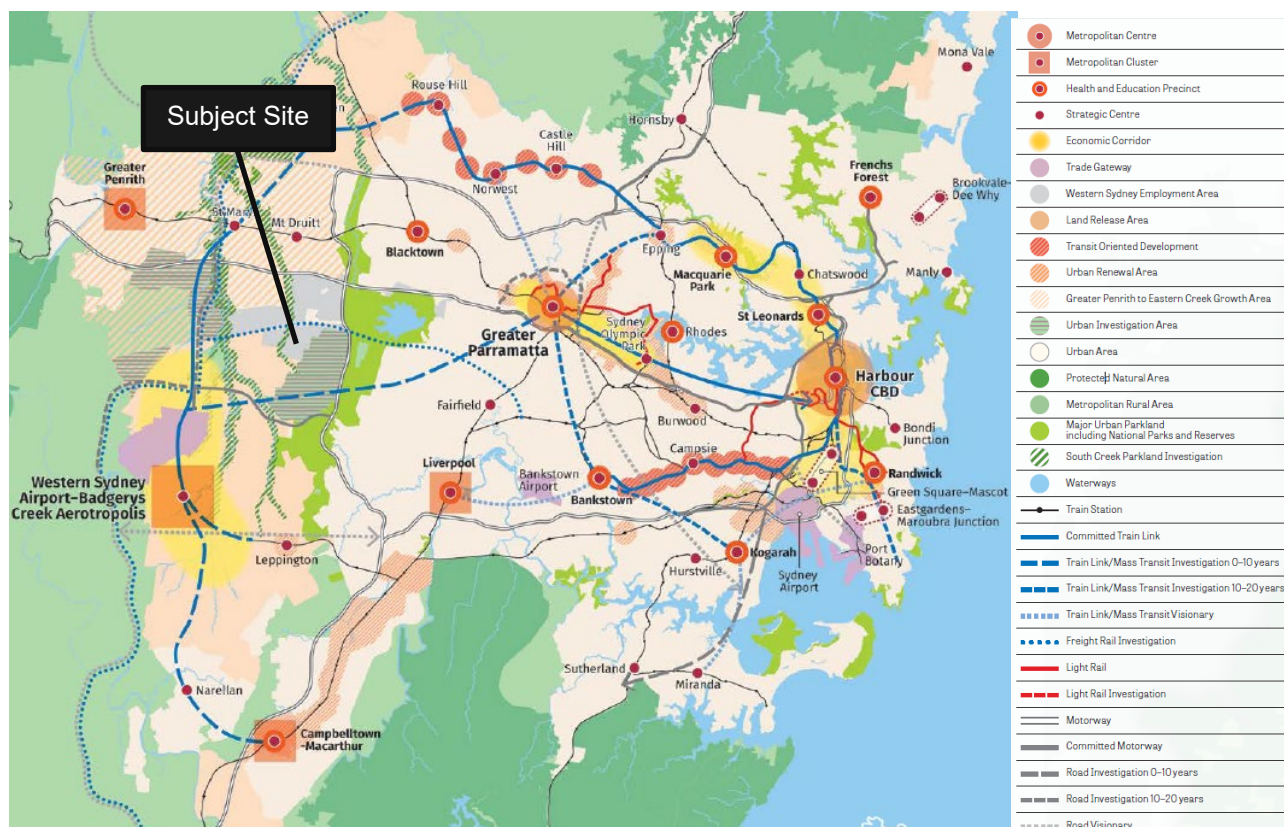
- *Objective 20 Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City*

The Western Sydney Employment Area's purpose was to become a long-term metropolitan land supply for industrial and employment activities. The proximity of the site to the Western Sydney Airport and Aerotropolis is attractive for future tenants, businesses and industries to locate. The proposed development is in a strategic location to leverage off these opportunities as well as provide compatible land uses to support the function of the aerotropolis.

- *Objective 23 Industrial and urban services land is planned, retained and managed*

The proposed warehouse and distribution facility will strengthen the growth of the site into an industrial estate to support industrial and urban services within Western Sydney, unlocking economic investment for the site and broader locality.

Figure 8 Greater Sydney Region Plan Structure Plan



Source: Greater Sydney Region Plan

2.1.2. Our Greater Sydney 2056: Western City District Plan

The *Western City District Plan* (District Plan) is a 20-year plan to manage growth in the context of economic, social and environmental matters to implement the objectives of the Greater Sydney Region Plan. The intent of the District Plan is to inform local strategic planning statements and local environmental plans, guiding the planning and support for growth and change across the district.

The District Plan contains strategic directions, planning priorities and actions that seek to implement the objectives and strategies within the Region Plan at the district-level. The Structure Plan identifies the key centres, economic and employment locations, land release and urban renewal areas and existing and future transport infrastructure to deliver growth aspirations.

Under this Plan, the site is identified as being within the Western Parklands City, the emerging of the three cities which is set to experience unparalleled population growth over the next 40 years. The site is located at the north west corner of Fairfield LGA and within the Western Sydney Employment Area. The site is located in a planned industrial and employment area that is highly suitable for the proposed development, and has connections to existing and planned infrastructure corridors. This includes the future Western Sydney Freight Line, which is enabling infrastructure for economic opportunities.

The development will contribute to the job growth targets of the district, by providing construction and ongoing jobs for existing and future population. The proposal will deliver new jobs within the Fairfield LGA, and the Western Sydney Region.

The planning priorities and actions likely to have implications for the proposed development are listed and discussed below:

- *Planning Priority W7 Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City*

The proposal will deliver employment lands in a location earmarked for future transport infrastructure investment. The site will benefit from existing and planned infrastructure corridors to aid in creating a productive Logistic Centre.

- *Planning Priority W8 Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis*

This proposal is seeking consent to develop a warehouse and distribution facility which will complement the operations of the broader industrial estate. These works will unlock future opportunities to leverage the industrial and business growth of the Western Sydney Airport and the Aerotropolis. These works will optimise the site, enabling the transformation into a hub attracting investment, employment and industrial opportunities that would benefit the broader WSEA.

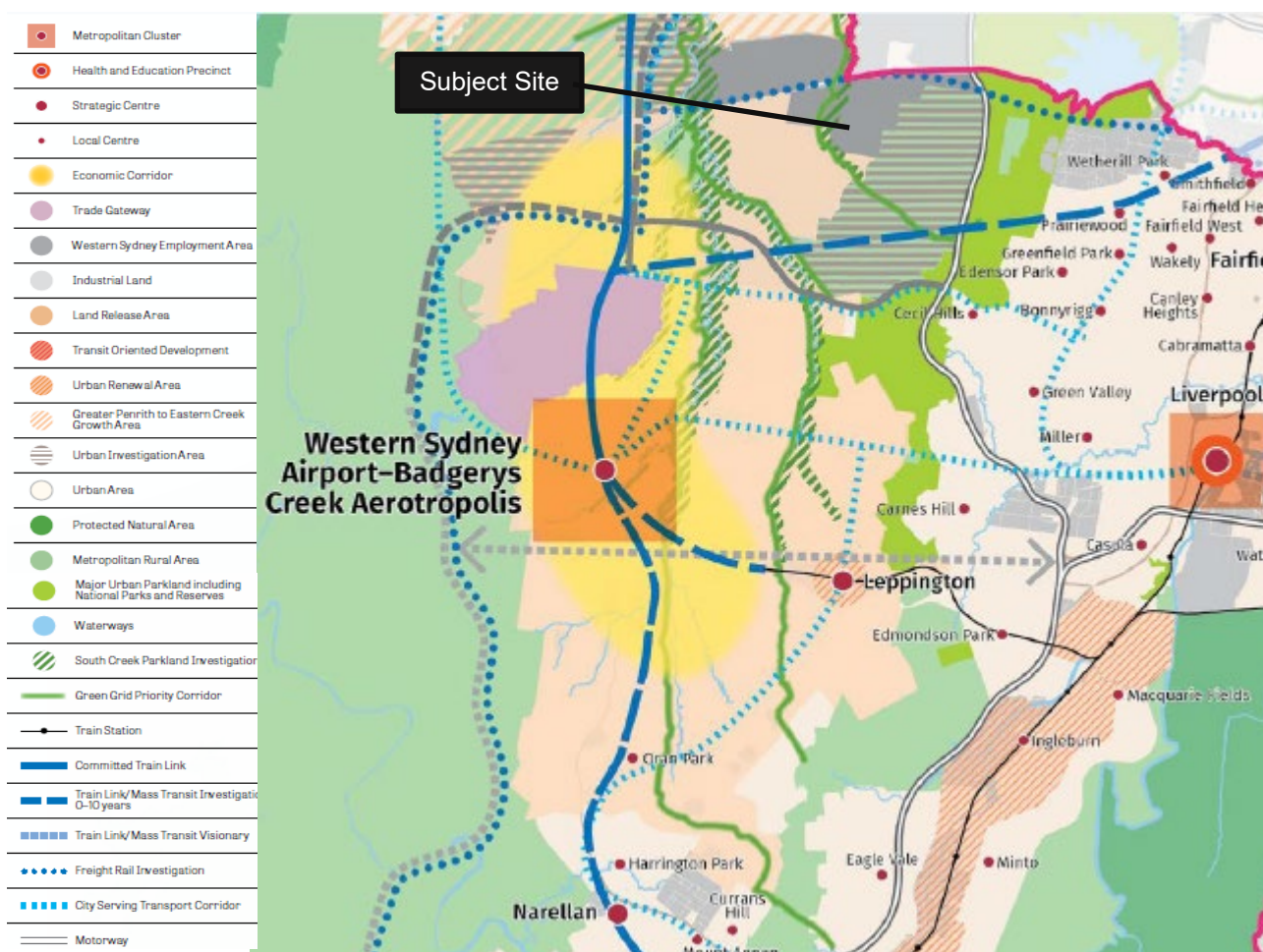
- *Planning Priority W10 Maximising freight and logistics opportunities and planning and managing industrial and urban services land*

The proposed works deliver additional industrial floorspace to carry out freight and logistics activities, which will generate investment and employment growth for the locality and broader Western City District.

- *Planning Priority W11 Growing investment, business opportunities and jobs in strategic centres*

The proposal will enable the critical redevelopment of the site to support an industrial precinct which will generate jobs as well as local and regional investment due to its strategic location within the WSEA. The proposed warehouse building will create construction and operation jobs at the subject site. It will support the broader site transformation into a precinct that generates considerable employment and business.

Figure 9 Western City District Plan Structure Plan



Source: Greater Sydney Region Plan

2.1.3. Fairfield Local Strategic Planning Statement 2020

The Fairfield Local Strategic Planning Statement (LSPS): *Fairfield City 2040 A Land Use Vision*, provides the 20-year vision for land use within the LGA. This includes a set of clear planning priorities covering the needs of the city including jobs, homes, services and parks, as well as their location.

The Fairfield City Plan identifies five key themes to achieve the community's vision:

- Community Wellbeing – Healthy and Liveable Places
- Infrastructure and Places – Supporting Growth and Change
- Environmental Sustainability
- Strong and Resilient Economy
- Good Governance – Advocacy and Consultation

The LGA is made up of three distinctive areas comprising of the western, central and eastern area. The site is located within the western area, characterised by rural lands, undulating landforms and scenic landscapes. The western area is in proximity to major motorways and regional intermodals, with the north western portion identified as the Western Sydney Employment Area (refer Figure 10). This area has the opportunity to leverage its proximity to the Western Sydney Airport (**WSA**).

The vision for Fairfield City to 2040 builds upon the existing strengths of the City. The local economy of Fairfield will benefit from maximising the advantages of its location as the gateway from WSA leading to Parramatta. The proposed warehouse is highly compatible for its location and ability to deliver on the theme to deliver a strong and resilient economy. Fairfield comprises a number of industrially zoned areas, with manufacturing, construction and retail trade accounting for the largest proportion of jobs. With the proximity of the WSA, it is envisaged that industry will become more diversified and enhance its urban services provision.

The following planning priorities under this LSPS theme will align with the proposed development:

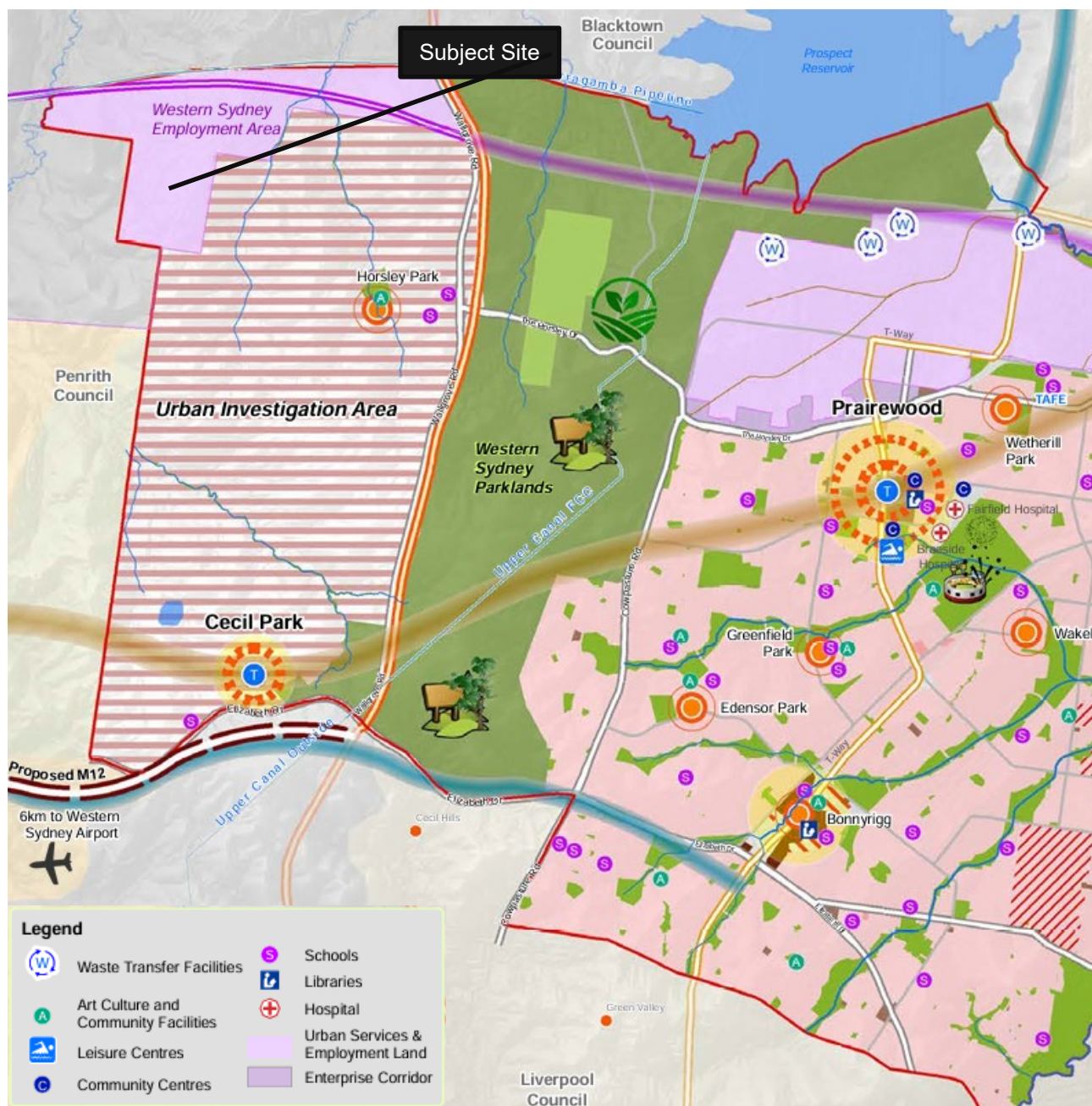
- *Planning Priority 11 Promote a robust economy which generates diverse services and job opportunities.*

The proposed warehouse and distribution facility aligns with this priority by supporting Fairfield's economy through the delivery of industrial use and employment generation land in an area compatible for its land use.

- *Planning Priority 12 Plan for and manage urban services land.*

The Strong and Resilient Economy Map highlights the site as providing urban services and employment land. The proposed development is in an established industrial area, making it a highly compatible location and is able to retain and strengthen employment opportunities in the LGA.

Figure 10 Fairfield LSPS Structure Plan - Western Area



Source: Fairfield LSPS

2.2. KEY FEATURES OF SITE AND SURROUNDS

The site is located at 3 Johnston Crescent, Horsley Park within the Fairfield local government area (LGA). The site is legally described as Lot 301 in Deposited Plan 1244594 and is currently owned by ESR.

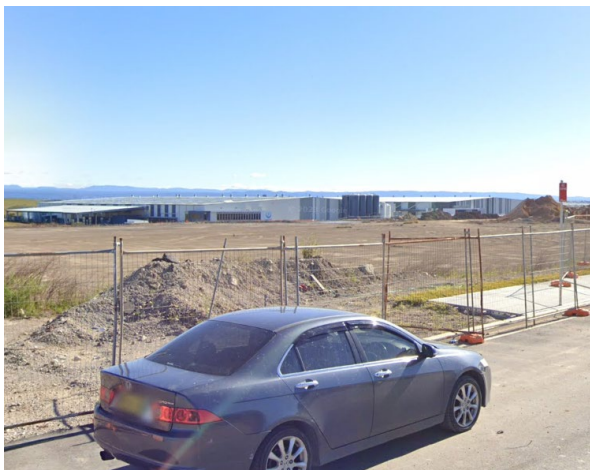
An aerial photograph of the site and the surrounds is illustrated in Figure 11. Photographs of the current site condition are provided in Figure 12.

Figure 11 aerial photograph of the site and surrounds



Source: Urbis

Figure 12 Site and Locality Photographs



Picture 3 View looking at the HLP, from the south east corner.

Source: Google Maps



Picture 4 View looking at the HLP from the north east corner.

Source: Google Maps



Picture 5 Industrial warehouses north of the site, opposite Johnston Crescent

Source: Google Maps



Picture 6 Industrial warehouses west of the site, opposite Johnston Crescent

Source: Google Maps

The key features of the site which have the potential to impact or be impacted by the proposed development are summarised in the table below.

Table 4 Key Features of Site and Locality

DESCRIPTOR	SITE DETAILS
Land Configuration	<p>The land proposed for development is rectangular in shape and relatively flat as it has undergone fill and benching under DA893/2013.</p> <p>The longest length of the site is 442.8 metres, and the shortest length is 196 metres.</p>
Land Ownership	The subject site is owned by ESR.

Existing Development	<p>The site is currently cleared of existing development. As stated above, the site has undergone bulk earthworks to create future development lot pads under DA893/2013.</p>
Local Context	<p>The surrounding locality is described below:</p> <ul style="list-style-type: none"> ▪ North: Land to the north of the site is the Oakdale East Industrial Estate (which is still under construction, with future development planned to the north and east) and Oakdale Central Industrial Estate (which has been completed). The existing development are largely medium-large format warehouse and distribution centres, industrial and manufacturing development. ▪ East: Land to the immediate east is currently cleared, with proposed works for a data centre SSDA -63741210. The proposal is currently being prepared by the proponent. To the south of the proposed data centre comprises vacant industrial zoned land as well as natural bushland zoned C2 Environmental Conservation which will be required to be retained and managed. Further east and external to the Horsley Logistics Park are land zoned RU4 Primary Production Small Lots which are characterised by rural residential land use activities. ▪ South: Bounding the site to the south is the Horsley Logistics Park Stage 1 development approved and constructed under SSD-10436, comprising of multiple large warehouses. In addition, the Western Sydney Airport is located south west of the site. ▪ West: Immediate west of the site comprises several warehouse development and vacant general industrial zoned land. Further west is the Mamre Road Precinct which forms part of the Western Sydney Employment Area (WSEA).
Regional Context	<p>The site is located within the Fairfield LGA and is approximately 15km from the Penrith Central Business District (CBD), 17km from the Parramatta CBD, 10 kilometres north-east of the future Western Sydney International airport and 35km from Sydney CBD.</p> <p>The site is within the Western Sydney Employment Area and within a developing employment precinct, including the ESR Horsley Logistics Park, Oakdale Central, Oakdale South and Horsley Park Employment Precinct. It is also close to other established and emerging employment-generating precincts, including Eastern Creek to the north, Huntingwood to the north-east, Wetherill Park and Mamre Road West to the north-west and Wetherill Park to the east</p>
Infrastructure	<p>The site does not benefit from existing public transport services in its vicinity.</p> <p>The site will be well serviced by infrastructure. The signalised intersection of Lenore Drive and Old Wallgrove Road at Eastern Creek is approximately 2 kilometres to the north, providing access to Wallgrove Road and the Westlink M7 Motorway to the east and Erskine Park Road and Mamre Road to the west. Each of these roads provides access to the M4 Motorway to the north and M5 Motorway to the south.</p>

Site Access	The Site is accessed via Johnston Crescent, and an access road off Reserve Road and Burley Road which was constructed as a part of DA 893.1/2013 and extended into an internal loop road.
Services	Existing services will be retained or augmented. New services will be established as required.
Contamination	Remediation works has been completed by the previous owner CSR under local DAs. A contamination assessment will be prepared as part of the EIS. Further detail on remediation works undertaken to date is contained in Section 6.2 of the report.
Stormwater and Flooding	Flood risk assessment from Ropes Creek or other regional flooding will be prepared to accompany the EIS.
Bushfire Prone Land	The subject site is not identified as bushfire prone land.
Flora and Fauna	Vegetation clearing and tree removal was undertaken as part of DA 893.1/2013. As evident on the most recent aerial photograph of the site (refer to Figure 7), the site does not comprise any vegetation or potential habitat for threatened species.
Aboriginal Heritage	No aboriginal artifacts registered on the site under AHIMs register. The site has been headily disturbed and filled in accordance with 893.9/2013 consent.
European Heritage	The site is not a heritage item nor within a conservation area. The site is not in proximity to any heritage items.

2.3. CUMULATIVE IMPACTS WITH FUTURE PROJECTS

The site is located within an existing industrial area of Horsley Park, characterised by multi-sized warehouses for supply, manufacturing and distribution.

Cumulative assessment will comprise the operations of existing developments, this includes the Horsley Logistics Park Stage 1 development and the Frasers's development to the immediate west. As well as the proposed Data Centre to the east and the approved Oakdale East Estate to the north as noted in the table below.

Table 5 Surrounding Development Applications

DA REFERENCE	DEVELOPMENT DESCRIPTION	CURRENT STATUS
SSD-63741210 3-5 Johnston Crescent, Horsley Park	Construction and operation of a data centre comprising of six data centre buildings with a maximum height of 38 m and an operational capacity of 250 MW, including substation, earthworks, car parking, landscaping and ancillary works.	Preparation of EIS We will consider the impacts to / from this SSDA if it is lodged prior

		to this DA being lodged.
SSD- 37486043	<u>Oakdale East Estate</u>	Approved 11/10/2023
2-10 Old Wallgrove Rd Horsley Park	Concept masterplan for an industrial estate and Stage 1 works including intersection upgrades, bulk earthworks, internal roads, services, expansion of an existing warehouse in Precinct 1 and construction and operation of a warehouse in Precinct 3.	MOD Approved 21/02/2024
	<u>Mod 1</u>	
	Modify the building layout in Precinct 1 and Precinct 3.	

The potential cumulative impacts of the project will be addressed in the EIS in accordance with the DPHI *Assessing Cumulative Impacts* guidelines.

3. THE PROJECT

This section outlines the key features of the proposed development, including the project area, the conceptual physical layout and design (including likely mitigation measures), the main land use activities and the likely timing for delivery of the project.

It also includes a high-level of feasible alternatives which were considering having regard to the project objectives outlined in Section 1.3 of this report, including the consequences of not carrying out the development.

3.1. PROPOSED DEVELOPMENT

The key components of the proposed development are listed in the following table. A copy of the preliminary architectural concept drawings is attached as **Appendix B**.

Table 6 Project Details

DESCRIPTOR	PROJECT DETAILS
Project Area	The site has a total area of 86,723m ² .
Project Description	<p>The project comprises the construction of two warehouse buildings with ancillary offices. The two buildings occupy a single lot comprising of a continuous pad level, with hardstand areas. Both buildings will support warehouse and distribution use and have the same owner.</p> <p>The proposed works are summarised in the following key components, and depicted in the site plan at Figure 13:</p> <ul style="list-style-type: none"> ▪ Minor site grading works from the current pad levels (maximum depth 2m) and filling of the sediment basin. ▪ Total GFA of 55,944m², split across two buildings: <ul style="list-style-type: none"> a. Warehouse A: 20,324 m² <ul style="list-style-type: none"> i. Warehouse GFA: 19,358 m² ii. Office GFA: 966 m² b. Warehouse B: 35,807 m² <ul style="list-style-type: none"> iii. Warehouse GFA: 33,733 m² iv. Office GFA: 2,074 m² ▪ An internal access road, with separate truck and car entry via Johnston Crescent along the eastern boundary. ▪ 258 onsite car parking spaces, located on grade and under-croft area. ▪ Landscape setbacks as follows: <ul style="list-style-type: none"> - Primary frontage (Burley Road): 2.5m - Secondary frontage (Johnston Crescent to the east and west): 2.5m – 5.8m - Southern boundary: 1m ▪ Outdoor areas for staff.

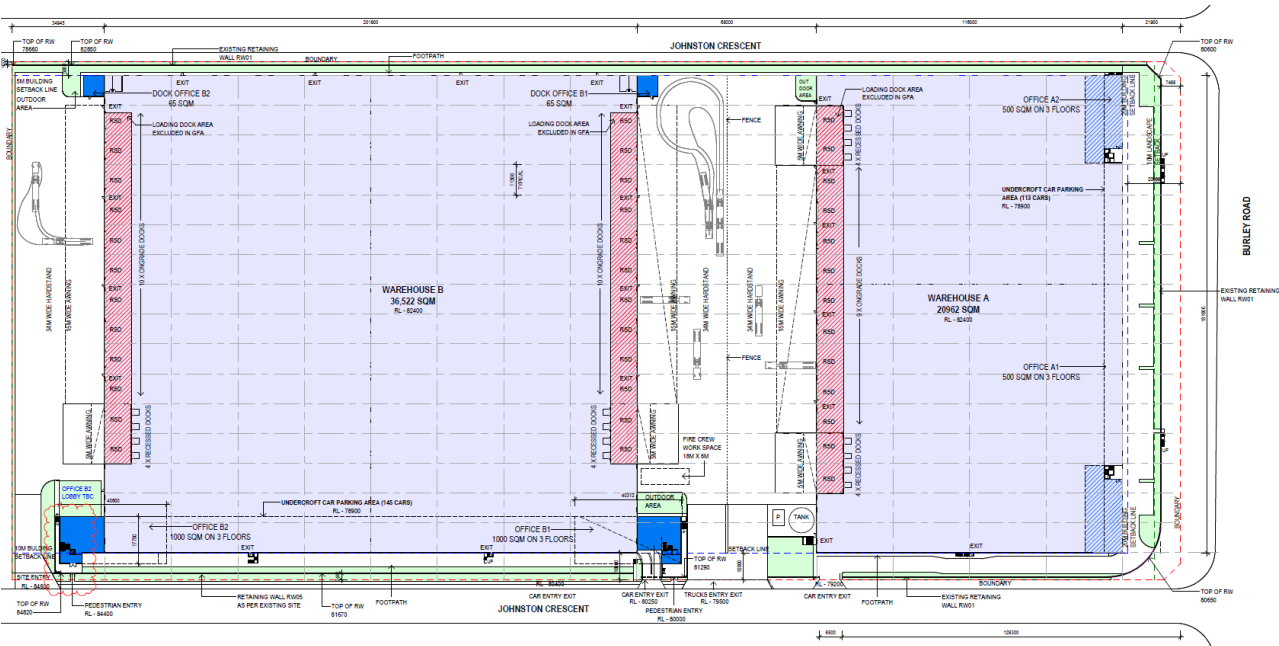
Expected Capital
Investment Value

\$79,000,000 (excluding GST) - refer to **Appendix C**

Staging/Phasing

The project will be constructed in a single stage.

Figure 13 Proposed Site Plan



Source: Nettleton Tribe

3.2. FEASIBLE ALTERNATIVES

Clause 7 in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000* (the Regulation) requires an analysis of any feasible alternatives to the proposed development, including the consequences of not carrying out the development.

ESR Australia identified three project alternatives which were considered in respect to the identified need for the proposed warehouse. Each of these options is listed and discussed in the following table.

Table 7 Analysis of Feasible Alternatives

OPTION	COMMENTS
Option 1 – Do Nothing	<p>The current state of the site, remaining as a cleared, vacant property is not in alignment with its zoning and development potential. The undeveloped land will not contribute to Horsley Logistics Park and fail to deliver upon the broader objectives of the WSEA.</p> <p>It will not provide employment lands in a strategic location. In addition, the site's proximity to the WSA emphasises the need for a proactive approach to provide compatible land uses that will support the transformation of Western Sydney.</p> <p>Maintaining the site in its current state, also known as the 'do nothing' approach, is not a long-term solution. It overlooks the site's inherent opportunities, such as its proximity to the Northern Gateway of the Aerotropolis and employment lands as identified in the LSPS.</p> <p>Embracing such an approach would not only be inconsistent with the site's key features and strategic significance but would also result in its</p>

underutilisation, overlooking its potential to contribute meaningfully to the industrial lands supply and employment opportunities.

Option 2 – Alternative Location

Consideration was given to carrying out development on alternative sites, however, these were dismissed as follows:

- The sites were close to sensitive land activities, including residential development, and potential impacts could not be mitigated.
- The sites were not in proximity to adequate transport infrastructure and would not form part of the broader business park.
- Sites were physically constrained and could not accommodate the required scale of development.
- Sites were constrained by environmental sensitive areas, including vegetation, heritage or bushfire.

The subject site is within a large industrial estate, it is cleared and prepared for the intended industrial use, therefore it is the most suitable land for the proposed development.

Option 3 – The Proposal

The siting and design of the proposed warehouses were resolved through a comprehensive analysis of the site opportunities and constraints. This chosen approach represents the most suitable pathway forward. It ensures an efficient and organised development outcome that contributes to the efficient development of the broader ESR estate, whilst also minimising impacts. The proposal was identified as being the most suitable option to achieve the project objectives for the following reasons:

- The site will form part of the Hosley Logical Park development, which is strategically located in the Western Sydney Employment Area and in proximity to the WSA.
- The site will benefit from co-location to other industrial uses within the ESR estate, which will support business activity in Fairfield and Western Sydney.
- The proposal is compatible with the local context and will result in minimal impacts to the environment through the implementation of suitable mitigation measures where required.
- The development can be achieved without having unacceptable environmental impacts in relation to traffic, access, noise and visual impacts.

The project has emerged as the preferred option for the site because it represents the best outcome with respect to urban design, environmental, economic and social considerations. The project respects the principles and will deliver the vision identified in the Strategic Framework and accompanying documents, whilst balancing the various site-specific considerations.

4. STATUTORY CONTEXT

This section of the report provides an overview of the key statutory requirements relevant to the site and the project, including:

- *Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act 1999*
- *NSW Biodiversity Act 2016*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning Assessment Regulation 2000.*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *Fairfield Local Environmental Plan 2013*
- *Fairfield Development Control Plan, including Western Sydney Employment Area – Fairfield Development Control Plan 2016*

The following table categorise and summarises the relevant requirements in accordance with the DPHI guidelines. Each of these matters will be addressed in further detail within the future EIS.

4.1. STATUTORY REQUIREMENTS

The following table categorises and summarises the relevant requirements in accordance with the DPHI *State Significant Development Guidelines*.

Table 8 Identification of Statutory Requirements for the Project

STATUTORY RELEVANCE	ACTION
<i>Power to grant approval</i>	<p>In accordance with Schedule 1 of the Planning Systems SEPP, development that has an estimated development cost of more than \$50 million for the purpose of a Warehouse or Distribution Centre are classified as SSD:</p> <p>12 Warehouses or Distribution Centres</p> <ol style="list-style-type: none"> 2. <i>Development that has an estimated development cost of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i> 3. <i>This section does not apply to development for the purposes of warehouses or distribution centres to which section 18 or 19 applies.</i> 4. <i>In this section—</i> <i>relevant amount means—</i> <ol style="list-style-type: none"> a. <i>for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—\$30 million, or</i> b. <i>for any other development—\$50 million</i>

The proposed Warehouse B has an estimated development cost of \$51,000,000 (refer to Appendix C) and therefore exceeds the cost threshold for State Significant Development. The combined estimated development cost for the overall development is \$79,000,000.

For the purpose of issuing SEARs for the entire project, it is considered that Warehouse A is sufficiently related to Warehouse B so as to enable it to also be declared SSD as part of the same application.

Both warehouse buildings will be located on the same lot owned by ESR and will have the same use. Both warehouse buildings will utilise the same singular vehicle access off Johnston Crescent and the central hardstand area, preventing the subdivision of the land to split the two buildings into separate ownership in the future.

This approach is similar to that which enabled the progression of the Horsley Logistics Park Stage 1 (to the south of the site, on lots 201, 202, 203 and 204), however it is noted that in this case, both buildings are located on a single land title rather than on separate lots as was the case for HLP Stage 1.

Therefore, Warehouse A is sufficiently related to Warehouse B to enable both buildings to comprise the same SSDA.

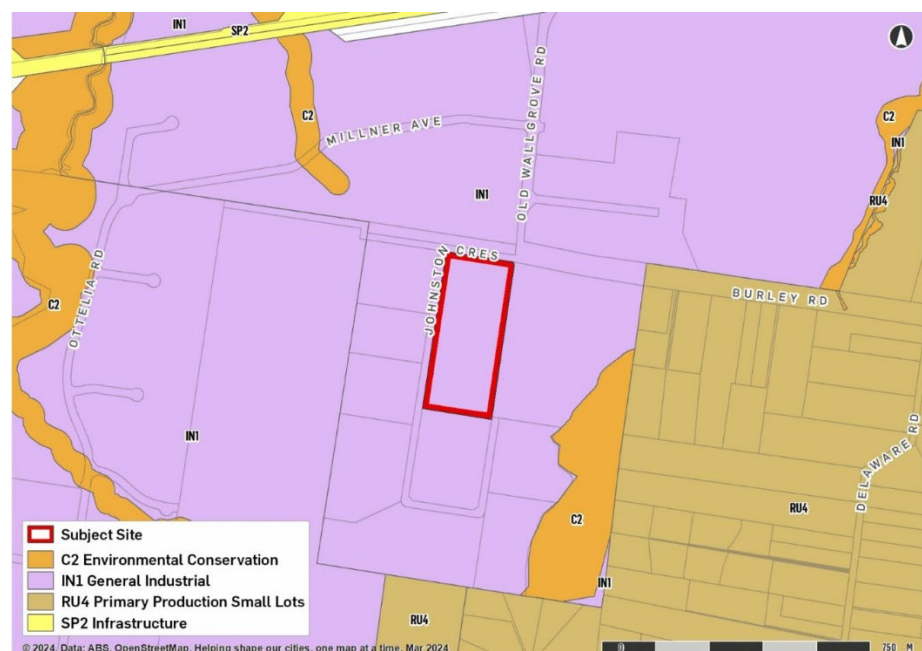
Permissibility

The site is zoned E4 General Industrial in accordance with Chapter 2 Western Sydney Employment Area of the Industry and Employment SEPP. The proposed development constitutes a **'Warehouse or Distribution Centre'** which is defined as the following:

a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

Accordingly, the proposed warehouse and distribution land use is permitted with consent in the E4 Zone.

Zoning Map:



4.2. PRE-CONDITIONS

Table 9 outlines the pre-conditions to exercising the power to grant approval which are relevant to the project and the section where these matters are addressed within the Scoping Report.

Table 9 Pre-Conditions

STATUTORY REFERENCE	PRE-CONDITION	RELEVANCE
<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>	A consent authority must be satisfied that the land is suitable in its contaminated state - or will be suitable, after remediation - for the purpose for which the development is proposed to be carried out.	No structures or buildings occupy the site. Any sources of contamination or potentially hazardous materials were removed subject to the previous DA and earthworks. The site has been made suitable from a contamination perspective for the proposed land use.
<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	<p>Section 2.122: Traffic generating development: A public authority, or person acting on behalf of a public authority, must not approve traffic-generating development without written notice of the intention to carry out the development to Transport for NSW (TfNSW) in relation to the development, and taken into consideration any response to the notice that is received from TfNSW within 21 days after the notice is given.</p> <p>The consent authority must refer development for Warehouse and Distribution centres with a site area / GFA greater than 20,000sqm with access to any road to Transport for NSW.</p>	The site meets the warehouse GFA threshold as traffic generating development and will need to be referred to TfNSW.
<i>State Environmental Planning Policy (Industry and Employment) 2021</i>	Chapter 2 Western Sydney Employment Area (WSEA) applies to the subject site. This chapter aims to protect and enhance the subject land for employment purposes.	The site is located within the WSEA Precinct 8 South of Sydney Catchment Authority Warragamba Pipelines. Land zoning is prescribed under this Chapter, as well as other additional controls to guide development, which will be assessed in detail in the EIS.

4.3. MANDATORY CONSIDERATIONS

Table 10 outlines the relevant pre-conditions to exercising the power to grant approval and the section where these matters are addressed within the EIS

Table 10 Mandatory Considerations

STATUTORY REFERENCE	MANDATORY CONSIDERATION
Section 1.3	Relevant objects of the EP&A Act
Section 4.15	<p>In determining a development application, a consent authority is to take into consideration such matters that are of relevance to the development subject of the development application, as stipulated in section 4.15. These include:</p> <ul style="list-style-type: none"> ▪ Relevant environmental planning instruments. ▪ Relevant draft environmental planning instruments. ▪ Relevant planning agreement or draft planning agreement. ▪ Development control plans. ▪ The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality. ▪ The suitability of the site for the development. ▪ The public interest
Section 4.38	Section 4.38 contains the provisions for determining a State's significant development.
Mandatory relevant considerations under EPIs	
Resilience and Hazards SEPP	Section 4.6 – Contamination and remediation to be considered in determining a development application.
Transport and Infrastructure SEPP	Section 2.122 – Traffic-generating development
Industry and Employment SEPP	<p>Chapter 2 Western Sydney Employment Area</p> <p>Section 3.6 – Granting of consent to signage</p>
Sustainable Buildings SEPP	<p>Section 3.2 – Development consent for non-residential development</p> <p>Section 3.3 – Other considerations for large commercial development (as the proposal comprises ancillary office area of more than 1,000sqm)</p>
Fairfield LEP 2013	<p>Objectives and land uses for E4 Zone</p> <ul style="list-style-type: none"> ▪ Part 4 – Principal development standards ▪ Part 5 – Miscellaneous provisions

Considerations under other legislation

*Biodiversity
Conservation Act
2016 (BC Act)*

Due the existing ground conditions and extensive clearing of the site under previous development applications, a BDAR waiver is attached at Appendix E.

Development Control Plans

Fairfield DCP 2013

Clause 2.10 of the Planning Systems SEPP states that development control plans (whether made before or after the commencement of this Policy) do not apply to SSD.

Notwithstanding, the *Sydney Employment Area – Fairfield Development Control Plan 2016 (WSEA Fairfield DCP 2013)* is a site specific DCP applicable to the wider Horsley Park Precinct, including the subject site.

The EIS will provide assessment of the proposal against the key built form controls of the DCP.

5. COMMUNITY ENGAGEMENT

The following sections of the report describe the engagement activities that have already been carried out for the project, and the engagement to be carried out during the preparation of the EIS.

5.1. ENGAGEMENT CARRIED OUT

A pre scoping meeting was held with DPHI and the project team on 28 March 2024 to discuss the preliminary proposal and the requirement for a site-specific SEARs request for the project. Given the site's development history and the significantly disturbed site, it was discussed whether a full Aboriginal Cultural Heritage Assessment Report would be required for this proposal.

The reasons in support of this position are included in this Scoping Report.

5.2. ENGAGEMENT TO BE CARRIED OUT BY THE APPLICANT

Further community and stakeholder consultation will be undertaken in the preparation and assessment of the EIS including:

- **Key Stakeholders:** it is proposed to consult with the following stakeholders during the preparation of the EIS:
 - Fairfield City Council
 - State Government Agencies including, but are not limited to, DPHI and Transport for NSW.
 - Surrounding residents, businesses and local community groups
 - RAPs
- **Other Interested Stakeholders:** other stakeholders may be identified during the preparation of the EIS.
- **Key Actions:** to keep the community informed regarding the project, obtain feedback from the community on the project and engaged with stakeholders on the detailed assessment of key matters, a community information line will be maintained during the project to provide opportunities for any questions to be answered.

The proposed actions are consistent with the community participation objectives in the *Undertaking Engagement Guidelines for State Significant Projects*. An engagement consultant will be responsible for monitoring, reviewing, and adapting the effectiveness of the engagement strategy to encourage community participation in the project.

6. PROPOSED ASSESSMENT OF IMPACTS

This section identifies the key impacts which will be further investigated and assessed within the EIS, including the proposed approach to assessing each of these matters. It also identifies the matters addressed in the scoping phase that are unlikely to result in significant impacts and do not warrant further consideration in the EIS.

6.1. MATTERS REQUIRING FURTHER ASSESSMENT IN THE EIS

The following section of the report provide a comprehensive description of the relevant matters and impacts which will be addressed in detail within the EIS. It outlines the matters and impacts of particular concern to the community and other stakeholders. It includes each of Key Issues and Other Issues as identified in the Scoping Summary Table (refer **Appendix A**).

6.1.1. Built Form and Urban Design

The preliminary plans prepared by Nettleton Tribe (**Appendix B**) provide a preliminary indication of the built form layout, building envelopes, landscape provision, site access and parking arrangement that form this SSDA.

The EIS will be accompanied by a detailed set of Architectural Plans and an Urban Design Report. The EIS will also be accompanied by a BCA Compliance Report and Accessibility Report to ensure the proposed design can achieve compliance with the Building Code of Australia 2022 and Disability (Access to Premises – Buildings) Standards 2010.

6.1.2. Landscape

The proposed development will be supported by a Landscape Plan to ensure it meets environmental objectives relating to tree canopy and landscaping requirements. The Landscape Plan will identify communal areas and landscape areas which will provide amenity to the estate and future workers.

6.1.3. Traffic, Parking, Access

Traffic

The increase in traffic movements during both operation and construction will impact surrounding road networks. Consideration of peak traffic movements will need to be considered and the impact this will have on the surrounding road networks. This includes the impacts alongside future planned development within the locality.

The predicted vehicle movements will also be important to inform the proposed acoustic impacts, including the potential for on-site noise generation within the car parks and across the site, including acceleration/ deceleration.

As such, a Transport Impact Assessment report will be provided as part of the SSDA which will consider the potential impact of the project on the road network. The reporting will analyse existing and expected traffic impacts (including cumulative impact) on the local road network and the design of proposed vehicular entry points. The Transport Impact Assessment will further identify management and mitigation measures.

Parking

The proposed development will seek to provide car parking in accordance with TfNSW guide at the rate of 1/300sqm, which is the accepted parking rate for generic warehouse and distribution development. A detailed assessment of the needs of the project will be included in the Transport Impact Assessment which will be prepared as part of the EIS.

Access, loading and servicing.

The site has frontage to Burley Road and Johnston Crescent. Vehicular access is proposed from Johnston Crescent at the eastern boundary. Assessment of the proposed access arrangements, including internal circulation is to be undertaken, including swept path analysis.

6.1.4. Amenity

Acoustic

An Acoustic Assessment will be prepared by an acoustic consultant to understand the potential impacts generated as a result of the proposed development (including cumulative assessment), both during the construction and operational phase. The assessment will include details of any proposed mitigation measures.

Air Quality

An Air Quality Assessment will be provided within the EIS and will consider potential impacts on local and regional air quality, including details of any proposed mitigation measures that will prevent (or reduce) the generation and emission of dust particles during construction. The construction and operation of the proposed development will be assessed against the cumulative air quality impacts of the surrounding uses to ensure there are no major implications on air quality for nearby sensitive receivers.

Views and Visual Impact

The visual impact of the proposed warehouse buildings will be assessed in the EIS from vantage points outside of the site, in accordance with key view corridors. The assessment will consider the proposed architectural and landscape treatments of the building and its immediate surrounds.

6.1.5. Geotechnical and Soil

Geotechnical Assessment will be prepared to assess potential impacts on soil resources, including soil erosion, salinity and acid sulfate soils and potential groundwater impact.

6.1.6. Stormwater and Flooding

The site is not identified as being affected by the flood planning area. Notwithstanding, a Flood Impact Assessment will be included as part of the EIS to assess the project's potential impacts on existing flood behaviour and overland flow paths from Ropes Creek or other regional flooding.

Stormwater impact, water-related servicing infrastructure and drainage design will be detailed in the Integrated Water Management Plan.

6.1.7. Hazards and Risks

Bushfire

The subject site is not identified as bushfire prone land under the applicable planning instruments. Notwithstanding the above, to mitigate risk from bushfire due to the proximity of the site to land identified categorised as being within the bushfire “buffer” to the east. Bushfire assessment will be undertaken and measures will be implemented to mitigate any potential hazard arising from bushfires within the broader locality.

Waste

A Waste Management Plan will be prepared as part of the EIS. The plan will address both the construction and operation phases of the development and will indicate the collection points and method of removal of waste from the site, including the various waste streams. The EIS will provide detailed measures to avoid, minimise or manage waste generated during site preparation, construction and operation phases.

Dangerous Goods

It is not expected that the site will provide for Dangerous Goods storage above the SEPP thresholds. If required, a SEPP (Resilience and Hazards) assessment will detail the storage requirements for the dangerous goods.

6.1.8. Infrastructure Servicing

The site is within an area which has infrastructure and services connections. The EIS will detail the adequacy of existing infrastructure and the additional infrastructure requirements including information about the anticipated supply of utility services:

- Electricity
- Water
- Sewer
- Communications

The need for utility works to support the proposal would be identified during the design development and in consultation with relevant providers. The need for any works to adjust utilities will be assessed as required within the EIS. The EIS will be accompanied by a Utility Services and Staging Plan.

6.1.9. Social Impact

It is anticipated that the proposed warehouse and distribution facility will deliver social and economic benefits associated with the construction phase, in addition to the creation of ongoing job opportunities. The EIS will be accompanied by a Social Impact Assessment which will include an analysis and assessment of the potential social and economic impacts of the project.

This would include an estimation of the employment generation associated with the construction and operational phases, as well as broader economic benefits of this specific development. Other social amenity impacts would be assessed with the relevant amenity impact section of the EIS including noise, landscape and visual impact.

6.1.10. Ecologically Sustainable Development

An Ecologically Sustainable Development ('ESD') Report will be provided as part of the EIS and include details on how ESD principles will be incorporated within the design and ongoing operational phases of the project.

This assessment will identify potential measures to be implemented into the building design and construction to minimise the environmental footprint of the development, including opportunities to avoid or minimise the demand for water and electricity. The ESD report will also address the matters required to be addressed in SEPP (Sustainable Buildings) 2022. The EIS will be accompanied by an ESD report.

6.2. MATTERS REQUIRING NO FURTHER ASSESSMENT IN THE EIS

This section of the report identifies the matters that do not require further assessment in the EIS. Each of these matters was considered within the scoping phase but considered unlikely to result in significant impacts that warrant further assessment.

Table 11 No further assessment justification

MATTER	JUSTIFICATION
Heritage	<p><u>Non-Aboriginal Heritage</u></p> <p>The site is not listed or mapped as a heritage item and it is not listed within a Conservation Area under Part 5 of the Fairfield LEP 2013, nor within the vicinity of either. Accordingly the proposal it is unlikely to impact on items of Non-Aboriginal Heritage significance will be found on site.</p> <p><u>Aboriginal Heritage</u></p> <p>The site and broader area has been the subject to a high-level of disturbance by historical land use and quarry operations occurring during the last two decades. Due to the level of past soil disturbance described in Section 1.3.2, it is considered that earthworks would have removed any extant Indigenous cultural objects from the site. As the proposal will not undertake any significant earthworks that would disturb land not recently filled (under DA 893.9/2013), it is unlikely that the proposed works will harm or interfere with Aboriginal cultural heritage items and</p>

therefore no further assessment for Aboriginal heritage is considered to be required.

ESR proposes to undertake consultation with RAPs as part of its pre-lodgement engagement. This will be facilitated by an Aboriginal Heritage consultant. The consultation will seek feedback on the proposed scheme and may include a site walk if requested by the RAPs. The consultation will however be facilitated separately of the formal consultation that would otherwise be required as part of the ACHAR process.

Given the history of site disturbance, and the proposed consultation with RAPs by the proponent as part of the pre-lodgement consultation approach to seek feedback on the scheme, it is requested that DPHI waive the requirement for preparation of an Aboriginal Cultural Heritage Assessment Report (ACHAR) in this instance.

Biodiversity

The site has operated as a clay quarry for the manufacturing of bricks and pavers by CSR for the last 30 years and has undergone substantial change to the soil profile and landscape. The site:

- does not contain any vegetation or habitat features
- the proposal does not involve the removal of vegetation;
- the subject site does not contain habitat for threatened species or ecological communities;
- The Proposal would retain the 25m E2 – Environmental Conservation Corridor, located outside but to the east of the site. No works are proposed for this area, consistent with the Conditions of Approval (EPBC 2017/7744) and the Land and Environment Court Judgement (issued on 16 October 2015).

The proponent will therefore seek from DPHI to waive the preparation of a BDAR. Noting this, A Biodiversity Development Assessment Report Waiver request is attached at Appendix E.

Given the highly disturbed nature of the site and no works impacting any ecological communities, and the waiving of the BDAR requirements as per Clause 7.9(2) of the BC Act, the proposal is considered suitable from an ecological perspective.

Arboriculture

Vegetation clearing and tree removal was undertaken as part of DA 893.1/2013. As evident on the most recent aerial photograph of the site (refer to Figure 6), the site does not comprise any trees. Therefore arboriculture impact is not required to be considered for the site.

Contamination

A summary of the remedial action plans (RAPs) prepared under separate approvals that are relevant to the site is provided below.

- DA 437.1/2016 involved the instillation of a biofiltration trench to manage air quality persisting from the existing landfill on the site.
- DA 21.1/2020 proposed remediation of land in Stage 2 and 3 by placing contaminated material from the former quarrying site in a containment cell.

The RAP for DA 437.1/2016 was endorsed by Council and the EPA. It highlighted the need for monitoring of landfill gas, which had previously been undertaken in 2007 by CSR to comply with Environmental Protection License #123 in accordance with the Landfill Closure Plan prepared by Egis Consulting in 1999.

DA 21.1/2020 included a RAP prepared by ERM dated 20 December 2019. It concluded the site can be made suitable for the intended industrial land use subject to appropriate remediation in accordance with the RAP and former SEPP 55. This was achieved through placing contaminated material from the former quarrying site in a containment cell excavation located on Lot 306 of DA 893.1/2013. A summary of the remediation strategy outlined in the 2019 RAP is provided below:

Potential Source of Contamination	Stage of Development & Location	Remediation Strategy	COC	Comments
Uncontrolled Fill	Stage 2 & 3: Fill Material Eastern Bund Southern Bund	Excavate, Classify, Reuse, Disposal	Asbestos (ACM/AF/FA) Foreign Material (FM) Benzo(a)Pyrene	Refer to Section 6.3.1
Delineation Area*	Stage 3- DL 1-7;	Excavate, Classify, Reuse, Disposal	Potential: TRH, Asbestos & FM	Refer to Section 6.3.2
Data GAP Area*	Stage 3- DG1, DG2 Factory Shed & Work Zone Footprints	Excavate, Classify, Reuse, Disposal	Potential: TRH, Asbestos & FM	Refer to Section 6.3.3
	Stage 3- DG1 Dam and associated Bund DG 3 Brick Material Stockpile	Excavate, Classify, Reuse, Disposal	Potential: Asbestos, FM & Metals	Refer to Section 6.3.3
Groundwater Management*	Stage 3- Factory Shed & Uncontrolled Fill	Monitoring	Potential: TRH & Metals	Refer to Section 6.3.4
Surface Water & Sediment Management*	Stage 3- DG1 Dam	No Action	Potential: TRH & Metals	Refer to Section 6.3.5

BaP = Benzo(a)pyrene, Asbestos = Asbestos containing material (ACM), AF = Asbestos fines, FA = Friable asbestos; FM = Foreign materials, TRH = Total recoverable hydrocarbons

* The remediation strategy will remain the same or will be developed following investigation for delineation or data gaps with the assumption that the COCs do not change.

The abovementioned RAP established the site as suitable for development under the provisions of former SEPP 55. Subdivision certificate was issued following completion of remediation works within Stage 3 (which the subject site is located within). As such, no further contamination assessment or remediation work is required as part of the SSDA.

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

APPENDIX A SCOPING SUMMARY TABLE

APPENDIX B PRELIMINARY SITE PLANS

APPENDIX C ESTIMATED DEVELOPMENT COST COVER LETTER

APPENDIX D WORKS AS EXECUTED SURVEY PLAN UNDER DA893.9/2013

APPENDIX E BDAR WAIVER

