

Department of Planning, Housing and Infrastructure

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Augusta Street Warehouse and Distribution Facility

State Significant Development Assessment Report (SSD-36138263)

December 2024





Acknowledgement of Country

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Assessment Report

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Preface

This assessment report provides a record of the Department of Planning, Housing and Infrastructure's assessment and evaluation of the State significant development (SSD) application for the Augusta Street Warehouse and Distribution Centre located at Augusta Street, Blacktown, lodged by The Trustee for Huntingwood Property Trust. The report includes:

- an explanation of why the development is considered SSD and who the consent authority is
- an assessment of the development against government policy and statutory requirements, including mandatory considerations
- a demonstration of how matters raised by the community and other stakeholders have been considered
- an explanation of any changes made to the development during the assessment process
- an assessment of the likely environmental, social and economic impacts of the development
- an evaluation which weighs up the likely impacts and benefits of the project, having regard to the proposed mitigations, offsets, community views and expert advice; and provides a view on whether the impacts are on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether consent for the development should be granted and any conditions that should be imposed.

Executive Summary

Introduction

The Trustee for Huntingwood Property Trust (the Applicant) proposes to construct and operate a 24/7 warehouse and distribution centre comprising five warehouse buildings (including one multi-level building) and 15 separate tenancies at Augusta Street, Blacktown within the Blacktown local government area (LGA).

The development has a capital investment value of \$446 million and is expected to generate up to 651 construction jobs and 908 operational jobs.

The Applicant is a property trust in ownership of the site which has approached ESR Australia Pty Ltd (formerly LOGOS Property Group) as development partner to coordinate the development.

The development is proposed to support the demand for freight and logistics development within Western Sydney and would allow for the creation of additional operational jobs in a core employment area of Western Sydney.

Site Context

The site is located 28 kilometres (km) west of the Sydney central business district (CBD) and covers approximately 26.64 hectares (ha) of IN1 – General Industrial zoned land under the State Environmental Planning Policy (Industry and Employment) 2021.

The site features an existing commercial warehouse and four abandoned dwellings towards its western boundary, with the rest of the site comprising a mobile telecommunications facility, a transmission line and undeveloped land. Blacktown Creek runs north-south through the centre of the site.

The nearest sensitive receivers are located less than 100 metres (m) directly north of the site, adjacent to the Great Western Highway in the residential area of Prospect.

Statutory Context

The development is classified as State significant development (SSD) under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves the construction and operation of a warehouse and distribution centre with a capital investment value of more than \$30 million that meets the criteria in Clause 12 of Schedule 1 in State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP). Consequently, the Independent Planning Commission (the Commission) is the consent authority for the development under section 4.5(1) of the

EP&A Act and section 2.7 of the Planning Systems SEPP because the Council duly made a submission by way of objection.

Engagement

The Department exhibited the development application and accompanying EIS for the development from 10 October 2023 until 6 November 2023. During the exhibition period, the Department received eight submissions from the public (six objections and two comments), a submission from Blacktown City Council (Council) and advice from six government authorities and two utility providers.

Key issues raised in public submissions related to traffic, noise and visual amenity impacts. Council raised several issues relating to building setbacks, design, noise, traffic, biodiversity and civil works. Concerns raised in the government authority advice related to traffic and access, impacts on biodiversity and easement assets. The Department requested the Applicant address the matters raised in submissions and government authority advice in a Response to Submissions (RTS) report.

The Applicant submitted an RTS report on 26 March 2024 which included updated versions of the architectural plans and design report and revised assessments of noise, traffic, biodiversity, remediation and heritage to address the issues raised. The RTS report was referred to Council and relevant government authorities for their consideration. Following further feedback and advice from Council, Sydney Water and the Biodiversity, Conservation and Science Group (BCS) of the Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW), the Applicant provided an addendum response on 9 August 2024 seeking to close out remaining concerns.

Assessment

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the key issues for assessment are traffic and access, operational noise, visual amenity and biodiversity.

Traffic and Access

The development will introduce a new source of traffic generation to an existing road network which requires intersection upgrade works and a separate new signalised site access point to facilitate the development.

The Applicant has worked closely with TfNSW and Council as the appropriate roads authorities in designing satisfactory intersection upgrade and signalised site access works to accommodate the additional traffic generation on the local road network from the development. The Applicant has demonstrated in its traffic modelling that the development, with the upgrade works and mitigation

measures implemented, would have an acceptable level of impact on intersection performance and road safety in the vicinity of the site.

The Department has adopted recommended conditions of consent from TfNSW and Council to ensure the intersection upgrade and signalised access works are carried out to the satisfaction of the relevant roads authority.

The Department is satisfied traffic associated with the development would be adequately accommodated on the local and regional road network, subject to the implementation of an Operational Traffic Management Plan and a Green Travel Plan to manage residual operational impacts.

Noise

The 24/7 operations of the development has the potential to impact the acoustic amenity of surrounding sensitive receivers, including residents adjacent to the site across from the Great Western Highway.

The Applicant's assessment found the development is predicted to comply with the relevant project noise trigger levels at all sensitive receiver locations and across all time periods assessed, subject to the implementation of noise mitigation measures including noise walls and noise mounds.

As the proposal is a speculative warehouse development, several assumptions were made by the Applicant in the acoustic modelling regarding operational noise sources, such as on-site vehicle movements and volumes during different time periods, forklift operations and mechanical plant. The Department has subsequently recommended conditions requiring the Applicant to prepare and implement an Operational Traffic Management Plan to ensure the future operations of the development align with these modelling assumptions.

The Department has also recommended conditions requiring the Applicant to carry out noise verification studies once the construction of the development is complete to verify noise predictions and to confirm the effectiveness of the operational noise management measures.

Visual Impact

The site is located on industrial zoned land in between the Great Western Highway and the M4 Motorway. The site is surrounded by residential dwellings adjacent to the Great Western Highway to the north, industrial development to the west, a theme park and associated hotel to the south and a place of worship to the east.

The development consists of five warehouse buildings with a GFA of 134,565 m², including a multi-story warehouse with a maximum building height of 34.84 m. The bulk and scale of the

development presents potential visual impacts for residential receivers and view corridors along the Great Western Highway and M4 Motorway.

The Applicant undertook façade redesign works of the Warehouse 5 building in consultation with Council and the Department as part of the RTS package which was supported by an Architectural Design Report. The Applicant also undertook a visual impact assessment (VIA) which assessed and analysed the visual magnitude and impact of the development from 26 viewpoints. The VIA found the impact of the development to be moderate to minor on average due to the visual screening from existing and proposed tree canopies from assessed residential receiver locations and the presence of the adjoining Great Western Highway which detracts from the existing visual sensitivity of residential receivers.

The Department's assessment considered the development would not have a significant impact on visual amenity as a result of the proposed façade design and landscaping buffers, the existing urban context featuring industrial development and separation from residential areas by major arterial roads.

The Department has recommended a condition of consent be imposed requiring the Applicant to prepare and implement a Landscape Management Plan (LMP) for the life of the development to ensure vegetation screening and buffers within the site are maintained.

Biodiversity

The development involves the removal of 21.95 ha of vegetation including 1.43 ha of native vegetation to accommodate the construction and operation of the development, and the restoration and conservation of the Blacktown Creek riparian corridor within the site. The Applicant provided a Biodiversity Development Assessment Report (BDAR) prepared in accordance with the *Biodiversity Assessment Method 2020* (BAM) to assess the impacts of the development on biodiversity values.

The BDAR was informed by field surveying undertaken over several years which identified the development will impact on clusters of native vegetation being 1.43 ha of Cumberland Shale Hills Woodland (PCT 3319). Although no presence of native fauna was identified on the site, the BDAR has conservatively considered the potential presence of the threatened species-listed bat, Southern Myotis. Therefore, the BDAR concluded that 28 ecosystems credits and four (4) species credits are to be purchased and retired to offset the removal of native vegetation. The Applicant has also prepared a Vegetation Management Plan (VMP) to manage the restoration and conservation works of the Blacktown Creek riparian corridor, including 8.5 ha of Cumberland Plain Woodland (CPW).

The Department is satisfied the Applicant has adequately assessed the impacts of the development on the site's biodiversity values and considers the proposed restoration and conservation works will improve the biodiversity values of the site and the riparian corridor. The Department has

recommended conditions of consent, based on the advice and recommendations of the BCS, including the purchase and retirement of 28 ecosystems credits and four (4) species credits and the implementation of a final VMP.

Conclusion

The Department's assessment concludes the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent.

Overall, the development would:

- provide a range of employment and investment benefits for Western Sydney and the State, including a capital investment of \$446 million into the Blacktown LGA and the provision of 651 construction jobs and 908 operational jobs on the site.
- be consistent with NSW Government policies, including the Greater Sydney Region Plan which aims to increase freight productivity and local jobs within the area
- provide industrial floor space on an appropriately zoned industrial site to meet growing demands for large format warehouse supply
- improve the site's biodiversity values through the restoration and conservation of the Blacktown Creek riparian corridor
- upgrade the intersection of Great Western Highway and Flushcombe Road to accommodate the development and improve intersection performance.

The Department considers that these benefits can be realised without any significant amenity or environmental impacts and, therefore, considers the development is in the public interest and should be approved, subject to conditions.

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1 Introduction

1.1 The proposal

This report details the Department of Planning, Housing and Infrastructure's (the Department's) assessment of the State significant development (SSD) application for the Augusta Street Warehouse and Distribution Centre (SSD-36138263). The development involves the construction and operation of a warehouse and distribution centre comprising five warehouses (including one multi-level building) and 15 separate warehouse tenancies with a total gross floor area (GFA) of 134,565 square metres (m²) and a maximum building height of 34.84 metres (m) at Augusta Street, Blacktown within the Blacktown local government area (LGA).

The Trustee for Huntingwood Property Trust (the Applicant) is a property trust in ownership of the site which has approached ESR Australia Pty Ltd (ESR) (formerly LOGOS Property Group) as development partner to coordinate the development. ESR is a global property company specialising in industrial, logistics and infrastructure property with a total asset value in Australia and New Zealand of \$32.6 billion.

The Department's assessment considers all documentation submitted by the Applicant, including the Environmental Impact Statement (EIS) and Response to Submissions (RTS), submissions received from the public and advice from government authorities. The Department's assessment also considers the legislation and planning instruments relevant to the site and the development.

This report describes the proposed development, surrounding environment, relevant strategic and statutory planning provisions and the issues raised in submissions. The report evaluates the key issues associated with the development and provides recommendations for managing any impacts during construction and operation.

1.2 Site location

The subject site comprises of 26.64 hectares (ha) of IN1 – General Industrial zoned land located at Augusta Street, Blacktown in the Blacktown LGA (see **Figure 1** and **Figure 2**). The site is a consolidation of land parcels comprising of 45 lots legally described as the following:

- Lot 1 DP835264
- Lots 218-219 DP457024
- Lot 2151 DP135859
- Lot 2 DP516449
- Lot 163-164, 168-188 and 216 DP8716

- Lot 1 DP119616
- Lots 4-6 DP226294
- Lots 50-52 DP1144623
- Lot 7 DP803359
- Lots 6-10 DP801210
- Lot 4 DP585492
- Lot 4 DP583442
- Lot 1 DP130050
- Lot 2 DP1263824.

The development site is located approximately 28 kilometres (km) west of the Sydney central business district (CBD), approximately 8.5 km west of Parramatta CBD and approximately 3.9 km south of Blacktown CBD. In addition, the site is located between the Great Western Highway and the M4 Motorway and approximately 700 m north of the Prospect Reservoir.

The majority of the site is undeveloped land featuring scattered trees and Blacktown Creek running north-south through the centre of the site. The western frontage of the site adjoins Augusta Street and Flushcombe Road, and features an existing commercial warehouse and four abandoned dwellings. The site also features a mobile telecommunications facility owned by Telstra Group Limited and an above-ground transmission line running east-west along the southern boundary of the site.

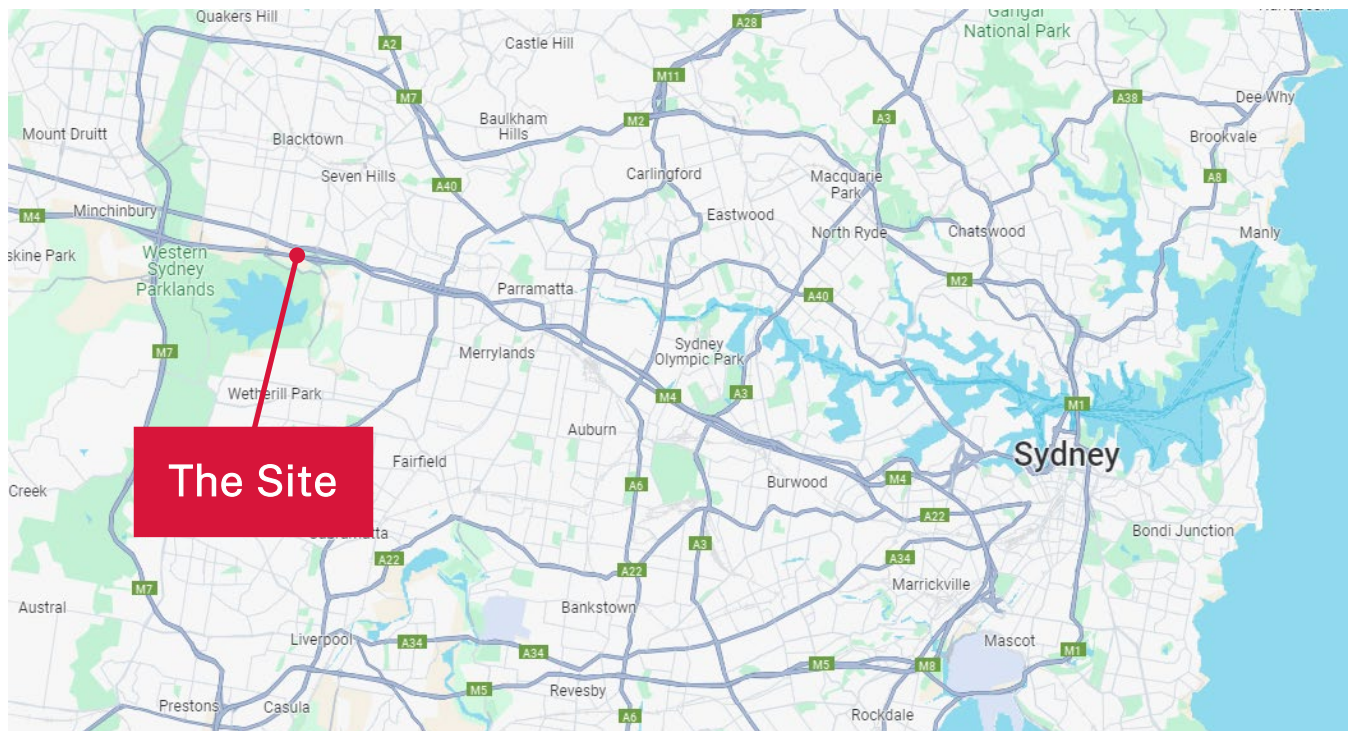


Figure 1 | Regional context map



Figure 2 | Local context map

The nearest sensitive receivers to the site include the residential areas of Prospect located directly north, adjacent to the Great Western Highway. Other surrounding land uses include the DogWise pet training centre and QLS Logistics located west of the site adjacent Flushcombe Road, Bunnings Blacktown and industrial estates further west along the Great Western Highway, Raging Waters Sydney (a water themed park), Altura Hotel and a drive-in cinema located south of the site adjacent the M4 Motorway, and St Bartholomew's Church located to the east across Prospect Highway.

1.3 Development background

The development proposes 15 warehouse and distribution tenancies to support the demand for freight and logistics development within Western Sydney. ESR is a global property company specialising in industrial, logistics and infrastructure property, providing services including investment management, development, asset management and property management. The Applicant has identified the site as a suitable location for warehouse and distribution uses due to its existing industrial zoning and connection to major arterial roads, including the Great Western Highway and the M4 Motorway.

The development would allow for the creation of additional operational jobs in a core employment area of Western Sydney, while also providing new warehousing to enable the efficient access and distribution of goods and services throughout Greater Sydney.

1.4 Restriction on the use of Land and Positive Covenant

The site is subject to eleven (11) Restrictions on the Use of Land and Positive Covenants to the benefit of Blacktown City Council (Council), Sydney Water and Endeavour Energy, enforced through a Section 88B instrument under the *Conveyancing Act 1919*.

The site contains a 30 m wide transmission lines easement which runs east-west along the site's southern boundary. In addition, the site features several drainage and water supply easements with associated construction easements, and right of access easements from Augusta Street. As part of the subject SSD application, no existing easements are proposed to be extinguished.

1.5 Related projects and works

The site is subject to a separate development application (DA-23-01569) approved by Council on 30 April 2024 for the construction of a new telecommunications base station comprising a 41.34 m high monopole and installation of multiple panel antennas.

DA-23-01569 allows for the relocation of an existing telecommunications base station at the site to facilitate Warehouse 3 of the subject SSD application (see **Figure 3**).

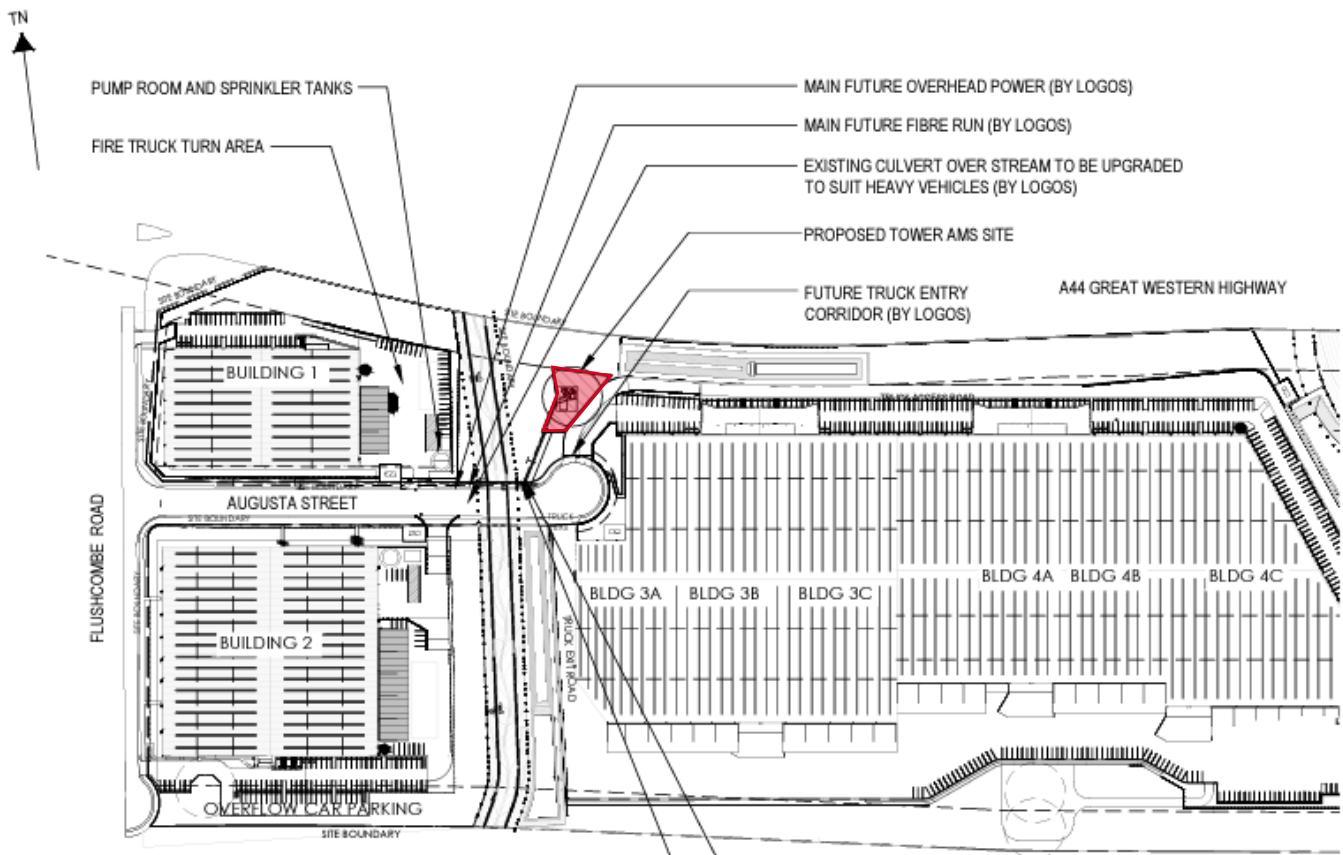


Figure 3 | Location of the proposed telecommunications base station (DA-23-01569)

2 Development

2.1 Description of the development

The key aspects of the development are summarised in **Table 1**, shown in **Figure 4** to **Figure 8** and described in full in the Environmental Impact Statement (EIS) and the Response to Submissions (RtS) included in **Appendix A** of this report.

Table 1 | Key aspects of the development

Aspect	Description
Development Summary	Construction and operation of a warehouse and distribution centre comprising of four warehouses including one multi-level building, 15 warehouse tenancies, car parking and landscaping.
Site area	26.64 hectares (ha)
Gross Floor Area (GFA)	Total GFA of 134,565 m ² including: • Warehouse: 128,027 m² • Ancillary Office: 6,538 m²
Building height	• Warehouse 1: 17.39 m • Warehouse 2: 19.61 m • Warehouses 3 & 4: 19.4 m • Warehouse 5: 34.84 m (two-levels)
Road and Intersection works	The development will include the following road and intersection works: • new direct access from the Great Western Highway, including a new left-in turn slip lane • upgrade works along Augusta Street, including entry/exits to warehouse buildings • carparking access off Flushcombe Road for warehouses 1 and 2 • intersection upgrade works to the Great Western Highway and Flushcombe Road • internal access and circulation roads

Aspect	Description
Utilities and infrastructure	• installation of an 11 kilovolt (kV) feeder cable • relocation and upscaling of an existing water main to a 200 millimetre (mm) water main
Subdivision	The development includes consolidation of the existing 45 lots into three Torrens title allotments as follows: • Lot 1: Warehouse 3, 4 & 5 (23.32 ha) • Lot 2: Warehouse 2 (2.264 ha) • Lot 3: Warehouse 1 (1.432 ha)
Parking	Total parking on-site is provided as follows: • 951 car spaces (including 27 accessible spaces and 32 EV spaces) • 23 motorcycle spaces • 85 bicycle spaces
Landscaping	9.4 ha (35.3% site coverage), including 2,000 new trees
Hours of operation	24 hours per day, 7 days per week
Signage	Estate identification, building, directional and tenant specific signage
Capital investment value (CIV)	\$446 million
Employment	651 full-time equivalent construction jobs and 908 full-time operational jobs
Construction	16-month construction and detailed design program

2.2 Physical layout and design

The physical layout and design of the development is shown in **Figure 4** to **Figure 8** below. The development presents as four warehouse buildings, including one large format warehouse building comprising of Warehouses 3 and 4, and one multi-level warehouse being Warehouse 5.

The development is to be constructed of profiled metal sheet cladding in grey and black tones, grey tinted glazing and aluminium timber profiled cladding. The development has been designed to

orientate ground floor ancillary office spaces to address the relevant street frontages of each warehouse building. Warehouse 5 will feature ancillary office space on both levels.

Site access for Warehouses 1 – 4 is proposed to be provided via Augusta Street, with Warehouses 2, 3 and 4 featuring separate heavy vehicle access for loading and unloading. Warehouse 5 will be provided with a new access point to the Great Western Highway, being the fourth leg of the Great Western Highway and Prospect Highway intersection upgrades works undertaken by Transport for NSW (TfNSW). Warehouse 5 will additionally be provided with a heavy vehicle ramp circulating the building, to provide access to the first-floor warehouse tenancies.

A swept path analysis has been undertaken to demonstrate that 26 m B-doubles can access and manoeuvre throughout the development's loading docks and hardstand areas.

Car parking spaces have been provided for each warehouse building to service the car parking demand of individual warehouse tenancies.



Figure 4 | Building 5 – 3D impression

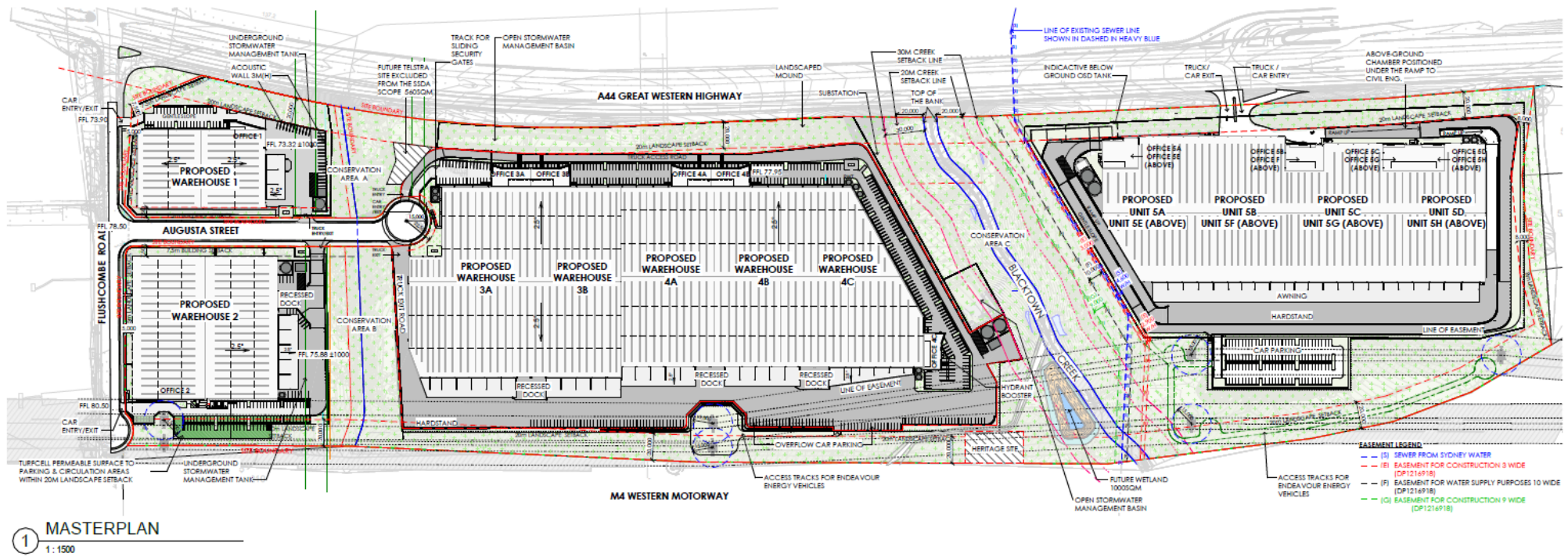


Figure 5 | Site layout

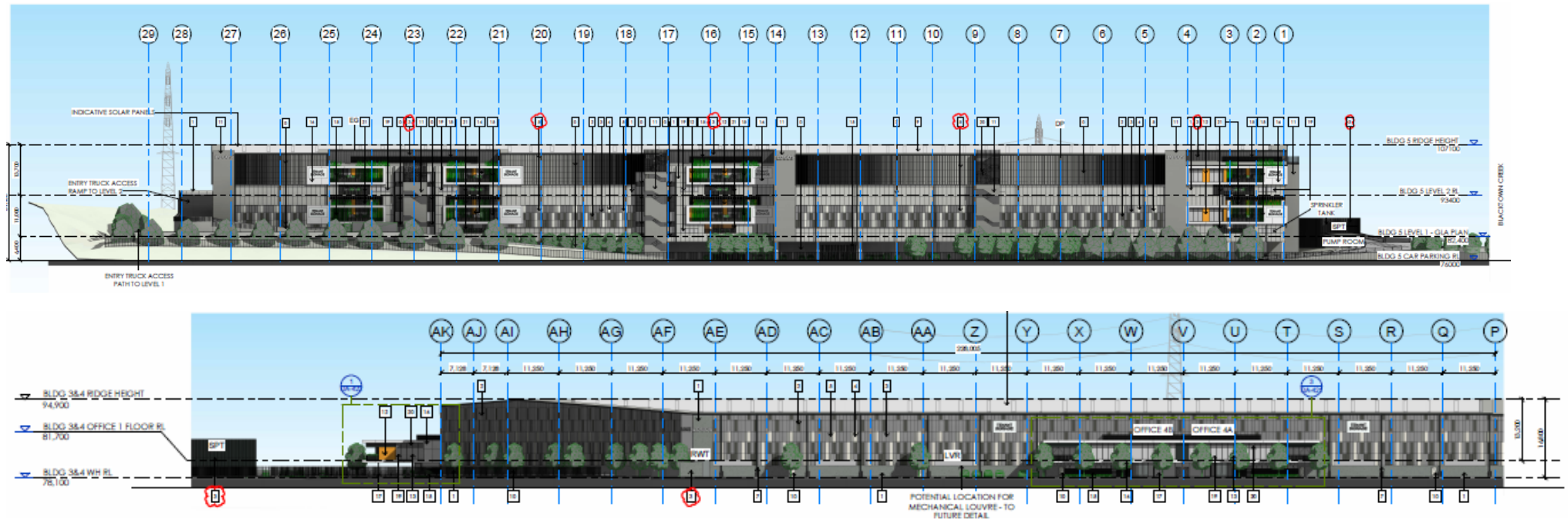


Figure 6 | Building 4 and 5 – North elevation

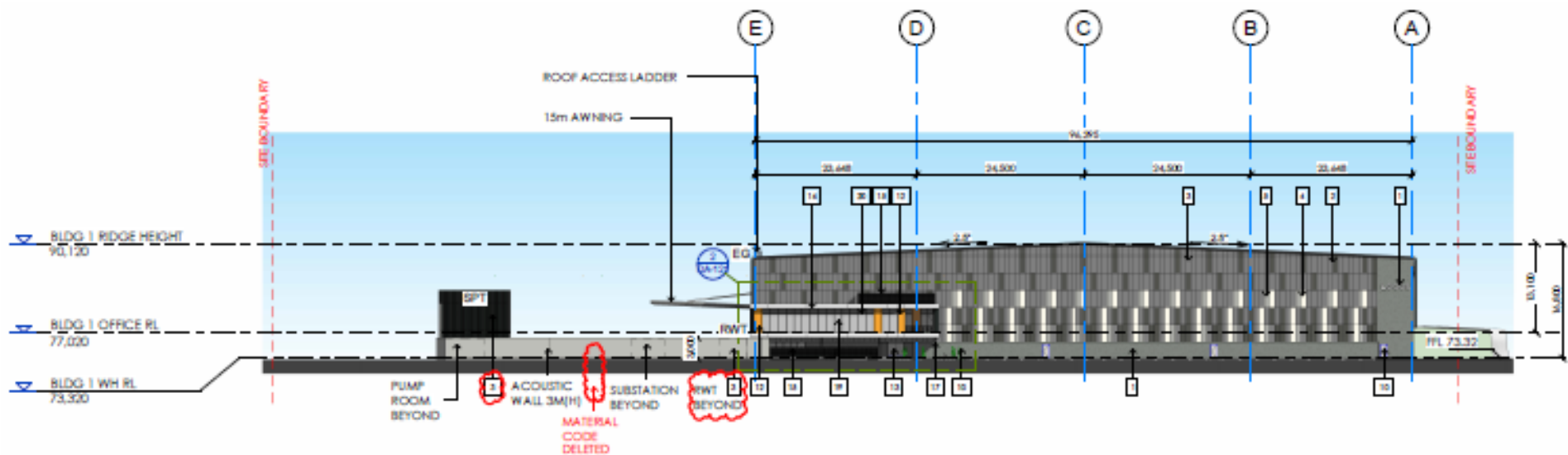


Figure 7 | Building 1 – North elevation

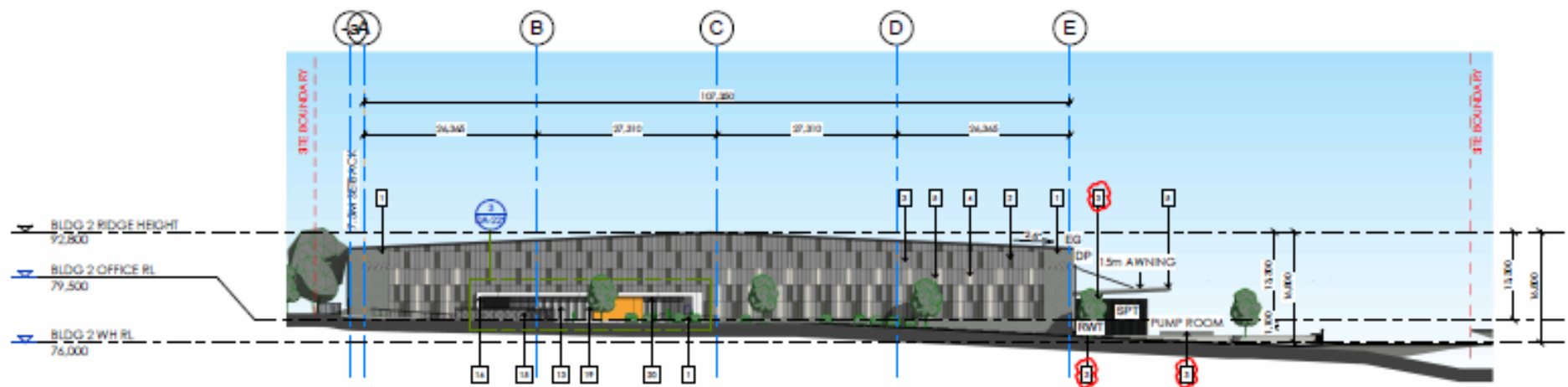


Figure 8 | Building 2 – South elevation

2.3 Uses and activities

The development is for a warehouse and distribution centre with ancillary office space and staff amenities.

The development would include the following activities:

- the handling of goods and materials for storage and distribution, including loading and unloading
- heavy service vehicle movement and car parking, including arrival and departure of employees
- office spaces for the warehouse tenancies, staff amenities, including end of trip facilities and recreation space.

The warehouse operations will be 24 hours, 7 days a week.

2.4 Applicant's justification for the development

The Applicant has advised the development is required to provide a new warehousing and distribution centre development to meet the growing demand for additional warehousing space in Western Sydney. Furthermore, the development is in close proximity to the broader metropolitan arterial road network for the transport of goods and services, therefore allowing efficient access.

3 Strategic context

3.1 Key strategic issues

The development is consistent with the strategies, plans and policies outlined in **Table 2** below, and therefore the Department considers it appropriate for the site.

Table 2 | Summary of government strategies, plans and policies

Strategy, plan or policy	Comments
The Greater Sydney Region Plan – A Metropolis of Three Cities	The development is consistent with the following objectives of the Plan: • Objective 4 aims to optimise the use of infrastructure. The development will utilise the Great Western Highway with connection to Prospect Highway and the M4 Motorway. • Objective 14 aims to create walkable and 30-minute cities. The development provides a warehouse development that is located close to required supply chains and provides new employment opportunities close to homes to help achieve the 30-minute city. • Objective 15 aims to strengthen opportunities in the Western Economic Corridor. The development includes the provision of warehousing and jobs within the Western Sydney Employment Area (WSEA) which would therefore strengthen opportunities and competition in the Western Economic Corridor. • Objective 23 aims to ensure industrial and urban services land is planned, retained and managed. The development is located on existing industrial-zoned land within the WSEA.
Our Greater Sydney 2056: Central City District Plan	The Central City District Plan (CCDP) is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney established by the Greater Sydney Region Plan. It is a guide for implement the Greater Sydney Region Plan at a district level. The development is aligned with Planning Priority N1 and C12 of the CCDP as it would provide supporting road infrastructure through intersection upgrades and provide significant investment and industrial floorspace for innovation opportunities.

Strategy, plan or policy	Comments
Future Transport Strategy 2056	The Future Transport Strategy provides the framework and vision for transport in NSW for the next 40 years. The development is consistent with the objectives of the strategy as it will connect a large format freight and distribution development to existing transport networks.
Blacktown Local Strategic Planning Statement 2020 (LSPS)	The Blacktown LSPS provides a land use vision for the Blacktown LGA and sets out how growth and sustainability will be managed over a 20-year period including a vision for ‘a planned city of sustainable growth, supported by essential infrastructure, efficient transport, a prosperous economy and equitable access to a vibrant, healthy lifestyle’. The LSPS sets out Planning Priorities to achieve this vision. The Development is considered to be consistent with Priority 7 ‘Delivering integrated land use and transport planning and a 30-minute city’ as it will provide jobs and industry within close proximity to transport infrastructure, and Priority 8 ‘Growing mixed use, investment, business and job opportunities in Strategic Centres’ as the development would provide \$446 million in investment, business and employment opportunities in proximity to the Blacktown Strategic Centre.

4 Statutory context

4.1 Permissibility and assessment pathway

Details of the pathway under which consent is sought and the permissibility of the development are provided in **Table 3** below.

Table 3 | Permissibility and assessment pathway

Consideration	Description
Permissibility	Permissible with consent • Warehouse or distribution centres are permissible with consent in the IN1 – General Industrial zone of the State Environmental Planning Policy (Industry and Employment) 2021.
Assessment pathway	State significant development • The development is SSD under section 4.36 of the EP&A Act as it satisfies the following criteria under section 2.6(1) of the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP): – the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent, and – the development is specified in clause 12, Schedule 1 of the Planning Systems SEPP, being a warehouse or distribution centre with a capital investment value in excess of \$50 million (being \$446 million).
Consent authority	Independent Planning Commission (Commission) • The Commission is the declared consent authority under section 4.5(a) of the EP&A Act and section 2.7(1)(a) of the Planning Systems SEPP, as Council had duly made an objection during the original exhibition period for the SSD application.
Decision-maker	Acting Director, Industry Assessments • On 14 June 2022, the Chair of the Commission delegated the functions to determine SSD applications to the Acting Director, Industry Assessments where: – the application has not already been referred by the Planning Secretary to the Commission for the determination as at the date of the delegation – the application is for SSD for which the Commission is declared to be the consent authority only by operation of section 2.7(1)(a) of the Planning Systems SEPP, and

Consideration	Description
	– Council has advised in writing to the Department that its objection has been resolved. • While Council originally objected to the SSD application, Council advised the Department in writing on 22 October 2024 that it has withdrawn its objection to the development. • Accordingly, the application can be determined by the Acting Director, Industry Assessments, under delegation.

4.2 Other approvals and authorisations

Should development consent be granted, other approvals may be required in order to carry out the development. Section 4.42 of the EP&A Act lists a number of approvals that cannot be refused if required to carry out the development and that must be given in a manner that is substantially consistent with any SSD consent granted under the EP&A Act.

The Applicant will require separate approval under section 138 of the *Roads Act 1993* (the Roads Act) to undertake civil works, including the construction of a new site access road off the Great Western Highway and upgrade works at the Great Western Highway / Flushcombe Road intersection.

The Department has consulted with and considered the advice of TfNSW and Council in its assessment of the development (see **Section 5** and **Section 6**) and has included TfNSW's and Council's recommended conditions in the conditions of consent (see **Appendix E**).

4.3 Mandatory matters for consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application (DA). The Department's consideration of these matters is shown in **Appendix D** of this report.

4.4 Public exhibition and notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the DA and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application was on public exhibition from 10 October 2023 until 6 November 2023. Details of the exhibition process and notifications are provided in **Section 5** below.

4.5 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act (section 1.3), including the principles of ecologically sustainable development (ESD). The Department has fully considered these matters in **Appendix D** of this report.

The Department is satisfied that the development is consistent with the objects of the EP&A Act and the principles of ESD.

4.6 Biodiversity development assessment report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine the development is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the Biodiversity Conservation Regulation 2017).

A BDAR was submitted as part of the EIS (see **Appendix A**) and was referred to the Biodiversity, Conservation and Science Group (BCS) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) for comment. The Department's consideration of the BDAR and BCS's advice, including the potential impact of the development upon biodiversity values at the site, is provided in **Section 6.4** of this report.

4.7 Matters of National Environmental Significance

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), assessment and approval are required from the Australian Government if a development is likely to impact on a Matter of National Environmental Significance (MNES), as it is considered to be a 'controlled action'.

The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Australian Government Department of Climate Change, Energy, the Environment and Water was not required.

5 Engagement

As required by the Planning Secretary's Environmental Assessment Requirements (SEARs), the Applicant undertook consultation with relevant local and State authorities as well as the community and affected landowners prior to lodgement of the EIS. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

5.1 Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS, including:

- direct consultation with relevant government authorities via email and telephone, including the Department, TfNSW, Heritage NSW, FRNSW, Sydney Water and Council
- direct consultation with Registered Aboriginal Parties via email and telephone, including the Deerubin Local Aboriginal Land Council (LALC) and Darug Custodian Aboriginal Corporation
- door knocks and direct engagement with local residents
- newsletter and update letter distribution to surrounding landowners, businesses, community members and the Friends of St Bartholomew's to inform about the proposal, community online information sessions and project website
- hosted community online information session to present on the project and response to questions

5.2 Public exhibition of the EIS

After accepting the DA and EIS, the Department:

- publicly exhibited the development from 10 October 2023 until 6 November 2023 on the NSW planning portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant government agencies and Blacktown City Council (Council).

5.3 Submissions and advice

During the public exhibition period, the Department received eight (8) submissions from the public, a submission from Blacktown City Council (Council) and advice from eight (8) government agencies and utility providers.

Six (6) public submissions objected to the proposal and two (2) public submissions provided comments only.

A summary of the submissions and government advice is provided below. A link to the full copy of the submissions and advice is provided in [\[link\]](#) of this report.

5.3.1 Summary of advice received from government agencies

A summary of the government agency and utility provider advice is provided in **Table 4** below.

Table 4 | Summary of agency advice

Agency	Advice summary
Environment Protection Authority (EPA)	The EPA advised it had no comment on the development and that no further consultation was required.
Environment and Heritage Group (EHG) (now known as BCS)	The then EHG raised a number of comments in relation to biodiversity including: • the BDAR's compliance with the requirements of the Biodiversity Assessment Method (BAM) • the accuracy of the BDAR's mapping and figures • the level of information provided in the BDAR in relation to vegetation zones The then EHG also noted that adequate flood information on potential flood events including the probably maximum flood (PMF) was provided and no further consultation or comments are required with respect to flood impacts.
Heritage NSW	Heritage NSW advised insufficient information had been provided in the development's Aboriginal Cultural Heritage Assessment Report (ACHAR), and raised issues regarding sub-surface archaeology, consultation with Aboriginal parties, survey results and mitigation measures. Heritage NSW additionally provided comments on European heritage impacts including the use of screen planting and colour palette selection of buildings to reduce impacts on nearby State Heritage Register (SHR) items.

Agency	Advice summary
Transport for NSW (TfNSW)	TfNSW requested additional information be provided, including intersection design drawings, updated swept path analysis, updated traffic survey data, additional traffic assessment scenarios and updated SIDRA modelling.
Fire and Rescue NSW (FRNSW)	FRNSW raised no concerns with the development but provided recommendations for electric vehicle (EV) parking requirements, emergency service vehicle access, and the preparation of an Emergency Plan and an Emergency Services Information Package (ESIP) prior to operation.
Sydney Water	Sydney Water advised it could not support the development in its current form and raised concern regarding water servicing capacity and impacts on Sydney Water assets and easements.
Endeavour Energy	Endeavour Energy raised no objections to the development but provided recommendations relating to network capacity and connection.

5.3.2 Summary of submission received from Council

In its submission, **Council** objected to the development. A summary of the issues raised by Council is provided in **Table 5** below.

Table 5 | Summary of issues raised by council

Issue	Submission summary
Setbacks	• Council advised the development does not comply with the minimum 20 m setback from the M4 Motorway for Warehouse 2 and from Prospect Highway for Warehouse 5. • Site infrastructure including sediment basins, stormwater management basins and access tracks should be relocated from within the 20 m landscape setback area from the M4 Motorway and Great Western Highway. • Warehouse 1 and Warehouse 2 do not achieve minimum 7.5 m setback requirements. • All hardstand areas, storage and acoustic walls should be removed from within the riparian corridor buffer setback.

Issue	Submission summary
Design	• Council stated the development is excessively bulky and recommended the design be reconsidered to reduce to bulk of the warehouses. • Colour selection and materials should be reconsidered to reduce potential urban heat impacts. • Opportunities to increase tree canopy coverage should be considered.
Remediation	• Council requested clarification on the location of the on-site containment cell.
Noise	• Council raised concern regarding the separation between the location of noise monitor (L01) and residential receiver R04 and requested justification be provided. • As a result, Council considered 24-hour operational noise impacts have not been adequately addressed.
Traffic	• Council noted the Warehouse 1 carpark entry from Flushcombe Road is inconsistent with the planned Flushcombe Road and Great Western Highway intersection upgrade works. • Road upgrades should be extended for the length of Flushcombe Road from the Great Western Highway to account for vehicle movements utilising the Warehouse 2 carpark entry. • A detailed Construction Traffic Management Plan should be provided for the development. • Further details should be provided regarding impacts of future Prospect Highway road widening on the development.
Biodiversity	• Council highlighted the conservation and vegetation management plans for construction and operation should be provided as part of the SDD application and not through conditions of consent as a post-approval matter. • Conservation works on adjoining land are not supported by Council as a biodiversity offset. Biodiversity credits should be retired in accordance with the Biodiversity Offset Scheme.

Issue	Submission summary
Civil Works	• Council advised the Civil Works package should be amended to include further details regarding on-site detention (OSD) and stormwater filter tanks. • The Civil Works package should be updated to include further detail in relation to proposed basins, including demonstration that the associated access track gradient is no more than 10%. • Further details on permanent ponds, wetlands and on-site pipelines should be provided. • Further details on flood levels following creek rehabilitation works should be provided.

5.3.3 Summary of public submissions

The Department received eight submissions during the public exhibition period from individuals. Six submissions objected to the development and two provided comments. A summary of the issues raised in public submissions is provided in **Table 6** below.

Table 6 | Key issues raised in public submissions on the EIS

Issue	Summary	% of Submissions
Traffic	Concern for the impact of additional traffic generation on the existing road network currently experiencing congestion and poor performance.	8 (100%)
Noise	Concern for 24-hour operational noise impacting amenity and sleep disturbance.	7 (87.5%)
Visual	Concern for the size and scale of the development impacting on visual amenity.	3 (37.5%)
Property values	Concern for the development reducing land values in the vicinity of the site.	3 (37.5%)
Urban heat effect	Concern for the development increasing urban heat effect and impacting on the amenity of the surrounding area.	2 (25%)
Biodiversity	Concern for the development impacting on nearby ecosystems and the existing on-site riparian corridor.	1 (12.5%)
Heritage	Concern for the extent of consultation with relevant Aboriginal parties.	1 (12.5%)

5.4 Response to submissions

Following the public exhibition period, the Department requested the Applicant to respond to the issues raised in submissions and the advice received from government agencies. The Applicant provided a Response to Submissions (RtS) report to the Department on 27 March 2024 (see **Appendix A**).

The RtS was accompanied by updated supporting technical documents, including a Noise and Vibration Impact Assessment (NVIA), Traffic and Accessibility Impact Assessment (TAIA), Biodiversity Development Assessment Report (BDAR), civil reports, Architectural Plans, Landscape Plans, Architectural Design Report and Visual Impact Assessment.

The Department published the RtS on the NSW planning portal and forwarded it to the relevant government agencies and Council for comment on 27 March 2024.

A summary of the responses from Council and government agencies is provided in **Table 7** below.

Table 7 | Council and agency advice on the RtS

Agency	Advice summary
Council	Council reviewed the RtS and maintained its objection until all outstanding issues were addressed. Outstanding issues raised by Council related to the use of permeable paving and low solar absorption materials, environmental health matters relating to remediation and noise, biodiversity matters including the contents of the Vegetation Management Plan (VMP) and drainage matters relating to the development's OSD and MUSIC modelling.
BCS	BCS reviewed the RtS including the revised BDAR and noted some matters from its original advice had not been satisfactorily addressed. Outstanding matters required to be addressed by the Applicant included the identification and discussion of survey limitations, discussion on potential roosting habitat and consideration of serious and irreversible impacts in accordance with the BAM.
TfNSW	TfNSW reviewed the RtS including the updated TIA and advised additional information was required including traffic modelling details, an updated Traffic Control Signal (TCS) plan for both the Great Western Highway / Flushcombe Road and Great Western Highway / Prospect Highway intersections and an updated Travel Demand Management (TDM) strategy.

Agency	Advice summary
Heritage NSW – Heritage Council of NSW	Heritage Council of NSW reviewed the RtS and requested revised architectural and landscape plans to clarify landscape setbacks for the eastern site boundary.
Heritage NSW – Aboriginal Cultural Heritage (ACH)	ACH reviewed the RtS including the updated ACHAR and advised it had no further comments on the development. ACH provided recommended conditions of consent requiring the Applicant to take all reasonable steps to avoid harm or impact on Aboriginal objects, continued consultation with the relevant Registered Aboriginal Parties (RAPs) and preparation and implementation of Aboriginal heritage management procedures for the construction of the development.
Sydney Water	Sydney Water reviewed the RtS and advised that the utility provider was in the process of finalising a preferred options study for Water Pumping Station 200 (WP200) and associated trunk watermain alignments. Sydney Water noted that existing easements within the site may be utilised for the construction and delivery of WP200 trunk watermains and therefore was unable to support the development until the preferred option has been identified.
FRNSW	FRNSW advised it had no further recommendations or comments in relation to the development.

5.5 Additional information

5.5.1 First request for additional information

On 15 April 2024, the Department requested the Applicant to provide additional information to address the outstanding issues raised in Council and agency advice on the RtS package. The Department additionally raised matters to be addressed by the Applicant including clarification around the traffic modelling assumptions adopted in the updated TIA and clarification around the noise modelling assumptions and scenarios assessed in the updated NVIA.

The Department also consulted closely with Sydney Water and the Applicant to resolve Sydney Water's outstanding issues regarding the proposed WP200 and associated infrastructure.

On 14 May 2024, the Applicant provided a supplementary response package including a Traffic Impact memo and associated TCS plans, SIDRA modelling and intersection upgrade drawings, amended architectural and landscaping plans, an amended NVIA and addendum memo, amended remediation plans and an amended BDAR and VMP to address the Department's request for additional information.

The supplementary response package was provided to the relevant government agencies and Council for comment.

Council maintained its objection with outstanding issues relating to drainage and OSD issues and security fencing locations. Council also noted that the Applicant had requested to enter into a voluntary planning agreement (VPA) with Council, which would need to be executed prior to determination.

BCS maintained that several issues had still not been adequately addressed by the Applicant in the amended BDAR. BCS also identified several other issues which needed to be addressed by the Applicant, including the impact of the proposed bioretention basins on vegetation, missing biodiversity mapping and that surveying of the Southern Myotis species had not been undertaken in accordance with the relevant guidelines.

TfNSW noted the development would require separate approval by TfNSW under the Roads Act for the proposed TCS works and new access road connection on the Great Western Highway. TfNSW subsequently provided recommended conditions of consent relating to the Roads Act approval process.

The **Heritage Council of NSW** advised that sufficient eastern landscape setback had been provided and no further comments or consultation is required.

Sydney Water maintained that registered easements on the site may still be utilised for the delivery of trunk water mains for WP200. Furthermore, Sydney Water noted that an OSD basin is proposed to be located within Sydney Water's easement for construction 9 wide and required it to be relocated. Sydney Water additionally requested clarification on works and plans relating to the easement to ensure no further encroachment into the easement occurs.

5.5.2 Second request for information

On 2 August 2024, the Department requested the Applicant to provide further additional information to address the outstanding Council and agency comments. The Applicant provided a final additional information response package on 9 August 2024. The final package was issued to Council, BCS and Sydney Water to close out the remaining issues.

Council maintained its objection to the development, noting that it required further information regarding the road upgrade works associated with Augusta Street and Flushcombe Road in order to confirm the requirements of the Planning Agreement.

BCS advised that all outstanding matters had been adequately addressed and recommended the biodiversity credit requirements outlined in the BDAR be imposed as a condition of consent. BCS also made recommendations relating to sediment and erosion control measures for the proposed temporary creek crossing during construction works.

Sydney Water advised the Applicant had adequately addressed its previous concerns and noted that a Section 73 application is to be lodged with Sydney Water for the development. Sydney Water provided recommended conditions of consent relating to Section 73 Compliance Certificates, the Building Plan Approval process and tree planting within close proximity to Sydney Water assets.

The Applicant provided additional civil engineering details to satisfy Council and on 22 October 2024, Council advised the Department the development is supportable subject to all public submissions being addressed and provided recommended conditions of consent.

The Department has considered the issues raised in submissions and agency advice on the EIS, the RtS and the supplementary information in its assessment of the development. A summary of the Department's consideration of community views is provided in **Appendix C** of this report.

6 Assessment

The Department has considered the EIS, the issues raised in the submissions, the Applicant's RtS and supplementary information in its assessment of the development. The Department considers the key assessment issues to be:

- operational traffic and access
- operational noise
- design and visual impact
- biodiversity.

A number of other issues have also been considered. These issues are considered to be relatively minor and are assessed in **Table 8** under **Section 6.5** below.

6.1 Operational traffic and access

The development is proposed to be located within close proximity to key arterial roads including the Great Western Highway, the M4 Motorway and the Prospect Highway. Traffic generation associated with the development may present significant impacts on the performance of surrounding key intersections and traffic safety.

The Applicant submitted a Traffic Impact Assessment (TIA) to assess the impacts of the development's traffic generation on the safety and capacity of the surrounding road network. The TIA also addressed site access arrangements and noted that intersection upgrade works are required to ensure the surrounding road network can accommodate the largest vehicles which are likely to access the site.

The TIA was amended several times in response to the issues raised by the Department, TfNSW and Council in relation to the proposed traffic and access arrangements.

6.1.1 Site access arrangements

Under the development, Warehouses 1 – 4 would be primarily accessed via new driveways off the existing Augusta Street cul-de-sac. Additional access points for light vehicles would also be provided off Flushcombe Road for Warehouses 1 and 2.

A separate new access road in the eastern portion of the site would service Warehouse 5. This access road would be incorporated into the Great Western Highway / Prospect Highway T-intersection upgrade works currently being constructed by TfNSW, and would include a fourth approach to the intersection, new left-in and right-in deceleration lanes and signalisation works (see **Figure 9**). Direct

access for Warehouse 5 from the Great Western Highway is proposed due to the constraints posed by Blacktown Creek, which traverses the middle of the site and prevents access to the eastern portion of the site from Augusta Street.

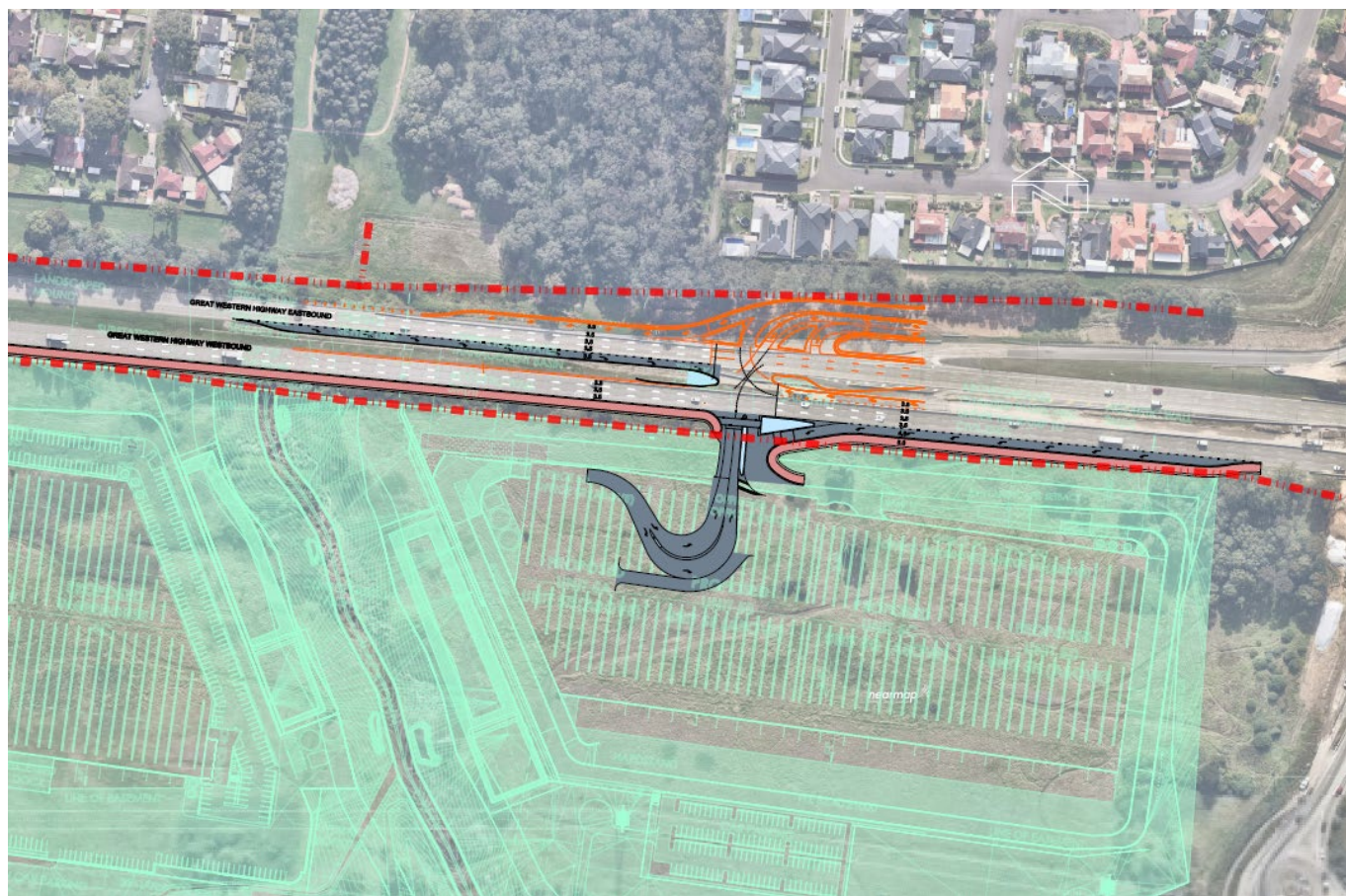


Figure 9 | Proposed Warehouse 5 / Great Western Highway intersection works

The Applicant additionally proposes to upgrade the existing Great Western Highway / Flushcombe Road intersection to accommodate additional traffic associated with the development (see **Figure 10**). These intersection upgrade works include the following:

- a 50 m extension of the existing right turn bay (eastern approach)
- a signalised 120 m left turn lane (eastern approach)
- provision of a shared left / through lane and separate right turn lane to Flushcombe Road (northern approach)
- staged pedestrian crossing arrangements and new splinter pedestrian islands.



Figure 10 | Proposed Great Western Highway / Flushcombe Road intersection upgrade works

The detailed design of the proposed intersection works has been undertaken during extensive and ongoing consultation with TfNSW. TfNSW has provided ‘in-principle’ support for the proposed intersection works and has provided the Department with recommended conditions of consent to ensure the Applicant obtains further approvals from TfNSW under sections 87(4) and 138 of the *Roads Act 1993* for the upgrade works.

6.1.2 Traffic generation

The TIA submitted by the Applicant provided predicted daily traffic generation volumes for the development based on existing traffic survey data from one of the Applicant’s other warehouse and distribution centre developments located in Villawood.

The TIA predicted the development would generate 717 heavy vehicle movements (rigid trucks and large articulated vehicles) and 1,943 light vehicle movements per day. Although the Villawood data identified that truck movements consisted of approximately 90% rigid trucks and 10% articulated vehicles, the TIA has conservatively assumed a composition of 70% rigid trucks and 30% articulated vehicles.

The development is expected to generate 290 vehicle movements per hour during the AM and PM peak periods, based on TfNSW's average rates and the Villawood traffic survey data. Approximately 15% of the predicted peak period vehicle movements have been assumed to be heavy vehicles.

The TIA has additionally provided the predicted traffic distribution of the development with 20% of traffic directed north via Flushcombe Road, 40% east via the Great Western Highway / Prospect Highway, and 40% west via the Great Western Highway.

The TIA was supported by SIDRA modelling to assess the traffic impacts of the development on the performance of nearby intersections. The TIA considered the development against a 'base' case of 2026 (being the anticipated year in which the development would commence operation) and a 'future' case of 2036, both with and without the proposed intersection upgrade works. Traffic flow growth rates have been based on a previous traffic study undertaken as part of the Review of Environmental Factors (REF) for the Prospect Highway upgrade works.

The TIA found that for the 2026 'base' case, the development with the proposed upgrade works would maintain the existing base Level of Service (LoS) during the AM and PM peak periods at both the Great Western Highway / Flushcombe Road (Intersection 1) and Great Western Highway / Prospect Highway (Intersection 2) intersections. Furthermore, predicted changes to average delays were identified to be minor, with a maximum increase of 2 seconds occurring at Intersection 2 during the PM peak period. Additionally, a decrease in delay of 2 seconds is predicted to occur during the AM peak period at Intersection 1.

For the 2036 'future' case, the SIDRA modelling predicted that traffic associated with the development (excluding the proposed upgrade works) would have a negligible impact on the performance of intersections within the vicinity of the site. However, traffic growth rates indicated that Intersection 1 would be near capacity (LoS E) during the AM peak period and at capacity (LoS F) during the PM peak period.

With the inclusion of the proposed intersection upgrade works, the development is predicted to help improve the performance of Intersection 1 from LoS E to LoS C during the AM peak period and from LoS F to LoS D during the PM peak period. The Applicant's assessment subsequently concluded the development (including the proposed upgrade works) would have an acceptable impact on the future performance of nearby key intersections.

Following its review of the EIS and RTS supplied by the Applicant, TfNSW requested additional information in relation to the SIDRA modelling and the design of the intersection upgrade works. After additional information was supplied by the Applicant to address its comments, TfNSW provided recommended conditions of consent in relation to:

- the requirement for an application to be approved by TfNSW for intersection works and access connection to the Great Western Highway under the Roads Act

- the need for detailed stormwater design plans to be submitted to TfNSW for approval prior to construction
- the need for a Road Occupancy Licence (ROL) to be obtained for works that impact the Great Western Highway
- the preparation and implementation of a Construction Traffic Management Plan (CTMP) for the development.

Council recommended conditions requiring Roads Act approval for the proposed road works and engineering works, and conditions relating to Council vehicular crossing design standards.

6.1.3 Department's consideration

The Department notes concern was raised in public submissions regarding the development's impact on the performance of Intersection 1, particularly in relation to traffic congestion on Flushcombe Road. The Department is satisfied the Applicant has suitably demonstrated the proposed road and intersection upgrade works would accommodate the additional traffic associated with the operation of the development, as the SIDRA modelling has found this traffic would have a minimal impact on traffic flows and intersection performance during the AM and PM peak periods.

Furthermore, the SIDRA modelling also predicted traffic flows and overall intersection performance during the 2036 'future' case (including the development's operational traffic) would improve slightly as a result of the proposed road upgrade works. To manage any residual impacts, the Department has recommended a condition of consent requiring the Applicant to prepare and implement an Operational Traffic Management Plan which includes measures to reduce traffic movements during peak hour periods, where possible. The Department has also recommended conditions limiting heavy truck movements during the night-time period, consistent with the assumptions of the TIA and the Noise and Vibration Impact Assessment (NVIA) (see **Section 6.2.2** of this report).

The Department also notes the design of the proposed road and intersection upgrade works have been undertaken in consultation with TfNSW, with no concerns raised subject to the Applicant obtaining all necessary approvals required under the Roads Act. The Department is satisfied the proposed road works will not negatively impact on road safety and performance and will facilitate suitable access to the development. The Department has recommended conditions of consent requiring the Applicant to obtain further approvals from TfNSW in accordance with the Roads Act.

The Department's assessment concludes the development would have an acceptable impact on the surrounding road network, subject to the implementation of the proposed road and intersection upgrade works. The Department has recommended conditions for the delivery of the road and intersection upgrade works, and for the ongoing management of site access and operational traffic.

6.2 Operational noise

The 24/7 operation of the proposed warehouse and distribution facility has the potential to impact the acoustic amenity of surrounding sensitive receivers, including residences located north of the Great Western Highway and various receiver locations to the south including a hotel (see **Figure 11**).



Figure 11 | Sensitive receiver and noise monitoring locations

The Applicant submitted a Noise and Vibration Impact Assessment (NVIA) as part of the EIS which considered both construction and operational noise impacts. As part of its review, the Department requested further information from the Applicant in relation to the chosen noise monitoring locations, the location and parameters of noise sources and noise generating activities, accurate modelling of sensitive receivers, sleep disturbance mitigation measures and road traffic noise. Council also raised concern regarding noise monitoring and the impact of 24 hour operations on nearby residential areas.

The Applicant submitted an updated NVIA and Memorandum as part of the RTS to address the aforementioned comments.

6.2.1 Applicant's assessment

The Applicant's updated NVIA considered the predicted dominant operational noise sources on-site to be light and heavy vehicle movements, including up and down ramp movements, loading dock activities, mechanical plant and off-site vehicle movements. The Applicant assessed these noise sources and activities during worst-case operating conditions at each warehouse across the day, evening and night-time periods. These operating conditions were assessed against the relevant project noise trigger levels (PNTLs) at surrounding sensitive receivers in accordance with the EPA's *Noise Policy for Industry* (NPfI).

The updated NVIA predicted that, subject to the implementation of the recommended mitigation measures, the development would comply with the relevant PNTLs at all assessed receiver locations. The proposed mitigation measures to be implemented include the use of ambient noise sensing reversing alarms, closure of roller doors during loading/unloading activities, the installation of a 3 m noise mound along the perimeter of the Warehouse 3/4 access road and the installation of a 3 m noise barrier along the northern and eastern perimeter of Warehouse 1.

The updated NVIA also included a sleep disturbance assessment undertaken in accordance with the NPfI and the EPA's *Road Noise Policy* (RNP), which predicted the maximum night-time noise levels ($LA_{max}(dBA)$) at nearest residential receivers. The assessment predicted the maximum noise level would be below the screening level at all but one receiver (R06) with an exceedance of 1 dBA. The exceedance has been predicted to occur as a result of heavy vehicle movements on the Warehouse 5 exit ramp. The NVIA noted that a maximum of one heavy truck is expected to access Warehouse 5 during any 15-minute period at night.

The sleep disturbance assessment identified that less than 15 heavy vehicles are anticipated to utilise the Warehouse 5 ramp during the night-time period and, therefore, the development is not expected to adversely affect good sleep in accordance with the RNP.

The NVIA additionally noted that nearby residential receivers (including R06) are currently subject to frequent maximum noise level events associated with vehicle movements on the Great Western Highway, ranging from 60 to 70 dB (approximately 30-40 events during the night-time period). The NVIA noted that any maximum noise level associated with the development would not result in a noise level event louder than those currently existing during the night along the Great Western Highway.

The Applicant's assessment concluded that reasonable noise mitigation measures have been incorporated into the design of the development to achieve compliance with the relevant noise criteria at surrounding sensitive receivers. In addition, the potential for sleep disturbance would not be

greater or distinguishable from existing traffic noise along the Great Western Highway and would therefore have a negligible impact on sleep amenity for nearby residential receivers.

6.2.2 Department's consideration

The Department notes noise impacts were raised as an issue of concern in public submissions during the exhibition period. The Department also notes that no comments were raised by the EPA on the development and that Council's comments regarding noise impacts have been addressed and satisfied by the Applicant. Council has recommended conditions of consent for the implementation of the recommendations of the updated NIA, implement measures to further mitigate noise in the event of a noise complaint and undertake post-commissioning noise verification.

The Department has carefully considered the information provided by the Applicant, Council, agencies and in the public submissions. The Department considers the predicted operational noise impacts of the development would be compliant with the relevant PNTL's at surrounding sensitive receivers, provided operational activities remain consistent with the modelled worst-case scenarios and assumptions. However, the Department also notes that strict conformance with the night-time operating scenarios, including the assumption that only one heavy vehicle would be present at Warehouse 3/4 and Warehouse 5 during each 15-minute period, would be required to achieve compliance and therefore a strict schedule of freight operations would be required.

Consequently, the Department has recommended conditions requiring no more than one heavy vehicle to be on-site at Warehouse 3/4 and one heavy vehicle to be on-site at Warehouse 5 during any 15-minute period at night and that the Applicant describe a procedure in the OTMP to ensure compliance with this condition. The Department has also recommended conditions requiring an Operational Noise Verification Report be prepared for the development once the first tenancy is operational and again once the site is fully operational, as well as the preparation and implementation of an Operational Noise Management Plan (ONMP) which includes measures to manage and reduce noise emissions to ensure ongoing compliance with the relevant noise limits. Should an exceedance of the noise limits be found, the Applicant would be required to implement additional mitigation measures to reduce noise.

The Department's assessment concludes that noise impacts associated with the operation of the development can be suitably managed through the implementation of the Applicant's proposed management and mitigation measures and the recommended conditions of consent.

6.3 Design and visual impact

The size, scale and location of the development has the potential to impact on the visual amenity and urban character of the locality. The development site is located between two large arterial roads,

being the Great Western Highway and the M4 Motorway, and is surrounded by several key vantage points to the site, including from residential areas to the north, a State heritage-listed place of worship to the east and a water theme park to the south.

During the exhibition of the EIS, both Council and the Department raised concerns with the bulk, scale and design of the development, with particular emphasis placed on the impacts associated with the proposed multi-level warehouse (Warehouse 5). Heritage NSW noted that the development would impact on the scenic quality of St Bartholomew's church and requested a minimum 8 m landscape setback be provided to the eastern boundary of the site. The Department also notes that concern was raised in the public submissions for the bulk and scale of the development and its potential impacts on visual amenity.

The Applicant met separately with Council and the Department to discuss redesign options to address the visual presentation of the development. The Applicant subsequently submitted amended architectural plans, an updated architectural design report including 3D renderings, updated landscaping plans and an updated Landscaping and Visual Impact Assessment (LVIA) for the development. These documents highlighted the changes made to the original design, including additional façade treatment work to Warehouse 5.

6.3.1 Design, bulk and scale

The development is proposed to consist of four warehouse buildings, including one large single-storey warehouse building (Warehouse 3/4) and one multi-level warehouse building (Warehouse 5). Warehouses 1 to 4 are proposed to have a maximum building height of 16.8 m while Warehouse 5 will have a maximum height of 34.84 m. Warehouse 3/4 and Warehouse 5 are of a significant size and scale, with a GFA of 51,866 m² and 64,732 m², respectively.

The northern façade of Warehouse 5 was updated during the RTS process to include brickwork and aluminium louvre vertical elements to the façade design, with the intention of providing consistency in the materiality of the development with nearby residential dwellings. The design also comprises horizontal features such as pre-cast concrete office components with vegetation planter areas. The development also contains business identification signage with associated backlighting.

Furthermore, the Applicant has proposed landscaping around the site boundaries comprising of medium and large hedging of more than 3 m in height, small canopy trees in excess of 6 m in height and large tree canopy coverage in excess of 15 m in height at maturity. The development also includes a landscaped acoustic mound between Warehouse 3/4 and the Great Western Highway road frontage, and an 8 m wide landscaped setback along the eastern setback of Warehouse 5, which is intended to provide visual mitigation.

The Applicant considers the proposed built form is generally consistent with the typology of other warehouse and distribution centre developments in the vicinity of the site, and responds appropriately to market demands for warehousing development.

6.3.2 Applicant's visual impact assessment

The RTS included an updated LVIA prepared by Habit8 Pty Ltd to assess the visual impacts of the development on sensitive receivers and key viewpoints in the locality. The LVIA included photomontages from a total of 26 viewpoints.

The viewpoints considered in the Applicant's assessment included various residential receiver locations directly adjacent the development to the north (see **Figure 12**), including from Hampton Crescent, Desley Crescent, Yallock Place, Brae Street and Tyne Place in Prospect. Other viewpoints assessed included the water theme park and hotel to the south and a state heritage listed item to the west, being St Bartholomew's Church & Cemetery, Prospect (see **Figure 13**).

Residential viewpoint 3a was considered to be the most affected residential viewpoint, with a visual impact rating of 'major to moderate'. Viewpoint 3a has been noted to be simulated from the second storey of a residential dwelling (see **Figure 14**). Residential viewpoints 1, 6, 7, 7a, 7c, 8c, 8d and 10 were considered to have 'moderate' and 'moderate to minor' visual impact ratings. St Bartholomew's Church & Cemetery (viewpoint 11) was considered to have a 'major' visual impact rating and Timbertop Reserve, Prospect (viewpoint 5) was considered to have a 'moderate' visual impact rating (see **Figure 15**). All other assessed viewpoints were considered to have either a 'minor' or 'negligible' visual impact rating.

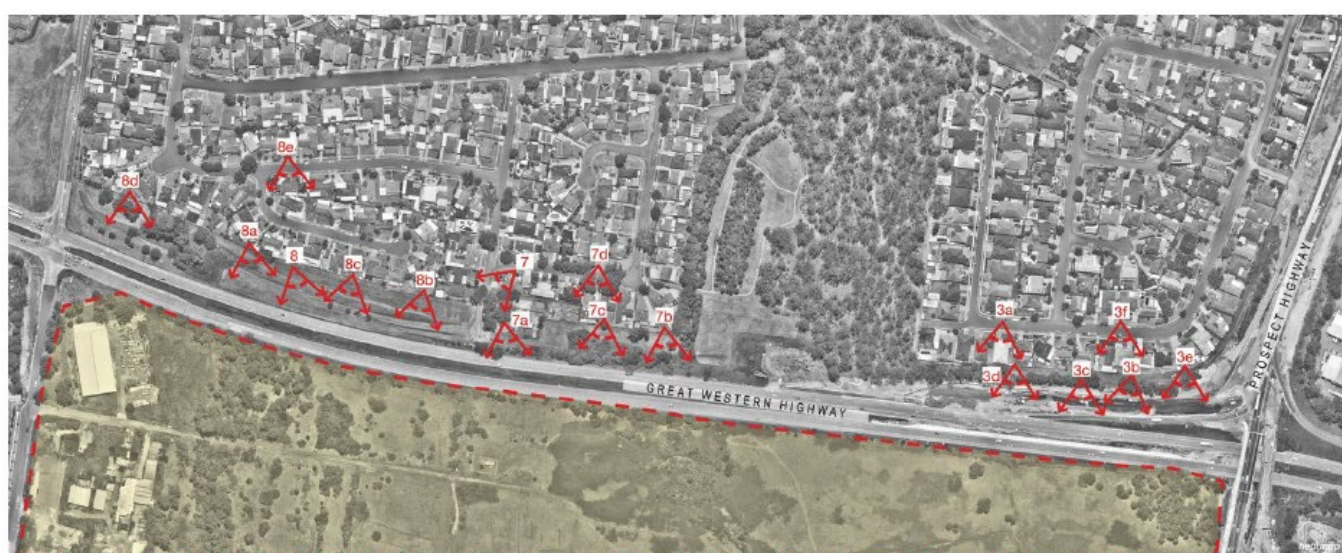


Figure 12 | Residential viewpoint locations adjacent to the Great Western Highway



Figure 13 | Overview of all viewpoint locations



Figure 14 | Viewpoint 3a (Year 0)



0 Year



15 Years

Figure 15 | Viewpoint 5 (Year 0 and Year 15)

The LVIA argued that the overall visual impact of the development is ‘moderate to minor’ on average, particularly given:

- the development would be screened from assessed residential receiver locations by the existing and proposed tree canopies
- the presence of the adjoining Great Western Highway detracts from the locality’s existing visual sensitivity.

Furthermore, the implementation of landscaping and vegetation screening, design and façade treatment have been considered by the Applicant to mitigate the visual impacts of the development on visual receivers.

6.3.3 Department’s consideration

The Department notes Council originally raised concern regarding the bulk and scale of the development during the exhibition period. However, as no further concerns were raised by Council during its review of the RTS and the additional information provided by the Applicant, Council’s original concerns have been considered to be satisfactorily addressed. Heritage NSW reviewed the RTS and acknowledged the development had incorporated an 8 m eastern landscape setback. Heritage NSW advised the development would have an acceptable heritage impact on St Bartholomew’s church subject to provision of the landscaped setback. The Department also notes that concern was raised in public submissions regarding the impact of the development’s bulk and scale on visual amenity.

The Department has considered the updated plans, LVIA and design report in conjunction with Council’s advice and public submissions in its assessment of visual impact. The Department notes the most visually prominent component of the development is the multi-level warehouse (Warehouse 5) which corresponds to the most impacted residential receivers being located at Hampton Crescent. In

addition, the Department acknowledges that the presence of the Great Western Highway between the site and the aforementioned residential receivers detracts from the existing visual sensitivity of the location. Furthermore, the Department also acknowledges that an 8 m eastern landscape setback has been provided to satisfactorily mitigate the extent of visual impact on the nearby St Bartholomew's church heritage item.

The Department considers the bulk and scale of the development is consistent with the industrial and warehousing typology prevalent in the surrounding areas of the site, including the industrial and warehousing development located to the west of the site. In addition, the Department acknowledges the bulk and scale of the development has been proposed to satisfy the growing demand for large format warehousing, which is currently in short supply across Greater Sydney.

The Department also recognises the façade redesign works have sought to use materials and finishes that are cohesive with the built form of the adjacent residential area and help to improve visual amenity. Furthermore, sufficient landscaping of varying density and canopy coverage is proposed to be provided along site boundaries and between building interfaces to further mitigate the visual impacts of the development.

The Department has recommended a condition of consent requiring the Applicant to prepare and implement a Vegetation Management Plan (VMP) for the site, which will detail maintenance and management measures for the proposed landscaping to ensure adequate vegetation screening is maintained for the life of the development.

The Department's assessment concludes the development will not have a significant impact on visual amenity, particularly given the industrial nature of the existing urban context and the site's separation from residential areas by major arterial roads. Furthermore, the façade of the development has been designed to directly respond to the surrounding residential typology in conjunction with suitable landscaping to mitigate the visual impacts of the development, subject to the recommended conditions of consent.

6.4 Biodiversity

The development includes the removal of 1.43 ha of native vegetation from the site and 20.52 ha of exotic grassland and weed vegetation. The development also proposes 8.5 ha of conservation landscaping along the Blacktown Creek riparian corridor, which runs north-south through the centre of the site. Given the scale of clearing proposed, the development has the potential to significantly impact on biodiversity values, including potential impacts to threatened species populations and ecological communities. Temporary creek crossing for construction access at the northern and southern ends of the creek is also proposed during the construction phase of the development which

may also present impacts on biodiversity values of the site, this has been considered in **Section 6.5** of this report.

The Applicant provided a Biodiversity Development Assessment Report (BDAR) for the development, which was prepared with regard to the *Biodiversity Assessment Methodology 2020* (BAM). During the exhibition period, BCS reviewed the BDAR and requested it be updated to adequately address the requirements of the BAM. Council additionally provided comment on the BDAR, and recommended that a Vegetation Management Plan (VMP) be prepared to govern the restoration and conservation of the riparian corridor on the site, a timeline be prepared for the conservation activities and that the VMP be implemented in perpetuity. The Department also notes that one public submission received during the exhibition period raised concern regarding the impacts of the development on the riparian corridor. The BDAR was updated on four (4) occasions in response to ongoing comments and feedback received during the assessment process.

6.4.1 Field surveys

The Applicant has undertaken targeted field surveys for threatened flora species on five (5) occasions from April 2020 to June 2023 and threatened fauna species on five (5) occasions from April 2020 to February 2024. The updated BDAR presented observations from the field surveys which identified that vegetation across the site has been significantly disturbed by historic agricultural, residential and industrial uses, as well as historic excavation works and waste dumping. The field surveys included the establishment of nine (9) plots in accordance with the BAM to identify flora and fauna habitats on-site (see **Figure 16**). The field surveys recorded the presence of Cumberland Shale Hills Woodland (PCT 3319), covering an area on-site of 2.37 ha located predominately along an existing drainage line in the swale west of the site. Of the PCT 3319 identified, 2.03 ha were considered to be in 'poor' condition, while the remaining 0.34 ha was considered to be in 'moderate' condition.

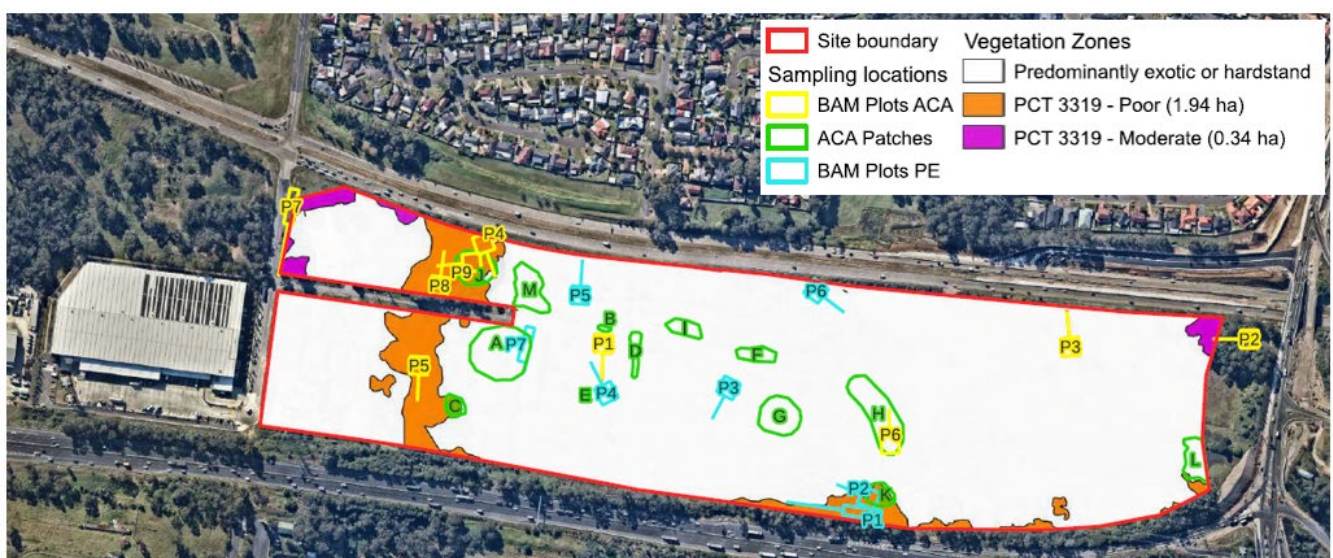


Figure 16 | Field survey sampling locations and vegetation mapping

Field surveys targeted eight candidate species of native fauna considered to be possible inhabitants of the site. Survey recordings found no presence of these native species or identification of suitable species habitat on the site. However, the field surveys did record the presence of feral pest species including domestic cats, european red foxes and black rats which is considered to limit the habitat potential of the site for native fauna. Despite no threatened candidate species being recorded onsite, the Applicant undertook a species polygon of 0.5 ha for Southern Myotis as a precautionary measure, and in accordance with the *'Species credit' threatened bats and their habitats NSW guide for Biodiversity Assessment Method* (DCCEE 2021) and the advice provided by BCS.

6.4.2 Applicant's assessment

The updated BDAR undertook an assessment of measures for the avoidance and minimisation of impacts on biodiversity values. The updated BDAR noted that the site's native vegetation was highly degraded and fragmented, particularly given its location between two major arterial roads. The updated BDAR has considered avoiding the removal of native vegetation where possible, particularly around the drainage line swale to the west of the site. The updated BDAR noted the proposed conservation landscaping, consisting of 8.5 ha of Cumberland Plain Woodland (CPW), would promote ecological restoration and increase the quantity and quality of native vegetation on-site (see **Figure 17**). Conservation areas have been identified as areas A and B located along the western drainage line swale, area C along the Blacktown Creek riparian corridor and area D in the north-east corner of the site. Conservation area's A and B have been proposed to replace existing poor condition PCT 3319 communities.



Figure 17 | Proposed conservation areas, shown with red hatching

The updated BDAR provided additional measures to manage the impact of the development during site clearing and construction including the avoidance and minimisation of impacts on biodiversity

values, including appointment of an appropriately experienced ecologist to supervise the detailed design, construction and restoration works, conservation awareness inductions for construction workers, identification and reuse of conservation assets, and the implementation of conservation monitoring and corrective actions where necessary.

The updated BDAR identified a total of 28 ecosystem credits and four (4) species credits are required to offset the removal of the PCT 3319 vegetation at the site. The updated BDAR also concluded with recommendations including the implementation of a VMP for the restoration and conservation of the riparian corridor, construction management measures to identify and protect biodiversity values and pest species (domestic cats, european red foxes and black rats) reduction and management undertaken by a specialist fauna spotter catcher.

6.4.3 Department's consideration

The Department has considered the updated BDAR in conjunction with the advice provided by BCS and Council and the issues raised in public submissions. The Department notes that BCS has recommended ecosystem and species credits be retired in accordance with the findings of the updated BDAR.

The Department acknowledges the current poor condition of the site's native vegetation, with particular consideration to the dominance of invasive flora and fauna species, historic agricultural, residential and industrial land uses, and historic waste dumping activities. The Department also notes the bulk and scale of the development has been designed by the Applicant to address warehousing supply demands in Western Sydney.

The Department considers the Applicant has made satisfactory attempts to avoid and minimise impacts on biodiversity values where practicable and reasonable with respect to the poor condition and scattered location of native vegetation. The Department considers the proposed restoration and conservation works for the Blacktown Creek riparian corridor, including 8.5 ha of CPW, will substantially improve the biodiversity values of the riparian corridor and broader site. The Department is also satisfied that adequate biodiversity management and mitigation measures have been proposed to manage and reduce impacts on biodiversity values during construction.

The Department accepts the Applicant's commitment to offset the loss of PCT 3319 through restoration and conservation works and the purchasing and retiring of ecosystem and species credits. The Department agrees with the recommendations of BCS and has recommended conditions of consent requiring the Applicant to purchase and retire a total of 28 ecosystem credits and four (4) species credits to offset the removal of vegetation and impacts on biodiversity.

The Department has also recommended conditions requiring the Applicant to prepare and implement a Biodiversity Management Plan (BMP) to manage construction impacts on biodiversity values and a VMP to manage the proposed restoration and conservation works for the life of the development.

The Department's assessment concludes the Applicant has adequately addressed the potential impacts of development on biodiversity offsets in accordance with the BAM, and that the proposed restoration and conservations works along the Blacktown Creek riparian corridor will provide a net improvement to the site's biodiversity values. Therefore, the Department is satisfied impacts on biodiversity values can be appropriately managed and mitigated through the implementation of the Applicant's mitigation measures and the recommended conditions of consent.

6.5 Other issues

The Department's consideration of other issues is summarised in **Table 8** below.

Table 8 | Assessment of other issues

Findings and conclusions	Recommendations
Aboriginal Cultural Heritage	
- The Applicant has provided an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared by Coast History and Heritage Pty Ltd to assess the impacts of the development on Aboriginal cultural heritage. - The ACHAR undertook consultation with the Deerubbin Local Aboriginal Land Council (LALC) and 15 Registered Aboriginal Parties (RAPs) in accordance with the National Parks and Wildlife Regulation 2019. - The ACHAR identified the presence of 30 registered sites within a 4 km area of the site on Heritage NSW's Aboriginal Heritage Information Management System (AHIMS). Of the 30 registered sites, two artefacts have been previously recorded as occurring within the development site boundary. - Additional surveying of the site was undertaken and no further Aboriginal sites or areas of archaeological potential were identified. - Further, one previously recorded artefact was not identifiable and is considered highly likely to have been washed away and relocated from its original recording approximately 15 years ago. - The ACHAR concluded that no further Aboriginal archaeological assessment or investigation is required, and recommended that temporary fencing and buffer zones as well as an unexpected finds protocol should be implemented during construction.	Require the Applicant to: - Prepare and implement an ACHMP for the construction of the development. - Implement an Unexpected Finds Protocol for the life of the development.

Findings and conclusions	Recommendations
- Heritage NSW (ACH) provided recommended conditions of consent, relating to ongoing consultation with RAPs and incorporation of Aboriginal heritage management procedures and the recommendations of the ACHAR into the development's Construction Environmental Management Plan (CEMP). - The Department is satisfied the Applicant has adequately assessed the development's impact on Aboriginal cultural heritage values and concurs with the recommendations of ACH. The Department has recommended conditions of consent requiring the Applicant to prepare and implement an Aboriginal Cultural Heritage Management Plan (ACHMP) for the development. - The Department's assessment concludes the development would not have a significant impact on Aboriginal cultural heritage values, subject to the recommended conditions of consent.	
Stormwater Management	
- The Applicant has provided a Civil Engineering Report which details a Water Cycle Management Strategy (WCMS) to be implemented for the development. The objectives of the WCMS relate to stormwater quantity and quality, flood management and construction stormwater management. <u>Stormwater Quantity</u> - The Applicant has proposed an On-Site Detention (OSD) system to accommodate the increased stormwater runoff as a result of the development, in accordance with the Huntingwood Precinct DCP and the Water Sensitive Urban Design (WSUD) guidelines. - The OSD system has been designed to comprise of 7 catchment areas across the development site and has been supported by DRAINS modelling which calculated the predicted stormwater runoff of the development. - The Civil Engineering Report identified that post-development flows from the site will be consistent with existing pre-development flows, as required by the Huntingwood Precinct DCP. <u>Stormwater Quality</u> - The WCMS has incorporated Stormwater Treatment Measures (STMs) to ensure the development achieves the water quality objectives of the Huntingwood Precinct DCP and the WSUD guidelines.	Require the Applicant to: - Prepare and implement a Stormwater Management System in consultation with Council and TfNSW; - Prepare and implement a Flood Emergency Response Plan for the construction and operation of the development in consultation with NSW State Emergency Service; and - Prepare and implement an ESCP prior to construction.

Findings and conclusions	Recommendations
- The STMs have been incorporated as a treatment train approach which includes the following: - primary treatment of pit inserts and grated pits for hardstand and rooftop areas - a proprietary filtration treatment system for OSD tanks and bio-retention basins prior to discharge - rainwater reuse and settlement within rainwater tanks. - The WCMS undertook MUSIC modelling to predict the post-development pollutant loads of stormwater prior to discharge. The MUSIC modelling indicated the STMs would reduce pollutant loads to meet the Huntingwood Precinct DCP and WSUD guideline water quality targets. <u>Flood Management</u> - The Civil Engineering Report included an assessment of flooding and overland flows supported by two-dimensional flood modelling (TUFLOW). - The TUFLOW modelling consisted of a comparative analysis of the pre-development and post-development 1% Annual Exceedance Probability (AEP). The modelling results predicted that flood levels would likely be reduced as a result of the development. - The Civil Engineering Report also noted the reduction in flood levels are a result of creek realignment, conservation and engineering works. - The Civil Engineering Report further demonstrated proposed buildings would achieve Council's flood planning and freeboard requirements. <u>Construction Management</u> - The WCMS noted a detailed Soil and Water Management Plan (SWMP) and Erosion and Sediment Control Plan (ESCP) will be implemented during the construction of the development to manage site runoff and sediment control during construction. - The WCMS has also proposed the installation of sediment basins, sediment fencing, diversion drains and stabilised site access as management measures to effectively mitigate site runoff. <u>Department's Assessment</u> - The Department notes no concerns regarding stormwater management were raised in the public submissions during the exhibition period.	

Findings and conclusions	Recommendations
• Council has reviewed the proposed WCMS and is satisfied the development would achieve the objectives and the requirements of the Huntingwood Precinct DCP. Council has recommended conditions of consent requiring a final detailed WCMS be prepared in consultation with Council prior to operation of the development. • The Department has reviewed the Civil Engineering Report and WCMS and considers the Applicant has adequately demonstrated the development can achieve Council's relevant targets and objectives in relation to stormwater quantity and quality. The Department additionally considers the Applicant has provided sufficient construction stormwater management measures. • The Department recommends conditions of consent requiring the Applicant to prepare a finalised WCMS in consultation with Council prior to the commencement of operation. • The Department also recommends conditions of consent requiring the Applicant to prepare and implement a SWMP and ESCP prior to the commencement of construction and to prepare and implement a flood emergency response plan for construction and operation of the development. • The Department's assessment concludes the development can appropriately manage stormwater impacts related to the construction and operation of the development, subject to the recommended conditions of consent.	
Temporary Creek Crossing	
• The Applicant intends to use an existing Endeavour Energy service vehicle crossing of Blacktown Creek near the site's southern boundary and a separate crossing near the northern boundary as temporary creek crossings during construction of the development. • The Applicant provided a Civil Engineering Memorandum and a Biodiversity Impact Memorandum to assess the temporary construction access arrangements. • Each temporary crossing would consist of a 300 mm thick road base, featuring coffer dams with the capacity to handle 20% AEP flood events. In addition, sediment fencing is to be provided to the creek to protect downstream infrastructure and vegetation. • The Biodiversity Impact Memorandum noted that no threatened fauna species were recorded along the creek during the preparation of the BDAR.	Require the Applicant to: • implement the sediment and erosion control measures provided in the Civil Engineering Memorandum and Biodiversity Impact Memorandum.

Findings and conclusions	Recommendations
However, it noted the presence of aquatic life downstream of the site, comprising of insects and freshwater snails. • The Biodiversity Impact Memorandum considered that due to the degraded nature and integrity of vegetation on-site along Blacktown Creek, the temporary creek crossing would have a negligible impact on biodiversity values, subject to the implementation of erosion and sediment control measures to reduce the risk of weed movement downstream to the nearby Timbertop Reserve. • The Biodiversity Impact Memorandum additionally noted that the temporary creek crossing is necessary for providing access to the proposed conservation and restoration works as part of the VMP. • BCS reviewed the memorandums provided by the Applicant and agreed with the conclusions that the vegetation of the impacted area is degraded. BCS recommended that sediment and erosion control measures be implemented to reduce the risk of weed movement, and that areas of native wetland vegetation be clearly identified and protected during construction. • The Department considers the Applicant has suitably assessed the potential biodiversity and stormwater impacts of the temporary creek crossing arrangements and is satisfied they would be minimal, subject to the implementation of the recommended sediment and erosion control measures. • The Department has recommended conditions of consent requiring sediment and erosion control measures to be implemented for the life of the temporary creek crossing.	
Air Quality	
• The Applicant provided an Air Quality Impact Assessment (AQIA) prepared by SLR Consulting Pty Ltd to assess the impacts of air quality and pollutant emissions associated with the construction and operation of the development. • The AQIA identified the nearest sensitive receivers are located approximately 70 m north of the site within the residential area of Prospect. <u>Construction</u> • The AQIA identified the emissions sources relating to the construction of the development include grading, loading and unloading of materials, wheel-generated dust and combustion from equipment and vehicles.	Require the Applicant to: • Minimise dust generation during construction works; • Install and operate equipment in line with best practice and in compliance with the Protection of the Environment

Findings and conclusions	Recommendations
- The AQIA undertook a four-step process for assessing the potential dust impacts from construction activities on nearby sensitive receivers consistent with the UK's <i>Institute of Air Quality Management Guidance</i> (IQAM 2014). - The assessment predicted the construction of the development would have a low risk of adverse dust and pollutant impacts on nearby sensitive receivers without the implementation of mitigation measures through all stages of construction, including during earthworks, building construction and track out. - The AQIA provided a number of 'good practice' construction mitigation measures to further reduce and contain dust and pollutant emissions, including storage of sand and aggregates in bunded storage, delivery of bulk cement and fine-grained materials in enclosed tankers and silo storage, and the implementation of a wheel wash and dust suppression system. <u>Operation</u> - The AQIA provided a risk-based, qualitative assessment of operational air quality impacts as the development's primary pollutant emissions sources relate to combustion and particulate matter from vehicle movements. - The AQIA undertook a Tools Roadside Air Quality (TRAQ) assessment utilising the anticipated peak traffic volume generated by the development to inform the predicted Carbon Monoxide (CO), Nitrogen Dioxide (NO₂) and particulate matter (PM_{2.5} and PM₁₀) emissions related to the development's vehicle movements. - The TRAQ assessment predicted the cumulative impacts of the development would comply with all impact assessment criteria at the nearest sensitive receiver locations assessed. - The AQIA also noted that vehicle idling could have the potential to elevate emissions more than predicted, and therefore recommended appropriate driver training be undertaken to reduce vehicle idling. <u>Department's assessment</u> - The Department notes no concerns regarding construction dust or operational pollutant emissions were raised during the exhibition period. - The Department considers the construction of the development would have an acceptable impact with regard to air quality on nearby sensitive receivers and is satisfied the Applicant has appropriately considered additional	Operations Regulation 2022.

Findings and conclusions	Recommendations
mitigation measures to further reduce and manage the risk of construction air quality impacts. • The Department additionally considers that adequate assessment of operational air quality impacts has been undertaken and that the development will comply with the relevant pollutant emissions criteria at nearby sensitive receivers. • The Department has also considered that construction air quality impacts are temporary in nature with the majority of construction dust generating works occurring during earthworks and site establishment phases of the construction program. Construction is also proposed to be staged per warehouse, reducing the potential for cumulative construction pollutants across the overall site nor is the site located within proximity to other construction projects at this current time. • Furthermore, the Department concurs with the recommended measures to mitigate driver idling to reduce potential vehicle emissions. • The Department recommends standard conditions of consent relating to the management of construction dust and pollutants, and that the recommended mitigation measures be implemented for the construction of the development. • The Department additionally recommends the Applicant prepare and implement a Driver Code of Conduct to reduce idling of vehicles on-site. • The Department's assessment concludes the construction and operation of the development will have an acceptable impact on air quality, subject to the recommended conditions of consent.	
Car Parking	
• The development incorporates a total of 946 car parking spaces to service all 5 warehouse buildings and to ensure the development does result in overflow on-street parking in the surrounding road network. • The TIA demonstrated the development has applied the car parking requirement rates established in the Huntingwood Precinct DCP. The DCP requires one space per 40 m² of office GFA and one space per 100 m² of warehouse GFA for the first 7,500 m² of GFA and then one space per 200 m² of warehouse GFA thereafter.	Require the Applicant to: • Prepare and implement a GTP.

Findings and conclusions	Recommendations
• The TIA also demonstrated the development would comply with the car parking rates established in the TfNSW guidelines, which would only require 592 spaces. • The Department notes that Council is satisfied with the provision of car parking provided for the development and no concerns were raised by TfNSW. • The Department considers that although the development provides surplus car parking, the parking provisions will ensure that parking does not overflow onto surrounding streets of the local road network. • Nonetheless, the Department has recommended a condition of consent to prepare and implement a Green Travel Plan (GTP) to reduce the dependency of employees and site users on private vehicles by encouraging car pools, public transport and other modes of transportation. • The Department is satisfied that adequate car parking provision has been made to accommodate the occupants and visitors of the development.	
Ecologically Sustainable Development	
• The Applicant provided an Ecologically Sustainable Development (ESD) report to identify the relevant ESD strategies and measures which have been considered and incorporated into the design and operation of the development. • The Applicant additionally provided a Net Zero Carbon Statement to quantify the predicted greenhouse gas emissions (GHG) of the development and describe the measures incorporated to further reduce the development's carbon footprint. • The ESD report has identified a number of sustainability elements, including 5 Star Green Star Design certification, no natural gas use during operation, installation of a rooftop solar panel array, rainwater storage and water recycling and the implementation of an urban heat island effect mitigation strategy. • The ESD report has also identified ESD strategies for building materials, including utilising pre-cast concrete panels comprising of recycled contents, jointless fibre-reinforced slabs and the use of other recycled materials. • The Department notes concern was raised in public submissions regarding potential urban heat island effects. The Applicant has noted in the RTS that high albedo/translucent roofing, drought tolerant planting, light coloured	N/A

Findings and conclusions	Recommendations
external materials and extensive tree planting with wide tree canopies in the landscaping strategy have been identified in the ESD report as measures to mitigate urban heat island effects. - Furthermore, the Net Zero Carbon Statement has identified emissions reductions measures including the aforementioned solar panel array, high efficiency LED lighting, energy metering and efficient ventilation to reduce air conditioning load and energy consumption. - The Department is satisfied the Applicant has proposed suitable ESD strategies and measures to improve the development's sustainability, mitigate urban heat island effects and reduce carbon emissions, including through the use of recycled building materials, installation of a solar panel array and on-site water recycling. - The Department's assessment concludes the development has appropriately incorporated ESD principles into the design of the development to help reduce its energy and water consumption, as well as its overall carbon footprint.	
Hazards	
- The development does not propose the storage of any dangerous goods (DG) or hazardous materials, therefore a preliminary risk screening was not undertaken by the Applicant. - Furthermore, the Applicant noted that any future tenancy requirements for DGs or hazardous materials would be subject to a separate DA or modification application where relevant. - The Department is satisfied the development is not considered a 'potentially hazardous' industry and would be below the threshold quantities for DGs in accordance with the SEPP 33 Guidelines. - However, given the multi-storey Warehouse 5 may handle and store DGs in a vertical setting, the storage and handling of DGs below SEPP 33 threshold quantities may still impose risk to the adjoining tenancies. - Therefore, the Department has recommended that the storage of DGs in Warehouse 5 must not exceed placard quantities listed in the Work Health and Safety Regulation 2017 (NSW) Schedule 11. Utilising the placard quantities allows for typical warehouse operations to be undertaken, while distributing the risk across the two warehouses of the development to avoid hazardous incidents within the entire development.	Require the Applicant to: - store and handle dangerous goods below the SEPP 33 thresholds for warehouses 1-4 - ensure DG quantities meet placard quantities listed in Schedule 11 of the Work Health and Safety Regulation 2017 for warehouse 5 - store all chemicals, fuels and oils used onsite in appropriately bunded areas

Findings and conclusions	Recommendations
The Department recommends standard conditions of consent that all quantities of dangerous goods stored and handled in Warehouse 1 - 4 remain below the SEPP 33 Guidelines thresholds and below placard quantities for Warehouse 5, standard requirements for bunding and the preparation of an Emergency Services Information Package for the life of the development.	implement an Emergency Services Information Package for the life of the development.
Remediation	
- The Department notes that site demolition and remediation works are proposed to be undertaken through a separate approval process. - Nonetheless, the Applicant provided a Detailed Site Investigation (DSI) which has identified the presence of contamination on-site from historical asbestos dumping, petroleum infrastructure and a localised area of petroleum hydrocarbon impacted soils. - The DSI recommended that a Remedial Action Plan (RAP) be prepared for the removal of bonded asbestos containing material (ACM) from impacted areas and stockpiles, removal of contaminated fill, removal of underground storage tanks (USTs) and associated historical petroleum infrastructure, and the excavation of hydrocarbon-stained soils. - The Applicant subsequently provided a RAP and Long Term Environmental Management Plan (LTEMP) for the development, which detailed the methodology for remediating the site in accordance with the recommendations of the DSI, the measures to manage contamination for the life of the development and to demonstrate the site can be made suitable for the proposed use. - Council and the EPA reviewed the RAP and LTEMP and raised no concerns. In addition, no issues were raised with regard to contamination and remediation in the public submissions. - The Department considers the Applicant has adequately identified the potential for contamination on the site and has provided a suitable methodology for the remediation of the site. - Consequently, the Department is satisfied that the site can be made suitable for the development, subject to the implementation of the RAP and LTEMP. - The Department recommends conditions of consent requiring the Applicant to undertake post-remediation validation to ensure remediation has been undertaken in accordance with the RAP + LTEMP.	Require the Applicant to: - submit post-remediation validation report prior to construction - prepare and implement an unexpected contamination finds protocol prior to construction - handle and dispose of asbestos in accordance with SafeWork NSW requirements and relevant guidelines.

Findings and conclusions	Recommendations
Contributions	
- Section 270 of the EP&A Regulation prohibits consent authorities from determining development applications on land zoned IN1 in the WSEA unless a contributions plan applies to the site, or the Applicant enters into a planning agreement with the relevant planning authority. - As there is no contributions plan in the Blacktown LGA that applies to the site, the Applicant submitted a letter of offer to Council to enter into a planning agreement (PA) to satisfy section 270 of the EP&A Regulation. It is proposed to make a contribution to Council that will be equivalent to the amount that would otherwise apply if Council's contributions plan applied to the land, which would be directed towards the infrastructure costs associated with the Flushcombe Road and Augusta Street road works. - On 19 November 2024, the PA between Council and the Applicant was executed. - The Department is satisfied that the executed PA meets the requirements of section 270 of the EP&A Regulation and, consequently, has included a condition of consent requiring the Applicant to satisfy their obligations under the agreement. - The Department's assessment concludes that adequate provision for local infrastructure has been made via the executed PA for the subject SSD application.	Require the Applicant to: satisfy their obligations under the PA with Council.

7 Evaluation

The Department's assessment of the SSD application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The Department has considered the development on its merits, taking into consideration strategic plans that guide development in the area, the environmental planning instruments that apply to the development, advice received from the relevant public authorities, including Council, and submissions from the public.

During the exhibition period, both Council and several members of the community objected to the development. Council has since withdrawn its objection, and the Department has sought to address any residual issues raised through consultation with both the government authorities and the Applicant.

Although some issues were raised by government authorities in their advice, these matters have been resolved through the provision of additional information by the Applicant during the assessment process. The Department's assessment determined the key issues with the proposal related to operational traffic and access, operational noise, design and visual impact and biodiversity.

The Department's consideration of these issues during the assessment process was able to achieve an improved outcome of the Applicant's overall development, including improved architectural design and façade treatment of Warehouse 5, increased vegetation screening and protection of biodiversity values during construction, and improved acoustic mitigation of the site.

In order to further mitigate and manage these issues to an acceptable level, the Department has recommended a range of conditions, including but not limited to the following:

- implementation of an Operational Traffic Management Plan for the development, which will include measures to reduce traffic movements during peak hour periods, address residual traffic safety and congestion impacts, and to restrict the number of heavy vehicle movements during the night-time period
- operational noise verification monitoring to confirm the Applicant's predicted noise levels and establish additional noise mitigation measures, if required
- implementation of an Operational Noise Management Plan to ensure ongoing compliance with the established noise limits and to minimise any residual noise emissions
- implementation of a Biodiversity Management Plan to protect biodiversity values during the construction of the development
- implementation of a Vegetation Management Plan to manage the restoration and conservation of the Blacktown Creek riparian corridor.

The Department has also recommended conditions relating to fire safety, flooding, contamination, stormwater, air quality, landscaping and to govern the proposed road upgrade and intersection works. The Department is satisfied the impacts of the development can be appropriately managed through the implementation of the recommended conditions of consent.

Overall, the Department's assessment has concluded the development would:

- provide a range of employment and investment benefits for the region and the State, including capital investment of \$446 million into the Blacktown LGA and the provision of 651 construction jobs and 908 operational jobs on the site
- be consistent with NSW Government policies, including the Western District Plan, which aim to increase warehousing supply and local jobs within the district
- provide industrial floor space on an appropriately zoned site within an existing industrial area
- improve biodiversity values of the site through the restoration and conservation of the Blacktown Creek riparian corridor.

The Department considers that these benefits can be realised without any significant amenity or environmental impacts, and therefore considers the development is in the public interest and should be approved, subject to conditions.

8 Recommendation

It is recommended that the **Acting Director**, Industry Assessments, as delegate of the Commission:

- **considers** the findings and recommendations of this report
- **accepts and adopts** the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- **agrees** with the key reasons for approval listed in the notice of decision
- **grants consent** for the application in respect of the Augusta Street Warehouse and Distribution Facility (SSD-36138263), subject to the conditions in the attached development consent
- **signs** the attached development consent (see **Appendix E**).

Recommended by:



12 December 2024

Patrick Copas

Principal Planning Officer
Industry Assessments

Recommended by:



17 December 2024

Shaun Williams

A/Team Leader
Industry Assessments

9 Determination

The recommendation is **adopted** by:



17 December 2024

Joanna Bakopanos

A/Director

Industry Assessments

Glossary

Abbreviation	Definition
AHD	Australian height datum
CIV	Capital investment value
Council	Blacktown City Council
DCCEEW	Department of Climate Change, Energy, the Environment and Water (NSW)
Department	Department of Planning, Housing and Infrastructure
BCS	Biodiversity, Conservation and Science group of DCCEEW
EIS	Environmental impact statement
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental planning instrument
EPL	Environment protection licence
ESD	Ecologically sustainable development
FRNSW	Fire and Rescue NSW
Commission	Independent Planning Commission
LEP	Local environmental plan
Minister	Minister for Planning and Public Spaces
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021

Abbreviation	Definition
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Housing and Infrastructure
SEPP	State environmental planning policy
SSD	State significant development
TfNSW	Transport for NSW

Appendices

Appendix A – List of referenced documents

The Department has relied upon the following key documents during its assessment of the development:

Environmental Impact Statement

- ‘Environmental Impact Statement Augusta Street Warehouse and Distribution Centre’ prepared by Urbis dated 12 September 2023

Submissions

- All submissions received from relevant public authorities and the general public

Submissions Report

- ‘Submissions Report SSD-36138263 | Augusta Street Warehouse and Distribution Centre’ prepared by Urbis dated 24 March 2024

Additional Information

- ‘RFI Response Letter | Ssd-36138263 Augusta Street, Huntingwood’ prepared by Urbis dated 9 August 2024
- ‘RE: Augusta Street Warehouse and Distribution Centre DPHI Comments on NVIA’ prepared by SLR dated 13 May 2024
- ‘RFI Response Letter | Ssd-36138263 Augusta Street, Huntingwood’ prepared by Urbis dated 14 May 2024

Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see **Appendix D**)
- Relevant environmental planning instruments, policies and guidelines (see **Appendix D**)

Appendix B – Submissions and government agency advice

All submissions and government agency advice can be found [here](#).

Appendix C – Community views for draft Notice of Decision

Table 9 | Key issues and how they have been considered

Issue	Consideration
Traffic – Intersection Performance	The development will introduce a new source of traffic generation to an existing road network which requires intersection upgrade works and a separate new signalised site access point to facilitate the development. The proposed intersection upgrade works have been modelled with the consideration of future traffic flows including development traffic and have been considered to have negligible impact compared to existing performance. To address any potential impacts the Department recommends a condition requiring the Applicant to prepare and implement an Operational Traffic Management Plan which includes measures to reduce traffic movements during peak hour periods, a condition limiting heavy truck movements during the night-time period and conditions requiring the Applicant to obtain further approvals from TfNSW for the intersection upgrade works. The Department's assessment concludes the development would have an acceptable impact on the surrounding road network, subject to the implementation of the proposed road and intersection upgrade works.
Noise – 24/7 noise	The proposed 24/7 operation will generate noise at surrounding sensitive receivers from the warehousing and distribution operations however the operational noise impacts will be compliant with the relevant Project Noise Trigger Levels (PNTL) at the surrounding sensitive receivers. To ensure noise predictions are representative of actual noise impacts and the proposed mitigation measures are appropriate once the development becomes operational, the Department has recommended conditions requiring the Applicant to carry out a noise verification study. The Department also recommended night-time vehicle limit restrictions at Warehouse 3, 4 and 5 and implementation of an Operational Noise Management Plan (ONMP). The Department's assessment concludes that noise impacts associated with the operation of the development can be suitably managed through the implementation of the Applicant's proposed management and mitigation measures and the recommended conditions of consent.

Issue	Consideration
Visual – Bulk and Scale, and compatibility with local context	The development comprises of four single storey warehouse buildings and one multi-level warehouse with a maximum building height of 34.84 m. The built form, size and scale of the development is generally consistent with building typology for warehouse and distribution centres prevalent through the WSEA and nearby industrial development. Throughout the assessment process, the Department required the Applicant to improve the northern façade of the Warehouse 5 component to improve the visual amenity and interface of the development. The updated façade design incorporated brickwork and aluminium louvre vertical elements to relate with the materiality of the development with nearby residential dwellings. The design also comprises vegetation planter areas to soften the facade and landscaping along the northern road frontage. The Applicant has also provided a Landscape and Visual Impact Assessment (LVIA) to assess the development from key viewpoints and sensitive receiver locations within the context of the locality setting and the presence of the Great Western Highway. The Department has recommended conditions requiring the Applicant to maintain vegetation in perpetuity to ensure landscape buffers are maintained for the life of the development to mitigate visual impacts on sensitive receivers. The Department’s assessment concludes the development will not have a significant impact on visual amenity, particularly given the industrial nature of the existing urban context and the site’s separation from residential areas by major arterial roads.
Property Value	The impacts of development on property value is not a relevant consideration into the evaluation of a development application under Section 4.15 of the <i>Environmental Planning and Assessment Act 1979</i> and therefore has not been considered in this assessment.
Urban heat effect	The development is proposed to incorporate into the design of the development high albedo (reflectivity)/translucent roofing, drought tolerant planting, light coloured external materials and extensive landscaping including tree planting with wide tree canopies as Ecologically Sustainable Development (ESD) strategies to mitigate and reduce any potential urban heat effects of the development. The Department’s assessment concludes the development has appropriately incorporated ESD principles into the design of the development to help reduce urban heat effects in addition to reducing energy and water consumption, and its overall carbon footprint.

Issue	Consideration
Biodiversity – Natural landscape and local wildlife	The proposal will involve the removal of 1.43 ha of native vegetation from the site and 20.52 ha of exotic grassland and weed vegetation. However, the native vegetation on the site is currently in a poor condition due to the dominance of invasive flora and fauna species, historic agricultural, residential and industrial land uses, and historic waste dumping activities. The Department recommends a Biodiversity Management Plan (BMP) be implemented prior to the clearing of vegetation and a Vegetation Management Plan (VMP) be implemented for the life of the development to improve the biodiversity values of the riparian corridor and broader site. The BMP is to include measures to reduce non-native fauna predator populations. Further, to offset any biodiversity loss caused by the development the Department recommends a condition requiring the Applicant to purchase and retire a total of 28 ecosystem credits and four (4) species credits to offset the loss of habitat for the southern myotis. The Department's assessment concluded that following the restoration and conservation works along the Blacktown Creek riparian corridor, there will be a net improvement to the site's biodiversity values.
Heritage – Aboriginal Cultural Heritage	The Applicant prepared an Aboriginal Cultural Heritage Assessment Report (ACHAR) in consultation with 15 Registered Aboriginal Parties (RAP). The presence of two artefacts of Aboriginal cultural heritage value have been previously recorded as occurring within the development site boundary. The Applicant undertook surveying of the site was undertaken and one of the artefacts were not identifiable and is considered highly likely to have been washed away and relocated from its original recording approximately 15 years ago. Heritage NSW (ACH) provided recommended conditions of consent, relating to ongoing consultation with RAPs and incorporation of Aboriginal heritage management procedures and the Applicants proposed mitigation measures including temporary fencing and buffer zones as well as an unexpected finds protocol should be implemented during construction. The Department's assessment concludes the development would not have a significant impact on Aboriginal cultural heritage values, subject to the recommended conditions of consent.

Appendix D – Statutory considerations

Table 10 | Mandatory Matters for Consideration

Matter for Consideration	Department's Assessment
Environmental planning instruments, proposed instruments and development control plans	The Department's consideration of the relevant EPIs (including draft instruments subject to public consultation under the EP&A Act) is provided below.
Planning agreements	As no contributions plan is applicable to the site, a VPA was executed between Blacktown City Council and the Applicant on 19 November 2024.
EP&A Regulation	The Department has assessed the development in accordance with all relevant matters prescribed by the EP&A Regulation, the findings of which are contained in this report.
Likely impacts	The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
Suitability of the site	The site is suitable for the development as the development involves warehouse and distribution operations in a general industrial zone. The development is permissible with consent.
Public submissions	All matters raised in submissions have been summarised in Section 5 of this report and given due consideration as part of the assessment of the development in Section 6 of this report.
Public interest	The development would generate up to 651 jobs during construction, 908 jobs during operation and direct \$446 million in capital investment in the Shoalhaven local government area. The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest.

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 11** below.

Table 11 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(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 development would promote social and economic welfare by generating 908 operational jobs and investing \$446 million into the Blacktown LGA.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	- The development incorporates a range of ESD measures including 5 Star Green Star Design certification, no natural gas use during operation, installation of a rooftop solar panel array, rainwater storage and water recycling and the implementation of an urban heat island effect mitigation strategy. - The development will further promote social and economic growth by providing infrastructure and jobs.
(c) to promote the orderly and economic use and development of land,	The development would ensure orderly and economic development through providing warehouse and distribution in a general industrial zone.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	- The native vegetation on the site is currently in a poor condition due to the dominance of invasive flora and fauna species, historic agricultural, residential and industrial land uses, and historic waste dumping activities. - The Applicant has made satisfactory attempts to avoid and minimise impacts on biodiversity values where practicable and reasonable. - A vegetation management plan is required to be implemented for the life of the development to improve the biodiversity values of the riparian corridor and broader site.

Object	Consideration
	• To offset any biodiversity loss caused by the development the Applicant will be required to purchase and retire a total of 28 ecosystem credits and four (4) species credits. • The biodiversity offsets and restoration works will provide a net improvement to the site's biodiversity values.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	• The development is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage and can be appropriately managed through the implementation of an Aboriginal Cultural Management Plan.
(g) to promote good design and amenity of the built environment,	• The development will involve materials and finishes that are cohesive with the built form of the adjacent residential area, will provide landscaping of varying density and canopy coverage along site boundaries and between building interfaces to mitigate the visual impacts of the development.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	• The Department has recommended several conditions of consent to ensure the construction and maintenance of the development is undertaken in accordance with the relevant legislation, guidelines, policies and procedures.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	• The Department referred the DA and EIS to the relevant State agencies and Council during the exhibition period and invited them to comment. The Department has given due consideration to their advice
(j) to provide increased opportunity for community participation in environmental planning and assessment.	• The Department publicly exhibited the DA and EIS as outlined in Section 4.6 from 10 October 2023 until 6 November 2023. Property owners within the vicinity of the development were also directly notified in writing. All documentation has been displayed on the Department's website since 10 October 2023.

EP&A Regulation

Part 4, Division 1 of the EP&A Regulation requires the consent authority to consider additional matters for certain developments as part of the matters for consideration under section 4.15 of the EP&A Act.

There are no additional matters in Division 1 of the EP&A Regulation that the consent authority must consider.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies certain classes of development as SSD. The proposal is SSD pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development of a warehouse and distribution facility with a CIV of over \$30 million which meets the criteria in Clause 12 Schedule 1 in the Planning Systems SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process.

The Department consulted with TfNSW as part of its assessment of the application. TfNSW's comments are detailed in **Section 5**.

The Department has consulted and considered the comments from TfNSW and where applicable, has included TfNSW's requirements in the recommended conditions of consent.

State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP)

Chapter 2 of the Industry and Employment SEPP aims to protect and enhance the Western Sydney Employment Area (WSEA) for employment purposes. The Department's assessment of the development against the relevant standards in Chapter 2 is summarised in **Table 12**.

Table 12 | Department's assessment against Chapter 2 of the Industry and Employment SEPP

Section	Consideration
2.19 Ecologically sustainable development The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that the development contains measures designed to minimise — (a) the consumption of potable water, and	The Applicant has incorporated measures to minimise potable water consumption including rainwater harvesting tanks for toilet flushing and irrigation. Other ESD initiatives are noted in the EIS for reducing greenhouse gas emissions including solar panels and energy efficient design and lighting.

Section	Consideration
(b) greenhouse gas emissions.	
2.20 Height of buildings The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that – (a) building heights will not adversely impact on the amenity of adjacent residential areas, and (b) site topography has been taken into consideration.	The development proposes building heights of up to 20 m which is consistent with a standard warehouse height and surrounding industrial development, and a maximum building height of 34.84 m (Warehouse 5). The site is located adjacent residents to the north and is separated by the Great Western Highway, being a major arterial road. The development features bulk earthworks to appropriately accommodate the bulk the development into the existing site topography and reduce the extent of the height comparatively to residential areas. The Department has considered in its assessment the height of buildings would not adversely impact on adjacent residential areas.
2.21 Rainwater harvesting The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Secretary.	The Applicant proposes rainwater tanks to collect roof water to offset non-potable uses on the site. The development has provided adequate measures to connect the roofed areas of the buildings to a rainwater harvesting scheme.
2.22 Development adjoining residential land The consent authority must not grant consent to development on land to which this section applies unless it is satisfied that – (a) wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and (b) goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and (c) the elevation of any building facing, or significantly exposed to view from, land on which dwelling house is situated has been designed to present an attractive appearance, and (d) noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and (e) the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and	The development is located adjacent residents to the north and is separated by the Great Western Highway, being a major arterial road. The design of the development has considered the character of residential buildings and incorporated similar features into the materiality of the façade and built form of the development. Goods are proposed to be stored wholly within buildings and proposed plant and equipment are minimal and are located on rooftops, obscured from residential visibility. The façade of Warehouse 5 addressing the Great Western Highway frontage has been updated throughout the course of the development to improve the appearance of the development and has been assessed further in Section 6.3 of this report. The Applicant is incorporate feasible and reasonable noise mitigation measures including sound barriers to minimise noise from vehicles and unloading activities. Noise has been assessed further in Section 6.2 of this report.

Section	Consideration
(f) the development will provide adequate off-street parking, relative to demand for parking likely to be generated, and (g) the site of the proposed development will be suitably landscaped, particularly between and building and the street alignment.	The development is separated from the residential areas by the Great Western Highway and is not considered to cause additional nuisance to residents. Surplus carking has been provided onsite. Suitable landscaping along site boundaries has been provided to visually mitigate the development and soften the transition to the road frontage and adjacent residential zones.
2.24 Public utility infrastructure The consent authority must not grant consent to development on land to which this Chapter applies unless it is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.	It is proposed to extend services to the site in consultation with utility providers including Sydney Water and Endeavour Energy. Service providers were consulted during exhibition of the proposal. The Department is satisfied that adequate arrangements have been made to ensure infrastructure will be available to the site.
2.25 Development on or in vicinity of proposed transport infrastructure routes The consent authority must, before determining any such development application, consider any comments made by the Secretary as to the compatibility of the development to which the application relates with the proposed transport infrastructure route concerned.	The development would not impact on any proposed transport infrastructure corridors.
2.30 Design Principles the consent authority must take into consideration whether or not — (a) the development is of a high quality design, and (b) a variety of materials and external finishes for the external facades are incorporated, and (c) high quality landscaping is provided, and (d) the scale and character of the development is compatible with other employment-generating development in the precinct concerned.	The Department has reviewed the architectural and landscape plans and is satisfied that the proposal will deliver a high-quality design with a variety of materials and external finishes and high-quality landscaping. The development has proposed buildings of a scale and character that is consistent with the emerging development in the WSEA.
2.42 Heritage conservation	The Department has assessed and considered the impacts of the development on aboriginal cultural heritage and European heritage in section 6.5 and imposed conditions of consent to ensure heritage values are managed and protected accordingly through the construction and life of the development.
2.44 Stormwater, water quality and water sensitive design the consent authority must take into consideration whether — (a) water sensitive design principles are incorporated into the design of the development, and (b) riparian, stormwater and flooding measures are integrated, and	The proposed development incorporates principals of WSUD and has been designed in accordance with the relevant DCP. The Department's assessment of stormwater is provided in section 6.5 of this report.

Section	Consideration
(c) the stormwater management system includes all reasonable management actions to avoid adverse impacts on the land to which the development is to be carried out, adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and (d) if a potential adverse environmental impact cannot be feasibly avoided, the development minimises and mitigates the adverse impacts of stormwater runoff on adjoining properties, riparian land, native bushland, waterways, groundwater dependent ecosystems and groundwater systems, and (e) the development will have an adverse impact on — (i) the water quality or quantity in a waterway, including the water entering the waterway, and (ii) the natural flow regime, including groundwater flows to a waterway, and (iii) the aquatic environment and riparian land (including aquatic and riparian species, communities, populations and habitats), and (iv) the stability of the bed, banks and shore of a waterway, and (f) the development includes measures to retain, rehabilitate and restore riparian land.	

Chapter 3 of the I&E SEPP aims to ensure that outdoor signage is compatible with the desired amenity and visual character of an area, and provides effective communication in suitable locations, that is of a high-quality design and finish.

The development would involve the business identification and installation of wayfinding signage only. The Department considers the signage will be appropriately incorporated into the architectural design of the development, would not detract from the surrounding locality and would provide suitable wayfinding and direction within the site. The Department is satisfied that the development will be consistent with the aims and objectives of the Industry and Employment SEPP.

The Department is satisfied that the development will be consistent with the aims and objectives of the Industry and Employment SEPP. See **Table 13** below.

Table 13 | Consideration of Industry and Employment SEPP - Schedule 5 Assessment criteria

Objective	Consideration
1 Character of the area	The signage will be used to identify tenants using the warehouse and is considered to be in keeping with the industrial nature of the area.

Objective	Consideration
2 Special areas	The signage is not expected to be viewed from any surrounding special areas.
3 Views and vistas	The signage will be located within the site and incorporated into the building façade which is not considered to impact on any views or vistas.
4 Streetscape, setting or landscape	The signage will be provided on the building façade and intersection interfaces and is considered to be of appropriate scale and setting for the streetscape and not detract from visual interest of the streetscape.
5 Site and building	The signage is considered to be compatible in scale and proportion to the proposed development and overall site.
6 Associated devices and logos with advertisements and advertising structures	Safety devices and logos have been designed as an integral part of the proposed signage.
7 Illumination	The pylon signs, logos and tenant signage is proposed to be back lit to ensure site identification of the site, its tenants, and for vehicles accessing the site. The illumination is adjustable and will not be of a size that is distracting to drivers.
8 Safety	The scale of the signs will not reduce the visibility of the road network or obscure sightlines from areas. As such, it is not expected that the signage will cause safety risk.

Appendix E – Recommended instrument of consent

The recommended Instrument of Consent can be found [here](#).