

STATEMENT OF ENVIRONMENTAL EFFECTS

OAKDALE WEST ESTATE Western North South Link Road

Subdivision DA

May 2020

AU02-11-782\0.1

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This Statement of Environmental Effects (SEE) has been prepared by Goodman (the 'applicant') to accompany a Development Application (DA) to subdivide the Western North South Link Road (WNSLR) portion of the Oakdale West Industrial Estate (OWE) at Kemps Creek (the site). This subdivision will create a new road for dedication to Penrith City Council (Council), as the future Roads Authority.

The design for the WNSLR including road, pedestrian path, landscaping and stormwater control have all been approved under SSD7348. This application is therefore a paper subdivision which does not seek approval for any physical construction works, and is merely to facilitate subdivision and dedication of the road as envisaged and approved under SSD7348.

The WNSLR, approved under SSD 7348 for OWE, will be a regional road forming part of the Western Sydney Employment Area (WSEA) road network, providing a north-south connection between the Southern Link Road (SLR) and Old Wallgrove Road. The WNSLR will provide primary access to OWE prior to construction of the SLR.

This SEE has been prepared in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and the relevant provisions of the *Environmental Planning and Assessment Regulations, 2000*.

The following documentation is provided in support of this DA:

- Completed Development Application form;
- Draft Subdivision Plan (**Appendix A**);
- Contamination Assessment (**Appendix B**);
- Geotechnical and Soils Assessment (**Appendix C**);
- WNSLR Civil Report (**Appendix D**);
- WNSLR Civil Plans (**Appendix E**);
- WNSLR Landscape Concept Plans (**Appendix F**);
- Copy OWE (SSD 7348) Consent (**Appendix G**);
- Landowners' consent (**Appendix H**);
- Construction Certificate for WNSLR works issued by Penrith Council, 6 December 2019 (**Appendix I**); and
- Electronic copies of the complete development application.

This SEE includes a description of the site and surrounding context; details of the proposal; an assessment of the proposed development against Section 4.15 of the *Environmental Planning and Assessment Act 1979*, and an assessment of the likely impacts.

The SEE concludes that the proposal is a suitable development for the site that will not result in any unreasonable impacts. Council should therefore have no hesitation in approving the application, subject to appropriate conditions.

1 SITE AND LOCALITY

1.1 THE SITE

The SSD 7348 approval includes approval of both the Oakdale West Industrial Estate (OWE) and construction of the 30m wide WNSLR corridor running from the northern boundary of OWE to Lenore Drive (refer to Figure 1 below).

OWE is in Kemps Creek, in the Penrith LGA and is legally described as Lot 11 in DP 1178389. OWE has a site area of 154.12 ha and is roughly rectangular in shape, with an irregular eastern boundary that follows the alignment of a creek line. The site is bound to the north by the Water NSW Pipeline, to the east by the Ropes Creek riparian corridor and to the south and west by adjoining rural lands. The WNSLR runs to the north of OWE and the Water NSW Pipeline, and extends over the Water NSW pipeline via a bridge to Lenore Drive, with a length of 1.3km. The WNSLR corridor impacts four (4) separate landowners across eight (8) properties, owned by BGMG 11 Pty Ltd (Goodman), Fitzpatrick Investments Pty Ltd (Fitzpatrick), GPT Pty Ltd (GPT) and WaterNSW (Refer to Table 1 below).

The WNSLR corridor is predominantly cleared for the purpose of cattle grazing but has a conservation corridor that runs along the southern boundary of the road corridor in the proximity of the Water NSW easement, that has been revegetated by Greening Australia. Overhead power lines are also present within the corridor

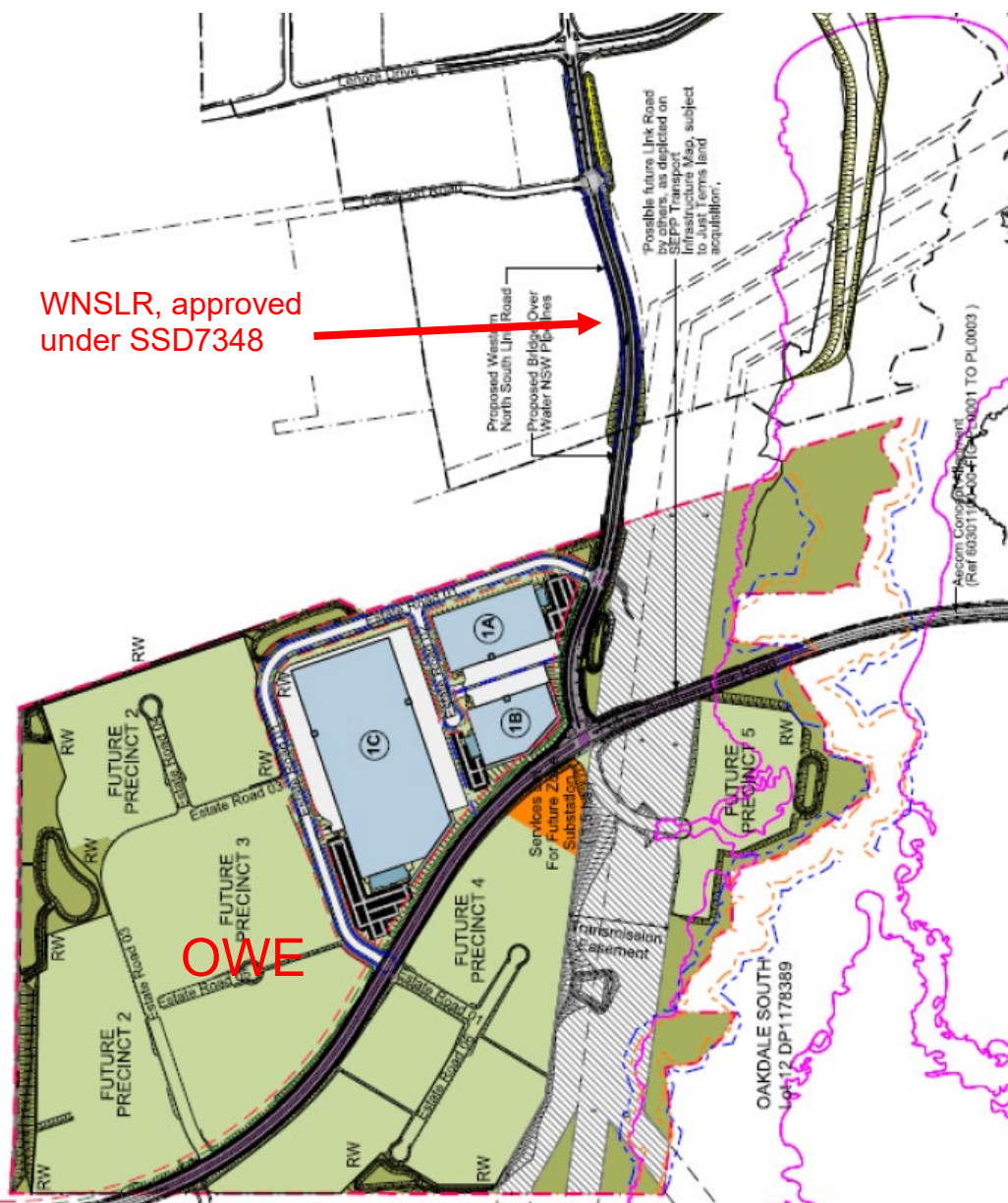


Figure 1 - OWE (SSD7348) context plan, including WNSLR

Table 1 - Lots impacted by WNSLR, including current ownership

Legal Description	Landowner
Lot 2,3 & 4 DP1253870	Fitzpatrick Investments Pty Ltd
Lot 11 DP1178389	BGMG 11 Pty Ltd (Goodman)
Lot 1 DP663937	BGMG 11 Pty Ltd (Goodman)
Lot 10 IN DP1261354 (previously Lot 9 DP1157476)	GPT
Lot 3 DP 85393	WaterNSW
Lot 6 DP 229784	WaterNSW
Lots 2 DP84578	WaterNSW

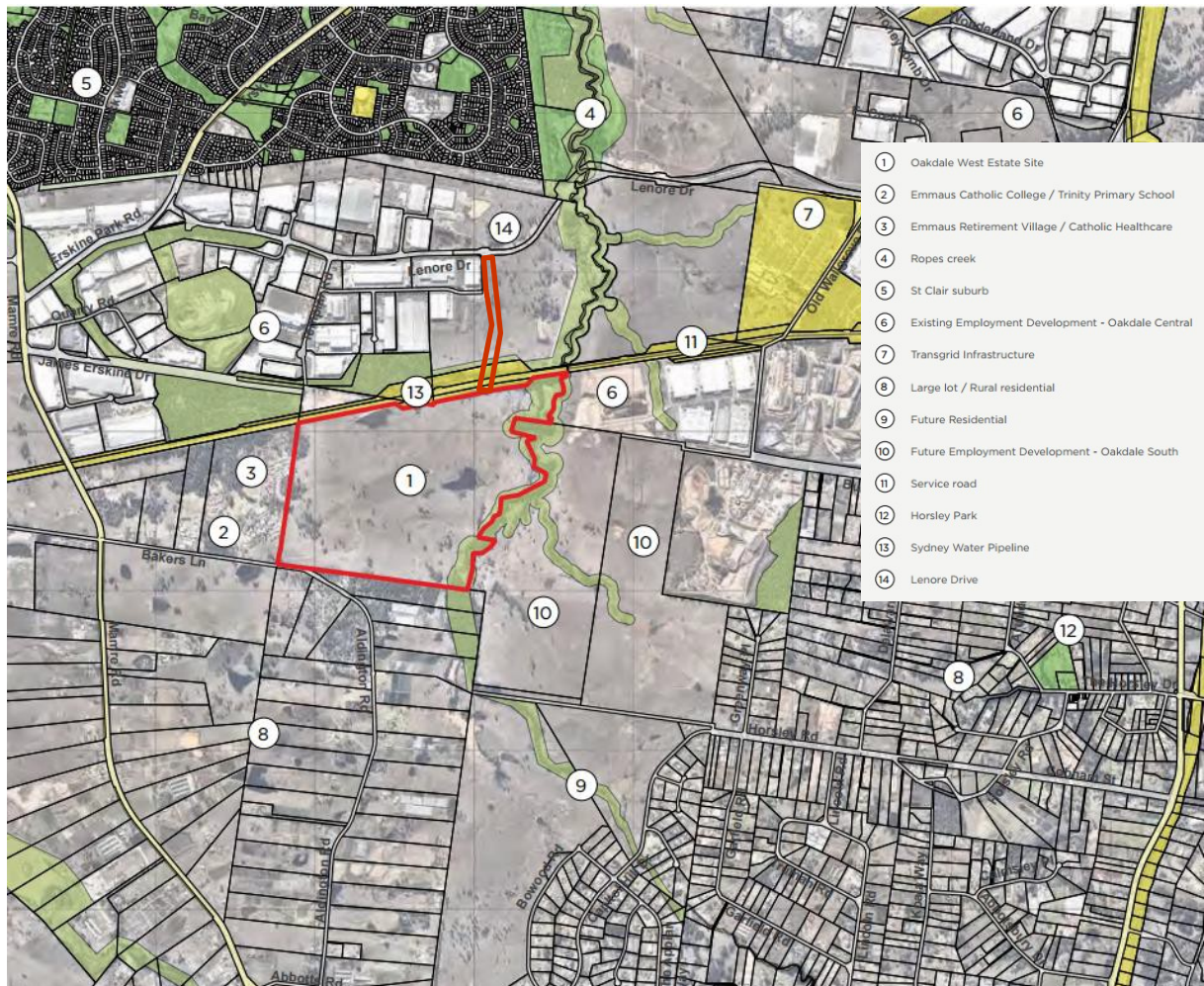
1.2 SURROUNDING CONTEXT

The site is located within the WSEA approximately 22km from Parramatta CBD, 26km from Penrith and 44km from Sydney CBD. The site is surrounded by the following:

Table 2 - Surrounding Context

Direction	Description
North	Lenore Drive is the northern Boundary of the WNSLR.
South	To the south is OWE, Precinct 1. The WNSLR meets the future Southern Link Road (SLR) corridor to the south.
East	Industrial development, owned by Fitzpatrick Investments Pty Ltd.
West	To the west is cleared land formerly used for cattle grazing with the exception of the GPT Pty Ltd property.

Figure 2 – Surrounding Context, Site Highlighted in Red for OWE and WNSLR.



Source: e8urban

1.3 PROJECT BACKGROUND

SSD 7348, was determined on 13 September 2019, and included approval for the staged development of the OWE for a warehousing and distribution hub including a Concept Proposal and Stage 1 DA comprising estate-wide earthworks, infrastructure and services, construction and use of warehouse buildings is proposed Precinct 1. The proposal also approved the construction of the WNSLR. The works approved under SSD 7348 include:

- + A Concept Proposal including:
 - concept layout of 22 warehouse buildings inclusive of dock offices and ancillary offices providing 476,000 square metres of gross lettable area, built over five development stages;
 - concept layout of development lots, internal roads, drainage, landscaping, noise walls, basins and biodiversity offsets; and
 - development controls
- + A Stage 1 Development including:
 - bulk earthworks across all five stages including retaining walls and noise walls;
 - lead in services including but not limited to drainage, power, sewer, water and telecommunications;
 - service infrastructure to Precinct 1, including drainage, power, sewer, water and telecommunications;
 - construction and operation of three warehouse buildings inclusive of dock offices and ancillary offices in Precinct 1 (1A, 1B and 1C) providing 118,000 square metres of gross lettable area;

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- Western North-South Link Road and associated subdivision, basins and drainage;
- estate roads 1, 2 and 6 and eastern part of road 7;
- landscaping of Stage 1, the western boundary, Western North-South Link Road, estate roads 1, 2 and 6 and the eastern part of road 7, detention basins and the amenity lot
- subdivision of Stage 1 lots and road infrastructure including the services (substation) lot;
- stormwater drainage infrastructure for Lots 2A and 2B and all basins;
- temporary works to facilitate construction including but not limited to swales, haul road (construction access), landscaping and basins; and
- works including construction of traffic signals at Lenore Drive/Grady Crescent/WNSLR intersection.

Land on which the OWE and the WNSLR lies existed as predominantly cleared, rural land previously used for low intensity cattle grazing, which ceased in 2017. OWE forms part of the broader 'Oakdale Estate' being developed under the Goodman and Brickworks Limited joint venture, which includes Oakdale Central, Oakdale South and Oakdale East.

Council is the certifier of the road works and have already issued Construction Certificate for the WNSLR works, signing off on its final design. The construction certificate was issued by Stephen Masters from Penrith City Council in December 2019. Refer to Annexure K.

Construction of both OWE and WNSLR has commenced pursuant to SSD 7348.

1.4 PROPOSED DEVELOPMENT

Development consent is sought to subdivide a road lot for the WNSLR, for ultimate dedication to Council. The new road lot proposed is legally defined as follows:

Table 3 - Proposed WNSLR Lot

Lot Name	Site Area (ha)	Type
Pt2	5.039	Development Lot

The WNSLR subdivision is proposed to be carried out in accordance with the Draft Subdivision Plan (**Appendix A**).

The subdivision road alignment mirrors the road design approved in SSD 7348 in the civil and landscape plans (**Appendix E & F**), all which have been assessed Council, TfNSW, WaterNSW, and approved by the Department of Planning, Industry, and Environment (<https://www.planningportal.nsw.gov.au/major-projects/project/11656/submissions/12931/3251>).

The WNSLR is required to be constructed and dedicated in accordance with State Environmental Planning Policy (Western Sydney Employment Area) 2009, Transport and Arterial Road Infrastructure Plan Map to provide valuable transport corridors within the WSEA (Refer Fig.2 below).

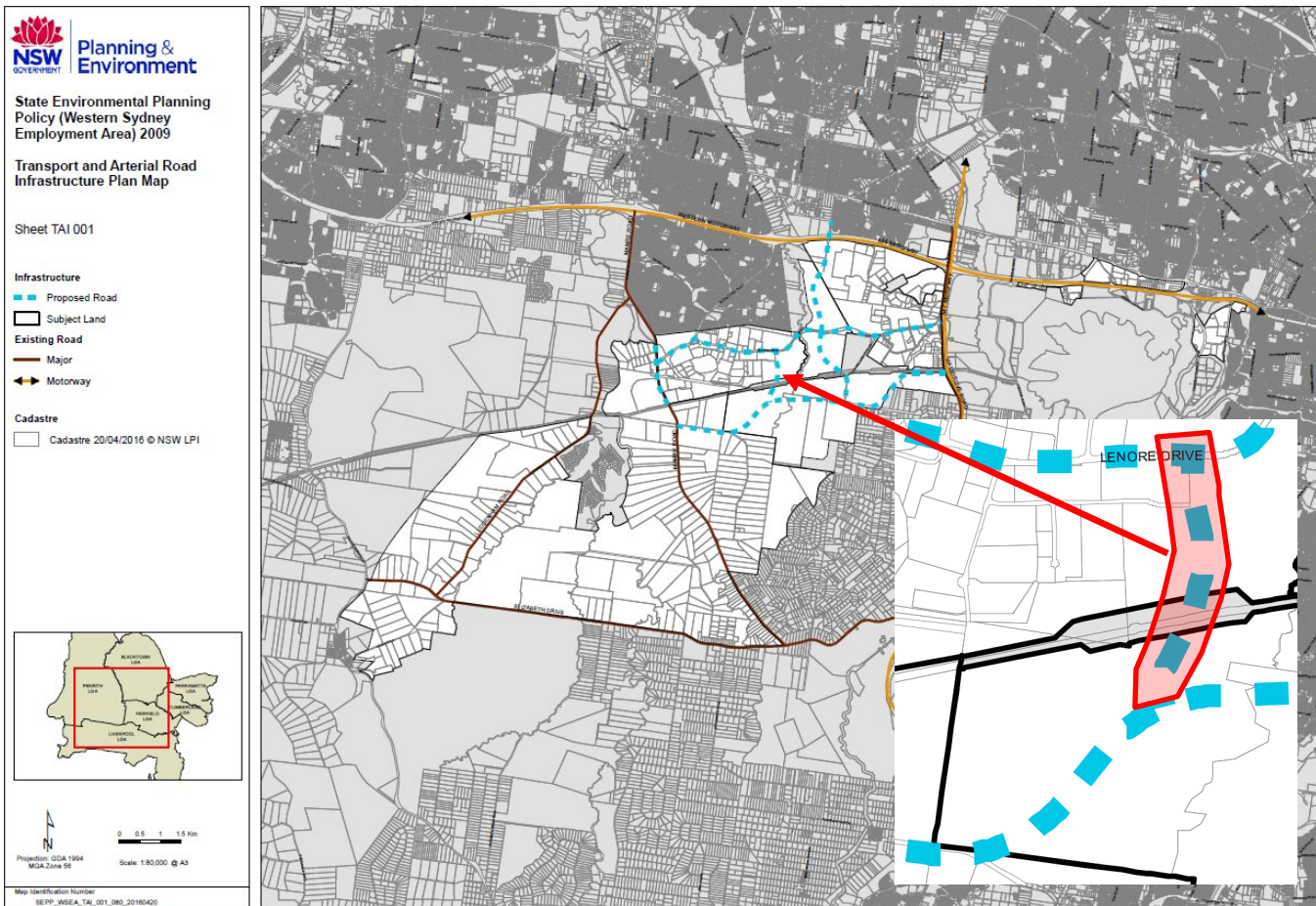


Figure 2 - SEPP (Western Sydney Employment Area) 2009

It is noted that consultation has also been undertaken with Council (as certifier), and landowners' WaterNSW, Fitzpatrick and GPT for the road construction and dedication.

Landowners' consent for this subdivision DA is included (**Appendix I**) and Deeds have been completed with all affected landowners providing consent and approval for the construction and dedication of these works.

2 SECTION 4.15 ASSESSMENT

The following planning assessment has been undertaken in accordance with the requirements of Section 4.15 of the *Environmental Planning and Assessment Act 1979*. The relevant matters for consideration are addressed below.

2.1 ENVIRONMENTAL PLANNING INSTRUMENTS

2.1.1 State Environmental Planning Policy (Western Sydney Employment Area) 2009

The State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) is the principal environmental planning instrument governing development at the site. The proposal does not propose building forms and WSEA SEPP does not contain a minimum lot size requirement. The other relevant provisions of the WSEA SEPP are discussed in Table 4 below.

The development of physical works for the WNSLR including road, pavement, drainage and landscape and services are provided pursuant to the SSD 7348 approval.

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Table 4 - Relevant Provisions of the WSEA SEPP, relating to subdivision

Clause	Requirement	Response
Clause 3	Aims to protect and enhance the land within the WSEA for employment purposes.	The proposal seeks consent to subdivide the WNSLR land to facilitate the future development of the OWE for employment uses, consistent with the overarching aim of the WSEA SEPP.
Clause 10	The OWE is zoned IN1 – General Industry and E2 – Environmental Conservation pursuant to this clause.	Subdivision is permissible with consent.
Clause 14	Land to which the Policy applies may be subdivided only with consent.	As the proposal involves the creation of an additional lot, consent is required.
Clause 18	Requires that a DCP be in place before consent can be granted for development within the WSEA.	Penrith DCP 2014 applies to the subject site, specifically those provisions related to subdivision and the Erskine Business Park. Clause 18(6) of the SEPP recognises the provisions of this DCP for the purposes of the clause. The requirement for a DCP is therefore satisfied.
Clause 24	<p>The consent authority must not grant consent to the carrying out of development involving the subdivision of land unless it has considered the following:</p> <ul style="list-style-type: none"> the implications of the fragmentation of large lots of land, whether the subdivision will affect the supply of land for employment purposes, <p>whether the subdivision will preclude other lots of land to which this Policy applies from having reasonable access to roads and services.</p>	The proposed subdivision will enable access to, and future development of the land for employment uses specific to the OWE. It will not result in land fragmentation or isolation, and will be aligned with future infrastructure and services delivery.

2.1.2 Local Planning Matters

There are no local environmental planning instruments applicable to the OWE / WNSLR, the site lies within the Penrith LGA in the 'Erskine Business Park' precinct. Penrith Development Control Plan 2014 (DCP 2014) establishes development controls for the Erskine Business Park.

However, as part of the Concept Proposal under assessment SSD 7348, a set of development controls have been drafted to be consistent with those applied at Oakdale Central and Oakdale South and to respond to the particular constraints and characteristics of the OWE / WNSLR.

In addition, the following consultant reports were prepared and approved under SSD 7348, concerning the WNSLR corridor and the proposed road work design. These reports should be considered in the assessment of this this subdivision application:

- Contamination Assessment (**Appendix B**);
- Geotechnical and Soils Assessment (**Appendix C**);
- WNSLR Civil Report (**Appendix D**);
- WNSLR Civil Plans (**Appendix E**);
- WNSLR Landscape Concept Plans (**Appendix F**)

The above reports demonstrate that the site is suitable for the approved road use and will facilitate by future industrial use at OWE. As mentioned, there are no physical works proposed as part of this subdivision application, and the construction works are well underway.

Refer to Table 5 below for the relevant subdivision layout controls extracted from the Penrith DCP 2014 and the proposed OWE development controls:

Table 5 - Relevant Subdivision Controls

Control	Penrith DCP 2014	OWE Development Control	Proposed Subdivision	Compliance
Minimum Lot Size	10,000sqm	5,000sqm	N/A	N/A
Minimum Frontage (street)	60m (excluding cul-de-sacs)	40m (excluding cul-de-sacs)	N/A	N/A
Minimum Width (at the building line)	N/A	40m	N/A	N/A

The proposal is consistent with the objectives, controls and technical standards contained within the Penrith DCP 2014.

2.2 LIKELY ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACTS

The proposal does not propose any physical development works. The draft subdivision plan locates the WNSLR aligned with both the SEPP (Western Sydney Employment Area) 2009 Transport and Arterial Road Infrastructure Plan, and the approved SSD7348 the masterplan for the road.

The WNSLR will connect OWE to the SLR to the south and Lenore Drive to the north, resulting in improved accessibility within the Western Sydney Employment Area.

2.3 SUITABILITY OF THE SITE

The proposed works are considered highly suitable for the site as:

- + The proposal accords with the objectives of all relevant planning controls and is permissible with consent;
- + The proposal will have no adverse environmental impacts to the site;
- + The proposal will not result in any changes to the physical appearance of the site or create an undesirable precedent within the Oakdale West Industrial Estate; and
- + The proposal will enable the future delivery of employment generating uses within the OWE in accordance with SSD 7348.

2.4 SUBMISSIONS

It is acknowledged that any submissions received by Council in response to this proposal will be considered under Section 4.15 of the Environmental Planning and Assessment Act 1979.

2.5 PUBLIC INTEREST

The proposed development is considered to be in the public interest, as the proposal accords with the principles and objectives of all relevant planning controls and it has been demonstrated that no social, environmental or economic impacts will result from the proposal.

3 CONCLUSION

This SEE has been prepared by Goodman to support a DA to subdivide a road lot to provide for future dedication of the WNSLR to Council.

As demonstrated within this report and the attached documentation, the proposal is satisfactory under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. As such, it is recommended that approval be granted.

If you have any questions, please don't hesitate to contact me on (02) 9230 7225.

Yours sincerely,



Guy Smith

Planning Manager, Goodman