



Professor Mary O'Kane AC
Chair
Independent Planning Commission
GPO Box 3415
SYDNEY NSW 2001

Dear Professor O'Kane

**Response to Independent Planning Commission
Request for Additional Information
Gazcorp Industrial Estate (SSD 5248)**

Please find attached a response to matters raised by the Independent Planning Commission during its consideration of the above application.

The response seeks to clarify matters raised in relation to timing of the Western Sydney Freight Line Corridor, Section 7.12 development contributions, stormwater management, parking provision, built form and development controls. In responding, the Department reaffirms its conclusions and recommendations presented in the Assessment Report dated August 2019.

Yours sincerely

Chris Ritchie
Director
Industry Assessments
Planning and Assessment

3/10/19.

Attachment 1 Response to Independent Planning Commission Request for Additional Information

Timing of the Western Sydney Freight Line Corridor

The Western Sydney Freight Line (WSFL) corridor is identified in the NSW Future Transport Strategy 2056, the Greater Sydney Regional Plan and Western District Plan. Transport for NSW (TfNSW) is responsible for identifying a Corridor for a future freight rail line from the Southern Sydney Freight Line to the future Outer Sydney Orbital in collaboration with the Department, the Greater Sydney Commission and other agencies.

In March 2018, TfNSW released a recommended corridor for the Western Sydney Freight Line from the M7 to the future recommended Outer Sydney Orbital corridor. At this stage, TfNSW is reviewing the feedback received during consultation and identifying the WSFL Corridor alignment. There is no immediate intention to acquire land or property.

At the same time the recommended corridors were exhibited by TfNSW, the Department exhibited a Discussion Paper that served as the Explanation of Intended Effects for the proposed State Environmental Planning Policy to protect major infrastructure corridors including the Western Sydney Freight Line. The Discussion Paper outlined the intent of the future State Environmental Planning Policy (SEPP) which is proposed to identify and protect the land within the major infrastructure corridors by rezoning lands to SP2 Infrastructure. The Department is currently finalising the SEPP in anticipation of TfNSW finalising the recommended corridor alignments for Government consideration and endorsement.

Section 7.12 Development Contributions

The Department has recommended a condition (B1, Part B, Schedule 2 of the development consent) that requires all future development applications to identify whether any Development Contributions Plan made by Council (under Section 7.12 of the EP&A Act) applies. The Department recommends a specific condition be included in the recommended instrument requiring the Stage 1 development provide Section 7.12 development contributions. The condition could include:

Before the issue of a construction certificate for any part of the Stage 1 development, a payment of a levy of 1% of the proposed cost of carrying out the development must be paid to Fairfield City Council under section 7.12 of the EP&A Act.

Stormwater Management

The Applicant included a detailed Stormwater Concept Plan (SCP) as part of its Response to Submissions (RtS). The SCP stated the proposed sitewide stormwater strategy would ensure compliance with nutrient reduction targets for total suspended solids (TSS), total phosphorus (TP), total nitrogen (TN) and gross pollutants. The Stage 1 development includes a permanent underground On-Site Detention (OSD) basin with a stormwater treatment system and a bioretention basin to ensure interim peak stormwater flows at each discharge point in Stage 1 would not exceed the existing peak flow. The proposed Stage 1 stormwater system would ensure compliance with nutrient reduction targets for TSS, TP, TN and gross pollutants.

Spills were not discussed in the SCP as the development is for warehouse, distribution and light industry purposes. The Applicant conducted a screening analysis which confirmed the quantities of dangerous goods stored or handled at the site would be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33. This confirms the current proposal will not be storing or handling large volumes of chemicals on the site. As such, the likely occurrence of a potential spill would be low.

The Department has recommended a condition (C46, Part C, Schedule 2 of the development consent) that requires the Applicant to use a suitably qualified and experienced person(s) to design, install and operate a stormwater management system for the Stage 1 development in consultation with Council. Condition C46 allows the Applicant to design and install an appropriate stormwater system for the Stage 1 development to meet the future tenant's operational requirements.

While the proposal is below the Applying SEPP 33 Screening Criteria, additional conditions have been recommended which require management measures be in place to manage any storage and/or handling of chemicals with potential to spill. This includes conditions C79, C80 and C83, Part C, Schedule 2 of the development consent which specify:

- C79: the Applicant must store all chemicals, fuels and oils uses on-site in accordance with:
 - (a) the requirements of all relevant Australian Standards; and
 - (b) the NSW EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual if the chemicals are liquids
- C80: in the event of an inconsistency between the requirements of conditions C79(a) and C79(c), the most stringent requirement must prevail to the extent of the inconsistency
- C83: the Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or the EPA's Storing and Handling of Liquids: Environmental Protection – Participants Handbook.

The Department's hazard specialist has reviewed the SCP, EIS, RtS and noted:

- compliant bunding would contain chemical spills at the required capacities, usually at least 110% volume of the largest tank or container size
- bunding would be isolated from the stormwater management system if a spill into the bund would occur, and
- the stormwater management system can be safely isolated in an emergency.

The Department has also recommended a condition (C82, Part C, Schedule 2 of the development consent) that the quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application Guidelines – Applying SEPP 33 at all times.

Should any future development require storage and/or handling of dangerous goods above the threshold quantities, a new development application or a modification application will be required. The Applicant will be required to submit a Preliminary Hazard Analysis prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (Department of Planning, 2011) and *Multi-Level Risk Assessment* (Department of Planning, 2011).

The Department has recommended conditions requiring the Applicant to design and install an appropriate stormwater system for the Concept Proposal and Stage 1 development to meet the future tenants' operational requirements in consultation with Council. With recommended conditions in place, the development could appropriately manage chemical spills without adverse impacts on the stormwater management system.

Parking Provision

The Department's assessment of parking for the Concept Proposal and the Stage 1 development is outlined in Section 6.2 of its Assessment Report.

The parking rates for the Concept Proposal and the Stage 1 development were proposed in accordance with the former RMS (now TfNSW) *Guide to Traffic Generating Developments 2002* (RMS Guide). In accordance with the RMS Guide, a total of 993 parking spaces are required for the Concept Proposal (including 217 spaces for the Stage 1 development).

A submission from TfNSW on the EIS indicated the original proposed parking of 2,231 spaces was more than double the estimated demand and had the potential to encourage use of private vehicles rather than public transport. As such, TNSW recommended the Applicant reduce the total parking provision.

In response, the Applicant reduced its parking from 2,231 spaces to 1,500 spaces for the Concept Proposal (including 223 spaces for the Stage 1 development). This parking provision is above the RMS Guide requirements and has also been consistently applied like other developments in the Western Sydney Employment Area (WSEA) such as the Oakdale South Estate and the Jacfin Horsley Park Industrial Estate, both approved by the then Planning Assessment Commission (PAC). TfNSW

has reviewed the RtS and is satisfied with the revised parking provision for both the Concept Proposal and the Stage 1 development.

The Department notes the Stage 1 development will operate 24 hours per day, 7 days per week. It is anticipated that future employees will work on a shift basis, thereby reducing parking demands over the course of the sites 24-hour operation.

The Department has concluded the development includes an adequate parking provision to meet the parking demand generated by the proposed 24 hours per day, 7 days per week operation.

Built Form and Development Controls

The Department has assessed the built form and visual impacts of the Concept Proposal and Stage 1 development in Section 6.1 of the Assessment Report.

Stage 1 Development

The Department has compared the Gazcorp proposal with other similar industrial estate developments in the WSEA including the Oakdale South Estate approved by the then PAC and the recently approved Oakdale West Estate. The Gazcorp Stage 1 warehouse building would be 13.7 m in height. This is consistent with the maximum building height for the Stage 1 developments in the Oakdale South and Oakdale West Estates, both being 13.7 m.

A 49% site coverage is proposed for the Stage 1 development (Lot 10) of the Gazcorp Industrial Estate. This is also consistent with the Stage 1 developments of the Oakdale South Estate (nine lots with site coverages between 46% and 60%) and the Oakdale West Estate (three lots with site coverages of 42%, 50% and 56% respectively).

The Applicant committed to a colour scheme for the Stage 1 warehouse building being provided to the Planning Secretary for approval prior to construction to allow flexibility for future tenants. The Applicant's commitment is included in Appendix 6 of the development consent.

Concept Proposal

The Applicant submitted an Urban Design Guideline (UDG) prepared by MBMO Architects to support the proposal. The UDG provides controls for future developments including the height, bulk/mass, siting and appearance of buildings, as well as site landscaping, signage, lighting, services and fencing. The table below provides a comparison of the development controls in the UDG with those of the Oakdale South Estate and the Oakdale West Estate.

	Oakdale South Estate	Oakdale West Estate	Gazcorp Industrial Estate
Southern Link Road Setback	20 m	20 m	10 m*
Internal Estate Roads Setback	7.5 m	7.5 m	7.5 m
Rear setbacks	5 m	5 m	5 m
Side setbacks	0 m (subject to fire rating requirements)	0 m (subject to fire rating requirements)	0 m (subject to fire rating requirements)
Maximum Building Height	15 m	15 m	14 m
Site coverage	Maximum 65%	Maximum 65%	Maximum 50%

**Note: the difference between the SLR setbacks is due to the method of measurement, further details are provided below*

The table above shows the proposed development controls for the Gazcorp Industrial Estate are consistent with other developments in the WSEA except the setback from the future Southern Link Road (SLR). This departure is due to the way the setback is measured. As shown in the figures below, the Oakdale South and Oakdale West Estates measure the SLR setback from the external walls of the future warehouse buildings, whereas Gazcorp Industrial Estate measured the SLR setback from the future lot boundaries.

The Department notes the SLR would be a four-lane road (two lanes in each direction) and will include batters on the edges of the road. TfNSW is presently finalising the detailed design of the SLR. The proposed 10 m SLR setback is required to ensure the Gazcorp Industrial Estate development will not encroach into the SLR reserve, to ensure there is sufficient flexibility and room for TfNSW to finalise the final SLR alignment. The Stage 1 Building and all future warehouse buildings are also required to have additional setbacks of at least 6 m from the lot boundaries to provide access for firefighting vehicles, compliant with FRNSW *Guidelines for Emergency Vehicle Access 2010*. This access would also need to consider the setback requirements for the future SLR.

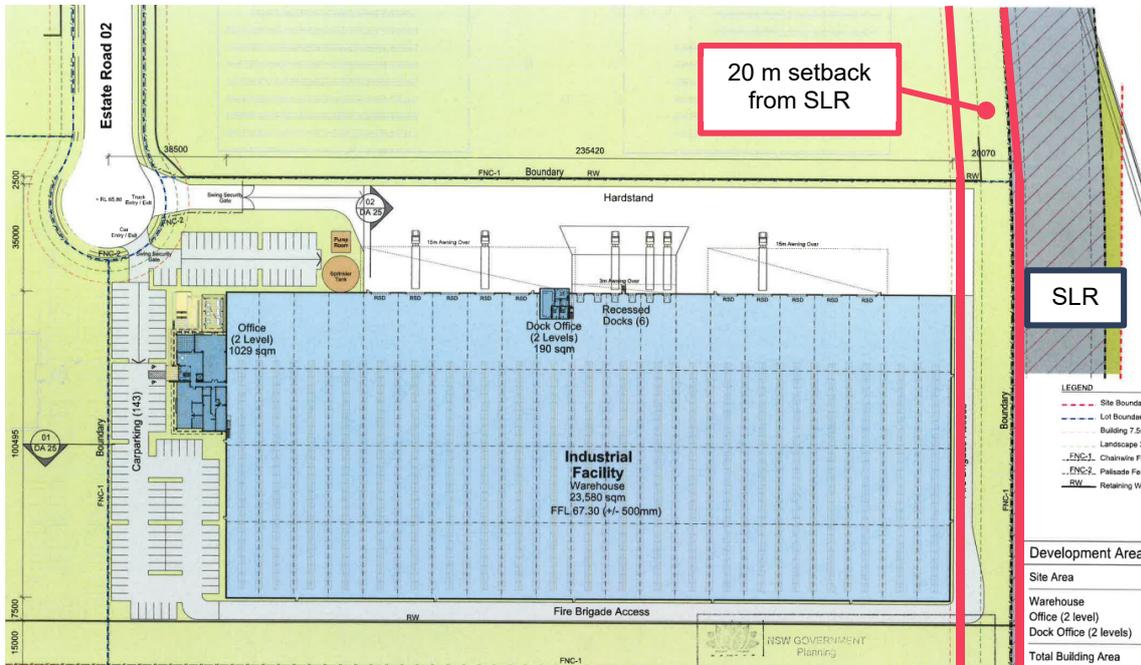


Figure 1 | Oakdale South Estate Setback from future SLR

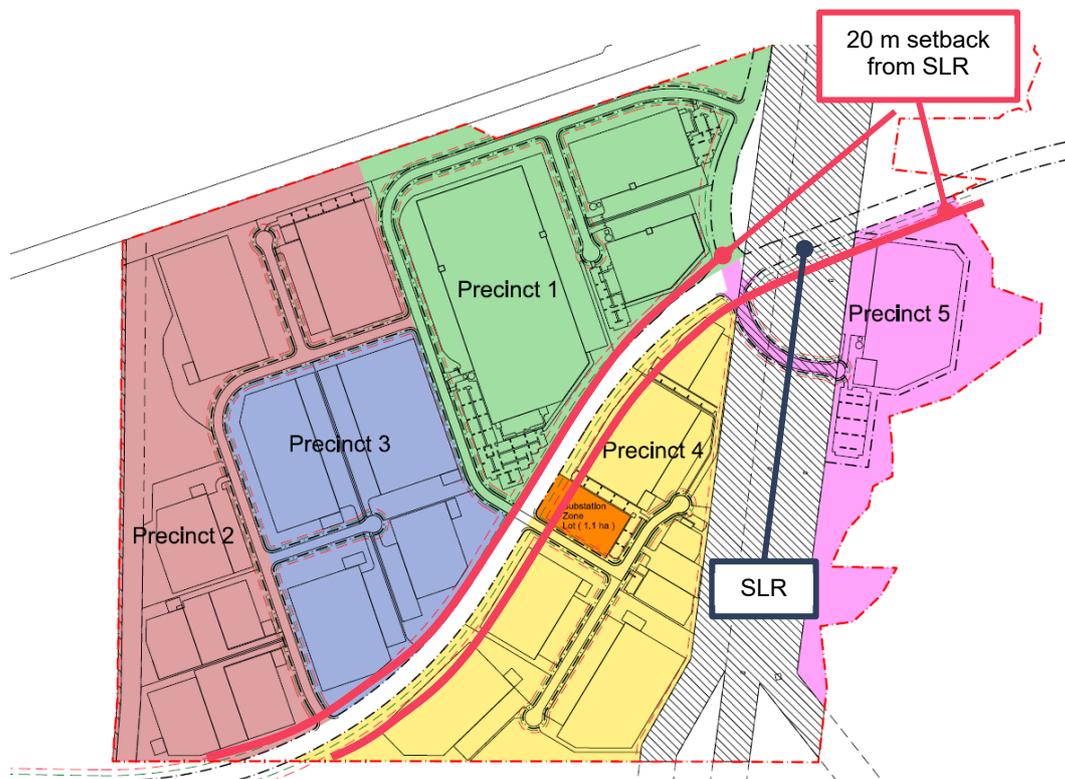


Figure 2 | Oakdale West Estate setbacks from future SLR

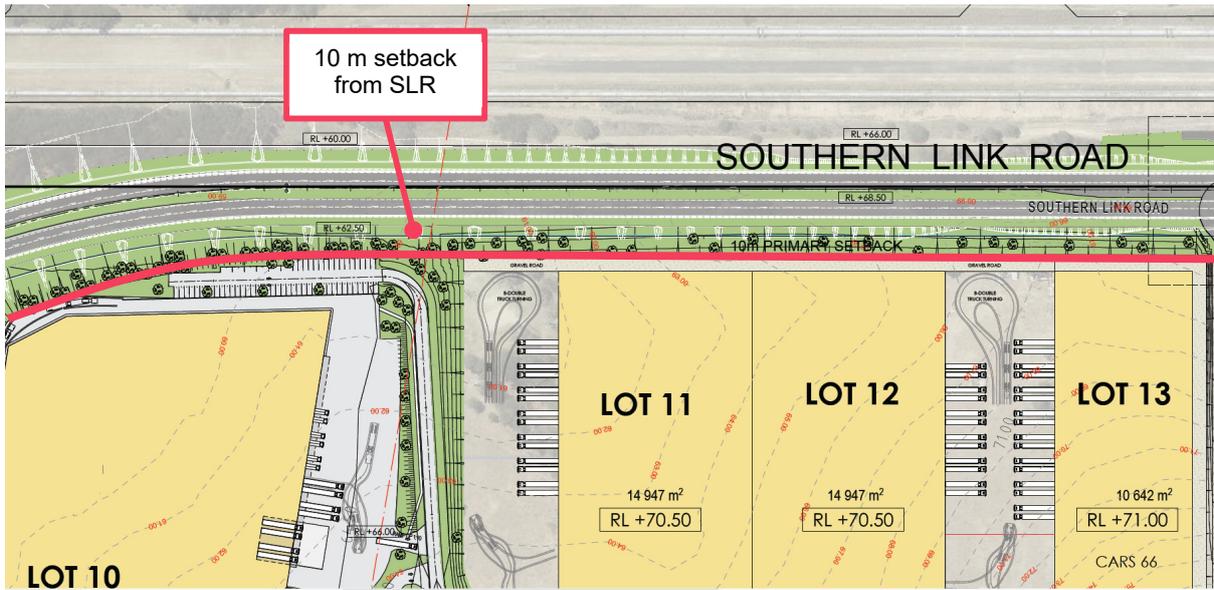


Figure 3 | Gazcorp Industrial Estate

The Department has concluded that the built form and site coverage of the Concept Proposal and Stage 1 development are consistent with the Oakdale South Estate and Oakdale West Estate. The Applicant has prepared an UDG to guide future developments in the Gazcorp Industrial Estate. The UDG provides development controls that are consistent with Oakdale South Estate and Oakdale West Estate. Despite the SLR setback departure discussed above, the Gazcorp Industrial Estate could achieve a consistent built form with other warehouse and distribution centres in the broader WSEA.