



Keyhole Lands - Planning Proposal

(Relating to land located between The Horsley Drive & Chandos Rd, Horsley Park)

Proposed amendments to Fairfield Local Environmental Plan 2013:

- Rezoning of the Keyhole Lands within the Fairfield Urban Investigation Area from RU2 Rural Landscape to IN1 General Industrial,
- Amendment to Minimum Lot Size Map,
- Amendment to the Height of Building Map.
- Amendment to the Floor Space Ratio Map
- Amendment to the Minimum Lot Size Dual Occupancy Map

(November 2023)

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SECTION 1 - INTRODUCTION

1.1. General

This planning proposal relates to a proposed complex amendment to Fairfield Local Environmental Plan (LEP) 2013 which aims to rezone a section of the Keyhole Lands (between The Horsley Drive and Chandos Road in Horsley Park) from RU2 – Rural Landscape to IN1 General Industrial under Fairfield LEP 2013. The aim of the amendment is to facilitate the future general industrial, warehousing and logistic development of the site which is approximately 60.2ha in area.

The planning proposal (PP) is deemed a complex amendment under the Local Environmental Plan Making Guidelines (September 2022), for the following reasons:

- Seeks to change the land use zone and/or the principal development standards of the LEP, which would result in a significant increase in demand for supporting local, regional or State infrastructure and would require infrastructure funding;
- It is responding to a change in circumstances and regional planning opportunities, including substantial investment in the Western Sydney Employment Area (WSEA) and Western Sydney Aerotropolis; and
- The extent and nature of environmental, transport management and infrastructure planning issues relevant to the proposal.

This planning proposal has been prepared in accordance with:

- Section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act), and;
- The Local Environmental Plan Making Guideline (September 2022).

Specifically, this planning proposal addresses the following sections of the EP&A Act and LEP Making Guideline by:

- Identifying if there is sufficient justification for the planning proposal to proceed;
- Confirming the technical investigations and consultation required, and;
- Establishing the process and timeframe for continuing the assessment of the proposal.

Where required this planning proposal will be updated to address the outcomes of any further technical investigations required by the gateway determination as well as feedback received from consultation with the general community and public authorities.

The planning proposal has been subject to consideration by the Fairfield Local Planning Panel in November 2021 who advised Council (see Appendix B - Minutes) that the proposal is consistent with both local and state strategic planning documents and has sufficient strategic merit to be considered further by Council. The planning proposal was subsequently reported to Councils 08 November 2022 Outcomes Committee meeting to request a gateway determination.

Preliminary advice has already been received from State agencies and utility providers that has been addressed in this planning proposal regarding infrastructure, traffic, biodiversity, Aboriginal Heritage and environmental issues.

1.2. Purpose

The purpose of this planning proposal is to demonstrate that there is sufficient planning justification to amend the Fairfield LEP 2013 as it relates to 60.2ha of land located in Horsley Park known as the Keyhole Lands between Chandos Road to the north and The Horsley Drive to the south. Specifically the planning proposal:

- Describes the extent and nature of proposed future development on the site that underpins the LEP amendment, including a concept plan demonstrating the desired ultimate development outcomes for the site;
- Details the proposed provisions of the LEP amendment;
- Provides evidence to support the proposed LEP amendment based on technical planning, environmental assessment and traffic impact assessment analysis;
- Justifies the proposed LEP amendment against all relevant statutory and strategic planning documents, and
- Addresses the requirements for the preparation and lodgement of a planning proposal in accordance with the EP&A Act and associated Guideline.

1.3. Structure

Section 3.33 (2) of the EP&A Act and the LEP plan making guidelines sets out the context and structure required for Planning Proposals. This document is structured in accordance with these provisions. It also includes information about the site location and context and structured as follows:

- **Section 1 Introduction** – Provides an introduction to the report and articulates its purpose
- **Section 2 Site Location and Context** – Describes the sites context and location including surrounding zoning, land uses and infrastructure
- **Section 3 Planning Proposal** – in the format required by the EP&A Act and *Local Environmental Plan Making Guidelines* September 2022, comprising:
 - **Part 1** - Objectives and intended Outcomes;
 - **Part 2** - Explanation of Provisions;
 - **Part 3** – Justification of strategic and site specific merit;
 - **Part 4** – Maps;
 - **Part 5** - Community Consultation, and;
 - **Part 6** - Project Timeline

1.4. Supporting Documentation

A range of supporting studies addressing relevant planning and technical issues have been prepared by the applicant to support this planning proposal and include:

- Urban Design Report;
- Economic Impact Assessment;
- Biodiversity Assessment Report;
- Civil Engineering Report;
- Preliminary Site Investigation;
- Bushfire Risk Assessment;
- Archaeological Report;
- Traffic Impact Assessment;
- Social Impact Assessment
- Service Report
- Acoustic Report, and
- Service Infrastructure Assessment

The applicant will prepare a Site Specific DCP to introduce objectives and controls to support the future redevelopment of the site as proposed under the planning proposal. The draft Site Specific DCP and supporting studies will be updated in light of community submissions and further advice from state agencies.

SECTION 2 – SITE LOCATION AND CONTEXT

2.1 Regional Context

The subject site is surrounded by the Western Sydney Parklands that under the Western Sydney Parklands Act 2006 is administered by the Western Sydney Parklands Trust. The Parklands is unzoned land, however under State Environmental Planning Policy (SEPP) Precincts (Western Parklands City) 2021 a broad range of recreational, agricultural, tourism, commercial and industrial uses are permitted throughout the Parklands.

The Trust has adopted a Plan of Management (POM) for the Parklands that has led to establishment of an 'Urban Farm Precinct' in the land surrounding the Keyhole Lands as well as 2 large warehouse and logistic business parks located nearby along The Horsley Drive and Cowpasture Road.

The site is located in close proximity to The Horsley Drive, Wallgrove Rd and M7 motorway, classified as state arterial roads and motorways respectively falling under the control of Transport for NSW and WSO Corporation. The surrounding arterial roads are also an important part of the existing freight and logistics road network servicing the surrounding employment lands in Western Sydney including the Wetherill Park Industrial Area located approximately 1 kilometre due east of the site. TfNSW is currently in the process of developing plans for a significant upgrade to The Horsley Drive, including straightening and widening of the corridor.

In summary, other contextual issues and environmental constraints relevant to the project include:

- The Western Sydney Gas Pipeline which adjoins the sites western boundary and extends into the north west corner of the site;
- Transgrid transmission lines and easements running through the site;
- Main stream flooding stemming from two tributaries of Eastern Creek;
- Ecologically endangered communities associated with remnant vegetation;
- Bushfire prone land;
- Existing site contamination issues as a result of historic agricultural land uses;
- Aboriginal Potential Investigation area including a recorded Aboriginal archaeological artefact.
- Local road and infrastructure limitations
- Un-sewered land; and
- Significant slope of the land in an east west direction.

2.2 - Site and Surrounds

The site (Figure 1 over page) consists of 38 individual lots in private ownership located north of the Horsley Drive and is currently zoned RU2 Rural Landscape under Fairfield LEP 2013. The RU2 zone permits rural residential housing as well as a broad range of agricultural (e.g. market gardening) and urban related uses (e.g. function centres, recreation facilities, registered clubs and places of worship), a number of which are already established in the Keyhole Lands.

Redmayne Road runs east west through the centre of the site and as with Chandos Road (adjoining the northern boundary of the subject land) is classified as rural roads falling under Council's control and management. The site has a total area of approximately 60.2 hectares and is bounded by:

- The Western Sydney Parklands including Eastern Creek to the West;
- The Western Sydney Parklands including the Jemena Metering Facility to the North;
- The Western Sydney Parklands including small market garden precincts and green houses and Wetherill Park Industrial Area to the east, and;
- The Western Sydney Parklands to the South including The Horsley Drive.

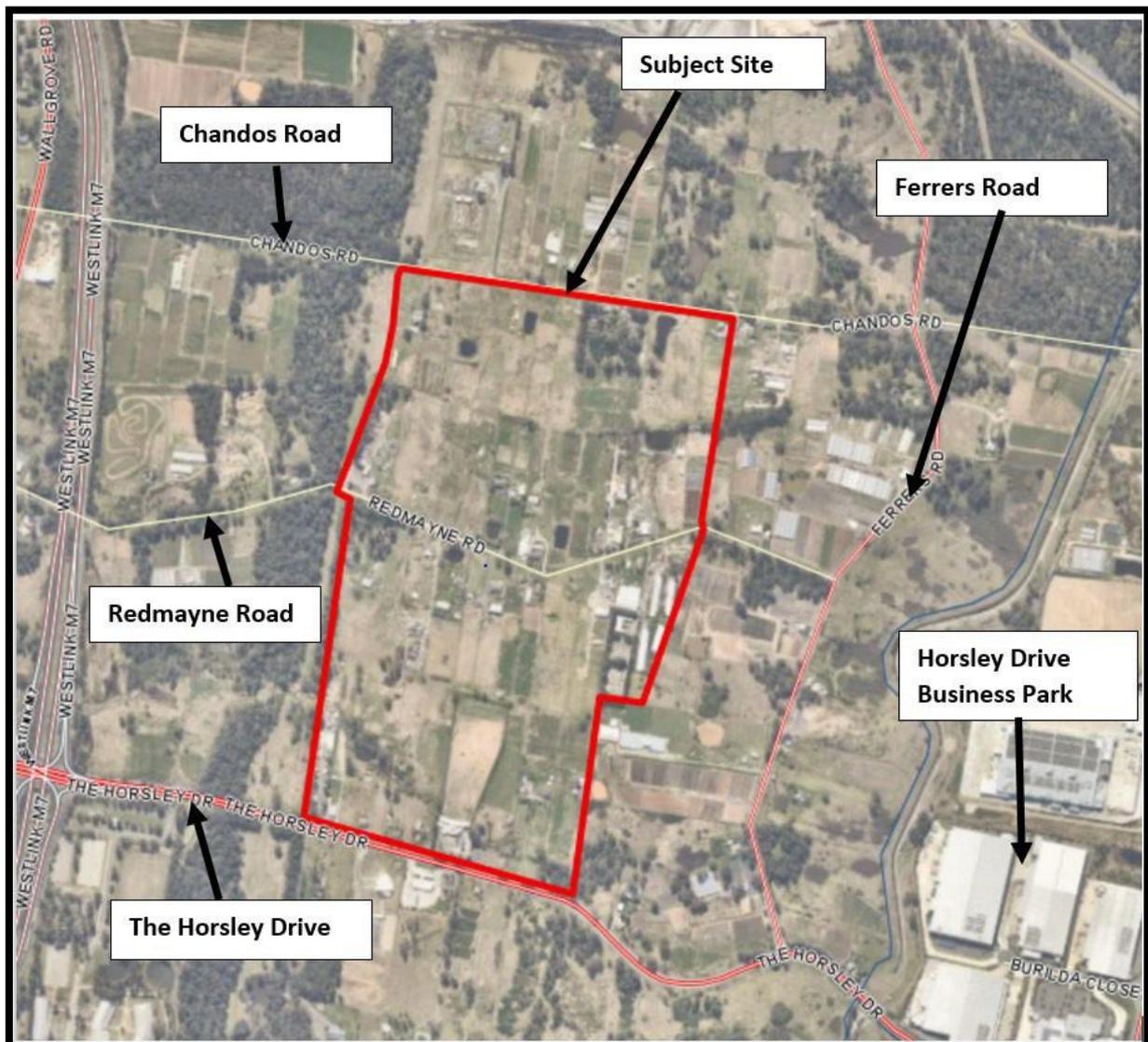


Figure 1 - Subject Site

The site is dominated by rural residential lands (that currently are 'vacant' and not being utilised for agricultural purposes) as well some commercial uses such as Sharks Golf Driving Range.

The site is within proximity to the Eastern Creek riparian corridor characterised by areas of dense vegetation and biodiversity significance. The site is approximately 1.5km west of the Wetherill Park Industrial Estate which serves as a major industrial hub for Western Sydney. Horsley Park and Cecil Park are approximately 3km to the west separated by the M7 motorway.

2.3 - Fairfield LEP 2013 – Existing & Proposed Amendments

As shown in Figure 2, this planning proposal proposes to rezone the 38 lots comprising the subject site from RU2 Rural Landscape to IN1 General Industrial under the Fairfield LEP 2013.



Figure 2 – Existing and Proposed Land Zoning Map

Note – Under the NSW Government Employment Zone Reforms (EZR) due to come into force in April 2023, the transitional zoning for IN1 General Industrial will be E4 General Industrial. Please see below an employment zone transition table which shows the land use table under the previous IN1 zone and the current E4 zone. Zone E4 will permit broad industrial uses including warehouse distribution and freight as is proposed under this Planning Proposal.

	IN1 – General Industrial (repealed)	E4 – General Industrial (Current)	Consistency with Planning Proposal
Objectives of zone	<ul style="list-style-type: none"> To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities. To minimize any adverse effect of industry on other land uses. To support and protect industrial land for industrial uses. To ensure development is not likely to detrimentally affect the viability of any nearby business center. 	<ul style="list-style-type: none"> To provide a range of industrial, warehouse, logistics and related land uses. To ensure the efficient and viable use of land for industrial uses To minimise any adverse effect of industry on other land uses. To encourage employment opportunities. To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers. 	<p>The Planning proposal would allow general industrial uses such as warehousing, logistics and distribution. As being sought under this planning proposal</p>

		To ensure development is not likely to detrimentally affect the viability of nearby business centres.	
Permitted without consent	Environmental Protection Works	Environmental Protection Works	No change
Permitted with consent	Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Oyster aquaculture; Places of public worship; Plant nurseries; Roads; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4	Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Plant nurseries; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4	The E4 zone would still ensure warehouse or distributions centres are permissible with consent within the zone, and other similar industrial uses would be permissible. No material change is proposed to the permissible land uses.
Prohibited	Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco- tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Forestry; Function centres; Health consulting rooms; Heavy industrial storage establishments; Heavy industries; Home- based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Intensive livestock agriculture; Jetties; Marinas; Medical centres; Mooring pens; Moorings; Pond-based aquaculture; Research stations; Residential accommodation; Restricted premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Water reticulation systems; Water treatment facilities; Wharf or boating facilities	Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco- tourist facilities; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extensive agriculture; Farm buildings; Forestry; Function centres; Health consulting rooms; Heavy industrial storage establishments; Heavy industries; Home businesses; Home occupations; Home occupations (sex services); Home-based child care; Information and education facilities; Intensive livestock agriculture; Jetties; Marinas; Medical centres; Mooring pens; Moorings; Research stations; Residential accommodation; Restricted premises; Rural industries; Sex services premises; Tourist and visitor accommodation; Water recreation structures; Water reticulation systems; Water treatment facilities; Wharf or boating facilities	The PP would remain consistent with the E4 zones prohibited uses.

Table 1 – Employment Zone Transition Table

As shown in figures 3 – 7 (following pages), amendments are also proposed to the minimum lot size, height of buildings, minimum lot size for subdivision, FSR and minimum lot size for dual occupancy maps of the Fairfield LEP 2013.



Figure 3 – Existing and Proposed Minimum Lot Size



Figure 4 - Existing and Proposed Height of Building Map

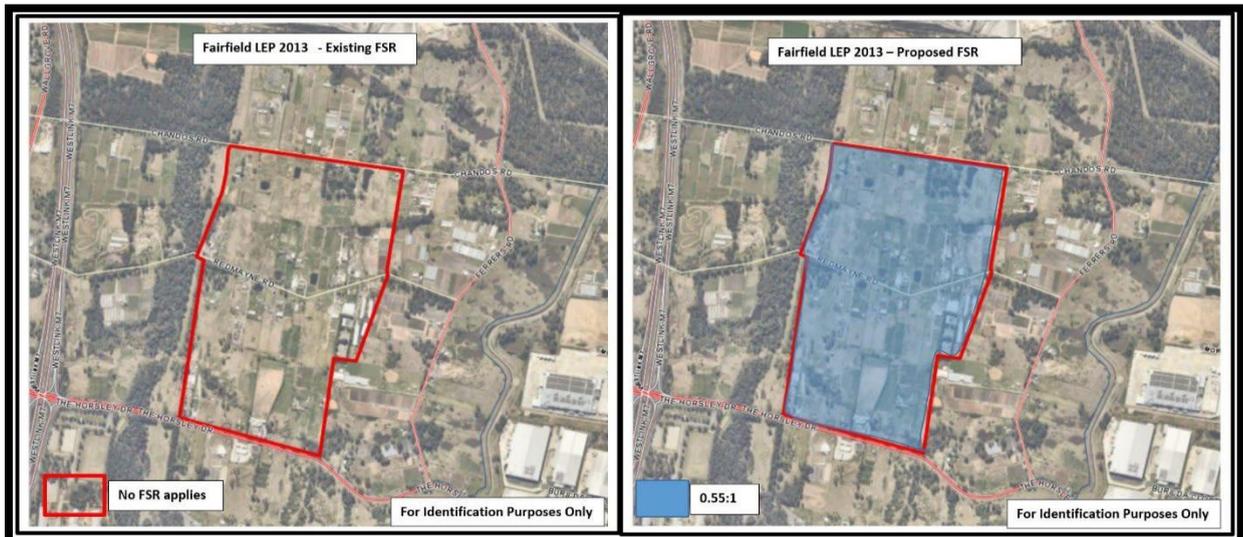


Figure 5 - Existing and Proposed Floor Space Ratio

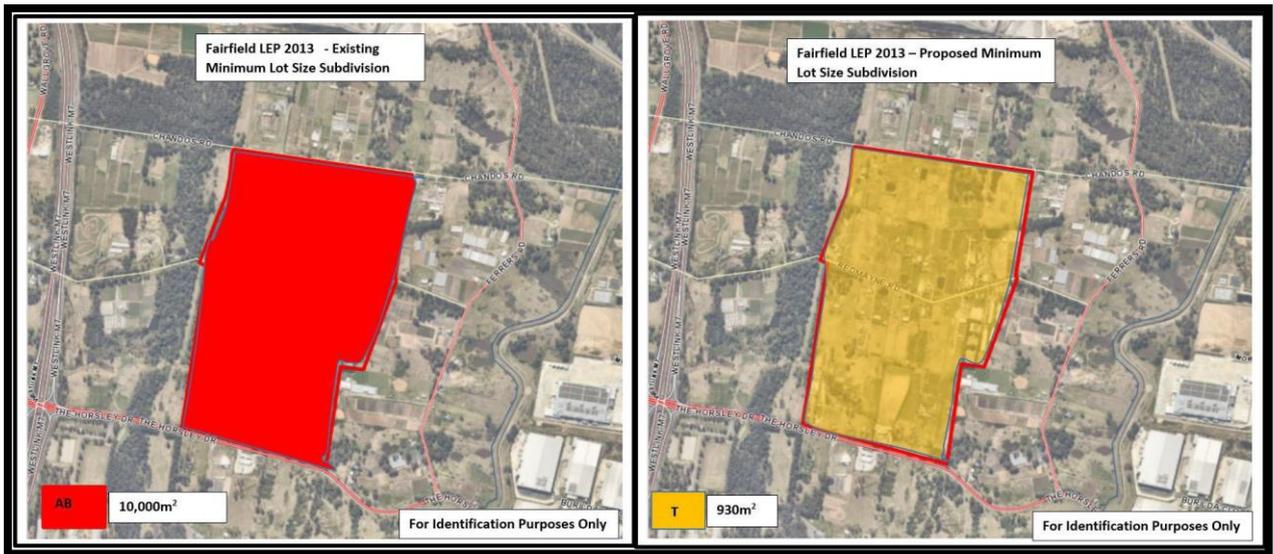


Figure 6 – Existing and Minimum Lot Size Subdivision

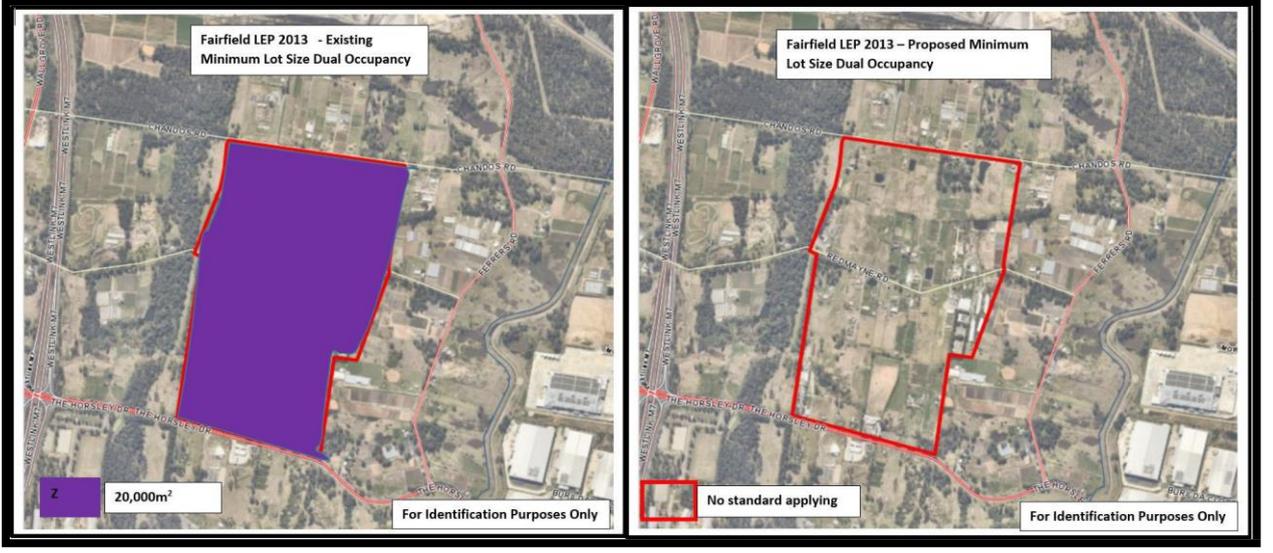


Figure 7 – Existing and Removal of Minimum Lot Size Dual Occupancy

SECTION 3 – PLANNING PROPOSAL

Part 1 Objectives and intended Outcomes

1. Purpose of the Planning Proposal

The planning proposal has been prepared to amend the Fairfield Local Environmental Plan 2013 for 38 lots known as the Keyhole Lands currently zoned RU2 – Rural Landscape, located between Chandos Road and the Horsley Drive in Horsley Park.

The purpose of the planning proposal is to rezone the land to IN1 General Industrial for future employment purposes, subject to a maximum FSR of 0.55:1 applying across the whole site. As with the other industrial lands of Fairfield City no maximum height of buildings control will apply.

Future development to support employment uses includes onsite car parking, estate roads, a primary north south estate road, landscaping and inclusion of upgrades to Councils local road infrastructure at the site ingress and egress will be constructed to facilitate the proposal.

The planning proposal is supported by relevant technical studies and concept design images including shadow analysis, urban design report, traffic impact assessment and modelling, biodiversity assessment report, economic feasibility assessment and other technical reports.

Urban design objectives of the industrial land rezoning and subsequent development include:

- Place making and creation of a destination for workers and the broader Fairfield Community;
- Integration of estate design with the broader Western Sydney Parklands regional cycling and walkway network, and
- Creation of a jobs hub and economic opportunity driver for the local economy.

2. Land to Which this Planning Proposal Applies

The planning proposal applies to a 60.2 hectare precinct of land bounded by The Horsley Drive in the South, Redmayne Road at the middle of the site dividing the northern and southern precincts and Chandos Road to the North and includes 38 lots as identified in the following table:

Address	Lot and DP
1681 & 1677, 1671, 1667 & 1657, 1637-1647, 1627-1617, THE HORSLEY DRIVE	(LOT C & D, DP398446), (LOT 78B, DP347873), (LOT 79A & 79B, DP17288), (LOT 1, DP849699), (LOT 81A & 81B, DP348110), (LOT 74A & 74B, DP 17288)
200-206 & 182-190, 172-180 & 152-170, 144 & 150, 136-142, 120-134, 195-201, 203-213, 215-223, REDMAYNE ROAD	(LOT 74A & 74B, DP 17288), (LOT A & B, DP377249), (LOT A & B, 357890), (LOT 77, DP13961), (LOT61B, DP17288), (LOT A & B DP347034)
121-135, 155-169, 137-153, 171-185, 203-209, 211-217 CHANDOS ROAD	(LOT 54, DP13961), (LOT A & B, DP 361393), (LOT 56 & 57, DP13961), (LOT 58A & 58B, DP17288), (LOT 59A & 59B, DP362002), (LOT 1 & 2, DP5055934)

Table 2 – Lot and DP Details

3. Proposed development and staging plan

The amendments proposed to Fairfield LEP 2013 will facilitate the future redevelopment of the site for general industrial purposes to include a number of warehouse and distribution centre uses. A preliminary site masterplan shows 14 warehouse buildings gaining access by a central north-south estate road from The Horsley Drive south of the site and exiting via Chandos Road to the north.

The proposal also facilitates associated parking, landscaping, breakout areas for workers and recreation areas at the eastern creek interface of the site. Specifically the following is proposed in table 3 below:

Use/Development Standard	Existing	Proposed
Existing/proposed Zoning	RU2 Rural Landscape	IN1 General Industrial (E4 General Industrial under EZFs)
Industrial Floor Space	None	313,000m ²
Number of Jobs <ul style="list-style-type: none"> Warehouse – 180 - 220 m²/employee Office Space – 20m²-25m²/employee 	None	1700 directly & 1900 indirectly (warehouse) 535 employees (office)
Number of Dwellings	25 rural dwellings	None
Industrial Gross Floor Area (warehouse + office space)	None	By Staging Project <ul style="list-style-type: none"> - Stage 1 = 166,260m² - Stage 2 = 147,080m² - Total = 313,340m²
Total Maximum FSR	No FSR control	By Staging Precinct: <ul style="list-style-type: none"> - Stage 1 = 0.55:1 - Stage 2 = 0.55:1
Total Maximum Building Height	9 metres	None
Subdivision Lot Size Dual Occupancy	10,000m ²	To remove standard
Subdivision Lot Size	10,000m ²	930m ²
Car Parking	No formal parking rate	1193 parking spaces

Table 3 – Proposed development standards

The proposals staging plan (Figure 7) includes, Stage 1 north of Redmayne Road to Chandos Rd and Stage 2 south of Redmayne Road and to The Horsley Drive.

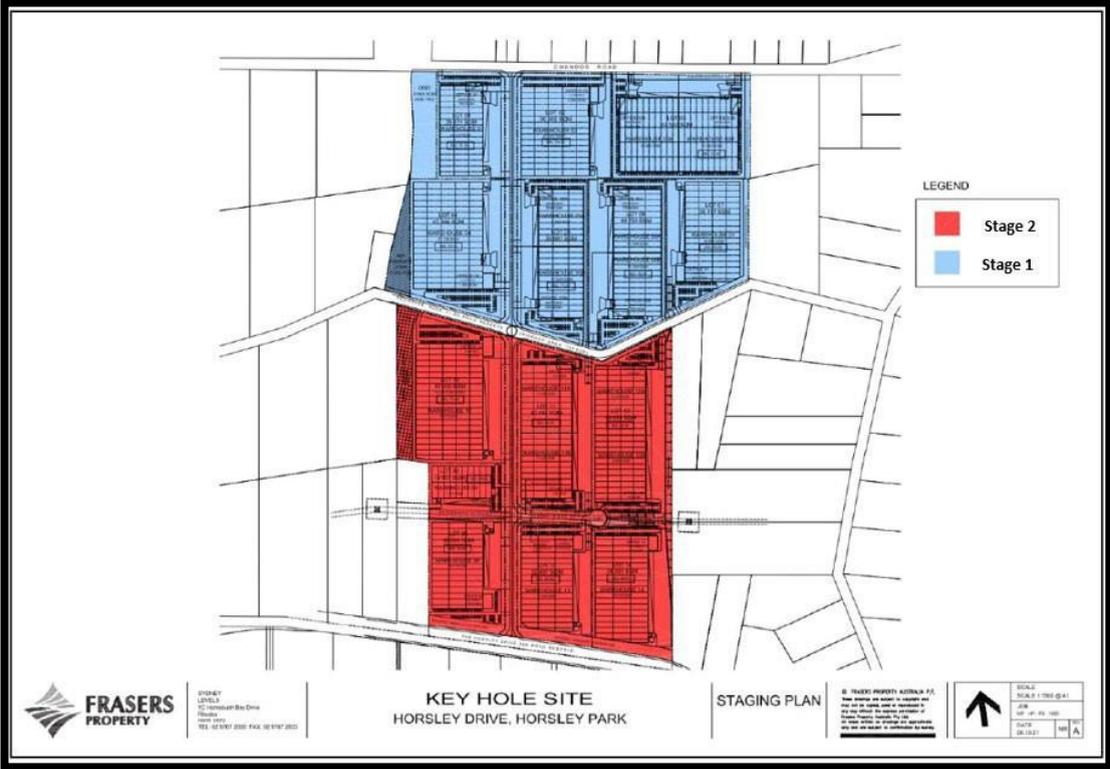


Figure 8 – Proposed Staging Plan

Part 2 – Explanation of Provisions

1. Overview

To achieve the objectives as outlined above, the planning proposal aims to amend the Fairfield LEP 2013 (FLEP 2013) as follows:

- Amend the Fairfield Land Zoning Map (Sheet 5 and 6) to provide for a land use zone of IN1 General Industrial (E4 General Industrial under EZFs);
- Amend the Fairfield Height of Buildings Map (sheet 5 and 6) to remove reference to the 9 metre maximum height of building controls;
- Amend the Fairfield Minimum Lot Size Map (Sheet 5 and 6) from 10,000m² to a 930m², and;
- Amend the Fairfield Minimum Lot Size for Dual Occupancy Map (Sheet 5 and 6) to remove reference to the site.

2. Other Relevant Matters

Voluntary Planning Agreement

The applicant has indicated a willingness to enter into a Voluntary Planning Agreement (VPA) with Council to address local infrastructure needs upon future redevelopment of the land.

The purpose of the VPA will be to ensure that a satisfactory level of infrastructure is provided by the proponent (Frasers Property Industrial) to service future development. Subject to issuing of a gateway determination by the NSW DPE, a draft VPA will be considered by Council prior to public exhibition of the planning proposal to enable adequate community consultation.

Site Specific Development Control Plan

To support the intent and the provisions of the planning proposal, the applicant will prepare a site specific DCP to include the proposed development controls for the site. The site specific DCP would include (but not be limited to) the following provisions:

- Building footprints and FSR's reflective of those proposed under the planning proposal and potentially adopted under Fairfield LEP 2013;
- Specific design requirements including estate road access and through site links;
- Parking arrangements including loading facilities;
- Measures to minimise potential crime;
- Requirements to minimise the potential impact on surrounding land, and
- Biodiversity and environmental sustainability controls.

Part 3 – Justification of Strategic and Site Specific Merit

1. Need for Planning Proposal.

Is the Planning Proposal the result of an endorsed LSPS strategic study or report?

1.1 Fairfield LSPS - Urban Investigation Area

The Western City District Plan (The District Plan) through Planning Priority W17, “Better Managing Rural Areas”, identifies Horsley Park and Mount Vernon west of the M7 as one of 3 priority urban investigation areas (UIA) in the Western City District. The District Plan identifies the purpose for the UIA as a structured approach to managing the long-term growth of greater Sydney in a deliberate and carefully planned way, where land-use is integrated with existing and proposed major infrastructure corridors.

As result of the above, in 2018 a UIA Steering Committee was established (chaired by the Greater Sydney Commission) comprising representatives from Fairfield and Penrith City Councils, as well as state agencies to oversee preparation of a number of draft Structure Plans options for the UIA to guide future land use directions and development in Horsley Park and Cecil Park.

Under this process, Fairfield City Council also resolved to incorporate the Keyhole Lands (also in Horsley Park) into the structure planning process. This step was a result of the isolated position of the Keyhole Lands within the Western Sydney Parklands, its proximity to the existing and proposed new regional infrastructure being planned for the Western Sydney Airport and Aerotropolis and historic tourism zoning of the Keyhole Lands that meant existing and future land use directions for the precinct are predominantly non-rural in nature. In April 2019, following extensive community and state agency consultation Council resolved to endorse a draft Structure Plan (Appendix A).

The UIA draft Structure Plan identifies the area covered by the planning proposal as future employment lands and is a significant strategic outcome for the western area of Fairfield City in promoting economic activity and employment opportunities.

The Western Sydney Parkland Trust made a submission to the draft Structure Plan, indicating that designation of the Keyhole Lands for employment purposes as being most compatible with the surrounding Urban Farm Precinct established in the adjoining Parklands. More detailed precinct/master planning for the remainder of the UIA (located to the west of the subject site) is currently on hold as a result of the following:

- Council is awaiting advice from TfNSW on the timing for delivery of a rail station in Cecil Park associated with the proposed Parramatta to Western Sydney Airport passenger rail line.
- Planned routes and timing for key infrastructure required to service the UIA (west of the Keyhole Lands) and the future Western Sydney Airport are currently being investigated including;
 - The Western Sydney Freight Line east of the M7, and;
 - The Southern Link Road east of Wallgrove Road;

The above matters do not constrain Council’s ability to consider rezoning of the Keyhole Land. This is because the Keyhole lands is a self-contained precinct and the nature of strategic planning, environmental and infrastructure matters are largely unrelated to those relevant to the remainder of the UIA, although as discussed further in this report, the matter of upgrades to the road network (both local and state roads) surrounding the Keyhole lands is a critical issue for the planning proposal.

In March 2020, the GSC endorsed the Fairfield Local Strategic Planning Statement (LSPS) 2040, that establishes a local strategic framework for considering rezoning of the Keyhole Lands for employment purposes as shown in the UIA draft Structure Plan.

1.2 Fairfield Business & Employment Lands Economic (BELE) Report

In 2020, as part of funding provided under the NSW Accelerated LEP Program, Council commissioned Norling Consulting to prepare a Business & Employment Lands Economic (BELE) Report on a range of economic trends and directions emerging in Western Sydney. In relation to employment lands this included major infrastructure and land use projects such as the Western Sydney Freight Line, Aerotropolis and demand for industrial land in the Western City (identified in the Mecone Snapshot Study 2018 commissioned by the GSC).

Findings and recommendations of the BELE Report relevant the Keyhole Lands Planning Proposal are summarised in the following table.

Project	Relationship with Keyhole Lands PP
<p>1. Western Sydney Freight Line Project</p> <ul style="list-style-type: none"> - Creates opportunities for existing and future logistics and warehouse development. As well as providing faster connections to Port Botany and Aerotropolis the project is also linked to future intermodal terminal (IMT) near Mamre Road in Penrith City - BELE Report notes that the Southern Sydney Freight Line attracted large businesses and investors with extensions and upgrades (including Moorebank IMT) to increase freight capacity in NSW - Potential opportunities for freight rail siding in Wetherill Park - Creates attractive option for future investors in employments land in the Fairfield - Access to road network including existing and future roads critical to taking advantage of WSFL & Mamre Rd 	<ul style="list-style-type: none"> - The potential route of the WSFL traverses the northern section of the Smithfield/Wetherill Park industrial area and is located in close proximity (within 500metres) of the Keyhole lands. This creates significant opportunities for future industrial, warehouse and logistics development in the Keyhole lands to directly access the WSFL facility. - In the event that convenient access to a rail siding is not available in the Fairfield LGA, the Keyhole lands will still have close proximity to a number of important state arterial roads (Victoria St, Cowpasture Rd, Elizabeth Drive, Wallgrove Rd) and motorways (M4, M7 and M12) for distribution of goods throughout the surrounding region and beyond. - In addition, the proposed future Southern Link (freight) Rd through the northern section of Horsley Park will provide direct access to the future Mamre Rd IMT located approximately 5km to the west of the Keyhole Lands, making the subject site an attractive option for future investors in employments lands development
<p>2. Aerotropolis</p> <ul style="list-style-type: none"> - Aerotropolis is multi-billion project sourced from public funding - BELE Report acknowledges the strategic advantage of 'undeveloped lands' in the western area of the city that have significant potential to be developed for a variety of urban uses (including employment lands) - Close proximity to proximity to Aerotropolis creates clear potential for stimulation of the local economy - Currently 'life science businesses' (e.g. human pharmaceutical & medicinal manufacturing, surgical equipment), freight logistics and food manufacturing is an area of significant growth in Fairfield City. - Greenfield lands in the Aerotropolis (that include new infrastructure and facilities) pose a competitive threat to existing industrial lands in Fairfield City by attracting successful businesses in Fairfield to relocate to the Aerotropolis 	<ul style="list-style-type: none"> - The Keyhole lands are located approximately 4 km east of the Aerotropolis. Existing and future road projects (e.g. M12, Southern Link Rd, Elizabeth Drive & Horsley Drive upgrades) will enhance access from the site to the Aerotropolis and Western Sydney Airport - The planning proposal represents the extension of employment lands in the western area of the City and compliments the Wetherill Park Industrial Estate as well as 2 employment hubs established by the Western Sydney Parklands Trust within the Western Sydney Parklands nearby to the east of the site. - The Keyhole lands represents the first 'greenfield' employments lands rezoning proposal considered by Council since the Wetherill Park Industrial Estate was established in 1970's-80 - The proposal creates the opportunity for a range of employment activities to locate Fairfield close to existing industry clusters as identified in the BELE Report.

Project	Relationship with Keyhole Lands PP
<ul style="list-style-type: none"> - BELE Report recommended: <ul style="list-style-type: none"> o further investigations to progress release and rezoning of land in Horsley Park as an important short/term initiative for Council o Attract new businesses that align with growing clusters, land availability and strengths of Fairfield City 	<ul style="list-style-type: none"> - The proposed rezoning is consistent with the Fairfield UIA Structure Plan and directions contained in the Fairfield LSPS aimed at realising social, economic and employment benefits associated with the close proximity of the UIA to the Aerotropolis
<p>3. Demand for Western Sydney Employment Lands (Review of Mecone Snapshot Study commissioned by GSC in 2018)</p> <ul style="list-style-type: none"> - Key drivers for demand in employment lands in Western Sydney relevant to the planning proposal include: <ul style="list-style-type: none"> o Structural changes & rise of logistics sector leading toward larger distribution centres located on major arterial roads and networks o Increased price competition globally has led to a nation-wide decline of manufacturing o Clustering of like-minded business facilities facilitates creation of business networks and generates new opportunities through collaboration - Fairfield comprises 5 existing large scale logistical and industrial precincts that contribute significantly to the regional economy and are vital for the function of Greater Sydney and includes manufacturing, transport and logistics - The BELE Report confirms the current important role of the Fairfield industrial areas and the lack of vacant land to attract new businesses, the likely competition from newly emerging industrial precincts to the west and need to manage the natural transition of businesses within its existing industrial areas. Relevant recommendations include: <ul style="list-style-type: none"> o Clearly define buffer areas around industrial precincts o Evaluate undeveloped lands and determine possibility of providing more industrial lands to remain competitive and retain growing businesses o Investigate potential industrial precincts that encourage growth of certain industries o Maintaining and upgrading significant corridors should be a high priority for Council to maintain competitiveness & relevance 	<ul style="list-style-type: none"> - The Planning Proposal is consistent with the key emerging drivers for demand in employment lands having regard to the sites close proximity to existing and future arterial roads, scope created for a range of industrial and employment land uses on the site and close proximity to existing business clusters located nearby in the Wetherill Park Industrial Estate and Western Sydney Parkland Business Hubs located along The Horsley Drive and Cowpasture Rd. - The close proximity of the site to existing employments lands consolidates the capacity for additional logistic and industrial development in the area to support the regional economy. - The PP is consistent with relevant recommendations of the BELE Report arising from the review of the Mecone Snapshot Report commissioned by the GSC including: <ul style="list-style-type: none"> o The location and position of the site within the Western Sydney Parklands yields substantial buffers to the nearest residentially zoned lands located approximately 1.3km to the southeast of the site in Bossley Park and existing rural-residential development located approximately 700m directly to the east of the site in the Fairfield UIA area. It is noted that under Chp.7 of the SEPP (Precincts – Western Sydney Parklands), Residential Accommodation is prohibited in the Western Sydney Parklands o As detailed further in the PP, the site was historically zoned for 'tourism' related uses, however, there has been minimal take up of this tourism related land uses within the precinct. The proposed rezoning of the site for employment uses will be supported by future provision of range of utility services and infrastructure (including new or upgraded service & connector roads) that will enable the scope of development proposed on the site.

Table 4 – Findings and Recommendations of Fairfield BELE Report (2020)

Is the Planning Proposal the best means of achieving the objectives or intended outcomes or is there a better way?

This planning proposal is the best means of achieving the objectives referred to under Section 2.1 of this document. In 2013, under transitional arrangements, Council rezoned the subject land from a previous 6(d) Recreation - Tourism zone to the current Standard LEP RU2 Rural Landscape zone, until such time as a land use strategy had been prepared that investigated the opportunities for the land having regard to its location and major regional planning issues (such as the WS Airport and Aerotropolis) that have significantly reshaped strategic land use directions for the western area of Fairfield City.

Local and state strategic planning investigations have subsequently confirmed that the site is positioned in proximity to planned regional infrastructure and well suited for employment opportunities. As a result Council has endorsed a proposed preferred Structure Plan for the Rural Lands UIA, which identifies the subject site for employment purposes.

The site is also positioned within the vicinity of existing industrial areas, including nearby industrial hubs established within the Western Sydney Parklands, Wetherill Park Industrial Estate and Western Sydney Employment Area (WSEA) in Horsley Park. The proposed amendments to the LEP would facilitate a future warehouse, industrial and logistics hub in close proximity of existing and future transport infrastructure which includes:

- Southern Link Road (SLR) including potential future extension of this road further to the east;
- Western Sydney Freight Line (WSFL), and
- M12 Sydney Orbital.

The creation of employment opportunities in close proximity to nearby residential areas in Fairfield City is consistent with the '30-minute city' principles of Transit Orientated Development (TOD). By facilitating a higher density of employment premises, the proposed LEP amendments would ensure the efficient and sustainable use of land in a strategic location, consistent with the objectives of precinct planning and district planning policy.

The applicant provided an economic impact assessment authored by Macroplan dated June 2021. The study concluded that the rezoning can support the local economy and complement the existing industrial estates at Smithfield and Wetherill Park, by developing existing industrial land stocks which promote industry diversification. It is estimated that the proposed format can deliver 1,880 full time equivalent (FTE) direct jobs during operation. Further to this the additional direct job creation will generate additional 1,900 to 2,100 indirect and induced jobs outside the proposed industrial warehousing estate either through indirect and induced jobs.

The capital investment value of the project is expected to be approximately \$250 million. Based on this investment value, 190 to 200 full-time equivalent jobs per annum directly in the construction industry and a further 300 to 320 FTE jobs per annum indirectly in transport, manufacturing, fabrication and design.

To ensure robustness Macroplans economic assessment was independently peer reviewed by Norling consulting, concluding that, the economic matters contained within the economic impact assessment can be relied upon.

The proposed amendments to the Fairfield LEP 2013 are consistent with existing industrial development to the east of the site in Smithfield-Wetherill Park Industrial Area. As detailed in this planning proposal, future development on the site would be subject to a number of site specific controls to help integrate future development with the surrounding Western Sydney Parklands, promote the principles of the Blue and Green Grid and mitigate the impacts of the 'Heat Island Effect'. Measures to achieve these outcomes include targets for reducing site impervious area, establishing suitable canopy cover and natural water flows across the site.

The amendments sought to the Fairfield LEP 2013 are in direct response to directions of the Fairfield LSPS 2040, Western District Plan and changing regional circumstances including investment and employment opportunities in the western area of Fairfield City. Therefore, an amendment to Fairfield LEP 2013 is required to address the above matters.

2. Relationship to the Strategic Planning Framework

Will the Planning Proposal give effect to the objectives and actions of the regional or district plan or strategy (including any exhibited draft plans or strategies)?

In summary, rezoning of the site for employment purposes is consistent with *A Metropolis of Three Cities*, the *Western City District Plan* and the *Western Sydney Airport Land Use and Infrastructure Plan* in promoting economic activity and new jobs. As detailed below, the planning proposal is consistent with relevant strategic themes and directions of the above Plans.

Infrastructure and Collaboration – Rezoning of the site and future development of the land for employment purposes will require provision of appropriate infrastructure including upgrade for roads, traffic management measures, stormwater and water quality treatments with future development on the site having an estimated capital investment value of \$250 million. The proposal is also located in proximity to a number of important state arterial roads and utility services. The applicant has indicated a willingness to work collaboratively with Council, state agencies and utility providers in facilitating upgrades to infrastructure.

The proposed future development offers a platform for local businesses and new employment to co-locate closer to key infrastructure and areas of economic development. It will also promote the concept of the “30-Minute City” and principles of a more competitive region.

Productivity– The site is located in proximity with key existing and future-planned infrastructure including the SLR, WSFL and M12 Motorway. The location of the site promotes connections with the Central and Eastern City and promotes competitiveness. It is expressly noted in the Regional Plan, that it is essential to ensure that the three (3) Cities envisaged by the GSC, are more connected and economically competitive.

The site will create approximately 190-200 full-time equivalent (FTE) jobs per annum in construction, 300-320 FTE jobs per annum indirectly (transport, manufacturing, design etc.), as well as 1,700-2,060 direct jobs and 1,900 to 2,100 indirect and induced jobs (outside the estate), in close proximity to existing established residential areas. The jobs created by the future development, would be diverse, with both traditional warehousing, logistics employment, as well as advanced manufacturing, thereby promoting a mixed skills base.

The development of the site would also facilitate regional connectivity and would seek to utilise the Western Sydney Airport once it is operational in 2026. In this respect, the proposed future development of the site would be complimentary to the Western Sydney Airport, and support its overall function and surrounding land uses. In this respect the proposal enhances productivity, as envisaged under the Regional Plan.

Sustainability – The future development of the site will be required to address the principles of ecologically sustainable development (ESD) measures as part of the architectural design and site layout that promote the principles of the Blue and Green Grid. Further an initial Biodiversity Assessment Report (BAR) has been prepared for the proposal with a further assessment (Biodiversity Development Application Report – BDAR) to be undertaken after gateway determination of the planning proposal.

Western City District Plan

The following table summarises consistency of the proposal with relevant Planning Priorities of the District Plan.

Direction	Consistency
<p>Infrastructure and Collaboration</p> <p>W1. Planning for a City Supported by Infrastructure</p>	<p>The proposal will support existing and future infrastructure provision and ensure that all planned routes and corridors are not compromised. The future development of the site itself is capable of adequate infrastructure provision and services</p>
<p>Liveability</p> <p>W6. Creating and Renewing Great Places and local centres and respecting a districts heritage</p>	<p>Heritage and archaeological report have been prepared for the site. Consultation has been undertaken with the Deerubbin Aboriginal Land Council. Further consultation and consideration of cultural heritage items or places within the site can be addressed at the DA stage.</p>
<p>Productivity</p> <p>W7. Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City.</p> <p>W8. Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis</p> <p>W9. Growing and Strengthening the metropolitan cluster.</p> <p>W10. Maximising freight and logistic opportunities and planning and managing industrial and urban services land.</p> <p>W11. Growing investment, business opportunities and jobs in strategic centres.</p>	<p>The proposal demonstrates consistency as it:</p> <ul style="list-style-type: none"> • Complements the surrounding Western Sydney Parklands, providing diversity for industrial opportunities that will complement the Western Sydney Airport and other nearby industrial areas • Assists in growing the economy and strengthening the opportunities for freight and logistics • Enhances the employment base for Fairfield City and complementary uses that will assist in strengthening surrounding strategic centres
<p>Sustainability</p> <p>W12. Protecting and improving the health and enjoyment of the districts waterways</p> <p>W14. Protecting and enhancing bushland and biodiversity.</p> <p>W16. Protecting and Enhancing Scenic and Cultural Landscapes</p> <p>W15. Increasing urban tree canopy cover and delivering Green Grid connections.</p> <p>W17. Better managing rural areas (MRA)</p> <p>W19. Reducing Carbon Emissions and managing energy, water and waste efficiently.</p> <p>W20. Adapting to the impacts of urban and natural hazards and climate change.</p>	<p>The proposal demonstrates consistency as it:</p> <ul style="list-style-type: none"> • Will provide improved bike and walking routes through the site, and allow for connections to Eastern Creek and surrounding bushland areas • Has considered impacts on biodiversity and surrounding bushland and will protect these areas, while also ensuring the opportunity for additional landscaping across the site. • Includes consideration of the extent of cultural and scenic landscapes. • Provides opportunity for additional landscaping and tree cover throughout the future development. This will assist in supporting and enhancing the Green Grid. • Can deliver green star rated warehouses that will consider energy, water and waste efficiency. • Considers for natural hazards on the site that any future DA will need to include measures to mitigate against. <p>(Note: detailed information regarding designation of the land in the MRA is included below)</p>

Table 5 – Western City District Plan Priorities

Metropolitan Rural Area (MRA)

The following information is provided in response to the sites designation (under the Western District Plan) as being within the Metropolitan Rural Area (MRA).



Figure 9 – Western City District Plan (2018) – Metropolitan Rural Area

Under the District Plan, critical statements applying to the MRA are as follows;

Urban development in the Metropolitan Rural Area will only be considered in the urban investigation areas identified in A Metropolis of Three Cities. This approach complements Action 30 of this plan to protect and support agricultural production and mineral resources by preventing inappropriately dispersed urban activities in rural areas.

Under the previous Fairfield LEP 1994, the Keyhole Lands were zoned 6(d) Recreation – Tourism. In 2013, preparation of Fairfield LEP 2013 transitioned the land to the Standard LEP zone RU2 – Rural Landscape (being the only area of the City this zone applies to), until such time as Council has undertaken investigations and prepared new strategic directions for Horsley Park. It is noted that an extensive range of non-agricultural uses that were permitted in the former 6(d) zone (including functions centres, registered clubs, food and drink premises, major recreation facilities, tourism and visitor accommodation) are permitted in the current RU2 zone.

The above strategic investigations were subsequently completed as part of the Fairfield UIA draft Structure Plan that designates the precinct for employment purposes. In addition the Fairfield LSPS 2040 highlights the fact that the western area of the City will become increasingly urban in nature given its close proximity to major transport infrastructure, existing industrial precincts and close proximity to the Western Sydney Employment Area and Aerotropolis. In this regard, the LSPS includes a number of actions aimed at facilitating the land use changes detailed in the UIA draft Structure Plan.

The site is surrounded by the Western Sydney Parklands, that under Part 4 of the SEPP (Precincts- Western Parklands City) 2021 allows for a mix of agricultural, commercial, industrial, open space and recreational facilities, which would not be compromised by the rezoning of this land from rural to industrial. Under the Western Sydney Parklands POM an urban farm precinct is located adjoining the site as well as industrial business parks (similar to that proposed on Keyhole Lands) directly to the east of the subject site.

In this regard, the Keyhole Lands is considered a ‘residual’ area, it is not within close proximity nor has strong connections to other MRA land. The rezoning of the land is not considered to compromise the value or integrity of the overall supply of MRA land throughout the Greater Sydney region.

In this respect, it is considered that rezoning of the land for employment uses represents the most suitable land use direction for the site and is consistent with the strategic objectives of the Western District Plan.

Fairfield City Plan 2016-2036

The planning proposal is consistent with the themes and goals set out within the Fairfield City Plan 2016-2036 (FCP), demonstrated below:

- **Community Wellbeing:** The proposed rezoning will not impact on achieving the goals set out under this theme, such as ensuring a diverse, safe, inclusive, healthy and active community;
- **Places and Infrastructure:** The proposal is consistent with the goals of ensuring an accessible city, well managed community assets and well used open spaces;
- **Environmental sustainability:** The planning proposal has regard to ensuring a sustainable natural environment and ensuring compliance with relevant standards;
- **Local Economy and Employment:** The planning proposal will assist in achieving the goals set out under this theme through fostering a range of employment and business opportunities, and;
- **Good Governance and Leadership:** The proposal will be consistent with ensuring open decision making and an informed community.

Overall, it is considered that the planning proposal will be consistent and assist in meeting the goals set out within the City Plan. The proposal is therefore of strategic value in facilitating the desired transformation of the site and consistent with the desired outcomes and priorities of the Western District Plan.

Is the Planning Proposal consistent with a Council LSPS that has been endorsed by the planning secretary or GCC, or another endorsed local strategy or strategic plan?

The planning proposal is consistent with the Fairfield Local Strategic Planning Statement (FLSPS) 2040. The site is identified as part of the UIA draft Structure Plan (Appendix A). As part of the preferred Structure Plan, land between Chandos Road and The Horsley Drive has been specified as future employment land under the umbrella of the UIA.

The FLSPS 2040 anticipates that industry, aided by proximity to the Western Sydney Airport, will become more diversified and provide for a broader range of urban services particularly those focused on the new economy. The UIA is located in close proximity to the Western Sydney Airport (WSA) and Western Sydney Aerotropolis precinct that creates potential for significant transformation and provision of major infrastructure to service growth within the Western City.

The sites location makes it suitable for general industrial development, given its proximity to existing industrial areas (including nearby industrial precincts established in the Western Sydney Parklands) and existing/proposed WSEA lands in Horsley Park. To plan and manage these trends and developments, the FLSPS notes that Council will work with the State Government to monitor urban services land and amend its planning controls to accommodate these uses. Accordingly, in order to achieve the strategies of the UIA and FLSPS, it is considered that the planning proposal would result in a more suitable planning outcome than could be achieved under the current RU2 Rural Landscape zoning.

Fairfield Employment Lands Strategy 2008

The Fairfield Employment Lands Strategy was prepared to provide an appropriate planning framework through DCP and LEP amendments to attract employment generating uses into the Fairfield LGA. The strategy developed a set of guiding principles for Council when considering future potential employment lands by FCC. These principles are consistent with the objectives and intended outcomes of this Planning Proposal.

Is the Planning Proposal Consistent with any other applicable state and regional studies or strategies?

The planning proposal is consistent with other state strategies including Future Transport 2056 and the Cumberland Plain Conservation Plan.

Future Transport 2056

Provides overarching broad objectives and principles to achieve road and network infrastructure to accommodate the future population of Sydney to 2056. The site is located close to key infrastructure both planned and committed and newly constructed, including The Horsley Drive upgrade, Southern Link Road Proposal, M7 road widening, M4 road widening and future M12 Motorway.

The sites close proximity to the Mamre road precinct (and potential intermodal facility) and Western Sydney employment area also makes it a relevant consideration within the Western Sydney Employment Area Road Network Strategy which is supported by the principles of Future Transport 2056. The proponent will fund and implement multiple road upgrades to facilitate the development including signalisation of Ferrers Road and a roundabout on Chandos Road. This will ultimately support the sites operation and ensure the development does not negatively impact Council and states road infrastructure.

Cumberland Plain Conservation Plan

The Cumberland Plain Conservation Plan sets out a 40 year vision, ensuring vegetation that is removed to facilitate current growth corridors are appropriately offset, prior to major development occurring. This process is known as biodiversity certification and ensures that appropriate offsets are put in place to replace lost areas of biodiversity and critical habitat. The Environmental Planning Biodiversity Conservation Act 2018 at a federal level and the Biodiversity Conservation Act 2016 at a state level govern this process including the SEPP Biodiversity and Conservation 2021.

The Keyhole Lands are identified within the Cumberland Plain Conservation Area. It is not identified as having any affectations that would result in the application of SEPP Biodiversity 2021 provisions. In order to ensure that appropriate offsets are applied for vegetation areas removed as part of future development of the site it is proposed to include a biodiversity development Assessment report (BDAR) with the planning proposal that would apply the provisions of the Biodiversity offset scheme under the Biodiversity Conservation Act 2016.

Is the planning proposal consistent with applicable SEPPs?

The following table details consistency with relevant State Environmental Planning Policies (SEPP's).

SEPP Policy	Details
State Environmental Planning Policy (State and Regional Development) 2011	<p>Consistent - SEPP Planning Systems 2021 is an Environmental Planning Instrument that designates certain development as State Significant Development (SSD) or State Significant Infrastructure (SSI), in accordance with Sections 4.36(2) and 5.12(2) of the EP&A Act. Under Clause 12 of Schedule 1 of SEPP (SRD) 2011 states:</p> <p>“12 Warehouses or distribution centres</p> <ol style="list-style-type: none"> 1. <i>Development that has a capital investment value of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i> 2. <i>This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.</i> 3. <i>In this clause— relevant amount means—</i> <ol style="list-style-type: none"> a. <i>for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31</i>

SEPP Policy	Details
	<p style="text-align: center;"><i>May 2023—\$30 million, or b. for any other development—\$50 million.”</i></p> <p>As mentioned above, the future development of the site fits the above definition as it is likely to have a CIV of more than \$30-50 Million and can be categorised as SSD.</p>
SEPP Resilience and Hazards 2021	Consistent - In the instance that any future use of the site comprises hazardous or offensive development, in accordance the Hazardous and Offensive Development Application Guidelines, a Preliminary Risk Screening would be required as part of a future Application. Appropriate environmental site investigations would be carried out in accordance with SEPP Resilience and Hazards on the site.
SEPP (Industry and Employment) 2021	Consistent - The WSEA was formulated in 2009 specifically to promote employment outcomes in the broader Western Sydney Region in proximity to where people live. The subject site is within close proximity to the WSEA and would not hinder its objectives, rather it would contribute to support its operation by offering similar scale warehousing, logistics and industrial operations.
SEPP (Exempt & Complying Codes) 2008	Consistent - The relevant approvals pathway for future development will be determined in line with the relevant LEP and Exempt and Complying Development Codes at that time.
SEPP (Transport and Infrastructure) 2021	<p>Consistent - SEPP Transport and Infrastructure provides for certain proposals, known as Traffic Generating Development, to be referred to Transport for NSW (TfNSW) for concurrence.</p> <p>Referral may be required for the erection of new premises, or the enlargement or extension of existing premises where their size or capacity satisfy certain thresholds. Schedule 3 lists the types of development that are defined as Traffic Generating Development. Details of the development of the site would be confirmed at the DA stage following the rezoning of the land. Any requirement for the referral of the application to RMS would be confirmed at this stage.</p>
SEPP (Biodiversity and Conservation) 2021	Consistent - This SEPP applies to the Fairfield LGA. This policy applies to land currently zoned RE1 Public Recreation. There is currently approximately 4% native remnant vegetation on site which is considered to be isolated and generally poor in condition. Notwithstanding this, the ecological values of the site would be considered as part of a future SSD Application for the development of the site and a BDAR would be submitted.
SEPP (Precincts – Western Parkland City) 2021	<p>Consistent - While SEPP Precincts does not apply to the site, the area surrounding the site is subject to the provisions of the SEPP. Notwithstanding, it is considered that the planning proposal is consistent with the aims of the SEPP as;</p> <ul style="list-style-type: none"> • It Allows continued use of the surrounding parklands; • Will continue to allow infrastructure and services to the parklands; • Will not have any negative impact on the natural systems of the parklands; • Will not have any detrimental impacts on cultural and historical heritage in the parklands; • Is compatible with continued rural uses; • Ensures and improves public access, to the parklands and provides opportunities for increased active transport; • Will not impede community use of the parklands; • Provides opportunities for co-location of industrial uses with educational and research uses; • Will ensure ecologically sustainable development on the site to support the Parklands. <p>Further, it is noted that under the Western Sydney Plan of Management, two major employment hubs have already been established nearby within the Western Sydney Parklands on The Horsley Drive and Cowpasture Rd, promoting land use compatibility within existing employment uses within this section of the Parklands.</p>

SEPP Policy	Details
SEPP Precincts Regional 2021	Does Not Apply
SEPP Precincts Central River City 2021	Does Not Apply
SEPP Precincts Eastern Harbour City 202	Does Not Apply
SEPP Primary Production 2021	Consistent justified above
SEPP Resources and energy 2021	Consistent Justified Above
SEPP Planning Systems 2021	Consistent Justified Above

Table 6 – Consistency with SEPPs

Is the planning proposal consistent with the applicable ministerial directions (Section 9.1 Directions)?

Table 7 provides details of consistency with relevant Ministerial Directions.

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
Focus Area 1: Planning Systems			
1.1 Implementation of Regional Plans	The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	<p>The Planning Proposal demonstrates consistency with the Metropolis of 3 Cities (Greater Sydney Region Plan). The applicant has identified the creation of nearly 3000 jobs both at construction phase and during operation of the development.</p> <p>The development also aims to support the local economy through warehouse distribution thus specifically complying with the directions of the Region Plan, including:</p> <ul style="list-style-type: none"> • A city supported by Infrastructure • Jobs and skills for the city • A City in its landscape • An efficient city • A resilient city 	Yes
1.2 Development of Aboriginal Land Council Land	Not applicable to FCC	Not applicable to FCC	-
1.3 Approval and Referral Requirements	The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The zoning provisions applying to the site are similar to that applying to other industrial precincts in Fairfield City. A FSR of 0.55:1 will also apply to the site to ensure consistency with the results and recommendations of the Traffic Impact Assessment and traffic modelling prepared for the proposal. Traffic generated by future development can be accommodated by the traffic management measures proposed by the proponent and does not compromise the capacity of the surrounding local and state road networks. This issue will be subject to further advice from Transport for NSW.	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
1.4 Site Specific Provisions	The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	As stated, a specific DCP for the site will be prepared to guide the orderly development of the site and deliver desired site development outcomes (including canopy cover, impervious area, blue & green grid). In light of the recommendations of the traffic impact assessment (including traffic modelling) it is proposed to apply a maximum FSR 0.55:1 for the site to ensure that proposed road upgrades and traffic management measures are adequate and have sufficient capacity to mitigate future traffic impacts.	Yes
1.5 Parramatta Road Corridor Urban Transformation Strategy	Not applicable to FCC	Not applicable to FCC	-
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable to FCC	Not applicable to FCC	-
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to FCC	Not applicable to FCC	-
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable to FCC	Not applicable to FCC	-
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable to FCC	Not applicable to FCC	-
1.10 Implementation of the Western Sydney Aerotropolis Plan	Not applicable to FCC	Not applicable to FCC	-
1.11 Implementation of Bayside West Precincts 2036 Plan	Not applicable to FCC	Not applicable to FCC	-
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable to FCC	Not applicable to FCC	-

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable to FCC	Not applicable to FCC	-
1.14 Implementation of Greater Macarthur 2040	Not applicable to FCC	Not applicable to FCC	-
1.15 Implementation of the Pyrmont Peninsula Place Strategy	Not applicable to FCC	Not applicable to FCC	-
1.16 North West Rail Link Corridor Strategy	Not applicable to FCC	Not applicable to FCC	-
1.17 Implementation of the Bays West Place Strategy	Not applicable to FCC	Not applicable to FCC	-
1.18 Implementation of the Macquarie Park Innovation Precinct	Not applicable to FCC	Not applicable to FCC	-
Focus Area 2 Design and Place (This focus area was blank when the directions were made)			
Focus Area 3 Biodiversity and Conservation			
3.1 Conservation Areas	The objective of this direction is to protect and conserve environmentally sensitive areas	Not applicable to planning proposal	Yes
3.2 Heritage conservation	The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.	<p>The site is within the Aboriginal Potential Investigation Area as identified by the Fairfield City Aboriginal Heritage Study. In addition to this an Aboriginal Heritage Information Management System site has been identified at the southern boundary of the site at the Horsley Drive.</p> <p>The applicant has prepared an Aboriginal Archaeological Report and an Aboriginal Heritage Study, which makes a series of detailed recommendations regarding preservation of heritage on site.</p> <p>It will be required that future DA's will need to undertake an unexpected finds protocol including the Aboriginal Heritage Permit process to remove and or safely store any artefacts found during construction.</p> <p>The SSDCP for the site will enforce such requirements. In addition to this the Aboriginal archaeology study undertaken for the Horsley Drive Upgrade by TfNSW, makes recommendations for the AHIMS Site identified onsite which is within the</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
		<p>area of study for the Horsley Drive Upgrade.</p> <p>The applicant has also undertaken consultation with the Deerubbin Aboriginal Land Council. In addition the planning proposal will be referred to the office of heritage for further review and consultation post gateway at agency consultation stage.</p>	
3.3 Sydney Drinking Water Catchments	Not applicable to FCC	Not applicable to FCC	Yes
3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEP's	Not applicable to FCC	Not applicable to FCC	-
3.5 Recreation Vehicle Areas	Not applicable to FCC	Not applicable to FCC	-
3.6 Strategic Conservation Planning	The objective of this direction is to protect, conserve or enhance areas with high biodiversity value.	<p>The planning proposal will result in the loss of Cumberland Plain Woodland species, mainly of the shale hills transition forest species grouping. A BDAR will be prepared by the applicant under the provisions of the BCA Act 2016. In addition to this, the applicant has lodged an ecology and biodiversity report which supports preparation of this report.</p> <p>Beyond this the development will ensure 20% pervious area including in excess of 22% canopy coverage requirements. The development is also proposing to preserve the riparian corridor around eastern creek through creation of environmental buffer areas.</p>	Yes
Focus Area 4 Resilience and Hazards			
4.1 Flooding	<p>(a) ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and of the subject land</p>	<p>A civil engineering report details the high level compliance with the Flood Plain Development Manual and consideration of grade and overland flow path piping and realignment to ensure impacts on existing flood behaviour does not affect surrounding properties.</p> <p>More detailed flood assessment advice and reporting will be prepared with detailed design at the DA stage. It is noted that at this point in time Fairfield Council officers do not support piping and realignment of existing watercourses onsite, rather a preservation and enhancement approach should be taken by the developer.</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
4.2 Coastal Management	Not applicable to FCC	Not applicable to FCC	
4.3 Planning for Bushfire Protection	(a) protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and (b) encourage sound management of bush fire prone areas.	The site is identified as bushfire prone land under the Fairfield City Council Bushfire Prone Land Application Map. A bushfire risk assessment report has been prepared by the applicant and also referred to the Rural Fire Service. No concerns were raised by the Rural fire service. RFS comments for the site included inclusion of access road and fire trail requirements, compliance with the AS3959 Planning for bushfire protection and building in bushfire prone land guidelines. These will be incorporated as controls within a future SSDCP for the site.	Yes
4.4 Remediation of Contaminated Land	The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.	A preliminary site investigation was prepared by the applicant and lodged with the planning proposal. The PSI undertook a desktop study and determined that due to the sites historic agricultural and market garden uses it was likely that the development site would be contaminated. Council's environmental health team (EHS) have reviewed the PSI. Comments received from Councils EHS team have stated that a detailed site investigation (DSI) would be required at future DA stage including a Remediation Action Plan. A detailed site Investigation will be undertaken with the Planning Proposal post gateway. Further investigation including unexpected finds protocols, requirement to prepare a long term environmental management plan, detailed site investigation and remediation action plan will be covered in the SSDCP for the site at individual lot development stage.	Yes
4.5 Acid Sulfate Soils	Not applicable to planning proposal	Not applicable to planning proposal	-
4.6 Mine Subsidence and Unstable Land	Not applicable to FCC	Not applicable to FCC	-
Focus Area 5 Transport and Infrastructure			
5.1 Integrating Land use and Transport	The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access	The surrounding area is not currently serviced by major public transport services. The development will rely heavily on private vehicle use. Warehouse distribution by its nature is serviced by freight vehicles, including B-Doubles and a range of other heavy freight and light vehicles. The local and state road network will be affected by the development. The developer is proposing to undertake upgrades to facilitate the development	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	<p>to housing, jobs and services by walking, cycling and public transport, and</p> <p>(b) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(d) supporting the efficient and viable operation of public transport services, and</p> <p>(e) providing for the efficient movement of freight</p>	<p>including widening of Chandos Road and signalisation of the intersection of Chandos Road and Ferrers Road.</p> <p>A roundabout at Chandos Road and Redmayne Road is also proposed to be constructed to facilitate site access. In addition to this The Horsley Drive upgrade will facilitate greater capacity for vehicle movement into the site. The upgrade of Ferrers road and The Horsley Drive intersection will also facilitate a greater vehicle movement south from the site.</p> <p>Transport services will not be impacted by the development. Further technical and upgrade requirements including mitigation measures and upgrades to be funded by the developer will be determined through a VPA which the applicant has indicated a willingness to enter into.</p>	
5.2 Reserving Land for Public Purposes	<p>(a) facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>(b) facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	<p>An approximately 3-metre wide state arterial road widening corridor applies to 8 lots within the subject site between 1617 to 1681 The Horsley Drive, Horsley Park.</p> <p>Under Fairfield LEP 2013 this corridor is currently zoned SP2 – Infrastructure and will not be affected by the planning proposal that proposes to rezone the remainder of the above sites north of The Horsley Drive outside the SP2 corridor from RU2 Rural Landscape to IN1 General Industrial.</p>	Yes
5.3 Development Near Regulated Airports and Defence Airfields	<p>(a) ensure the effective and safe operation of regulated airports and defence airfields;</p> <p>(b) ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity; and</p> <p>(c) ensure development, if situated on noise sensitive land,</p>	<p>Taken in a direct line, the Western Sydney Airport (WSA) is located approximately 12-13km south west of the subject land.</p> <p>The subject land is located outside the 20 ANEC contour of the airport, but is located under the WSA Obstacle Limitation Surface (222metres) and partially under the Wildlife Buffer Zone (13km).</p> <p>The proposed maximum building height of future development on the site (approx. 25m) will not impact on the WSA obstacle limitation surface.</p> <p>A number of uses already permitted in the RU2 zone (e.g. plant nurseries, major</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.	recreation facilities) and new uses permitted in the IN1 zone (e.g. waste or resource management facilities) are listed as 'relevant development' under cl.4.19 Wildlife Hazards of the SEPP (Precincts-Western Parkland City). In the case of a future development application being submitted to Council it would trigger consultation with the relevant WSA Commonwealth body. Under the planning proposal, the applicant's primary intention is to establish a logistics, warehouse and industrial uses on the site, which would not require referral to the Commonwealth body.	
5.4 Shooting Ranges	Not applicable to FCC	Not applicable to FCC	-
Focus Area 6 Housing			
6.1 Residential Houses	(a) encourage a variety and choice of housing types to provide for existing and future housing needs (b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) minimise the impact of residential development on the environment and resource lands.	Not applicable to planning proposal	-
6.2 Caravan Parks and Manufactured Estate Homes	(a) provide for a variety of housing types, and (b) provide opportunities for caravan parks and manufactured home estates.	Not Applicable	-
Focus Area 7 Industry and Employment			
7.1 Business and Industrial Zones	(a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and	The planning proposal will facilitate approximately 200 full time construction jobs and over 3000 direct and indirect jobs during operation of the proposal. The applicant/developer will ensure that appropriate infrastructure is provided to service the development through a Voluntary Planning Agreement (VPA).	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	(c) support the viability of identified centres	The location of the development is directly centred between the existing Western Sydney Employment Area (WSEA) and the Wetherill Park industrial area including The Horsley Drive Business Hub which is located within the Western Sydney Parklands. Major state and local roads are also located within proximity to the site including, M4, M7 Wallgrove Road, Horsley Drive, Cowpasture Road and Victoria Street which provide access to the WSEA and broader metropolitan area.	
7.2 Reduction in non-hosted short-term rental accommodation period	(a) mitigate significant impacts of short-term rental accommodation where non-hosted short-term rental accommodation period are to be reduced, and (b) ensure the impacts of short-term rental accommodation and views of the community are considered.	Not applicable to planning proposal	
7.3 commercial and retail development along pacific Highway, North Coast	Not Applicable to FCC	Not Applicable to FCC	
Focus Area 8 Resources and Energy			
8.1 Mining, Petroleum Production and Extractive Industries	The objective of this direction is to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.	Not applicable to planning proposal	-
Focus Area 9 Primary Production			
9.1 Rural Zones	(a) not rezone land from a rural zone to a residential, business, industrial, village or tourist zone. (b) not contain provisions that will increase the permissible density of land within a rural zone (other than land within an existing town or village).	As discussed above in relation to the MRA, under the previous Fairfield LEP 1994, the precinct was zoned 6(d) Recreation – Tourism. Under preparation of Fairfield LEP 2013, the land was transition to RU2 – Rural Landscape as an interim measure until such time Council had undertaken detailed investigations and prepared a new strategic directions for the area. As part of this process an extensive range of commercial and urban related uses previously permitted in the 6(d) Tourism zone (including car parks, child care	Inconsistent - See adjoining justification for variation to Direction as well as information relating to MRA (above)

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
		<p>facilities, community facilities, dual occupancy, educational establishments, food and drink premises, function centres, group homes, hostels, places of worship, plant nurseries, recreations areas, recreation facilities (indoor, major and outdoor), registered clubs, respite day care centres, secondary dwellings, tourist and visitor accommodation, veterinary hospitals, are all permitted in the RU2 zone. This zone only applies to the Keyhole Lands within the Fairfield Local Government Area.</p> <p>In this respect, the current RU2 zoning is very much a pseudo rural zone, as in general, the nature and potential scale of non-agricultural uses permitted across the Keyhole Lands exceeds the level of uses permitted/occurring in other RU2 rural zones in the MRA. Given the location and proximity of the land to existing and planned strategic centres, it is also likely that agricultural uses on the land would not be maintained in the longer term, with the other non-agricultural uses becoming more attractive and economically viable. At this point in time there are minimal agricultural activities taking place within the Keyhole Lands. In this respect, compared to other MRA land, the smaller area of Keyhole Lands proposed to be rezoned for employment uses is considered of 'minor significance' and unlikely to create a major precedent for rezoning of other more extensive rural lands located in the MRA.</p> <p>In addition to the above, under preparation of the SEPP Western Sydney Parklands and Plan of Management, Council has previously advocated that the Keyhole Lands be incorporated into the Parklands. In 2007 the then Dept. of Planning – Metropolitan Planning provided advice to Council discounting this step.</p> <p>In 2017 under guidance of the UIA Steering Committee (chaired by the GSC and including representatives from state agencies) preparation of the Fairfield UIA Structure Plan identified the subject land for future employments lands. This status is also confirmed under Fairfield LSPS 2040 as endorsed by the former GSC.</p>	
9.2 Rural Lands	The objectives of this direction are to: (a) protect the agricultural production value of rural land,	Not applicable to land in the Greater Sydney Region (other than Wollondilly and Hawkesbury)	-

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	<p>(b) facilitate the orderly and economic use and development of rural lands for rural and related purposes,</p> <p>(c) assist in the proper management, development and protection of rural lands to promote the social, economic and environmental welfare of the State,</p> <p>(d) minimise the potential for land fragmentation and land use conflict in rural areas, particularly between residential and other rural land uses,</p> <p>(e) encourage sustainable land use practices and ensure the ongoing viability of agriculture on rural land,</p> <p>(f) Support the delivery of the actions outlined in the NSW Right to Farm Policy.</p>		
9.3 Oyster Aquaculture	<p>(a) ensure that 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area are adequately considered when preparing a planning proposal, and</p> <p>(b) protect 'Priority Oyster Aquaculture Areas' and oyster aquaculture outside such an area from land uses that may result in adverse impacts on water quality and consequently, on the health of oysters and oyster consumers.</p>	Not applicable to planning proposal	-
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	Not Applicable to FCC	Not Applicable to FCC	-

Table 7 – Consistency with Ministerial Directions

3. Environmental, Social and Economic Impact

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

A Biodiversity Assessment Report was prepared by Ecologique for the proposal. Remnant native vegetation within the subject land represents a relatively small extent, which comprises scattered and disjunct located patches and isolated paddock trees. Avoidance through design is constrained due to the need to provide appropriate access, provision of level land surfaces for industrial purposes, maintenance of easements, and the required widening of existing roads.

The proposed masterplan provides for the conservation of remnant vegetation within patches that are proximal to the Eastern Creek riparian corridor and restoration (or revegetation) of areas adjacent to these patches. These patches constitute the largest areas of remnant native vegetation and that which is contiguous with larger areas of native vegetation proximal to the site. Hence meeting the imperatives of siting development to avoid (as far as practical) better condition remnant vegetation and concentrating impacts on biodiversity values to those areas of lower condition remnant vegetation.

Further investigations will be undertaken in accordance with the BAM (2020) and detailed further in the BDAR required to support the planning proposal post gateway determination for the subject land. Further assessments required will include, but may not be limited to the following:

- Confirmation of PCTs in areas where access has precluded collection of floristic data for assignment against the BioNet Vegetation Classification database;
- Habitat constraints (i.e., justification in accordance with the BAM as to threatened species habitat that may be discounted from further consideration);
- Consideration of potential impacts to SAI entities;
- Targeted surveys for threatened flora and fauna species;
- Justification that avoidance and minimisation of impacts on biodiversity values has been considered within the design stage of future development proposals;
- Determination of offsetting obligations as generated in the BAM-C;
- Determination of any additional offsetting obligations for any indirect or prescribes impacts (that are not generated in the BAM-C but are required to be assessed in accordance with the BAM); and
- Additional information required by AWE for determining whether future development of the subject land constitutes a controlled action and approval required under the EPBC Act.

Council officers also sought the advice of the Department of Environment Energy and Sciences within the Department of Planning and Environment. The following comments were received on 21 October 2021.

“Based on a review of this information EES agrees with Council’s position that impacts to biodiversity from the proposal have not been adequately identified and application of the avoid and minimise hierarchy has not been sufficiently demonstrated. This creates uncertainty in relation to the outcome of any future assessment.

EES recommends that the proposed planning proposal be supported by a biodiversity assessment to inform the zoning and development layout including areas of high environmental and biodiversity value to be avoided and conserved. In this regard, biodiversity outcomes may be optimised and development provided with greater certainty if elements of stages 1 and 2 of the Biodiversity Assessment Method are applied at planning proposal stage

In regard to biodiversity certification, impacts from future development are considered and offset early in the planning process. Biodiversity certification identifies areas on a site that can be developed after they are certified along with measures required to offset the impacts of development (including measure to avoid and minimise impacts). This process removes biodiversity assessment obligations from any future development on the site which can be particularly beneficial for larger sites or where complex biodiversity issues are identified.

Importantly, biodiversity certification is a tool available to streamline biodiversity assessments early in the planning process and is not a mandatory process that can be imposed on a proponent.

Council officers have requested the applicant address these recommendations prior to the planning proposal application being publicly exhibited.

Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?

Design, Appearance and Public Domain

An Urban Design Report has been prepared by Hatch Roberts Day. Based on the initial concept design, it is considered that the removal of the building height controls and reduction of minimum lot sizes would facilitate appropriate development outcomes for the site. As detailed in the Urban Design Report, the concept design can facilitate appropriate setbacks, access and loading requirements, relevant servicing capabilities to mitigate impacts on the surrounding area that is dominated by an urban farm precinct.

The proposed rezoning would allow for a mixture of industrial uses to be facilitated on site that would be subject to future applications and design considerations at DA stage. The proposed concept design has considered the inclusion of public pathways, cycleways and links to the Eastern Creek. Artists impressions of potential public spaces are provided in the Urban Design Report and shown in Figure 10 below.

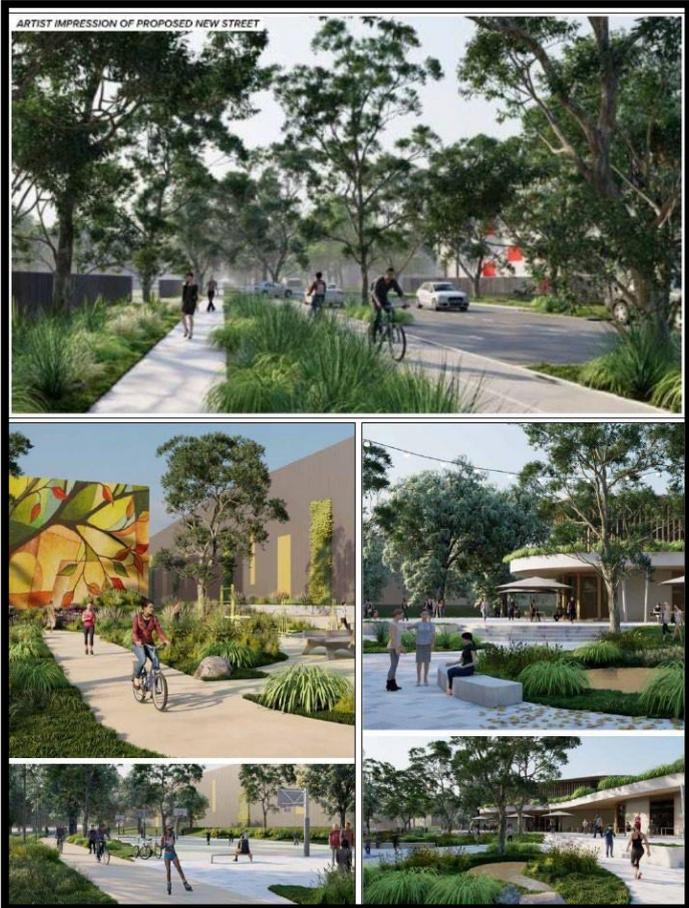


Figure 10 - Artists Impression

A Site Specific DCP will be prepared for the site, to further support high quality design outcomes of any future development

Landscaping

The existing vegetated area and biodiversity conservation zone would be incorporated as shown on the initial concept design. Further landscaping provisions would be considered at the development application stage. It is considered that there is sufficient space to allow for landscaping across the site. Further landscaping provisions will be incorporated into the internal new road corridor.

Noise and Vibration

An Acoustic Report has been prepared by Acousticworks to assess noise impacts associated with the proposed rezoning and future development. The area is primarily affected by road traffic noise from The Horsley Drive, the M7 Motorway and noise from existing nearby industrial activities. The nearest sensitive receiver locations are rural residential dwellings surrounding the site. Compliance with the relevant noise criteria for all on site activities during operational hours, subject to the implementation of the conditions recommended in the report.

Increased road and traffic noise has also been assessed and is predicted to have an additional impact of 1dB for residential receivers on Redmayne Road and less than 1dB for residential receivers on The Horsley Drive and Chandos Road. This increase is considered to be substantially below the criteria of +12dB outlined by the NSW Road Noise Policy.

The following recommendations have been made to ensure compliance with Fairfield City Council's conditions and NSW Noise Policy for Industry requirements;

- Acoustic barriers constructed on relevant parts of the site as shown in the report.
- Mechanical plant should be designed to comply with the relevant project specific criteria outlined in Section 7 of the Acoustic Report.

Traffic Management Issues

A Traffic Impact Assessment (TIA) Report has been prepared by Ason Group. In addition Council has engaged traffic planning consultants to undertake a peer review of the associated modelling and traffic report.

The preferred site access modelled by Ason includes left-in off The Horsley Drive and right out/left in from Chandos Road onto the estate road. To facilitate this a roundabout at the Chandos Road site access would facilitate movement out of the estate road and left hand turn in from Chandos Road.

The initial concept design provided to Council identified only one primary point of access to the entire site from The Horsley Drive. As a result of advice from TfNSW, the access approach was revised to include left in only for the Horsley Drive with no egress directly onto the Horsley Drive.

The Horsley Drive, with primary ingress/egress to the site be provided on Chandos Road via a roundabout to be constructed (by the applicant) on Chandos Road. The above revised access arrangements are yet to be formally commented on by TfNSW and are critical having regard to the close proximity of the site to a number of major arterial and regional roads including The Horsley Drive, Wallgrove Road and Ferrers Road.

The existing preferred traffic arrangements aimed at mitigating traffic impacts includes:

- Left in turn lane and deceleration lane on The Horsley Drive;
- Roundabout on Redmayne Road at the site access;
- Roundabout on Chandos Road at the site access;

- Signalisation of Chandos Road and Ferrers Road intersection, and
- Right hand turn ban from Redmayne Road onto Ferrers road

As referred to previously, final traffic and site access arrangements will be subject to further consultation with TfNSW. A Voluntary Planning Agreement(s) will also need to be prepared post gateway to facilitate appropriate funding, timing and implementation of road upgrades and traffic management measures.

Parking

The concept development has considered adequate space for car parking provisions and proposes approximately 1,586 parking spaces on site. Further parking provisions would be subject to the rates of the Site Specific DCP and subject to a future development application. Site access, car park and loading areas would be designed to comply with relevant Australian Standards.

Public Transport

The site is surrounded by State Roads including The Horsley Drive, Wallgrove Road and the M7 Motorway, regional roads including Ferrers Road and Cowpasture Road and local roads of Chandos Road and Redmayne Road. Public transport facilities are limited within the study area, with buses operating along Wallgrove Road and The Horsley Drive. Active transport routes are also limited within the locality, however Council recognises cycle routes along Chandos Road and The Horsley Drive.

Public transport facilities are limited within the surrounding area, with only a few bus services operating along Wallgrove Road and The Horsley Drive. Active transport facilities are also limited in the surrounding area.

Active Transport

The future development can accommodate increased cycle and pedestrian pathways to further increase active transport options. Public transport bus stops or routes could be accommodated through the site, should future demand require this provision.

Flooding

A Civil Engineering Report has been prepared by Costin Roe Consulting, as the site is affected by mainstream, high, medium and low flooding due to existing overland flow paths onsite and Eastern Creek to the west of the site.

The flooding assessment undertaken demonstrates that overland flows are able to be collected and conveyed within drainage infrastructure. The report also considers that future buildings would achieve sufficient flood immunity and safety as a result of the proposed stormwater management strategy and measures recommended, including attenuation and new farm dams.

Further assessment on affectation to surrounding property and the landscape and flood behaviour including detailed flood modelling will be provided prior to public exhibition of the planning proposal. Council's Catchment Branch has advised that the applicant needs to provide greater regard to maintaining natural waterway processes across the site.

Bushfire

A Bushfire Risk Assessment has been prepared by Peterson Bushfire, as the site is identified as medium risk to bushfire. This planning proposal would not increase the level of bushfire risk for the site. The Bushfire Risk Assessment has identified the following protection measures:

- Provision of defendable space consisting of minimum 6 m wide fire access roads between future warehouses and the identified bushfire hazards.

- Adequate access for emergency response and evacuation consisting of alternate access to the existing road network, including:
 - Compliant road widths and design, and
 - Appropriate landscaping.
- Adequate water supply to allow fire-fighting operations by fire authorities.

The planning proposal subject to the recommendations of the risk assessment and rural fire services recommendations, satisfies the requirements of Ministerial Direction 4.4 and *Planning for Bushfire Protection 2020*.

Heritage

The site is not identified as containing a heritage item or within a heritage conservation area and therefore future development would not directly impact on any heritage fabric. The site is identified as containing potential Aboriginal artefacts. An Archaeological Report and Aboriginal Cultural Heritage Assessment (ACHA) has been undertaken by Biosis.

The Archaeological Report predicts some potential physical impacts which would require further detailed investigation. The Archaeological Report outlines that should conservation of heritage not be practical, management options would be available, such as through salvage, retrieval of information, excavation or collection.

Consultation with the Aboriginal community was undertaken and identified the Horsley Park area as having high cultural significance to the Darug Aboriginal Community. It is recommended opportunities for heritage interpretation are explored and implemented throughout the project in consultation with Aboriginal stakeholders, to ensure that the traditional, historical and contemporary cultural values and meanings held by Aboriginal people of the region are indelibly integrated into the project.

The ACHA outlines that the Aboriginal Community has been consulted regarding heritage management throughout the projects lifespan, meeting with 18 different organisations. Field investigations were undertaken with a site officer present from Deerubbin Local Aboriginal Land Council (LALC).

The ACHA was prepared through extensive background desktop research and archaeological surveys. Due to vegetation cover on site, there was limited ground visibility and no Aboriginal sites were identified, however based on the background research it is understood low, moderate and high archaeological potential areas are across the site.

The ACHA recommends:

- Further archaeological surveys are undertaken on the portions of the site not yet surveyed;
- Avoidance of AHIMS 45-5-3082/Horsley Drive Potential Archaeological Deposit (PAD), or test excavations to be undertaken;
- Ongoing consultation with the registered Aboriginal Parties;
- Update of the Archaeological Report and ACHA once further studies are undertaken, and
- Develop a Heritage Interpretation Strategy for the area.

Contamination

The site is located in a rural area, and as such a Preliminary Site Investigation has been undertaken by JBS&G. A range of known and potential sources of contamination have been identified within the site. Intrusive investigations including soil, sediment, surface water and groundwater sampling has been undertaken across the site.

Contamination identified was typical of rural residential areas in Western Sydney, with limited asbestos finds associated with residential and farm buildings and shallow impacts from petroleum hydrocarbons associated with farm machinery and vehicle maintenance. It is

considered that contamination is unlikely to be of a scale or occurrence that common and available remediation and/or management techniques could not render the site suitable for proposed industrial uses.

The Preliminary Site Investigation recommends that further intrusive testing can be undertaken during any detailed development application stage to ensure consistency with relevant planning instruments and SEPP (Resilience and Hazards) 2021.

Civil Engineering and Geotechnical

- A Civil Engineering Report has been prepared by Costin Roe Consulting and includes high level consideration of earthworks, geotechnical considerations, roads and access, stormwater management and water cycle management.
- Bulk earthworks will be required to facilitate future development of the site.
- Soil erosion and sediment control measures, including sedimentation basins will be provided in accordance with the Soil and Water Management Plan.
- A Water Cycle Management Strategy for the site has been developed to demonstrate how future development can take place ensuring there is management of water quality, flooding, water supply, and erosion and sediment control.
- Further detailed civil engineering and geotechnical assessment will be prepared at the DA stage.

Services and Infrastructure

A Service Infrastructure Assessment has been prepared by Landpartners to provide an overview of the servicing requirements of the planning proposal. The site falls within the Cecil Park potable water system area, with existing trunk water mains in The Horsley Drive, Ferrers Road and Redmayne Road.

Substantial fibre-optic systems exist in The Horsley Drive with further minor fibre-optic cabling in Redmayne Road and Ferrers Road. Copper pair systems exist in Chandos Road. High pressure trunk gas mains exists in easements through the eastern part of the site. A primary main and secondary main is constructed within Chandos Road. Connection to the secondary main by installation of a regulator valve set would provide gas service to the proposed site. Consultation with Jemena would be required.

Major High Voltage Transmission system controlled by Transgrid crosses the site to the north of The Horsley Drive and south of Redmayne Road. Endeavour Energy has an overhead high voltage and low voltage reticulation network in Chandos Street and Redmayne Road, along with a high voltage underground reticulation system in The Horsley Drive. The site is serviced from the Horsley Park Zone Substation.

Substantial trunk water mains adjacent or close to the site present opportunity for reticulation systems to serve the future development on site. A further study of these water mains would need to be undertaken to determine current and future supply requirements.

No waste water systems exist near the site. Part of the site could be serviced by the Burilda Close industrial estate sewer. Sydney Water has recommended a modelling study of existing waste water systems be undertaken to provide an assessment of any issues within the existing network that may require amplification to cater for flows from this site. The proposed development may require a Sewer Pump System to service parts of the site due to topography that would discharge via a rising main to the system at Cowpasture Road.

Construction Management

To ensure that carrying out of future development protects the quality of the environment and amenity of adjoining properties, a Construction Environmental Management Plan will be developed prior to the commencement of works.

Waste Management

A comprehensive Waste Management Plan will be prepared as part of a future DA, including measures to minimise waste generation and manage waste/recyclables through all phases of the development. Requirements will be included in the SSDCP controls.

Has the planning proposal adequately addressed any social and economic effects?

Yes. The social and economic effects of the proposal have been considered within the Economic Impact Assessment within the planning proposal.

Based on the subsequent industrial development on the site, which is expected to cost approximately \$250 million, and assuming 3 years construction, the development will generate:

- Development phase: 190-200 FTE jobs per annum directly and 300-320 FTE jobs per annum indirectly.
- Direct employment: 1,885-2,290 direct jobs per annum generated on-site and allowing for 10% of employment redirected from other employment centres an overall net addition of 1,700-2,060 jobs.
- Indirect and induced employment: 1,900-2,100 indirect and induced jobs outside the proposed industrial hub.

The Economic Impact Assessment has considered existing, socially oriented infrastructure in the locality, and assessed the demand for community infrastructure related to the proposal. The assessment considers the number of community facilities that would be required to cater for the future employment generated by the rezoning and found that no additional facilities within the catchment would be required.

Other factors considered include assessing the zoned employment land within Fairfield LGA. The assessment found that the supply of undeveloped employment land is around 10 years, however, supply of undeveloped and serviced land is only 1.5 years supply. This demonstrates that Fairfield will require additional supply of employment land in the short term to address the emerging shortages.

Job containment within Fairfield LGA is at 30.4%, with a high proportion of local workers travelling outside of the LGA for work. The proposed rezoning will increase the availability of local jobs and increase the self-containment rate.

Based on the future development of a Warehouse, Industrial and Logistics Hub on the site, there is the potential to generate an Industry Value Added (sum of income, rent and profit) of between \$250-260 million per annum.

4. Infrastructure (Local, State and Commonwealth)

Is there adequate public infrastructure for the planning proposal?

The site is serviced by two direct bus routes of the 813 Bonnyrigg to Fairfield and the 835 UWS to Prairiewood, which run along The Horsley Drive. The Fairfield City Councils cycleway path network map shows there are cycle routes along The Horsley Drive and Chandos Road.

There are some off-road pathways around The Horsley Drive, but in general active transport routes are minimal and poorly connected. The proposed development will consider the inclusion of cycle and pedestrian pathways that will increase connection and facilitate the ability to utilise active transport throughout the site.

The Ason Traffic Report has considered the existing infrastructure capacity of the surrounding road network and it notes that it is currently operating poorly. Future planned and committed upgrades to the network would still not resolve the traffic and congestion issues for the locality. Three development traffic scenarios were modelled, with selected preferred option for site access. The SIDRA modelling shows that the three access intersections to the proposed development would operate with acceptable delays and degrees of saturation.

However, the wider study area would see some additional delays compared with the base 'Do Minimum' scenario. It is considered that given the base scenario already sees unacceptable delays, there are some additional mitigation measures that could be introduced that would reduce any additional impacts of future development traffic.

While these mitigation measures would alleviate development impacts, there would still be delays experienced on the surrounding network.

Overall, it is considered that the proposal is able to utilise the existing infrastructure within the area, however, further discussions with TfNSW, Frasers and state agencies and utility providers are required to ensure appropriate infrastructure levels are provided and mitigation measures could be undertaken. Further to this, a VPA will be entered into with Council to determine and define the suitability of appropriate mitigations.

5. State and Commonwealth Interests

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

As referred to previously, preliminary consultation has been undertaken as part of this planning proposal with the following state agencies and utility providers:

- Rural Fire Service;
- Sydney Water;
- Jemena;
- DPE (Regional Team);
- DPE (Environment Energy and Sciences);
- Transport for NSW;
- Western Sydney Parklands Authority, and
- Transgrid.

As a gateway determination has not yet been issued by the DPE it is acknowledged that Council will consult further with relevant public authorities following the gateway determination including those not yet consulted being:

- Office of Environment and Heritage (DPE), and;
- Water NSW

PART 4 - MAPS

This part of the planning proposal deals with the maps associated with the Fairfield LEP 2013 that are to be amended to facilitate the necessary changes as described in this report. To achieve the objectives of this planning proposal Fairfield Local Environmental Plan 2013 will be amended follows:

- Amend Fairfield LEP 2013 Land Zoning Map (Sheet 5 and 6) as follows
 - From and existing zoning of RU2 Rural Landscape to a zoning of IN1 General Industrial (transitioning to E4 General Industrial under EZRs)
- Amend the Fairfield LEP 2013 Floor Space Ratio Map (sheet 5 and 6) to provide for a maximum floor space ratio as follows:
 - To apply a FSR of 0.55:1 to the site
- Amend the Fairfield LEP 2013 Height of Buildings Map (Sheet 5 and 6) as follows:
 - From an existing height of buildings of 9 metres to remove reference to a Height Of Buildings development standard applying to the site.
- Amend the Fairfield LEP 2013 Minimum Lot Size Dual Occupancy Map (Sheet 5 and 6) as follows:
 - From and existing minimum lot size for dual occupancy requirement of 20,000m² to remove reference of this development standard across the site.
- Amend the Fairfield LEP 2013 Minimum Lot Size map (Sheet 5 and 6) as follows:
 - From a 10,000m² minimum lot size requirement to remove reference of this development standard from the site.

Appendix A.1 contains maps of existing and proposed development standards applying to this planing proposal. These maps are provided for identification purposes, formal LEP maps will be provided by Council's GIS planner prior to public exhibition of the Planning Proposal.

PART 5 – COMMUNITY CONSULTATION

Community Consultation is required under section 3.34 of the Environmental Planning and Assessment Act 1979. The Act sets out the community consultation requirement for Planning Proposals and these are determined or confirmed at the gateway determination stage.

Further information regarding the public exhibition process will be provided following gateway determination.

The Gateway determination will determine consultation required.

PART 6 – PROJECT TIMELINE

As detailed in above, the application for rezoning of the land meets the criteria for a Complex planning proposal under the Local Environmental Plan Making Guidelines September 2022 with the proposed draft project timeline shown in table 8 over page.

The project timeline below is intended to be used only as a guide and may be subject to changes such as changes to issues that may arise during the public consultation process and or community submissions.

No.	Step	Process Content	Timeframe
1	s.56 – request for Gateway Determination	Submit Planning Proposal to DP&E for a Gateway Determination	Dec 2022
2	Gateway Determination	Assessment by DP&E, advice to Council	Jan 2023
3	Applicant submits additional required technical information	Update on Gateway requirements report (if required) back to Council, refer critical technical reports (e.g. traffic, biodiversity) to key State Agencies	Feb 2023
4	Public consultation for Planning Proposal	In accordance with Council resolution and conditions of the Gateway Determination.	March/April 2023
5	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&E (if required)	April 2023
6	Consideration of submission	Assessment and consideration of submissions	May/June 2023
7	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	July 2023
8	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	Aug 2023
9	Report back to Council	Includes assessment and preparation of report to Council	Sept 2023
10	Referral to PCO, notify DP&E	<ul style="list-style-type: none"> ○ Draft Planning Proposal assessed by PCO, legal instrument finalised ○ Copy of the draft Planning Proposal forwarded to DP&E for making 	Oct 2023
		Estimated Time Frame	11 Months

Table 8 – Planning Proposal Timeframe