

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 a section of the Keyhole Lands within the Fairfield Urban Investigation Area (north of The Horsley Drive), from RU2 Rural Landscape to E4 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

July 2024

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SECTION 1 - INTRODUCTION

1.1. General

This planning proposal relates to a proposed 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 E4 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 66.8ha in area.

Under the initial Gateway Determination issued by the former Dept. of Planning and Environment on the 15 May 2023, the planning proposal (PP) was categorized as standard as described 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:

- Part 3 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.

As required this planning proposal has been 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 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.

The Planning Proposal was submitted for gateway determination, which was provided on 15 May 2023 and subsequently altered (dated 13 Nov 2023) to extend the timeline for referral to DPHI to August 2024.

Pursuant to the gateway determination, further engagement was undertaken with state agencies and utility providers at the public exhibition stage of the Planning Proposal resulting in amendments, which are summarized as follows:

1. The primary vehicular ingress and egress from the Horsley Drive – comprising signalized access from the future estate road onto the Horsley Drive.

2. Performance based controls in the Site Specific Development Control Plan (SSDCP) to facilitate realignment of onsite watercourses in line with NRAR guidelines for controlled activities on waterfront land – Riparian Corridors 2018.
3. Provision of infrastructure upgrades to be funded through a State and Local Voluntary Planning Agreements (VPA). A Letter of Offer for local infrastructure has been prepared in this regarding.
4. Amended Civil Engineering reports, traffic study and associated traffic modelling.
5. Provision of a biodiversity Development Assessment Report (BDAR).

On 24 October 2023 Council resolved to endorse the draft SSDCP to progress to public exhibition concurrently with the Planning Proposal and Letter of Offer to enter into a VPA. Public exhibition took place from 15 November 2023 to 15 December 2023.

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 66.8ha 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 an indicative site development 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 lodgment 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 is 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 reports relating to:

- Urban Design
- Economic Impact Assessment
- Biodiversity Assessment
- Civil Engineering
- Preliminary Site Investigation
- Bushfire Risk Assessment
- Archaeology
- Traffic Impact Assessment
- Social Impact Assessment
- Servicing
- Acoustics
- Service Infrastructure Assessment
- Biodiversity Development Assessment
- Post exhibition infrastructure Assessment [ent](#)

A Site -Specific Development Control Plan (SSDCP) has been prepared and publicly exhibited to introduce objectives and controls to support the future redevelopment of the site as proposed under the E4 General Industrial zone.

The SSDCP and supporting studies have been 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 'un-zoned' 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 northwest corner of the site
- Transgrid transmission lines and easements running through the site
- Mainstream 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 32 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 center 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 66.8 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

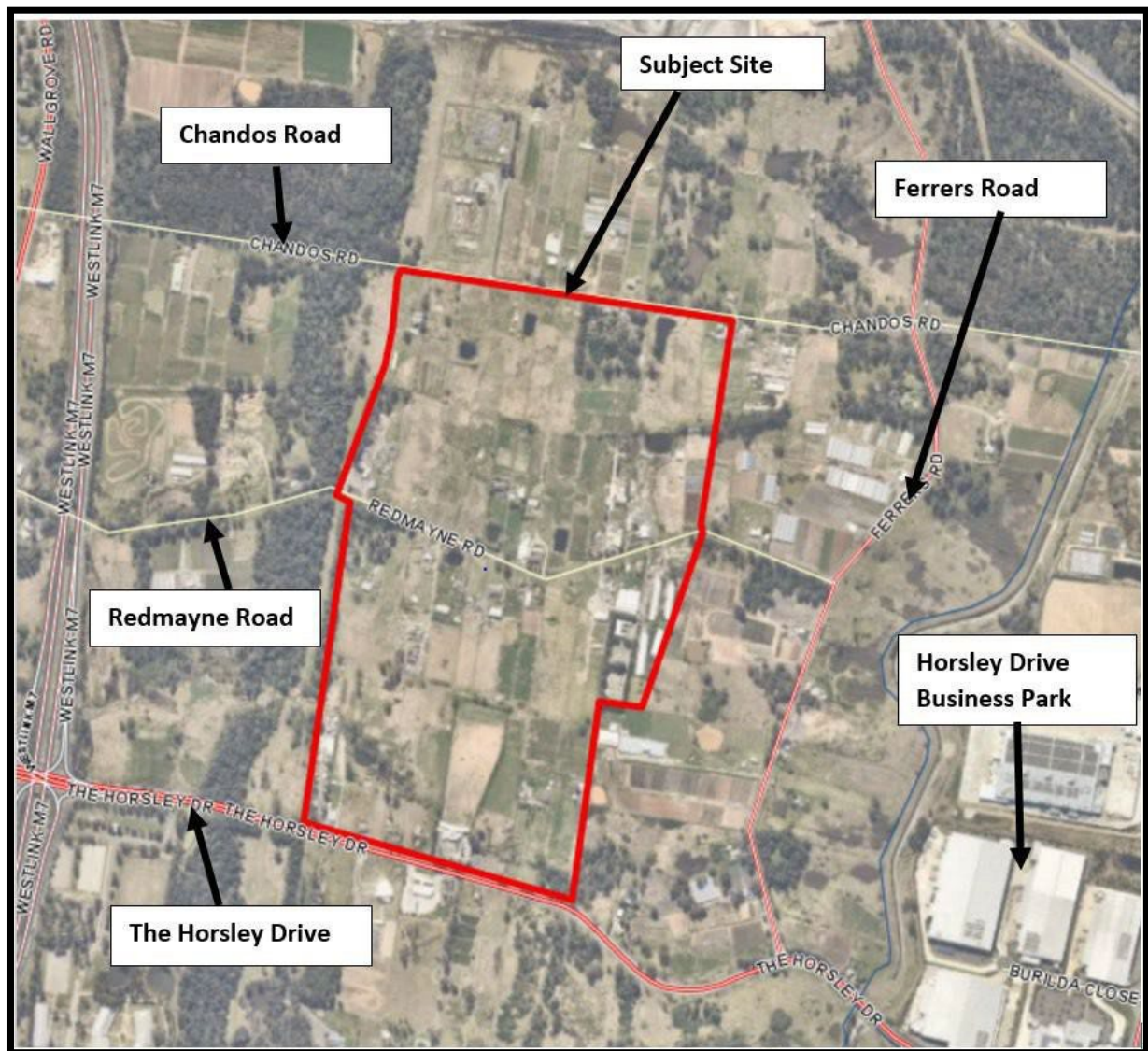


Figure 1 - Subject Site

The site is dominated by rural residential lands (that currently are 'vacant' and not being utilized 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 characterized 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 32 lots comprising the subject site from RU2 Rural Landscape to E4 General Industrial under the Fairfield LEP 2013.



Figure 2 – Existing and Proposed Land Zoning Map

Note – Under the NSW Government Employment Zone Reforms (EZR) that came into force in April 2023, the previous IN1 General Industrial Zone is now E4 General Industrial. Below is the 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	<p>To provide a wide range of industrial and warehouse land uses.</p> <p>To encourage employment opportunities.</p> <p>To minimize any adverse effect of industry on other land uses.</p> <p>To support and protect industrial land for industrial uses.</p> <p>To ensure development is not likely to detrimentally affect the viability of any nearby business center.</p>	<p>To provide a range of industrial, warehouse, logistics and related land uses.</p> <p>To ensure the efficient and viable use of land for industrial uses.</p> <p>To minimise any adverse effect of industry on other land uses. To encourage employment opportunities.</p> <p>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</p>	<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 Appendix A to this report, 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.

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 32 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 E4 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 66.8 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 32 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),
200-206 & 182-190, 172-180, 167-183, 157 – 165, 152-170, 144- 150, 136-142, 143-155 120-134, 185 – 193, 195-201, 203-213, 208 – 220, 215-223, 222 – 230 and 225 - 245 REDMAYNE ROAD	(LOT 74A & 74B, DP 17288), (LOT A & B, DP377249), (LOT A & B, 357890), (LOT 77, DP13961), (LOT61B, DP17288), (LOT A & B DP347034), (LOT 63 DP 13691), (Lot A DP 394855), (Lot B 394855)
121-135, 155-169, 137-153, 171-185, 187 - 201 203-209, 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 layout plan 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	E4 General Industrial
Industrial Floor Space	None	294,615m ²
Number of Jobs <ul style="list-style-type: none"> Warehouse – 180 - 220 m²/ employee Office Space – 20m²-25m²/ employee 	None	2100 directly & 1765 indirectly And 574 FTE directly and Indirectly during development.
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 = 204,620m² - Stage 2 = 89,995m² - Total = 294,615m²
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 3) below includes stage 1, being those lots shown in red and stage 2 being the lots shown in grey.

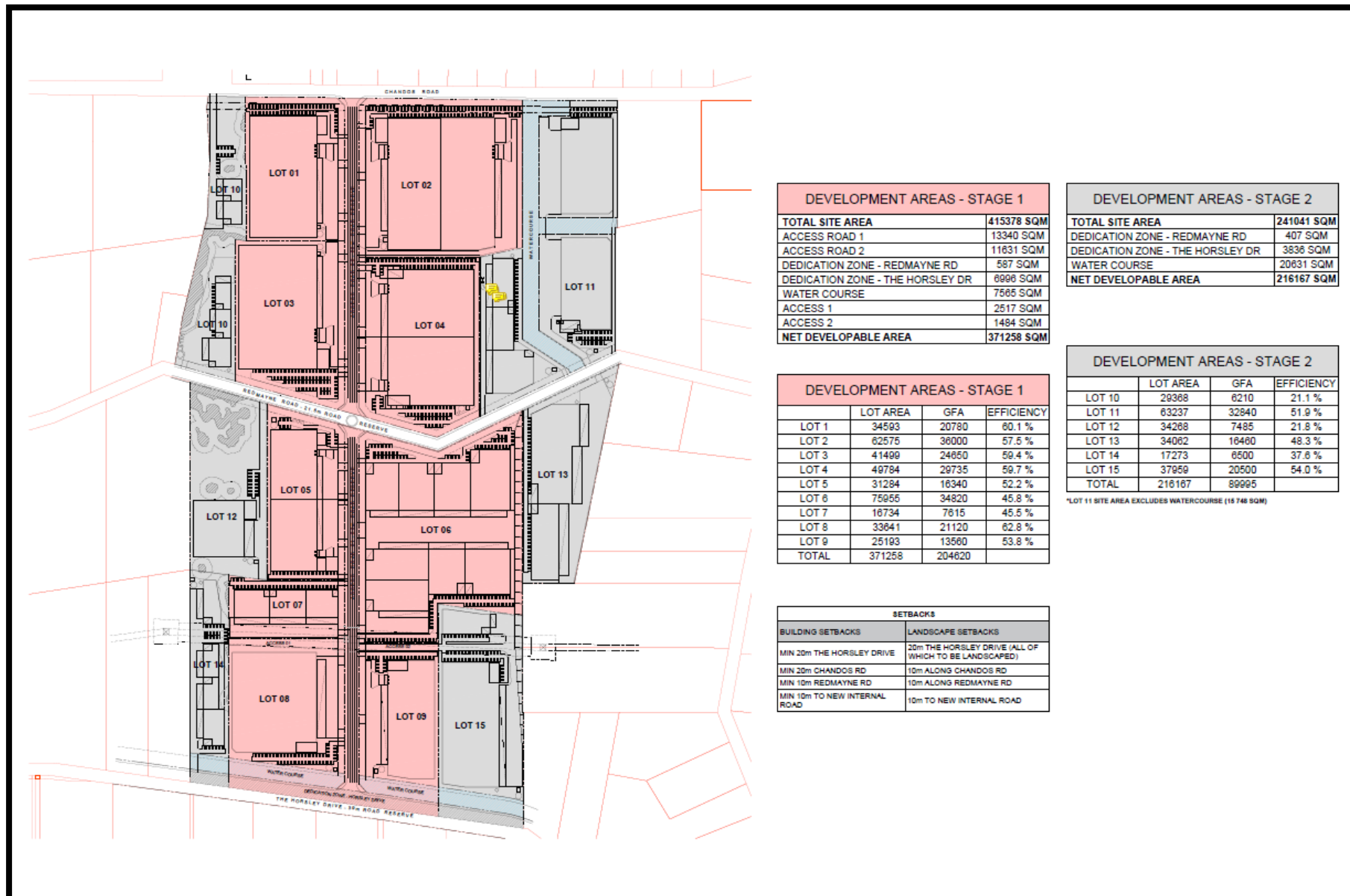


Figure 3 – Staging Plan

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 E4 General Industrial;
- 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 submitted a draft Letter of Offer to enter into a Voluntary Planning Agreement

The purpose of the VPA will be to ensure that a satisfactory level of local infrastructure is provided by the proponent (Frasers Property Industrial) to service future development. The proponent is also in discussions with TfNSW regarding preparation of a State VPA for the provision of access to The Horsley Drive including signalisation and road widening.

Site Specific Development Control Plan

To support the intent and the provisions of the planning proposal, a site specific DCP has been prepared and publicly exhibited with the Planning Proposal 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 UIA Structure Plan.

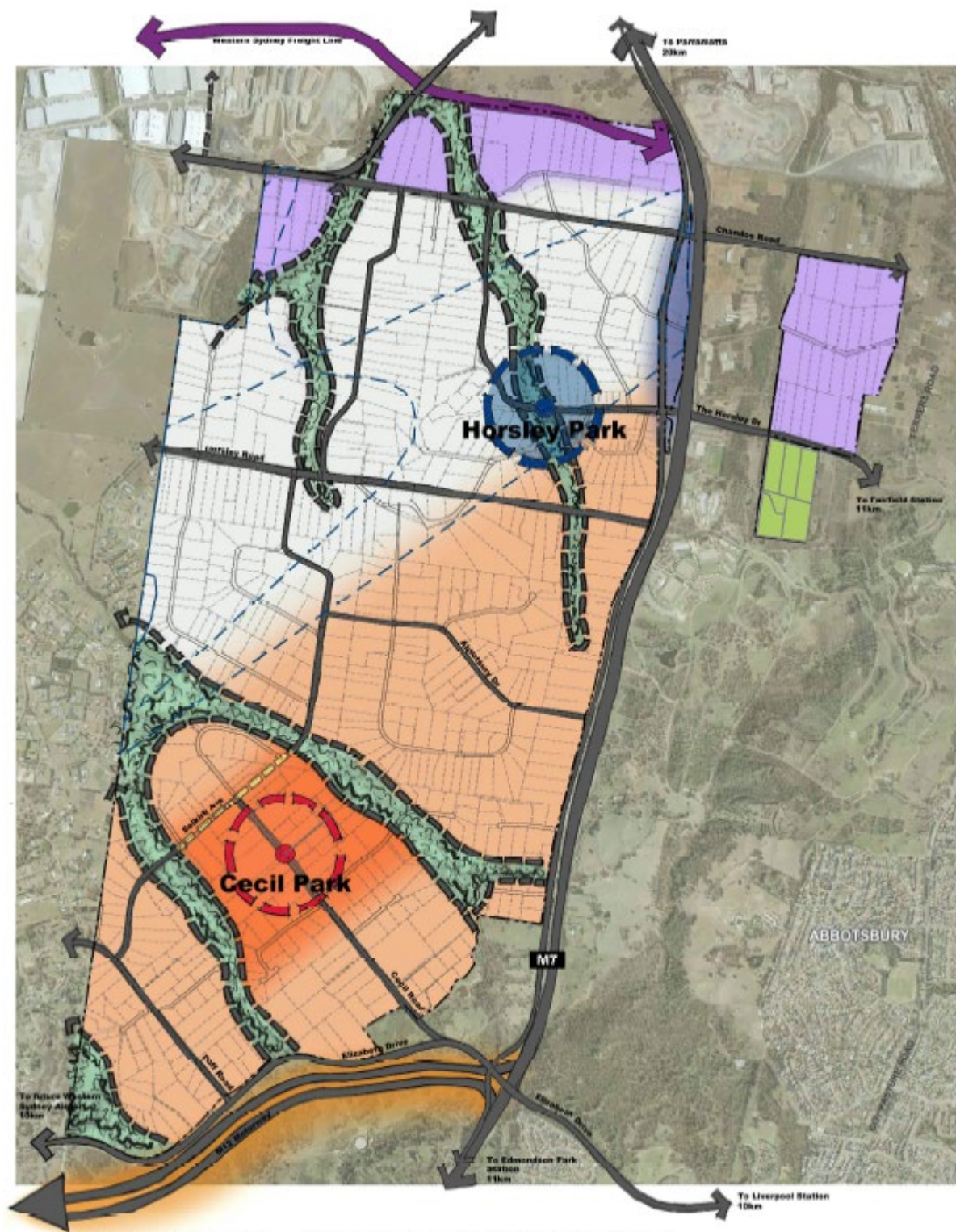
The UIA draft Structure Plan identifies the area covered by the planning proposal as future employment lands and is a significant strategic outcome for the western area of Fairfield City in promoting economic activity and employment opportunities.

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;

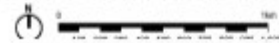
The above matters do not constrain Council’s ability to consider rezoning of the Keyhole Land. This is because the Keyhole lands is a self-contained precinct and the nature of strategic planning, environmental and infrastructure matters are largely unrelated to those relevant to the remainder of the 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 below.



FAIRFIELD UIA - PREFERRED STRUCTURE PLAN

LOW DENSITY RESIDENTIAL (half hectare/1 acre) AND HIGH DENSITY CECIL PARK (rail station enabled)



- Low Density: Agribusiness and Estate Homes
- Medium Density Residential
- High Density Residential
- Employment Land
- Green Corridors
- Western Sydney Airport ANEC Boundary

- Major Roads
- Potential Road Extension
- M12 Motorway
- Western Sydney Freight Line corridor

- Commercial Village Centre
- Civic Village Centre

Figure 4 – Preferred 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 and Mecone Reports relevant to the Keyhole Lands Planning Proposal are summarised in the following table.

Project	Relationship with Keyhole Lands PP
1. Western Sydney Freight Line Project <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 employment 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 employment lands development
2. Aerotropolis <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' employment 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 BELE and Mecone Reports

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 \$550 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, Council engaged an independent peer reviewed by Norling consulting, who concluded that, the economic matters contained within the economic impact assessment can be relied upon.

To support the Macroplan economic assessment authored in 2021 a comprehensive economic contribution analysis prepared by Atlas Economics dated October 2023 was publicly exhibited with the Planning Proposal. The Atlas report focuses on the strategic importance of the site and identifies the significant undersupply of suitably qualified employment land within broader Sydney at present.

Recent supply data for Greater Sydney shows that as at January 2022, there was 588ha of serviced industrial land. Only 287 ha of this land is greater than 1 ha in area. Sites above 1 ha are typically required for most large format industrial users which are critical for supply chain and distribution. Coupled with this, vacancy rates currently sit at 0.2% which is the lowest of any global city, while the average rent equates to \$220/sqm which indicates overwhelming demand. Compared to Brisbane and Melbourne where rent sits at \$135/sqm and \$120/sqm respectively, the proposition of affordable options for warehousing and logistics is much more challenging, and inevitable is forcing business to relocate from Sydney to these other cities where entry costs are much lower and opportunities for occupation are more readily available.

As noted in the report prepared by Atlas Economics, based on a take-up rate of 300ha per annum, Sydney has less than one year of remaining industrial land supply.

The consequence of this is a significant opportunity cost to the economy, by losing business and job opportunities which would otherwise be provided. In the instance of the subject proposal, it would deliver over 60ha of industrial land and partially address this chronic shortage. Immediate development would facilitate the following annual economic activity through direct and indirect (flow-on) impacts associated with operations on the site:

- \$1.3 billion in output (including \$0.5 billion in direct activity)
- \$681.4 million contribution to GVA (including \$262.5 million in direct activity)
- \$350.0 million in incomes and salaries paid to households (including \$145.9 million in direct income)
- 3,275 ongoing FTE jobs (including 1261 FTE directly related to activity on the site)

It is considered that the economic case associated with the subject proposal provides a unique opportunity to assist in alleviating the industrial land supply issue that Broader Sydney faces and provide a direct and meaningful contribution in terms of job creation.

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 City 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 \$550 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 Development Assessment Report (BDAR) has been prepared for the proposal with further assessments (Biodiversity Development Application Report – BDAR) to be undertaken for individual lots if required at detailed design stage.

Western City District Plan

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

Direction	Consistency
Infrastructure and Collaboration W1. Planning for a City Supported by Infrastructure	<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>
Liveability W6. Creating and Renewing Great Places and local centres and respecting a districts heritage	<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>
Productivity W7. Establishing the land use and transport structure to deliver a liveable, productive and sustainable Western Parkland City. W8. Leveraging industry opportunities from the Western Sydney Airport and Badgerys Creek Aerotropolis W9. Growing and Strengthening the metropolitan cluster. W10. Maximising freight and logistic opportunities and planning and managing industrial and urban services land. W11. Growing investment, business opportunities and jobs in strategic centres.	<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
Sustainability W12. Protecting and improving the health and enjoyment of the districts waterways W14. Protecting and enhancing bushland and biodiversity. W16. Protecting and Enhancing Scenic and Cultural Landscapes W15. Increasing urban tree canopy cover and delivering Green Grid connections. W17. Better managing rural areas (MRA) W19. Reducing Carbon Emissions and managing energy, water and waste efficiently. W20. Adapting to the impacts of urban and natural hazards and climate change.	<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).

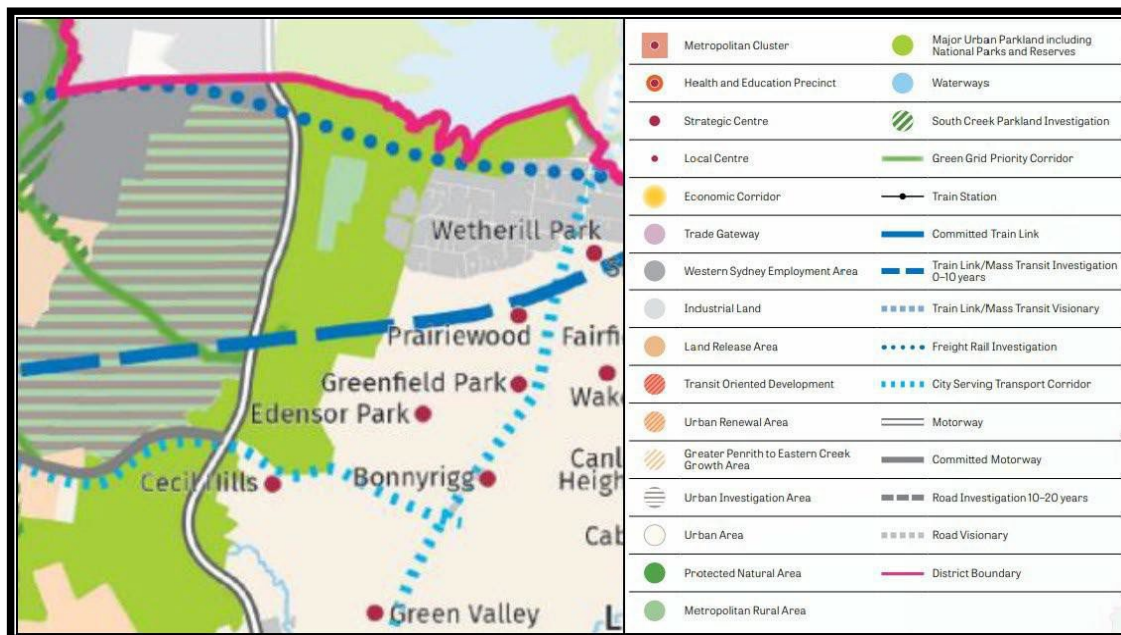


Figure 5– Western City District Plan (2018) – Metropolitan Rural Area

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.

Accordingly, 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. 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 and widening of The Horsley Drive under a State VPA. 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"> <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> <i>This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.</i> <i>In this clause— relevant amount means—</i> <ol style="list-style-type: none"> <i>for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—\$30 million, or</i> <i>for any other development—\$50 million.”</i> <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	<p>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.</p>
SEPP (Industry and Employment) 2021	<p>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.</p>
SEPP (Exempt & Complying Codes) 2008	<p>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.</p>
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	<p>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.</p>

SEPP Policy	Details
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).</p> <p>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.	<p>The zoning provisions applying to the site are similar to that applying to other industrial precincts in Fairfield City.</p> <p>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.</p> <p>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.</p> <p>This issue will be subject to confirmation from Transport for NSW regarding the VPA with Frasers Group and that satisfactory arrangements are made for access from the site to The Horsley Drive and associated road widening.</p>	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 area of study for the Horsley Drive Upgrade.</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
		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.	
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 some 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 (based on the entire provision). 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	(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>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 behavior does not affect surrounding properties.</p> <p>A revised civil engineering report was prepared following public exhibition which addressed evacuation concerns raised by the SES, noting</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	(b) ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behavior and includes consideration of the potential flood impacts both on and of the subject land	<p>that a staged inundation assessment would be carried out at DA stage.</p> <p>The only evacuation issues relate to access to the development site to the west that would be limited for certain durations for events greater than the 1% AEP storm event on the Horsley Drive at Eastern Creek, or very short periods for the watercourses which lead to Eastern Creek.</p> <p>As part of future SSDA or development applications, to address issues raised by the SES a detailed staged inundation assessment can be made for the various surrounding roadways.</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 the NSW DEECW do not support piping and realignment of existing watercourses onsite, rather a preservation and enhancement approach should be taken by the developer.</p> <p>To support this approach broad performance controls have been provided through advice from the DEECW Licensing and Approvals team and inserted into the Site-Specific Development Control Plan.</p>	
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 encourage sound management of bush fire prone areas.	<p>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.</p> <p>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.</p>	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	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.	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
	planning proposal authorities.	<p>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.</p> <p>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.</p>	
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.	<p>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.</p> <p>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.</p>	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	-
5.1 Integrating Land use and Transport	<p>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:</p> <p>(a) improving access</p>	<p>The 813 Bus Service operates along The Horsley Drive and provides access to Fairfield Town Centre and Horsley Park 7 days a week, with more regular (1/2 hr. services) running between 8.30am – 7.00 Mon-Fri.</p> <p>However, it is understood that planning for</p>	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 increasing the choice of available transport and reducing dependence on cars, and</p> <p>(b) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(c) increasing the choice of available transport and reducing dependence on cars, and</p> <p>(d) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</p> <p>(e) supporting the efficient and viable operation of public transport services, and increasing the choice of available transport and reducing dependence on cars, and</p> <p>(f) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and supporting the efficient and viable operation of public transport services, and</p> <p>(g) providing for the efficient movement of freight</p>	<p>future widening of The Horsley Drive by TfNSW will make provision for a dedicated bus lane that could potentially enhance the level of bus services and connections to existing and future urban areas (i.e. Aerotropolis) with the upgrade of the state arterial road.</p> <p>The proposal makes provision for additional employment opportunities in close proximity to the existing urban areas means that residents of Fairfield, reducing the need for to travel further afield (i.e. outside the LGA) for job opportunities</p> <p>Warehouse distribution by its nature is serviced by freight vehicles, including B-Doubles and a range of other heavy freight and light vehicles.</p> <p>The local and state road network will be affected by the development. The developer is proposing to undertake upgrades to facilitate the development Including signalization of the estate road at the Horsley Drive to facilitate all way access for all vehicles using the site.</p> <p>Redmayne Road is proposed to be upgraded to support the site and a roundabout will be provided at Redmayne Road.</p> <p>In addition the estate road network will facilitate primary access to all lots proposed to be rezoned.</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> <p>The site rezoning is subject to satisfactory arrangements being confirmed by TfNSW for the delivery of state road infrastructure including signalization at the Horsley Drive and delivery of upgrades to the Horsley Drive</p>	

Section Ministerial Direction & Title	9.1 No.	Objectives of Section 9.1 Direction	Planning Proposal	Comply
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 E4 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, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise.</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 recreation facilities) and new uses permitted in the E4 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).</p> <p>In the case of a future development application include uses listed under Cl.4.19 it would trigger consultation with the relevant WSA Commonwealth body.</p> <p>Under the planning proposal, the applicant's primary intention is to establish a logistics, warehouse and industrial uses on the site, that would not require referral to the Commonwealth body.</p>	Yes
5.4 Shooting Ranges		Not applicable to FCC	Not applicable to FCC	-

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
Focus Area 6 Housing			
6.1 Residential Houses	<p>(a) encourage a variety and choice of housing types to provide for existing and future housing needs</p> <p>(b) make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</p> <p>(c) minimise the impact of residential development on the environment and resource lands.</p>	Not applicable to planning proposal	-
6.2 Caravan Parks and Manufactured Estate Homes	<p>(a) provide for a variety of housing types, and</p> <p>(b) provide opportunities for caravan parks and manufactured home estates.</p>	Not Applicable	-
Focus Area 7 Industry and Employment			
7.1 Business and Industrial Zones	<p>(a) encourage employment growth in suitable locations,</p> <p>(b) protect employment land in business and industrial zones, and</p> <p>(c) support the viability of identified centres</p>	<p>The planning proposal will facilitate approximately 200 full time construction jobs and over 3000 direct and indirect jobs during operation of the proposal.</p> <p>The applicant/developer will ensure that appropriate infrastructure is provided to service the development through a Voluntary Planning Agreement (VPA).</p> <p>The location of the development is directly centered 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.</p> <p>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.</p>	Yes

Section 9.1 Ministerial Direction No. & Title	Objectives of Section 9.1 Direction	Planning Proposal	Comply
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 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.	- 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>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.</p> <p>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.</p> <p>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 generally relate to the protection, value, management, retention and sustainable use 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
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 Impacts

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 indicative site development plan provides for the conservation of remnant vegetation within patches that are proximate 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 on the site and that which is contiguous with larger areas of native vegetation proximate to the site.

Upon public exhibition of the Planning Proposal advice was received from multiple state agencies including the Department of the Environment, Energy Climate Change and Water – (Environment and Heritage branch) (DEECCW) and DEECCW water licensing.

Concerns were raised by the Department of the Environment, Energy Climate Change and Water – (Environment and Heritage branch) (DEECCW), that a Biodiversity Development Assessment report be provided in line with stages 1 and 2 of the NSW Biodiversity Assessment Method (BAM method).

As a result, following public exhibition the applicants prepared a revised Biodiversity Report that addressed the following matters:

- 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 prescribed 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.

The revised report and BDAR report were reviewed by the relevant state agencies who did not raise further concerns subject to further BDAR's being prepared at detailed design stage.

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 designs for the site, 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 designs have 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 6 (over page).



Figure 6 - Artists Impression

A Site Specific DCP has been 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 as set out in the Site Specific DCP.

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 LAeq noise criteria for all on site activities during operational hours, subject to the implementation of the conditions recommended in the report.

Time Period	Calculated VDV M/s1.75	Criteria VDV m/s1.75	Complies
Day (7am -10pm)	0.05	0.2-0.4	Yes
Night (10pm – 7am)	0.04	0.13	Yes

Table 8 – Vibration Dose Values (Acoustic Logic 2018)

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

A Traffic Impact Assessment Report has been prepared by Ason Group prior to exhibition of the Planning Proposal

Scenarios were modelled in SIDRA for weekday morning and evening peak hours, including a base case at 2021, base case at 2031 with partial upgrade to the Horsley Drive, and a base case with the preferred concept design upgrade to 2031. On top of these base case scenarios the four project case scenarios were then modelled, assuming potential development traffic in 2031 and 2036.

The SIDRA modelling assessment found that in the 2021 baseline year assessed (Scenario 1), 2 intersections on Wall grove Road currently operate at unacceptable delays. The worst impacted intersections operate with substantial delays of more than 5 minutes. While most surrounding intersections operate with acceptable delays currently, but which are approaching capacity.

The future base case at 2031 (scenarios 2,3 and 4) assessed that some intersections will continue to operate with substantial delays, even with the implementation of planned upgrades.

Scenario 5 tested the 2031 project cases (Stage 1 development) under all four project cases, assuming a partial upgrade of The Horsley Drive. Site access provided via The Horsley Drive is not feasible under the scenario of the partial upgrade of The Horsley Drive corridor. The intersection capacity does not support any of the proposed access arrangements, whether it's a signalized intersection, a left-in left-out configuration, or a left-in only setup.

This limitation stems solely from the unchanged three-lane cross-section of the corridor at this location, which does not provide adequate space for safe and efficient traffic flow, most significantly in the eastbound direction which currently has one lane. However, an additional signalised intersection on The Horsley Drive is supportable if widening to a 4-lane cross-section bordering the southern edge of the of the development site is delivered.

The proposed site access intersection, in this instance, with its associated traffic queues, will not disrupt the traffic flow at adjacent intersections, ensuring that congestion remains localised and does not propagate into the broader road network.

Scenario 6 tested the 2031 project cases (Stage 1 development), under all four project cases assuming the concept design upgrade of The Horsley Drive. The assessment demonstrates that the site access provided via The Horsley Drive is feasible. The intersection capacity can support any of the proposed access arrangements (Project Cases 1 - 4). When comparing the various access arrangements, Project Case 1, which involves a signalised intersection for site access on The Horsley Drive, emerges as the preferred option.

This choice is based on several factors, including slightly better operational performance at several intersections within this scenario, compared to the other Project Cases. One key advantage of Project Case 1 is that by providing access via The Horsley Drive and accommodating all traffic movements, it effectively reduces the volume of trips that would otherwise be diverted to the alternative access route on Chandos Road.

These diverted trips would follow a longer path through Ferrers Road, Chandos Road, and / or Wallgrove Road, leading to increased congestion and delays at those intersections along these routes.

Scenario 7 tested the 2036 Project cases (Stage 1 and 2 development) under all four project cases, assuming the concept design upgrade of The Horsley Drive. The assessment demonstrates that the site access provided via The Horsley Drive is feasible. The intersection capacity can support any of the proposed access arrangements under the project cases. Project Case 1, which involves a signalised intersection for site access on The Horsley Drive, emerges as the preferred option, when comparing the various access strategies.

The sensitivity analysis reveals that the performance of most intersections is slightly better due to the adoption of lower growth and trip generation rates, as compared to the standard rates assessed in the previous section. However, it's important to note that the capacity of a few intersections is still projected to be exceeded in both the Base Case and Project Case 1. The assessment indicates that the difference between the base case and the project case is negligible, as the contribution of development-related traffic is relatively minor in terms of the overall background traffic volumes.

Midblock capacity has been conducted to analyze the traffic volumes along the road network. Midblock locations assessed under the project case scenarios for the years 2031 and 2036 demonstrate sufficient capacity to accommodate the forecasted traffic volumes, yielding a Level of Service (LOS) of E or better. This indicates that most areas within the road network are expected to operate efficiently and provide a reasonable level of service to road users within the mid-blocks.

Site access, car park and loading areas would be designed to comply with relevant Australian Standards.

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.

The Traffic Impact Assessment Report concludes that the development trips associated with future proposed development can be effectively accommodated by the local road network following the proposed upgrade to The Horsley Drive corridor and preferred access strategy at shown in Figure 7. As such it is considered that the PP is supportable for a traffic and transport perspective.

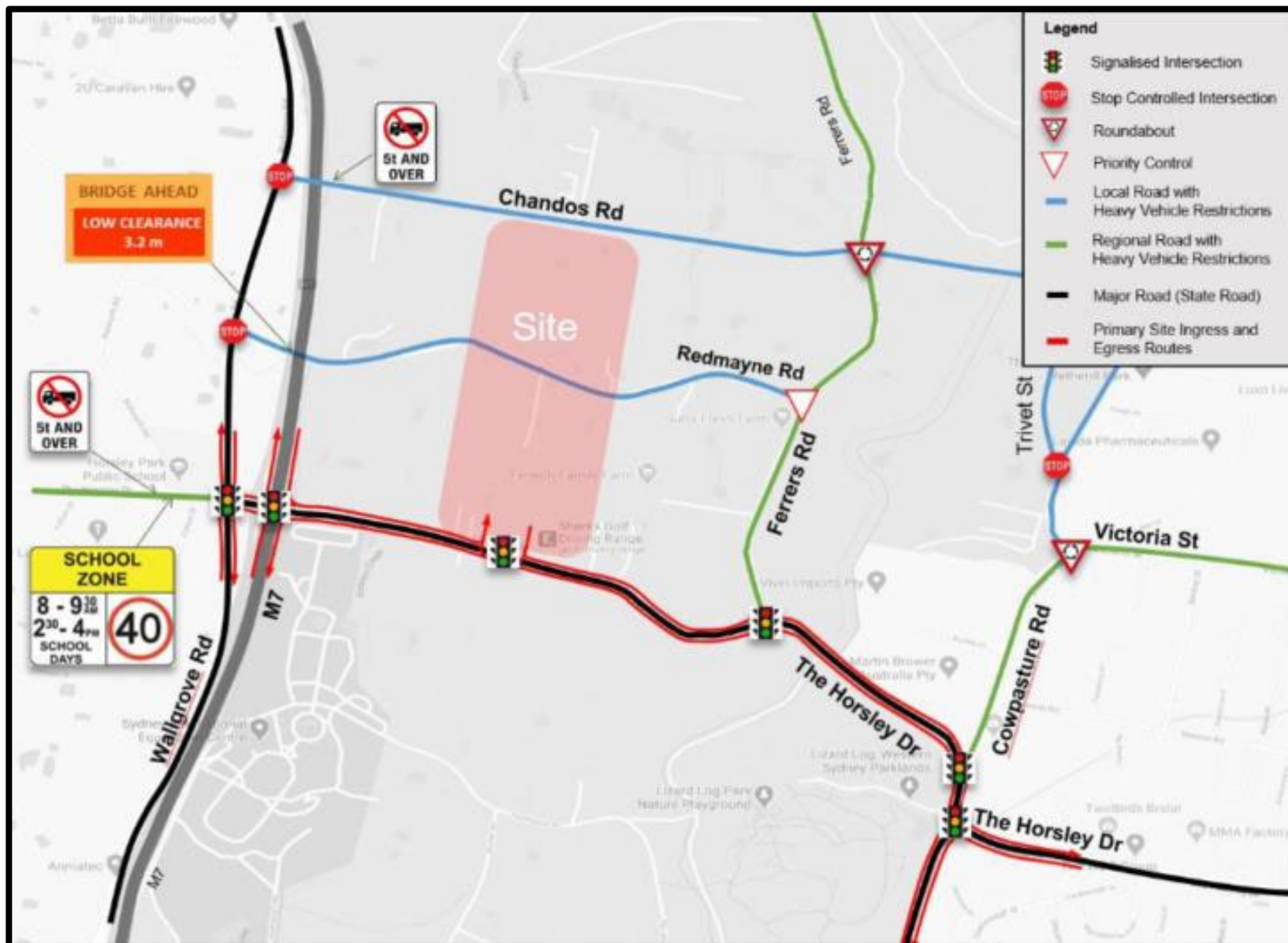


Figure 7 – Access Strategy

Vehicular Access

Prior to public exhibition of the Planning Proposal Frasers submitted a revised Traffic Impact Assessment and associated SIDRA modelling authored by ASON Group to support the Planning Proposal. The revised TIA was requested by Council after further discussions between TfNSW and the Frasers resulted in verbal support for a signalized access at the Horsley Drive subject to modelling showing that signalizing the site access would not result in queuing back to the M7 Ramps.

To support this access approach Frasers submitted a further revised modelling report to TfNSW which was reviewed after the completion of public exhibition of the Planning Proposal. Following this review TfNSW submitted advice to Council specifying signalization at the Horsley Drive was supported subject to satisfaction of conditions. To reflect the revised access strategy and concerns raised by Council regarding heavy vehicle access from the local road network and site servicing issues a revised masterplan was submitted showing the following:

- Closing site access to Chandos Road
- Construction of a roundabout at Redmayne Road
- Construction and dedication to Council of a central north - south estate road.
- Showing that all lots proposed to be rezoned can be serviced from the internal estate road network
- Showing primary access via signalized intersection at the estate road and The Horsley Drive
- Showing Redmayne Road to be upgraded to support light vehicle access, drainage and kerb and gutter.

The delivery of infrastructure associated with servicing the site from the Horsley Drive is the subject of a future State VPA, the delivery of estate road infrastructure and works required to the local road network will be the subject of a future local VPA. The associated Site-Specific Development Control Plan has been amended to reflect the updated approach.

Parking

The concept development has considered adequate space for car parking provisions and considers approximately 1,404 parking spaces on Site. Further parking provisions would be subject to the rates of the Site Specific DCP and subject to further assessment of future development applications.

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 and watercourses

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 behavior 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.

A Stream Erosion Index Calculation has been completed for discharge from the site into Eastern Creek and the unnamed watercourse within the site and would be no greater than 2.0 times the pre-development duration of stream forming flows.

The report also considers the 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.

Building pads are considered to be free of flooding allowing for a minimum freeboard to the 1% AEP floor level of 500 mm. However, final building arrangements and adopted floor levels will be defined in future development applications on the site.

Overall, it is considered that the proposal meets the Council's flooding policy and the NSW Floodplain manual recommendations and there would be no upstream, downstream or adjacent properties adversely affected by the Planning Proposal.

In terms of the watercourses, three are mapped on the study area:

- Area 1 – a 1st order Strahler stream which flows from North to South (from Redmayne Road to Chandos Road)
- Area 2 – part of Eastern Creek (a 2nd order Strahler stream), which encroaches into subject land north of Redmayne Road.
- Area 3 – a 1st order Strahler stream, which flows from East to West from the Horsley Drive towards Eastern Creek.

The Geomorphic Assessment prepared by Flow and Loam Environmental and the Biodiversity Assessment prepared by Ecologique Consulting notes:

- The drainage line in Area 1 is most likely anthropogenic in origin and not a first order watercourse as indicated by NSW Hydro line mapping. The existing drainage flow path is not present historically, only becoming evident following the construction of agricultural dams and the emergence of market gardens.
- The mapped hydro line (Area 2) encroaching into the subject land was not found to be evident historically or contemporarily. Therefore, it is concluded that the second order watercourse within the subject land does not exist.
- The contemporary channel in Area 3 is generally well defined and continuous but considered for the most part to be artificial and anthropogenically modified. The area at the head of the drainage line's catchment is not natural, with sheet erosion evident in historical imagery artificially re-profiled.

- The existing modified and piped flow paths do not appear to extend or discharge into Eastern Creek. Historical imagery from 1930 also shows no evidence of any naturally occurring watercourse in this area. On this basis, the mapped first order hydroline is also contested, however this would need to be determined in consultation with the NSW DEECW Licensing and Approvals Group.
- Costin Roe have prepared concept level Civil Engineering drawings which provide for the retention of the 2nd order Strahler stream identified as Area 2 through the inclusion of a vegetated riparian zone. Initial site development plans showed the watercourses identified as Area 1 and Area 3 proposed to be realigned via a straight open channel 25 metres in width with a proposed inter allotment drainage line.

Advice received from the DEECW (licensing and Approvals) does not support this approach as it results in the “*piping of existing flow paths*”. After Consultation with the DEECW Council received performance controls to be inserted into the Site DCP which would result in the resolution of the watercourse identified in study area 3 during development application stage. For further information in relation this matter is contained in the Site DCP prepared for the site.

- Any proposed realignment would need to be consistent with the Natural Resource Access Regulator (NRAR) Guidelines for controlled activities on waterfront land-Riparian Corridors (2018) which recommend a vegetated riparian corridor of 10 metres for 1st order Strahler Streams.

Due to concerns raised by the SES during public exhibition of the Planning Proposal a revised civil engineering report was prepared to address the following matters:

- **Issue** - Revised flood modelling up to the PMF must be submitted factoring in rainfall intensity and climate change events.
- **Response** - Frasers Property provided a revised civil engineering report including flood advice from Costin Roe Consulting. The flood advice clarifies to Council’s satisfaction for rezoning purposes the full range of flood events up to the Probable Maximum Flood and factors in climate change events including an increase in rainfall intensity. The civil engineering report also clarifies the majority of the site is excluded from the flood plain and roads are only inundated by 10mm of water in a PMF flood event, which is adequate to safely evacuate in a vehicle.
- **Issue** - Consideration is given to the safe access/egress of the site as a result of road inundation and as part of future SSDA or development applications a detailed staged inundation assessment can be made for various surrounding roadways.
- **Response** - A detailed staged inundation assessment will be provided by the applicant at SSDA stage for warehouse distribution. As a post exhibition amendment to ensure provision of this study an additional control has been inserted within the Site DCP see Section 4.1 – Flood Management, Control G.
- **Issue** - Consideration is given to evacuation constraints, and the cumulative impacts of potential development.
- **Response** - A detailed staged inundation assessment will be provided by the applicant at SSDA stage for warehouse distribution. As a post exhibition amendment to ensure provision of this study an additional control has been inserted within the Site DCP see Section 4.1 – Flood Management.
- **Issue** - Consent authority to ensure the proposal is consistent with all Section 9.1 Directions , including 4.1 Flooding and is consistent with the NSW Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 and supporting guidelines including Support for Emergency Management Planning.

- **Response** - Council's Planning Proposal demonstrates consistency with relevant Section 9.1 Ministerial directions, including Section 4.1 Flooding. The gateway determination report authored by the DPH&I confirms this, in addition the advice by Costin Roe satisfactorily addresses the new Planning System Circular (PS24-001) as the assessment generally considers the items included in the Planning Circular PS24-001 and required for assessment under this new circular.

This is a result of the consultation with Council and other authorities and their requirements for the application. The assessments include modelling of a range of floods including 5%, 1%, 0.2% AEP and the PMF. The 0.2% is noted as a climate change proxy.

- **Issue** A Planning System Circular PS 21-001 - Update on addressing flood risk in planning decisions was published by the DPH&I on the 01 March 2024. The DPHI Metro Team have recently advised Council that Frasers need to address the provisions of this Circular that requires a risk-based approach to the assessment of planning proposals, in relation to flood behavior and constraints, safe occupation, evacuation constraints, controls to reduce flood risk.
- **Response** - The submitted documents and assessment provide a risk-based assessment and considers flood behavior, flood hazards and frequency of inundation for a range of storm events. Although the 2023 Flood risk Management Manual was not in place at time of submission, the assessment generally considers the items included in the circular and the risk-based approach required for assessment under this new circular.

This is a result of the consultation with Council and other authorities which were undertaken prior to those documents becoming public. It is noted that most authorities already required assessments which are consistent with the 2023 suite of documents. The assessments currently include modelling of a range of floods including 5%, 1%, 0.2% AEP and the PMF. The 0.2% is noted as a climate change proxy.

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 defensible 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
- Compliant road widths and design
- Appropriate landscaping
- Adequate water supply to allow fire-fighting operations by fire authorities

The Planning Proposal is subject to the recommendations of the risk assessment, satisfies the requirements of Ministerial Direction 4.4 and Planning for Bushfire Protection 2020 and confirms that.

- 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.

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 ACHAR 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 ACHAR 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 ACHAR 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.

Further archaeological and cultural heritage investigation can be completed during any future development applications across the site

Contamination

The site is located in a rural-residential 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 that highlights the following key matters relevant to development of the site:

- Bulk earthworks will be required to facilitate future development of the site and are estimated at approximately:
 - Topsoil strip (200mm over 61.3 ha) = -122,600m³
 - Cut material = -690,355m³
 - Fill material = +794,349m³
- 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 Land partners 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 \$550 million, it is forecast that 578 construction jobs per annum over a 5 year period would be created and 3,867 direct and indirect operational jobs

The Economic Impact Assessment has considered existing, socially orientated 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 to the future employment generated by the rezoning and found that no additional facilities within the catchment would be required.

Other factors included assessing the zoned employment land in the Fairfield LGA. The assessment found 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 the Fairfield LGA is at 31.9%, with a high proportion of local workers travelling outside of the LGA for work. The proposed rezoning would increase the availability of local jobs and increase the self-containment rate.

Based on the future development of a warehouse, industrial and logistics hub onsite, there is the potential to generate an ongoing total direct output of \$686 million, with a total ongoing estimated output of \$1,302.0 million.

The revised economic study has detailed the following 3,275 ongoing FTE jobs (including 1261 FTE directly related to activity on the site).

Accordingly, the Planning Proposal has adequately considered social and economic factors.

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 utilize active transport throughout the site.

The 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 but have been considered within the assessment.

Four development traffic scenarios were modelled, with project case 1 considered for the preferred option. The SIDRA modelling and scenario testing, has been done for the preferred project case along with various scenarios reflective of potential future upgrades to roads and intersections.

The potential future development traffic can be effectively accommodated by the local road network following the proposed upgrade to the Horsley Drive corridor. The analysis reveals that most intersections are expected to experience a relatively minimal influx of development – related traffic, ranging from 1% to 5% of the total volume. In essence, these intersections are anticipated to be minimally affected by the proposed development.

The operational performance of the signalized access intersection on The Horsley Drive is found to be satisfactory, in the context of the full upgrade of The Horsley Drive, which includes widening the corridor to a 4-lane cross-section along its entire length.

Overall, it is considered that the proposal is able to utilize 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 at DA stage. 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?

The Planning Proposal and associated Site DCP was publicly exhibited for a period of 30 days from 15 November 2023 to 15 December 2023.

During public exhibition of the Planning Proposal Council consulted with the following state agencies and utility providers

- Rural Fire Service;
- Sydney Water;
- Jemena;
- DPH&I (Local Planning and Council Support)
- DEECCW (Environment and Heritage)
- DEECCW (Licensing and Approvals)
- Greater Cities Commission
- Transport for NSW;
- Western Sydney Parklands Authority
- Transgrid
- Endeavour Energy,
- NBN

All agencies and utility providers responded except for the NBN. One in principle objection was received from Jemena which was subsequently lifted after Council undertook further consultation with Jemena. Resolution of Jemena's concerns are based on amendments to the SSDCP, including requiring the provision of a design and construction safety management study by the applicant prior to construction commencing onsite. The other agencies generally were in support of the Planning Proposal subject to a number of matters being addressed as detailed below.

Jemena – Required that a design and construct SMS be provided by the applicant prior to construction beginning onsite. A requirement for the provision of this was placed into the SSDCP for the site. Subsequently Jemena provided a letter lifting the in principle objection.

Rural Fire Service – Generally supported the Planning Proposal and did not raise further comment. Deferred to the comments provided to Council on a preliminary basis prior to public exhibition which referenced requirements relating to technical documentation. The SSDCP was amended to include reference to these requirements.

Sydney Water – Generally supported the Planning Proposal and requested further information to be provided at development application stage relating to the number of buildings and service requirements.

DPH&I (Local Planning and Council Support) - Provided general guidance on the expected requirements for the realignment of the onsite watercourses and that the planning proposal application required the development address relevant planning directions including planning direction 4.1 Flooding.

DEECCW (Environment and Heritage) – Required a BDAR be prepared in line with the first two steps of the Biodiversity Assessment Method. Subsequently Frasers provided a BDAR inline with the BAM method which will inform more detailed individual BDAR's to be prepared by at SSDA stage. Requirements were provided on the water course realignment and drainage channels.

DEECCW (Licensing and Approvals) - Provided requirements on the realignment of the first order watercourse which has been incorporated into the SSDCP. This included a requirement to provide an open channel that meanders and meets requirements of relevant state government guidelines. Also specified was the need to resolve drainage to the confluence of Eastern Creek.

Greater Cities Commission - Generally supported the Planning Proposal and queried that the Planning Proposal could be incorporated into an amendment to the Western Sydney Employment Area SEPP because the City Plans have not yet been released.

Transport for NSW – Generally supported the Planning Proposal and a signalization access option at the Horsley Drive subject to land acquisition and technical specifications relating to construction being satisfied. More broadly provision of state infrastructure required to service the site will be subject to a State Planning Agreement between Frasers and TfNSW.

Western Sydney Parklands Trust (WSPT) – The WSPT was generally supportive of the Planning Proposal subject to a number of issues being addressed relating to urban design and amenity, ensuring that the development does not result in the inability of the WSPT to meet the objectives of the urban farming masterplan precinct and the objectives of the trust more broadly. The WSPT also requested provision of a local design excellence clause be inserted in the Fairfield LEP 2013 for the site, which would result in the state design review panel process being triggered for any future SSDA's.

To respond to the Trusts concerns the SSDCP has been amended to include more generous setbacks to the parkland's boundaries and requirements to ensure the watercourses at the site drain naturally and are resolved to the confluence of Eastern Creek. The applicant has also blocked access from the site to Chandos Road which limits impact to the local road network. Council did not support provision of local design excellence clause as the Industry Specific SEAR's criteria for industrial development require future SSDA's address broad design principles in documents such as "*Greener Places*" and "*Better Placed*".

Transgrid – Confirmed that no Transgrid assets exist on the site.

Endeavour Energy - Generally supported the Planning Proposal subject to a number of controls being inserted into the SSDCP relating to development near and adjacent to easements. This was subsequently actioned.

NBN – No response was provided by the NBN network.

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 E4 General Industrial
- 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 planning 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 were confirmed at the gateway determination stage.

The gateway determination issued for the site required the Planning Proposal be publicly exhibited for a period of 30 days. Letters were sent to affected residents and all residents within 400 metres of land proposed to be rezoned. All exhibition material was made publicly available on Council's website and the NSW Planning Portal. Hard copy documents were placed at the Fairfield Council Administration Centre located at 86 Avoca Road Wakeley.

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	May 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.	Nov/Dec 2023
5	Public Hearing (if required) following public consultation for Planning Proposal	Under the Gateway Determination issued by DP&E (if required)	N/A
6	Consideration of submission	Assessment and consideration of submissions	Jan to May 2024
7	Report to Council on submissions to public exhibition and public hearing	Includes assessment and preparation of report to Council	July 2024
8	Possible re-exhibition	Covering possible changes to draft Planning Proposal in light of community consultation	N/A
9	Report back to Council	Includes assessment and preparation of report to Council	N/A
10	Referral to DPHI	Subject to endorsement by Council July Outcomes Committee	July 2024
11.	Making of Plan by DPHI	Making of PP to be undertaken by DPHI pending satisfactory arrangements for State VPA relating to signalisation & widening of The Horsley Drive TfNSW & Council to provide confirmation of satisfactory arrangements being made	TBA
		Estimated Time Frame	TBA

Table 8 – Planning Proposal Timeframe