



Planning Proposal

For Alspec Industrial Business Park

December 2022

Updated to address conditions of the Gateway
Determination and Employment Zones Reforms

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Contents

Executive Summary	3
Project Overview	3
More Jobs for Western Sydney	3
PART A - Introduction	5
2. Site Analysis.....	8
2.1. The Site and Existing Development	8
2.2. Locality Description	9
Proposed Structure Plan.....	10
2.3. Surrounding Road Network	11
2.4. Public and Active Transport	12
Mamre Road Upgrade	12
Sydney Metro – Western Sydney Airport.....	12
3. Strategic Planning Context	14
3.1. A Metropolis of Three Cities – A Greater Sydney Region Plan	14
3.2. Western City District Plan.....	16
3.3. Penrith Local Strategic Planning Statement.....	17
3.4. Penrith Employment Lands Strategy.....	20
3.5. Western Sydney Aerotropolis Plan.....	22
3.6. Outer Sydney Orbital Corridor	22
3.7. Greater Penrith to Eastern Creek Strategy	22
3.8. Draft Cumberland Plain Conservation Plan	23
4. Statutory Planning Context	24
4.1. Penrith Local Environmental Plan 2010	24
Aims of the Policy	24
Land Use Zoning.....	25
Height of Buildings	26
Floor Space Ratio	26
Minimum Lot Size	26
Heritage Conservation	27
Bushfire Risk.....	28
4.2. State Environmental Planning Policy (Western Sydney Employment Area) 2009	29
4.3. State Environmental Planning Policy (Western Sydney Aerotropolis)	30
4.4. State Environmental Planning Policy (Major Infrastructure Corridors) 2020.....	32
4.5. Penrith Development Control Plan 2014	32
5. Indicative Development Concept	33
5.1. Overview.....	33
Landscaping.....	36
5.2. Public Benefit Offer.....	37
5.3. Catalyst for Growth.....	38
5.4. Planning Controls Inhibit Growth	39
5.5. Need for Industrial Service Land	39
Industrial Land Demand and Need	39

Supporting Industrial Land Supply	39
5.6. More Jobs in Western Sydney	40
Economic Benefit and Jobs	40
Job Containment.....	40
PART B - Planning Proposal.....	41
6.1. Part 1: Objectives or Intended Outcomes	41
6.2. Part 2: Explanation of Provisions	41
6.3. Part 3: Justification	42
Section A – Need for the Planning Proposal	42
Section B – Relationship to Strategic Planning Framework	43
Section C – Environmental, Social and Economic Impacts	49
Section D – Infrastructure (Local, State and Commonwealth)	59
6.4. Part 4: Maps	59
6.5. Part 5: Community Consultation.....	64
6.6. Part 6: Project Timeline	64
Appendices	65

Appendices

A	Concept Master Plan
B	Master Plan Report
C	Structure Plan
D	Landscape Master Plan
E	Civil & Stormwater Package
F	Site Survey
G	Geotechnical Investigation
H	Stage 1 Preliminary Site Investigation
I	Stormwater Design Summary
J	Utilities Report
K	Overland Flow Study
L	Visual Impact Assessment
M	Ecological Constraints Assessment
N	Bushfire Assessment
O	Preliminary Historical Heritage Assessment
P	Preliminary Aboriginal Cultural Heritage Assessment
Q	Traffic Impact Assessment
R	Noise Impact Assessment
S	Economic Benefits Report
T	Luddenham Road Industrial Need and Impact Assessment

Executive Summary

This Planning Proposal has been submitted by *HB+B Property Pty Ltd* (the Proponent), and seeks to initiate the preparation of an amendment to the *Penrith Local Environmental Plan 2010* (PLEP 2010) for the land known as **Alspec Industrial Business Park, 221-235 Luddenham Road, Orchard Hills** (the Site).

Project Overview

The Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration to the NSW Department of Planning and Environment (DPE) '*A guide to preparing planning proposals*' and '*Local Environmental Plan Making Guideline*, December 2021.

The Planning Proposal seeks to facilitate redevelopment of the land to enable the development of industrial warehouses at the site across three stages which will comprise the following:

- Potential for thirty-two (32) high-quality warehouse buildings across thirty-two (32) lots, each accompanied with an ancillary office, associated parking and business identification signage for legibility and easy way-finding,
- Landscaped internal estate roads including a three roundabouts, four cul-de-sacs and entry roads for improved amenity, and
- Electrical easement and an environmental zone and basins.

More Jobs for Western Sydney

The proposal seeks to deliver employment generating land uses to support NSW's economic recovery. An Economic Benefits Report (**Appendix S**) has been prepared to support the proposal and detail the need for additional industrial land within Western Sydney. An Industrial Need and Impact Assessment (**Appendix T**) has also been prepared to further demonstrate the economic justification for the Planning Proposal.

The Economic Analysis found that the Western Sydney catchment has less than 2.2 years of serviced vacant industrial land supply remaining. In addition, the proposal will provide employment in the construction and operational phases helping to increase the 39% share of Penrith LGA resident workers able to work within the LGA.

In addition to delivering approximately 66 ha of IN1 General Industrial land and approximately 18 ha of IN2 Light Industrial land, the proposal also delivers the following wider benefits:

- Provides shovel-ready industrial land for smaller operators who have not been able to compete with the institutional owners in the Mamre Road Precinct,
- Delivers highly accessible industrial land that will have access to future road, rail and aviation infrastructure, and
- Complements the existing industrial uses and activities in the WSEA.

Planning Proposal

The Planning Proposal seeks to rezone the land applicable to the site, under the PLEP 2010, in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The intended outcome of this Planning Proposal is to amend the PLEP 2010 as follows:

- Rezone part of the site from RU2 Rural Landscape to part IN1 General Industrial and part IN2 Light Industrial,
- Amend the Minimum Lot Size map to reduce the minimum lot size to 1,000m²,
- Introduce a Height of Building control of 24 metres to the site,
- Introduce density provisions to ensure a mixture of large and small lots that meet the needs of the local market. A minimum lot provision of 40 lots will apply to land zone IN1 and minimum lot density provision of 60 lots will apply to land zoned IN2,
- Introduce a sunset clause which requires commencement of the development within five (5) years of gazettal of the PLEP 2010. Should this not occur, the zoning will revert to the current RU2 Rural Landscape zone, and
- Maintain a 40metre wide corridor of land zoned RU2 Rural Landscape on the western side of Luddenham Road to allow for the future widening of Luddenham Road.

Conclusion

The proposal is underpinned by a strong strategic context, which is confirmed by the sites position within Greater Penrith to Eastern Creek Growth Area and Urban Investigation Area, west of the Western Sydney Employment Area. The proposal is consistent with the relevant legislation and policy framework including Penrith Local Environmental Plan 2010.

The findings of this Planning Proposal and the appended technical reports have concluded that the proposed future land use can be successfully accommodated with minimal impacts on the site and its setting.

Moreover, a positive assessment and determination of the planning proposal would mean that:

- The proposed rezoning will result in a land use that will contribute an employment generating land use in line with the strategic goals for the Western Parkland City and Greater Penrith,
- The proposed rezoning is complementary to the 24-hour operations of the forthcoming Western Sydney (Nancy-Bird Walton) International Airport,
- The relationship with the site and adjoining Outer Sydney Orbital Corridor will be protected with appropriate zoning, setbacks and landscape buffers detailed in the Concept Master Plan (**Appendix A**),
- The proposal demonstrates consistency with the relevant environmental planning instruments including strategic planning policy, and State and local planning legislation, regulations and policies,
- The proposal will generate 571 new construction jobs and 6,410 operational jobs as well as \$355.2 million additional Gross Value Add annually into the NSW economy, and
- It has demonstrated that the proposal and future Alspec Industrial Business Park will result in minimal environmental impacts and future applications will demonstrate compliance with the relevant Development Control Plan.

PART A - Introduction

This Planning Proposal has been submitted by *HBB Property Pty Ltd* (the Proponent) and seeks to initiate the preparation of a Local Environmental Plan amendment for the land known as **Alspec Industrial Business Park, 221-235 Luddenham Road, Orchard Hills** (the Site).

The Planning Proposal seeks to rezone the land applicable to the site, under the *Penrith Local Environmental Plan 2010* (PLEP 2010), in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The intended outcome of this Planning Proposal is to amend PLEP 2010 as follows:

- Rezone part of the site from RU2 Rural Landscape to part IN1 General Industrial and part IN2 Light Industrial,
- Amend the Minimum Lot Size map to reduce the minimum lot size to 1,000m²,
- Introduce a Height of Building Control of 24 metres to the site,
- Introduce density provisions to ensure a mixture of large and small lots that meet the needs of the local market. A minimum lot provision of 40 lots will apply to land zone IN1 and minimum lot density provision of 60 lots will apply to land zoned IN2.
- Introduce a sunset clause which requires commencement of the development within five (5) years of gazettal of the PLEP 2010. Should this not occur, the zoning will revert to the current RU2 Rural Landscape zone.
- Maintain a 40metre wide corridor of land zoned RU2 Rural Landscape on the western side of Luddenham Road to allow for the future widening of Luddenham Road.

The proposed amendment seeks to facilitate redevelopment of the land to enable the development of industrial warehouses across three stages at the site as illustrated in the Concept Master Plan (Master Plan) at **Figure 1** prepared by Nettleton Tribe (refer **Appendix A**), which will incorporate the following:

- Thirty-two (32) high-quality warehouse buildings across thirty-two (32) lots, each accompanied with an ancillary office, associated parking and business identification signage for legibility and easy wayfinding,
- Landscaped internal estate roads including a three roundabouts, four cul-de-sac and entry roads for improved amenity, and
- Electrical easement and an environmental zone and basins.

Figure 1 Concept Master Plan



Source: Nettleton Tribe

The proposed redevelopment, in association with the broader strategic vision, provides the unique opportunity to establish large scale employment generating uses. The public benefits of such a development include:

- Responds to the zoned industrial land shortfall across Greater Sydney,
- Creates additional jobs which supports Western Sydney and contributes to the 30-minute city vision,
- Integrates with the surrounding environment, such as the delivery of the Western Sydney Airport and Aerotropolis,
- Considered a sensitive response to the environment and visual amenity, and
- Enhances employment generating potential on a currently underutilised site.

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration of the NSW Department of Planning and Environment (DPE) Local Environmental Plan Making Guideline, December 2021.

This Planning Proposal is structured as follows:

- **Chapter 2: Site Analysis** – provides a description of the site and context.
- **Chapter 3: Strategic Planning Context** – provides a summary of the relevant strategic planning policies and directions.
- **Chapter 4: Statutory Planning Context** – provides a summary of the relevant statutory planning legislation controls,
- **Chapter 5: Development Concept** – provides a description of the proposed concept design,

- **Chapter 6: The Case for Change** – summarises the compelling reasons with Penrith City Council should resolve to support the Planning Proposal and initiate the required amendments to the planning legislation, and
- **Chapter 7: Planning Proposal**, including:
 - Part 1 – Objectives and intended outcomes – a statement of the objectives of the proposed instrument,
 - Part 2 – Explanation of provisions - an explanation of the provisions that are to be included in the proposed instrument,
 - Part 3 – Justification of strategic and site-specific merit - justification of strategic and potential site-specific merit, outcomes and the process for their implementation,
 - Part 4 – Maps – maps where relevant, to identify the effect of the planning proposal and the area to which it applies,
 - Part 5 – Community consultation – details of the community consultation that is to be undertaken on the planning proposal, and
 - Part 6 – Project timeline - project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in the LEP Making Guideline.

The Planning Proposal is supported by the following technical documentation:

- Concept Master Plan prepared by *Nettleton Tribe* (**Appendix A**),
- Master Plan Report prepared by *Nettleton Tribe* (**Appendix B**),
- Structure Plan prepared by *Nettleton Tribe* (**Appendix C**),
- Landscape Master Plan prepared by *Urbis* (**Appendix D**),
- Civil & Stormwater Package prepared by *Henry & Hymes* (**Appendix E**),
- Site Survey prepared by *LTS Lockley* (**Appendix F**),
- Geotechnical Investigation prepared by *Construction Sciences* (**Appendix G**),
- Stage 1 Preliminary Site Investigation prepared by *Construction Sciences* (**Appendix H**),
- Stormwater Design Summary prepared by *Henry & Hymes* (**Appendix I**),
- Utilities Report prepared by *Arcadis* (**Appendix J**),
- Overland Flow Study prepared by *Arcadis* (**Appendix K**),
- Visual Impact Assessment prepared by *Urbis* (**Appendix L**),
- Ecological Constraints Assessment prepared by *Eco Planning* (**Appendix M**),
- Bushfire Assessment prepared by *Peterson Bushfire* (**Appendix N**),
- Preliminary Historical Heritage Assessment prepared by *EMM Consulting* (**Appendix O**),
- Preliminary Aboriginal Cultural Heritage Assessment prepared by *EMM Consulting* (**Appendix P**),
- Traffic Impact Assessment prepared by *Arcadis* (**Appendix Q**),
- Noise Impact Assessment prepared by *EMM Consulting* (**Appendix R**),
- Economics Benefits Report prepared by *Urbis* (**Appendix S**), and
- Luddenham Road Industrial Need and Impact Assessment prepared by *Urbis* (**Appendix T**).

2. Site Analysis

2.1. The Site and Existing Development

The site is known as **Alspeg Industrial Business Park, 221-235 Luddenham Road, Orchard Hills** and has a total area of 146.6 ha. The lots subject of this planning proposal is indicated in **Table 1** and comprises the area referred to as 'the site'.

Table 1 Lots subject to this Planning Proposal

Lot	DP	Address
1	1099147	221-227 Luddenham Road, Orchard Hills
242	1088991	289-317 Luddenham Road, Orchard Hills
1	396972	229-231 Luddenham Road, Orchard Hills
1	520117	233-249 Luddenham Road, Orchard Hills
2	520117	251-261 Luddenham Road, Orchard Hills
3	520117	263-273 Luddenham Road, Orchard Hills
4	520117	275-285 Luddenham Road, Orchard Hills
24	331426	287 Luddenham Road, Orchard Hills
2	219794	319-325 Luddenham Road, Orchard Hills

The site is relatively cleared of vegetation and currently comprises five (5) farm dams, a riparian corridor running north-south in the north-west corner of the site, a singular dwelling and two barns. The site is situated approximately 13.6km north-east of the Western Sydney (Nancy-bird Walton) International Airport, 15km west of the Western Sydney Parklands and 30km west of Parramatta CBD. The site is surrounded by the following land uses:

- Directly north of the site is a riparian corridor and Patons Lane Resource Recovery Centre. A future TransGrid substation will also be located directly north of the site,
- Directly south of the site is primarily agricultural lands and 'St Mary's/Kennetts Airfield Airstrip'. The Warragamba pipeline runs east-west south of the site along the proposed future Western Sydney Freight Line,
- Directly east of the site is Bosna Croatian Club, Luddenham Oval, a number of individual residential dwellings along Luddenham Road and South Creek that runs in a north-south direction. A further 750m east is the Erskine Business Park and First Estate which comprise industrial land uses and is nearing completion, and
- Directly west of the site is a Riparian corridor, future Outer Sydney Orbital Corridor and the Sydney Metro – Western Sydney Airport corridor.

Figure 2 Site Context Plan



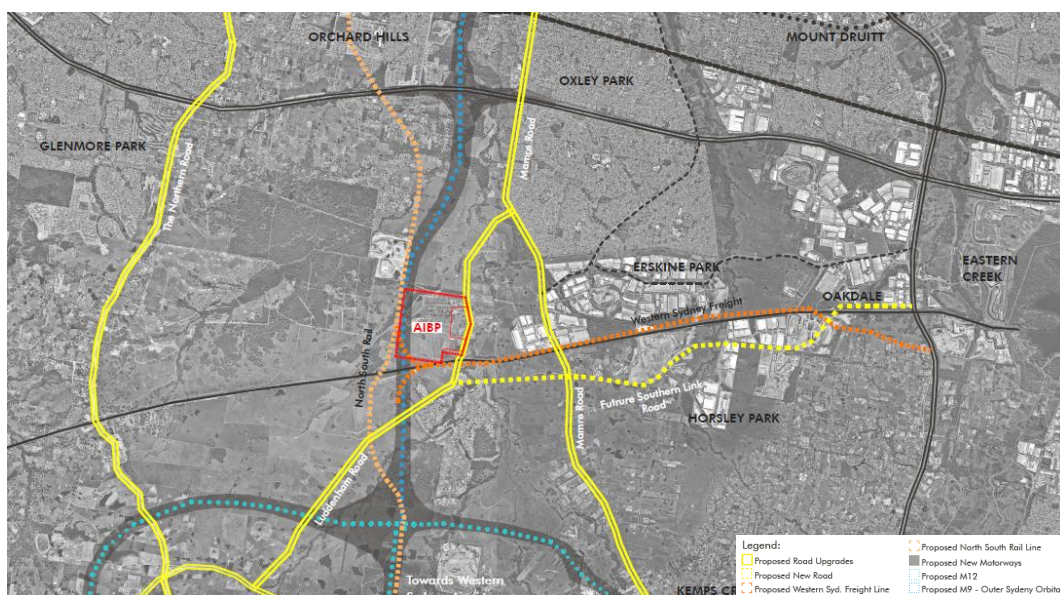
Source: Near maps

2.2. Locality Description

The site is located directly north of land identified as a future Western Sydney freight line, east of the Sydney Metro – Western Sydney Airport and proposed M9 (Outer Sydney Orbital Corridor) and west of an existing industrial precinct. The site is optimally located at the junction of the Northern Gateway Precinct and the South Creek Precinct of the Western Sydney Aerotropolis.

The surrounding locality is characterised by rural landscape with industrial land uses approximately 1.4km east and low density residential uses 1.7km north east of the site. The locality can be described as an area undergoing substantial transition from a rural landscape to an urbanised precinct, which fulfils the strategic planning framework for the area.

Figure 3 Local Context Plan



Source: Nettleton Tribe

Proposed Structure Plan

A broader study area has been identified for the site which includes land south and east of the site.

This study area enables a detailed consideration of the adjoining properties for potential future acquisition and adequate provision of land for the future Western Sydney Freight Line.

The structure plan proposes IN2 Light Industrial land uses east of the site where the Croatian Club currently exists and aligns land which can be adapted to respond to future infrastructure delivery for future industrial development. An additional block of land south of the subject site is also proposed to be rezoned to IN1 General Industrial with the area along the southern boundary of the site, along the future Western Sydney Freight Line and the interface with the future Outer Sydney Orbital, to be retained for RU2 Rural Landscape. This retention of the RU2 zone within this portion of the site reflects the area identified to be 'avoided for biodiversity' under the draft Cumberland Plain Conservation Plan and will also provide a buffer from future industrial uses.

The Structure plan also identifies existing E2 Environmental Conservation zone land, part of which falls within the rezoning area. North of the rezoning area is a large area of TransGrid land which is identified as an SP2 zone, however this land has not been incorporated as part of the rezoning area as TransGrid are not ready for rezoning to occur at this stage.

The Structure Plan preserves a 40-metre-wide corridor on the western side of Luddenham Road to allow for the future widening of Luddenham Road. The preservation of this land would allow for a future road reserve of 60 metres.

It is noted that this planning proposal remains subject to only the land outlined in red in **Figure 4** below. The Structure Plan serves as a guide for future planning proposals and later development applications to ensure consistent planning across the study area.

The purpose of the Structure Plan therefore is to show future development potential for the eastern properties, including the Croatian Club, subject to further detailed investigations. The Structure Plan demonstrates the functional relationship between proposed future infrastructure and the rezoning area.

Urban Design Response

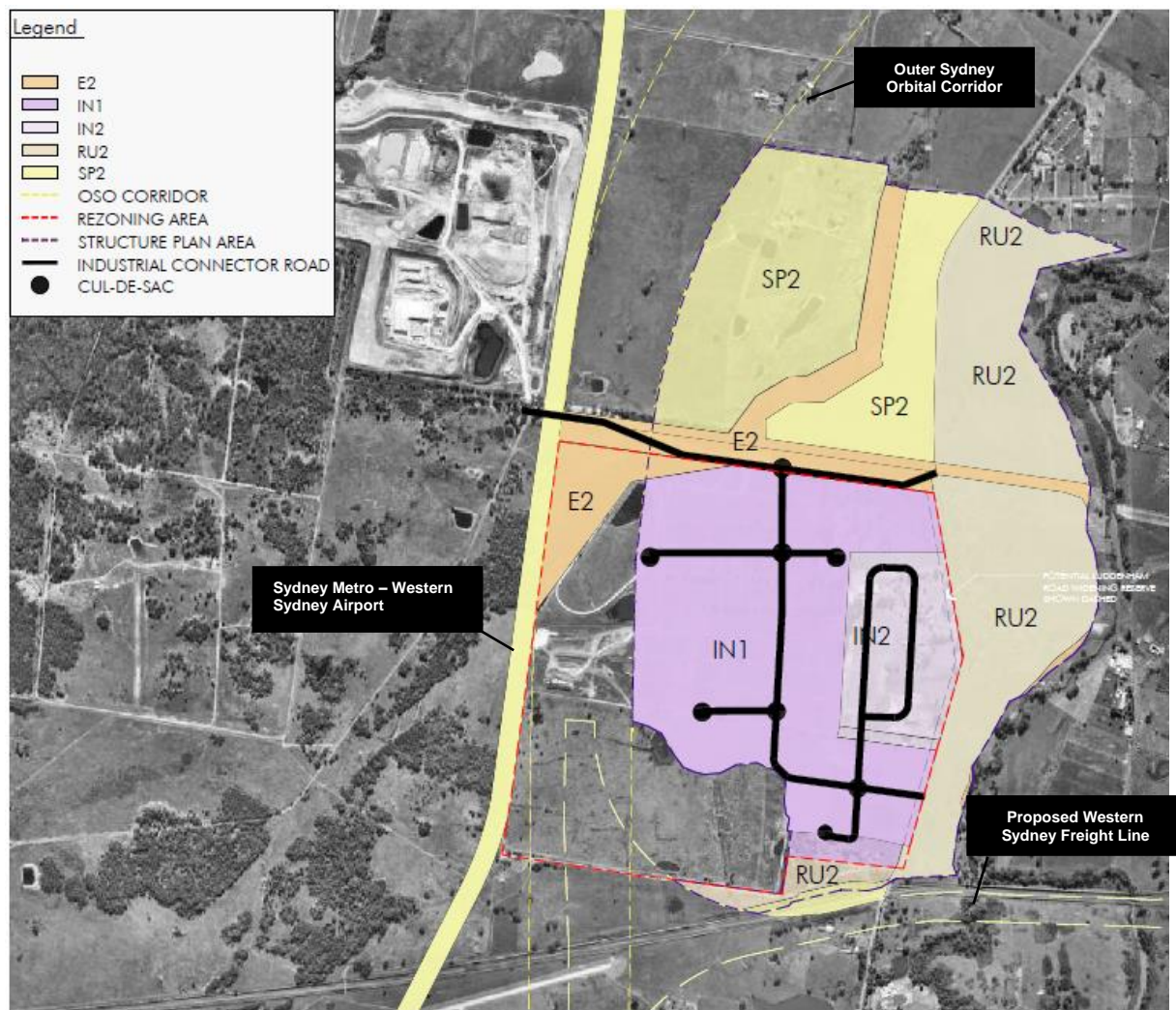
The proposed Structure Plan shows the development potential for land holdings on Luddenham Road. An IN1 zone has been chosen as it is the most appropriate zone to support the future Alspeg Industrial Business Park. SP2 Infrastructure zones have been established under the State Environmental Planning Policy (Major Infrastructure Corridors) 2020 (Corridors Protection SEPP) for the future North-South Rail link and Western Sydney Freight line.

The proposed employment area is surrounded on all sides by infrastructure and road uses which help to buffer the area from sensitive land uses. The proposed employment use is the highest and best use for the land given the surrounding land uses, particularly the future Outer Sydney Orbital and Western Sydney Freight line. It is an appropriate use responding to the adjacent infrastructure investment than alternative uses such as rural and residential.

Structure Plan Benefits

The Structure Plan provides some certainty to Luddenham Road properties on how the overall Precinct may unfold. The result is an appropriate extension of the industrial zoning through the application of an IN2 Light Industrial zone which maximises the site's strategic location and considers two key constraints of future infrastructure, particularly connecting roads.

Figure 4 Proposed Structure Plan



Source: Nettleton Tribe

2.3. Surrounding Road Network

Patons Lane to the north is the primary road connection to the site which is accessed via Luddenham Road in the east. The road network surrounding the subject site consists of:

- **Luddenham Road** – A regional road servicing traffic between Mamre Road in the north and Elizabeth Drive in the south. In the vicinity of the site, Luddenham Road generally provides two lanes for two-way traffic and carries approximately 3,000 vehicles per day. Luddenham Road has a posted speed limit of 80km/h,
- **Patons Lane** – A local road providing access to the site and adjoining agricultural properties from Luddenham Road in a two-way direction. Patons Lane has a posted speed limit of 50km/h,
- **Mamre Road** – A State road which runs in a north-south direction and is accessed via Luddenham Road. Mamre Road carries approximately 15,000 vehicles per day and passes through the Western Sydney Aerotropolis Growth Area and provides connections to the WSEA, and
- **Elizabeth Drive** – A State road which runs in an east-west direction and is accessed via Luddenham Road. To the east, Elizabeth Drive connects to the Westlink M7 Motorway and to the west it connects with the Northern Road. Elizabeth Drive carries approximately 11,000 vehicles per day.

2.4. Public and Active Transport

Currently the site is not serviced by public transport, however, there are three bus services (routes 775, 776 and 779) that operate in the St Clair/Erskine Park area to the north-east of the site.

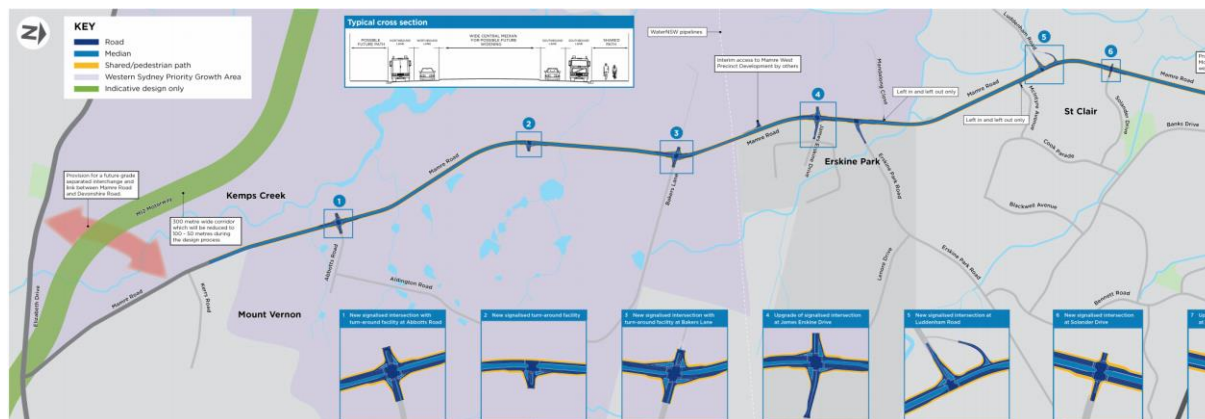
Furthermore, there is limited pedestrian or cyclist infrastructure within the vicinity of the site due to the limited demand for active transport facilities.

Mamre Road Upgrade

The NSW Government has started planning for a future upgrade to Mamre Road between Kerrs Road and the M4 Motorway, to support employment and residential growth in this area. The Mamre Road upgrade is part of a plan to progressively upgrade arterial roads in Western Sydney to deliver a more efficient, reliable network that meets the future needs of the community and economy. This includes the need to support Western Sydney (Nancy-Bird Walton) International Airport and the Aerotropolis.

The proposed corridor width for Mamre Road as a Primary Arterial Road is 50 metres. Transport for NSW (TfNSW), formerly known as Roads and Maritime Services, has completed the strategic design for the Mamre Road upgrade. The strategic design is publicly available and identified intersections are indicated in Figure 5 below.

Figure 5 Proposed Mamre Road Design



Source: TfNSW

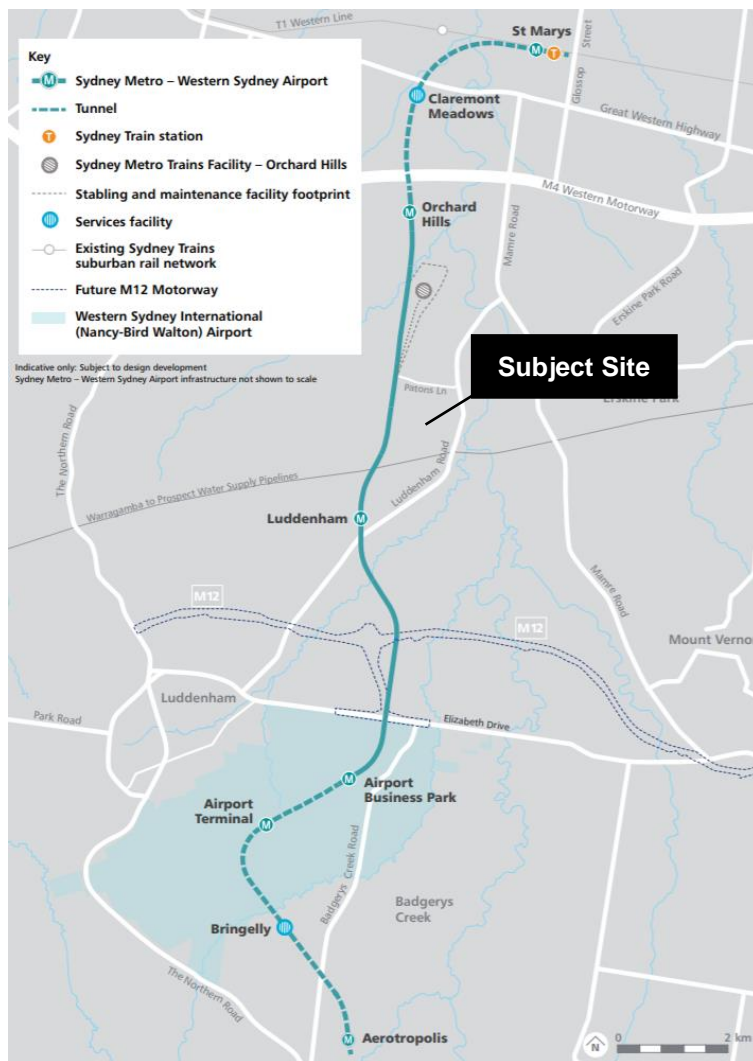
The proposed rezoning will benefit from the increased capacity provided by the upgrade of Mamre Road, complementing its intended use to support transport and logistical movement across Western Sydney. Whilst the site does not have direct frontage to Mamre Road, the proposed upgrade will likely redirect traffic travelling south from St Marys towards Elizabeth Drive, ultimately allowing for additional traffic movement along Luddenham Road.

Sydney Metro – Western Sydney Airport

In September 2020, Sydney Metro confirmed six new metro stations along the Sydney Metro - Western Sydney Airport line, of which one is sited in Luddenham at the Sydney Science Park.

The Western Sydney Airport Metro line will provide a major north-south regional connection from St Marys to the Western Sydney Aerotropolis, servicing the Western Sydney International Airport and future residential and enterprise precincts within the corridor (see **Figure 6**). The site benefits from close proximity to the proposed Luddenham Metro Station and associated local and rapid bus networks which will service the surrounding future employment areas. The Sydney Metro - Western Sydney Airport line is committed to be delivered by 2026.

Figure 6 Sydney Metro – Western Sydney Airport Line



Source: Sydney Metro

3. Strategic Planning Context

3.1. A Metropolis of Three Cities – A Greater Sydney Region Plan

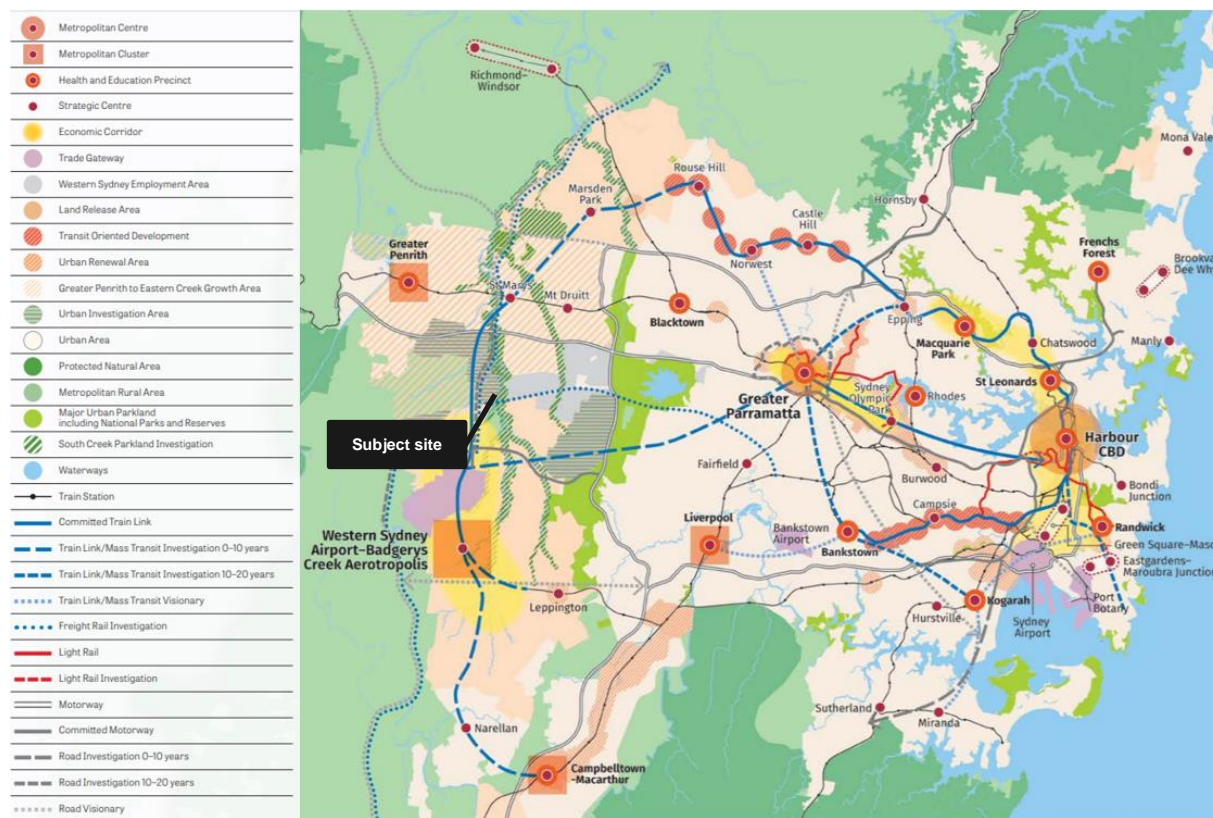
A Metropolis of Three Cities: Greater Sydney Region Plan (Region Plan), finalised by the Greater Sydney Commission in March 2018, provides a 40-year vision to (2056) and establishes a 20-year plan to manage growth and change for the Greater Sydney region. The Region Plan is built on a vision of three cities, 'where most residents live within 30 minutes of their jobs, education and health facilities, services and great places'. It identifies four themes: infrastructure and collaboration, liveability, productivity, and sustainability. Within these four themes, a set of planning priorities and actions are identified to achieve the Region Plan's vision.

The Region Plan includes a high-level structure plan identifying key centres, employment areas, and important infrastructure contributions.

Under the Region Plan, Alspec Industrial Business Park is located in the Western District and lies within the Greater Penrith to Eastern Creek Growth Area (GPEC) and Urban Investigation area, adjacent to the Western Sydney Employment Area (WSEA) in the east (refer **Figure 7** below). The site is located amid several strategic precincts which will undergo significant transformation as the Western Parkland City vision is realised.

The Urban Investigation Area forms part of the Greater Penrith to Eastern Creek Growth Area which is located north of the Western Sydney Aerotropolis. This area is earmarked for major transport corridors and the integration of land uses with future transport infrastructure with the intent to support the investment and business opportunities created by the Western Sydney (Nancy-Bird Walton) International Airport. The GPEC seeks to integrate land use and transport planning between Penrith CBD and St Marys to enable growth and contribute to a connected, vibrant Western Parkland City with more 'homes, jobs, services and open space'.

Figure 7 Region Plan's Structure Plan



Source: Greater Sydney Commission

The Region Plan sets 10 directions to achieve 'a metropolis of three cities'. Under each direction, a series of objectives and actions are identified. The rezoning and facilitation of Alspec Industrial

Business Park contributes to the 30-minute city vision and specifically addresses the following directions and objectives listed under the Region Plan.

A city supported by infrastructure sets a direction ensuring growth is supported by essential infrastructure. Through the Western Sydney City Deal, there are significant infrastructure commitments proposed to service the Western Sydney (Nancy-Bird Walton) International Airport and significant road upgrades and public transport projects to support the future employment of the site and surrounding area. The site's location within the GPEC Growth Area and Urban Investigation Area benefits from future identified mass transit infrastructure. Sydney Metro Greater West from St Marys to Western Sydney (Nancy-Bird Walton) International Airport and Aerotropolis creates opportunity for renewal and revitalisation.

At a local scale, the site is accessible to existing road infrastructure. It fronts Luddenham Road which provides direct access to Mamre Road and the M4 Motorway, Great Western Highway and Elizabeth Drive. The site is also within close proximity to the future Orchard Hills Metro station which will begin construction in the next 12 months and will provide access to St Marys and Western Sydney (Nancy-Bird Walton) International Airport and Aerotropolis. In addition, the proposal seeks to provide essential infrastructure, e.g. water, electricity, telecommunications and gas to the site.

A well-connected city and jobs and skills for the city outlines strategies and actions to rebalance opportunities for all residents to have greater access to jobs, shops and services. To achieve these directions, the Region Plan identifies the need for integrated land use and transport to create 30-minute cities. The rezoning of Alspeck Industrial Business Park will facilitate the staged construction of an industrial estate and create new job opportunities for the Western Sydney region which supports the adjoining WSEA. By responding to the surrounding strategic context, it responds to the Greater Sydney Commission's vision to create a 30-minute city leveraging off local and regional transport connections arising from the Western Sydney City Deal.

In facilitating jobs and skills for the city, the Region Plan identifies retaining, managing and planning for industrial and urban services land as a key priority. The Western Parkland City will be a resource for Greater Sydney in providing additional land for future industrial activity, particularly in areas yet to be zoned or serviced which will support the investment and business opportunities created by the Western Sydney (Nancy-Bird Walton) International Airport. The proposed rezoning responds to the industrial land shortfall identified in the Region Plan. The site is well-located to the M4 and M7 Motorways and supports the vision of the Western Sydney Aerotropolis.

A city for people, housing the city and a city of great direction aims to give people better access to housing, transport and employment. By providing employment generating land uses to nearby residential suburbs, rezoning the subject land will support local jobs. The site is currently surrounded by land identified for future employment and infrastructure.

The Planning Proposal is consistent with the Region Plan, as it responds to the following:

- ***A city supported by infrastructure***
 - Objective 1: Infrastructure supports the three cities
 - Objective 2: Infrastructure aligns with forecast growth
 - Objective 4: Infrastructure use is optimised
- ***A city for people***
 - Objective 6: Services and infrastructure meet communities' changing needs
- ***A well-connected city***
 - Objective 14: *A Metropolis of Three Cities* – integrated land use and transport creates walkable and 30-minute cities
 - Objective 15: The Eastern, GPO and Western Economic Corridors are better connected and more competitive
 - Objective 16: Freight and logistics network is competitive and efficient
 - Objective 17: Regional connectivity is enhanced
- ***Jobs and skills for the city***
 - Objective 20: Western Sydney Airport and Badgerys Creek Aerotropolis are economic catalysts for Western Parkland City
 - Objective 23: Industrial and urban services land is planned, retained and managed

3.2. Western City District Plan

The *Western City District Plan* (District Plan) was finalised by the Greater Sydney Commission in conjunction with the Region Plan in March 2018 and fulfils the directions and objectives of the Region Plan.

The site is located within the Western City District. The Greater Sydney Commission (GSC) envisaged that residents in the Western City District will have quicker and easier access to a wider range of jobs, housing types and activities.

The District Plan identifies a number of strategic priorities to help deliver the Region Plan's vision of a 30-minute city. The proposal helps to deliver the following priorities of the District Plan:

- Creating a once-in-a-generation economic boom with the Western Sydney Airport and Badgerys Creek Aerotropolis bringing together infrastructure, business and knowledge-intensive jobs, and
- Building on the Western Sydney City Deal to transform the Western City District over the next 20 to 40 years by building on natural and community assets and developing a more contained Western City District with a greater choice of jobs, transport and services aligned with growth.

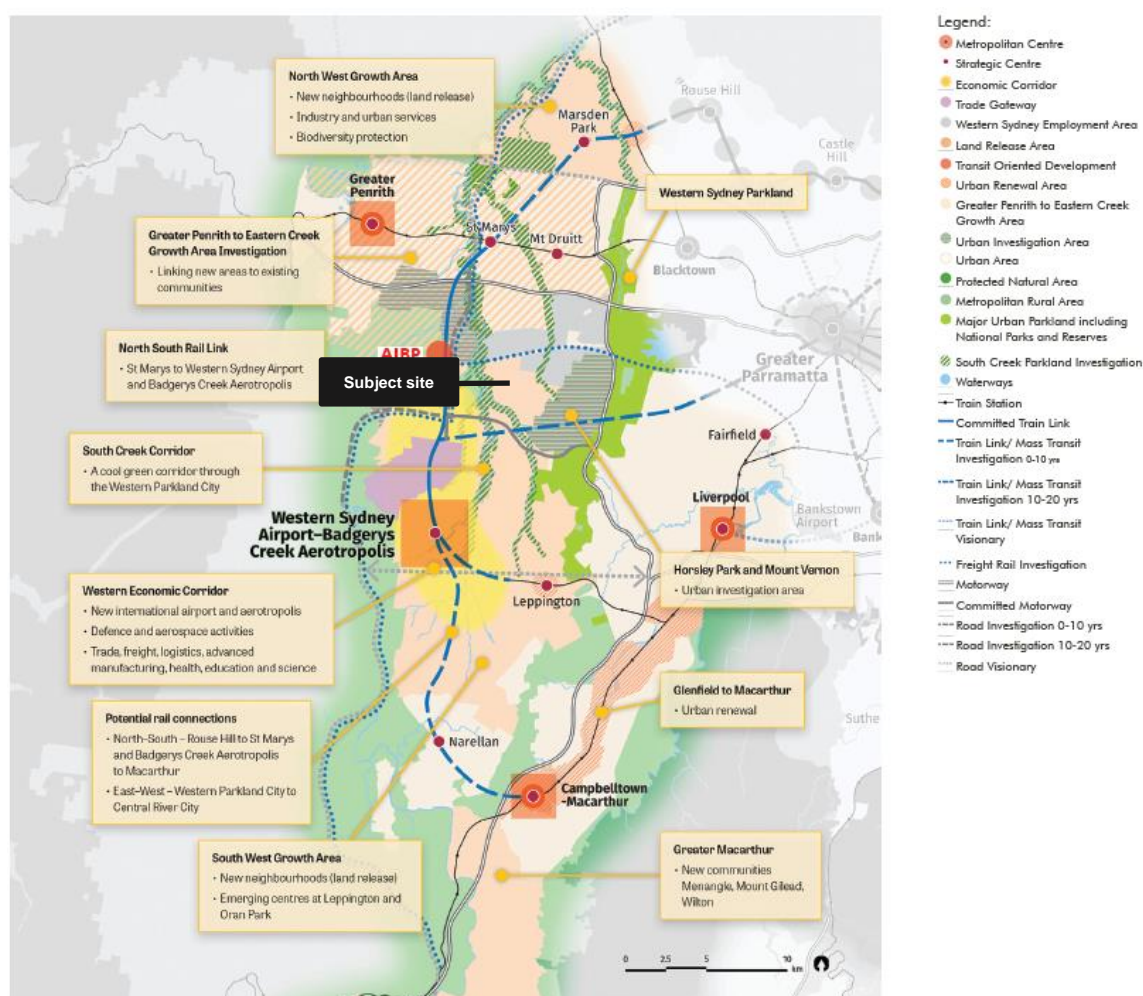
The GPEC Growth Area and WSEA will play a vital role in delivering the District Plan's vision, specifically in providing employment lands and infrastructure to support the Western Sydney (Nancy-Bird Walton) International Airport and Badgerys Creek Aerotropolis in achieving much needed economic stimulus for Greater Sydney. The delivery of employment lands and infrastructure will also provide balance and equal opportunity for residents to access jobs all throughout Greater Sydney.

Alspec Industrial Business Park's location within the GPEC Growth Area and Urban Investigation Area, west of the WSEA requires strategic assessment, ensuring that the future use responds to the lands' strategic context and aligns with the District Plan's vision (refer **Figure 8**).

The Planning Proposal is consistent with the Western City District Plan, as it:

- Will deliver employment lands in a location earmarked for future transport infrastructure investment (Planning Priority W1),
- Provides jobs in proximity to future land release areas and growth areas which will enable residents to live within 30-minutes of their jobs (Planning Priority W7),
- Supplies industrial lands to support warehousing and logistics needs of industry within proximity of the Western Sydney (Nancy-Bird Walton) International Airport and Badgerys Creek Aerotropolis (Planning Priority W8 and W10), and
- Proposed future industrial estate seeks to deliver water sensitive urban design which is supported by the proposed stormwater management system. Specifically, proposed environmental zone and basin will be managed through appropriate erosion and sediment control measures (Planning Priority W19).

Figure 8 District Plan's Vision Plan



Source: Greater Sydney Commission

3.3. Penrith Local Strategic Planning Statement

The Penrith Local Strategic Planning Statement (LSPS) was finalised on 23 March 2020. The LSPS identifies the vision and priorities for land use across the LGA, as well as outline the special character and values of the place and how they will be managed into the future.

The Penrith LGA contains the Nepean River which connects to other water catchment areas. These rivers and creeks are the defining natural assets of the LGA and there are also metropolitan rural areas at the southern and northern ends of the LGA. Planned new infrastructure within and surrounding the LGA is anticipated to create new jobs closer to homes. New transport connections including the North-South Rail Link, M9, Outer Sydney Orbital Corridor and freight corridors will unlock further opportunities for the creation of new places.

The Structure Plan (see **Figure 9**) identifies the site as being situated within the GPEC Growth Area and Urban Investigation Area. The site is within the Penrith 'Economic Triangle', west of the north-south corridor between St Marys and Western Sydney Aerotropolis. In this context, it is expected that land surrounding the site will be subject to significant change, with the Erskine Business Park east of the site setting the context for this transformation. As envisaged by the Penrith LSPS the land surrounding the site will play the following roles:

- **Western Sydney Aerotropolis:** The Western Sydney Aerotropolis is located at the far southern end of the LGA, providing substantial employment and development opportunities in agribusiness, manufacturing, freight and logistics. Under the Western Sydney Aerotropolis Plan, land south of the site within the Northern Gateway Precinct will be zoned for flexible employment uses,

- **Greater Penrith to Eastern Creek Growth Area:** The GPEC Growth Area has been identified as an 'economic corridor' which will facilitate future transport corridors including Stage 1 of the North South Rail Link which will run through the investigation area, west of the site. The Sydney Metro – Western Sydney Airport line will provide access to new jobs and services throughout the Western Parkland City and future Western Sydney (Nancy-Bird Walton) International Airport,
- **Urban Investigation Areas:** The Orchard Hills Urban Investigation Area in which the site is located will facilitate the delivery of integrated land use and manage the relationship between urban and rural lands. The Urban Investigation Area includes the Orchard Hills Defence Establishment which is located 3.5km west of the site and will support the future aerospace industry in the Western Sydney Aerotropolis. The Urban Investigation Area will be explored as a future urban area due to its proximity to existing urban areas and future transport initiatives,
- **Urban Area:** Urban Areas east of the site include existing urban development and future land release. Existing urban areas comprise of predominantly residential suburbs and industrial precincts. The Erskine Business Park located approximately 1.8km east of the site is an existing urban area and represents the expected composition of land within the WSEA and urban areas extending east to the Western Sydney Parklands, and
- **Penrith Economic Triangle:** Penrith will function as a central connection hub in Western Sydney between the Aerotropolis, north-west and south-west growth centres, as well as other centres including Blacktown, Liverpool and Wollondilly. The LGA is also positioned to act as an economic catchment between the north-south and east-west economic corridors as well as the Western Sydney Aerotropolis defined as the Penrith 'economic triangle' which extends from St Marys to Penrith City Centre through to the Aerotropolis Core. The function of the economic triangle will be to leverage off future economic opportunities as new industries with the operation of the Western Sydney (Nancy-Bird Walton) International Airport. Economic growth will be focused within Penrith's economic triangle and will rely on the management of existing and future industrial and urban services land. The LSPS states that additional industrial and urban services land will be found within the vicinity of the Western Sydney Employment Area (WSEA) which is located east of the site.

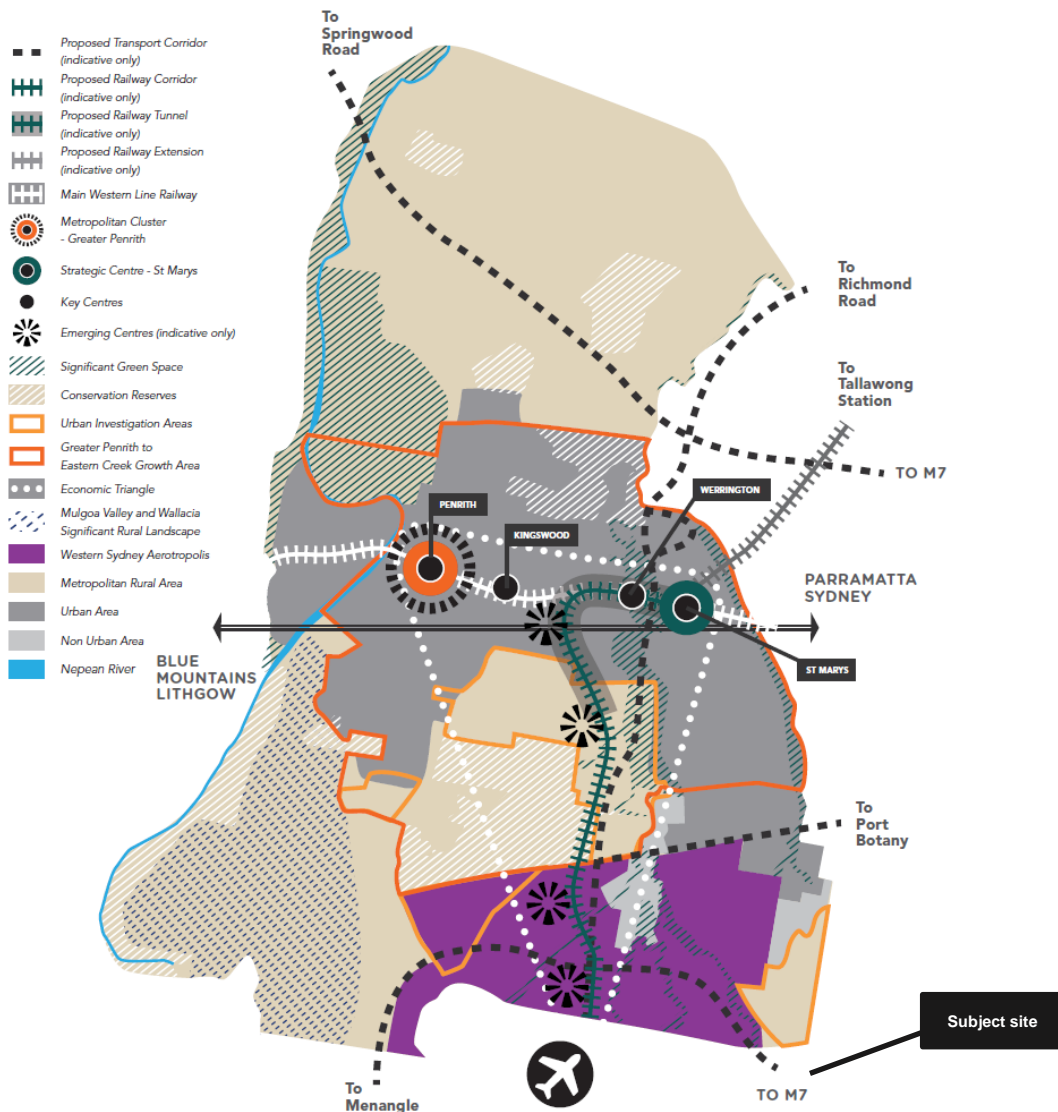
The Planning Proposal supports the following Planning Priorities established within the LSPS:

- **Planning Priority 1: *Align development, growth and infrastructure***
The Planning Proposal will leverage off existing and future transport and road infrastructure to deliver jobs close to residents. The Alspec Industrial Business Park will facilitate the delivery of key local infrastructure services to the site including water, electricity, telecommunications and gas as detailed in the Service Infrastructure Assessment.
- **Planning Priority 9: *Support the North South Rail Link and emerging structure plan***
The structure plan illustrates the complex and rapidly developing strategic context that surrounds the site. The majority of future land uses surrounding the site will incorporate industrial uses or employment generating uses, and as such, the planning proposal is complementary of the surrounding urban environment. The proposal will leverage off the Sydney Metro Greater West and Outer Sydney Orbital Corridor to provide efficient access to employment for Western Sydney residents.
- **Planning Priority 11: *Support the planning of the Western Sydney Aerotropolis***
Penrith City Council recognises the opportunity present to provide a substantial amount of jobs in an array of industries, including agribusiness and in particular manufacturing, freight and logistics. The LSPS states that approximately 19,000 to 21,000 jobs out of the 200,000 projected for the Aerotropolis are required to be delivered within Penrith LGA. Council will need to capitalise on current opportunities to help build more investment within the region. The Planning Proposal supports Planning Priority 11 as it seeks to deliver additional employment lands within the Penrith LGA that complement surrounding land uses and will capitalise off existing and future transport initiatives within the region. The future industrial estate will see the delivery of 571 jobs in the construction phase and 6,410 direct and indirect jobs in the operational phases. The proposal will therefore significantly contribute to job creation as intended by the Penrith LSPS.

- Planning Priority 12: *Enhance and grow Penrith's economic triangle*

The site is located within Penrith's Economic Triangle, west of the north-south corridor between St Marys and the Aerotropolis Core as indicated in **Figure 9**. The economic triangle will integrate a diverse range of industries and job opportunities as the Western Sydney (Nancy-Bird Walton) International Airport becomes operational. Land release within the WSEA such as the Erskine Business Park is indicative of the land uses intended for the north-south corridor. The Planning Proposal will provide similar land uses to that of the Erskine Business Park that will contribute to future industrial and urban services land which the LSPS describes as being '*important to ensure communities have jobs and services close to home, to satisfy the long-term demand of employment lands*'.

Figure 9 Penrith LSPS's Structure Plan



Source: Penrith City Council

3.4. Penrith Employment Lands Strategy

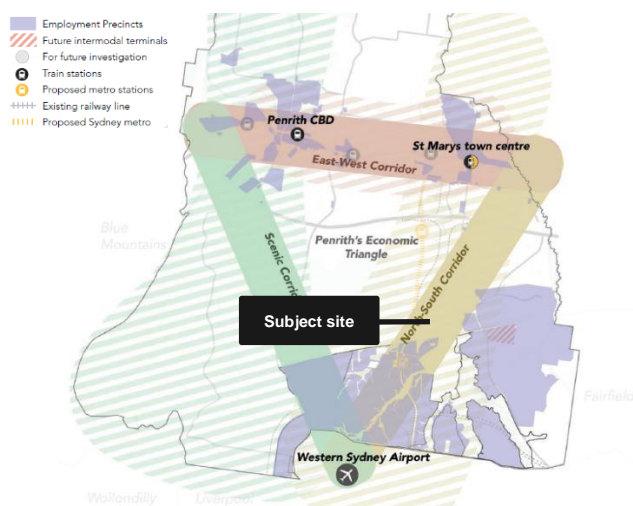
The *Employment Lands Strategy* (ELS) supports the Planning Priorities established within the Penrith LSPS and seeks to provide clarity on the development of centres within the LGA and the location of housing, jobs and transport. Importantly, the ELS seeks to realise Penrith's aspirations as a connected, healthy, innovative and balanced city.

The ELS considers employment lands to be land zoned for:

- Industrial and urban services or similar purposes,
- Commercial and business purposes, and
- Land for employment generating special purposes.

The ELS recognises the significant state-wide economic benefits associated with industrial and urban services land and their importance in ensuring the effective functioning of urban area. It identifies the existing function of land within Penrith's Economic Triangle, noting that land within the north-south corridor will form a new enterprise arc from St Marys to the Western Sydney Airport and Aerotropolis. The site located within the north-south corridor (see **Figure 10**) benefits from connections to Mamre Road and future connections along the Sydney Metro WSA rail line and the Outer Sydney Orbital.

Figure 10 Penrith's Economic Triangle



Source: Penrith City Council

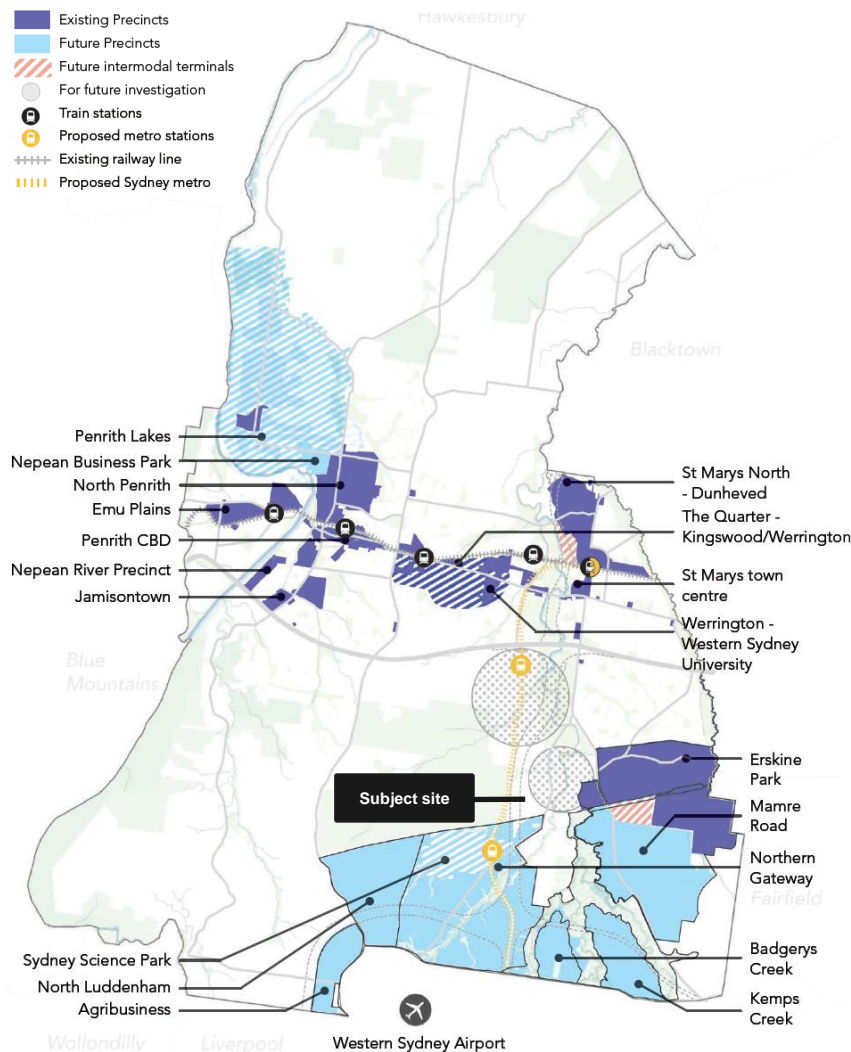
With consideration to the economic impacts of the COVID-19 pandemic, Penrith's population is still expected to grow significantly by around 370,000 people over the next 20-years. With this comes the need to provide sufficient jobs across a range of industries and to ensure that future employment lands are serviced and delivered within a timely manner. In light of Penrith's evolving economic profile and growing population, the ELS is intended to:

- *Identify and protect strategically important employment lands,*
- *Encourage a diverse mix of high-quality employment opportunities that strengthen Penrith's economic triangle,*
- *Facilitate renewal and release of employment land precincts to attract business investment to generate economic growth and enhance Penrith's role in the Western Parkland City,*
- *Identify and create additional industrial and urban services land in land release areas where suitable to service the growing population, to grow jobs closer to home and help achieve a 30-minute city,*
- *Consider and facilitate contemporary and future industry requirements and market preferences for employment lands, such as, office development in industrial zones where it does not compromise industrial or urban services activities; and adaptation of industrial and warehouse buildings through increased floor to ceiling heights,*
- *Identify suitable locations and encourage opportunities for new smart work hubs that encourage and support local entrepreneurship, and*

- *Inform the review of current planning controls and create capacity to achieve the job targets across industry sectors.*

In doing so, the ELS identifies the location of existing and future employment precincts (see Figure 11), of which the site is located directly north of the Western Sydney Aerotropolis which is a considered a future precinct. The ELS recognises the potential to identify and zone additional employment lands as part of planning for the future development of Penrith Lakes, Orchard Hills urban investigation area and the Broader WSEA. The site located within the Orchard Hills urban investigation area will help support the short-term and medium-term demand for jobs, of which are not expected to be met should land continue to be developed at the rate of which it has occurred previously.

Figure 11 Existing and future employment precincts



Source: Penrith City Council

The proposed rezoning presents the opportunity to deliver 84.46 ha of employment lands within the Orchard Hills urban investigation area and directly north of the Aerotropolis, within a catchment of major future transport infrastructure. Furthermore, the proposal is consistent with Action 6 of the ELS which aims to plan future employment lands near access points on motorways. Specifically, Action 6 seeks to:

Attract new mid-size enterprise and minimise conflicts in urban investigation areas in new release areas, such as Orchard Hills, there may be opportunities to plan for new general industrial areas along the M4 Motorway and around Patons Lane Resource Recovery Centre and Metro stabling yard.

The site located directly south of Patons Lane is both suitable for the proposed general industrial land use and can adequately be serviced.

3.5. Western Sydney Aerotropolis Plan

The draft *Western Sydney Aerotropolis Plan* (WSAP), released for exhibition in December 2019, has been developed by the Western Sydney Planning Partnership and sets the planning framework for the Western Sydney Aerotropolis. The first four Precincts of the Aerotropolis have now been zoned and draft Precinct Plans have been prepared.

The Northern Gateway, the nearest Precinct to the site, is identified as one of ten precincts within the Growth Area).

The site is not subject to the statutory planning process applicable to the WSA SEPP. Nonetheless, the Aerotropolis planning package remains an integral strategic consideration for future land uses within surrounding areas. The Planning Proposal seeks to deliver the outcomes intended for land within the Northern Gateway Precinct, particularly those outlined in Part 5 of the WSAP that provides measures to protect the 24-hour operations of the Western Sydney (Nancy-Bird Walton) International Airport. Key initiatives include:

- preventing the encroachment of noise-sensitive land uses into areas affected by aircraft noise and operational airspace,
- locating buildings to avoid wind shear and turbulence,
- managing wildlife attraction,
- locating wind turbines appropriately,
- ensuring lighting does not distract/confuse pilots,
- maintain an obstacle free operational space,
- ensuring off-airport development does not impact the communication, navigation and surveillance (CNS) equipment, and
- managing land uses in public safety areas.

The proposed rezoning and future Alspec Industrial Business Park will not impact the future airport operations.

3.6. Outer Sydney Orbital Corridor

In March 2018 Transport for NSW (TfNSW) exhibited the *Outer Sydney Orbital Corridor* for consultation with the intention to identify a location for a corridor of land to deliver a future motorway and freight rail line. The Outer Sydney Orbital Corridor (OSOC) will provide the following benefits for greater Sydney:

- Provide a major transport link between the North west and South West Growth Areas, connecting with the planned Western Sydney (Nancy-Bird Walton) International Airport and Aerotropolis,
- Support growing communities, businesses, and the creation of new jobs in Western Sydney, and
- Allow for freight to move efficiently and safely by rail.

The OSO corridor runs through the western portion of the site. This planning proposal addressing the proposed OSO corridor by retaining the RU2 Rural Landscape zone for land affected by the corridor.

3.7. Greater Penrith to Eastern Creek Strategy

Alspec Industrial Business Park is located within the Greater Penrith to Eastern Creek Growth Area. The GPEC Growth Area is an economic corridor that will undergo substantial growth in conjunction with the development of the North South Rail Line. This growth is anticipated to facilitate an increased provision of jobs and services, consistent with the Western City District Plan which delineates the GPEC Growth Area as capable of providing new jobs and services. The Growth Area will build on the opportunities created by the Western Economic Corridor and seek to enhance the integration of land use and transport planning whilst supporting land release development and urban renewal in association with investment in transport infrastructure connecting the Western Economic Corridor.

Under the District Plan, the growth area is intended to facilitate appropriate land uses that capitalise on transport and infrastructure planning. The growth area is identified as potentially accommodating housing supply under Planning Priority 5 as well as employment land uses under Planning Priority 7. Planning Priority 7 of the District Plan aims to provide more competitive and efficient economic corridors and freight and logistics industries. The Greater Penrith to Eastern Creek Growth Area

facilitates the co-ordination of the numerous land uses and transport infrastructure corridors throughout the area. The development of industrial and freight activities within the area will have good access to the strategic freight network including motorways and rail.

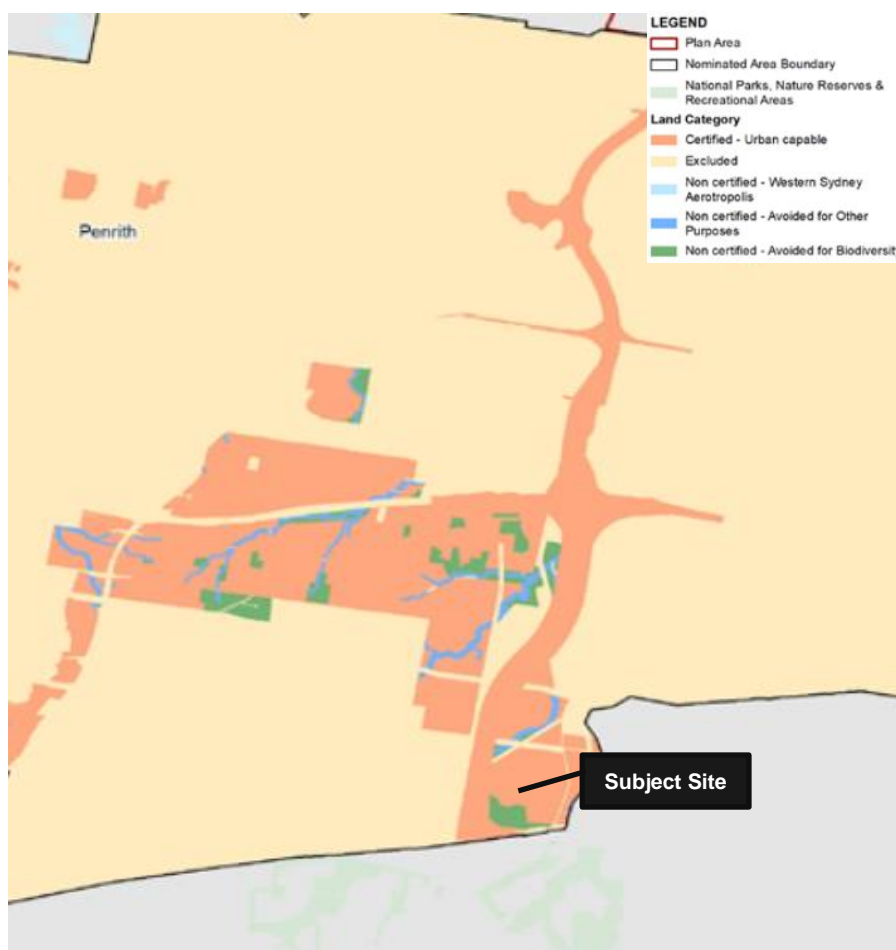
The Planning Proposal is consistent with the GPEC Strategy as it:

- Supports the delivery of key transport infrastructure including the Outer Sydney Orbital Corridor and Western Sydney Freight Line,
- Will deliver land uses which will leverage off existing and future infrastructure and are not sensitive to noise generated by the adjoining motorway and Western Sydney (Nancy-Bird Walton) International Airport operations, and
- Will deliver employment generating land uses within the Penrith LGA which will support job containment and contribute to the warehousing and logistics industries.

3.8. Draft Cumberland Plain Conservation Plan

The Draft Cumberland Plain Conservation Plan (CPCP) was placed on exhibition on 26 August 2020 and identifies strategically important biodiversity areas within Cumberland subregion to offset the biodiversity impacts of future urban development. The Draft CPCP identifies the location of certified and non-certified land across the Western Parkland City. A portion of non-certified land is located on the southwestern portion of the site. This planning proposal retains the RU2 Rural Landscape zone for the non-certified land.

Figure 12 Draft CPCP



Source: DPE

4. Statutory Planning Context

4.1. Penrith Local Environmental Plan 2010

The *Penrith Local Environmental Plan 2010* (PLEP 2010) is the principle environmental instrument applicable to the site and was gazetted 22 September 2010.

Aims of the Policy

The particular aims of PLEP 2010 are as follows:

- (a) *to provide the mechanism and planning framework for the management, orderly and economic development, and conservation of land in Penrith,*

The proposed rezoning seeks to deliver employment lands within the Penrith LGA to support the shortfall of industrial land within Greater Sydney and contribute to job containment within the LGA. The proposal aligns with current strategic direction and responds to the evolving strategic precinct in which the site is located.

- (b) *to promote development that is consistent with the Council's vision for Penrith, namely, one of a sustainable and prosperous region with harmony of urban and rural qualities and with a strong commitment to healthy and safe communities and environmental protection and enhancement,*

The proposed rezoning is consistent with Penrith's LSPS as it will deliver industrial land with respect to adjoining urban landscapes. The supporting Structure Plan will ensure the sustainable rezoning of land which will mitigate impact on adjoining riparian corridors.

- (c) *to accommodate and support Penrith's future population growth by providing a diversity of housing types, in areas well located with regard to services, facilities and transport, that meet the current and emerging needs of Penrith's communities and safeguard residential amenity,*

The proposal will deliver jobs close to homes to meet the employment needs of the current and future Penrith communities. The site is optimally located at the junction of major future transport corridors which will create a highly accessible business park where residents can live within 30-minutes of their jobs.

- (d) *to foster viable employment, transport, education, agricultural production and future investment opportunities and recreational activities that are suitable for the needs and skills of residents, the workforce and visitors, allowing Penrith to fulfil its role as a regional city in the Sydney Metropolitan Region,*

The future Alspec Industrial Business Park will deliver 6,410 ongoing jobs in warehousing and logistics and will support the Western Sydney (Nancy-Bird Walton) International Airport and Western Sydney Aerotropolis.

- (e) *to reinforce Penrith's urban growth limits by allowing rural living opportunities where they will promote the intrinsic rural values and functions of Penrith's rural lands and the social well-being of its rural communities,*

The proposal will deliver jobs to support the Penrith's residents living in both urban environments and rural communities.

- (f) *to protect and enhance the environmental values and heritage of Penrith, including places of historical, aesthetic, architectural, natural, cultural, visual and Aboriginal significance,*

The proposal will have minimal impact on nearby heritage items as detailed in the Visual Impact Assessment (**Appendix L**). The proposed Structure Plan identifies land for environmental conservation to ensure that development does not occur on environmentally sensitive land. The proposal has been informed by the Ecological Constraints Assessment at **Appendix M** which identifies areas of ecological significance.

- (g) *to minimise the risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by managing development in sensitive areas,*

An Overland Flow Study (**Appendix K**) and Bushfire Report (**Appendix N**) has been prepared to support the rezoning and ensure that the proposal will not be impacted by flooding and bushfire. Where bushfire and flood risk are present, mitigation measures have been proposed.

(h) to ensure that development incorporates the principles of sustainable development through the delivery of balanced social, economic and environmental outcomes, and that development is designed in a way that assists in reducing and adapting to the likely impacts of climate change.

The proposed future industrial estate seeks to support the good environmental outcomes. Specifically, the proposed Stormwater management for the future Alspec Industrial Business Park has been developed in accordance with Penrith City Council's requirements and Water Sensitive Urban Design (WSUD) principles.

Land Use Zoning

Majority of the site is zoned **RU2 Rural Landscape**, under the PLEP 2010 (refer **Figure 15**).

RU2 Rural Landscape zone

Zone objectives:

The Objectives of the RU2 Rural Landscape zone are stated as:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base,*
- To maintain the rural landscape character of the land,*
- To provide for a range of compatible land uses, including extensive agriculture,*
- To minimise conflict between land uses within the zone and land uses within adjoining zones,*
- To preserve and improve natural resources through appropriate land management practices, and*
- To ensure development is compatible with the environmental capabilities of the land and does not unreasonably increase the demand for public services or public facilities.*

Permissibility

The permitted and prohibited uses in the RU2 zone are stated:

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Agricultural produce industries; Agriculture; Animal boarding or training establishments; Aquaculture; Building identification signs; Business identification signs; Cellar door premises; Cemeteries; Community facilities; Crematoria; Dual occupancies; Dwelling houses; Environmental facilities; Environmental protection works; Farm buildings; Flood mitigation works; Forestry; Funeral homes; Helipads; Home-based child care; Home businesses; Home industries; Information and education facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (outdoor); Roads; Roadside stalls; Rural supplies; Schools; Secondary dwellings; Stock and sale yards; Tourist and visitor accommodation; Veterinary hospitals

4 Prohibited

Hotel or motel accommodation; Serviced apartments; Any other development not specified in item 2 or 3

E2 Environmental Conservation

Zone objectives:

The Objectives of the E2 Environmental Conservation zone are stated as:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values,*
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values,*

- To protect, manage, restore and enhance the ecology, hydrology and scenic values of riparian corridors and waterways, wetlands, groundwater resources, biodiversity corridors, areas of remnant indigenous vegetation and dependent ecosystems, and
- To allow for low impact passive recreational and ancillary land uses that are consistent with the retention of the natural ecological significance.

Permissibility

The permitted and prohibited uses in the E2 zone are stated:

2 Permitted without consent

Nil.

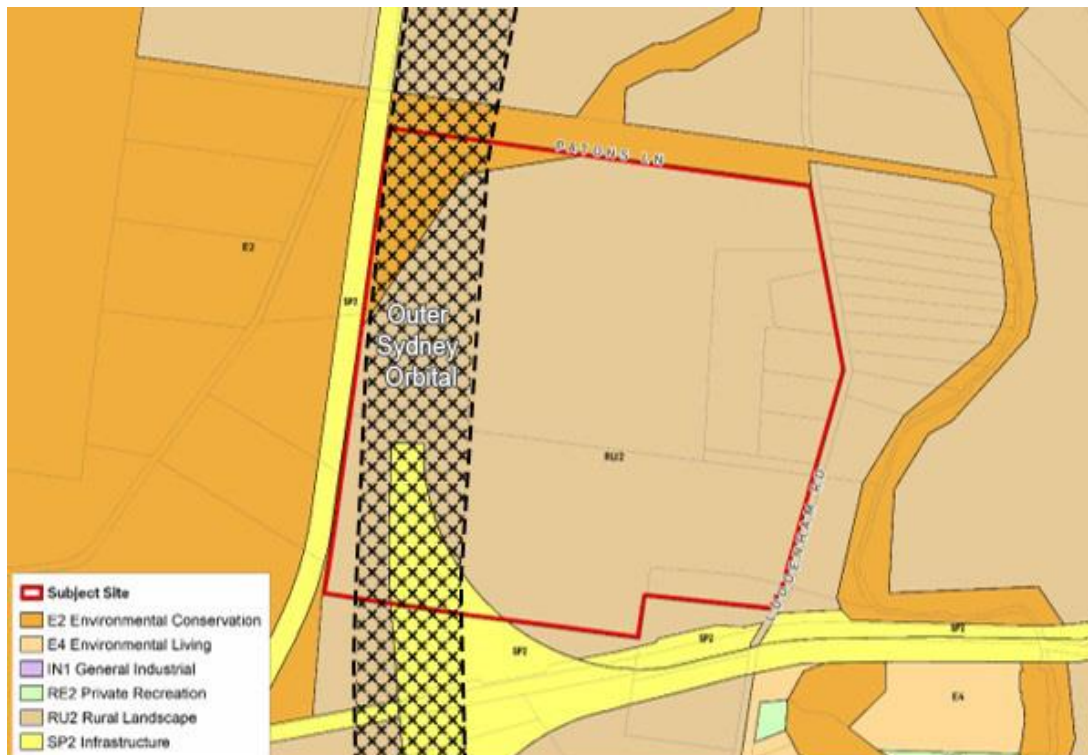
3 Permitted with consent

Environmental facilities; Environmental protection works; Flood mitigation works; Oyster aquaculture; Recreation areas; Roads

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Pond-based aquaculture; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Tank-based aquaculture; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Figure 13 PLEP 2010 – Land Zoning Map



Source: Urbis

Height of Buildings

Under PLEP 2010, the site is not subject to a maximum building height.

Floor Space Ratio

Under PLEP 2010, the site is not subject to a Floor Space Ratio (FSR) control.

Minimum Lot Size

Under PLEP 2010, majority of the site is subject to a minimum lot size of 40 hectares as indicated in **Figure 16** below.

Figure 14 PLEP 2010 – Minimum Lot Size Map



Source: Urbis

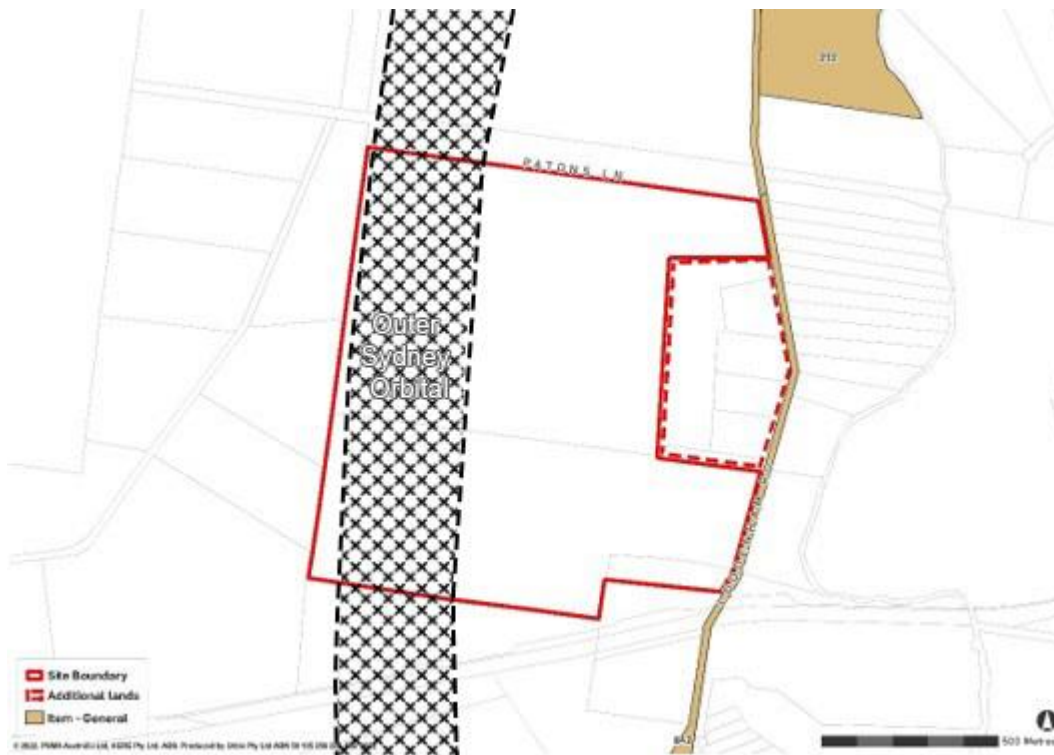
Heritage Conservation

The site is not identified as a local heritage item, nor is it located within a heritage conservation area. However, there are two local heritage items located east of the site, specifically:

- Item 232: Leeholme Horse Stud Rotunda, 391–395 Mamre Road, and
- Item 843: Luddenham Road Alignment

Figure 17 maps heritage items identified in PLEP 2010 and their relationship to the proposed site. *Clause 5.10 Heritage Conservation* and *Schedule 5 Environmental heritage* in PLEP 2010 provides guidance on the treatment of heritage items and process to propose new development application on or in the vicinity of a heritage item.

Figure 15 PLEP 2010 – Heritage Map



Source: Urbis

Bushfire Risk

The majority of the site is identified as being of the 'lowest' bushfire risk, with a strip of land in the north-west corner portion of the site being of "highest risk" as indicated in **Figure 18** below.

Figure 16 PLEP 2010 – Bushfire Prone Land Map



Source: Urbis

4.2. State Environmental Planning Policy (Western Sydney Employment Area) 2009

State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) establishes core development controls and design principles, as well as guides the efficient release and development of land and sets the framework for regional infrastructure contributions within the WSEA.

The WSEA SEPP does not inform the land zoning and associated development controls related to the site. However, given the sites proximity to the WSEA, consideration is given to the aims of the WSEA SEPP. The aims of the WSEA SEPP are as follows:

- (a) to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development including major warehousing, distribution, freight transport, industrial, high technology and research facilities,*

The proposal will provide 571 immediate construction jobs and 6,410 additional ongoing direct and indirect jobs, primarily within transport, postal and warehousing sectors. Ongoing jobs are complimentary of the warehouse and distribution use envisaged for the Western Sydney Employment Area.

- (b) to provide for the co-ordinated planning and development of land in the Western Sydney Employment Area,*

The rezoning and development of Alspec Industrial Business Park, in conjunction with the broader structure plan allows for the co-ordinated and planned development of industrial land within Western Sydney.

- (c) to rezone land for employment, environmental conservation or recreation purposes,*

The proposal seeks to rezone the site for industrial land uses and facilitate future development of Alspec Industrial Business Park which will provide immediate and ongoing employment. The structure plan identifies land for environmental conservation and retains areas of RU2 rural landscape zones.

- (d) to improve certainty and regulatory efficiency by providing a consistent planning regime for future development and infrastructure provision in the Western Sydney Employment Area,*

The proposed rezoning is consistent with strategic plans. The proposal is supported by a structure plan which will guide future land uses along Luddenham Road and leverage off proposed transport and freight infrastructure. The proposal seeks to deliver infrastructure services to the site at no cost to government.

- (e) to ensure that development occurs in a logical, environmentally sensitive and cost-effective manner and only after a development control plan (including specific development controls) has been prepared for the land concerned,*

Future DAs and SSDAs at the site will need to demonstrate compliance with the Penrith Development Control Plan 2014.

- (f) to conserve and rehabilitate areas that have a high biodiversity or heritage or cultural value, in particular areas of remnant vegetation.*

The proposed structure plan identifies land for environmental conservation to ensure that development does not occur on environmentally sensitive or constrained land. The proposal has been informed by the Ecological Constraints Assessment (ECA) at **Appendix M** which identifies areas of ecological significance. The proposed structure plan has been developed in accordance with the findings of the ECA any areas of environmental sensitivity have been zoned accordingly. A BDAR will be prepared to support any future DAs or SSDAs at the site.

4.3. State Environmental Planning Policy (Western Sydney Aerotropolis)

The *State Environmental Planning Policy (Western Sydney Aerotropolis)* (SEPP WSA) was gazetted on 1 September 2020 and provides the primary development controls for the Aerotropolis, land zoning and establishes permissible land uses compatible with the Western Sydney (Nancy-Bird Walton) International Airport that seeks to protect native vegetation and natural areas. Since its finalisation, the SEPP WSA has had the following effect:

- implemented the WSAP,
- set the boundary for the Aerotropolis and the area to which the SEPP applies,
- define precincts within the Aerotropolis,
- applied land use zones throughout the Aerotropolis,
- set strategic objectives for future planning within the area,
- established planning controls, and associated mapping for the controls,
- identified transport corridors and utility sites required to service the Aerotropolis, and
- outlined approval pathways.

The SEPP WSA does not inform the land zoning and associated development controls related to the site. However, given the site's proximity to the Western Sydney Aerotropolis, consideration is given to the aims of the SEPP WSA. It is noted however, that the site directly adjoins the Northern Gateway precinct to the south which has been rezoned of Enterprise with the gazettal of the SEPP WSA. The Planning Proposal seeks to align directly with the adjoining enterprise zone by delivering complementary employment uses and infrastructure zones to support the delivery of regional infrastructure.

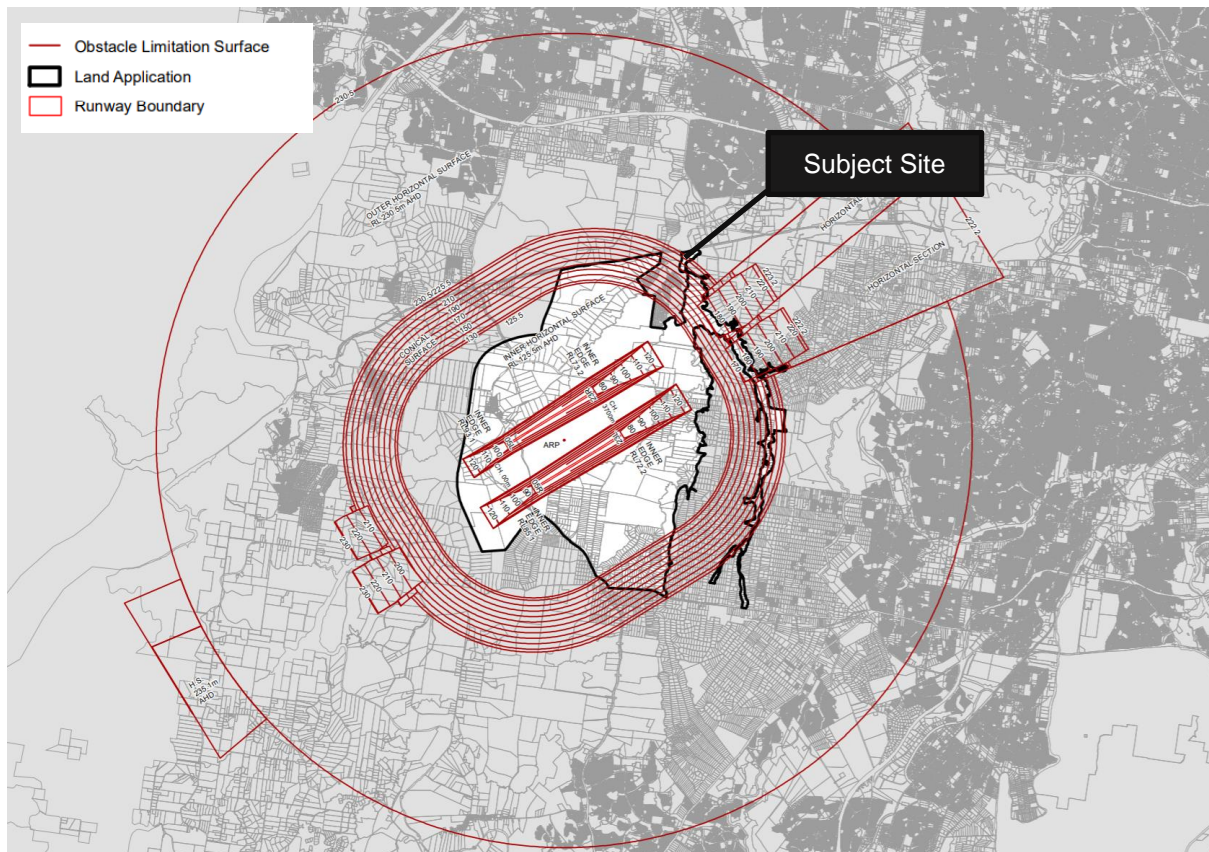
The SEPP WSA also establishes controls associated with safeguarding airport operations of the Western Sydney (Nancy-Bird Walton) International Airport. These controls relate to:

- adoption of the National Airports Safeguarding Framework,
- protection of airport operation through ensuring sensitive land uses will not be affected by aircraft noise. This is monitored through the Australian Noise Exposure Concept (ANEC) and Australian Noise Exposure Forecast (ANEF) maps as indicated in **Figure 20**,
- protection of airspace through ensuring appropriate heights for buildings and temporary structures do not affect airport operations. This is guided by the Obstacle Limitation Surface (OLS) map as indicated in **Figure 19**, and
- wildlife management around airports to minimise wildlife strikes which cause major damage to aircraft and/or compromises aircraft safety.

Consideration is given to the relevant airport protection maps which were gazetted as with the finalisation of the SEPP WSA. Overall, it is not expected that the proposed rezoning will interfere with airport operation as:

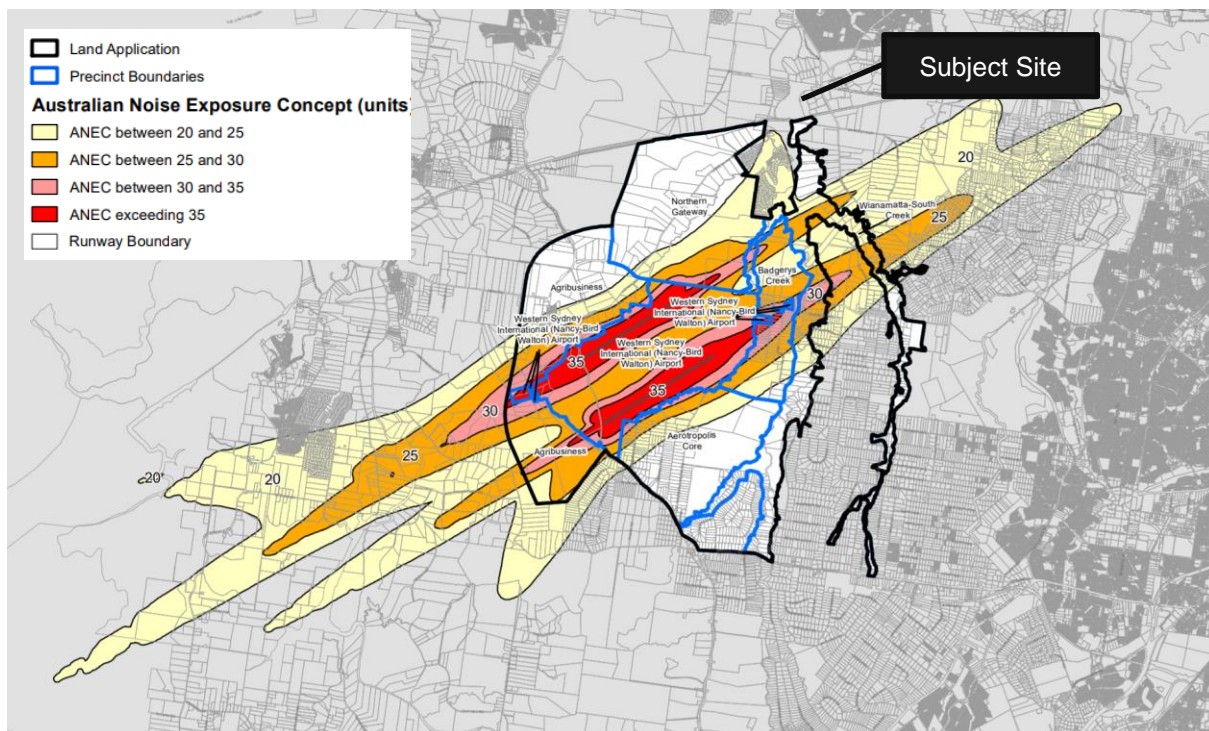
- The site is located within the Conical Surface 190 AHD on the OLS map (see **Figure 19**). The rezoning and future development will not impact airspace operations,
- The site is not affected by aircraft noise as shown in the Noise Contour Exposure Map (see **Figure 20**) and the proposed industrial land uses are not considered a noise sensitive land use, and
- The site does not fall within the lighting intensity radius or lighting control zones established within the Lighting Intensity and Wind Shear Map (see **Figure 21**).

Figure 17 Obstacle Limitation Surface Map – SEPP WSA



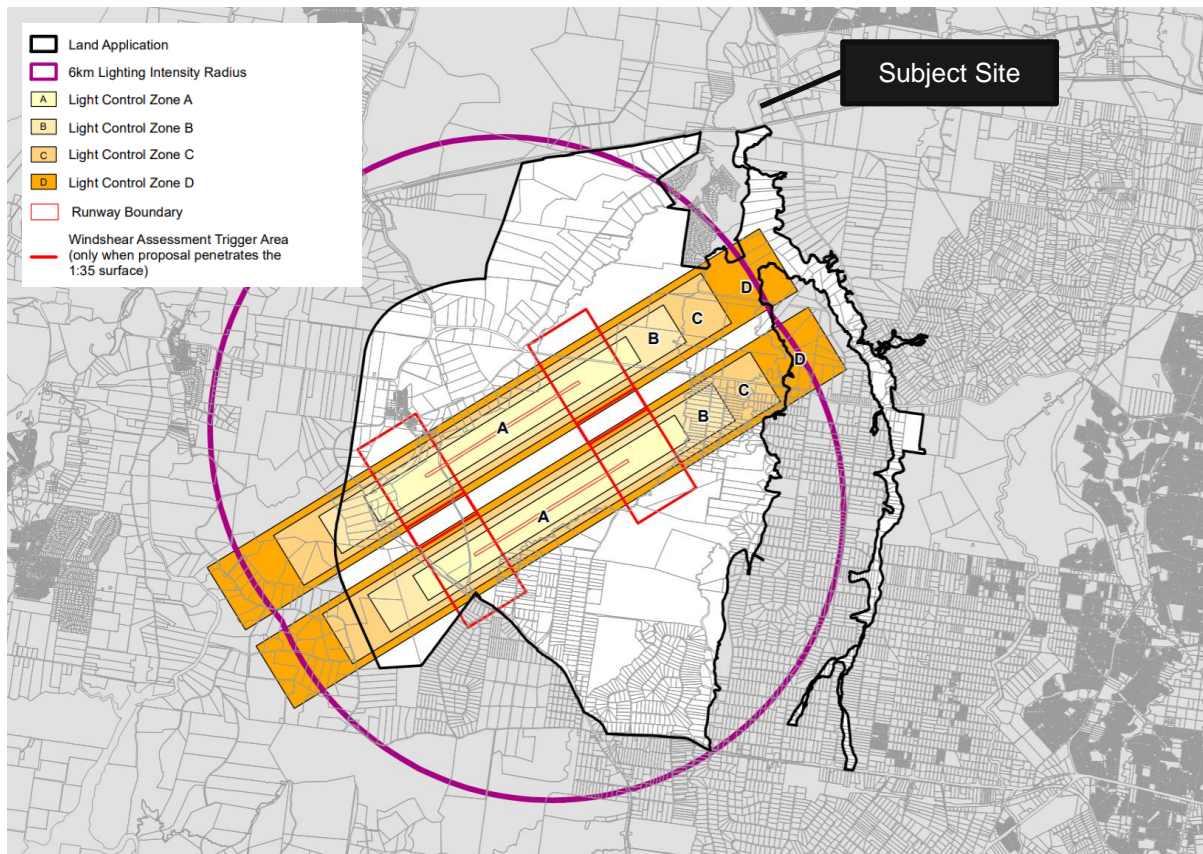
Source: NSW Legislation

Figure 18 Noise Exposure Contour Map – SEPP WSA



Source: NSW Legislation

Figure 19 Lighting Intensity and Wind Shear Map – SEPP WSA



Source: NSW Legislation

4.4. State Environmental Planning Policy (Major Infrastructure Corridors) 2020

The *State Environmental Planning Policy (Major Infrastructure Corridors) 2020* (Corridor Protection SEPP) was finalised by the DPE in August 2020 and secures the location of three major infrastructure corridors in Western Sydney to support the growing population. The three major corridors that are identified in the Corridor Protection SEPP are the:

- Sydney Metro – Western Sydney Airport line
- South-west Rail Link Extension, and
- Western Sydney Freight Line (Stage one).

The aim of the Corridor Protection SEPP is to identify land that is intended to be used in the future as an infrastructure corridor and establish appropriate planning controls for land to allow for the ongoing use and development of the land until it is needed for the future infrastructure corridor and protect land from development that would adversely impact on or prevent the land from being used as an infrastructure corridor in the future.

The site is adjoined by the Sydney Metro - Western Sydney Airport to the west and Western Sydney Freight Line to the south, both of which have been zones SP2 Infrastructure under the Corridor Protection SEPP.

The proposed IN1 and IN2 zoning for the site seeks to facilitate its development into a warehouse or logistics hub and aligns with the intended function of both of these corridors, that is to allow for the safe and efficient movement of people and freight throughout Western Sydney.

4.5. Penrith Development Control Plan 2014

The *Penrith Development Control Plan 2014* (PDCP) provides detailed built form controls for land within the Penrith LGA. In particular, the development control plan details provisions for Industrial Development across the LGA. The intent of this planning proposal to adopt the relevant controls contained within PDCP to ensure consistency against future DAs/SSDAs at the site.

5. Indicative Development Concept

5.1. Overview

An indicative development concept has been prepared by Nettleton Tribe and is detailed in the Architectural Plans at **Appendix A**.

Alspec Industrial Business Park will be an employment estate for industrial and logistics users, underpinned by excellent design quality, flexibility, technology, and sustainability. Located at the intersection of a rapidly evolving precinct, the proposed rezoning will provide flexibility for employment generating land uses, contribute to local employment opportunities in Western Sydney, respond to a critical shortage of zoned employment land and integrate with existing and planned infrastructure.

The proposed rezoning seeks to facilitate the staged future development of Alspec industrial Business Park.

The components of the concept design include the following and are detailed in **Table 2** below:

- Stage 1:
 - Construction of five (5) warehouse buildings and six (6) two storey offices across five (5) Lots,
 - Car parking,
 - Water quality and on site detention basins and proposed landscaping, and
 - Road reserve.
- Stage 2:
 - Construction of six (6) warehouse buildings and six (6) two storey offices across six (6) Lots,
 - Car parking, and
 - Road reserve.
- Stage 3:
 - Construction of twenty-one (21) warehouse buildings and three (3) two storey offices across twenty-one (21) Lots,
 - Car parking, and
 - Road reserve.

Table 2 Indicative Development Concept – Key Components

Component	Amount (m ²)
<u>Site Area</u>	
Outer Sydney Orbital	360,412
Western Sydney Freight	6,088
Electrical Easement	23,335
Environmental Management and Basins	73,024
Luddenham Road Widening Corridor	23,088
Road Reserve	81,712

Component	Amount (m ²)				
Total Developable Area	733,943				
Total Site Area	1,466,103				
<u>Gross Floor Area (GFA)</u>					
<u>Lot</u>	<u>Site Area</u>	<u>Warehouse</u>	<u>Office</u>	<u>Floor Space Ratio (FSR)</u>	<u>Car Parking</u>
Stage 1					
Lot 1	85,322	47,192	900	0.56:1	500
Lot 2	20,538	10,281	650	0.53:1	110
Lot 3	17,485	9,950	650	0.61:1	106
Lot 4	27,093	13,237	800	0.52:1	141
Lot 5	23,690	13,121	800	0.59:1	156
Stage 2					
Lot 6	40,363	24,590	1,100	0.64:1	257
Lot 7	41,470	24,590	1,100	0.62:1	257
Lot 8	57,898	34,852	2,000	0.64:1	369
Lot 9	56,595	34,824	2,000	0.65:1	368
Lot 10	17,800	9,323	600	0.56:1	99
Lot 11	30,067	15,182	1,100	0.54:1	164
Stage 3					
Lot 12	31,401	18,477	800	0.61:1	193
Lot 13	31,115	17,662	800	0.59:1	185
Lot 14	4,731	1,810	280	0.44:1	21
Lot 15	4,678	1,759	280	0.44:1	20
Lot 16	24,333	10,136	650	0.44:1	126
Lot 17	8,792	4,423	280	0.53:1	50
Lot 18	2,638	1,231	60	0.49:1	13
Lot 19	5,316	2,670	280	0.55:1	30
Lot 20	2,102	1,062	60	0.53:1	11

Component	Amount (m ²)				
Lot 21	1,949	676	60	0.38:1	7
Lot 22	1,265	574	60	0.5:1	6
Lot 23	1,264	539	60	0.47:1	6
Lot 24	1,267	487	60	0.43:1	5
Lot 25	1,810	446	60	0.28:1	5
Lot 26	1,729	690	60	0.43:1	8
Lot 27	1,112	575	60	0.57:1	7
Lot 28	1,100	569	60	0.57:1	7
Lot 29	1,129	675	60	0.65:1	7
Lot 30	1,113	566	60	0.56:1	7
Lot 31	8,446	3,497	280	0.45:1	38
Lot 32	5,729	2,308	280	0.45:1	26
Additional Land	148,517	69,803	4,456	0.5:1	747
Southern Land Parcel	22,203	10,482	669	0.5:1	116
Total	891,015	467,567	26,088	0.55:1	4,972

Landscaping

The following components are included as part of the landscape scheme for the master planned site:

- Tree planting within the carpark for shade,
- Primary street trees to provide visual interest and way-finding throughout the estate,
- Native grass verges, and
- Warehouse boundary tree planting for shade.

Figure 21 Landscape Plan (rezoning area outlined yellow)



Source: Urbis

5.2. Public Benefit Offer

Under Section 7.4 of the EP&A Act, a proponent may enter into a Voluntary Planning Agreement (VPA) where a change is sought to an environmental planning instrument, under which the developer agrees to dedicate land free of cost, pay a monetary contribution, and/or provide any other material public benefit to be used for or applied towards a public purpose. A draft VPA is normally prepared following 'Gateway' approval of a Planning Proposal and the associated Public Benefit Offer. It is intended that the proponent will enter into a VPA towards local infrastructure.

The draft VPA is intended to include the following contributions:

- Landowner will pay a monetary contribution towards the future upgrade of Luddenham Road.
- The following works will be constructed as 'Works in Kind':
 - Two roundabout intersections required to provide access to the development site,
 - Secondary intersection required to provide access to the south of the development site along Luddenham Road,
 - Upgrade of Patons Lane between the Luddenham Road and the roundabout providing direct access into the site,
 - Provision of public roads,
 - Drainage and water quality infrastructure.
- Land dedication to Council for the internal estate roads and the future widening of Luddenham Road.

The proponent will enter into a State level VPA which will reflect the structure of the forthcoming regional infrastructure contribution. The contributions system is currently undergoing major changes as a result of the recommendations of the Productivity Commissioner. A new system of Regional Infrastructure Contributions is proposed by DPE and this is currently going through legislative change. This proposal will reflect the requirements of the new contribution system. Similarly, reforms are proposed for local contributions and this proposal will respond with a Voluntary Planning Agreement for local level contributions. As this is a proponent led re-zoning, it is recognised that the costs of key linkage and enabling infrastructure will be borne by the landowner. The Case for Change

Achievement of the vision for the redevelopment of the site and the associated significant public benefits requires amendment to the existing planning controls. There are compelling reasons why the Planning Proposal should be supported, summarised in the following sections.

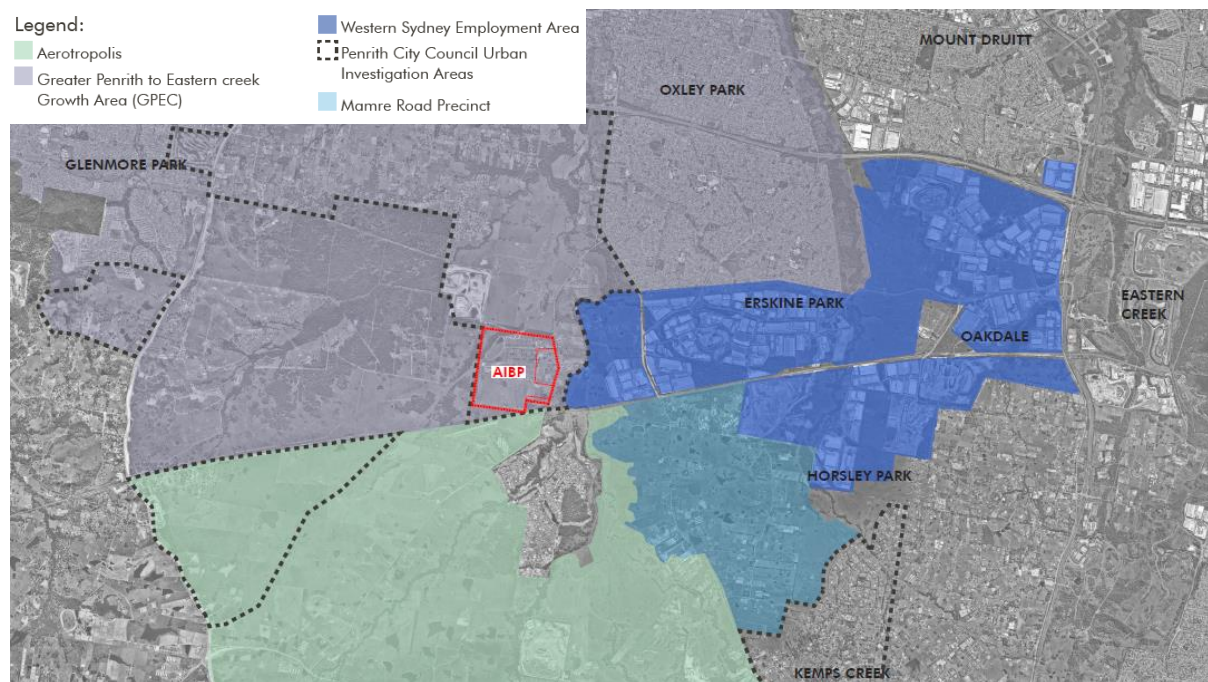
5.3. Catalyst for Growth

Alspec Industrial Business Park is positioned within the GPEC Area in close proximity to several strategically important land release areas. It is immediately north of the Western Sydney Aerotropolis, west of the Western Sydney Employment Area (refer **Figure 24**). It is amid rapidly developing industrial precincts with future planned transport initiatives directly adjoining the site. The site is within an optimal setting to leverage off the future North South Rail Line, Outer Sydney Orbital Motorway and Western Sydney Freight Line which will provide access to employment within Western Sydney as well as support the future warehouse and logistic needs of the Western Sydney (Nancy-Bird Walton) International Airport.

The site is capable of providing high-quality warehousing facilities and industrial floor space within Western Sydney as envisaged by the Region Plan and District Plan, without encroaching on environmentally sensitive land. Further, the site is in single ownership which will ensure that the future development stages are delivered as intended.

The current supply of zoned undeveloped industrial land within the Penrith LGA and across Greater Sydney indicates limited years supply remaining. When the availability of serviced undeveloped land is considered, the supply reduces to 2.2 years remaining within the Western Sydney Catchment.

Figure 22 Context Analysis – Western Sydney Growth Areas



Source: Nettleton Tribe

5.4. Planning Controls Inhibit Growth

Current planning controls applicable to the site under the PLEP 2010 are not reflective of the desired strategic future for Orchard Hills precinct.

The current RU2 Rural Landscape zoning does not permit the industrial uses required to deliver the Alspec Industrial Business Park. There is an imperative for the current planning controls to be changed to better reflect the strategic future desired for the Alspec Industrial Business Park site.

5.5. Need for Industrial Service Land

An Industrial Need and Impact Assessment has been prepared by Urbis (**Appendix T**) to assess recent trends in Sydney's industrial land market, the current and future supply of industrial land in Western Sydney and forecast demand and need for additional industrial land in Western Sydney.

Industrial Land Demand and Need

The Industrial Need and Impact Assessment reviewed the DPE's Employment Lands Development Monitor data to analyse the need for industrial land within a catchment that is referred to as the 'Western Sydney Catchment' and comprises the Penrith, Liverpool, Blacktown, Camden and Fairfield LGAs. The assessment drew the following observations:

- There is currently a total of 5,005.9 ha of unconstrained net land supply available for industrial development in the Western Sydney catchment,
- Of the 5,005.9 ha remaining unconstrained net land supply:
 - Approximately 405 ha are zoned and serviced (i.e. shovel-ready),
 - Approximately 1,159 ha are zoned but not yet serviced,
 - Approximately 3,442 ha represent potential future industrial land supply, and
- Concurrently, diminishing industrial land supply in Greater Sydney, combined with unprecedented infrastructure investment in Western Sydney, is projected to drive demand for an average of approximately 184 ha of industrial land per annum in the Western Sydney catchment between 2021 and 2061.

At an average annual take-up rate of approximately 184 ha per annum for the catchment, when compared with the 5,006 ha of remaining land supply, it is estimated that the catchment has only:

- 2.2 years of zoned undeveloped serviced land supply,
- 6.3 years of zoned undeveloped unserviced land supply, and
- 18.7 years of unconstrained potential industrial land supply.

The above supply years are all below the DPE's stated supply standards of 5-7 years for zoned serviced land, 8-10 years for zoned unserviced land, and 20 years for potential future land supply as per the Employment Lands Development Monitor. This therefore indicates a need for additional industrial land in the Western Sydney catchment, particularly "shovel-ready" land that is zoned and serviced.

Supporting Industrial Land Supply

Based on the findings of the Industrial Need and Impact Assessment (**Appendix T**) it is considered that the site subject of this Planning Proposal is ideally located in close proximity to the Aerotropolis and WSEA and presents a key opportunity to help address the need for additional "shovel-ready" industrial by delivering approximately 66.32 ha of IN1 General Industrial land and 18.14 ha of IN2 Light Industrial land.

Furthermore, the rezoning at the site will also provide a number of wider benefits, including:

- Providing shovel-ready industrial land for smaller operators who have not been able to compete with the institutional owners in the Mamre Road Precinct,
- Delivering highly accessible industrial land that will have access to future road, rail and aviation infrastructure, and
- Complementing the existing industrial uses and activities in the WSEA.

5.6. More Jobs in Western Sydney

The rezoning of industrial land in Western Sydney is essential in helping NSW's COVID economic recovery through the growth opportunities and jobs that are provided. As detailed in the Economics Analysis Report (**Appendix S**), the proposal provides substantial economic benefits with an additional:

- \$355.2 million annual gross value add over a four-year construction period,
- Total of 571 immediate direct and indirect jobs over a four-year construction period, and
- Total of 6,410 ongoing direct and indirect jobs.

Economic Benefit and Jobs

Urbis has undertaken an assessment of the associated economic benefits of the proposal identifying that the proposal will contribute to both direct and indirect jobs during the construction and operational phases.

Construction Phase

The construction of the proposed development has an estimated construction cost of \$355.2 million over a four year period. The construction of the proposed development would generate approximately 232 direct and 339 indirect jobs over the four-year construction period. Most new jobs will be in the construction sector which is an important focus in the COVID-19 economic recovery. Indirect jobs associated with construction are mostly in manufacturing.

Operational Phase

Upon completion of the development, the ongoing operations will support new jobs and generate value added to the economy. The operational phase will generate 3,660 direct and 2,750 indirect jobs. Majority of direct jobs are associated with the future intended uses of the site comprising transport, postal and warehousing sectors.

Other direct jobs associated with ongoing operations include the retail trade and public administration and safety sectors. Indirect jobs will be generated in industry sectors relevant to professional, scientific and technical services, administrative and support services and construction.

Job Containment

Urbis undertook an analysis of employment profiles of Penrith LGA workers and resident workers who live in the LGA. The analysis found that there are more resident workers than jobs available in sectors that will benefit from the development's construction and ongoing operations. Based on ABS 2016 Census there is a shortage of jobs in the following sectors for local residents who are travelling outside the LGA for work. The gaps are:

- Deficit of 1,904 in construction jobs,
- Deficit of 1,263 in wholesale trade jobs, and
- Deficit of 907 in transport, postal and warehousing jobs.

Given the current economic conditions, there is likely to be a strong interest in construction jobs. The site has a valuable role to play through providing jobs for residents in sectors most at risk of further self-containment deterioration.

PART B - Planning Proposal

This Planning Proposal has been prepared in accordance with Section 3.33 of the EP&A Act with consideration of the NSW Department of Planning and Environment's 'A guide to preparing planning proposals' and 'Local Environmental Plan Making Guideline, December 2021. Accordingly, the Planning Proposal is addressed in the following six parts:

- **Part 1 – Objectives and intended outcomes** – a statement of the objectives of the proposed instrument,
- **Part 2 – Explanation of provisions** - an explanation of the provisions that are to be included in the proposed instrument,
- **Part 3 – Justification of strategic and site-specific merit** - justification of strategic and potential site-specific merit, outcomes and the process for their implementation.
- **Part 4 – Maps** – maps where relevant, to identify the effect of the planning proposal and the area to which it applies,
- **Part 5 – Community consultation** – details of the community consultation that is to be undertaken on the planning proposal, and
- **Part 6 – Project timeline** - project timeline to detail the anticipated timeframe for the LEP making process in accordance with the benchmarks in the LEP Making Guideline.

6.1. Part 1: Objectives or Intended Outcomes

The intended outcome of this Planning Proposal is to amend PLEP 2010 in order to facilitate the future development of Alspect Business Park at 221-235 Luddenham Road, Orchard Hills. The proposed amendment to land zoning will facilitate the development of a high quality industrial warehouse precinct across three stages incorporating:

- Thirty-two (32) high-quality warehouse buildings across thirty-two (32) lots, each accompanied with an ancillary office, associated parking and business identification signage for legibility and easy way-finding,
- Landscaped internal estate roads including a three roundabouts, four cul-de-sacs and entry roads for improved amenity, and
- Electrical easement and an environmental zone and basins.

6.2. Part 2: Explanation of Provisions

The objectives and intended outcomes of the Planning Proposal will be achieved by amending the current zoning of PLEP 2010 as it applies to the site as follows:

- Rezone part of the site from RU2 Rural Landscape to part IN1 General Industrial and part IN2 Light Industrial,
- Amend the Minimum Lot Size map to reduce the minimum lot size to 1,000m²,
- Introduce a Height of Building Control of 24 metres to the site,
- Introduce density provisions to ensure a mixture of large and small lots that meet the needs of the local market. A minimum lot provision of 40 lots will apply to land zone IN1 and minimum lot density provision of 60 lots will apply to land zoned IN2.
- Introduce a sunset clause which requires commencement of the development within five (5) years of gazettal of the PLEP 2010. Should this not occur, the zoning will revert to the current RU2 Rural Landscape zone.

Employment Zones Reform

Changes being proposed under the DPE's Employment Zones Reform will apply to the site.

As part of the proposed broader translation for Penrith LEP 2010, all permissible land uses under the existing IN1 zone are proposed to be translated to the new E4 General Industrial zone. This approach is consistent with DPE's primary translation for the IN1 zone. There are two additional land uses proposed as permissible with consent for the E4 zone that are not currently permissible under the

existing IN1 zone. These land uses are mandated as permissible within the E4 zone and include 'Goods repair and reuse premises' and 'Local distribution premises'.

For the IN2 translation, it will be recommended that this site is also proposed to be translated to the E4 General Industrial zone. This is also consistent with DPE's primary translation. All existing land uses under the existing IN2 zone will be translated to the new E4 zone, either through the land use table or through the application of Schedule 1 – Additional Permitted Uses. This is consistent with Council's approach to the majority of other existing IN2 sites across the LGA.

A result of the IN2 zone being translated to the new E4 zone means that site will have several new additional land uses to what is currently permitted, when the new E4 zone is applied. These uses include:

- Animal boarding or training establishments,
- Boat building and repair facilities,
- Freight transport facilities,
- General industries,
- Goods repair and reuse premises
- Industries,
- Local distribution premises,
- Rural industries,
- Storage premises,
- Transport depots,
- Truck depots, and
- Vehicle body repair workshops.

A site-specific Development Control Plan is also being prepared conjunction with the Planning Proposal. The DCP will provide guidance on:

- the interface with Luddenham Road and manage any potential land use
- conflict with land to the east
- Manage landscape and vegetation buffers around the site
- determine appropriate minimum lot widths and building setbacks
- determine minimum lots for Strata Subdivision
- define the road layout and widths

6.3. Part 3: Justification

Section A – Need for the Planning Proposal

Q1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

No, the Planning Proposal is not a result of a strategic study or report, it is a landowner-initiated Planning Proposal. However, the Planning Proposal is entirely consistent with *A Metropolis of Three Cities: Greater Sydney Region Plan (GSC 2018)* and *Western City District Plan (GSC 2018)*, which was adopted by the NSW Government in March 2018.

In addition, the Planning Proposal is consistent with the directions established by Penrith City Council in the Penrith Local Strategic Planning Statement (March 2020), which identifies the need to provide '*jobs and services close to home, to satisfy the long-term demand of employment lands*'.

The Industrial Need and Impact Assessment (**Appendix T**) demonstrates that there is a critical need for additional industrial land in the Western Sydney catchment, particularly "shovel-ready" land that is

zoned and serviced. The site, given its ideal location within close proximity to the Aerotropolis and WSEA presents a key opportunity to help address the need for additional “shovel-ready” industrial land.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the proposed rezoning and amendment to associated planning controls in PLEP 2010 are required to facilitate the redevelopment of the site to achieve the anticipated land use, built form and development outcomes described in Section 5 of this report.

Section B – Relationship to Strategic Planning Framework

Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, as described in **Section 3** of this report and summarised in **Table 3**, the Planning Proposal is entirely consistent with the objectives and actions of *A Metropolis of Three Cities: Greater Sydney Region Plan* (2018), the *Western City District plan* (2018) and *Western Sydney Aerotropolis Plan*.

Table 3 Relationship to Strategic Planning Framework

Strategic Plan	Consistency
<i>A Metropolis of Three Cities: Greater Sydney Region Plan</i> (2018)	<p>The Planning Proposal is consistent with <i>A Metropolis of Three Cities: Greater Sydney Region Plan</i>, as it would:</p> <ul style="list-style-type: none"> • Leverage off local and regional infrastructure initiative and provide employment generating land uses to support a 30-minute city. Additionally, the proposal seeks to provide essential infrastructure, e.g. water, electricity, telecommunications and gas to the site (Direction: A city supported by infrastructure), • The rezoning of Alspeck Industrial Business Park will facilitate the construction of a master planned industrial estate and create new job opportunities for the Western Sydney Region. The proposal responds to the industrial land shortfall identified in the Region Plan (Direction: A well connected city and jobs and skills for the city), and • The Proposal will provide employment generating land uses to nearby residential suburbs therefore supporting the 30-minute city (Direction: A city for people, housing the city, and a city of great places).
<i>Western City District Plan</i> (2018)	<p>The Planning Proposal is consistent with the <i>Western City District Plan</i>, as it:</p> <ul style="list-style-type: none"> • Will deliver employment lands in a location earmarked for future transport infrastructure investment (Planning Priority W1), • Provides jobs in proximity to future land release areas and growth areas which will enable residents to live within 30-minutes of their jobs (Planning Priority W7), • Supplies industrial lands to support warehousing and logistics needs of industry within proximity of the Western Sydney (Nancy-Bird Walton) International Airport and Badgerys Creek Aerotropolis (Planning Priority W8 and W10), and • Proposed future industrial estate seeks to adopt WSUD targets through appropriate site servicing and stormwater management. Water efficient toilets, showerheads, taps and

Strategic Plan	Consistency
	urinals are proposed to be incorporated into the development as well as rainwater reuse. Future design stages will incorporate appropriate ESD targets (Planning Priority W19).

Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Yes, the Planning Proposal is consistent with the following relevant local strategy and planning studies as described in **Section 3** of this report and summarised in **Table 4** below.

Table 4 Relationship to Local Strategic Plans and Planning Studies

Local Council Plans and Studies	Consistency
<i>Penrith Local Strategic Planning Statement (2020)</i>	<p>The Planning Proposal is consistent with the <i>Penrith Local Strategic Planning Statement</i>, as it would:</p> <ul style="list-style-type: none"> • Leverage off existing and future transport and road infrastructure to deliver jobs close to residents. Alspeg Business Park will facilitate the delivery of key local infrastructure services to the site including water, electricity, telecommunications and gas (Planning Priority 1: Align development, growth and infrastructure), • Leverage off the North South Rail Link to provide efficient access to employment for Western Sydney residents. Additionally, the structure plan indicates that majority of future land uses surrounding the site will comprise industrial uses or employment generating uses, as such, the Planning Proposal is complimentary of the surrounding urban environment (Planning Priority 9: Support the North South Rail Link and emerging structure plan), • Deliver additional employment lands within the Penrith LGA that complement surrounding land uses and will capitalise off existing and future transport initiatives within the region (Planning Priority 11: Support the planning of the Western Sydney Aerotropolis), and • Provide employment generating land uses that contribute to future industrial and urban services land which support will Penrith's Economic Triangle (Planning Priority 12: Enhance and grow Penrith's economic triangle).
<i>Penrith Employment Lands Strategy</i>	<p>The Planning Proposal is consistent with the <i>Penrith Employment Lands Strategy</i>, as it would:</p> <ul style="list-style-type: none"> • Provide serviced industrial lands to support the warehouse or logistics uses whilst protecting and securing land for major freight corridors which are complementary to the Western Sydney Airport and Aerotropolis (Action 3), • promotes planning a mix of lots sizes to allow local businesses to start up and scaleup (Action 13), and • Deliver 146.6ha of employment lands within the Orchard Hills Investigation Area, directly north of the Aerotropolis and within the north-south corridor of the Penrith Economic Triangle. (Action 6)

Q5. Is the planning proposal consistent with applicable State and regional studies or strategies?

Yes, the Planning Proposal is consistent with the following applicable State Environmental Planning Policies (SEPP):

- **SEPP (Industry and Employment) 2021** The Planning Proposal seeks to deliver employment generating land uses and deliver industrial land uses to support the shortfall in industrial lands in Western Sydney,
- **SEPP (Precinct – Western Parkland City) 2021:** The Planning Proposal seeks to provide industrial land uses that will support the future operation of the Western Sydney (Nancy-Bird Walton) International Airport,
- **SEPP (Transport and Infrastructure) 2021:** A referral to Transport for NSW (TfNSW) for traffic generating development will be required at the development application stage, and
- **SEPP (Resilience and Hazards) 2021:** The future development application will need to undertake site analysis to confirm the presence of soil contamination at the site.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes, the Planning Proposal is consistent with the applicable Ministerial Directions under section 9.1 of the EP&A Act, as discussed in **Table 5** below.

Table 5 Section 9.1 Directions

Direction and Objective	Comment
<p>Focus area 1: Planning Systems</p> <p>Direction 1.1 Implementation of Regional Plans</p> <p>(1) <i>Planning proposals must be consistent with a Regional Plan released by the Minister of Planning</i></p>	<p>The Planning Proposal is entirely consistent with the objectives and actions of <i>A Metropolis of Three Cities: Greater Sydney Region Plan (2018)</i>. Specifically, the Planning Proposal aims to provide industrial land uses in an area with excellent access to proposed transport and road infrastructure and envisaged for employment uses.</p>
<p>Direction 1.10 Implementation of the Western Sydney Aerotropolis Plan</p> <p>(1) <i>The objective of this direction is to ensure development within the Western Sydney Aerotropolis is consistent with the Western Sydney Aerotropolis Plan dated September 2020.</i></p>	<p>The Planning Proposal will not impede on the proposed land uses in the Aerotropolis and compliment airport operations as demonstrated in Section 3.4 of this Planning Proposal.</p> <p>Providing suitable employment land, increasing connectivity throughout the area, and increasing access into the precinct, the proposed development is considered entirely consistent with the Western Sydney Aerotropolis Plan dated September 2020.</p>
<p>Focus area 3: Biodiversity and Conservation</p> <p>Direction 3.1 Conservation Zones</p> <p>(1) <i>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</i></p>	<p>An Ecological Constraints Assessment (ECA) has been prepared by Eco Planning and is annexed to this report at Appendix M. The ECA identified the entire site area as being subject to historical disturbances including vegetation clearing for agricultural uses. The majority of the site now support exotic vegetation with low ecological value.</p>

Direction and Objective	Comment
	<p>There is an area within the southern portion of the site identified for potential conservation under the CPCP, which has a very low Vegetation Integrity (VI) score under the Biodiversity Assessment Method (BAM). It does not meet the condition criteria to be considered a Matter of National Environmental Significance under the EPBC Act.</p>
<p>Direction 3.2 Heritage Conservation</p> <p>(1) A planning proposal must contain provisions that facilitate the conservation of:</p> <ul style="list-style-type: none"> a. <i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i> b. <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i> c. <i>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i> 	<p>A preliminary Aboriginal Cultural Heritage Assessment (pACHA) has been prepared by EMM Consulting and is annexed to this report at Error! Reference source not found. The pACHA found that there were no areas of significant cultural materials or intangible values identified at the site and where cultural materials were observed, it was indicative of ephemeral use of the locale and was frequently disturbed by historic activities.</p> <p>EMM have also prepared a Preliminary Historical Heritage Assessment which has assessed the potential for impacts on items of archaeological heritage (refer Appendix O). The large majority of the site has been identified as being clear of areas of historical heritage. As such, it was concluded that the proposed rezoning is supported on cultural heritage grounds. A number of recommendations were made relating to future development of the site and are detailed in Section 6 – Section C of this report.</p> <p>There will be additional surveys undertaken to on the structures within Lot 1 DP 396972 and Lot 2 DP 219794 to ensure if it holds any heritage significance.</p> <p>The site area contributes to the rural character of Luddenham Road and is representative of long occupied rural estates in the Penrith region, hence why the structure within the lots mentioned above will be surveyed to appropriately assess whether they hold heritage significance.</p> <p>The assessment concluded that the potential of relics within the site is low.</p>
<p>Focus area 4: Resilience and Hazards</p> <p>Direction 4.1 Flooding</p>	<p>The site is not identified as land subject to flood planning controls under PLEP 2010. Therefore,</p>

Direction and Objective	Comment
<p>(1) A planning proposal must include provisions that give effect to and are consistent with:</p> <ul style="list-style-type: none"> d. <i>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</i> e. <i>ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</i> 	<p>this planning proposal is consistent with this Ministerial Direction.</p> <p>However, onsite detention will minimise any potential flood impacts of future development both on and off the site. Detention basins will be designed to manage flow from the site as well as flow from the unnamed creek that traverses the western part of the site.</p> <p>Whilst the basins are located within the future OSO corridor, it is anticipated that the basins will not be impacted by the development of OSO as any future road will need to be elevated in this location to pass over the Warragamba Pipeline. Any future road designs should be able to incorporate the basins into the overall design of the roadway.</p> <p>An Overland Flow report has been prepared by Arcadis (refer Appendix K) and addresses any potential flood impacts both on and off the subject site.</p>
<p>Direction 4.3 Planning for Bushfire Protection</p> <p>Direction 4.3</p> <p>(2) A planning proposal must:</p> <p>(a) have regard to Planning for Bushfire Protection 2019,</p> <p>(b) introduce controls that avoid placing inappropriate developments in hazardous areas, and</p> <p>(c) ensure that bushfire hazard reduction is not prohibited within the Asset Protection Zone (APZ).</p>	<p>The planning proposal is not inconsistent with this Ministerial Direction.</p> <p>Future development of the site will be for an industrial business park with the land zoned IN1 and IN2. The permissible land uses of these zones are not considered to be inappropriate development. Importantly, Hazardous or offensive developments are not permitted in the IN1 and IN2 zones.</p> <p>Importantly, Clause 5.11 of Penrith LEP 2010 already permits bushfire hazard reduction on land without development consent.</p> <p>Future development on the site will be able to comply with the provisions of the Ministerial Direction and be able to incorporate the provisions of the Rural Fire Services Planning for Bushfire Protection 2019.</p> <p>In the longer term, the Western Sydney Freight Line and Outer Sydney Orbital Corridors will create considerable buffer zones to the West and South of the site.</p>

Direction and Objective	Comment
<p>Focus area 5: Transport and Infrastructure</p> <p>Direction 5.1 Integrating Land Use and Transport</p> <p>(1) <i>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:</i></p> <ul style="list-style-type: none"> <i>f. Improving access to housing, jobs and services by walking, cycling and public transport,</i> <i>g. Increasing the choice of available transport and reducing dependence on cars,</i> <i>h. Reducing travel demand including the number of trips generated by development and the distances travelled, especially by car,</i> <i>i. Supporting the efficient and viable operation of public transport services, and</i> <p>(a) <i>Providing for the efficient movement of freight.</i></p>	<p>The site is well positioned in proximity to proposed regional transport infrastructure including the first stage of a Sydney Metro Greater West from St Marys to the Western Sydney (Nancy-Bird Walton) International Airport and Aerotropolis, Stage 1 of a North-south rail link, the M7 and M4 Motorways and a proposed Western Sydney freight line.</p> <p>The announcement of a Metro Station at Sydney Science Park in Luddenham, approximately 2.5km south-west of the site, reinforces the suitability of the site for the proposed employment use. Residents within the GPEC will benefit from convenient access to the Sydney Metro Western Sydney Airport line and new bus corridors along Luddenham Road, linking residents in St Marys to the Aerotropolis. The availability of existing road infrastructure and proposed transport initiatives surrounding the site will help residents achieve access to jobs within 30-minutes of their homes whilst reducing car dependency.</p> <p>The proposed industrial land use will benefit from the proposed Western Sydney freight line and will provide warehouse or logistic services to the Western Sydney (Nancy-Bird Walton) International Airport and developing industries within the Aerotropolis.</p>
<p>Direction 3.5 Development Near Regulated Airports and Defence Airfields</p> <p>(1) <i>The objectives of this direction area:</i></p> <ul style="list-style-type: none"> <i>a. to ensure the effective and safe operation of regulated airports and defence airfields,</i> <i>b. to ensure that their operation is not compromised by the development that the constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and</i> <i>c. to ensure development, if situated on noise sensitive land, incorporates appropriate mitigation measures so that</i> 	<p>The obstacle limitation surface for the Western Sydney (Nancy-Bird Walton) International Airport applies to the proposed development. The proposed heights are within the outer horizontal surface maximum of 230.5 m AHD, therefore there will not be any infringements of the OLS for the Western Sydney (Nancy-Bird Walton) International Airport.</p>

Direction and Objective	Comment
<i>the development is not adversely affected by aircraft noise.</i>	
<p>Focus area 7: Industry and Employment</p> <p>Direction 7.1 Business and Industrial Zones</p> <p>(1) <i>The objectives of this direction are to:</i></p> <ul style="list-style-type: none"> a. <i>Encourage employment growth in suitable locations,</i> b. <i>Protect employment land in business and industrial zones, and</i> c. <i>Support the viability of identified centres.</i> 	<p>The Planning Proposal seeks to rezone the site to incorporate IN1 General Industrial zones and IN2 Light Industrial zones among other associated zones. It seeks to provide employment generating land uses including industrial warehousing and office uses.</p> <p>An Economic Analysis Report has been prepared by Urbis (Appendix S). The assessment confirms the Planning Proposal will result in:</p> <ul style="list-style-type: none"> • \$718 million direct average gross value add annually, • \$482.9 million indirect average gross value add annually, • 571 immediate direct and indirect jobs over the 4 year construction period, and • 6,410 ongoing direct and indirect jobs. <p>The site is optimally located close to key infrastructure. In the future, the site's connection strengths will be further enhanced by access to the Western Sydney International Airport and intermodal facility.</p> <p>The Planning Proposal complies with Direction 7.1 as it presents an opportunity to provide additional employment and industrial lands within Western Sydney.</p>

Section C – Environmental, Social and Economic Impacts

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. an Ecological Constraints Assessment has been prepared by Eco Planning (**Appendix M**) and confirmed that although a number of threatened species (seven flora, 20 birds, eight mammals and one invertebrate) have previously been recorded in the Atlas of NSW Wildlife (DPE 2020) within a 5km radius of the study area, future development is capable of avoiding and minimising impacts to areas of high biodiversity value. The entire study area has been subject to historical disturbances including vegetation clearing for agricultural uses and now supports exotic vegetation with low ecological value. Where areas of high ecological value and high ecological constraint are present, they are in association with more intact areas of native vegetation, threatened species habitat and riparian corridors. A BDAR will be prepared to support future DAs at the site.

Whilst the proposed development identifies areas of avoidance and minimisation of impacts to biodiversity, it would trigger the NSW Biodiversity Offsets Scheme (BOS) under the Biodiversity Conservation Act 2016. The preparation of the BDAR will assist with calculating the biodiversity offset requirements to ensure no net loss of biodiversity values established under the Biodiversity Assessment Method (BAM).

Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The Planning Proposal is not expected to give rise to any unreasonable environmental impacts. Where potential environmental impacts have been identified, mitigation and management measures have been provided. The following section provides a summary of the potential environmental impacts and management measures.

TRAFFIC AND TRANSPORT

A Traffic Impact Assessment (TIA) (**Appendix Q**) was undertaken by Arcadis and accompanies this planning proposal. The Traffic Impact Assessment included discussion around future road network improvements and incorporates an 'Ultimate State' scenario which evaluates the likely traffic conditions 10 years following development completion.

Traffic and access

The proposed access arrangements are via Patons Lane which will require the upgrade of the adjacent intersection at Luddenham Road. This intersection of Luddenham Road and Patons Lane will play a critical role in servicing the traffic generated by the development. The TIA notes that whilst there is potential for a secondary access point off Luddenham Road, the intersection at Patons Lane and the primary site access road is anticipated to operate satisfactorily as a round about across stages 1, 2 and 3.

It is anticipated that the Patons Lane and Luddenham Road intersections will operate satisfactorily at a Level of Service (LOS) C or greater as both a roundabout and a signalised intersection across all scenarios.

The traffic demands associated with the potential development of the surrounding land (including the Croatian Club site adjacent to the subject site) is expected to be accommodated safely with the proposed upgrades of the intersections of Patons Lane / Site Access Road and Luddenham Road / Patons Lane. There is potential for an additional secondary access point off Luddenham Road (south). The provision of this access reduces the intensity of movement at the intersection of Luddenham Road and Patons Lane, and increase the resilience of the road network within and around the development by providing alternative route options.

Arcadis noted that any future design of the intersection of Patons Lane and Luddenham Road should include a detailed analysis of the anticipated changes to the road network, with the upgrades to Mamre Road to the north, Elizabeth Drive to the south, and the Outer Sydney Orbital corridor to the east of the site.

Trip generation

Traffic generation rates for the proposal have been derived from specific data collected as part of the updated RMP *Guide to Traffic Generating Developments* (October 2002) and associated updates. Rates from similar developments with regard to size and location have been calculated and considered as the most appropriate rates for this assessment.

The RMS Guide Update provides the following rates:

- 0.422 trips per 100m² GFA (total building, warehouse + office) during the morning peak hour,
- 0.389 trips per 100m² GFA during the evening peak hour, and
- 2.10 trips per 100m² GFA per day.

Figure 25 provides the trip generation rates from the proposed development.

Figure 23 Trip generation rates

Stage	Area (m ²)	AM Trips	PM Trips	Daily Trips
Stage 1 (2023)	97,581	413	380	2,052
Stage 2 (2024)	151,261	638	588	3,175
Stage 3 (2025)	75,482	320	291	1,585
TOTAL	324,324	1,371	1,259	6,812

Source: Arcadis

Based on the expected trip generation rates, it is expected in that in the morning, heavy vehicles make up to 3.4 per cent of warehouse traffic and in the afternoon peak hour, heavy vehicles make up 4.1 per cent of warehouse traffic. The TIA (**Appendix Q**) provides the broader traffic volumes which have been factored into the assessment.

Parking

The car parking requirements for warehouse developments outlined in PDCP 2014 are 1 space per 100m² of warehouse GFA (including associated office GFA).

An assessment of the parking requirements for the proposed development against the proposed parking provision is provided in **Table 6** below.

Table 6 Parking Requirements

Land use	Area (m ²)	Parking rate	Parking requirement (Spaces)	Proposed parking provision
<u>Stage 1 (2023)</u>	97,581			
Warehouse	93,781	1 space per 100m ² GFA	977 spaces	1,013 spaces
Office	3,800	1 space per 100m ² GFA	(938 + 39)	
<u>Stage 2 (2024)</u>	151,261			
Warehouse	143,361	1 space per 100m ² GFA	1,513 spaces	1,514 spaces
Office	7,900	1 space per 100m ² GFA	(1,434 + 79)	
<u>Stage 3 (2025)</u>	75,482			
Warehouse	70,832	1 space per 100m ² GFA	755 spaces	1,640 spaces
Office	4,650	1 space per 100m ² GFA	(708 + 47)	
Total			3,245spaces	4,168 spaces

Based on the above, the proposed 4,168 spaces provided as part of the Master Plan exceeds the anticipated demands generated by the site. Further, the internal configuration of the site has been designed in accordance with Council's DCP and the relevant Australian Standards. Provisions for accessible parking and bicycle parking will be accommodated during DAs/SSDAs.

Finally, the TIA concludes that the proposal is supportable on traffic planning grounds and is not expected to result in any adverse impacts on the surrounding road network and availability of on-street parking.

INFRASTRUCTURE SERVICES

A Utilities Report has been prepared by Arcadis (**Appendix J**) to support the Planning Proposal. The local service infrastructure providers for the locality include the following authorities;

- Sydney Water (Potable and Waste water infrastructure);
- Endeavour Energy (Electrical Assets),
- NBN Co. (Telecommunication Assets), and
- Jemena (Gas).

Potable Water

Sydney Water has a servicing strategy for the Greater Penrith to Eastern Creek (GPEC) corridor and is investigating servicing options to improve the existing water supply and allow for future growth within the area. Sydney Water have advised that the high level strategy for the areas is to service the development from the Bringelly Road Reservoir. Costs associated with the extension of Sydney Water's network to the development site will be covered by the developer. This servicing arrangement is subject to the outcomes of the detailed options planning work which is to be carried out by the developer in line with Sydney Water's guidelines.

Waste Water

Sydney Water's high-level strategy for the wastewater is for the site to discharge to the Penrith Water Recycling Treatment Plant. The route of the proposed sewer connection will be subject to the outcomes of the detailed options planning work which is to be carried out by the developer in line with Sydney Water's guidelines. The proponent will cover the costs associated with extending Sydney Water's network to service the development site.

Electricity

Based on the Technical Advice received from Endeavour Energy it is anticipated that the proposed development will require three feeders that extend the existing network from the Mamre Zone Substation. The first feeder will run approximately 3.7km from an industrial estate on Erskine Park Road. A second extension of an existing feeder from The Grandstand along Cook Parade and McIntyre Ave to Luddenham Road is approximately 4.0 km. A third feeder from the existing overhead connection in Mamre Road is approximately 2.6 km. Endeavour Energy will be consulted to confirm supply arrangements and a suitable staging strategy. Costs associated with the extension to Endeavour Energy's network will be covered by the proponent.

Gas

Jemena has provided high level advice that the existing local gas network throughout the Erskine Park industrial area has sufficient capacity to service the proposed development, however this is dependent on the developments anticipated gas demands. To extend Jemena's network from Erskine Park to the development site will require approximately 4.8km of new gas main to be laid. Jemena will be able to confirm a suitable supply arrangement once the proposed development is locked in and gas demand is finalised. The type of agreement entered into by Jemena and the proponent will determine which party will cover the costs associated with the new gas main.

Telecommunications

NBN have recently constructed servicing along Luddenham Road, it is believed that the proposed development will connect to this local service during construction. This arrangement will need to be formalised with NBN Co once the land rezoning application is successful and the development progresses to the next stage.

HERITAGE

Non-Indigenous Heritage

EMM Consulting have prepared a Preliminary Historical Heritage Assessment for the proposed development (**Appendix O**) which details the location, distribution and significance of historical objects, likely impacts of the development and recommendations.

The site area contributes to the rural character of Luddenham Road and is representative of long occupied rural estates in the Penrith region, hence why the structure within the lots mentioned above will be surveyed to appropriately assess whether they hold heritage significance.

Background research and a field survey was conducted and did not discover areas of archaeological sensitivity within the study area. As such, it is noted that the rezoning will not result in any adverse

impacts on non-indigenous heritage. There will be additional surveys undertaken to on the structures within Lot 1 DP 396972 and Lot 2 DP 219794 to ensure if it holds any heritage significance. EMM consulting have recommended that a strict unexpected finds protocol be adopted for future stages of development. The assessment concluded that the potential of relics within the site is low.

Aboriginal Cultural Heritage

EMM Consulting undertook a preliminary Aboriginal Cultural Heritage Assessment (pACHA) (**Appendix P**). The pACHA involved a site inspection with Aboriginal participants where three previously documented Aboriginal sites were identified, and two cultural materials were observed. It is noted that a third site is still assumed to be present at the site. No site specific areas of cultural value were identified by the Aboriginal participants although a number of areas were identified for further investigation of their tangible values.

The pACHA concluded that no matters of significant tangible or intangible values were identified that would affect the proposed rezoning. Cultural material observed was indicative of ephemeral use of the locale and were frequently disturbed by historical activities. It is recommended that further investigation is undertaken prior to any SSDA or DA to determine the nature and extent of potential areas of Aboriginal cultural value.

There were areas identified by the pACHA where cultural materials were either observed and/or expected to be present, however these areas are predominately within proposed riparian corridors and areas for environmental conservation. An ACHA will need to be implemented for any ground disturbance proposed in close proximity to these areas. The findings of the assessment should guide future assessment and approval requirements for the activity.

BUILT FORM AND VISUAL IMPACTS

A detailed Visual Impact Assessment (VIA) (**Appendix L**) has been undertaken by Urbis. Visual impact was assessed from several viewpoints and photomontage visualisations were prepared to assess the relative impact. The location of visual receptors is shown in **Figure 26**.

It was considered that the visual catchment of the subject site is relatively constrained due to the limited number of elevated viewpoints within the vicinity to view it and its isolation. Further, Luddenham Road is the only through road from which close views to the site are available and accessible and there are a limited number of private domain views that could be affected by the proposal.

Although the existing semi-rural character may be valued by residents, the proposed development would create a continuation of the industrial and urban visual character that exists to the east. Further, the visual character of the landscape west and south of the site would change significantly as a result of the construction of infrastructure including the Outer Sydney Orbital and rail lines.

Therefore, the changes to the visual character and context of the site that would occur as a result of the proposal are considered compatible with the existing and likely future character of the area, and appropriate given its proximity to the WSEA and future road and rail routes. The resulting visual impact is considered acceptable for the reasons detailed above and can be supported.

Figure 24 Viewpoint locations



Source: Urbis

NOISE AND VIBRATION

EMM Consulting have conducted a Noise Impact Assessment (NIA) (**Appendix R**) which assesses the likely operational noise and associated traffic noise generated by the proposed development. The findings of the NIA are summarised as follows:

- The cumulative noise from all stages is predicted to satisfy the project amenity noise targets, which for a project of this size would be the more applicable noise criteria,
- Noise levels during operation could exceed the intrusiveness noise targets at the nearest assessment locations without appropriate controls that would need to be designed once specific details are known for each individual use. Noise barriers, strategic planning of warehouse structures and management controls would be required to mitigate noise from each of the uses. It is noted that for the most part, such exceedances are predicted for existing dwellings within the eastern and southern IN2 land parcels. Once industrial developments replace these dwellings over time, impacts will in the most part be resolved and hence provide additional opportunities for development,
- The sleep disturbance assessment demonstrated that some exceedance of the NPfI night-time maximum screening noise level is predicted without applying additional measures. Acoustic strategies implemented for the mitigation of general operational noise would likely also mitigate sleep disturbance events. It is also noted that noise levels are not likely to exceed the recommended maximum targets for sleep disturbance provided in the RNP. Furthermore, existing maximum noise levels from passing vehicles on Luddenham Road are higher than those likely from site. If existing dwellings are currently adequately mitigating such road traffic noise (e.g. if dwelling treatment is currently in place), then impacts from future operations of the site will too be mitigated, and
- The project will result in additional road traffic movements during the project operation. Increases in road traffic noise along Luddenham Road due to site generated traffic is not expected to exceed the 2dB requirement of the RNP.

A high-level review of potential noise impacts associated with the rezoning of lands to the east of the site, between the project and Luddenham Road has been conducted. These allotments have been included in the structure plan for rezoning to an IN2 Light Industrial use. The outcomes of the review indicate:

- Operational noise associated with internal warehousing and manufacturing uses can be suitably mitigated with additional acoustic treatment to building structures if required,
- Operational noise associated with vehicle movements on loading dock hardstands can be suitably mitigated using the built form of warehouse structures as noise barriers (i.e. locating warehouses between loading docks and noise sensitive receptors across Luddenham Road), and
- Increased road traffic noise generation on Luddenham Road is expected to meet the 2dB maximum allowable increase criteria of the RNP based on the ultimate traffic generation of the development (ie Stages 1 to 3 and additional east and southern land parcels).

As such, the proposed rezoning and future development of Alspeck Industrial Business Park is supportable on acoustic grounds.

BUSHFIRE RISK

Peterson Bushfire Consulting have prepared a Bushfire Assessment Report (**Appendix N**) which assesses the bushfire hazard and risk and recommends appropriate bushfire protection measures to mitigate any potential risks. Given the vegetated nature of the riparian corridor that transverses the site, the land has been identified as bushfire prone. The bushfire threat profile of the site is comparable with the Erskine Park Industrial Area 1.5km east of the site and it is considered that the proposed future Alspeck Industrial Business Park will not be at higher risk than that of Erskine Park Industrial Area. Therefore, subject to the inclusion of the following bushfire protection measures, the proposed development is considered supportable.

Recommended bushfire protection measures:

- Provision of defensible space consisting of public roads and 6m wide fire access roads,
- Adequate access for emergency response and evacuation consisting of alternate access to the existing road network,
- Compliant road widths and design,
- Appropriate landscaping, and
- Adequate water supply to allow fire-fighting operations by fire authorities.

GEOTECHNICAL & CONTAMINATION

Construction Sciences have undertaken a Geotechnical Investigation for the site (**Appendix G**). The investigation comprised field work including 79 test pits across the site to determine the subsurface condition. The investigation found that a substantial area of the site contains moderately saline soils. It has been recommended that a Sediment and Erosion Control Plan be submitted with any future development at the site. In addition, future pavement design, excavation, earthworks and warehouse footing be designed in accordance with the recommendations contained within the Geotechnical Investigation.

A Stage 1 Preliminary Site Investigation (**Appendix H**) was also prepared by Construction Sciences to assess the potential for contamination at the site and provide advice on the suitability of the site for the proposed Alspeck Industrial Business Park. The investigation identified asbestos contained within fill which will need to be carefully managed prior to any excavation or works on site. The development may require the importation of fill material to raise the entire site to specific design levels, requiring the preparation of an import protocol.

It is considered that the site can be made suitable for the proposed development subject to the recommendations contained within the Stage 1 Preliminary Site Investigation.

Q9. Has the planning proposal adequately addressed any social and economic effects?

SOCIAL AND ECONOMIC

An Economic Analysis Report, Industrial Need and Impact Assessment and Industrial Lot Site Analysis have been prepared by Urbis and is included at **Appendix S** and **Appendix T**. The key findings of these assessment are summarised as follows:

Shortfall of Industrial Lands in the Penrith LGA and Greater Sydney

There is a current shortfall of industrial land within the Western Sydney Catchment as defined in Section 5.5 of this report. There is only 5,005.9 ha of unconstrained net land supply available for industrial development, of which only 405 ha are zoned and serviced, whilst 1,159 ha are zoned by not yet serviced. The remainder represents potential future industrial land supply.

Based on the annual absorption of approximately 184 ha per annum for the catchment, it is estimated that the catchment has only:

- 2.2 years of zoned undeveloped serviced land supply,
- 6.3 years of zoned undeveloped unserviced land supply, and
- 18.7 years of unconstrained potential industrial land supply.

It is noted that the Mamre Road Precinct has been considered in the proposed land supply in **Table 7**.

Table 7 Western Sydney Catchment Industrial Land Supply, December 2020

	Unit	Aerotropolis	Remainder of Catchment	Total
Zoned Undeveloped Serviced Industrial Land Supply	ha	-	404.7	404.7
Zoned Undeveloped Unserviced Industrial Land Supply	ha	-	1,449.2	1,449.2
Potential Future Industrial Land Supply	ha	5,977.2	506.3	6,483.5

Provision of construction jobs

The construction of the proposed development has an estimated construction cost of \$483 million over a four-year period starting in 2022. It is expected to generate a total of 686 jobs over the four-year construction period comprising the following:

- 232 direct jobs over 4 years, and
- 339 indirect jobs over 4 years.

Most direct jobs will be in the construction sector, an important focus in the COVID-19 economic recovery. Indirect jobs associated with the construction are mostly in manufacturing, professional and scientific services.

Supports NSW's economic recovery

The construction of the proposed development would require substantial capital investment, which would sustain significant employment in the local economy. The construction phase will generate a total Gross Value Add (GVA) of \$429.6.1 million during the four-year construction period (in net present value terms) comprising the following:

- \$141.4 million in direct GVA, and
- \$213.9 million in indirect GVA.

Upon completion of the development, the ongoing operations will support new jobs and generate value added to the economy. The operation of the proposed development also has the potential to deliver \$1.2 billion in direct and indirect gross value add to the economy.

Provision of additional ongoing employment

Upon completion of the development, the ongoing operations will support new jobs and generate value added to the economy. The ongoing phase will generate a total of 6,410 jobs comprising the following:

- 3,660 direct jobs,
 - Majority are in the Wholesale sector, and
 - Remaining jobs are associated in the Professional, Scientific and Technical Services, Retail Trade, Public Administration and Safety Sectors.
- 2,750 indirect jobs,
 - Professional, Scientific and Technical services,
 - Transport, Postal and Warehousing,
 - Administrative and Support Services,
 - Rental, Hiring and Real Estate Services, and
 - Construction

Supports employment containment in Penrith LGA

Following analysis of the employment profiles of Penrith LGA workers and resident workers who live in the LGA, Urbis found that there are more resident workers than jobs available in sectors that will benefit from the development's construction and ongoing operations. Based on ABS 2016 Census

there is a shortage of jobs in the following sectors for local residents who are travelling outside the LGA for work. The gaps are:

- Deficit of 1,904 in construction jobs,
- Deficit of 1,263 in wholesale trade jobs, and
- Deficit of 907 in transport, postal and warehousing jobs.

There is likely to be strong interest in construction jobs given the current economic conditions. Penrith City Council recognises the opportunity present to provide a substantial amount of jobs in an array of industries including manufacturing, freight and logistics which is supported by the proposed rezoning.

Provides greater lot diversity

Action 13 of The Penrith Employment Lands Strategy promotes planning a mix of lots sizes to allow local businesses to start up and scaleup.

To implement this action, the application of a minimum lot density provision is considered to be the most effective method of promoting a greater mix of lots sizes. The minimum lot density provision ensures that large lots do not dominate lot mix by setting the minimum number of lots that need to be provided on the site. The minimum lot density provision also provides flexibility when designing the subdivision of site as lots sizes are not restricted to a specific area delineated on the Minimum Lot Size map.

Other methods of promoting greater lot mixes were considered. The first approach was a business-as-usual approach that sets a low minimum lot size for the site, such as the 1000m² that is proposed by this planning proposal. The intent of this approach is that the low minimum lot size control promotes smaller lot sizes with the market determining the appropriate lot mix. This approach was not considered appropriate as the minimum lot size control in the Mamre Road Precinct is 2000m² and the market is not delivering the variety of lot sizes sought by Council and development in the Mamre Road Precinct is dominated by large lots. Importantly, this approach could not provide Council with the certainty that a variety of lots would be provided, as this approach purely sets a minimum lots size control and does not stop a site being subdivided for a small number of large lots.

The second approach considered was to apply a variety of minimum lot size controls across the site to ensure a mix of lot sizes would be supplied. However, this approach was also considered not be an appropriate approach as it promotes a high level of inflexibility for the subdivision design, as different lots sizes are restricted to an area delineated on the Minimum Lot size map. Our concern with this approach was that the high level of inflexibility may delay development as the minimum lot sizes may need to be amended in the future to achieve a feasible subdivision design.

The proposed lot mix of the concept master plan demonstrates that the minimum lot density provisions of 40 Lots for land zoned IN1 and 60 Lots for land zoned IN2 can be achieved and consists of 75% small lots (less than 5,000 m²) and 25% large lots (greater than 5,000 m²). The concept master plan for the site consists of indicative lot sizes ranging from 1,100 m² to 8.5 ha. There are more than two-thirds of the small lots within the site zoned IN2 Light Industrial, while 76% of the large lots are zoned IN1 General Industrial, as detailed in **Table 8**.

The site's current lot mix aligns with those precincts of a 'mixed role' function such as North Penrith and St Marys. The proposed lot mix requires flexibility to enable the precinct to adapt and cater for evolving market needs over the long term. Larger lots offer greater flexibility as it can be easily subdivided into smaller lots as future need arises and are also better suited to serving the metropolitan-wide role. There is a commitment in the plan to provide a significant number of small lots to meet that sector of the Penrith market.

Table 8 Proposed industrial precinct characteristics

Direction and Objective	Comment
Precinct size (ha)	147 ha
Proposed zoning	IN1 General Industrial and IN2 Light Industrial
Lot size ranges	<p>1,100 m² – 8.5 ha</p> <p><u>IN1 General Industrial Lots</u></p> <ul style="list-style-type: none"> • 21 small lots (< 5,000 m²) • 19 large lots (> 5,000 m²) <p><u>IN2 Light Industrial Lots</u></p> <ul style="list-style-type: none"> • 54 small lots (< 5,000 m²) • 6 large lots (> 5,000 m²) <p><u>Total</u></p> <ul style="list-style-type: none"> • 75 small lots (< 5,000 m²) – 75% • 25 large lots (> 5,000 m²) – 25%

Figure 25 Indicative lot mix



Source: Urbis

Section D – Infrastructure (Local, State and Commonwealth)

Q10. Is there adequate public infrastructure for the planning proposal?

Yes, the NSW government has made significant investments in public transport infrastructure within close proximity to the site, these include stage 1 of a North-south rail link, Sydney Metro Greater West and a proposed Western Sydney freight line which will provide residents access to new jobs and services throughout the Western Parkland City and future Western Sydney (Nancy-Bird Walton) International Airport.

The Service Infrastructure Assessment (**Appendix J**) details the required servicing and infrastructure to facilitate Alsip Industrial Business Park, specifically, the report identifies that the site is well placed to be serviced by existing utility infrastructure.

The Proposal provides opportunity to provide key infrastructure servicing including water, electricity, telecommunications and gas needed to support the development and adjacent properties. Future designs will be subject to the gaining of more detailed survey and further design development, flood modelling and consultation with the relevant authorities.

Section E – State and Commonwealth Interests

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Gateway determination has not occurred at this stage. It is anticipated a pre-Gateway review process will be undertaken by the Department of Planning and Environment and the Sydney Western City Planning Panel.

6.4. Part 4: Maps

Detailed mapping has been prepared to show the current and proposed land zoning development standard for the site. The intended outcomes of the Planning Proposal are consistent with the maps.

Figure 26 Existing Land Zoning Map – PLEP 2010

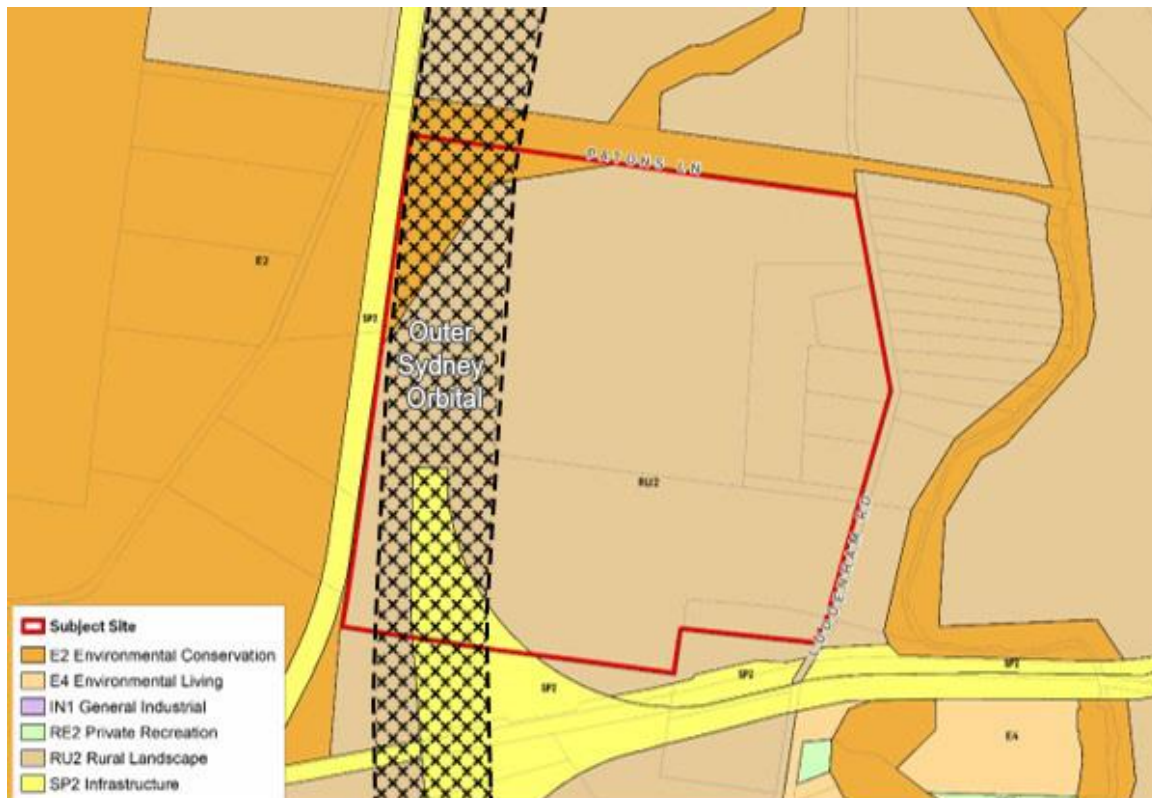


Figure 27 Proposed Land Zoning Map

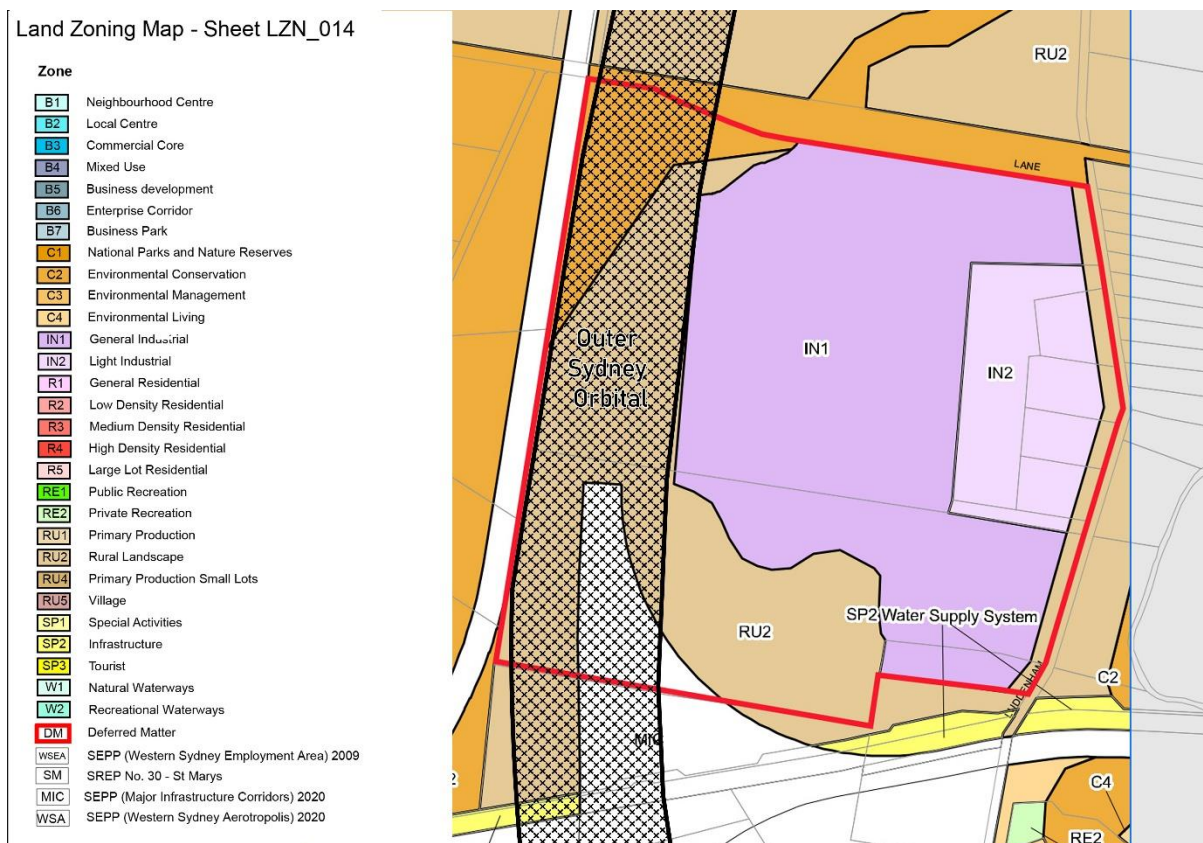


Figure 28 Employment Zones Reform Land Zone Map

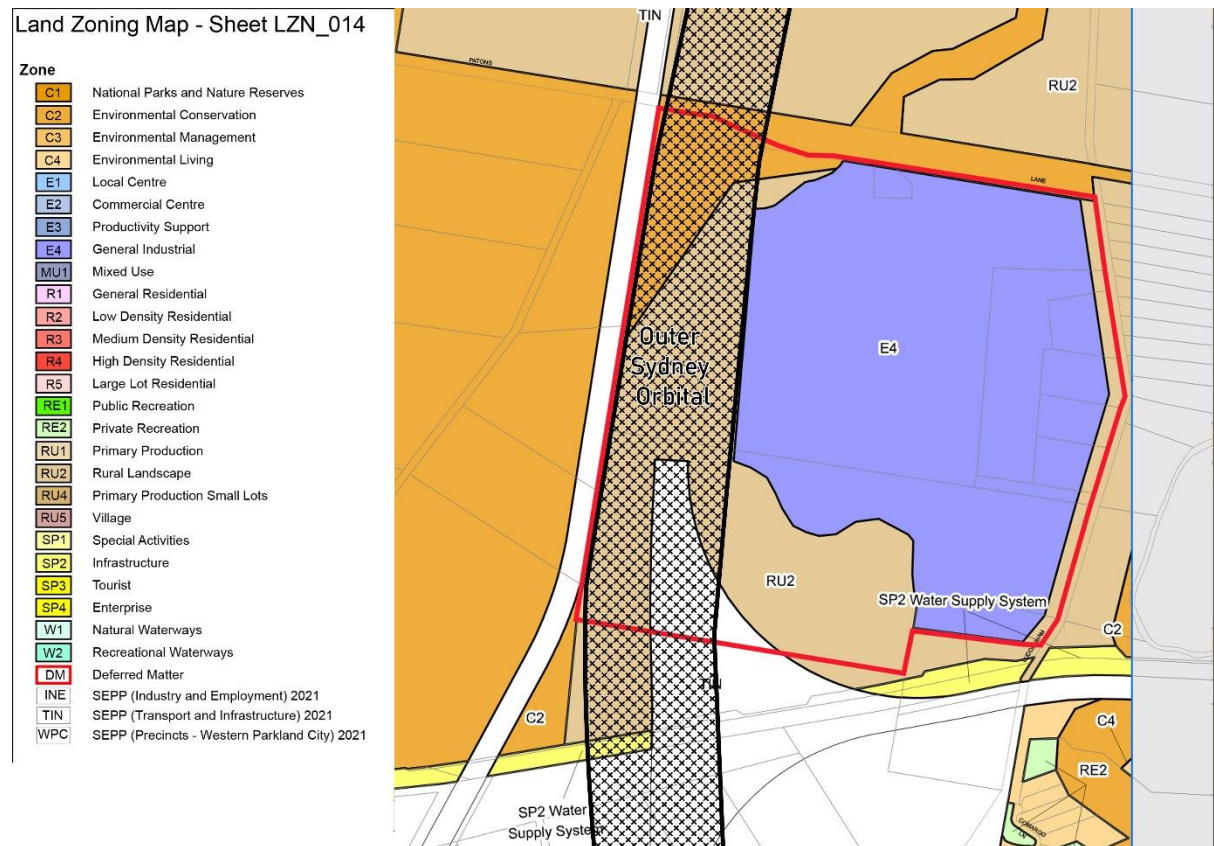


Figure 29 Employment Zones Reform Additional Permitted Uses Map

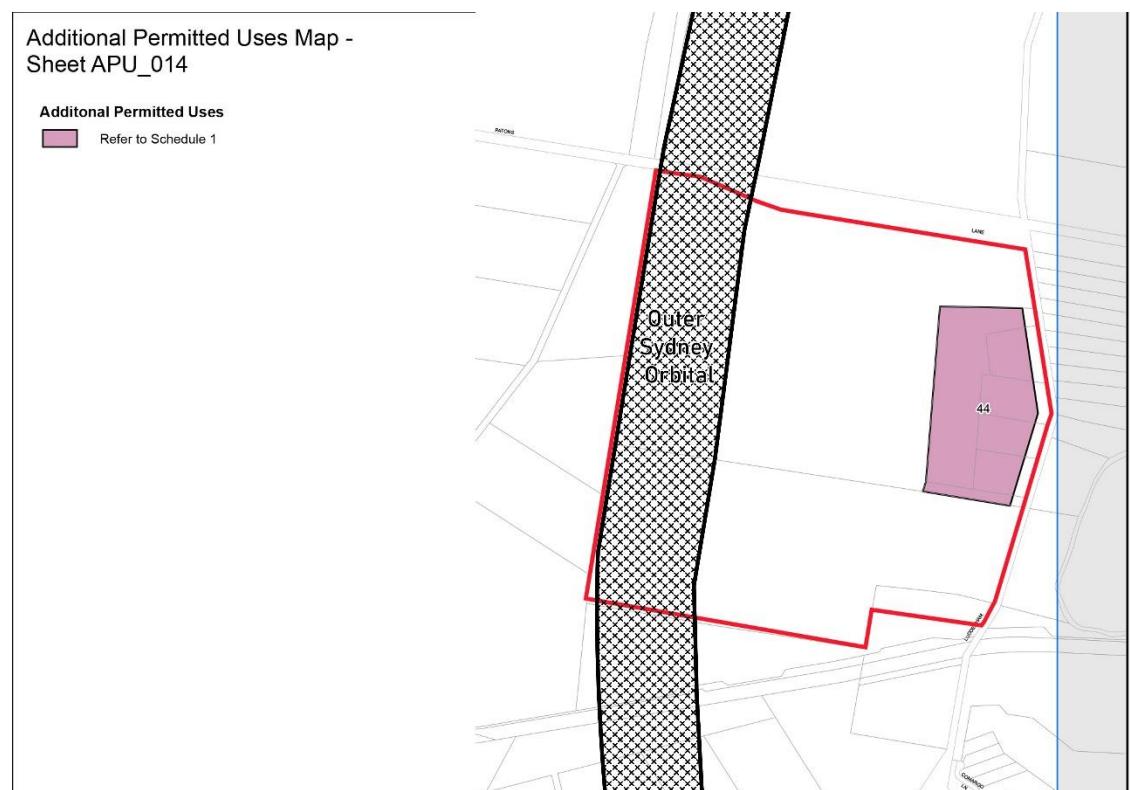


Figure 28 Existing Minimum Lot Size Map – PLEP 2010

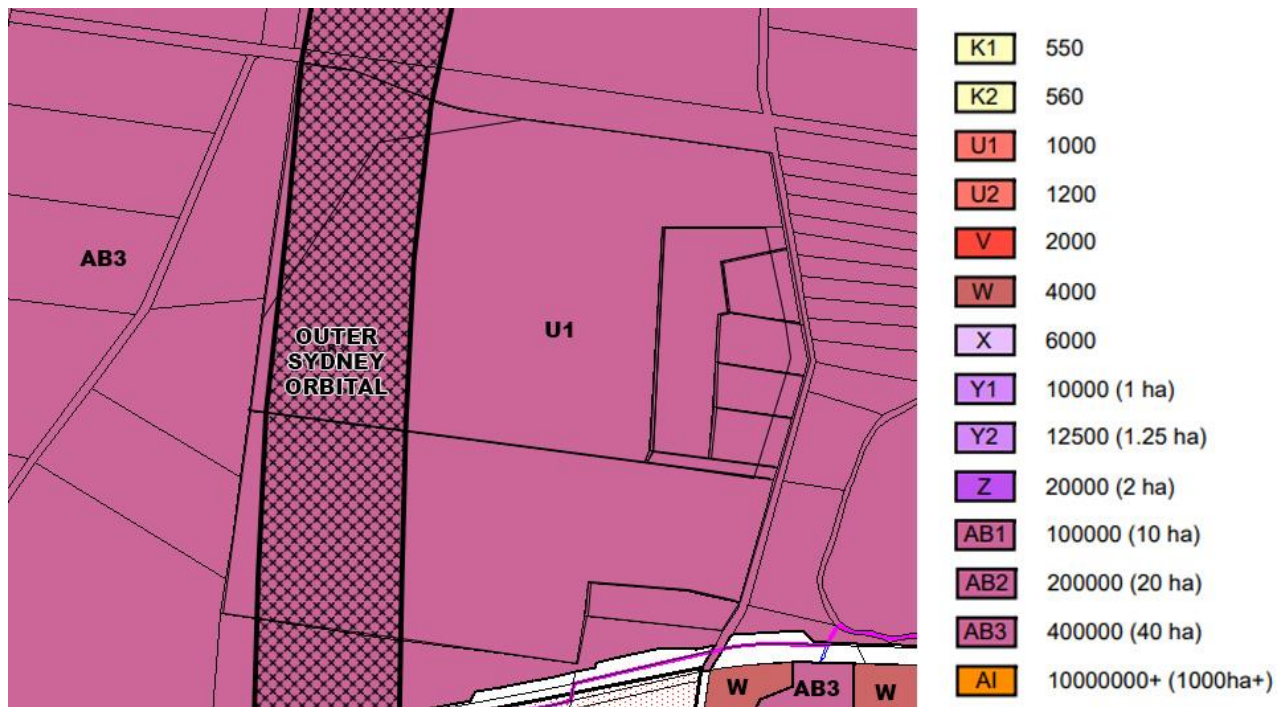


Figure 29 Proposed Lot Size Map and Lot Density Provision

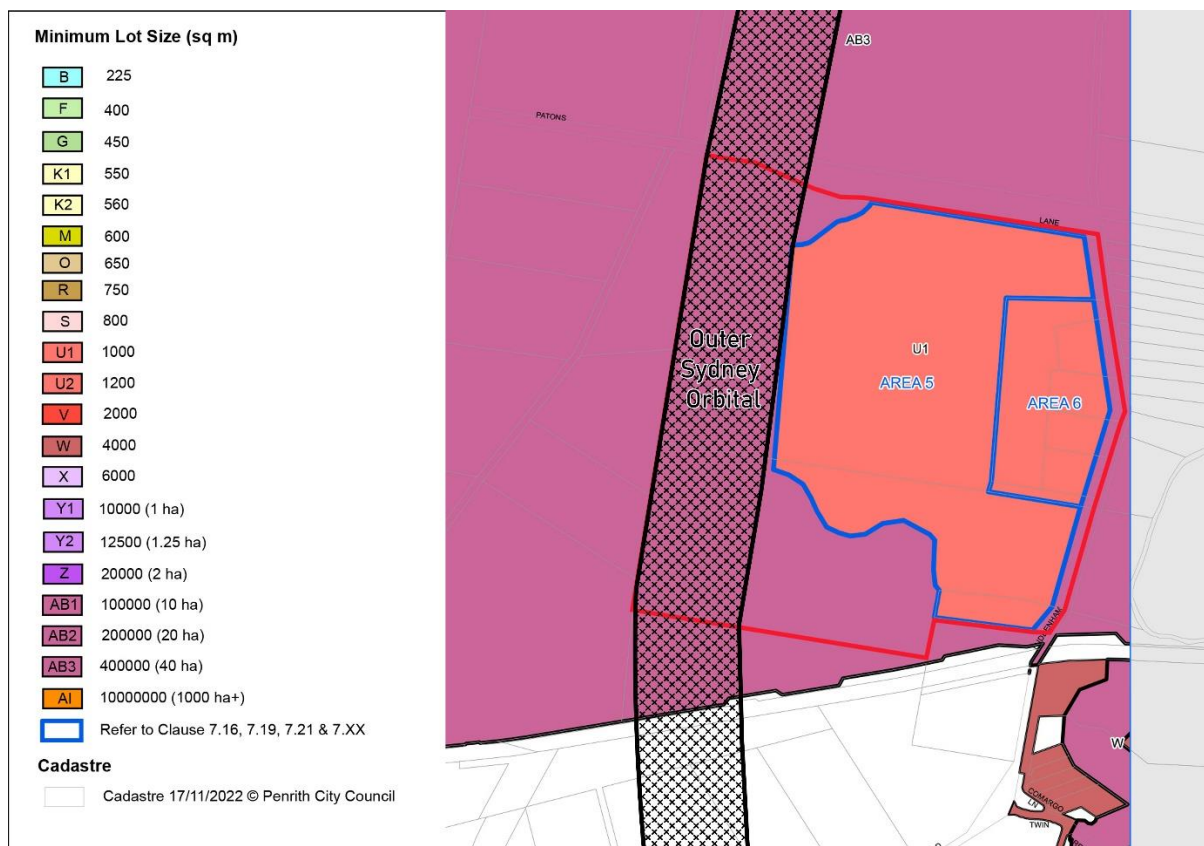


Figure 30 Existing Height of Buildings Map

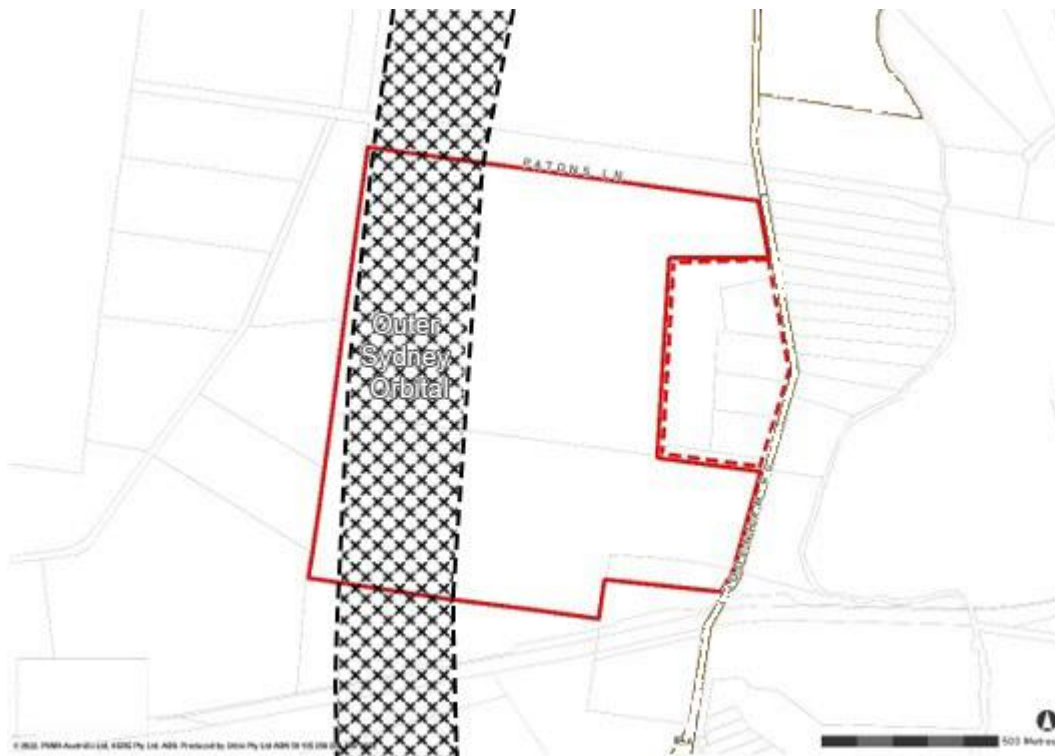
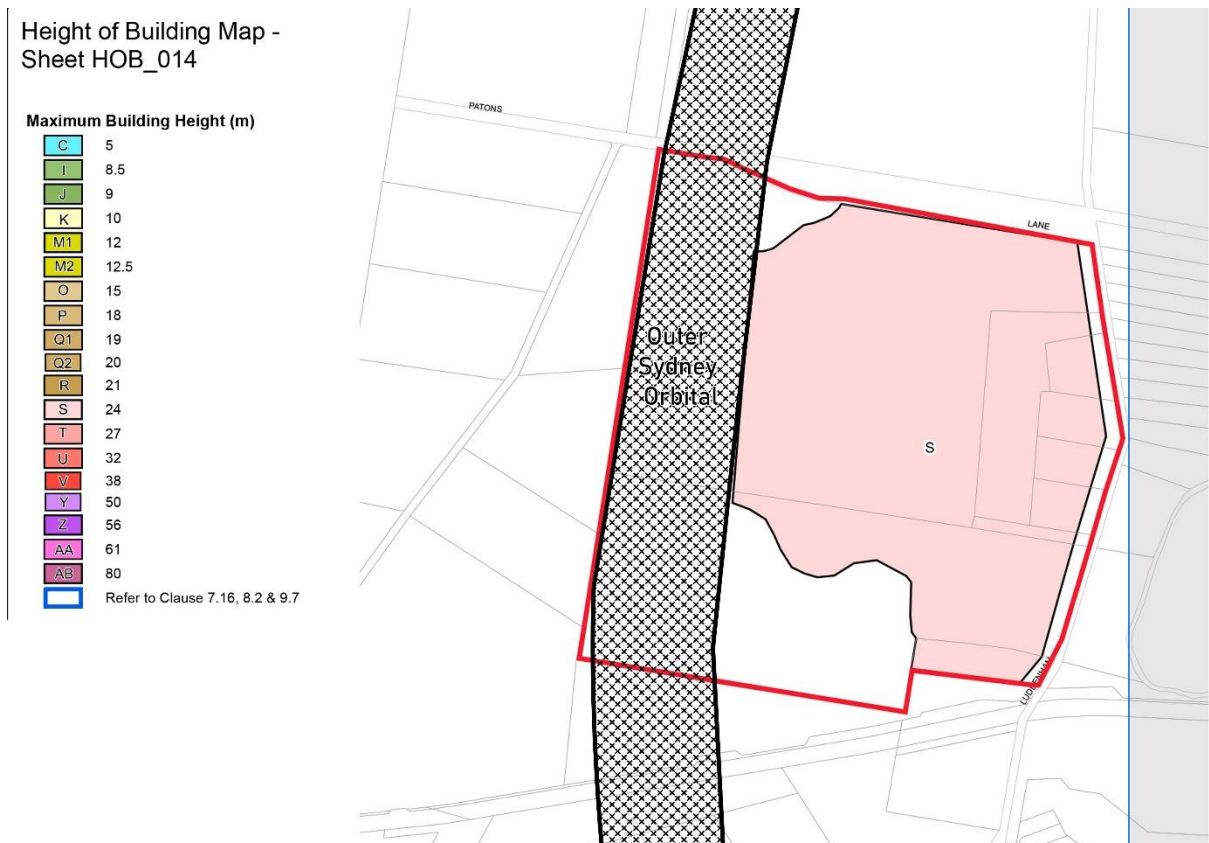


Figure 31 Proposed Height of Buildings Map



6.5. Part 5: Community Consultation

It is anticipated Gateway Determination will require the Planning Proposal to be made available for a minimum of 28 days for public comment.

6.6. Part 6: Project Timeline

In accordance with the requirements set out in 'A guide to preparing planning proposals',

Table 9 sets out the anticipated project timeline, in order to provide a mechanism to monitor the progress of the planning proposal through the planning making process.

Table 9 Anticipated Project Timeline

Process	Indicative Timeframe
Gateway Determination	May 2022
Update Planning Proposal (technical studies) (if required)	June/July 2022
Report Development Control Plan to Council	November 2022
Public Exhibition of Planning Proposal and DCP and Agency Consultation	December/January 2022
Post Exhibition Review (consideration of submission)	February 2023
Legal Drafting of the LEP	April/May 2024
Notification of the LEP	May 2024
Total	12 Months

Appendices

APPENDIX A

Concept Master Plan

APPENDIX B

Master Plan Report

APPENDIX C

Structure Plan

APPENDIX D

Landscape Master Plan

APPENDIX E

Civil & Stormwater Package

APPENDIX F

Site Survey

APPENDIX G

Geotechnical Investigation

APPENDIX H

Stage 1 Preliminary Site Investigation

APPENDIX I

Stormwater Design Summary

APPENDIX J

Utilities Report

APPENDIX K

Social Infrastructure

APPENDIX L

Visual Impact Assessment

APPENDIX M

Ecological Constraints Assessment

APPENDIX N

Bushfire Assessment

APPENDIX O

Preliminary Historical Heritage Assessment

APPENDIX P

Preliminary Aboriginal Cultural Heritage Assessment

APPENDIX Q

Traffic Impact Assessment

APPENDIX R

Noise Impact Assessment

APPENDIX S

Economic Benefits Report

APPENDIX T

Luddenham Road Industrial Need and Impact Assessment

