

Department of Planning, Housing and Infrastructure

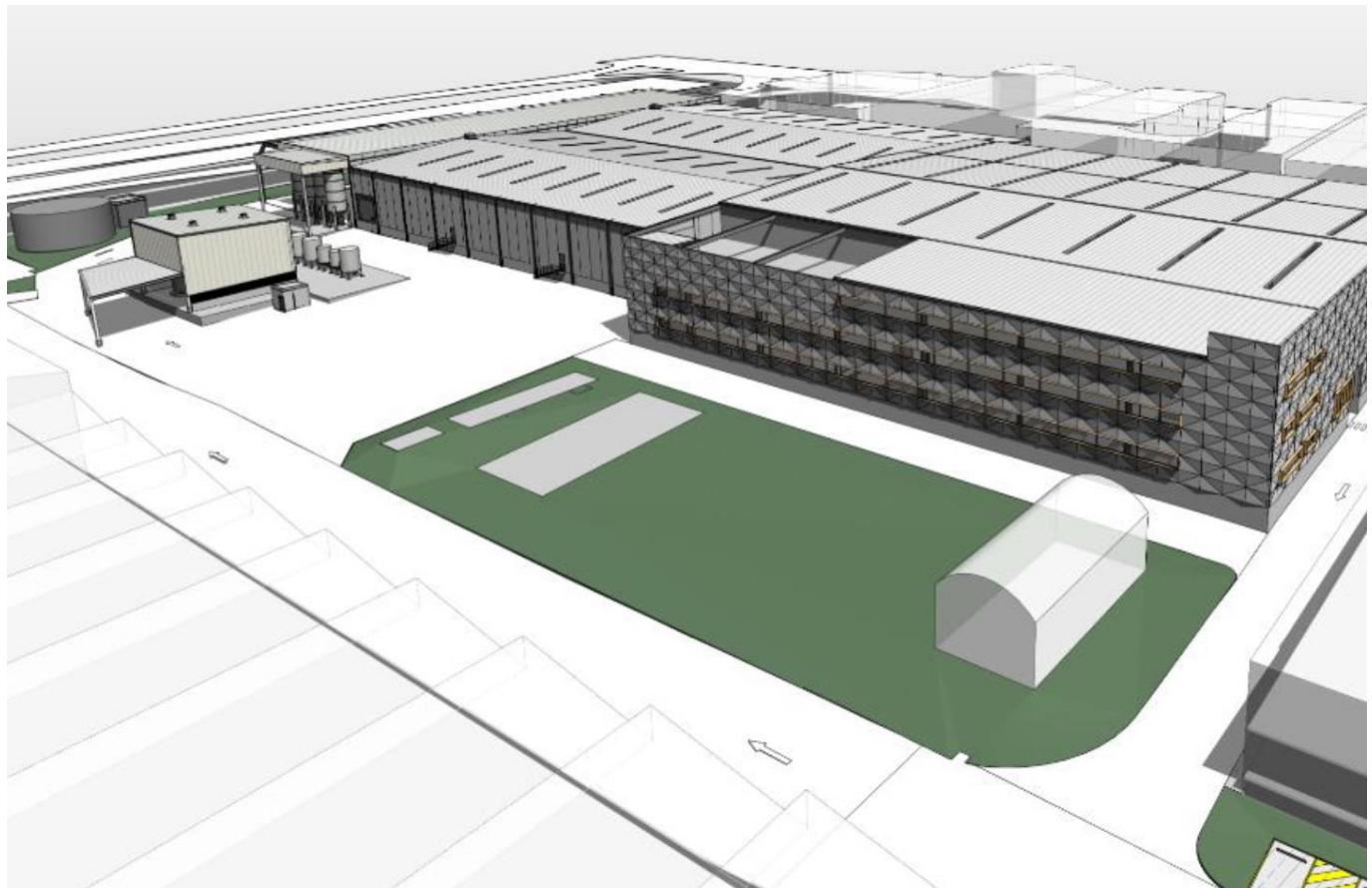
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Gow Street Manufacturing and Warehouse Facility

State Significant Development Assessment Report (SSD-71052213)

September 2025





Acknowledgement of Country

The Department of Planning, Housing and Infrastructure acknowledges that it stands on Aboriginal land. We acknowledge the Traditional Custodians of the land and show our respect for Elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

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Assessment Report

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Preface

This report details the Department of Planning, Housing and Infrastructure's (the Department) assessment of the State significant development (SSD) application for the Gow Street Manufacturing and Warehouse Facility located at 15 and 20 Gow Street, Padstow (the development).

The Department's assessment considers all documents submitted by Selleys (Dulux Group Australia Pty Limited) (the Applicant), including the Environmental Impact Statement (EIS) and Submissions Report, submissions received from the public and Canterbury-Bankstown Council, advice from government authorities, and all legislation and planning instruments relevant to the site and the development.

The report includes:

- a description of the development and the surrounding environment
- an assessment of the development against government policy and statutory requirements, including mandatory considerations
- an explanation of why the development is SSD and who the consent authority is
- consideration of matters raised by the community and other stakeholders
- an assessment of the likely environmental, social and economic impacts of the development and recommendations for managing any impacts during construction and operation
- an evaluation which weighs up the likely impacts and benefits of the development, having regard to the proposed mitigation measures and government advice, and provides a view on whether the impacts are, on balance, acceptable
- a recommendation to the decision-maker, along with the reasons for the recommendation, to assist them in making an informed decision about whether consent for the development should be granted and any conditions that should be imposed.

Executive Summary

Introduction

Selleys (Dulux Group Australia Pty Limited) (the Applicant) proposes to refurbish an existing warehouse and construct and operate a new warehouse and technical centre at the existing manufacturing facility at 15 and 20 Gow Street, Padstow in the Canterbury-Bankstown local government area (LGA).

The Applicant seeks to redevelop part of the existing Selleys factory, to provide modern automated warehousing, technologies and research areas to meet future capacity and sustainability requirements.

The development has an estimated development cost of \$122 million and is expected to generate up to 251 construction jobs and the continuation of 357 operational jobs.

Site Context

The site is located 17 kilometres (km) southwest of the Sydney CBD and covers approximately six hectares (ha) of E4 General Industrial zoned land under the Canterbury-Bankstown Local Environmental Plan 2023. The site is currently the global headquarters of Selleys and Yates, and the NSW corporate base for Dulux, Cabots and other businesses part of Dulux Group.

Current Proposal

The development will partially demolish and partially refurbish the existing western warehouse on the site, to be reconstructed for manufacturing and warehouse use. The proposal involves new production and warehouse facilities (including operations office and technical centre), supporting infrastructure, and a one-way truck exit. Key existing buildings along Gow Street and in the eastern area of the site and the Gow Street car park (20 Gow Street) will be retained.

Statutory Context

The development is State Significant Development under the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it involves adhesive manufacturing with an estimated cost of development over \$30 million, meeting Schedule 1, section 10 of the State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP). The Minister for Planning and Public Spaces is the consent authority.

Engagement

The Department exhibited the SSD application and accompanying Environmental Impact Statement (EIS) from 4 February 2025 until 3 March 2025. During the exhibition period, the Department received

no submissions from the public, a submission from Council and advice from six government authorities, State-owned corporation and a utility provider.

Key concerns raised in Council's submission and other advice related to noise, air quality, traffic and access, urban design and landscaping.

The Department requested the Applicant address the matters raised above in a Submissions Report, which was provided on 11 June 2025. Following its review of this report, the Department had no further concerns.

Assessment

The Department's assessment of the SSD application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ecologically sustainable development. The Department has identified the key issues for assessment as being construction noise and flood emergency management.

Construction Noise

Construction noise was a key concern raised by the Department, as the Noise Vibration Impact Assessment (NVIA) estimated noise levels for specific construction activities at nearby adjoining industrial and commercial receivers would be above the relevant noise management levels. In addition, the worst-case scenario estimates for specific activities (e.g. piling) would be above the 'highly affected' noise management level of 75 dB(A) when undertaken in close proximity to the site's boundary.

While it is acknowledged such impacts would be relatively short term in the context of the overall 30 -month construction schedule, the Applicant has committed to implementing additional measures in order to minimise construction noise where reasonable and feasible. This would include measures such as the selection/use of quieter equipment, installation of construction hoarding, respite periods and ongoing communication with potentially affected receivers. Furthermore, the Department has recommended the Applicant be required to prepare a Construction Noise and Vibration Management Plan (CNVMP) for the development, which will detail how the aforementioned management and mitigation measures will be implemented to minimise noise impacts during construction and as per the recommendations in the NVIA.

Overall, with the Applicant's proposed commitments together with the Department's recommended conditions, the Department's assessment concludes construction noise can be suitably managed.

Flood Emergency Management

The subject site is located within an area prone to flooding. The Department consulted closely with the Applicant, Council and the Conservation Programs, Heritage and Regulation group of the NSW Department of Climate Change, Energy, the Environment and Water to ensure a robust flood impact

risk assessment was undertaken. The final development sees all floor levels located above the 1% Annual Exceedance Probability flood event level. The Applicant's final flood assessment also demonstrated the proposal would not have any unacceptable impacts on surrounding sites during this flood event and has considered emergency flood response procedures.

Due to the site's flood impact risk, it was initially recommended that a Flood Emergency Response Plan be approved prior to determination. However, as the proposed works are located outside the Probable Maximum Flood (PMF) level, emergency management plans will instead be required prior to construction, with a comprehensive emergency management plan for the entire site to be prepared prior to operation.

The Department's assessment concludes the design of the development is sufficient for the modelled flood levels of the site, with conditions of consent to require the Applicant to prepare and implement a flood emergency response plan during both the construction and operation of the development for the entire site.

Conclusion

The Department's assessment concludes the impacts of the development can be mitigated and/or managed to ensure an acceptable level of environmental performance, subject to the recommended conditions of consent. Overall, the Department's assessment has concluded the development would:

- provide up to 251 construction jobs and the continuation of 357 operational jobs within the core industrial precinct of Padstow
- not have any significant amenity or environmental impacts, including on the local or regional road network
- be consistent with the objectives of the relevant strategic planning framework, including the *Greater Sydney Region Plan*, the *South District Plan*, *Future Transport 2056* and Council's *Local Strategic Planning Statement*

Consequently, the Department considers the development is in the public interest and is recommended for approval, subject to conditions.

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1 Introduction

1.1 Development Background

Selleys (Dulux Group Australia Pty Limited) (the Applicant) is seeking development consent to refurbish an existing warehouse and construct and operate a new warehouse and technical centre at its existing manufacturing facility in Padstow (the development). A detailed description of the development is provided in Section 2.

The Applicant is a division of Dulux Group Australia Pty Limited, a marketer and manufacturer of branded products including paints and coatings, sealants and adhesives. The site is the global headquarters of Selleys and Yates, and the NSW corporate base for Dulux, Cabots and other businesses part of the Dulux Group.

The Applicant is redeveloping parts of the existing Selleys facility to deliver a modern, automated warehouse and technical centre that improves safety, quality, efficiency, and sustainability while reducing waste.

The development is located within an established industrial area in Padstow, west of Salt Pan Creek, and has been identified by the Applicant as an appropriate location for the purposes of the development as it is the location of their existing NSW operational headquarters.

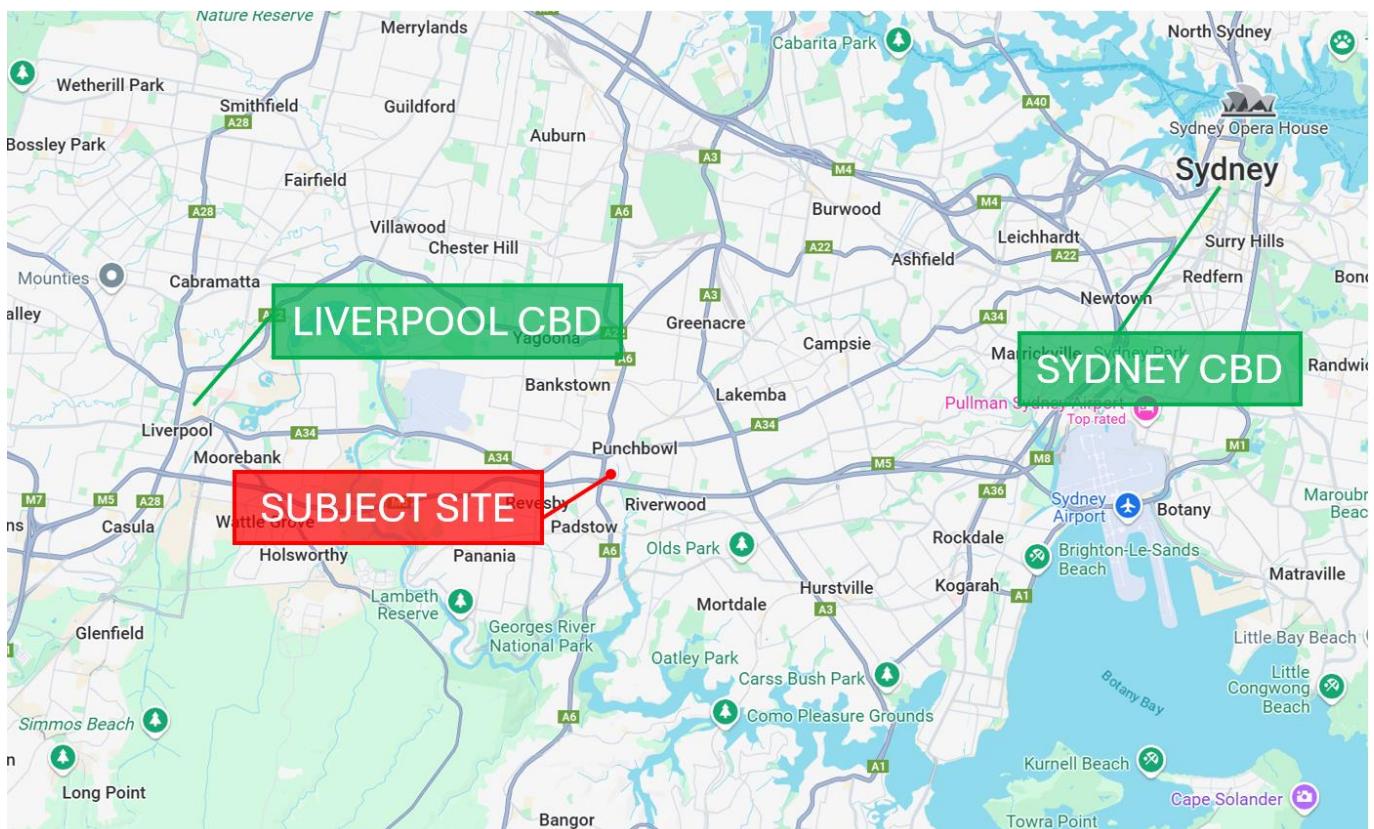


Figure 1 | Regional Context

1.2 Site Description

The site is located at 15 and 20 Gow Street, Padstow (Lot 100 DP 1011185 and Lot 53 DP 1064349, respectively) within the Canterbury-Bankstown LGA. The site is zoned E4 General Industrial under the Canterbury-Bankstown Local Environmental Plan (LEP) 2023.

The site is situated within an established commercial and industrial precinct which surrounds the intersection of the M5 motorway and Fairford Road, west of Salt Pan Creek. It is located approximately 17 kilometres (km) southwest of the Sydney CBD and 2 km south of Bankstown (see Figure 1).

The site is bisected by Gow Street, 20 Gow Street in the north comprises a car parking lot, and 15 Gow Street in the south comprises industrial manufacturing, warehouse facilities and administration buildings operated by Dulux Group and Selleys. Both lots front Gow Street, while 15 Gow Street also backs onto the M5 motorway (see



Figure 2).

The site has a total area of approximately 6 hectares (ha). The car parking lot at 20 Gow Street has a rectangular shape, while 15 Gow Street is a generally square shape with an irregular eastern boundary

to Salt Pan Creek (see



Figure 2). The site is generally cleared of vegetation, with some small areas of tree and grass planting along the Salt Pan Creek boundary.

The nearest residential receivers are located approximately 400 metres to the north-east. Other residential areas are located to the south-east and west of the site.



Figure 2 | Local Context

1.3 Surrounding Land Uses

Surrounding land uses comprise various commercial and industrial developments to the north, together with the Ausgrid Bankstown Zone Substation; Salt Pan Creek to the east; the M5 Motorway and additional commercial and industrial development to the south; and further commercial and

industrial development to the west (see



Figure 2). The site is located directly north-east of the grade-separated intersection of the M5 Motorway and Fairford Road, providing excellent road transport connections to greater Sydney. Access is via Gow Street, off Fairford Road.

2 Development

2.1 Description of the Development

The major aspects of the development are summarised in Table 1 and shown in Figure 3 and Figure 5, and described in full in the Environmental Impact Statement (EIS) and the Submissions Report included in Appendix A.

Table 1 | Main Aspects of the Development

Aspect	Description
Development Summary	The proposal involves the expansion of an existing manufacturing facility, including the partial demolition and refurbishment of an existing warehouse, and the construction and operation of a new technical centre, ancillary staff facilities, landscaping and site infrastructure.
Site area	6 ha
Building height	16.4 m (RL22.625)
Gross floor area	The development has a total gross floor area (GFA) of 28,918 m ² comprising of: <ul style="list-style-type: none">• 14,881 m² of manufacturing• 5,382 m² of laboratory/technical centre• 5,986 m² of warehouse• 2,669 m² of office
Earthworks, civil works and services	<ul style="list-style-type: none">• The development seeks approval for the installation of site services, utilities, stormwater infrastructure and minor bulk earthworks
Construction phases & timeframe	Construction of the development would take approximately 30 months, and comprises the following three phases: <ul style="list-style-type: none">• Phase 1 – includes demolition, earthworks and civil works (9 months)• Phase 2 – includes refurbishment and construction (7 months)• Phase 3 – includes fitout of operational plant and equipment (15 months)

Aspect	Description
Traffic	<ul style="list-style-type: none"> During the AM and PM peak periods, the expanded development is expected to generate approximately 77 operational vehicle movements per hour (62 light vehicles and 15 heavy vehicles). An increase of 21 movements in the AM peak and 50 movements in the PM peak compared to existing operational levels.
Access and parking	<ul style="list-style-type: none"> No works are proposed to the existing car parking at 20 Gow Street New heavy vehicle exit at the western end of the site's frontage (the main entry for light vehicles in the central portion of the site frontage remains with all heavy vehicle entry/exit points to remain)
Landscaping	<ul style="list-style-type: none"> 15 trees to be removed 33 trees to be planted use of native trees, shrubs, grasses and canopy trees
Hours of operation	24 hours per day, 7 days per week
Estimated development cost	\$122,008,809 (excluding GST)
Employment	251 jobs in construction and the continuation of 357 operational jobs

2.2 Existing Operations

The existing Selleys factory was constructed in 1964 and over the course of 60 years has seen a significant change in product production and operational complexity. The site is home to both Selleys manufacturing and corporate functions of Dulux Group. It is the global headquarters of Selleys and Yates and the NSW corporate base for Dulux, Cabots and other businesses part of Dulux Group.

The existing Selleys plant produces 270 products, primarily Sealants, Adhesives and Fillers (SAF), along with household cleaning products. Major brands include No More Gaps, Liquid Nails, Spakfilla and Sugar Soap, manufactured using a range of chemical technologies including acrylic, solvent-based, silicone and hybrid/MS polymers.

As part of the proposal, several existing buildings will be retained and will continue to operate, including the office, technical centre and greenhouse in the north of the site, and the manufacturing building, workshop, store and amenities, warehouse, storage shed and bunded storage yard to the east (see Figure 3 and Figure 4) as per the existing Development Applications approved by Council for the site.

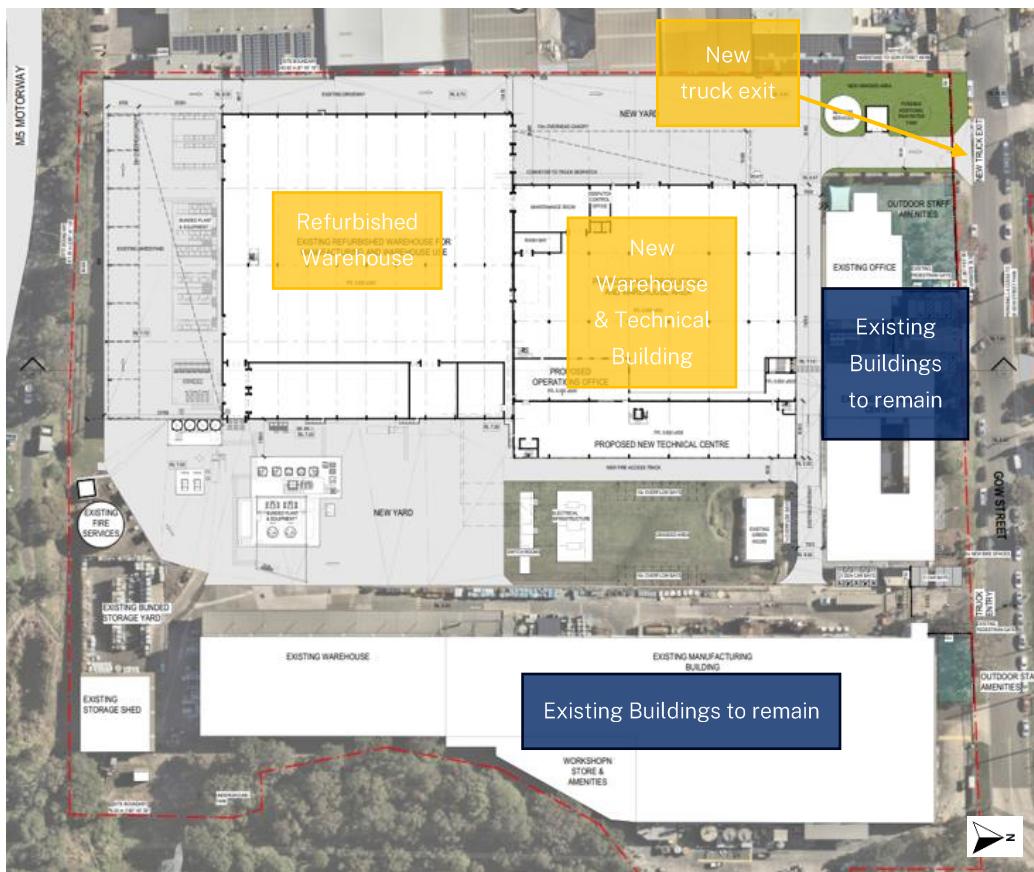


Figure 3 | Site Layout

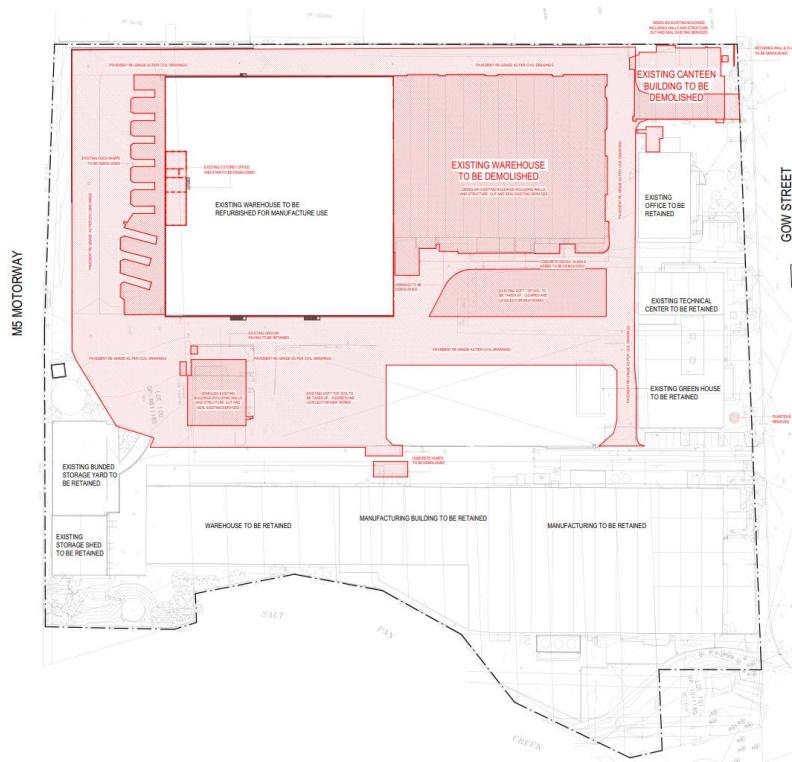


Figure 4 | Demolition plan



Figure 5 | Building perspective drawing

2.3 Physical layout and design

The proposal involves partial demolition of one warehouse and full demolition of an adjoining warehouse, dock ramps, and hardstand areas, with the new warehouse and technical centre to be built over the existing warehouse building and hardstand footprint.

The proposed development will allow vehicles to enter the site via a dedicated entrance and deliver/collect from either the existing operational facility or to the proposed new manufacturing facility before exiting via a proposed exit to Gow Street.

Access to the site is provided via a total of six driveways, comprising:

- two (2) heavy vehicle entry/exit (1 & 2)
- one (1) heavy vehicle and occasional light vehicle entry (3)
- one (1) heavy vehicle and occasional light vehicle exit (5)
- one (1) light vehicle entry and exit (4)

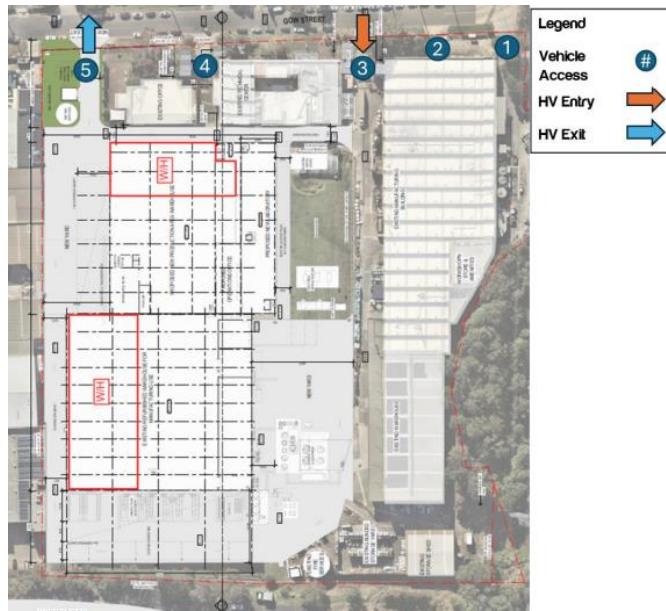


Figure 6 | Proposed vehicle access

Incoming raw materials for the proposed facility will be received at the south of the new manufacturing facility. Inbound packaging materials and outbound finished products will be (un)loaded at the north western end of the new facility.

Car parking will remain available at 20 Gow Street, directly north of the main site. Staff and visitors access the site by crossing Gow Street and entering via the security and visitor entry point.

2.4 Applicant's Justification for the Development

The Applicant indicates the development will give Selleys greater flexibility to adjust production schedules across its product range to meet changing demand for sealants, adhesives, and fillers in Australia, New Zealand, and potential export markets, while also modernising ageing infrastructure to support ongoing operations. A new laboratory will provide space for researchers to develop and refine products in collaboration with on-site manufacturing and marketing teams prior to full-scale production.

3 Strategic Context

3.1 Key Strategic Issues

The consistency of the development with key relevant strategies, plans and policies relevant to the assessment of the development are outlined in Table 2 below.

Table 2 | Summary of Key Government Strategies, Plans and Policies

Strategy, Plan or Policy	Comments
The South District Plan 2056	The development aligns with the Planning Priorities of the Southern District. In particular, the development will ensure the retention and effective management of existing industrial land for the purpose of a manufacturing use (Planning Priority 10) and will support the growth of the manufacturing industry of the district (Planning Priority 11).
City of Canterbury-Bankstown Local Strategic Planning Statement (CCBLSPS)	The CCBLSPS sets out a 20-year land use planning strategy for the Canterbury Bankstown LGA. In accordance with the South District Plan, the CCBLSPS seeks to protect and enhance employment lands within the Canterbury Bankstown LGA (Planning Priorities E3.3 and E3.6). The development aligns with the CCBLSPS by maintaining the use of the site for manufacturing purposes, and maintaining 357 operational jobs in the economy of the Canterbury Bankstown LGA.
Future Transport 2056	Future Transport 2056 provides the framework and vision for transport in NSW for the next 40 years. Included in the vision is the ability to create connected 30-minute cities and convenient 15-minute neighbourhoods. The development aligns with the strategy in that the development retains employment land and employment opportunities associated with industrial facilities close to homes, amenities and a range of essential services.

4 Statutory Context

4.1 Permissibility and Assessment Pathway

Details of the permissibility of the development and the assessment pathway under which consent is sought are provided in **Table 3** below.

Table 3 | Permissibility and Assessment pathway

Consideration	Description
Permissibility	<p>Permissible with consent</p> <p>General industries are permissible with consent in the E4 General Industrial zone of the Canterbury-Bankstown Local Environmental Plan 2023.</p>
Assessment pathway	<p>State significant development (SSD)</p> <ul style="list-style-type: none">• The development is SSD under section 4.36 of the EP&A Act as it satisfies the criteria under section 2.6(1) of the Planning Systems SEPP:<ul style="list-style-type: none">– the development on the land concerned is not permissible without development consent, and– the development is specified in section 10 of Schedule 1 of the Planning Systems SEPP, being for the manufacture of adhesives with an estimated development cost in excess of \$30 million (being \$122 million).
Consent authority	<p>Minister for Planning and Public Spaces (Minister)</p> <p>The Minister is the consent authority under section 4.5(a) of the EP&A Act.</p>
Decision-maker	<p>Director, Industry Assessments</p> <ul style="list-style-type: none">• On 9 March 2022, the Minister delegated the functions to determine SSD applications to the Director, Industry Assessments where:<ul style="list-style-type: none">– the relevant local council has not made an objection and– there are less than 15 unique public submissions in the nature of objections and– a political disclosure statement has not been made by the Applicant. <p>In total, the Department received zero submissions from members of the community, zero submissions from interest groups/local businesses, and one submission from the local council. Council did not object to the development. No reportable political donations were made by the Applicant in the last two years.</p> <p>Accordingly, the application can be determined by the A/Director, Industry Assessments, under delegation.</p>

4.2 Other Approvals and Authorisations

Should development consent be granted, other approvals may be required in order to carry out the development. Section 4.42 of the EP&A Act lists a number of approvals that cannot be refused if required to carry out the development and must be approved in a manner that is consistent with any SSD consent granted under the EP&A Act.

The Applicant would be required to obtain approval from Council under section 138 of the Roads Act 1993 to construct the development's vehicle access driveways within Council's road reserve.

The facility also operates under Environment Protection Licence (EPL) number 7106 in accordance with the *Protection of the Environment Operations Act 1997* (POEO Act). The existing EPL issued to the operations specifies chemical production, waste generation, storage and production limits for the facility. The modified works will not require any variation to the Selleys EPL licence conditions.

The Department has consulted with and considered the advice of the EPA and Council in its assessment of the development (see **Section 5** and **Section 6**) and has included its recommended conditions in the conditions of consent (see **Appendix D**).

4.3 Mandatory Matters for Consideration

Section 4.15 of the EP&A Act sets out matters to be considered by a consent authority when determining a development application (DA). The Department's consideration of these matters is shown in **Appendix C**.

4.4 Public Exhibition and Notification

In accordance with section 2.22 and Schedule 1 to the EP&A Act, the DA and any accompanying information of an SSD application are required to be publicly exhibited for at least 28 days. The application and accompanying EIS were placed on public exhibition from 4 February 2025 until 3 March 2025. Details of the exhibition process and notifications are provided in **Section 5**.

4.5 Objects of the EP&A Act

In determining the application, the consent authority should consider whether the development is consistent with the relevant objects of the EP&A Act (section 1.3), including the principles of ecologically sustainable development (ESD). The Department has fully considered these matters in **Appendix C**.

The Department is satisfied that the development is consistent with the objects of the EP&A Act and the principles of ESD.

4.6 Biodiversity Development Assessment Report

Section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act) requires all SSD applications to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Planning Agency

Head and the Environment Agency Head determine that the development is not likely to have any significant impact on biodiversity values (as identified in the BC Act and in the *Biodiversity Conservation Regulation 2017*).

A BDAR was submitted as part of the EIS (see Appendix A) and was referred to the Conservation Programs, Heritage and Regulation group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (NSW DCCEEW) for comment. The Department's consideration of the BDAR and CPHR's advice, including the potential impact of the development upon biodiversity values at the site, is provided in Section 6 of this report.

4.7 Matters of National Environmental Significance

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), assessment and approval are required from the Australian Government if a development is likely to impact on a Matter of National Environmental Significance (MNES), as it is considered to be a 'controlled action'.

The EIS for the development included a preliminary assessment of the MNES in relation to the development and concluded the development would not impact on any of these matters and is therefore not a 'controlled action'. As such, the Applicant determined a referral to the Australian Government Department of Climate Change, Energy, the Environment and Water (DCCEEW) was not required.

5 Engagement

As required by the Planning Secretary's Environmental Assessment Requirements (SEARs), the Applicant undertook consultation with relevant local and State authorities as well as the community and affected landowners prior to lodgement of the EIS. The Department undertook further consultation with these stakeholders during the exhibition of the EIS and throughout the assessment of the application. These consultation activities are described in detail in the following sections.

5.1 Consultation by the Applicant

The Applicant undertook a range of consultation activities throughout preparation of the EIS including:

- letters informing nearby residents and businesses about the proposal and an online survey
- direct engagement via email and phone with State government authorities, including pre-DA meetings with DPHI and with Council
- direct engagement via email and phone with utility service providers, including Sydney Water, Ausgrid, Telstra and NBNCo.
- direct engagement with local Aboriginal groups in the development of the Aboriginal Cultural Heritage Assessment Report.

5.2 Consultation by the Department

5.2.1 Public Exhibition of the EIS

After accepting the DA and EIS, the Department:

- publicly exhibited the DA and EIS from 4 February 2025 until 3 March 2025 on the NSW planning portal
- notified occupiers and landowners in the vicinity of the site about the public exhibition
- notified and invited comment from relevant government agencies and Council.

5.3 Submissions and Advice

During the public exhibition period, the Department received no submissions from the public, a submission from Council and advice from six government authorities, State-owned corporation and a utility provider.

A summary of the submissions and government advice is provided below. A link to the full copy of the submissions and advice is provided in Appendix B of this report.

5.3.1 Government Authority Advice

A summary of the government authority advice is provided in Table 4.

Table 4 | Summary of Government Authority Advice

Agency	Advice summary
TfNSW	TfNSW raised no concerns and provided no comments or recommendations as the proposal is considered unlikely to have any significant impact on the State-classified road network.
Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Aboriginal Heritage Division	DCCEEW's Heritage Division advised it had no comments in relation to Aboriginal cultural heritage, subject to the implementation of the recommendations provided in the updated ACHAR. This included continued consultation with the RAPs and the implementation of a procedure for handling any unexpected finds uncovered during construction.
Heritage NSW	Heritage NSW advised that no comments or conditions are required for the development as the site is not listed on the State Heritage Register (SHR), the site does not contain any known historical archaeological relics, and is also not located within the immediate vicinity of any SHR items.
DCCEEW - CPHR	CPHR raised a number of issues in relation to flood planning and emergency management. Further information was requested regarding the flood planning levels for the site (undertaken in consultation with Council), and regarding the flood emergency management measures that are to be implemented for the site. CPHR also recommended that the mitigation and management measures outlined in the BDAR form part of the conditions of consent.

Agency	Advice summary
NSW Environment Protection Authority (EPA)	<p>The EPA raised several concerns. Further information was requested to confirm whether the EPL will need to be adjusted to reflect the proposal. Additional details were also requested in relation to air quality, particularly the identification of odorous emissions and emission points, as well as the proposed air quality and odour management measures and controls. Noise and vibration concerns were also identified, with further information required to demonstrate compliance with the Noise Policy for Industry, including noise monitoring requirements, amenity categories, and noise modelling parameters.</p> <p>The EPA requested the Applicant confirm if the EPA's Guide for Large Emitters applies to the proposal.</p> <p>The EPA also recommended conditions to address contamination, erosion and sediment control, and the preparation of a Water Management Plan to manage both surface water and groundwater impacts.</p>
Fire and Rescue NSW (FRNSW)	FRNSW advised it had no concerns in relation to the development, subject to the development of a Fire Safety Study, an Emergency Response Plan (ERP) and Emergency Service Information Package (ESIP) for the site.

State Owned Corporation Advice

Sydney Water had no concerns with the proposal, and provided comments relating to the need for plans to be approved by Sydney Water prior to bulk earthworks or construction works commencing, tree planting restrictions near Sydney water assets and the need for a compliance certificate to be obtained from Sydney Water under section 73 of the Sydney Water Act 1994 prior to occupation.

Utility Provider

Ausgrid did not object to the development subject to the implementation of the recommendations provided in its response, including the advice around the removal of the redundant substations, construction of new substations, the creation of easements over any new substations and advice around the landscaping planting near electricity infrastructure.

Key Issues – Council

Council provided comments on the development. While Council did not object to the proposed development, further information was requested regarding traffic impacts particularly site access, pedestrian safety from the existing car parking to the operational area and confirmation of the largest truck to be utilising the site. Further information was also requested on the flood levels, the visual impact on the public domain, landscape planting and the potential for solar panels to be incorporated in the design. Council also provided comments on tree management.

Key Issue - Public Submissions

No public submissions were received.

5.4 Submissions Report

Following the public exhibition period, the Department requested the Applicant to respond to the issues raised in submissions and the advice received from government agencies.

In addition, the Department requested the Applicant provide further information regarding traffic and vehicle access arrangements, as well as the proposed removal of car parking spaces to ensure the continued provision of landscaped areas within the site.

On 11 June 2025, the Applicant provided a Submissions Report to the Department (see Appendix A), which included additional information relating to the traffic, flood impact, noise and vibration, air quality and confirmation that no amendments are required to be made to the EPL on the site. The Submissions Report also included a set of updated architectural plans and landscape plans, to address the Department's requested design and landscape changes.

The Department published the Submissions Report on the NSW planning portal and forwarded it to relevant government authorities and Council for comment. A summary of the responses received is provided below:

Council requested additional information regarding the location of services, including the fire services, substation, and water tank, as well as confirmation on whether the rainwater tank is located above or below ground. Council also requested that the recommended pedestrian crossing be removed, further landscaping be incorporated within the site, and improvements be made to the main entry and wayfinding to support pedestrian movement. In addition, recommended conditions were provided in relation to waste management, driveway design, and development contributions.

EPA had no further comments on the proposal, subject to the implementation of the recommended conditions. The Applicant confirmed that the proposed development will not emit over 25,000 tonnes CO₂-e of Scope 1 and Scope 2 emissions in any operational year. Therefore, the EPA's Guide for Large Emitters does not apply. The conditions recommended included requirements for noise limits and monitoring, the establishment of an emission testing program within 60 days of operation to confirm the findings of the Air Quality Impact Assessment, and measures for the safe storage of dangerous goods and chemicals.

DCCEEW's CPHR group recommended that specific flood emergency management measures such as a Flood Emergency Response Plan be prepared prior to determination in consultation with the NSW State Emergency Service (SES) and in accordance with EM01 Guideline for the development site. CPHR also recommended that the mitigation and management measures outlined in the BDAR form part of the conditions of consent as per its previous advice.

The Department has considered the issues raised in submissions, the Submissions Report in its assessment of the development as detailed in **Section 6** below.

6 Assessment

The Department has considered the EIS, the issues raised in submissions, the Applicant's Submissions Report and all supplementary information in its assessment of the development. The Department considers the key assessment issues to be construction noise and vibration impacts and flood management within the site.

A number of other issues have also been considered. These issues are considered to be relatively minor and are assessed in Table 5 below.

6.1 Construction Noise and Vibration

Noise and vibration during construction has the potential to impact on the amenity of the surrounding area. The Applicant submitted a Noise and Vibration Impact Assessment (NVIA) prepared in accordance with relevant EPA guidelines, including the Interim Construction Noise Guidelines (ICNG) to assess the worst-case noise emissions during construction of the development. Operational noise impacts are discussed in Table 5 below.

The nearest residential receivers are located directly to the north-east and east, while a number of commercial and industrial receivers are located immediately adjoining to the north and west of the site (see Figure 7). Construction is proposed to be undertaken over a 30-month period, with 'standard' construction hours being 7 am to 6 pm on weekdays, 9 am to 1 pm on Saturdays and no work on Sundays or public holidays consistent with best practice noise management principle identified in the ICNG.

Construction noise is predicted to comply with the relevant noise management levels at residential receivers, up to LAeq,15min 56 dB(A) in the worst case. However, predictions indicate that construction noise could reach LAeq,15min 99 dB(A) at the nearest industrial receivers to the west, exceeding the 'highly noise-affected' noise management level of 75 dB(A) by a large margin.

The EPA noted that such high noise levels at industrial receivers represent potentially harmful impacts and requested the Applicant identify specific mitigation and management measures to minimise noise.



Figure 7 | Overview of sensitive receivers considered within the NVIA

In response, the Applicant refined the construction noise assessment and clarified that the original predictions were overly conservative. The revised assessment identified the use of pneumatic jackhammers and hydraulic hammers during demolition, excavation, and in-ground services works, followed by pneumatic hand tools during building construction, as the loudest activities. These were predicted to generate worst-case noise levels of up to 90 dB(A), 88 dB(A), and 75 dB(A), respectively, when operating near the western boundary.

While typical construction noise levels are expected to comply with the 75 dB(A) noise management level for industrial premises, exceedances may still occur at office and retail receivers, where the applicable management level is 70 dB(A).

In addition, the Applicant's Submissions Report also identified a range of source and pathway controls measures that could be implemented, yielding up to 20 dB(A) reduction for source controls and in the range of 5 to 10 dB(A) for pathway controls such as temporary barriers or strategically placing site offices in the transmission path.

The Department has carefully considered the NVIA and accepts that while the NMLs are predicted to be exceeded at times during the construction period, these impacts are reflective of a worst-case scenario and would be temporary in nature. The Department is satisfied noise impacts can be managed to an acceptable level by implementing a range of mitigation measures. This would include both the measures identified in the NVIA and a complaints handling protocol developed as part of a comprehensive, site-specific Construction Noise and Vibration Management Plan (CNVMP).

With regard to vibration, the NVIA determined that nearby residential receivers are located at a sufficient distance to avoid structural damage or loss of amenity. However, given the proximity to neighbouring industrial premises, the NVIA noted that specific construction activities, for example the use of a hydraulic hammer, could cause cosmetic damage to the neighbouring sites to the west.

To address potential risks, the NVIA has proposed to establish site-specific vibration levels during the final construction design process, taking into account the proximity of works to neighbouring structures. Further measures, listed in the NVIA such as consultation with affected sites will also be undertaken and escribed in the Construction Noise and Vibration Management Plan (CNVMP).

The EPA recommended mitigation measures be incorporated within conditions of consent to ensure appropriate monitoring during high-impact activities.

The Department concurs with this advice and supports the implementation of enhanced controls to minimise potential impacts on nearby industrial receivers and building structures. The Department considers that a CNVMP should be implemented and include mitigation measures identified in both the NVIA and the EPA's advice along with a complaints handling protocol developed as part of a comprehensive, site-specific CNVMP.

Additionally, the Department has adopted a precautionary approach and recommended that dilapidation surveys be undertaken at adjoining industrial properties both before and after construction works, to document any existing damage and the condition of building elements likely to be affected by the development. Should the surveys identify damage attributable to construction activities, the Applicant would be responsible for undertaking necessary repairs.

The Department's assessment concludes the potential noise and vibration impacts associated with the construction of the development can be suitably mitigated through the use of 'best practice' noise management procedures and the recommended conditions of consent, including the preparation and implementation of a CNVMP that details strategies to reduce noise and minimise vibration..

6.2 Flood Emergency Management

The Applicant submitted a Flood Impact Risk Assessment (FIRA) as part of the EIS that demonstrated via appropriate flood modelling that during a 1% annual exceedance probability (AEP) event and probable maximum flood (PMF) event, eastern portions of the site at 15 Gow Street will be inundated

with flood waters from overland flow and from the flood water of Salt Pan Creek. This presents a safety issue with respect to safe evacuation of employees and visitors from the site.

CPHR requested the Applicant revise the Flood Planning Area and Level in consultation with Council to ensure finished floor levels exceed the 1% AEP flood level, justify that freeboard accounts for overland and mainstream flooding, and provide an evacuation strategy including a ‘shelter-in-place’ approach for both proposed and existing buildings.

The Applicant submitted an addendum to the FIRA undertaken in consultation with Council. The addendum states the 1% AEP flood level around the site varies from RL 8.00 in the M5 Motorway to RL 3.20 in Salt Pan Creek, with the overland flow path modelled to reach RL 5.40-6.00 as it moves from west to east through the site. While the proposed works are within the western area of the site, outside the PMF flood area, the finished floor level of the proposed warehouse extension is RL 9.00, more than the required 1% AEP flood level plus 0.5 m freeboard.

The addendum proposes a Shelter-in-Place (SiP) emergency strategy for the safe movement of workers and visitors during major flood events (up to the PMF), be developed for both the proposed and existing development on the site. This plan is to be in place prior to operation of the proposal.

CPHR reviewed the submitted FIRA addendum and raised no further concerns regarding the proposed finished floor levels. However, it recommended that the SiP strategy be refined to include further detail, particularly regarding the duration of isolation and the provision of essential services. CPHR recommended that a Flood Emergency Response Plan be prepared prior to determination.

The Department is satisfied the submitted FIRA and associated addendum provides an appropriate assessment of flood risk and flood impacts on and off the development site, with the proposed floor levels to comply with the requirement of 1% AEP flood level plus 0.5 m freeboard.

The Department agrees that a Flood Emergency Response Plan (FERP) for both the proposed works and existing operational areas must be developed in consultation with the NSW SES. However, since the new works are located outside the PMF levels, the Department has recommended a condition that a separate FERP be prepared prior to construction, and that a full-site FERP be undertaken prior to operation.

The FERPs must address the provisions of the DPHI's Shelter in Place Guidelines and associated guidance in the Department's Flood risk management toolkit (2023). The FERPs must include details of flood levels, warning times, assembly points and evacuation routes, evacuation and refuge protocols and awareness training for both employees and contractors.

The Department has also included conditions requiring floor levels to be no lower than the 1% AEP event plus 0.5 m freeboard.

Overall, the Department is satisfied the development can be constructed to ensure it will not unduly increase the risk of flooding on or off the site and that with the recommended conditions of consent,

there will be appropriate response protocols in place should a flood event occur. The Department's assessment concludes any flood risk associated with the development can be suitably managed.

6.3 Other Issues

The Department's consideration of other issues is summarised in Table 5 below.

Table 5 | Assessment of other issues

Findings and conclusions	Recommended conditions
<p>Operational Noise</p> <ul style="list-style-type: none">The 24-hour operation of the expanded development has the potential to impact on the acoustic amenity of nearby residential properties.In response to the issues raised by the EPA, the Applicant submitted an addendum to the Noise and Vibration Impact Assessment (NIVA). The addendum provided verification of background monitoring, confirmation of existing and proposed noise sources included in the prediction model, and further justification of the amenity category assigned to the nearby residential area.The NIVA and addendum assessed noise emissions from both existing and proposed operations. Importantly, the assessment was undertaken against contemporary Project Noise Trigger Levels (PNTLs) set out in the NSW Noise Policy for Industry (NPfI), rather than the existing Environment Protection Licence (EPL 7106), which evaluates noise using LA10(15min) descriptors. The NPfI adopts LAeq(15min) as the relevant metric for assessing operational noise impacts, providing a more representative measure of average acoustic energy over time.Predicted operational noise levels were found to comply with the PNTLs for day, evening and night periods at the nearest residential noise catchment areas (NCA01 and NCA02). Compliance was also achieved at all other sensitive receivers, including educational, recreational and industrial premises.The NIVA assessed the potential for sleep disturbance from events such as truck air brake releases, doors closing, and reversing. These events were all below the nominated sleep disturbance criterion of 52 dB(A) L_{Max},	<p>Require the Applicant to:</p> <ul style="list-style-type: none">ensure operation does not exceed the conditioned noise limits at the receiver locationsundertake a noise verification report once operationalif necessary, implement additional noise mitigation measures at the site.

Findings and conclusions	Recommended conditions
<p>meaning the development is unlikely to cause sleep disturbance at nearby residential receivers.</p> <ul style="list-style-type: none"> The NVIA also concluded road traffic noise impacts would be minor as road traffic noise was predicted to be below the EPA's Road Noise Policy increase criterion of 2 dBA. The Department has considered the NVIA and addendum assessment and is satisfied the assumptions used in the modelling reflect the actual operations as closely as possible. EPA concurred that the NVIA and addendum information adequately assessed the potential noise impacts of the development and recommended conditions requiring compliance with predicted operational noise levels(including contributions from both the existing and proposed operations) and compliance monitoring and reporting. The Department has included these requirements in the consent. In addition, the Applicant would be required to prepare a noise verification report once the expanded manufacturing facility is operating. Should this report find that the operation of the development does not comply with the established noise limits, then the Applicant will be required to implement additional mitigation controls at the site. The Department's assessment concludes noise impacts can be managed subject to the implementation of the Department's recommended conditions of consent. 	
<h4>Aboriginal Heritage</h4> <ul style="list-style-type: none"> The EIS was accompanied by a ACHAR and Archaeological Report, which considered the potential impacts of the development to tangible and intangible Aboriginal cultural heritage. The ACHAR found the site is highly disturbed as a result of historical industrial and commercial uses, which means there is a low potential for Aboriginal objects to be encountered during construction. This document was subsequently provided to DCCEEW's Heritage Division, who concurred with the assessment's findings and provided its support for all recommendations made in relation to the management of Aboriginal cultural heritage at the site. This includes the implementation of an unexpected finds protocol for Aboriginal objects for the duration of construction works. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare and implement an unexpected finds protocol for Aboriginal objects.

Findings and conclusions	Recommended conditions
<ul style="list-style-type: none"> The Department's assessment concurs with the findings of the ACHAR and the advice of DCCEEW's Heritage Division, and concludes that given level of disturbance, it is unlikely that intact Aboriginal archaeological deposits will be encountered at the site. The Department has recommended conditions of consent which are consistent with the recommendations provided in the ACHAR. The Department's assessment concludes the development is unlikely to impact upon Aboriginal heritage values and the recommended conditions of consent can appropriately manage any unexpected finds during construction. 	
<h3 data-bbox="112 765 1480 842">Urban Design</h3> <ul style="list-style-type: none"> The design of the development has the potential to adversely impact the visual amenity of the surrounding locality. The EIS included a visual impact assessment, which considered the potential visual impact from various surrounding viewpoints. The assessment concluded that when considering the proposal within the existing industrial context the proposal would have negligible or low impacts from all viewpoints, including views from Salt Pan Creek. The refurbished warehouse and new technical centre is up to a building height of 16.4 m, with a newly articulated building facade that features solid concrete panels along the ground level, with angular design panels above to provide visual interest and articulation. Council raised no concern with the building height, or bulk and scale of the proposed built form, but requested that the Applicant consider amendments to the façade design to further reduce the visual impact of the development, along with upgrade to the main pedestrian entrance of the site to improve visual presentation and pedestrian safety. The Applicant submitted updated architectural plans that provided amendments to the selected colours of the angled panels and darkened the tones of the lower panels to provide greater contrast and further grounding of the building. Additional landscaping was incorporated into the Gow Street setback particularly around the water tanks. The Department considers the bulk and scale of the development, setbacks, articulation, fenestration, and additional landscape planting provide visual interest and compatibility in the industrial setting. The warehouse design 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare and implement a landscape management plan

Findings and conclusions	Recommended conditions
<p>includes, a refined colour scheme, and angular diamond panels in varied tones to modernise the façades and provide greater dimension.</p> <ul style="list-style-type: none"> As the existing site already provides an adequate entry pathway to the staff office areas and the proposal does not involve any additional built form or design changes to the staff office or pedestrian area along the Gow Street frontage, the Department considers the further design amendments suggested by Council are not warranted. Instead, the additional landscaping incorporated within the front setback is considered sufficient to soften and visually improve the existing built form along Gow Street. The Department considers that the warehouse and technical centre layout, together with the amended façades, appropriately respond to the site's operational needs. Although the façades adopt a more contemporary design than the existing onsite buildings, they achieve a balance between old and new, delivering a varied and engaging visual outcome that remains consistent with the established industrial character. While the retention of existing buildings along the Gow Street frontage limits a full upgrade of the Gow Street entry, the Applicant has incorporated native landscaping to enhance the streetscape and site presentation. The Department concludes that the proposed façade design is appropriate to the site's industrial context, achieving a balance between operational needs and an enhanced design that delivers an improved visual outcome. 	
Biodiversity <ul style="list-style-type: none"> A BDAR was submitted with the application as the development has the potential to impact native flora and fauna through the removal of native vegetation to construct the larger warehouse on-site. The BDAR concluded the site does not contain habitat for any threatened species, populations or communities that are at risk of a serious and irreversible impact, will not impact biodiversity values with the removal of native vegetation and therefore, not require offsetting. CPHR reviewed the BDAR and agreed with the conclusions. It recommended the mitigation and management measures outlined in Table 8-1 of the BDAR be incorporated in any conditions of consent The Department has reviewed the BDAR and considers the Applicant has provided adequate consideration of the development's potential impacts on 	Requires the Applicant to: <ul style="list-style-type: none"> ensure native vegetation planting is incorporated and manage these plantings as part of the landscape management plan Management measures of the BDAR are undertaken

Findings and conclusions	Recommended conditions
<p>NSW and Commonwealth listed ecosystems and species, and has developed appropriate mitigation measures for managing residual impacts,</p> <ul style="list-style-type: none"> The Department agrees with CPHR advice that the proposed mitigation measures be included in the recommended consent. The Department's assessment concludes the biodiversity impacts of the development would be appropriately minimised, managed and offset, subject to the recommended conditions of consent. 	
<h3>Hazard and Risk</h3> <ul style="list-style-type: none"> The EIS confirms that existing and future operations involve the use and storage of dangerous goods (DGs) on-site as part of the manufacturing process. The Department's review found the DG quantities associated with the proposal are below the threshold levels specified in the <i>Hazardous and Offensive Development Application Guidelines – Applying SEPP 33</i>. The existing DG bulk storage areas remain unchanged and are separated by 40 m from the new development, making fire escalation between the existing and proposed operations highly unlikely. The proposal also includes handling combustible dusts within a controlled room. With the bulk-in-bag quantities and the risk controls identified in the preliminary hazard analysis (PHA), no significant off-site impacts from combustible powders are anticipated. The Department considers that with DG quantities below SEPP 33 specified thresholds and appropriate controls in place for combustible powders, the proposal is unlikely to result in off-site consequences. The Department also considers the proposed DG storage and operations are sufficiently separated from existing DG storage and operations, making propagation to current facilities unlikely and ensures cumulative risks remain consistent with current levels. To further minimise risks, the proposal will incorporate hazard controls in accordance with the relevant Australian Standards for flammable and 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> Prepare a study demonstrating that the proposal meets the requirements of the relevant standards for storage of dangerous goods. comply with relevant standards and guidelines for the storage and handling of DGs.

Findings and conclusions	Recommended conditions
<p>combustible liquids, warehouse separation, and spill containment under canopy.</p> <ul style="list-style-type: none"> The Department also reviewed the preliminary DG storage design and is satisfied that compliance with safety standards, or an equivalent level of safety, can be achieved. A condition of consent is recommended requiring an independent DG specialist to review the final storage arrangements to confirm compliance at the detailed design stage. Subject to these conditions, the Department concludes that the proposal complies with the risk criteria outlined in <i>Hazardous Industry Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (HIPAP 4)</i>, and would not result in any significant increase in cumulative risk when considered alongside existing DG storage and operations. 	
<h3>Fire Management</h3> <ul style="list-style-type: none"> The site has been designed to ensure safe, efficient and effective access can be provided for the rapid response of emergency vehicles. During the exhibition period, FRNSW did not raise any specific concerns in relation to fire management, however recommended the Applicant be required to prepare and implement an Emergency Plan (EP), Fire Safety Study (FSS) and Emergency Services Information Package (ESIP) for the entire site. The Department considers the Applicant's proposed fire and incident management measures are adequate and would be further refined in consultation with FRNSW as part of the post approval process. Consequently, the Department is satisfied the additional areas of development will be designed and operated in a safe manner, with the entire site being subject to the recommended conditions requiring the preparation and implementation of an EP, ERP and ESIP. The Department's assessment concludes the development would not have a significant risk on fire safety and any potential impacts for the entire site would be appropriately managed by the recommended conditions of consent. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare an FSS for the site in accordance with <i>Hazardous Industry Planning Advisory Paper No. 1</i>² – <i>Emergency Planning</i> Prepare an EP for the site in accordance with accordance with <i>HIPAP No.1</i>⁵ prepare an ESIP in accordance with FRNSW's <i>Fire Safety Guideline – Access for Fire Brigade Vehicles and Firefighters</i>.
<h3>Contamination and Remediation</h3>	

Findings and conclusions	Recommended conditions
<ul style="list-style-type: none"> Historic disturbance (including filling) and industrial uses (such as manufacturing) have resulted in some soil and groundwater contamination across the site. The EIS notes that residual contamination in soil, soil vapour and groundwater at the property is currently managed under the existing Environmental Management Plan (EMP), and that the proposal is to retain existing building slabs where possible, has minimal cut and will continue to be mostly covered by hardstand or buildings. The EIS included a detailed Site Investigation Report (SIR) prepared in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i>. Due to previous site investigations and remediation works, four underground petroleum storage systems (UST) have been removed from the site, however a UST may remain along the western boundary of the site. There is also known soil contamination (i.e. asbestos and petroleum hydrocarbons) and groundwater containing hydrocarbons, however it has been previously assessed (last detailed site investigation was conducted in 2024) to be low risk provided the soil and groundwater is not extracted and used. A Remedial Action Plan (RAP) for the proposed development was submitted which included the proposed remediation approach for the development. As a significant portion of the site will be covered by buildings or concrete hardstand, the RAP considered the best approach would be to cap contaminated soil on-site beneath these structures. In non-paved areas of the site, a physical barrier (e.g. geofabric) is proposed to be placed and then capped with a layer of virgin excavated natural material (VENM). Fill excavated during the proposed works will either be reused on-site under the capping layer or disposed of to an appropriately licensed facility. Any uncovered USTs would also be removed/disposed of, along with any residual contents, and disposed of to a licenced facility. A Long Term Environmental Management Plan (LTEMP) would then be prepared to set out procedures for ongoing maintenance and management of any future intrusive works at the site. The Department has considered the information provided in the RAP and recommends the Applicant engage an EPA-accredited Site Auditor to oversee the remediation works. The remediation works would need to be carried out by a suitably qualified contractor and, once the works are complete, the Applicant would need to 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> undertake the remediation works in accordance with the RAP prepare and implement a LTEMP and register it on the site's title in perpetuity.

Findings and conclusions	Recommended conditions
<p>obtain a Site Audit Statement from the Site Auditor which confirms the site is suitable for its intended use as a manufacturing facility.</p> <ul style="list-style-type: none"> The EPA concurs with the submitted RAP methodology and also recommends a Site Audit Statement certifying the site is suitable for the proposed use be submitted to the Department prior to operation. The Department and the EPA have also recommended the implementation of an LTEMP to manage the site, which would be registered on the site's title in perpetuity. With these measures in place, the Department's assessment concludes any existing on-site contamination can be suitably managed and remediated and that the site can be made suitable for its intended land use. 	
<h3>Construction Traffic</h3> <ul style="list-style-type: none"> The EIS noted construction will be undertaken in three phases over approximately 30 months, which has the potential to impact on other road users in the vicinity of the site. During the exhibition period, both TfNSW and Council did not raise any concerns in relation to construction traffic. However, the Department raised concern regarding construction impacts, particularly around parking opportunities for construction workers and traffic management during the construction period. The Applicant submitted an amended TIA which included specific measures in order to reduce any construction traffic and parking impacts for the surrounding area. Measures include the provision of an on-site construction parking area, carpooling and the promotion of nearby public transport routes to reduce the number of construction workers driving to the site. Additional measures, such as the provision of a drop off zone to allow construction workers to drop off and pick up tools and equipment, are also proposed. The Department has considered the additional information outlined in the amended TIA and accepts that the site's proximity to public transport and the additional construction traffic mitigation measures proposed by the Applicant will help ensure construction traffic is adequately accommodated on the existing road network. The Department has subsequently recommended a Construction Traffic Management Plan (CTMP) be prepared and implemented for the duration of construction at the site. This plan will need to be prepared in consultation with 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> prepare and implement a CTMP for the duration of construction works at the site.

Findings and conclusions	Recommended conditions
<p>Council and outline the strategies which would be implemented to minimise the number of construction staff driving to the site each day.</p> <ul style="list-style-type: none"> The Department's assessment concludes construction of the development would not adversely impact upon traffic movements and parking availability in the vicinity of the site, subject to the recommended conditions of consent. 	
Operational Traffic & Car Parking	
<ul style="list-style-type: none"> The development would generate additional traffic movements as a result of the proposed expansion which may impact on the efficiency of the surrounding road network. The largest vehicle to access the site is a 20 m articulated vehicle. The Applicant submitted a Traffic Impact Assessment (TIA) which detailed the predicted traffic impacts associated with this development against the current operations. The TIA assessment estimated the development will see 77 total vehicle movements in the AM and the PM, an increase of 21 movements in the AM and 50 movements in the PM. The vehicle movements includes an 80% light vehicle and 20% heavy vehicle split, meaning an additional 5 truck movements are estimated in the AM and 10 truck movements in the PM, respectively. SIDRA results show the additional traffic from the development (including growth) will not significantly impact the Canterbury Rd/Gow St or Fairfield Rd/Gow St intersections, with Levels of Service (LOS) maintained in both AM and PM peaks in the opening year and in 2036. Neither TfNSW nor Council raised any concern with traffic generation of the development. The Department and Council raised concerns regarding site access, requiring all driveways to accommodate the largest vehicle expected to use the site. The Application submitted an updated TIA that detailed access driveway 3 (entry) and 5 (exit) accommodated up to 20m AVs and access driveway 2 (entry) and 1 (exit) is for medium (8.8m) rigid vehicles. Swept paths submitted for access driveways 3, 2 and 1 demonstrate the access points are able to efficiently accommodate the proposed sized vehicles. However, vehicle exit for driveway 5 will require the removal of 4 on-street car parking spaces to accommodate safe exit. Council raised no comments regarding the removal of the car parking spaces, and recommended that 	

Findings and conclusions	Recommended conditions
<p>separate approval from Council's Traffic Management Committee for the removal of these spaces to be undertaken.</p> <ul style="list-style-type: none"> Additional swept paths submitted also demonstrate all vehicles can manoeuvre around the site without conflict with any structure. <p><u>Car Parking</u></p> <ul style="list-style-type: none"> The development provides for 223 parking spaces in the existing off-site car park at 20 Gow Street. The Canterbury Bankstown Development Control Plan (DCP) 2023 requires the development to provide 244 car parking spaces a shortage of 21 car parking spaces. While DCPs do not apply to SSD applications, the Department notes the DCP parking rates are consistent with those provided in TfNSW's Guide to Traffic Generating Development. A car parking survey identified ten unused on-street spaces within the immediate vicinity of the proposed site in Gow Street during the peak period (9:45 am), confirming that the removal of four spaces will not unreasonably impact overall parking capacity in the area. The Department considers the existing car parking provision, including the additional loss of four on-street spaces, to be reasonable in this instance. As staff numbers will remain unchanged, and car parking surveys for the existing operation have confirmed that the current provision adequately meets staffing requirements, no additional parking is considered necessary. <p><u>Conclusion</u></p> <ul style="list-style-type: none"> The Department has considered the site access and development layout in conjunction with the amended TIA and has consulted Council on the access and traffic aspects of the development. The Department is subsequently satisfied the design of the development incorporates sufficient access for light and heavy vehicles. The Department considers the submitted swept path drawings for all likely light and heavy vehicle movements within the site and via the driveways demonstrate that safe manoeuvrability can be achieved. The Department considers the existing car parking provision, including the loss of four on-street spaces, to be reasonable as staff numbers remain unchanged and surveys confirm current parking adequately meets demand. The Department's assessment found operational traffic associated with the development would be adequately accommodated on the surrounding road network. 	

Findings and conclusions	Recommended conditions
<ul style="list-style-type: none"> The Department's assessment concludes that the development's operational traffic and access impacts are acceptable. 	
<h3>Pedestrian Movement</h3> <ul style="list-style-type: none"> The existing car park is located to the north of the operational site area at 20 Gow Street. Staff currently access the operational area of the development site from the existing car parking area by crossing Gow Street without a formalised pedestrian crossing. Council raised concern with the pedestrian safety of staff crossing Gow Street and recommended that a refuge island be installed between driveway 3 and 5 to improve pedestrian safety. The Applicant provided amended plans to detail the incorporation of the pedestrian crossing. However, after further evaluation by Council it was determined the installation of the pedestrian crossing would adversely impact vehicle manoeuvrability in this area. As such, Council withdrew this recommendation and is satisfied the current arrangement, without a formal crossing facility is sufficient. The Department considers that as the proposal does not increase staff numbers, and due to no history of pedestrian-related incidents within the vicinity of the site, that the existing pedestrian arrangement is reasonable. Rather than update the amended plans, a condition has been included to remove the pedestrian crossing as part of the recommended conditions. The Department concludes that the existing pedestrian arrangements for staff and visitors is acceptable in this instance. 	Condition to state the pedestrian crossing is not part of the approved plans.
<h3>Stormwater & Water Quality</h3> <ul style="list-style-type: none"> The site is currently serviced by a stormwater drainage system that collects runoff and discharges it into an existing drainage line, which flows into Salt Pan Creek, as detailed in the submitted Civil Engineering Report (CER). Stormwater from the existing workshop bunds and the diesel and linseed oil tank bunds is transferred through a separator prior to discharge to the sewer system. The proposed development does not alter or modify this part of the established stormwater management system. However, the development proposes an upgrade to other areas of existing stormwater management system that includes additional stormwater pits onsite and the use of gross pollutant traps (GPTs) and proprietary filtration to 	The Applicant is required to: <ul style="list-style-type: none"> install and operate the proposed stormwater management system implement an erosion and sediment control plan.

Findings and conclusions	Recommended conditions
<p>mitigate any increase in stormwater pollutant load generated by the development.</p> <ul style="list-style-type: none"> The stormwater infrastructure is designed to accommodate drainage up to and including the 5% annual exceedance probability (AEP) storm event, which is consistent with Council's stormwater requirements and guidelines. An Erosion and Sediment Control Plan (ESCP) is to be undertaken for the construction works, which includes measures such as sediment fences around the perimeter of the site to minimise sediment migration into the existing stormwater system and nearby Salt Pan Creek. Council had no comments on the stormwater management system. The Department considers the hydraulic modelling within the CER demonstrates that post development flows from the site will be consistent with pre-development flows, with the modelling demonstrating that the site discharge will not adversely affect any neighbouring land, drainage systems or the Salt Pan Creek watercourse as a result of the development. The proposed stormwater management system is considered appropriate for managing both the volume and quality of stormwater generated by the development, in accordance with Council's requirements. The Department is satisfied stormwater during construction can be appropriately managed through the implementation of sediment and erosion control measures and has recommended these requirements be included in the recommended instrument. The Department's assessment concludes the development's stormwater can be managed and impacts minimised by the Applicant through recommended conditions of consent. 	
<h4>Air Quality</h4> <ul style="list-style-type: none"> The development has the potential to generate air quality impacts during construction and operation at the nearest sensitive receivers. The EIS was supported by an Air Quality Impact Assessment (AQIA), which was prepared using the relevant EPA guidelines. <h4>Construction</h4> <ul style="list-style-type: none"> During construction, the main emission sources would be from bulk earthworks, general construction works and construction traffic. The AQIA found the risk of dust impacts to nearby sensitive receivers would be 'low to negligible' 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> take all reasonable steps to minimise dust comply with relevant legislation for air pollutant emissions and prohibit the emission of offensive odour ensure all mitigation measures recommended

Findings and conclusions	Recommended conditions
<ul style="list-style-type: none"> The Applicant has committed to implementing measures to minimise dust during construction, including through the use of solid screens around dusty activities, covering stockpiles and other dust suppression techniques. While there may be short-term, minor air quality impacts during construction, the Department is satisfied these would be temporary and can be appropriately managed via the Applicant's proposed management and mitigation measures. The Department's assessment concludes construction of the development would not result in adverse air quality impacts, subject to the recommended conditions of consent. <p>Operation</p> <ul style="list-style-type: none"> The AQIA included an atmospheric dispersion modelling assessment to evaluate operational air and odour impacts on nearby sensitive receivers, modelling annual and 1-hour impacts in accordance with the EPA's Approved Methods, using existing site data and background air quality data to capture cumulative impacts. The EPA reviewed the AQIA and requested a map of all emission points (assessed and unassessed), clarification of emission source types and descriptions, and more detail on management and mitigation measures such as baghouses, vapour recovery and material handling. The EPA also noted that Methyl isobutyl ketone, listed as odorous, was not identified as such in the AQIA. The Applicant's updated AQIA provided a map of all emission points, confirmed predicted pollutant concentrations remain below criteria at emission points and sensitive receptors due to material handling controls and emission capture/filtration, and recommended an emissions testing program within 60 days of commissioning to confirm modelling assumptions, with further controls such as scrubbing, filtration or oxidation to be considered if materially different results are identified. The AQIA assessment also confirmed that Methyl isobutyl ketone was conservatively assessed at <0.1% of its criterion and ethanol at 0.4%, indicating minimal off-site odour risk. After further review, the EPA confirmed it had no further concerns subject to the emissions testing program being undertaken post commissioning. The Department reviewed the AQIA and EPA advice and agreed all identified pollutants are predicted to remain below the relevant criteria at receptor locations, recommending conditions of consent for post operational 	<p>in the AQA are implemented.</p> <ul style="list-style-type: none"> undertake verification within 60 post operation.

Findings and conclusions	Recommended conditions
<p>commissioning monitoring and validation to ensure compliance with the reported outcomes of the AQIA.</p> <ul style="list-style-type: none"> The Department concluded the operation of the development is predicted to have minimal local air quality impacts and would not result in adverse air impacts to surrounding sensitive receivers subject to verification and consent conditions. 	
<p>Contributions</p> <ul style="list-style-type: none"> Under Section 7.12 of the EP&A Act, and in accordance with the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022, the Applicant must pay a contribution equal to 1% of the development cost as a fixed levy. The contribution will support the provision, extension and/or augmentation of local infrastructure, including community facilities roads, pedestrian pathways, and stormwater infrastructure within the Canterbury-Bankstown LGA. Accordingly, the Department has recommended a condition requiring the payment of the section 7.12 contribution, prior to the commencement of construction of the development. A Housing and Productivity Contribution (HPC) applies to the development as directed by the Ministerial Planning Order dated 1 October 2023. The contribution will support the provision of essential state infrastructure such as schools, hospitals, major roads, public transport infrastructure and regional open space. Accordingly, the Department has also recommended a condition requiring the payment of the HPC, prior to the commencement of the construction of the development. 	<p>Require the Applicant to:</p> <ul style="list-style-type: none"> pay the Section 7.12 contribution to Council pay the HPC contribution to the Department

7 Evaluation

The Department's assessment of the application has fully considered all relevant matters under section 4.15 of the EP&A Act, the objects of the EP&A Act and the principles of ESD.

The Department has considered the development on its merits, taking into consideration the strategic plans that guide development in the area, the EPIs that apply to the development, the advice received from the relevant State government authorities, and the submissions received from Council.

With regard to construction noise, the Department's assessment concludes that while some construction activities may exceed the NML at adjoining sensitive receivers, the management and mitigation measures proposed by the Applicant would help to minimise the impact of this noise during all construction phases. These measures would be described in a CNVMP and include the use of less noise intensive construction equipment, respite periods and ongoing consultation with neighbours.

The Department identified potential vibration impacts to adjoining sites from construction activities such as piling and hydraulic hammers. To minimise the potential vibration impact the Department has recommended site-specific vibration limits be set during construction, neighbour consultation, and management measures through a CNVMP. Dilapidation surveys of adjoining properties before and after construction are also recommended. The Department concludes that noise and vibration impacts can be acceptably managed through best-practice controls, implementation of a CNVMP, and conditions of consent. The Flood Impact Risk Assessment (FIRA) confirmed eastern portions of the site would be inundated during a 1% AEP and PMF event, raising safety concerns for evacuation. In response, the proposed refurbished and new warehouse and technical centre would be located outside the PMF flood area and floor level set at RL 9.00, exceeding the 1% AEP flood level plus 0.5 m freeboard.

A Flood Emergency Response Plan (FERP) is to be prepared in consultation with the NSW SES. The Department has recommended conditions requiring FERPs to be developed for both the construction and operational phases, consistent with the *Shelter-in-Place Guidelines* and the Department's *Flood Risk Management Toolkit (2023)*. The FERPs will address flood levels, warning times, evacuation routes, refuge protocols, and staff training. Subject to these measures, the Department is satisfied that flood risks can be appropriately managed and will not result in unacceptable impacts either on-site or off-site.

The Department has also recommended a range of detailed conditions to address any residual amenity or environmental impacts associated with the construction and operation of the development, and to ensure an appropriate developer contribution is paid to Council. These conditions were informed by the recommendations of the relevant government authorities and have been reviewed by the Applicant.

Overall, the Department's assessment has concluded the development would:

- provide a range of employment and investment benefits for the region and the State, including a capital investment of approximately \$118 million into the Canterbury-Bankstown LGA and the provision of 251 construction jobs and the continuation of 357 operational jobs at the site
- be consistent with key NSW Government policies, including the South District Plan, which aim to increase freight productivity and local jobs within the district
- provide an improved contemporary design outcome that increases the available manufacturing, warehouse and technical development floor space on an appropriately zoned site within an existing industrial area
- promote a better environment through the provision of appropriate landscaping and the delivery of a detailed landscaping strategy which uses local native species.
- The Department considers that these benefits can be realised without any significant amenity or environmental impacts and therefore, considers the development is in the public interest and should be approved, subject to conditions.

8 Recommendation

For the purpose of section 4.38 of the EP&A Act, it is recommended that the A/Director, Industry Assessments, as delegate of the Minister for Planning and Public Spaces:

- considers the findings and recommendations of this report
- accepts and adopts the findings and recommendations in this report as the reasons for making the decision to grant consent to the application
- agrees with the key reasons for approval listed in the notice of decision
- grants consent for the application in respect of Gow Street Manufacturing and Warehouse Facility (SSD 71052213), subject to the conditions in the attached development consent
- signs the attached development consent (Appendix D).

Recommended by:



Catriona Shirley
A/Team Leader
Industry Assessment

9 Determination

The recommendation is adopted by:



30 September 2025

Joanna Bakopanos

A/Director

Industry Assessments

Glossary

Abbreviation	Definition
ACHAR	Aboriginal Cultural Heritage Assessment Report
Applicant	Selleys (Dulux Group Australia Pty Limited)
CPHR	Conservation Programs, Heritage and Regulation group of the NSW Department of Climate Change, Energy, the Environment and Water
BDAR	Biodiversity Development Assessment Report
Council	Canterbury-Bankstown Council
DA	Development Application
Demolition	The removal of buildings, sheds and other structures on the site
Department	Department of Planning, Housing and Infrastructure (DPCI)
Development	The development as described in the EIS and Submissions Report
DPCI	Department of Planning, Housing and Infrastructure
EDC	Estimated Development Cost
EIS	Environmental Impact Statement titled Proposed Refurbishment Of The Existing Chemical Manufacturing And Associated Warehouse Or Distribution Centre prepared by Willowtree Planning dated 15 November 2024
EPA	NSW Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument

Abbreviation	Definition
EPL	Environment Protection Licence
ESD	Ecologically Sustainable Development
FRNSW	Fire and Rescue NSW
Heritage NSW	Heritage NSW, within the NSW Department of Climate Change, Energy, the Environment and Water
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
DCCEEW	NSW Government Department of Climate Change, Energy, the Environment and Water
Planning Systems SEPP	State Environmental Planning Policy (Planning Systems) 2021
Planning Secretary	Secretary of the Department
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SSD	State Significant Development
TfNSW	Transport for NSW

Appendices

Appendix A – List of Referenced Documents

The Department has relied upon the following key documents during its assessment of the development:

Environmental Impact Statement

- ‘Proposed Refurbishment of The Existing Chemical Manufacturing and Associated Warehouse or Distribution Centre’ prepared by Willowtree Planning dated 15 November 2024

Submissions

- All submissions received from relevant public authorities and the general public

Submissions Report

- ‘Response to Submissions Report: Proposed Chemical Manufacturing and Associated Warehouse or Distribution Centre’ prepared by Willowtree Planning dated 28 May 2025

Statutory Documents

- Relevant considerations under section 4.15 of the EP&A Act (see Appendix C)
- Relevant environmental planning instruments, policies and guidelines (see Appendix C)

Appendix B – Submissions and Government Authority Advice

All submissions and government authority advice can be found here: [Gow Street Manufacturing and Warehouse Facility | Planning Portal - Department of Planning and Environment](#)

Appendix C – Statutory Considerations

Table 6 | Mandatory Matters for Consideration

Matter for Consideration	Department's Assessment
Environmental planning instruments, proposed instruments and development control plans	The Department's consideration of the relevant EPIs (including draft instruments subject to public consultation under the EP&A Act) is provided in Appendix C.
EP&A Regulation	The Department has assessed the development in accordance with all relevant matters prescribed by the EP&A Regulation, the findings of which are contained in this report.
Likely impacts	The Department has considered the likely impacts of the development in detail in Section 6 of this report. The Department concludes that all environmental impacts can be appropriately managed and mitigated through the recommended conditions of consent.
Suitability of the site	The site is suitable for the development as it is in an industrial area that has a similar character and scale to the development. The development is permissible with consent.
Public submissions	All matters raised in submissions have been summarised in Section Error! Reference source not found. of this report and given due consideration as part of the assessment of the development in Section Error! Reference source not found. of this report.
Public interest	<p>The development would generate up to 251 jobs during construction, and the continuation of 357 jobs during operation. The development would also provide a \$122 million in capital investment in the Canterbury-Bankstown local government area.</p> <p>The environmental impacts of the development would be appropriately managed via the recommended conditions. The Department considers to the development is in the public interest.</p>

Objects of the EP&A Act

A summary of the Department's consideration of the relevant objects (found in section 1.3 of the EP&A Act) are provided in **Table 7** below.

Table 7 | Objects of the EP&A Act and how they have been considered

Object	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	<p>The development would:</p> <ul style="list-style-type: none"> ensure the proper management and development of suitably zoned land for the economic welfare of the LGA and the State promote social and economic welfare in the community through the provision of up to 251 jobs during construction and the continuation of 357 jobs during operation
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	<ul style="list-style-type: none"> The development integrates all socio-economic and environmental considerations and seeks to avoid potentially serious or irreversible environmental damage by incorporating a range of ESD measures such as solar panels and building materials designed to improve thermal performance. A Zero Carbon Action Plan is also proposed to outline scope 1 and 2 emissions and the projects pathway to being climate positive. The Department is satisfied the development can be carried out in a manner consistent with the principles of ESD.
(c) to promote the orderly and economic use and development of land,	<ul style="list-style-type: none"> The development would ensure the orderly and economic use of land through providing warehouse and manufacturing within an industrial area that has a similar character and use to the development.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	<ul style="list-style-type: none"> The BDAR submitted as part of the EIS has demonstrated the proposal will not significantly impact any threatened species of animals, plants or ecological communities and no ecosystem credits are required to offset clearing.

Object	Consideration
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	<ul style="list-style-type: none"> The development is not anticipated to result in any significant impacts upon built and cultural heritage, including Aboriginal cultural heritage.
(g) to promote good design and amenity of the built environment,	<ul style="list-style-type: none"> The development would provide good design and amenity of the built environment suitable for an industrial zone. The Department has considered the amenity of the surrounding built environment and has recommended conditions to protect the amenity of sensitive receivers.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	<ul style="list-style-type: none"> The Department has recommended several conditions of consent to ensure the construction and maintenance of the development is undertaken in accordance with the relevant legislation, guidelines, policies and procedures.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	<ul style="list-style-type: none"> The Department publicly exhibited the application as outlined in Section 5 of this report, which included consultation with Council and other relevant public authorities and subsequent consideration of their responses.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	<ul style="list-style-type: none"> The Department publicly exhibited the application as outlined in Section 5 of this report, which included notifying adjoining landowners/occupiers and displaying the SSD application on the Department's Major Projects website.

EP&A Regulation

Part 4, Division 1 of the EP&A Regulation requires the consent authority to consider additional matters for certain developments as part of the matters for consideration under section 4.15 of the EP&A Act.

For the purposes of this development the Australian Standard AS 2601—2001: *The Demolition of Structures* has been considered by the consent authority. The Department has recommended a condition to ensure the demolition of existing buildings on site meets this requirement.

There are no additional matters in Division 1 of the EP&A Regulation 2021 that the consent authority must consider.

Environmental Planning Instruments (EPIs)

State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)

The Planning Systems SEPP identifies certain classes of development as SSD. The proposal is SSD pursuant to section 4.36 of *Environmental Planning and Assessment Act 1979* (EP&A Act) because it involves development for the manufacture of adhesives with an Estimated Development Cost (EDC) of more than \$30 million which meets the criteria in Clause 10 of Schedule 1 in the Planning Systems SEPP.

State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP)

Chapter 2 of the T&I SEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to certain types of infrastructure development, and providing for consultation with relevant public authorities about certain types of development during the assessment process.

The development, being a manufacturing and warehouse facility, does not propose to increase staff numbers on site. The current traffic generation of the site is 56 vehicle trips per hour (vph) in the AM peak and 27 vph in the PM peak. The proposed development will result in a net increase of an additional 21 vph in the AM peak and an additional 50 vph in the PM peak. These numbers are comprised of 80% light vehicles and 20% heavy vehicles. The Traffic Impact Assessment (TIA) notes that the proposed increase from 2 to 3 operational shifts per day might distribute same number of staff across shifts, potentially reducing peak hour trip generation.

The SIDRA analysis provided in the TIA finds that the development will maintain similar Levels of Service (LoS) and Delays of Service (DoS) at the surrounding key intersections as currently exist, with negligible increases in delays of up to 3 seconds at commencement of operations and up to 6 seconds 10 years after operation commences.

While TfNSW had no comments or recommendations for the Development, the Department is satisfied that the operational movements to and from the site can be made efficiently, and will not significantly impact on the surrounding road network.

Conditions are recommended to require the Applicant to prepare a Construction Traffic Management Plan and an Operational Traffic Management Plan. The Department notes that the Applicant has also undertaken to implement a Green Travel Plan to encourage sustainable transport.

Given that no increase to staff numbers is proposed, and that parking surveys indicate sufficient existing parking capacity on site, the Department considers the development has incorporated a sufficient supply of parking spaces and that the arrangement. The Green Travel Plan would also ensure traffic generation associated with the development is minimised as far as practicable to lessen road congestion impacts across the surrounding road network.

The Department has considered the provisions of the Transport and Infrastructure SEPP and concludes that accessibility of the site as well as potential traffic safety, road congestion and parking implications of the development can be adequately managed.

State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)

Chapter 3 of the Resilience and Hazards SEPP aims to identify developments with the potential for significant off-site impacts, in terms of risk and/or offence. A development is defined as potentially hazardous and/or potentially offensive if, without mitigating measures in place, the development would have significant risk and/or adverse impact on off-site receptors.

The Applicant seeks approval to partially demolish and partially refurbish an existing warehouse on the site, to be reconstructed for manufacturing and warehouse use. The EIS included a Preliminary Site Investigation (PSI), Detailed Site Investigation (DSI), and a Remedial Action Plan (RAP). The site has historically been used for manufacture of paint products.

The EIS notes that residual contamination in soil, soil vapour and groundwater at the property is currently managed under the existing Environmental Management Plan (EMP), and that the proposal will retain existing building slabs, has minimal cut and will be mostly covered by hardstand or buildings. However, the DSI identified data gaps with regard to soil vapour, uncertainty in contamination conditions in parts of the site where sampling has been limited, groundwater, and occurrence of remnant underground storage tanks.

Based on these data gaps and the associated risks, the DSI recommended preparation of an RAP to make the subject site suitable for ongoing commercial/industrial land use as part of the development and to mitigate risks to human health and manage potential environmental impacts during the remedial works, including meeting conditions of consent.

The RAP proposes on-site containment, achieved by capping of fill material in-situ under existing building slabs and as part of paving and levelling works. This will require implementation of an ongoing Long Term Environmental Management Plan (LTEMP). Removal to the extent practicable of remaining disused USTs (if found to be present), or decommissioning if otherwise, is also recommended.

The Department has considered the RAP and is satisfied contamination on the site can be appropriately managed and the site made good for its intended industrial use. Subject to the implementation of both the RAP and a site validation process undertaken by the Site Auditor, the Department's assessment concludes the development can be made suitable for its intended use and would be consistent with the aims, objectives and provisions of the Resilience and Hazard SEPP.

The Canterbury Bankstown Local Environmental Plan 2023

The Department has consulted with Council throughout the assessment process and has considered all relevant provisions of the LEP and those matters raised by Council in its assessment of the development (see Section 6 of this report). The Department is satisfied the development is consistent with the aims of the Canterbury Bankstown LEP 2023, including the objectives of the E4 General Industrial zone as it will provide manufacturing opportunities in an area that is designated industrial land (see Table 8).

Table 8 | Consideration of E4 Zone Objectives of Canterbury Bankstown LEP 2023

E4 Objectives	Consideration
To provide a range of industrial, warehouse, logistics and related land uses.	The development will contribute to much needed manufacturing floor space close to key trade gateways and consumers. It will contribute to the industrial area which enable the operation of a wide range of businesses.
To ensure the efficient and viable use of land for industrial uses.	The development is a permissible use in the zone, and will continue the industrial operations of the site relating to paint manufacturing and distribution that have been carried out for a significant period of time.
To minimise any adverse effect of industry on other land uses	The development is located within the existing established industrial area. The development will not result in any adverse impacts on any other surrounding land uses with the closest sensitive receivers located 400 m to the west of the site.
To encourage employment opportunities.	The development will generate approximately 251 construction jobs and the continuation of 357 operational jobs and will support the existing industrial area and surrounding businesses.
To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.	The application does not propose any non-industrial land uses, other than staff facilities on site.

E4 Objectives	Consideration
To support and protect industrial land for industrial uses	The development will support and maintain the existing industrial land to enable capacity for jobs and future investment in the area, while maintaining the efficient logistical supply chain in greater Sydney
To promote a high standard of urban design and local amenity	The development contains high quality façade design and materiality supported by fit for purpose landscaping. It will improve the quality and amenity when compared against the existing development on the site.

Appendix D – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/major-projects/projects/gow-street-manufacturing-and-warehouse-facility>