



## **Request for Secretary's Environmental Assessment Requirements**

### **Proposed Warehouse and Logistics Hub**

155-217 Aldington Road, Kemps Creek  
(Lot 33 DP258949 and Lots 25-28 DP255560)

Prepared by Willowtree Planning on behalf of  
Fraser's Property Industrial

**April 2021**

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### Document Control Table

<b>Document Reference:</b>	WTJ21-001		
<b>Date</b>	<b>Version</b>	<b>Author</b>	<b>Checked By</b>
29 January 2021	1	S Wu	A Cowan
15 February 2021	2	S Wu	A Cowan
16 February 2021	3	S Wu	A Cowan
16 March 2021	4	S Wu	A Cowan

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### PART A PRELIMINARY

#### 1.1 INTRODUCTION

This Scoping Report has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Frasers Property Industrial (Frasers) and is submitted to the NSW Department of Planning, Industry and Environment (DPIE) in support of a formal request for Secretary's Environmental Assessment Requirements (SEARs).

The Proponent is proposing to construct and operate a warehouse and logistics hub on the Subject Site, involving extensive earthworks, vegetation clearing, provision of infrastructure and construction of warehouse and distribution facilities.

The Site is located within the Penrith Local Government Area (LGA) and is zoned IN1 General Industrial under the provisions of *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (SEPP WSEA). Development for the purpose of warehouse and distribution centre is permissible with consent within the IN1 General Industrial zone under SEPP WSEA.

Additionally, the proposed development satisfies the definition of State Significant Development (SSD) pursuant to Schedule 1, Section 12 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) as the Capital Investment Value (CIV) is estimated to be \$81,828,484 (refer to the Preliminary Cost Report at **Appendix 2**), which exceeds \$50 million.

This Scoping Report provides a brief overview of the proposed development and the relevant planning framework that applies to enable the issuance of the SEARs, which will guide the preparation of a formal Environmental Impact Statement (EIS) for future development of the land.

Environmental considerations relevant to the proposed development have been identified pertaining to the following parameters:

- Soil and Water;
- Noise and Vibration;
- Air Quality;
- Biodiversity;
- Waste;
- Traffic and Transport;
- Hazards and Risks;
- Energy Efficiency;
- Heritage, including Aboriginal Cultural Heritage and Non-Aboriginal (European) Heritage;
- Visual Amenity and Site Design;
- Infrastructure and Services;
- Social Impacts; and,
- Economic Impacts.

The proposed development would promote the enhanced development of the Sydney Metropolitan Region (primarily the Western Sydney Employment Area (WSEA)), ultimately providing for employment opportunities and warehouse and industrial facilities, via means of a warehouse and logistics hub to support the growth and development of the warehousing and logistics facilities across the State.

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## PART B SITE ANALYSIS

### 2.1 SITE LOCATION & EXISTING CHARACTERISTICS

The identified portion of land, that is the subject of this Scoping Report is legally defined as 155-217 Aldington Road, Kemps Creek. The Subject Site comprises five allotments as described in **Table 1** below.

Table 1 Site Identification	
Street Address	Legal Description
155-167 Aldington Road, Kemps Creek	Lot 33 DP258949
169-181 Aldington Road, Kemps Creek	Lot 28 DP255560
183-197 Aldington Road, Kemps Creek	Lot 27 DP255560
199 Aldington Road, Kemps Creek	Lot 26 DP255560
201-217 Aldington Road, Kemps Creek	Lot 25 DP255560

The entire Site comprises a total area of approximately 43 hectares (ha) and is located within the Mamre Road Precinct pursuant to SEPP WSEA. The Site affords a primary frontage of approximately 647m to Aldington Road to the east. Currently no formal access has been established, however formal vehicular access to the site would logically be provided from Aldington Road.

In its existing state, the Site comprises a plant nursery, rural housing, agricultural land, farm sheds and undeveloped land with dams and waterbodies connected to the tributaries of South Creek. The Site is bound by agricultural land and rural residential dwellings. The Site is located within WSEA and is situated approximately 5km from Badgerys Creek, 20km from Parramatta and 39km from the Sydney CBD. The Site affords road linkages to Mamre Road, Elizabeth Drive, Lenore Drive, Erskine Park Road and the M4 Western Motorway.

The Site is also within close proximity to transport infrastructure routes (predominantly the bus network), as well as sharing direct links with the wider regional road network, including Mamre Road and both the M4 & M7 Motorways. All of which provide enhanced connectivity to the Subject Site and immediate vicinity, as well as the wider locality. Additionally, the Subject Site is located within close proximity to active transport links, such as bicycle routes, providing an additional mode of accessible transport available to the Subject Site.

The Site is subject to the provisions outlined within SEPP WSEA, which is the primary Environmental Planning Instrument (EPI) and categorises the Site within the IN1 General Industrial zone, as displayed in **Figure 10**. The Site and surrounding context are illustrated in **Figures 1** and **2** below.

### 2.2 LOCAL AND REGIONAL CONTEXT

The Subject Site is located in the suburb of Kemps Creek, which forms part of the wider Penrith LGA.

The immediate Site context exhibits an industrial character, being undeveloped; however, is zoned for industrial-related purposes pursuant to the provisions of SEPP WSEA and forms part of the wider Mamre Road Precinct.

Other land uses in the vicinity of the Site include:

- North – E2 Environmental Conservation zoned land within the Mamre Road Precinct, comprising a riparian corridor and existing rural residential dwellings;
- South – IN1 General Industrial zoned landholdings within the Mamre Road Precinct, currently comprising primary production activities;
- East – IN1 General Industrial, E2 Environmental Conservation and RE2 Private Recreation zoned land located within the Mamre Road Precinct;
- West – IN1 General Industrial and E2 Environmental Conservation zoned land within the Mamre Road Precinct, currently primary production activities.

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SEPP WSEA remains the primary EPI applicable to the Subject Site. It is noted that the surrounding regional road network is located in close proximity to the Subject Site, which includes Mamre Road and both the M4 and M7 Motorways, providing enhanced connectivity to the wider Sydney Metropolitan Area.

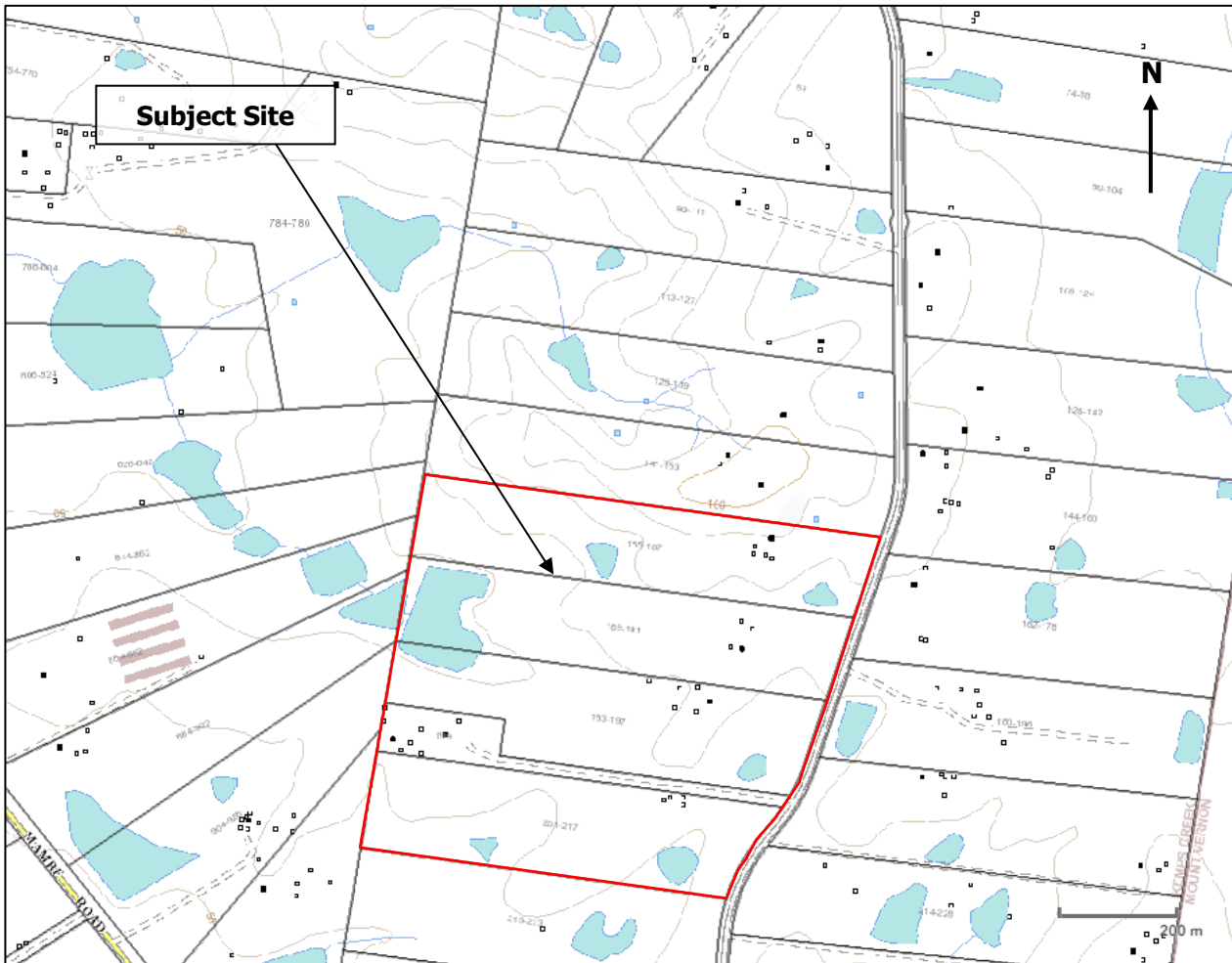
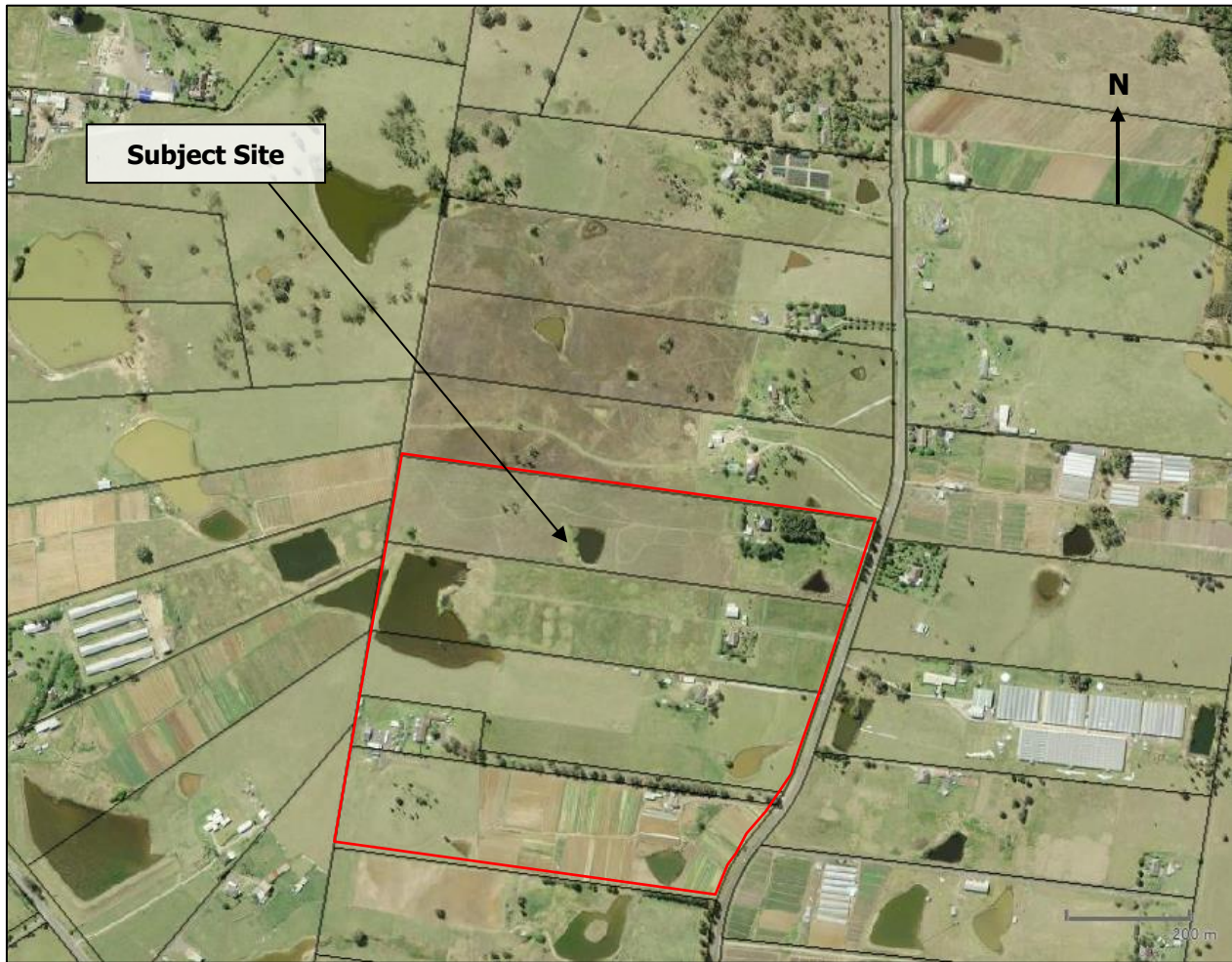


Figure 1 Cadastre Map (NSW Legislation 2021)

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**Figure 2 Aerial Map (NSW Legislation 2021)**

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### PART C PROJECT SUMMARY

#### 3.1 AIMS AND OBJECTIVES OF THE PROPOSED DEVELOPMENT

The subject proposal seeks Development Consent for the construction and operational use of a proposed warehouse and logistics hub. The following objectives have been identified as forming the basis of the proposed development, as well as being consistent with the aims set out within SEPP WSEA, including:

- Design the Site to achieve a viable economic return;
- Ensure minimal environmental and amenity impact;
- Ensure ongoing compliance with all operational legislative requirements;
- Provide for an employment-generating land use; and
- Ensure development is compatible with surrounding development and both the local and regional context.

The Site and proposed design are considered to meet the objectives of the proposed development, as it allows for development on a land portion that is currently undeveloped; would be suitably located; and is zoned accordingly for such permissible industrial-related purposes.

A preliminary Site Plan is illustrated below for reference (refer to **Figure 3** below).

#### 3.2 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposal seeks development consent for the construction and operational use of a warehouse and logistics hub, comprising one warehouse and distribution centre and an internal access road to achieve optimal efficiency outcomes in line with best practice. An indicative layout of the proposed development is illustrated in **Figure 3** below, whilst **Appendix 1** of this Scoping Report contains the detailed plans for the proposal. Specifically, the proposal entails the following:

- Bulk earthworks involving cut and fill works;
- Vegetation clearing;
- 9-lot Torrens title subdivision;
- Proposed construction of one access road off Aldington Road and an internal access road;
- Infrastructure comprising civil works and utilities servicing; and
- Construction of one warehouse and distribution centre with a total building area of 64,260m<sup>2</sup>.

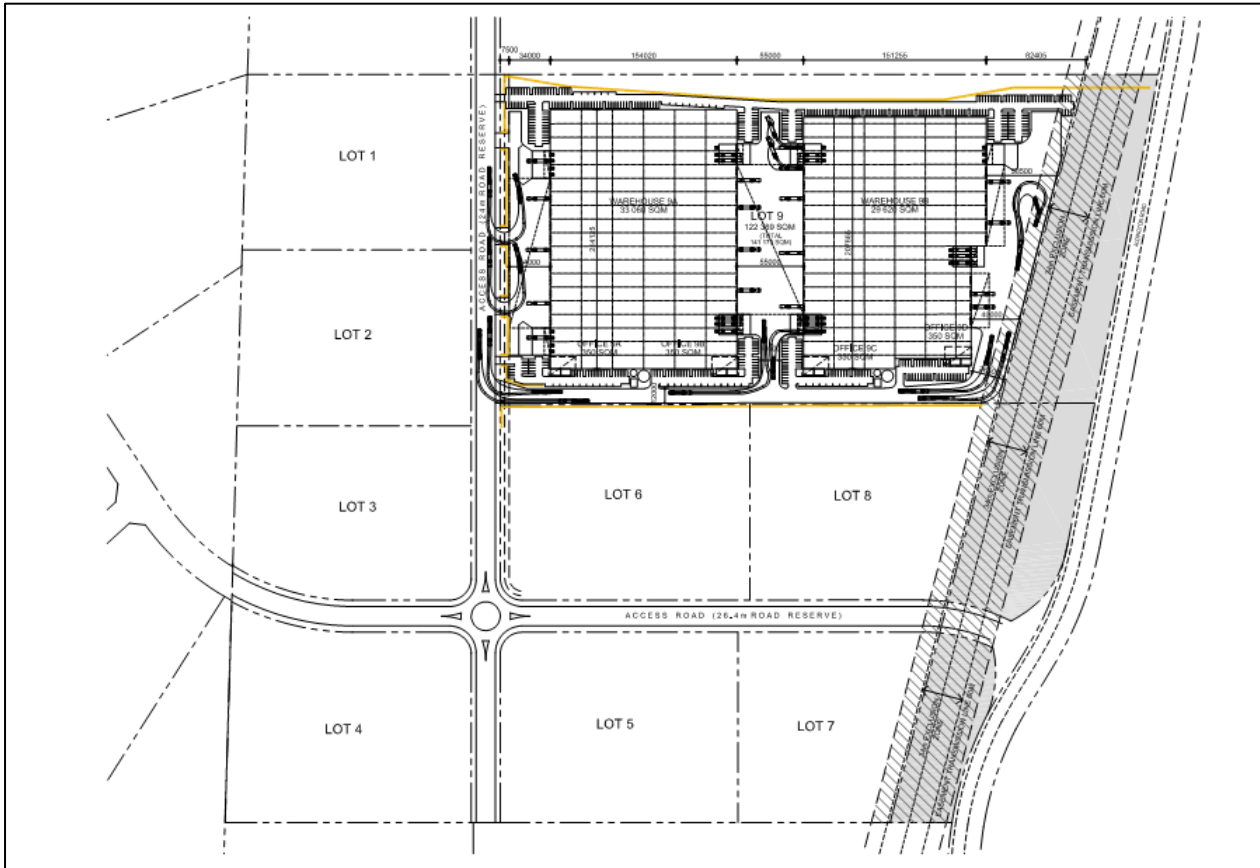
**Figure 4** below illustrates the preliminary site layout for Proposed Lot 9.

The overall scope of the Proposed Development is outlined in the following sections.

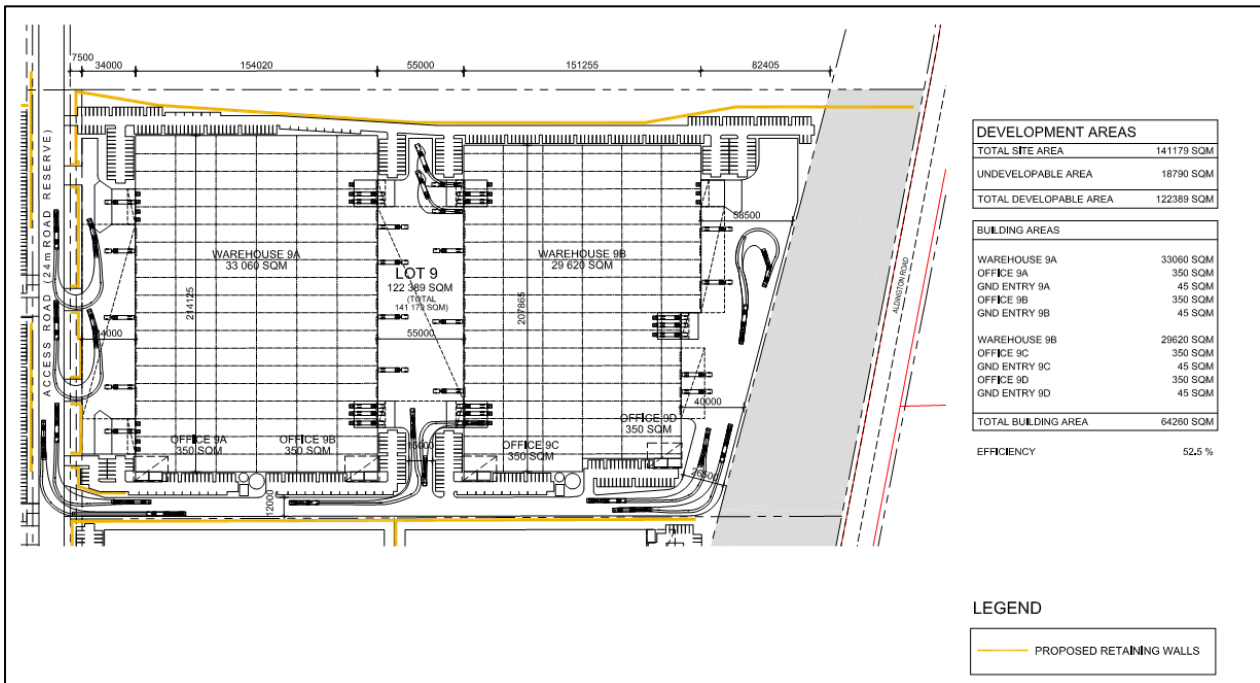
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**Figure 3 Proposed Site Plan (Fraser's Property 2021)**



**Figure 4 Concept Site Layout for Proposed Lot 9 (Fraser's Property 2021)**

### 3.3 OPERATIONS AND PROCEDURES

The proposed buildings are to be used for the purpose of warehousing and logistics operations. At this preliminary stage, the buildings are to be operated by an undisclosed user for the abovementioned purpose. Further detail regarding operational specifics will be provided in the final EIS submitted to DPIE.

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### 3.4 STAGING OF DEVELOPMENT

The approval strategy sought, seeks to obtain Development Consent to complete the construction works over multiple construction phases; however, any such staging does not constitute staged development as defined under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed stages will be completed as demand for warehouse and distribution centres are required.

### 3.5 CAPITAL INVESTMENT VALUE

As demonstrated in the Preliminary Cost Report prepared by Frasers Property, the CIV of this Project is estimated to be approximately \$81,828,484. The costs will be finalised once the final design is confirmed.

Given that the estimated CIV exceeds the \$50 million threshold under Schedule 1, Section 12 of the SRD SEPP, the Proposed Development constitutes SSD.

A Preliminary Cost Report is attached to verify the CIV (refer to **Appendix 2**).

### 3.6 CONSULTATION

Consultation is currently being undertaken with the following stakeholders:

- Penrith City Council;
- WaterNSW;
- Aboriginal Land Council;
- NSW Environment Protection Authority;
- Transport for NSW;
- Endeavour Energy;
- Sydney Water;
- NSW Rural Fire Service;
- Fire and Rescue NSW;
- Office of Environment and Heritage (now Environment, Energy and Science Group);
- Surrounding schools and retirement villages to the north of Bakers Lane; and
- Surrounding landowners.

Consultation with relevant stakeholders will be undertaken whilst preparing a detailed Environmental Impact Statement in keeping with the Department's Major Project Community Consultation Guidelines.

Further, a targeted approach will be adopted to undertake community engagement with the aforementioned government agency stakeholders and the community during the preparation of the EIS and in accordance with the SEARs to be issued by DPIE. It is noted that the relevant stakeholders will be invited to participate and address any concerns on the proposed development. Particularly, consultation letters will be mailed and/or sent electronically to the relevant public authorities, surrounding landowners, schools and retirement villages to seek feedback from the community and the key stakeholders. The feedback obtained from the community consultation and the outcome of the consultation activities will be documented in the EIS.

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### PART D JUSTIFICATION

#### 4.1 PROJECT NEED

The proposed development would assist in providing new employment opportunities through the provision of a warehouse and logistics hub to facilitate employment-generating development and economic growth of the Mamre Road Precinct within the WSEA. The proposal will also contribute to greater productivity and a significant increase in jobs for the Western Sydney Aerotropolis (WSA) in the industrial and logistics sector.

The proposed development, for the purposes of a warehouse and logistics hub is considered consistent with the strategic direction of both the Western City District Plan published by the Greater Sydney Commission and the Western Sydney Aerotropolis Plan published by the Western Sydney Planning Partnership and the NSW Government. Additionally, the proposed development will further contribute to the growth of jobs in the Mamre Road Precinct; hence, contributing to the Western City District's economic growth, particularly supporting the Western Airport Aerotropolis.

Furthermore, the proposed development could support the growth of the existing sectors in the Western City District, such as logistics and freight, whilst promoting industry diversification; and would attract investment opportunities, ultimately fostering the growth of the Mamre Road Precinct within the WSA as the economic catalyst of the Western Parkland City.

#### 4.2 CONSIDERATION OF ALTERNATIVES

The purpose of the proposed development is to contribute towards the intended industrial character and nature of the IN1 General Industrial zone; and provide a warehouse and logistics hub which encourages employment opportunities and promotes the economic development of the WSEA and WSA. The proposed development seeks to ensure it:

- Is compatible with surrounding development and the local context;
- Would provide increased operational efficiencies for storage and distribution of goods;
- Would result in minimal impact on the environment; and
- Would allow for the implementation of suitable mitigation measures, where required.

Overall, the scale of the proposed development is considered suitable, and the built form proposed would completely enhance and renew an undeveloped and underutilised land portion into a modernised, state-of-the-art warehouse and logistics hub, which will be completely consistent with surrounding industrial-related uses in close proximity to the Site and the wider WSEA. The Site design and layout of the built form proposed, seeks to maintain consistency with the zone objectives under SEPP WSEA and enhance the underlying industrial character intended for the identified land portion, which is zoned for such permissible land uses. Furthermore, this would be achieved by the resultant built form that would reinforce the nature of the land use and is sensitive to the surrounding environment.

The options considered and subsequently dismissed, in arriving to the current proposal with regard to the proposed development included:

##### ***(a) 'Do Nothing' Scenario***

This option was dismissed as the objectives of the proposal would not be met, including the objective of facilitating an employment-generating development. If the proposed development was not to proceed, the Site would continue to remain vacant, or be developed for another industrial-related development.

##### ***(b) Development on an Alternative Site***

Consideration was given to carrying out development on alternate sites; however, these were dismissed as the Site resulted in the most beneficial outcomes for the proposed development as:

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- It is subject to the provisions of the IN1 General Industrial and E2 Environmental Conservation zones pursuant to the provisions of SEPP WSEA, which seeks to provide employment-generating land uses and protect the ecological values of the land;
- The Site is suitably located with respect to sensitive land activities, including residential development;
- All potential environmental and amenity impacts concerning the proposed development are able to be suitably mitigated within the Site;
- The proximity to the regional road network provides accessibility and linkages to the broader Sydney Metropolitan Region and regional areas of NSW;
- The proposed development demonstrates the capability for continued employment-generating opportunities, during both the construction and operational phases;
- The proposed development has not been identified as containing any items of Heritage significance, including Aboriginal Cultural Heritage and State or Local Heritage items, that require further consideration; and,
- The proposed development could be developed with appropriate visual amenity achieved given its surrounding context.

### ***(c) Different Site Configuration***

The configuration of the proposed development was chosen based on the Site's topography; road access; existing mature and proposed vegetation / landscaping; as well as the need to respond to the character of the surrounding IN1 General Industrial and E2 Environmental Conservation zones. It is noted that a different site configuration would not have been able to respond to the abovementioned site opportunities and constraints. This option was therefore not considered appropriate.

Notwithstanding, the proposed development is justified on the basis that it is compatible with the locality in which it is proposed, resulting in positive social and economic benefits, whilst appropriately managing and mitigating any potential environmental impacts requiring consideration.

From a locational perspective, the Subject Site was chosen as it would be able to accommodate a suitable platform and scale of development proposed. Accordingly, the Site's locality is considered satisfactory from a strategic standpoint, for which the proposal responds to the industrial character intended for the Site and immediate locality; and the limited environmental constraints which make the Site suitable for development for the purposes of a warehouse and logistics hub.

Additionally, the Site's locality is reinforced by its close proximity to nearby regional road networks, such as Mamre Road and both the M4 and M7 Motorways, which are considered highly beneficial for the overall operations of the Proposal.

It is noted, that if the proposed development did not proceed, the Site would not be able to provide employment opportunities for the Mamre Road Precinct in the industrial and warehousing sector. Additionally, it would not provide local employment opportunities, including generating construction and operational (including maintenance) jobs as envisaged in the Western Sydney Aerotropolis Plan.

In light of the above information, the proposal for the purpose of a warehouse and logistics hub at the Site would allow for the delivery of more employment space and promote the supply and competitiveness of the existing employment land floorspace within the immediate locality, for which is surrounded by existing industrial development.

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## PART E LEGISLATIVE AND POLICY FRAMEWORK

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this Report:

### Commonwealth Planning Context

- *Environment Protection and Biodiversity Conservation Act 1999*

### State and Regional Planning Context

- *A Metropolis of Three Cities – Greater Sydney Regional Plan*
- *Western City District Plan*
- *Draft Western Sydney Aerotropolis Plan*
- *Western Sydney Employment Area*
- *Mamre Road Precinct Structure Plan*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2000*
- *Protection of the Environment Operations Act 1997*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy (Western Sydney Employment Area) 2009*

### Local Planning Context

- *Penrith Local Environmental Plan 2010*
- *Penrith Development Control Plan 2014*
- *Draft Mamre Road Precinct Development Control Plan*

This planning framework is considered in detail in the following sections.

### 5.1 ENVIRONMENTAL PROTECTION AND BIODIVERSITY CONSERVATION ACT 1999

Under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a "controlled action" and formal Commonwealth approval is required.

Based on preliminary investigations carried out, the proposal does not warrant referral to the Commonwealth Minister for Environment.

### 5.2 GREATER SYDNEY REGION PLAN – A METROPOLIS OF THREE CITIES

The *Greater Sydney Region Plan – A Metropolis of Three Cities* divides the Sydney Region into three (3) Cities, with a vision of growth until 2056 (refer to **Figure 5** below). The Plan aims to anticipate the housing and employment needs of a growing and vastly changing population. The overall vision pursues an objective of transforming 'Greater Sydney' into a Metropolis of Three Cities, including:

- The Western Parkland City;
- The Central River City; and

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- The Eastern Harbour City.

The division into three cities puts workers and the wider community closer to an array of characteristics such as, intensive jobs, 'city-scale' infrastructure and services, entertainment and cultural facilities. By managing and retaining industrial land close to city centres and transport, this will ensure critical and essential services are readily available to support local businesses and community members and residents. Once constructed and operational, the Subject Site would achieve economic growth and prosperity, as well as encourage employment-generating opportunities within an area zoned for such permissible purposes, that is considered relatively close in conjunction to residential communities, providing an ease of commute. The proposed development across the Site considers the employment-generating outcomes that can be achieved for the immediate and wider localities.

The proposed development at 155-217 Aldington Road, Kemps Creek also contributes to the four (4) standardised elements communicated across for all three (3) cities, including:

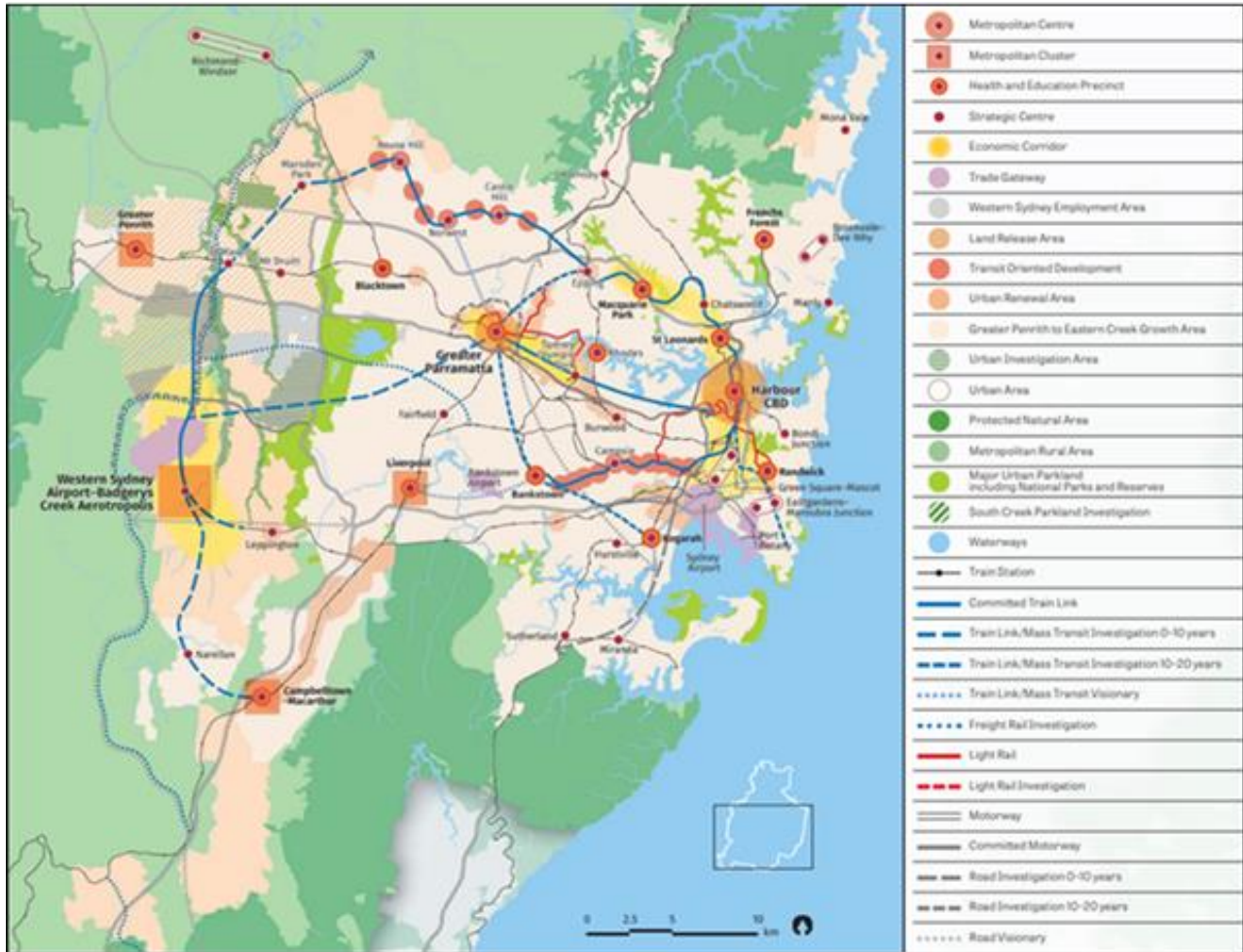
- Infrastructure and collaboration – the proposed development of the Site for the purposes of a warehouse and logistics hub, would facilitate the provision of warehousing and distribution services;
- Liveability – the proposed development encourages employment-generating opportunities and economic prosperity, which has positive influences on the wider locality;
- Productivity – the proposed development is situated within the *Western City District Plan* (refer to **Section 5.3** below); and,
- Sustainability – the proposed development would not exhibit or emit any detrimental impacts to its wider ecological surroundings.

In summary, the Subject Site contributes to the objectives set out in the *Greater Sydney Region Plan – A Metropolis of Three Cities* by promoting minor environmental impacts and the further promotion of employment-generating opportunities to the wider locality and community, positioned within the Penrith LGA.

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**Figure 5 A Metropolis of Three Cities A Vision to 2056 (Greater Sydney Commission 2018)**

### 5.3 WESTERN CITY DISTRICT PLAN

The *Western City District Plan* covers the Western Parkland City area, including the Penrith City Council LGA in which the Subject Site is located. The Plan sets out a twenty-year vision to help achieve the goals contained in *A Metropolis of Three Cities* – the GSC vision for developing Sydney as a world-class future city. The Plan agglomerates City, Regional and Local planning.

The Site is situated within the Western City District, which falls within the Western Parkland City.

The *Western City District Plan* reinforces the four (4) planning priorities of the GSC. The Plan establishes a number of priorities and actions to guide growth, development and change. It also emphasises connectivity to infrastructure, collaboration, liveability, productivity and sustainability. The GSC's mission statement further reinforces the Plan's concentrated aims by outlining its main strategies, namely:

- *Creating a once-in-a-generation economic boom with the Western Sydney Airport and Badgerys Creek Aerotropolis bringing together infrastructure, businesses and knowledge intensive jobs;*
- *Building on the Western Sydney City Deal to transform the Western City District over the next 20 to 40 years by building on natural and community assets and developing a more contained Western City District with a greater choice of jobs, transport and services aligned with growth;*
- *Delivering the first stage of the North South Rail Link;*
- *Collaborating and building strong relationships between Liverpool, Greater Penrith and Campbelltown-Macarthur reinforced by the emerging Badgerys Creek Aerotropolis forming a unique metropolitan cluster;*
- *Providing major transport links for people and freight by unprecedented transport investments;*

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- *Developing a range of housing, providing access to public transport and infrastructure including schools, hospitals and community facilities;*
- *Linking walking and cycling paths, bushland and a green urban landscape framed by the Greater Blue Mountains World Heritage Area, the Scenic Hills and Western Sydney Parklands;*
- *Enhancing and protecting South Creek, Georges River and Hawkesbury-Nepean river systems;*
- *Mitigating the heat island effect and providing cooler places by extending urban tree canopy and retaining water in the landscape;*
- *Protecting the District's natural landscapes, heritage and tourism assets, unique rural areas and villages; and,*
- *Protecting the environmental, social and economic values of the Metropolitan Rural Area.*

The proposed development, would contribute to the objectives set out in the *Western City District Plan* (of which the Site forms a part), by promoting a greater range of land uses of benefit to the community, including the proposed development (warehouse and distribution centres) and other associated land uses; facilitating the provision of greater and improved infrastructure; and promoting additional employment-generating opportunities, to the wider locality and community closer to home, whilst supporting economically and environmentally-sustainable development. These aims are specifically relevant to the proposed development.

### 5.4 WESTERN SYDNEY AEROTROPOLIS PLAN

The Western Sydney Aerotropolis Plan was finalised and released in September 2020 by the Western Sydney Planning Partnership in collaboration with NSW Government and local councils to establish a vision and the overarching planning principles for the WSA; as well as to identify the intended land use planning outcomes for each of the 10 precincts, the phasing of precincts, and the envisaged transport and infrastructure framework associated with the vision for the new Aerotropolis.

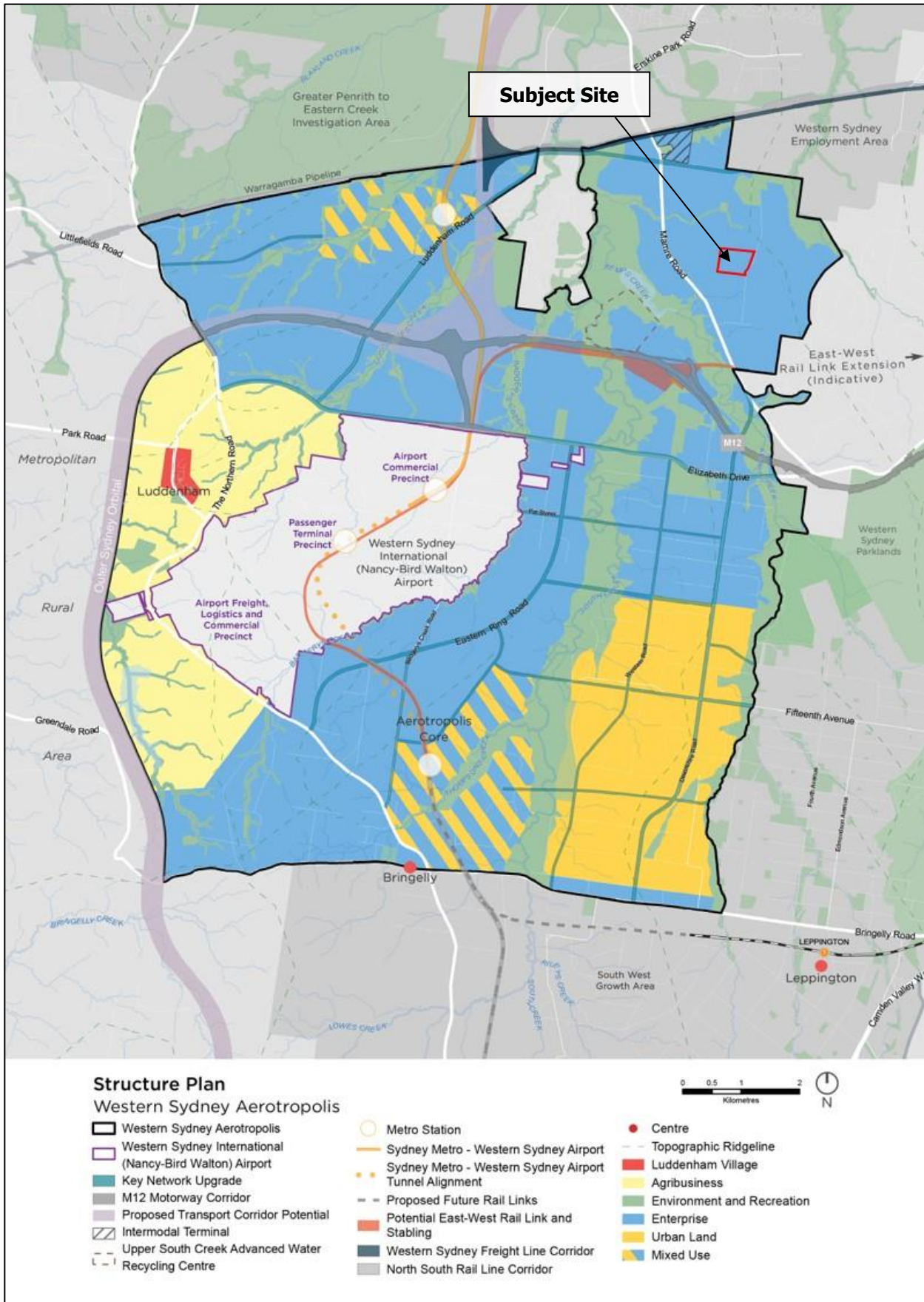
The Site is located within the Mamre Road Precinct (**Figures 6 and 7**) which is identified as one of the initial precincts under the Western Sydney Aerotropolis Plan. A sequence planning approach will be adopted to optimise investment in major infrastructure and creates the impetus to activate the Aerotropolis early.

In addition, Mamre Road Precinct (of which the Site is located within) in the north of the Aerotropolis was rezoned in June 2020 under SEPP WSEA to deliver a warehousing and industrial hub and preserve land for environmental conservation and open space in Western Sydney. Under SEPP WSEA, the Mamre Road Precinct has been planned to achieve the proposed employment generation outcomes envisaged.

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Proposed Warehouse and Logistics Hub

155-217 Aldington Road, Kemps Creek (Lot 33 DP 258949 and Lots 25-28 DP 255560)

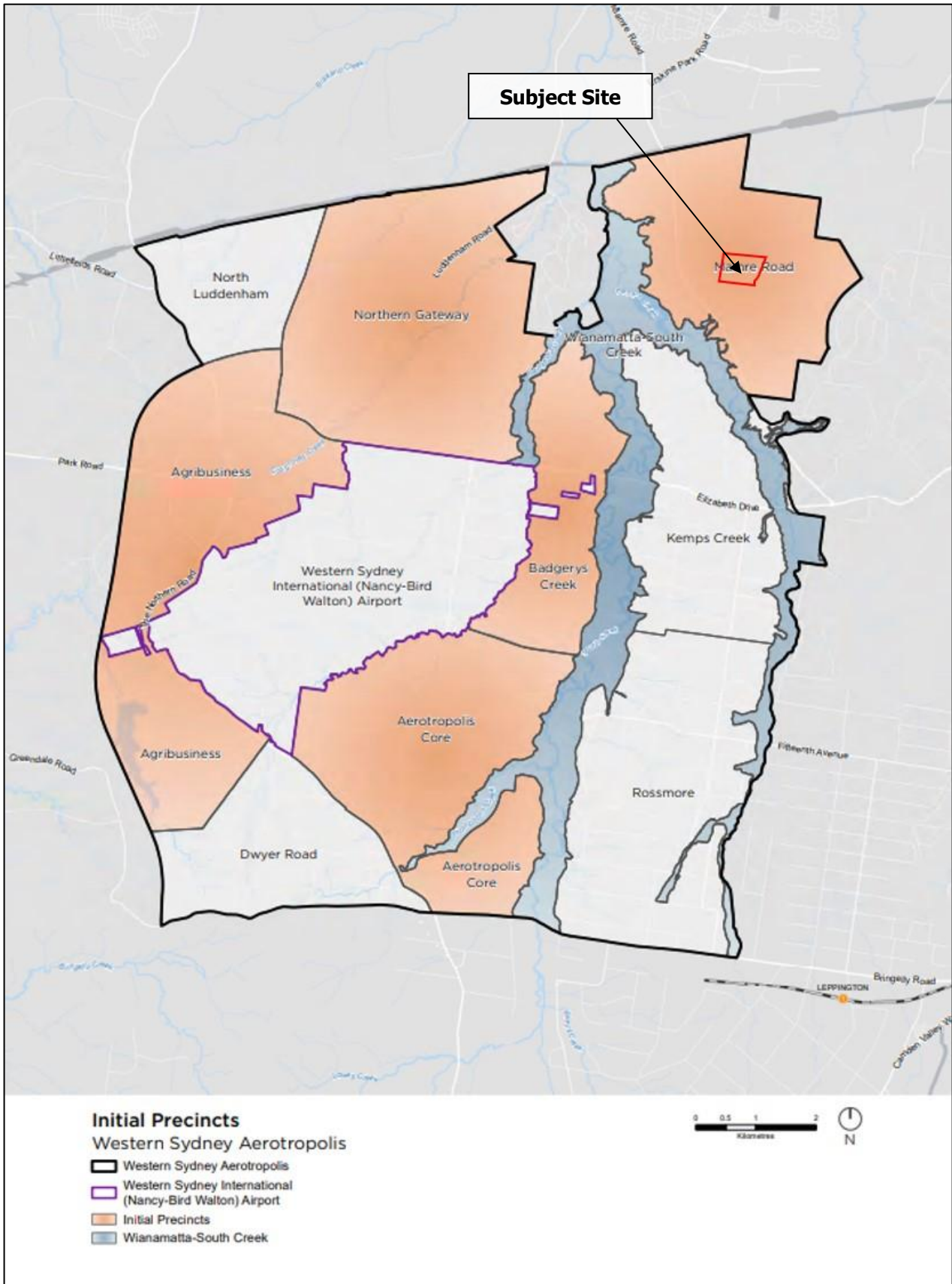


**Figure 6 Western Sydney Aerotropolis Structure Plan (Western Sydney Planning Partnership 2020)**

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**Figure 7 Western Sydney Aerotropolis Initial Precincts Plan (Western Sydney Planning Partnership 2020)**

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The Preliminary Architectural Plans submitted in conjunction with this Scoping Report, take into account the Proposal's overall siting, layout and design, and has considered the key interfaces and contextual relationships with the Mamre Road Precinct.

### 5.5 WESTERN SYDNEY EMPLOYMENT AREA

The Subject Site is located within the south western portion of the WSEA, within 'Precinct 12 (Mamre Road)'. The aims / objectives of the WSEA are summarised below, including:

- Promoting an economically sustainable development and reinforcing the status of an employment-generating development, that positively contributes to the WSEA;
- Encourages assurance for the coordinated planning and development of land within the WSEA;
- Ensures minimal environmental and amenity impacts – **Part F** of this Scoping Report accurately considers potential environmental parameters which will be considered within the ensuing EIS for the proposed development; and
- Ensures development is compatible with surrounding development and the local context.

As outlined in **Section 3.1** of this Scoping Report, the proposed development is considered to meet the objectives outlined above, as it enables development on land zoned for such permissible industrial-related uses.

### 5.6 MAMRE ROAD PRECINCT STRUCTURE PLAN

The Subject Site is located within the Mamre Road Precinct and comprises land identified for environmental conservation as illustrated on the Mamre Road Precinct Structure Plan (**Figure 8**). This identifies an additional 850 ha of industrial land for employment and open space development, as well as a potential Western Sydney freight intermodal terminal (IMT).

It is noted that the Subject Site has been rezoned as IN1 General Industrial and E2 Environmental Conservation under SEPP WSEA (refer to **Figure 9** below), the Site is clearly suited for its proposed land uses, for which this SSD Application seeks Development Consent for.

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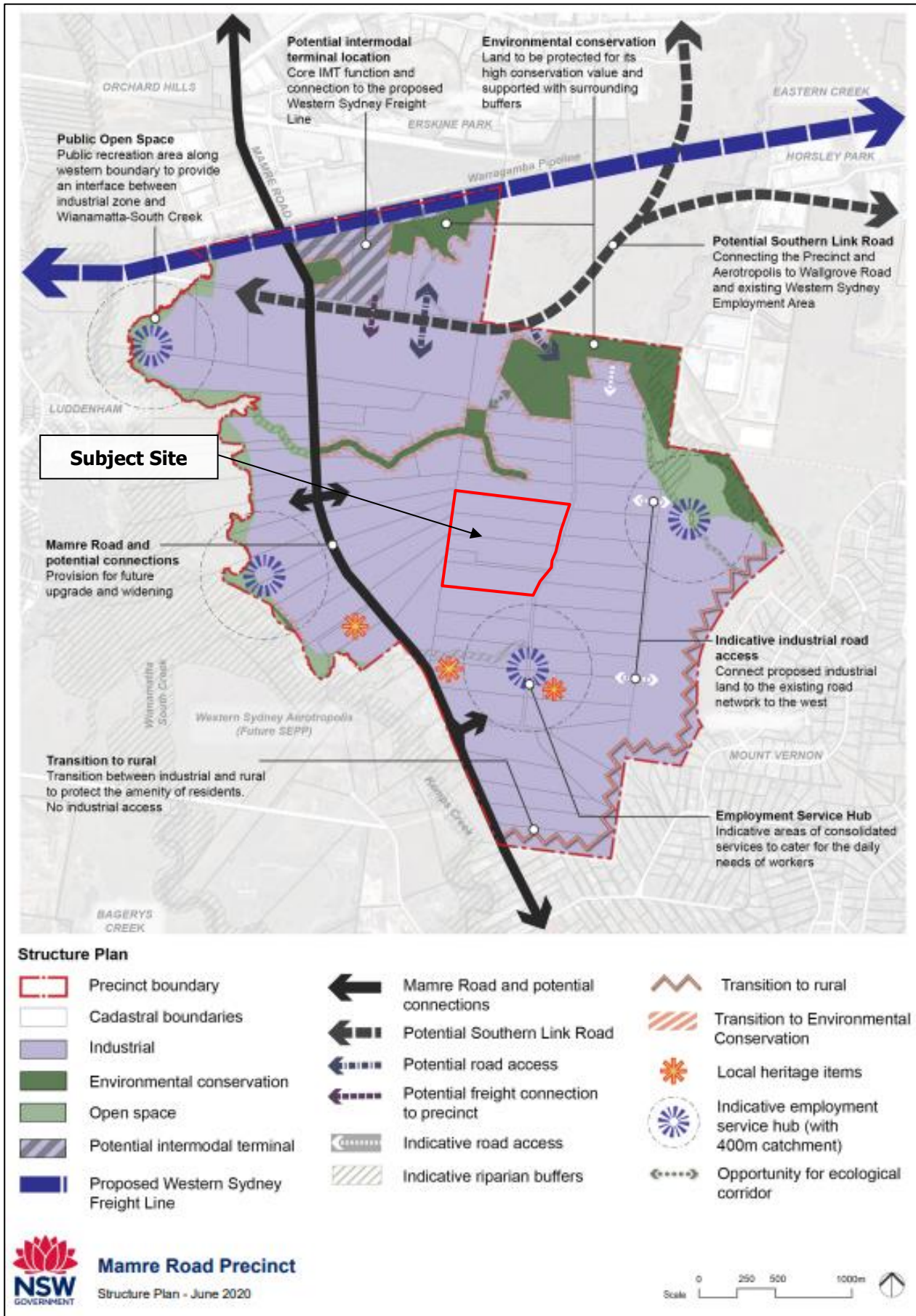


Figure 8 Mamre Road Precinct Structure Plan (NSW Government 2020)

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It is noted that the proposal has been designed to be generally in accordance with the Mamre Road Precinct Structure Plan (**Figure 8**). Through the rezoning of the Mamre Road Precinct, the NSW DPIE allows for the provision of employment through warehousing and industrial-related development throughout Western Sydney, particularly the WSEA. This will in turn have positive social, economic and cultural benefits, not only to the immediate, but to the wider localities and community groups in the Penrith LGA and beyond. The proposed development, in its design and siting, is consistent with the rezoning of the Subject Site.

It is important to note that functionally, the Mamre Road Precinct, will remain a fundamental part of the wider WSA, zoned for employment and aimed at supporting the future Western Sydney Airport and wider Aerotropolis. Notwithstanding, as the Mamre Road Precinct has been zoned pursuant to the provisions of SEPP WSEA, the Precinct demonstrates a great ability to complement both WSEA (and its current functions) as well as the Aerotropolis and its intended future functions. **Figure 8** represents the Structure Plan in its entirety and the location of the Site within the Structure Plan. It demonstrates both the Site's sensitivity to South Creek, as well as its compatibility with industrial uses to the north and north-east of the Site.

The proposed development, in demonstrating clear consistency with the Mamre Road Precinct Structure Plan (**Figure 8**), also caters for all planned State and Federal future infrastructure assets including the widening of Mamre Road and the Southern Link Road. By delivering operational jobs and construction jobs, the SSD Application for the Site, provides employment outcomes which designates the Subject Site as future employment and service hub.

### 5.7 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act is the overarching governing statute for all development in NSW and pursuant to Section 4.36(2) provides that:

*"A State environmental planning policy may declare any development, or any class or description of development, to be State significant development."*

The proposed development has been identified as State Significant Development under the SRD SEPP.

### 5.8 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Section 4(1) of the EP&A Regulation states that:

*"Development described in Part 1 of Schedule 3 is declared to be designated development for the purposes of the Act unless it is declared not to be designated development by a provision of Part 2 or 3 of that Schedule."*

The Proposal being for a warehouse and logistics hub does not trigger the Designated Development thresholds.

### 5.9 PROTECTION OF THE ENVIRONMENT OPERATIONS ACT 1979

Schedule 1 of the *Protection of the Environment Operations Act 1979* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. The definition of an 'activity' for the purposes of the POEO Act is:

*"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."*

The proposed development for the purpose of a warehouse and logistics hub does not trigger any thresholds in respect of the POEO Act.

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### 5.10 BIODIVERSITY CONSERVATION ACT 2016 AND BIODIVERSITY CONSERVATION REGULATION 2017

The *Biodiversity Conservation Act 2016* (BC Act) and *Biodiversity Conservation Regulation 2017* (BC Regulation) seek to maintain a healthy, productive and resilient environment for the greatest well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development.

Part 7 of the BC Act sets out requirements for biodiversity assessments and approvals under the Planning Act (meaning the EP&A Act).

Pursuant to Section 7.2(1) of the BC Act, *development or an activity is likely to significantly affect threatened species if:*

- (a) *it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) *the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) *it is carried out in a declared area of outstanding biodiversity value.*

Pursuant to Section 7.9 of the BC Act, an SSD *is to be accompanied by a biodiversity development assessment report unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values.*

Under Clause 7.1 of the BC Regulation, where the future development involves clearing of native vegetation of 1 ha or more; or the clearing of native vegetation of land with outstanding biodiversity values as identified, the proposed development will exceed the biodiversity offset scheme and will require the preparation of a Biodiversity Development Assessment Report (BDAR).

Preliminary studies have been undertaken to assess the overall ecological context of the subject site and a BDAR Waiver is being sought. A BDAR Waiver will be provided as part of the final EIS.

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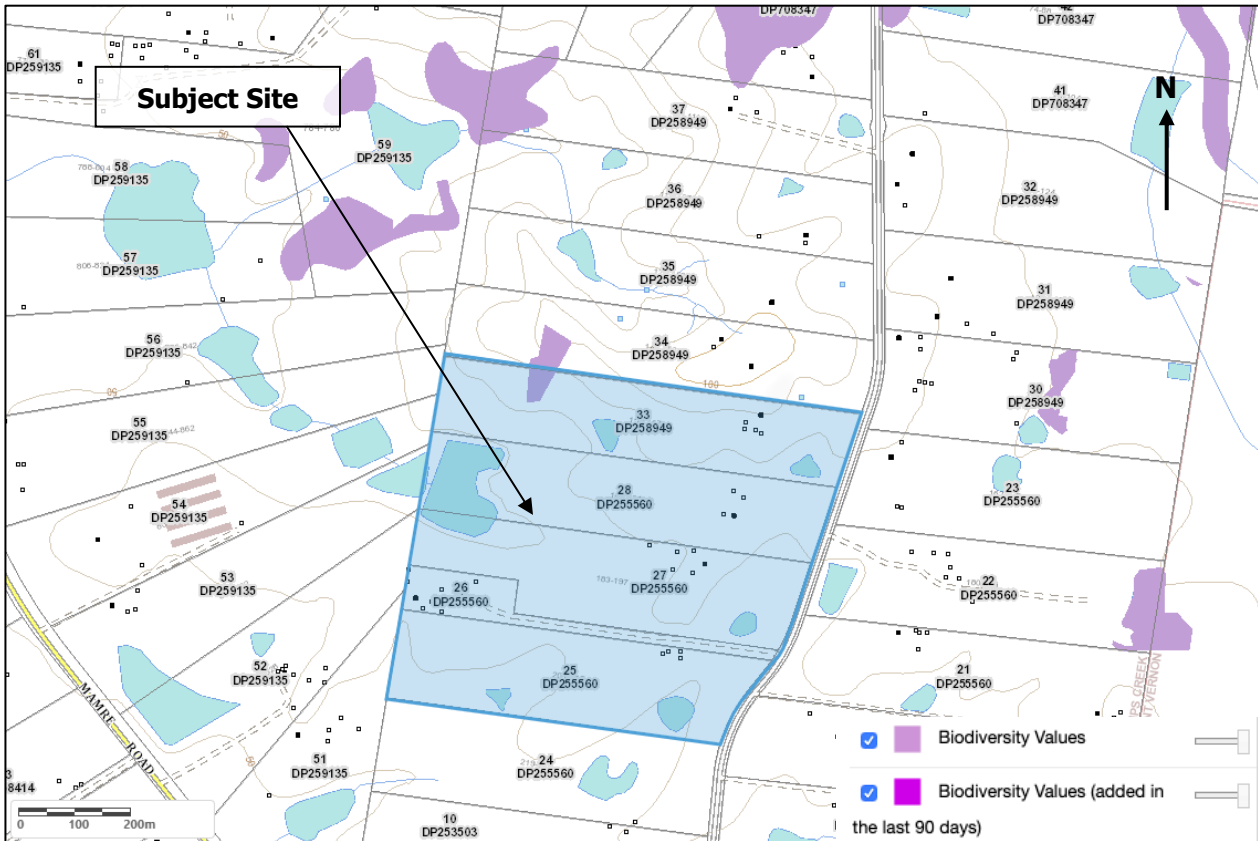


Figure 9 Biodiversity Values Map (NSW Government 2021)

### 5.11 STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

Proposed developments involving activities that are listed in Schedule 1 of the SRD SEPP are identified as being State Significant Development (SSD). Schedule 1, Section 12 of the SRD SEPP includes provisions for developments comprising warehouse or distribution centres to be undertaken as SSD. Clause 12 states:

#### 12 Warehouses or distribution centres

- (1) *Development that has a capital investment value of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.*
- (2) *This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.*

The CIV of the entire project is in excess of \$50 million, thus the SSD provisions apply to the proposal.

### 5.12 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The *State Environmental Planning Policy (Infrastructure) 2007* (ISEPP) repeals the former State Environmental Planning Policy No 11 – Traffic Generating Development and, pursuant to Clause 104, provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.

Schedule 3 lists the types of development that are defined as Traffic Generating Development. The referral thresholds for 'Warehouse and distribution centres' are:

- *8,000 m<sup>2</sup> in site area or (if the site area is less than the gross floor area) gross floor area*

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The Site comprises a site area of greater than 8,000m<sup>2</sup>. Therefore, any such future development would require referral to the NSW RMS.

### 5.13 STATE ENVIRONMENTAL PLANNING POLICY NO 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

To facilitate the operational use of the proposed warehouse and logistics, there will be some hazardous substances stored on the Site. However, there are no combustibles proposed to be stored on Site, thus *State Environmental Planning Policy No 33 – Hazardous and Offensive Development* (SEPP 33) is not triggered. Notwithstanding, a Preliminary Risk Screening report would be undertaken and prepared and included within the EIS.

### 5.14 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Under the provisions of *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55), where a Development Application (in this instance, SSD Application) is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

Site investigations are currently underway with respect to contamination on the Site. Site Investigations for Contamination will be submitted with the SSD Application.

### 5.15 STATE ENVIRONMENTAL PLANNING POLICY (WESTERN SYDNEY EMPLOYMENT AREA) 2009

The Site forms part of the WSEA and is situated under the Land Application Area, Precinct 12 – Mamre Road of SEPP WSEA.

SEPP WSEA was formulated in 2009 specifically to promote employment outcomes in the broader Western Sydney Region in proximity to where people live. The proposed development is highly consistent with the aims of SEPP WSEA, in that it would strongly promote economic development and employment opportunities, exactly as per the aims of the SEPP. Employment and Investment results anticipated for the Site, would be consistent with both short and long-term outcomes for Kemps Creek and the broader Region.

The aims of SEPP (WSEA) 2009 are addressed as follows:

*"To promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development including major warehousing, distribution, freight transport, industrial, high technology and research facilities."*

**Response:** The proposal will support future employment generation with regard to the warehouse and logistics hub proposed under this SSD Application.

*"To provide for the co-ordinated planning and development of land in Western Sydney Employment Area."*

**Response:** The proposal represents a logical and rational development with respect to the vision for both the WSEA and Aerotropolis with regard to industry and employment lands. In this respect, the same scale and form of development is proposed for the Subject Site in a coordinated and orderly manner. This logical extension proposed contributes to the provision of employment, in line with the aims of SEPP WSEA. It is

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an appropriate form of development as the Mamre Road Precinct transitions from rural to industrial and supports the intended objectives of the subject proposal.

The broader Aerotropolis Precinct and Western Sydney Airport would not be affected by the proposal, given its location; and all planning for this broader area could proceed as planned and not impact on the operation proposed under this SSD Application.

*"To rezone land for employment and environmental conservation purposes."*

**Response:** Following the release of the Mamre Road Precinct Finalisation Report, the Mamre Road Precinct was rezoned pursuant to the provisions of SEPP WSEA, for which the proposed development represents a permissible industrial-related land use for employment purposes. The proposal will preserve the ecological values of the riparian corridor and E2 Environmental Conservation zoned land adjacent the Site.

*"To improve certainty and regulatory efficiency by providing a consistent planning regime for future development and infrastructure provision in the Western Sydney Employment Area."*

**Response:** The proposed development would represent a logical extension to existing and operational employment lands within the WSEA, as well as an orderly and logical extension, via means of extension of existing and future industrial development to the surrounding area of the Site within the Mamre Road Precinct.

The scale of development proposed is deemed entirely consistent with the employment lands, that are in relatively close proximity to the Site, in terms of overall built-form, and intensity of operations.

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

**Response:** The Draft Mamre Road Precinct Development Control Plan (Mamre Road Precinct DCP) was publicly notified between 10 November and 17 December 2020 and is currently being finalised by DPIE. The proposed development has been designed to be consistent with the Draft Mamre Road Precinct DCP.

*"To conserve and rehabilitate areas that have a high biodiversity or heritage or cultural value, in particular area of remnant vegetation."*

**Response:** Areas of biodiversity will not be unacceptably impacted by the proposal as a result of the proposed development. Aboriginal Cultural Heritage impacts will also be mitigated accordingly. Adequate management and mitigation measures will be implemented for the proposal during both construction and operational phases.

### 5.15.1 Permissibility under the SEPP

The Site is predominantly zoned IN1 General Industrial under the provisions of SEPP WSEA (**Figure 10**).

Within the IN1 zone the following are permissible without consent:

*Nil.*

Within the IN1 zone the following are permissible with consent:

*Building identification signs; Business identification signs; Depots; Environmental facilities; Environmental protection works; Food and drink premises; Freight transport facilities; Garden centres; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; **Industries (other than offensive or hazardous industries);** Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); **Roads;** Service stations; Storage*

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*premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations;  
**Warehouse or distribution centres.***

Within the IN1 zone the following are prohibited:

*Any development not specified in item 2 or 3.*

The proposal comprising warehouse or distribution centres, bulk earthworks, infrastructure, Torrens title subdivision are intended to facilitate the use of the Site for warehousing and distribution purposes. Therefore the uses may be characterised as follows:

In accordance with the *Standard Instrument – Principal Local Environmental Plan* (Standard Instrument),

a warehouse or distribution centre means:

*a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises.*

an industrial activity means:

*the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.*

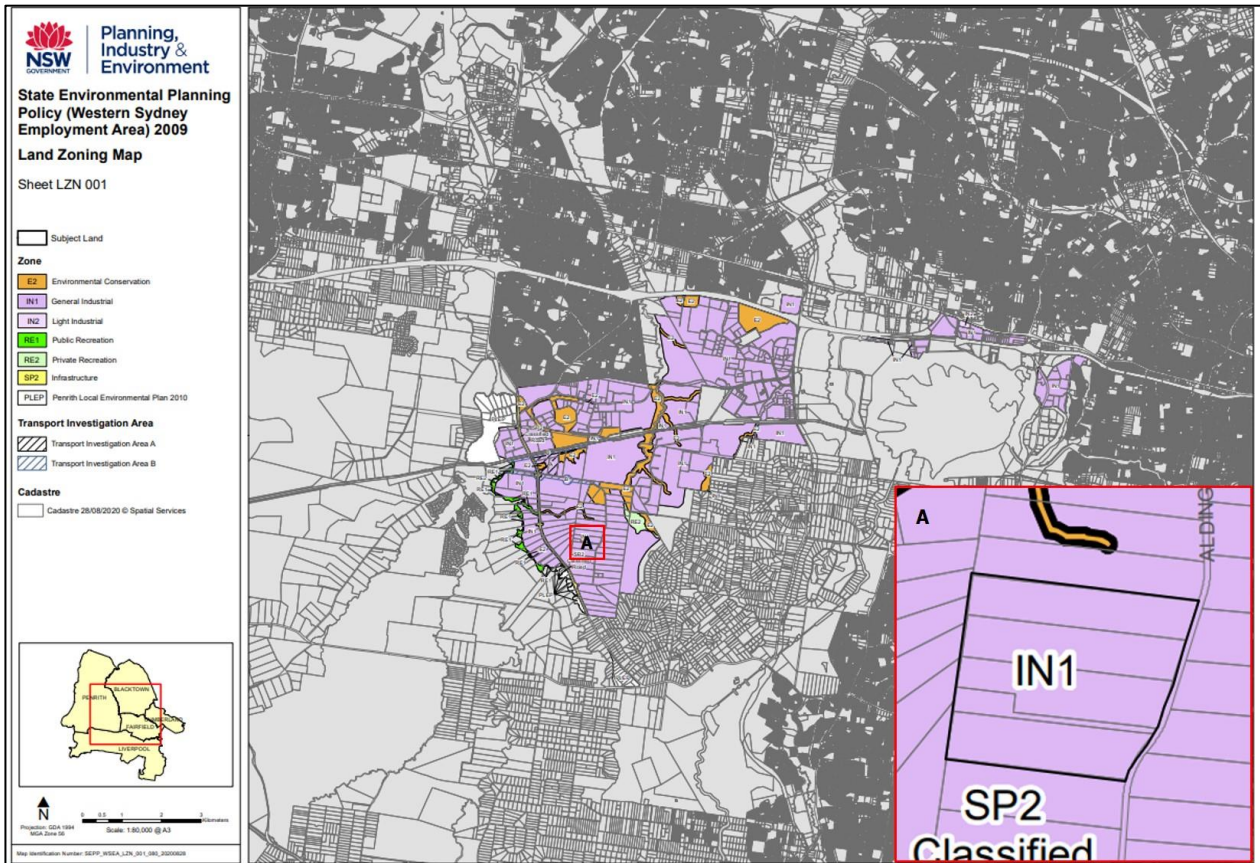
The proposal for warehouse or distribution centres, bulk earthworks, infrastructure and subdivision are proposed to facilitate future warehouse or distribution centres and industrial uses, which are permissible with consent within the IN1 zone. Given that the proposal is required to facilitate the warehousing and industrial use of the site, the proposed development is also permissible with consent within the IN1 zone.

The proposed construction of access roads, subdivision of land and bulk earthworks are permissible with consent within the IN1 zone. It is noted that the proposed subdivision and bulk earthworks are subject to the provisions of Clauses 24 and 33H of SEPP WSEA respectively, which are further discussed in **Table 2**.

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**Figure 10 Land Zoning Map (NSW Legislation 2021)**

**Table 2** outlines the consistency and compliance of the proposal with the relevant development standards and controls under SEPP WSEA.

Table 2 Development Standards	
Clause	Comment
Clause 14 – Subdivision – consent requirements	<p>Clause 14 prescribes that land to which the SEPP WSEA applies may be subdivided, but only with consent.</p> <p>As demonstrated in the Preliminary Site Plan (<b>Appendix 1</b>), the proposal seeks consent for a 9-lot Torrens title subdivision.</p>
Clause 15A – Demolition requires development consent	<p>Clause 15A prescribes that the demolition of a building or work may be carried out only with development consent.</p> <p>The proposal seeks consent to demolish the existing buildings and structures on Site to facilitate the construction of the proposed warehouse and logistics hub.</p>
Clause 18 – Requirement for development control plans	<p>Pursuant to Clause 18, a development control plan (DCP) is to be prepared for development on land within the WSEA except in such cases as the Secretary may determine by notice in writing to the consent authority or as provided by Clause 19.</p> <p>It is noted that the Draft Mamre Road Precinct DCP was on exhibition between 10 November and 17 December 2020 and is currently being finalised by DPIE. The proposal is generally consistent with the provisions of the Draft Mamre Road Precinct DCP. A detailed assessment against the provisions of the Draft Mamre Road Precinct DCP will be undertaken to accompany the EIS.</p>

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<p>Clause 19 – Existing precinct plans under SEPP 59</p>	<p>Subclause (1) outlines that the consent authority may grant consent to development on land in the WSEA without a DCP being prepared if there is an existing precinct applied to the land immediately before the repeal of <i>State Environmental Planning Policy No 59—Central Western Sydney Regional Open Space and Residential</i>.</p> <p>It is noted that the Site is not subject to an existing precinct plan prescribed by Clause 19. Notwithstanding, as demonstrated previously, the Site is subject to the Draft Mamre Road Precinct DCP which is currently being finalised by DPIE.</p>
<p>Clause 20 – Ecologically sustainable development</p>	<p>Proposed development on the Subject Site, for the purposes of a warehouse and logistics hub would incorporate a number of Ecologically Sustainable Development (ESD) initiatives to reduce the consumption of potable water and greenhouse gas emissions of future built form. Initiatives relate to:</p> <ul style="list-style-type: none"> <li>▪ Energy &amp; Greenhouse Gas Emissions;</li> <li>▪ Potable water reduction;</li> <li>▪ Minimising waste to landfill;</li> <li>▪ The Indoor Environment;</li> <li>▪ Occupant amenity and comfort;</li> <li>▪ Land Use &amp; Ecology;</li> <li>▪ Emissions; and</li> <li>▪ Building Management.</li> </ul>
<p>Clause 21 – Height of buildings</p>	<p>No maximum building height has been adopted under SEPP WSEA.</p> <p>However, the consent authority <u>must</u> be satisfied that:</p> <p style="padding-left: 40px;">(a) <i>building heights will not adversely impact on the amenity of adjacent residential areas, and,</i></p> <p style="padding-left: 40px;">(b) <i>site topography has been taken into consideration.</i></p> <p>Notwithstanding, the maximum building height with respect to the proposed development would be approximately 13-15m. For consistency and completeness, a Landscape and Visual Impact Assessment will be prepared and will accompany the EIS to justify the proposed building height in the Site context.</p>
<p>Clause 22 – Rainwater harvesting</p>	<p>Under clause 22 of SEPP WSEA, <i>"the consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that adequate arrangements will be made to connect the roof areas of buildings to such rainwater harvesting scheme (if any) as may be approved by the Director-General."</i></p> <p>Rainwater harvesting will be provided for any future built form proposed, with re-use for non-potable applications incorporated into the overall design for built form characteristics. Internal uses will include such potable applications as toilet flushing, while external applications would be used for irrigation. Further details of rainwater harvesting will be provided within a Civil Engineering Report accompanying the future EIS.</p>

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<p>Clause 23 – Development adjoining residential land</p>	<p>Clause 23 applies to land within 250m of residential zoned land.</p> <p>The Site is not located within 250m of residential zoned land. The Site adjoins an existing residential dwelling to the north. The proposed development is not anticipated to adversely affect the amenity of the adjoining residential dwelling. The proposal will be designed to achieve a compatible outcome with the surrounding land uses, including the adjoining residential development and the adjacent industrial zoned land.</p>
<p>Clause 24 – Development involving subdivision</p>	<p>The consent authority must consider the following for development involving subdivision:</p> <ul style="list-style-type: none"> <li><i>(a) the implications of the fragmentation of large lots of land,</i></li> <li><i>(b) whether the subdivision will affect the supply of land for employment purposes,</i></li> <li><i>(c) whether the subdivision will preclude other lots of land to which this Policy applies from having reasonable access to roads and services.</i></li> </ul> <p>The proposed 9-lot subdivision will not result in fragmentation of industrial land. Rather, the proposed subdivision will facilitate the employment-generating development of the Site for warehousing and industrial purposes. The proposed subdivision will increase the supply of industrial land, which will encourage employment opportunities in the Mamre Road Precinct, ultimately facilitating economic growth in the wider WSEA and the WSA. The proposal will not preclude any other lots within the WSEA from having reasonable access to roads and services. Access roads and internal driveways will be constructed to facilitate vehicular access to and within the site.</p>
<p>Clause 25 – Public utility infrastructure</p>	<p>The proposal involves the provision of utilities services at the Site. Adequate arrangements for the provision of public utility infrastructure will be provided as part of the proposal.</p> <p>Further details of the proposed provision of public utility infrastructure will be provided as part of the EIS.</p>
<p>Clause 26 – Development on or in vicinity of proposed transport infrastructure routes</p>	<p>The Site is not directly adjoined by any proposed transport infrastructure as illustrated on the Transport and Arterial Road Infrastructure Plan Map and therefore is not considered to require referral to the Secretary-General of the DPIE under Clause 26 of SEPP WSEA.</p>
<p>Clause 27 – Exceptions to development standards</p>	<p>Not applicable. The proposal does not seek exceptions to development standards under SEPP WSEA.</p>
<p>Clause 28 – Relevant acquisition authority</p>	<p>The Site is not identified to be or adjoin land reserved for acquisition. Hence further consideration under Clause 28 is not warranted.</p>
<p>Clause 29 – Industrial Release Area – satisfactory arrangements for the provision of regional transport infrastructure and services</p>	<p>Given that the site is not currently used for industrial purposes, referral to the Secretary seeking concurrence regarding satisfactory arrangements for the provision of regional transport infrastructure and services will be required.</p> <p>A Voluntary Planning Agreement (VPA) is proposed to be entered into with the Minister for Planning.</p>
<p>Clause 31 – Design principles</p>	<p>The proposed development will consider the following design principles, as they apply to Clause 31 of SEPP WSEA, including:</p> <ul style="list-style-type: none"> <li><i>(a) the development is of a high quality design, and</i></li> <li><i>(b) a variety of materials and external finishes for the external facades are incorporated, and</i></li> </ul>

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	<p>(c) <i>high quality landscaping is provided, and</i></p> <p>(d) <i>the scale and character of the development is compatible with other employment-generating development in the precinct concerned.</i></p>
Clause 32 – Preservation of Trees or Vegetation	Vegetation clearing will be required to facilitate the proposed development. The proposed vegetation clearing will be undertaken in accordance with the provisions of Clause 32.
Clause 33B – Development of land within or adjacent to transport investigation area	The Site is not located in areas marked as "Transport Investigation Areas A and B" on the Land Zoning Map. Hence, further consideration is not warranted under Clause 33B.
Clause 33C – Development within the Mamre Road Precinct	<p>Pursuant to Clause 33C, consent must not be granted to development within Precinct 12 (Mamre Road) that has a CIV of more than \$200,000 without the concurrence of Transport for NSW (TfNSW).</p> <p>As the CIV of the proposal is likely to exceed \$200,000, referral to TfNSW will be required to seek concurrence.</p>
Clause 33D – Development in areas subject to aircraft noise	<p>It is noted that the site is located approximately 5.5km from the Western Sydney International (Nancy-Bird Walton) Airport (the Airport) and is identified to be located on land in Australian Noise Exposure Concept (ANEC) contour of less than 20 as indicated by the Noise modelling tool published by the Department of Infrastructure, Transport, Regional Development and Communications.</p> <p>Notwithstanding, a Noise Impact Assessment will be prepared and accompany the future EIS.</p>
Clause 33E – Airspace operations	<p>Subclause (3) states that the consent authority may grant development consent for the development if the relevant Commonwealth body advises that:</p> <p>(a) <i>the development will penetrate the prescribed airspace but it has no objection to its construction, or</i></p> <p>(b) <i>the development will not penetrate the prescribed airspace.</i></p> <p>Pursuant to Clause 33E, referral to the relevant Commonwealth body will be required.</p>
Clause 33F – Development of land adjacent to Airport	<p>Clause 33F applies to development on land which is less than 13km from a boundary of the Airport.</p> <p>Consent must not be granted to the development at the site unless the consent authority is satisfied that the proposal will not attract birds or animals of a kind and in numbers that are likely to increase the hazards of operating an aircraft.</p> <p>It is noted that the site is located approximately 5.5km from the Airport. The proposal will be designed to not attract birds or animals that are likely to increase the hazards of operating an aircraft.</p>
Clause 33H – Earthworks	<p>The proposal involves bulk earthworks to be undertaken at the Site. The proposed bulk earthworks will be designed to ensure the proposal will not have a detrimental impact on the environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Further details of the bulk earthworks will be provided to accompany the future EIS.</p>
Clause 33I – Development on flood prone land	The potential flooding impacts and behaviours of the proposal will be considered in the future EIS.

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Clause 33J – Heritage conservation	The Site is not identified to contain or located in proximity to a heritage item. Any potential Aboriginal Cultural Heritage affectations attributed to the Site will be considered in the future EIS.
Clause 33K – Consent for clearing native vegetation	It is noted that the Site comprises biodiversity values in the north western portion and in the western portion of the site.  Preliminary studies have been undertaken to assess the overall ecological context of the subject site and a BDAR Waiver is being sought. A BDAR Waiver will be provided as part of the final EIS.
Clause 33L – Stormwater, water quality and water sensitive design	The proposal will be designed to minimise the adverse impacts of stormwater on the Site and the surrounding riparian land.  Further details of the stormwater design will be provided in the future EIS.

### 5.16 PENRITH LOCAL ENVIRONMENTAL PLAN 2010

*Penrith Local Environmental Plan 2010* (PLEP2010) is not applicable to the land as the provisions of SEPP WSEA apply.

### 5.17 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft EPIs apply to the Subject Site.

### 5.18 PENRITH DEVELOPMENT CONTROL PLAN 2014

The Penrith Development Control Plan 2014 (PDCP2014) provides a non-statutory instrument to guide development in the Penrith LGA.

Notwithstanding, Section 1.7.2 of the Draft Mamre Road Precinct DCP outlines that PLEP2014 and PDCP2014 do not apply to land to which the Draft Mamre Road Precinct DCP applies, except where specifically referred to in SEPP WSEA and the Draft Mamre Road Precinct DCP.

Given that the Draft Mamre Road Precinct DCP is applicable to the Subject Site, the provisions of PDCP2014 do not apply to the Site.

### 5.19 DRAFT MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN

As addressed previously, the Draft Mamre Road Precinct DCP was on exhibition between 10 November and 17 December 2020 and is currently being finalised by DPIE. The proposed development has been designed to comply with the controls specified in the Draft Mamre Road Precinct DCP.

A preliminary assessment against the relevant provisions of the Draft Mamre Road Precinct DCP is provided in **Table 3** below.

Table 3 Draft Mamre Road Precinct DCP		
Clause	Compliance	Response
<b>3. Precinct and Subdivision Design</b>		
<b>3.1 Subdivision</b>	<b>YES</b>	All proposed allotments are greater than 1,000m <sup>2</sup> .
Minimum Allotment Size:		Proposed allotments with an area of greater than 10,000m <sup>2</sup> are provided with a minimum frontage of 60m.
<ul style="list-style-type: none"> <li>▪ IN1 General Industrial: 1,000m<sup>2</sup></li> </ul>		
Minimum Frontage:		
<ul style="list-style-type: none"> <li>▪ 40m (excluding cul-de-sacs) and 35m minimum lot width at building line (for lots &gt; 5,000m<sup>2</sup>)</li> </ul>		

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<ul style="list-style-type: none"> <li>▪ 60m (for lot &gt;10,000m<sup>2</sup>)</li> </ul> <p><b>3.4.1 Road Network, Hierarchy and Design</b></p> <p>The Mamre Road Precinct should be developed generally in accordance with the road network map.</p> <p>Road reserve width (total):</p> <ul style="list-style-type: none"> <li>▪ Local Industrial Road (Type 1): 24.0m (mid-block)</li> <li>▪ Distributor/Collector Road (Type 2): 26.4m (mid-block), 30.6m (intersections)</li> </ul> <p>No direct vehicle access to Mamre Road or Southern Link or distributor roads are permitted.</p>	<p><b>YES</b></p>	<p>The proposal is generally consistent with the Mamre Road Precinct Road Network Map. The proposed development will provide a 24m internal access road in accordance with the road network map.</p> <p>The proposal will also provide a 26.4m access road, consistent with the high order road identified in the southern portion of the Site.</p> <p>The proposal does not provide direct access to Aldington Road as a distributor road.</p>
<p><b>4. General Requirements for Industrial Development</b></p>		
<p><b>4.2.1 Building Height</b></p> <p>Maximum height:</p> <ul style="list-style-type: none"> <li>▪ 16m from the existing ground level within 250m of a rural-residential zone</li> <li>▪ 20m from the existing ground level for all other sites</li> </ul> <p>A Visual Impact Assessment is to be provided for built form above 20m to demonstrate mitigation of solar and visual impacts to the surrounding uses and public amenity.</p>	<p><b>YES</b></p>	<p>The built form of the proposed warehouse will be in accordance with Section 4.2.1.</p> <p>A Visual Impact Assessment will be prepared as part of the EIS.</p>
<p><b>4.2.2 Building Setbacks</b></p> <p>Building setback requirements:</p> <ul style="list-style-type: none"> <li>▪ Lots fronting designated roads (Mamre Road and Potential Southern Link Road): 20m</li> <li>▪ Lots fronting key access roads (distributor and collector roads): 12m</li> <li>▪ Lots fronting all other roads (local estate roads): 7.5m</li> <li>▪ Secondary road frontages (corner lots): 5m</li> <li>▪ Rear and side boundaries: 5m</li> <li>▪ Lots adjoining the proposed WSFL corridor: 5m</li> </ul> <p>Notwithstanding the above, no development other than the following development is permitted within the defined setback for any road, other than</p>	<p><b>YES</b></p>	<p>A setback of greater than 12m will be provided from Aldington Road.</p> <p>The proposed warehouses will be designed to provide adequate setback from the internal access road.</p> <p>Future development at the remaining proposed allotments will be designed in accordance with the building setback requirements.</p>

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<p>Mamre Road and potential Southern Link Road:</p> <ul style="list-style-type: none"> <li>▪ Landscaping;</li> <li>▪ Maintenance/rehabilitation of biodiversity corridors or areas;</li> <li>▪ Utility services installation;</li> <li>▪ Accessways and driveways (not permitted in setbacks to designated roads);</li> <li>▪ Fire access roads;</li> <li>▪ Approved signage;</li> <li>▪ Street furniture; or</li> <li>▪ Drainage works.</li> </ul>		
<p><b>4.2.3 Landscaping</b></p> <p>Minimum landscape requirements:</p> <ul style="list-style-type: none"> <li>▪ Lots fronting designated roads (Mamre Road and Potential Southern Link Road): 10m landscape setback to the road frontage</li> <li>▪ Lots fronting key access roads (distributor and collector roads): 6m or average 50% of the setback along the road frontage</li> <li>▪ Lots fronting all other roads (local estate roads): Average of 50% of setback along the road frontage</li> <li>▪ Rear boundary: 2.5m from the rear boundary</li> <li>▪ Side boundary: No minimum requirement</li> </ul>	<b>YES</b>	<p>The proposed development will be designed to provide landscape setbacks in accordance with Section 4.2.3.</p>
<p><b>4.7 Access and Parking</b></p> <p>Minimum parking rates:</p> <ul style="list-style-type: none"> <li>▪ Warehouse or distribution centres: 1 space per 300m<sup>2</sup> of gross floor area or 1 space per 4 employees, whichever is the greater</li> <li>▪ Ancillary office space: 1 space per 40m<sup>2</sup> of gross floor area</li> </ul>	<b>YES</b>	<p>Carparking will be provided in accordance with Section 4.7.</p>

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### PART F ENVIRONMENTAL ASSESSMENT

A screening analysis of the environmental issues applicable to the Proposal is presented in **Table 4** below. This risk-based analysis has been used to identify the key environmental issues for further assessment and assist the preparation of the SEARs with respect to the proposed development.

The analysis is based on preliminary environmental assessment of the Site only. The EIS for the proposal will fully address these items and other key environmental issues relevant to the Proposal.

Table 4 Environmental Screening Analysis	
Issue	Analysis
<b>Soil and Water</b>	<ul style="list-style-type: none"><li>▪ During construction, an Erosion and Sediment Control Plan would be implemented to protect the downstream drainage system and receiving waters from sediment-laden runoff.</li><li>▪ Earthworks would be designed to minimise the extent of cut and fill and allow the balance of soil to be re-used on-site. Topsoil would be stockpiled for re-use within landscaped areas where possible.</li><li>▪ Regrading would be required to facilitate the building pad for construction purposes.</li><li>▪ The proposed development will include a satisfactory stormwater management cycle which includes a Water Sensitive Urban Design (WSUD) strategy which achieves the relevant stormwater and pollution reduction targets across the Site. It is anticipated that ongoing consultation with the NSW DPIE, Council, NSW EPA and TfNSW will occur throughout the SSD Application.</li><li>▪ Rainwater harvesting would also be applied across the Site (where considered practical), which will incorporate re-use in irrigation methods and recycled potable water components, i.e. toilet flushing.</li></ul>
<b>Noise</b>	<ul style="list-style-type: none"><li>▪ The Site is capable of mitigating acoustic impacts to sensitive receivers.</li><li>▪ As identified in the Noise Modelling Tool published by the Department of Infrastructure, Transport, Regional Development and Communications, the Site is located in an ANEC contour of less than 20. The proposal will be assessed in the EIS with respect to its potential impacts on the surrounding locality including the potential noise generation associated with the future traffic generation and operation of the Site as a warehouse and logistics hub.</li><li>▪ The SSD Application would consider both construction and operational acoustic impacts (noise and vibration) having regard to the NSW Environment Protection Authority (EPA) Industrial Noise Criteria, including the Noise Policy for Industry (NPI) document, the Interim Construction Noise Guideline, as well as the relevant controls in the Draft Mamre Road Precinct DCP.</li><li>▪ Potential noise impacts generated during the construction phase of the proposed development would be localised through construction traffic and construction equipment, for which a Construction Noise and Vibration Management Plan (CNVMP) would be implemented to address any potential noise and vibration impacts anticipated during the construction phase.</li><li>▪ Operational noise would be attributed to proposed plant and equipment including back-up generators distributed throughout the Site. It is noted that a complete Noise Impact Assessment would be undertaken by a suitably qualified Acoustic Engineer to confirm the proposed development does not exceed the relevant acoustic emissions criteria. Where potential impacts are identified suitable acoustic attenuation and mitigation measures would be recommended and implemented where required.</li></ul>

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<b>Biodiversity</b>	<ul style="list-style-type: none"> <li>▪ Preliminary studies have been undertaken to assess the overall ecological context of the subject site and a BDAR Waiver is being sought. A BDAR Waiver will be provided as part of the final EIS.</li> </ul>
<b>Air Quality</b>	<ul style="list-style-type: none"> <li>▪ Given the nature of the proposed development being for a warehouse and logistics hub, air quality impacts would be considered accordingly.</li> <li>▪ During construction, air quality would be managed through appropriate dust mitigation measures.</li> <li>▪ An Air Quality Impact Assessment Report prepared by a suitably qualified expert would accompany the EIS.</li> </ul>
<b>Aboriginal Cultural Heritage and Non-Aboriginal Heritage</b>	<ul style="list-style-type: none"> <li>▪ An Aboriginal Cultural Heritage Assessment Report (ACHAR) will be prepared to accompany the future EIS.</li> <li>▪ Appropriate mitigation and management measures will be undertaken where Aboriginal heritage items or artefacts are identified at the Site.</li> </ul>
<b>Waste</b>	<ul style="list-style-type: none"> <li>▪ Operational waste would be managed in accordance with a Plan of Management for the Site.</li> <li>▪ Waste generated throughout the construction phase would be disposed of in accordance with a Waste Management Plan, which would include provisions for recyclables and suitable off-site disposal.</li> </ul>
<b>Traffic and Transport</b>	<ul style="list-style-type: none"> <li>▪ Suitable provision is made to accommodate and service the proposed development in terms of traffic and transport.</li> <li>▪ A Traffic Impact Assessment would be prepared by a suitably qualified Traffic Engineer, which would consider the potential traffic related impacts as a result of the proposal on the surrounding road network; access and design; car parking; and trip generation (including relevant swept path analysis).</li> </ul>
<b>Other Infrastructure and Services</b>	<ul style="list-style-type: none"> <li>▪ All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications.</li> </ul>
<b>Visual Amenity / Urban Design</b>	<ul style="list-style-type: none"> <li>▪ The built form would be designed to incorporate architectural elements that articulate the facades and provide a sufficient level of visual amenity within the public domain.</li> <li>▪ Consideration would be given towards the E2 Environmental Conservation zone in the vicinity of the Site, for which increased landscaping provisions will be considered along this portion of the Site.</li> <li>▪ Potential visual impacts as a result of the proposed development would be assessed via means of a Visual Impact Assessment, which would include an assessment of the proposed layout and design in accordance with the following principles and best-practice approaches identified within the following documents (but not limited to): <ul style="list-style-type: none"> <li>○ <i>Guidelines for Landscape and Visual Impact Assessment (GLVIA) – Third Edition</i> (LI/IEMA, 2013); and</li> <li>○ <i>The Landscape Institute Advice Note 01</i> (2011) – <i>Photography and Photomontage in Landscape and Visual Assessment</i>.</li> </ul> </li> </ul>
<b>Hazards and Risks</b>	<ul style="list-style-type: none"> <li>▪ A Preliminary Risk Screening will be undertaken in accordance with the relevant SEPP 33 thresholds to establish the storing of Dangerous Goods on-site.</li> </ul>
<b>Site Layout and Design</b>	<ul style="list-style-type: none"> <li>▪ The Site layout and design (including landscaping) respond to the Site constraints, thus providing a highly functional development which enhances the visual amenity of the locality.</li> <li>▪ Suitable provision is made for service vehicles within the Site. Detailed swept paths would be provided within the EIS and Traffic Impact Assessment.</li> </ul>
<b>Socio / Economic</b>	<ul style="list-style-type: none"> <li>▪ The proposed development would positively impact on the social and economic conditions of the WSEA and WSA, which are envisaged for employment-generation and economic growth and prosperity.</li> </ul>

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	<ul style="list-style-type: none"><li>▪ Construction jobs are expected to be in the order of approximate 300, whilst operational jobs would be expected to be 150 staff.</li></ul>
<b>Cumulative impacts</b>	<ul style="list-style-type: none"><li>▪ Based on the above, cumulative impacts on the Site to the surrounding areas will be addressed in the EIS in relation to the following key issues:<ul style="list-style-type: none"><li>○ Amenity impacts – visual impacts, noise and vibration</li><li>○ Traffic and transport – proposed Mamre Road Precinct road network and proposed Intermodal Freight Network</li><li>○ Biodiversity</li><li>○ Site infrastructure and utilities</li><li>○ Civil engineering and water cycle management</li><li>○ Bulk earthworks</li><li>○ Subdivision</li></ul></li><li>▪ Notwithstanding, the proposal will facilitate the provision of a warehouse and logistics hub in the Mamre Road Precinct, WSEA and WSA, which have been earmarked for large floor plate employment uses and major warehousing, logistics and industrial development. Importantly, the proposal will provide employment-generating opportunities and stimulate economic growth of the WSEA, ultimately providing substantial socio-economic benefits to the area as an industrial, warehousing and logistics precinct.</li></ul>

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### **PART G CONCLUSION**

The proposed development would equate to a CIV of more than \$50 Million, thus the proposed development is defined as SSD pursuant to Schedule 1, Section 12 of the SRD SEPP.

The Site is situated within the Penrith LGA and WSEA and is complimented by surrounding developments of similar contextual importance; therefore, the Site is considered highly suitable for the proposed development, given the industrial-related uses proposed.

The proposed development is considered to align with the strategic objectives of SEPP WSEA and continues to support employment-generating opportunities within the wider Sydney Metropolitan Region. Furthermore, the Site is located within close proximity to housing and key infrastructure. In this respect, the proposed development would provide for economic growth and prosperity for the Penrith LGA and the wider WSEA.

Additionally, as noted throughout this Report, the proposed development would be carried out in an environmentally and ecologically sustainable manner and would further implement suitable mitigation measures to ensure that the amenity and function of surrounding land uses would not be compromised.

It is requested that NSW DPIE issue formal SEARs for the preparation of an EIS for the proposed development as SSD.