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15 July 2022

Mr Chris Ritchie
Director, Industry Assessments
NSW Department of Planning & Environment
Locked Bag 4022
Parramatta NSW 2124

Dear Chris,

SITE SPECIFIC SEARS REQUEST | ASPECT INDUSTRIAL ESTATE – SSD DA FOR LOT/WAREHOUSE 9

This Site Specific SEARs Request has been prepared by Urbis Pty Ltd (**Urbis**) on behalf of Mirvac Projects Pty Ltd (**Mirvac**) (**the Applicant**). This request has been prepared for the Department of Planning, & Environment (**DPE**) regarding the future proposed development of a warehouse and distribution facility on Lot 9 at Aspect Industrial Estate (**AIE**) as anticipated within the concept plan under SSD-10448 (as to be modified by MOD 3).

The construction of Warehouse 9 will be for the purpose of a '**Warehouse and Logistics Hub**' on Lot 9 of the Aspect Industrial Estate (legally described as Lots 54-58 in DP259135, Kemps Creek). The warehouse development includes approval for minor on lot earthworks, installation of on-lot infrastructure, and the construction of the warehouse that will align with the intended site layout to be established under the SSD-10448 MOD 3 which is intended to be lodged concurrently with this SSD. An Architectural Plan of the intended lot and building layout is provided at **Attachment A**.

Schedule 1 Clause 12 of *State Environmental Planning Policy (Planning Systems) 2021* provides the following threshold for 'Warehouse or distribution centres' as SSD:

(1) Development that has a capital investment value of more than the relevant amount for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.

(2) This section does not apply to development for the purposes of warehouses or distribution centres to which section 18 or 19 applies.

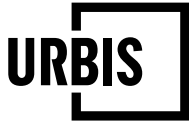
(3) In this section—

relevant amount means—

(a) for development in relation to which the relevant environmental assessment requirements are notified under the Act on or before 31 May 2023—\$30 million, or

(b) for any other development—\$50 million.

The proposed development has an estimated capital investment value of more than \$30 million and therefore is classified as SSD. The NSW Minister for Planning and Public Spaces is the consent authority for the proposal.



The SSD Development Application (SSD DA) seeks approval for the second stage of the AIE development, including construction of the warehouse and logistics facility with associated car parking, landscaping, civil, stormwater management, loading and vehicular access arrangements.

1. SITE ANALYSIS & CONTEXT

Aspect Industrial Estate (**AIE**) is located at 804-882 Mamre Road, Kemps Creek, NSW 2178 (**the Site**) and is legally described as Lots 54 – 58 in DP 259135. The site has an area of approximately 56.3 hectares (ha) and a direct frontage to Mamre Road (see **Figure 1** below). The majority of the site is cleared with scattered vegetation and includes a series of farm dams.

The site is located within the suburb of Kemps Creek, which falls within the Penrith LGA. It is in the Mamre Road Precinct within the broader Western Sydney Employment Area (WSEA) and is currently surrounded by rural land uses.

The site is approximately 4 kilometres (km) north-east of the future Western Sydney International (Nancy Bird Walton) Airport, 12 km south-east of Penrith CBD and 40 km west of the Sydney CBD.

The site has 950 metre (m) frontage to Mamre Road with a proposed signalised intersection at the site boundary consistent with the proposed Mamre Road Upgrade design providing vehicular access via Mamre Road to the M4 Motorway and Great Western Highway to the north and Elizabeth Drive to the south.

The site is bounded by Mamre Road to the west and agricultural uses to the north, south and east. The historic land uses on the site include rural residential, grazing, dairy farming, poultry farming and horticulture. The site and the broader Mamre Road Precinct was rezoned to primarily, IN1 General Industrial zoned land under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP).

The lot within AIE upon which the subject warehouse is proposed to be constructed is the future 'Lot 9', at the south western corner of the Estate. The future Lot 9 is informed by a re-alignment of Lots 6-11 originally approved by SSD-10448. The lot re-alignment will be established by Modification 3 to SSD 10448.

Figure 1 AIE and subject site boundaries



Source: Urbis, 2021

2. DEVELOPMENT APPROVAL

On 24 May 2022, SSD Development Application (DA) SSD-10448 was approved by the Minister for Planning for the Aspect Industrial Estate (AIE) at 804-882 Mamre Road, Kemps Creek. The development saw approval for a concept masterplan and Stage 1 construction works for a regional industrial and warehouse and distribution hub with internal road and access infrastructure.

- A Concept Proposal for the staged development of an industrial estate comprising 11 warehouse / industrial buildings with a total GFA of up to 248,112 m², ancillary offices and café and associated infrastructure; and
- Stage 1 development including sitewide bulk earthworks, riparian corridor realignment, construction of access roads and the Mamre Road/Access Road 1 intersection, construction and operation of Buildings 1 and 3, services and utilities installation and subdivision.

Figure 2 Approved Concept Masterplan



Source: SBA Architects

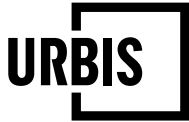
2.1. PRECINCT MODIFICATIONS

Mirvac is currently responding to a number of tenant enquiries for industrial and warehousing operations across the AIE. The Concept Plan modification required to support this subject SSD for Warehouse 9 is detailed below.

Details of the anticipated modifications are set out in Table 1 below.

Table 1 Modification Overview

DA Number	Description of Development
SSD-10448	A Concept Masterplan (see Figure 2) for the AIE comprising 11 industrial or warehouse and distribution centre buildings, internal road network layout, building locations, gross floor area (GFA), car parking, concept landscaping, building heights, setbacks and built form parameters.

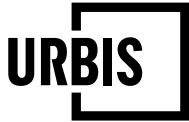


DA Number	Description of Development
	Stage 1 development works comprising road and services infrastructure, site preparation works across the estate and construction of the warehouse and distribution buildings on Lots 1 and 3 along with subdivision of Stage 1.
SSD-10448 MOD 3 (Warehouse 9 Modification)	<p>Modification Application 3 (MOD 3) will seek to change the Concept Plan associated with SSD-10448. MOD 3 relates to Warehouse/Lot 6, 7, 8, 9, 10 and 11 area and Access Road 4, located at the south western portion of the AIE, as set out in the Concept Plan SSD-10448, to include:</p> <ul style="list-style-type: none"> ▪ Reconfiguration of the Estate layout south of Access Road 1 and west of Access Road 3 including <ul style="list-style-type: none"> – Reduction in overall lot numbers across AIE from 11 to 9. – Relocation and shortening of Access Road 4. – Reconfiguration of warehouse lots 6-11 into lots 6-9. – New warehouse footprints and heights, hardstand locations, car parking, estate landscaping. – Change in boundary condition to the south including orientation of warehouse hardstand for Warehouse 9 to the south rather than the north. ▪ Modified GFA and parking to warehouses 6-9. ▪ Reconfiguration of Office and Dock Office areas in accordance with the revised warehouse footprints. <p>The modifications to the southern lots and road layout aim to facilitate separate applications and detailed modifications to these areas across this portion of the Aspect Industrial Estate.</p>

As identified in the overview above, modification 3 aims to reconfigure the lots at the south-west portion of the precinct, in order to establish the location and layout of Warehouse/Lot 9 which are the subject of this SSD application.

The modification to the SSD-10448 Concept Plan is anticipated to establish the location of Lot 9 and configuration of the 65,000sqm Warehouse 9 building as well as the ancillary 800sqm office area and 210sqm dock offices. Additionally, the modification will establish the relevant provision of hardstand areas, parking spaces (241 spaces to the north-eastern frontage) and access arrangements.

The detailed development applications for the other warehouses established in MOD 3 will be prepared under separate development applications.



3. PROPOSED DEVELOPMENT

This proposed State Significant Development (SSD) Development Application (DA) seeks approval for the construction of a warehouse or distribution facility at Lot/ Warehouse 9 as established under the concept plan SSD-10448 MOD 3.

This development application aims to achieve consent for minor on lot earthwork and infrastructure, and the construction, fit out and operation of the warehouse and logistic facility with associated car parking for Lot / Warehouse 9.

Warehouse or distribution centres are permitted with consent under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP)*.

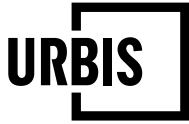
Specifically, the SSD DA will seek consent for:

- Construction of new 65,000sqm building for use as ‘warehouse & distribution’.
- The following works are proposed in support of the warehouse building operations:
 - 256 parking spaces across the lot’s north-and eastern frontages with driveway access to/from Access Road 4.
 - Appropriate hardstand areas, 36m wide north and 36m south of Warehouse 9.
 - Internal truck access roads with access from Access Road 3 to the east and egress to Access Road 4 to the north.
 - Appropriate loading dock areas at the north and south elevations.
 - 150sqm Dock Office at the north elevation
 - 60sqm Dock Office at the south elevation
 - 1,400sqm Main Office at the eastern elevation.
- Fit-out of the warehouse for the proposed use.
- Construction of vehicular crossovers to Access Road 4 (egress) and Access Road 3 (ingress).
- On lot landscaping.
- On lot stormwater management.
- On lot infrastructure servicing.
- Operation of the warehouse & distribution facility 24 hours a day 7 days a week.

The site layout is illustrated in Figure 3.

Table 2 Summary Metrics for Proposed Warehouse 9

Descriptor	Project Details
Project Area	Lot 9 has a total area of 113,106sqm
Site Description	Warehouse 9 within Lots 54 – 58 in DP 259135

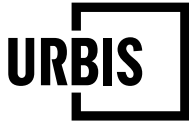


4. ANTICIPATED DELIVERABLES

Listed below are the deliverables required by the Industry Specific SEARs for warehouse & distribution premises. Given that the site is a future stage of Concept Approval SSD 10448 that considered many estate-wide environmental and project matters, Mirvac requests that certain issues not be re-addressed for this SSD application. Matters relating to ground conditions, biodiversity, bulk earthworks and the like have been established by SSD 10448 or will be validated via SSD-10448 MOD 3 pertaining to the on lot civil works (being MOD 3 to the Stage 1 consent for estate wide civil works).

As such, it is requested that the bolded items listed below not form a requirement for the Lot 9 SEARs, as they would be assessed via SSD-10448 MOD 3 or have been established in the consent for SSD-10448.

- Architectural Drawings including detailed building design drawings for Warehouse 9;
- Environmental Impact Statement Report;
- Site Survey;
- Landscape Drawings including detailed Lot 9 landscape set and detailed landscape / planting;
- Design Report;
- Civil drawings including detailed civil plans for on-lot cut/fill, benching & retaining walls, crossover designs and stormwater / wastewater drainage works;
- **Visual Impact Assessment;**
- Transport and Accessibility Impact Statement;
- Noise and vibration assessment detailing construction and operational noise generation;
- On lot Stormwater and Drainage Report;
- ESD Report;
- BCA and Access Report;
- Fire Safety Strategy;
- Air Quality Assessment;
- **Geotechnical Assessment** (established under SSD-10448 or MOD 3);
- **Surface and Groundwater Impact Assessment** (established under SSD-10448 or MOD 3);
- **Salinity Management Plan and/or Acid Sulfate Soils Management Plan** (established under SSD-10448 or MOD 3);
- Flood Risk Assessment (only as it pertains to on lot impact and building freeboard levels if required);
- Bushfire Risk;
- **Contamination Investigation** (established under SSD-10448 or MOD 3);
- **Infrastructure Delivery, Management and Staging plan** (established under SSD-10448 or MOD 3);



- Construction and Operational Waste Management Plan;
- **Aboriginal Cultural Heritage Assessment Report (ACHAR)** (established under SSD-10448 or MOD 3);
- **Heritage Impact Statement** (established under SSD-10448 or MOD 3);
- **Community Engagement Report** (see comments below);
- **Social Impact Assessment** (see comments below);
- **BDAR Waiver Request** (established under SSD-10448 or MOD 3); and
- Quantity Surveyor's Certificate.

5. KEY DETAILS AND ISSUES

Set out below is our proposed approach to the following matters which we seek to address within the EIS report rather than by requiring a separate full scale consultant input.

5.1. FIT-OUT WORKS AND OPERATIONS

The proposed end user for Warehouse 9 is a white goods retailer and distributor. The tenant is classified as 'warehouse and distribution' which is consistent with the land uses to be established in the Concept Proposal under SSD-10448. The appropriate fit-out equipment and operational details will need to be identified for the intended use.

The warehouse will operate 24 hours, 7 days a week, consistent with the Concept Proposal.

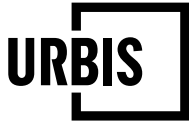
5.2. ENGAGEMENT

The community and stakeholder engagement is to be undertaken prior to lodgement of the SSD and will include direct consultation with the following:

- Direct consultation with the relevant government, agencies and utility stakeholders including Penrith Council, Transport for NSW and utilities providers.
- Adjoining landowners including GPT Group and Altis Property Partners. Mirvac has been involved with ongoing discussions with its immediate neighbours throughout and will continue to undergo correspondence to with these parties.
- Neighbouring private landowners and occupants. This includes the provision of a letter detailing the proposed changes contemplated in the Warehouse 9 SSD package.

Any feedback received from the community and stakeholders will be detailed as part of the EIS. These consultation methods will the continue transparent communications with these parties as established in the original SSD 10448. As such, the relevant details of the engagement methods undertaken can be included as part of the EIS. Additionally, the Warehouse 9 SSD development will be prepared in accordance with SSD 10448 MOD 3 and any potential feedback and environmental matters will be addressed as part of the EIS.

Given the historic community and agency engagement both in relation to AIE and in regard to other SSD projects within the Mamre Road Precinct, it is considered sufficient that these engagement activities and feedback be addressed in the EIS, and does not warrant preparation of a full community engagement strategy.



It is requested that the SEARs endorse this approach such that a new standalone Engagement Strategy and Report is not required to support the Lot 9 SSD DA.

Mirvac has commenced formal consultation with both Penrith Council and Transport for NSW for this SSD DA and have been holding monthly meetings with Penrith Council to discuss the development of the estate. Given the ongoing consultation between Mirvac and Penrith Council and Transport for NSW, it is also requested that agency referral is not required to inform issuance of the SEARs by DPE.

5.3. BIODIVERSITY

The original SSDA 10448 was accompanied by a Biodiversity Development Assessment Report (BDAR) (version 7) prepared by ELA, which assessed impacts to the entirety of the development site. Therefore, there will be no further impacts.

The proposed building will be consistent with the footprint from the concept masterplan approved under SSD-10448 (MOD 3). The SSD will be unlikely to result in impacts to biodiversity values further to the approved SSD. Accordingly, it is proposed that the BDAR established for SSD-10448, and as required to be updated to reflect MOD 3 continue to determine the biodiversity assessment for the site, such that a BDAR Waiver is not required for the on-lot development works on Lot 9.

It is requested that the SEARs endorse this approach such that a BDAR or BDAR Waiver is not required to support the Lot 9 SSD DA.

5.4. SOCIAL IMPACT

The warehouse development will support the delivery of the warehouse and logistics estate as approved under the SSD 10448 and in accordance with market demand and operational requirements. The original Social Impact Assessment lodged with the SSD-10448 application concluded that any negative impacts associated with traffic generation or visual impact would be outweighed by the positive long term social benefits from the creation of increased employment opportunities.

It is proposed that the findings of the original SIA be reviewed in light of the updated Lot 9 warehouse proposal and detailed within a section of the EIS. Given the scale and nature of the proposed development is consistent with that originally contemplated in the SIA informing SSD-10448, it is not considered that a full scale SIA is warranted in this instance. Accordingly, the relevant social impacts will be discussed as part of the EIS and a new separate social impact report is not required.

It is requested that the SEARs endorse this approach such that a new standalone Social Impact Assessment is not required to support the Lot 9 SSD DA.

5.5. HERITAGE

An ACHAR and HIS report were prepared to inform assessment of SSD-10448. These reports addressed the entirety of the AIE site extent, including the future Lot 9.

It is proposed that a validation letter be prepared to support the Lot 9 SSD DA, referencing that the indigenous and non-indigenous heritage assessment established for SSD-10448 or MOD 3 suitably addresses these matters and that no new matters for consideration are raised by the on-lot building works. It is requested that the SEARs endorse this approach such that an ACHAR or HIS is not required to support the Lot 9 SSD DA.

5.6. ACOUSTIC IMPACT

A detailed Noise Impact Assessment will be required to address the potential noise impacts generated by the intended construction works as well as the operations at Warehouse 9. This assessment will address the potential impacts of the Warehouse development as well as any cumulative impacts to the relevant Noise Monitoring Locations (NML) to the nearby sensitive receivers located south of the precinct and the respective mitigation methods.

5.7. VISUAL IMPACT

A Visual Impact Assessment will be undertaken to assess the potential impacts of the Warehouse 9 building design with consideration of the sensitive receivers outside the AIE site to the south and west. This will take into consideration the orientation and scale of Warehouse 9, located at the south-west edge of the precinct, proposed materials and finishes, and any mitigating effect of landscaping works. A preliminary assessment has found that the lowering of pads for Warehouse 9 (compared to Warehouse 7, 10 and 11 that was previously approved under SSD-10448 at the site) will result in a reduced visual impact compared to the original LCVIA prepared for SSD-10448. As such, a Visual Impact Assessment prepared in a letter of support will appropriately identify and respond to the view impacts of the proposed development.

5.8. TRAFFIC

A Traffic and Parking analysis will be undertaken to assess the parking demand and traffic implications generated by the proposed tenant and the subsequent operations. This will include an assessment of the warehousing operations with consideration of the intended provision of 251 parking space as well as the vehicular access and egress arrangements with Access Road 3 and Access Road 4.

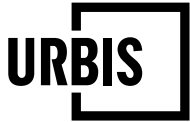
The assessment report will address car parking numbers, site layout and manoeuvring requirements of all vehicles anticipated to access the site.

6. CLOSING

Based on the proposed scope of works for this subject SSD on Lot 9, and the extent of assessment already undertaken for the site by SSD-10448 (as proposed to be modified by MOD 3), Site Specific SEARs are requested to inform preparation and lodgement of this new SSD DA.

As set out in this Site Specific SEARs Request,

- many matters identified in the industry specific SEARs for warehouse and distribution centres have already been assessed and parameters established as part of the wider Concept and Stage 1 approval for Aspect Industrial Estate via SSD-10448, or will be addressed in the MOD 3 application. These include:
 - Geotechnical Assessment;
 - Surface and Groundwater Impact Assessment;
 - Salinity Management Plan and/or Acid Sulfate Soils Management Plan;
 - Preliminary Site Investigation;
 - Infrastructure Delivery, Management and Staging plan;



- Aboriginal Cultural Heritage Assessment Report (ACHAR);
 - Heritage Impact Statement; and
 - BDAR Waiver Request.
- it is considered that a tailored approach regarding other matters is sufficient to inform preparation of the EIS for the Lot 9 warehouse works, rather than requiring a separate detailed reporting input. These include:
- Engagement with community, neighbouring landowners and agencies
 - Social Impact Assessment.

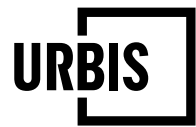
Mirvac therefore seeks that Site Specific SEARs be issued for Lot 9 with Aspect Industrial Estate such that they require assessment of matters relating to the relevant on-lot works proposed.

Urbis is looking forward to working collaboratively with the DPIE to deliver a comprehensive and rapid approval of the proposed SSD modification. Should you have any questions regarding the content of this Site Specific SEARs request or our proposed approach, please do not hesitate to contact me via the details below.

Kind regards,

A handwritten signature in black ink, appearing to read "J Parker".

Jacqueline Parker
Director
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APPENDIX A

LOT/WAREHOUSE 9 PLAN