

11 April 2025

Our ref: 25SYD10862

Mirvac Projects Pty Ltd
Level 28,
200 George Street
Sydney NSW 2000

Attention: Lauren McGowan Raad

Dear Lauren,

**Re: Aspect Industrial Estate (Warehouse Eight) – Biodiversity Development Assessment Report
Waiver for Concept Modification to SSD-10448 (MOD 11) as SSD-80331959**

Eco Logical Australia Pty Ltd (ELA) was engaged by Mirvac to provide assessment on the impact of the Aspect Industrial Estate Warehouse 8 Significant Development (SSD) Modification on biodiversity values. The site is located at 804 – 882 Mamre Road, Kemps Creek ('the development site'). This request refers to the Modification to SSD-10448 (MOD 11) being assessed as SSD-80331959.

SSD-10448 was accompanied by a Biodiversity Development Assessment Report (BDAR), which assessed impacts across the entire development site. No additional impacts area proposed, only modification of the development layout within the existing footprint.

A BDAR waiver was also granted by the Department for Stage 4 Warehouse 8 on 16 April 2024. Since this approval, the concept arrangement has been amended, therefore this updated BDAR waiver request is to be submitted as required by the Department.

This letter provides an assessment of the proposal's impact on biodiversity values in accordance with the NSW Department of Planning & Environment's 2018 *Biodiversity development assessment report waiver determinations for SSD and SSI applications fact sheet*. The assessment concluded that the proposed Warehouse 8 will not have a significant impact on biodiversity values as all impacts have been previously assessed under, and are consistent with, the existing BDAR for the approved SSD-10488.

Regards,



Courtney Blick
Senior Environmental Consultant

1. BDAR Waiver Request Information

The information requirements for a BDAR waiver request, as outlined in the NSW Department of Planning and Environment's Guidelines, are provided in Table 1 and Table 2.

Table 1: BDAR Waiver request information requirements

Requirement	Information
Administration	Proponent: Mirvac Projects Pty Ltd Project ID: SSD-80331959 Completed By: Courtney Blick – ELA Senior Environmental Consultant Reviewed By: David Bonjer – ELA Principal Planning Consultant
Site Details	Street Address: 804 – 882 Mamre Road, Kemps Creek NSW 2178 Lot and DP: 301/-/DP1305254; 305/-/DP1305254; 104/-/DP1305965; 105/-/DP1305965 Local Government Area (LGA): Penrith City Council. Zoning: The site is primarily zoned IN1 (General Industrial) with a small sliver of land zoned C2 (Environmental Conservation)¹ under Chapter 2 of the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> (Industry and Employment SEPP). The area subject to Warehouse 8 amendments is wholly zoned IN1. The development site is subject to Clause 2.43 of the Industry and Employment SEPP. Under Clause 2.43, clearing of native vegetation in lands zoned E2¹ Environmental Conservation and RE1 Public Recreation are not permissible without development consent. Existing Development Site: The development site is approximately 59.15 ha. The development site currently consists of cleared land and earthworks with some development commenced under approved SSD applications. The Warehouse 8 area comprises approximately 9 ha within the overall development site and is shown in Figure 1. A BDAR was previously prepared as the development will impact on vegetation mapped on the Biodiversity Values Map (Accessed 17/12/2018). The BDAR was prepared to meet the requirements of the Biodiversity Assessment Method (BAM) established under Section 6.7 of the NSW BC Act. No additional impacts to biodiversity occur as a result of the modification to concept layout, as such as BDAR Waiver is deemed appropriate for the site. A location map is provided in Figure 2.

¹ Note: C2 zoning has superseded E2 zoning and serves the same function (Environmental Conservation), however the Industry and Employment SEPP still refers to E2 zoning.

Requirement	Information
Proposed Development	The proposal relates to a concurrent modification application to the Concept Approval, SSD-10448 (MOD 11) and an SSDA for the fit-out and use of the approved Warehouse 8 building for the purposes of 'printing' operations as a form of 'other manufacturing industries'. The proposed modification and SSDA seeks to facilitate tenant operations at Warehouse 8, constituting IVE Group packaging and print operations. The project comprises two components separately described below. Concept Modification to SSD-10448 (MOD 11) • Modify the Estate wide concept plan, including site layout, parking and landscaping. • This includes an updated quantum of parking at Warehouse / Lot 8 to a total of 356 parking spaces to meet the proposed operational requirements. Fit-Out and Use SSDA • Approval for 'printing' operations as a form of 'other manufacturing industries', land use at Warehouse / Lot 8. • Approval for fit-out works to facilitate the IVE Group packaging and print operations.

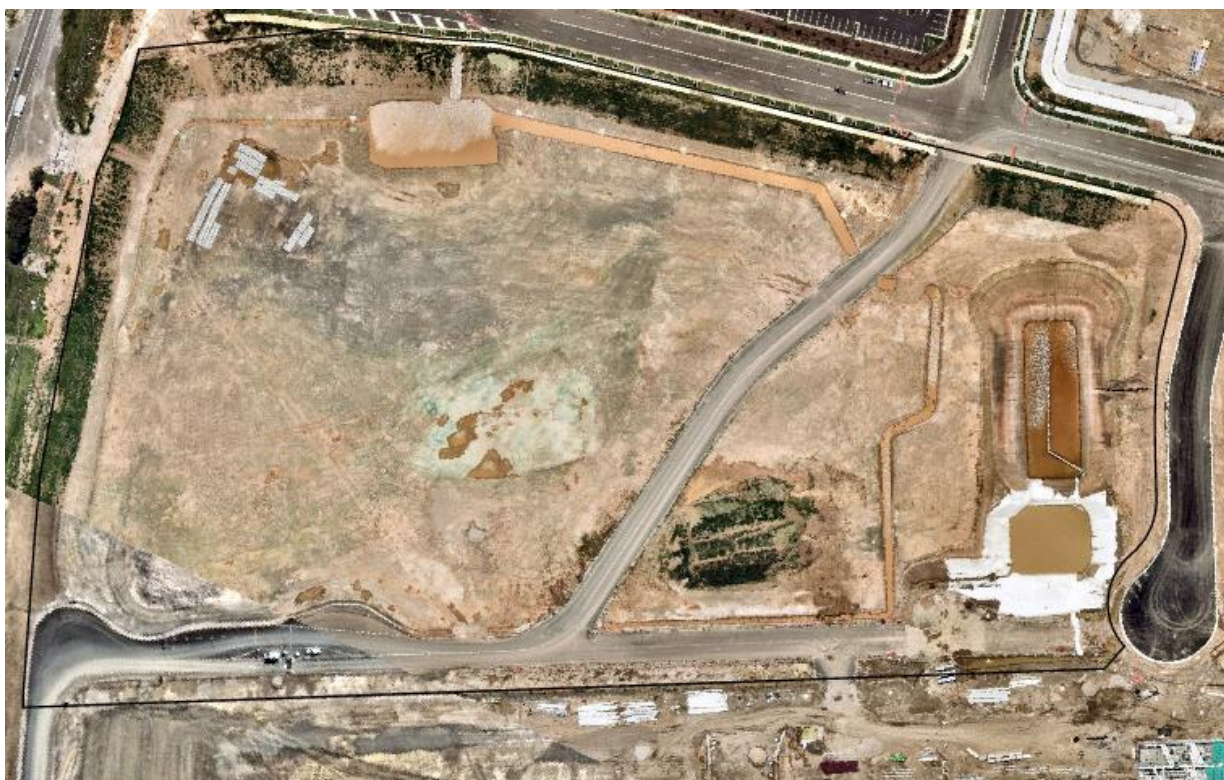


Figure 1: Cleared site condition as of 11/04/2024 (NearMap)

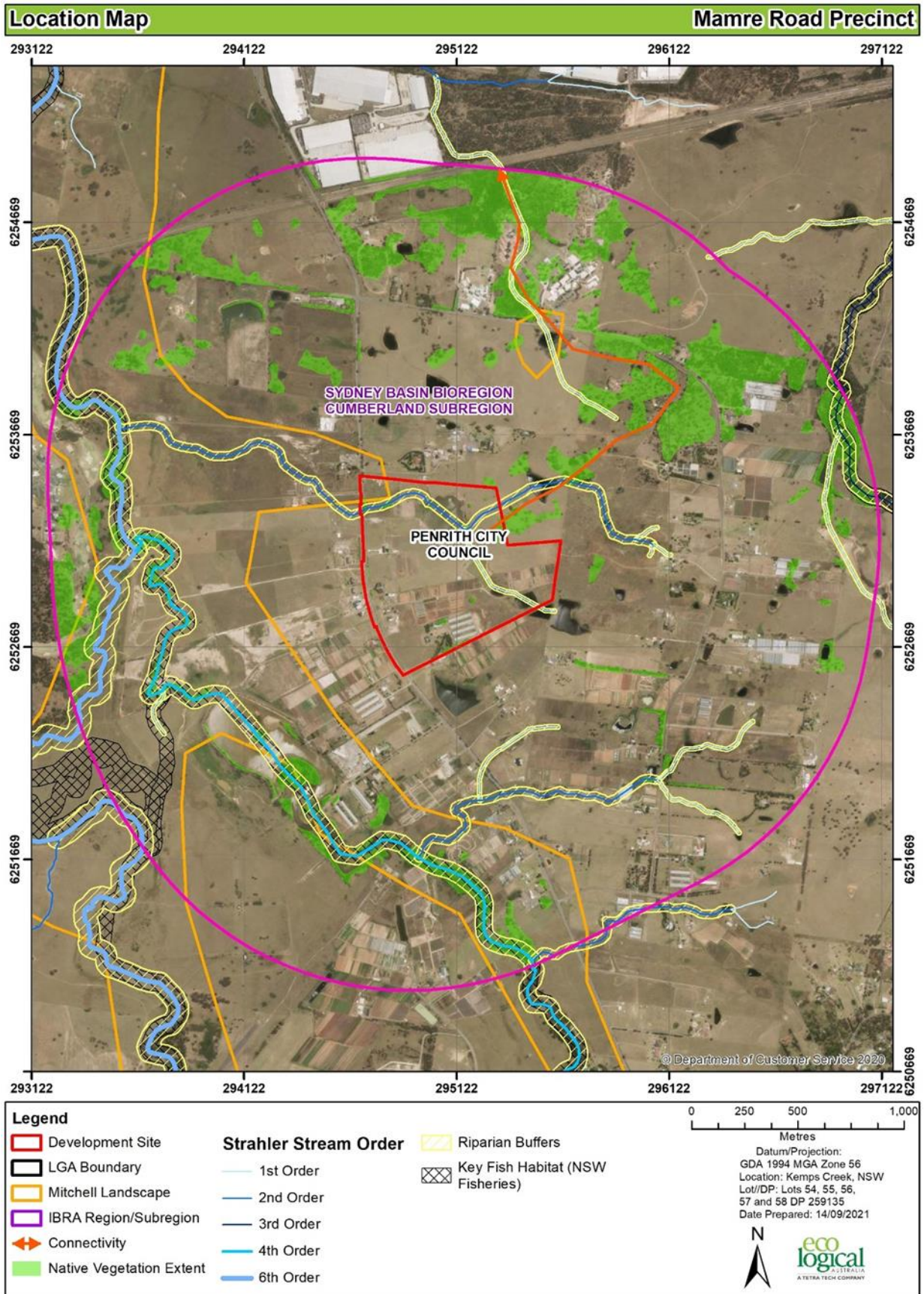


Figure 2: Location of the development site



Figure 3: Proposed WH8 development footprint and impacts to vegetation assessed under the SSD-10448 BDAR

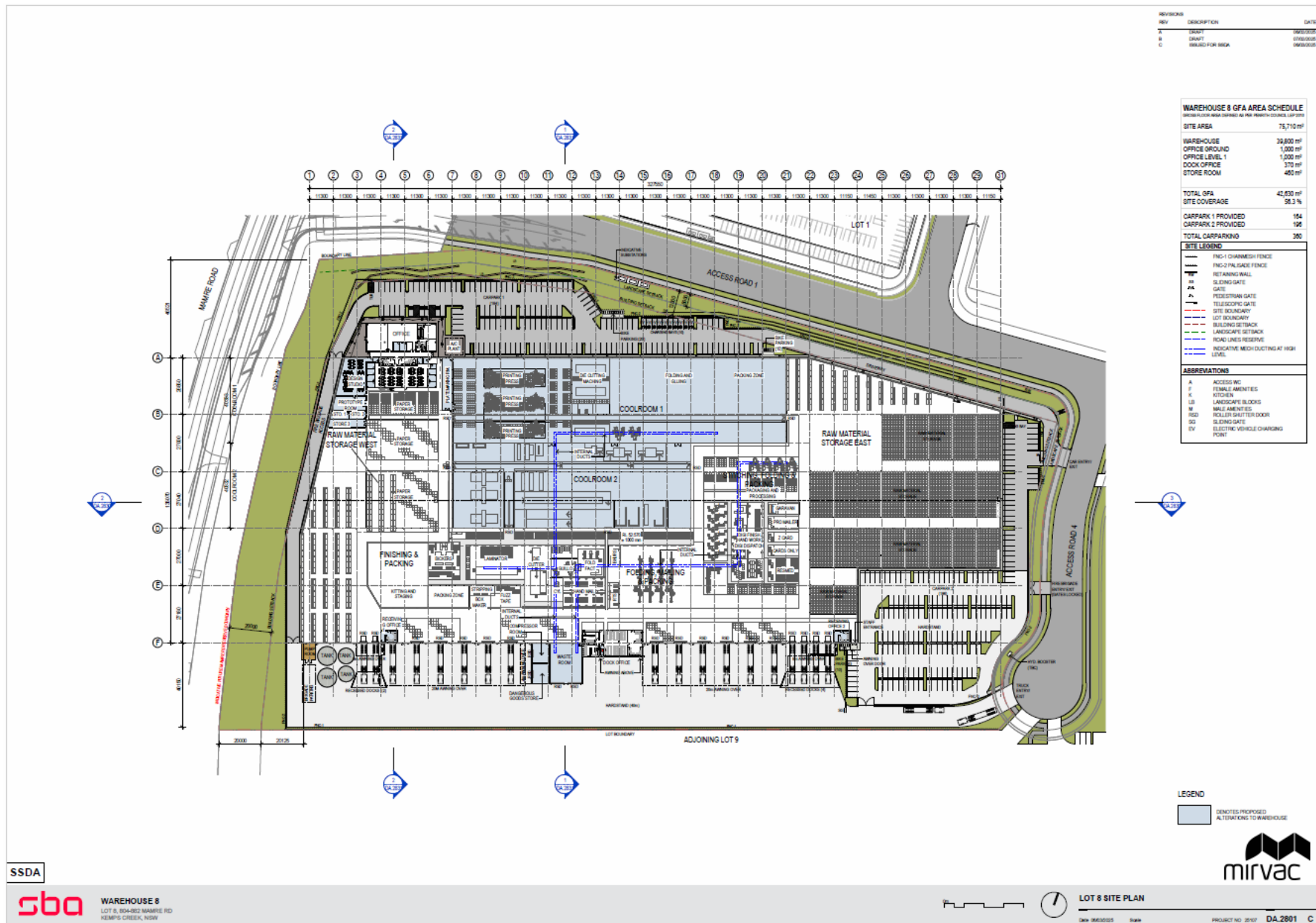


Figure 4: The proposed Warehouse 8 layout (SBA Architects, 2025)

Table 2: Criteria to assess biodiversity under the BC Act and BC Regulation

Biodiversity Value	Meaning	Relevant	Discussion of values within the site
<i>Biodiversity Conservation Regulation 2017 (Clause 1.4)</i>			
a) Threatened Species Abundance	The occurrence and abundance of threatened species or threatened ecological communities, or their habitat, at a particular site.	N/A	The original SSDA proposed bulk earthworks across the entirety of the development site, as such all impacts to biodiversity have been previously assessed under the BAM in the existing BDAR (ELA 2022).
b) Vegetation Abundance	The occurrence and abundance of vegetation at a particular site.	N/A	Given that all the native vegetation has been cleared as part of the original SSDA, including the areas where Warehouse 8 is proposed; and Warehouse 8 is not extending the project site boundary, there will be no further impacts to biodiversity because of the currently proposed SSD 80331959. The Warehouse 8 footprint in relation to the development site, and previously assessed vegetation, is presented in Figure 3.
c) Habitat Connectivity	The degree to which a particular site connects different areas of habitat of threatened species to facilitate movement of those species across their range.	N/A	
d) Threatened Species Movement	The degree to which a particular site contributes to the movement of threatened species to maintain their lifecycle;	N/A	The Warehouse 8 location is now comprised of cleared land (Figure 3), previously planted native/exotic vegetation which was approved for removal under SSD 10488. Potential biodiversity impacts relating to vegetation integrity and habitat suitability have already been assessed and mitigated through the preparation of the BDAR that accompanied SSD 10488 (version 7) dated 4 February 2022 and BDAR Updates Summary (version 2) dated 24 February 2022.
e) Flight Path Integrity	The degree to which the flight paths of protected animals over a particular site are free from interference.	N/A	
f) Water Sustainability	The degree to which water quality, water bodies and hydrological processes sustain threatened species and threatened ecological communities at a particular site.	N/A	Further, the proponent has prepared both a Vegetation Management Plan (VMP) and Flora and Fauna Management Plan (FFMP) for the Project.
<i>Biodiversity Conservation Act 2016 (Clause 1.5 (2))</i>			
a) Vegetation Integrity	The degree to which the composition, structure and function of vegetation at a particular site and the surrounding landscape has been altered from a near natural state.	N/A	The original SSDA proposed bulk earthworks across the entirety of the development site, as such all impacts to biodiversity have been previously assessed under the BAM in the existing BDAR (ELA 2022). The current portion of the site subject to Warehouse 8 development is cleared of vegetation with no threatened species habitat.
b) Habitat Suitability	The degree to which the habitat needs of threatened species are present at the particular site.	N/A	There will be no further impacts to biodiversity including threatened species habitat or other vegetation because of the currently proposed SSD-80331959. The Warehouse 8 footprint is presented in Figure 3. Potential biodiversity impacts relating to vegetation integrity and habitat suitability have already been assessed and approved under SSD 10488.

