



Our reference: ECM Ref: 9551473
Contact: Gavin Cherry
Telephone: (02) 4732 8125

6 May 2021

Bianca Thornton
Email: bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

**Response to Notification of Request for SEAR's: SSD-17552047 – 155 - 217
Aldington Road, Kemps Creek**

I refer to the Department's request to provide comments in relation to the above development proposal. Thank you for providing Council with the opportunity to comment.

Council was scheduled to meet with the developer for this proposal today however the applicant requested the meeting be cancelled and rescheduled.

A review of the applicants proposal had already occurred in preparation for the meeting and as such advice has been issued to the applicant as a result of that assessment.

Please find attached a copy of the advice issued to the applicant which outlines key issues and considerations identified by Council that should be captured in the SEAR's, and addressed within the progression of the proposed State Significant Development Application.

Should you wish to discuss any aspect of Council's comments further, please do not hesitate to contact me on (02) 4732 8125.

Yours sincerely

Gavin Cherry
Development Assessment Coordinator

Attachment: Pre-Lodgement Advice from Penrith City Council dated 06/05/2021



Our Ref: PL21/0028
Contact: Gavin Cherry
Telephone: (02) 4732 8125

06 May 2021

Frasers Property Australia Pty Ltd
Level 3 Building C 1 Homebush Bay Drive
RHODES NSW 2138

Attention: Paul Solomon,

Dear Mr Solomon,

Pre-lodgement Advice

Proposed Development State Significant Development - Warehouse & Logistics Hub

Lots 25, 26, 27,28, 255560 & 33 DP 258949

Nos. 155-167 Aldington Road KEMPS CREEK NSW 2178

Thank you for engaging with Council on the above proposal. While a scheduled pre-lodgement meeting for today was requested to be cancelled this morning, detailed advice has been prepared in preparation for today's meeting and forms the body of this response.

We hope that the detail provided in this advice will clarify key matters that Council would seek addressed / resolved in the progression of the development proposal prior to formal lodgement with the NSW Government as a State Significant Development application.

It is noted that a number of matters identified in these notes relate to the timing of the proposal ahead of the finalisation and adoption of the Mamre Road Precinct Wide Development Control Plan including associated traffic modelling to inform the structure plan of the precinct. These relate primarily to overarching concerns that early advancement of such a proposal may impact on the orderly development of the precinct. This is ultimately a matter for the NSW Government to address in the assessment of the application when lodged, however the principles of orderly development and potential impacts and precedence of early advancement should be addressed in the application if lodged before the Mamre Road Precinct DCP is adopted.

If we can help you any further regarding the attached advice, please feel free to contact me on (02) 4732 8125.

Yours sincerely

Gavin Cherry
Development Assessment Coordinator

Penrith City Council
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NSW 2751 Australia
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F 4732 7958
penrithcity.nsw.gov.au

PRE-LODGE MENT ADVICE

Proposal State Significant Development - Warehouse & Logistics Hub
Address Lot 25 DP 255560, Lot 26 DP 255560, Lot 27 DP 255560, Lot 28 DP 255560, Lot 33 DP 258949, Nos. 155-167 Aldington Road KEMPS CREEK NSW 2178

Penrith City Council Referral Officers

Gavin Cherry – Development Assessment Coordinator

Stephen Masters – Senior Development Engineer

Graham Green – Senior Traffic Engineer

Paul Reynolds – Team Leader Environmental Management

The pre-lodgement panel will endeavour to provide information which will enable you to identify issues that should be addressed in any application pursued. The onus however remains on the applicant to ensure that all relevant controls and issues are considered prior to the submission of an application.

KEY ISSUES AND OUTCOMES

The proposal is to address the following issues:

PLANNING & STRATEGIC PLANNING CONSIDERATIONS:

- It is noted that the proposed development is advancing ahead of the finalisation of the recently exhibited Draft Development Control Plan for the Precinct. This is concerning as the strategic planning controls and objectives for the Precinct are not yet confirmed and early advancement of development proposals ahead of this process, has the potential to undermine orderly development within the Precinct. It is appreciated that this is ultimately a matter for the NSW Government to address in the consideration of any SSD application lodged, however Council will maintain that there is a need to consider the appropriateness of site specific DCP advancing independently, and how such a DCP is contextually responsive to existing land attributes and the strategic planning vision for the broader precinct.
- The proposal indicates site regrading / benching however at this stage inadequate information is available to understand how the intended earthworks have informed the proposed subdivision arrangement. Minimisation of excessive cut and fill should be derived by the proposed arrangement of road and development lots, as further informed by the structure plans that will need to form part of the DCP when adopted. The

concept plan for Lot 9 has indications of retaining walls along both side boundaries however no details of finished ground levels and retaining wall heights are available which will be critical in the assessment of the proposal. The spatial arrangement of the development must be informed by a topographic assessment which ensures that any earthworks, road patterns, built form and landscaping is site responsive and contextually appropriate. This will require a cut and fill / benching plan that is informed by a visual impact analysis through the site, from neighbouring boundaries and along approaches to the development as viewed from the public domain. Of particular emphasis will be edge conditions and interface treatments between the subject site and adjoining land, with cross sections required.

- The proposal is in relatively close proximity to a listed heritage item and mapped land known to contain aboriginal heritage potential (south of the subject site as per the Draft DCP). The proposal will need to address implications and considerations of the proposal relating to the heritage significance of that item and the potential for disturbance to items of indigenous significance.
- The south eastern corner of the site is affected by mapped “indicative trunk drainage infrastructure” (Item B07) pursuant to the Draft DCP for the precinct. The DCP details that:-

“Development consent must not be granted on land which is to be serviced by this infrastructure until such time as it has been delivered to the satisfaction of the trunk drainage manager (Council or other)”

This clause implies that a precinct wide drainage strategy and implementation of that strategy is required prior to “granting of consent” for any subdivision or industrial development. This means that the proposal cannot be progressed independently of the broader precinct planning framework and must demonstrate both an integrated drainage strategy and works that are already delivered, or delivered as part of the proposal before consent can be granted.

- Of positive note, is the indication of 7.5m wide landscaping between the proposed internal access road and subdivision lot boundary for the proposed built form on Lot 9. Council has advocated with the Department that the Draft DCP provision is inadequate and incapable of achieving the objectives of the standard, given the expanse of hard stand areas proposed to support large scale industrial warehouse developments. The concept plan for Lot 9 does have some parking encroachments forward of the 7.5m setback line (adjacent to entry / exit driveways). It is considered appropriate that a consistent setback be adopted and that the minor encroachments be removed or at a minimum, the 2 x spaces entirely forward of the setback line be deleted.
- While Lot 9 has a suitable and respectful setback zone to the proposed internal road for landscaping, diagrammatical indications of significantly lesser front setbacks to the south of Lot 9 and opposite Lot 9 are not supportable

and undermine the intention of the standard for consistent embellished streetscape presentations. Maintenance of a consistent setback zone is critical between lots for the entire road length.

- The plans indicate a significant setback to Aldington Road with indications of an exclusion zone. A review of the Deposited Plan confirms that an easement for transmission lines of 60.96m wide exists. While no works are proposed in the easement, the provision of a vegetated setback with a layering of tree canopy plantings will be required along Aldington Road. If the planting cannot be located within the easement (to a density and arrangement that provides for a vegetated streetscape presentation), then a further landscape setback between the edge of the easement and the proposed truck manoeuvring areas will be required. The benefiting authority for the easement must provide written verification as to what planting is permitted in the easement extent and that advice should inform the landscape design plans and arrangement of the built form and hard stand areas on the proposed allotments.
- Address of environmental considerations such as noise, air quality, contamination and waste management as well as parking compliance, detailed landscape design and architectural detail (including demonstration of design quality) will need to be further explored and addressed as the proposed develops.

DEVELOPMENT CONTRIBUTIONS

- Councils Section 7.12 Citywide Contribution Plan is currently applicable to this site. Please note that an amendment to this plan was exhibited in November 2020 to remove the applicability of this plan from the Mamre Road Precinct. This amendment is yet to be determined and may impact the determination of this application.
- It is requested that the applicant and DPIE in combination discuss local contributions with Councils' City Planning – Contributions. The intended contribution pathway would need to be discussed and agreed to prior to determination of the application.

ENGINEERING DESIGN:

Stormwater Management

- Stormwater drainage for the site must be in accordance with the following:
 - Mamre Road Precinct Draft DCP
- A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.
- As the site catchment is split, and pending the timing for adjoining development, drainage of the site may require an easement to drain water over downstream properties for any interim stormwater disposal. Evidence of owner's consent shall be provided with the application for the provision of the easement. The easement to drain water must be registered prior to the

issue of an operational consent. Drainage easement widths shall be in accordance with Council's Stormwater Drainage Specification for Building Developments policy.

- The application is to demonstrate how stormwater discharge from the proposed development complies with the trunk drainage infrastructure as per Figure 6 of the Mamre Road Precinct Draft DCP. The application shall include concept stormwater plans for both the proposed development and the ultimate developed estate scenarios.
- The stormwater concept plan shall demonstrate how the development complies with the Mamre Road precinct Draft DCP water quality and water quantity controls for any interim and ultimate developments.
- A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.
- The application shall include MUSIC modelling (*.sqz file) demonstrating compliance with Council's adopted *Water Sensitive Urban Design Policy and Technical Guidelines*.
- Penrith City Council will not accept the dedication of any estate water quantity or water quality basins. Any estate drainage basins are to be maintained in perpetuity by the estate. It is Council's preference that all water quantity and water quality treatment be provided on the individual lots. Any on-site detention system or water quality system must be within common property and accessible from the street.

Local Overland Flow Flooding

- The site flood affected by local overland flow flooding from the local catchment and has been coded as being subject to flood related development controls.
- The application must demonstrate that the development proposal is consistent with the Mamre Road Precinct Draft DCP Section 2.7 Flood Prone Land.
- The application must be accompanied by an Overland Flow Flood Report prepared by a suitably qualified person to assess the developments impacts upon overland flows. Overland flows shall be managed through the site in a safe manner.
- Further information regarding Council's Flood Studies is available from Council's website at the following address:
<https://www.penrithcity.nsw.gov.au/services/other-services/floodplain-management>

Car Parking and Access

- Motor vehicle access for the south-eastern car park for Warehouse 9A and the southern car park for Warehouse 9B relies upon the shared use of a heavy vehicle access driveway off the internal estate road which is not supported. Car parking areas between the warehouses appears to be shared with heavy vehicle manoeuvring areas and is also not supported. Car parking areas along with pedestrian and vehicular access to all car parking areas shall be separated from heavy vehicle access and heavy vehicle manoeuvring areas for safety reasons.

Earthworks

- No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site.
- The location and height of any retaining walls are to be included. The potential impact of any retaining walls upon future development of adjoining lands is to be considered.
- The application is to be supported by a geotechnical report prepared by a suitably qualified person and shall address, but not be limited to ground water movement, salinity, contamination and potential damage to adjoining public and private infrastructure during construction.

Subdivision Works

- The application is to be accompanied by a subdivision concept plan.

TRAFFIC MANAGEMENT AND ROAD DESIGN:

- The proposed subdivision arrangement and indicated internal road network is inconsistent with the structure plan within the draft DCP and cannot be supported unless the NSW Government confirms acceptance and amends the road network structure plan in the Draft DCP. The proposal will need to respond to a setback alignment for the Addington Road reconstruction which has not been resolved and designed. Reliance on the existing easement extent in isolation is inadequate.
- The Draft DCP has not yet been supported by details including traffic modelling, cut/fill strategy, road designs for alignments / cross sections / intersections, cost estimates, road and infrastructure delivery strategy and a contributions plan and staged development strategy.
- If the proposal is intended to be pursued prior to the finalisation and adoption of Mamre Road Precinct DCP, then this application must itself address precinct wide traffic management and road design considerations including precinct wide traffic modelling. In addition a detailed cut/fill strategy, road designs for alignments / cross sections / intersections, cost estimates and a staged development strategy is required in support. This includes designs for all of the precinct collector / distributor / arterial roads and intersection (Mamre Rd/ Abbots Rd / Aldington Rd / and link / collector roads). In summary the proposal must depict how the proposed road network will

connect to adjoining lands in a form and arrangement that does not undermine or impact their respective development potential in accordance with the capability established via the exhibited Draft DCP for the Precinct. In the absence of a precinct wide roads study, a precautionary principle 'worst case scenario' proposal of connections and road hierarchy should be adopted until there is greater certainty.

The strategic transportation planning and modelling that should inform the development proposal (if pursued ahead of the DCP adoption) includes: -

- Macro-modelling using Equilibrium Model/Multimodal Equilibrium(EMME) for the transportation corridors including Mamre Road, Bakers Lane , Southern Link Road, and Freight Corridor; meso-modelling using Aimsun or equivalent for the Mamre Precinct road network/micro-SIDRA for each intersection staged development triggers and ultimate Mamre Precinct; micro-modelling using SIDRA traffic modelling of the staged and ultimate future traffic movements to determine the required lane numbers, intersection types, lengths for turning lanes and associated lengths of merging and diverging tapers in accord with Austroads and TfNSW (RMS) guidelines. This shall include Transportation and Traffic modelling to the year 2036 or other year to be agreed by TfNSW and Council.
- It is also critical that a commitment be given to delivering the Arterial Roads including Mamre Road and Southern Link Road, Freight Corridor and infrastructure. Also setting / coordinating / controlling delivery of the internal road networks including Aldington Road and Abbots Road in line with staged developments.
- Bakers Lane, Abbots Road and Aldington Road are currently local rural roads with poor horizontal and vertical alignment that are not suitable for constant heavy vehicle use.
- The Mamre Road Precinct DCP will dictate road patterns, alignments, road widths, intersections, intersection treatments, cycle routes, cross sections, property dedications etc. Any development shall be consistent with the future Mamre Road Precinct DCP.
- Any road shall be designed to accommodate B-Triple vehicles.
- Cul-de-sacs are generally not supported. If they are to be considered, then they shall be designed to accommodate the turn movements of B-Triple vehicles.
- Heavy vehicle driveway access is to be separate from motor vehicle driveway access from a public road.
- The ultimate design of the Mamre Road / Precinct Roads / Bakers Lane / Aldington Road / Abbots Road / other Development Road intersection being either sign priority or left in / left out or roundabouts or Traffic Control Signalised (TCS) treatments. If any prior staged

development proposes to use this intersection prior to possible ultimate roundabouts or signalisation, then the interim stage treatment design shall be provided and show the time / development stage trigger and staged reconstruction connection to the ultimate design treatment.

- Council's position is that the ultimate intersections along Precinct major and collector roads including Bakers Lane, Addington Road and Abbots Road are to be signalised in order to provide accessible paths of travel and safe, accessible crossing points for pedestrians and bicyclists.
- Mamre Road/Abbots Road intersection, Abbots Road/ Aldington Road/ Bakers Lanes/ Southern Link Road /Mamre Road link and Bakers Lane/Southern Link Road/ Mamre Road intersection works shall be informed by detailed plans, long sections and cross sections that define the required alignment, intersection works, major drainage and structures, widening, landscaping, earthworks, acquisition and levels. All proposed Road reconstruction and cross sections shall comply with the DCP including:
 - Provision of kerbside road shoulders for parking, breakdown vehicles, service vehicles, clear zones, buses and bicycles in addition to the required through lanes each way in accord with Austroads guidelines.
 - Provision of a central median at least 5 metres wide.
 - Provision of verge widths to accommodate pathways and shared pedestrian pathways along each side.
 - Any required additional Left Turn Lanes are to be 3.5 metres wide and include an additional 2.0 metre wide through bicycle lane beside the parking / travel lane in accordance with Austroads guidelines.
 - All lanes are subject to additional widening to accommodate the turn paths of B-triple heavy vehicles at curves and intersections as determined by turn path design.
 - Pedestrian kerb ramps and pedestrian gaps in the centre medians shall be provided at all approach road to intersections in accordance with Austroads, TfNSW and Council guidelines and requirements.
- The proposed warehouse logistics hub development on the proposed lot may require amendment to respond to and comply with an agreed road network that stems from the above required analysis. Further, the heavy vehicle driveway access and aisle movements must be separate from light vehicle driveways and aisle movements to address safety considerations. There should also be at least a 1.8m wide accessible path from the road reserve / footpatj to the buildings and from the car parking to the buildings.

- A Traffic Assessment should be provided which addresses the impact of traffic generated by the ultimate development on the Mamre Road Precinct road network and the development's fit with the Mamre Road Precinct Masterplan, DCP and staged delivery of road network infrastructure as well as the type and volume of heavy vehicles accessing the development, assessment of staff and visitor parking and heavy vehicle access and turning swept paths, bicycle end of journey facilities and electric vehicle charging stations in accordance with AS 2890.1, AS 2890.2, TfNSW (formerly RMS) guidelines and Council Development Control Plan C10 / Mamre Road Precinct DCP and Council requirement.
- The development should be informed by a Transportation Mobility and Access Plan (TMAP – of the road, path, bicycle and bus network and infrastructure). This is recommended to inform engineering designs and documentation of the precinct road network including Aldington Road, Bakers Lane, Mamre Road, Abbots Road and internal roads and intersections.
- The engineering plans and documents should include staged works as required, development trigger points, horizontal and vertical alignments, longitudinal sections, cross sections, widening for cut / fill batters, major drainage and stormwater structures and widening, public utilities, land acquisition plans and estimates of costs.
- The engineering plans and documents are to include staged works as required, development trigger points, horizontal and vertical alignments, longitudinal sections, cross sections, widening for cut / fill batters, major drainage and stormwater structures and widening, public utilities, land acquisition plans and estimates of costs.
- The engineering plans and documents can inform the assessment of the traffic impact of this development on the road network, the required works to accommodate this traffic impact, the fit of this development with the staged development of the precinct and the required precinct roads and infrastructure delivery plan contributions and/or works in kind to be developed and managed by either/or DPIE, Council and / or land owners.

WASTE MANAGEMENT:

- The following controls relate to developments outlined within Part D – Land Use Controls of the Penrith Development Control Plan 2014
 - Waste collection vehicles proposed to service commercial and industrial developments are to be designed in accordance with the vehicle specifications outlined in section 3.5 of the '*Industrial, commercial and mixed-use waste management guideline*' document.
 - The vehicle must be able to safely and efficiently access the site and the nominated collection point to perform on-site waste collection. There must be sufficient manoeuvring area on-site to allow the collection vehicle to enter and exit the site in a forward direction and service the development efficiently with little or no need to reverse.
 - Swept path models to be provided illustrating how a standard waste collection vehicle (section 3.5) will enter, service and exit the site. A 0.5m unobstructed clearance is required from all obstructions for the

vehicle's ingress and egress manoeuvres. The model to provide on-street parking on both sides of the road adjacent to the development to demonstrate unobstructed access during a 'business as usual' configuration.

- All development applications should be submitted with accompanying 'Plan of Operations', outlining proposed; Bin Infrastructure Sizes, Collection Frequency, Waste Collection Vehicle Dimensions, Hours of Collection and Access to Waste Collection Room.
- Waste collection infrastructure to be provided in accordance with section 3.1 of the *'Industrial, commercial and mixed-use waste management guideline'* document.
- Proposed generates rates for respective developments are required to be provided to permit waste collection in accordance with section 3.3 of the *'Industrial, commercial and mixed-use waste management guideline'* document.
- For commercial and industrial waste streams that are not outlined in section 3.3, supporting documentation is required to validate the proposed volumes for the respective waste streams.
- All developments are required to provide a waste collection room integrated wholly within the developments-built form to permit a safe and efficient waste collection service. The room will to incorporate infrastructure into its design in accordance with section 3.4 of the *'Industrial, commercial and mixed-use waste management guideline'* document.
- For further specific waste operational and infrastructure information refer to the *'Industrial, commercial and mixed-use waste management guideline'* document attached:

<https://www.penrithcity.nsw.gov.au/Building-and-Development/Development-Applications/Forms/>

Bianca Thornton

From: Melissa Rassack
Sent: Tuesday, 27 April 2021 10:18 AM
To: Bianca Thornton
Cc: Liza Miller
Subject: Central (Western) comments re: Request for input to SEARs - 155-217 Aldington Road Estate (SSD-17552047)

Hi Bianca

Thank you for the opportunity to provide input into the SEARS for SSD-17552047.

In June 2020, the Mamre Road Precinct was zoned for industrial purposes and the Structure Plan for the Precinct was approved. The draft DCP for Mamre Road Precinct was exhibited from 10 November to 17 December 2020 and is currently being finalised. The DCP will provide detailed design controls for development in the precinct in line with the approved Structure Plan and the development controls within the WSEA SEPP.

The following comments are provided in relation to SSD 17552047:

- The EIS, concept plan and supporting plan must demonstrate that the development will be consistent with the provisions within the WSEA SEPP and the draft Mamre Road DCP. Sufficient detail in architectural plans, landscape plans and supporting reports should be provided as part of the EIS to demonstrate compliance. This includes:
 - o Building controls such as setbacks, built form, landscaping and height controls.
 - o The management of flood prone lands as it applies the DCP
 - o The management of riparian lands as it applies to the DCP
 - o How matters of stormwater management and flood risk address the integrated water cycle management as set out in the Mamre Road DCP.
 - o Demonstration that the proposal does not impede the functioning of the trunk drainage infrastructure across the site to the satisfaction of the trunk drainage manager.
 - o Areas of known and potential Aboriginal heritage and their management
 - o Demonstration of how the proposal will support the internal road pattern for the Mamre Road precinct and achieve performance objectives relating to transport as specified in the Mamre Road DCP. It is noted that the site adjoins Aldington Road which is a distributor road under the draft DCP. Aldington Road is access denied and the development should allow for road widening to cater for future intersections, road widening for a 30.6m road corridor and adequate landscape setback in line with the draft DCP controls.
 - o How bulk earthworks and the road pattern were prepared to connect to adjoining sites to enable their feasible development for industrial purposes (as proposed in the WSEA SEPP amendment and Structure Plan). In this regard, Stage 1 should include roads being deliver to adjoining lots.
 - o Demonstrate how the proposal considers the physical and natural features of the site and the immediate surrounding area and provides a streetscape design and landscaped transition to the public realm that is consistent with the Mamre Road DCP.
 - o The EIS must include a plan for vegetation management which includes the identification any trees to be removed and trees to be retained or transplanted; and, demonstrates how the landscape design will contribute to the Greater Sydney Regional Plan canopy cover.
 - o The EIS must demonstrate how views and visual impacts relating to the site will be maintained as specified in the Mamre Road DCP.
- The Western Sydney Aerotropolis SEPP is also a matter for consideration. This includes particular development controls regarding referrals and airport safeguarding requirements that extend to this land. The obstacle limitation surface development controls apply, which may impact on building design, including height.
- Agencies to be consulted:

- o TfNSW (Freight and Road)
- o NRAR
- o Sydney Water
- o Airport Operator (where relevant)
- o DPIE (Central Western) team
- o DPIE (Green and Resilient Places, Biodiversity Planning)
- State and Local infrastructure contributions will apply. Relevant State agencies and Penrith City Council should be consulted with regarding this matter.
- The applicant should consult with DPIE Infrastructure and Place regarding the preparation of a VPA with the Minister for Planning and Public Spaces to satisfy the requirements of Clause 29 of the WSEA SEPP for the provision of regional transport infrastructure.

Kind regards

Melissa Rassack
Manager, Place and Infrastructure (Central (Western))

Greater Sydney, Place and Infrastructure | Department of Planning, Industry and Environment
T 02 8837 6345 | **M** [REDACTED] | **E** Melissa.Rassack@planning.nsw.gov.au
 Level 18, 4 Parramatta Square, Parramatta NSW 2150
www.dpie.nsw.gov.au



**Planning,
 Industry &
 Environment**

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

Greener Places, Great Public Spaces



dpie.nsw.gov.au/premiers-priorities

Bianca Thornton

From: tsmith@wsaco.com.au
Sent: Wednesday, 28 April 2021 2:44 PM
To: Bianca Thornton
Cc: Kirk Osborne
Subject: RE: [SEC=OFFICIAL] FW: Request for input to SEARs - 155-217 Aldington Road Estate (SSD-17552047)

OFFICIAL

Hi Bianca,

Thanks for the below opportunity to comment. Please note the following points:

General comments:

- The future Development Application needs to have regard for relevant provisions of *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020*, with particular focus on the provisions of Part 3 of the Aerotropolis SEPP.
- Detail should be provided to ensure that the development will not interfere with the protected airspace of Western Sydney Airport.

Wildlife Attraction:

- Given that the site is within the 3-8km wildlife buffer, consideration needs to be given to the landscape species selected, to ensure that wildlife attraction risk is adequately addressed.
- Any proposed fill should be detailed, noting the fill uses need to be non-putrescible.
- Waste Management measures should be detailed, including measures to mitigate wildlife attraction (e.g. storage of waste indoors).

Traffic:

- Potential traffic impacts from the proposed development should be considered on a cumulative scale, taking into account projects being undertaken concurrently including other projects in the Mamre Road Precinct, the M12 Motorway, Sydney Metro Western Sydney Airport and Western Sydney Airport.

Happy to discuss further as required.

Kind regards,

Tim

Tim Smith
Planning Manager

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PO Box 397 Liverpool NSW 1871



OFFICIAL

30 April 2021

Bianca Thornton
Planning Officer, Industry Assessments
Department of Planning, Industry and Environment

Via email: bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton,

Advisory Comments on Request for Secretary Environmental Assessment Requirements (SEARS) for (SSD-17552047)

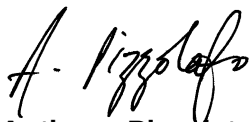
Thank you for the opportunity to provide feedback regarding the SEARs for State Significant Development (SSD-17552047) at No's 155 – 217 Aldington Road, Kemps Creek (Lot 33 DP258949 and Lots 25-28 DP255560).

It is understood the Proponent is seeking to obtain SEARs for a warehouse and logistics hub development comprising of a 9 lot subdivision, warehouse and distribution centre, construction of internal public estate roads, car parking, bulk earthworks, vegetation clearing, an access road, civil works and utilities servicing.

The Western Sydney Planning Partnership (the Partnership) does not object to the provision of the SEARs. Matters for the consideration of the Proponent for inclusion in the preparation of the Environmental Impact Statement are provided at **Attachment 1**. It is expected the Western Parkland City team of DPIE will also provide comments on items relating to planning for the Mamre Road precinct.

I trust this information has been of assistance. If you have any more questions, please contact Lance Collison, Senior Planning Officer, Planning Partnership Office on 9860 1536 or via email at lance.collison@planning.nsw.gov.au.

Your sincerely



Anthony Pizzolato
Manager – Aerotropolis, Western Sydney Planning Partnership

Attachment 1 – Detailed comments on SSD-17552047

Strategic Planning Context

The subject site at No's 155-217 Aldington Road, Kemps Creek is located within the Mamre Road precinct of the Western Sydney Aerotropolis. The site is identified for future employment land under the Western Sydney Aerotropolis Plan (WSAP). The land is zoned IN1 General Industrial under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). The proposed development is a permitted use with consent under the IN1 zone.

Application assessed against the Western Sydney Aerotropolis State Environmental Planning Policy (Aerotropolis SEPP)

Whilst the land is zoned under the WSEA SEPP, certain provisions of the State Environmental Planning Policy - Western Sydney Aerotropolis 2020 (Aerotropolis SEPP) apply to the site. The Aerotropolis SEPP applies to the site for the purpose of aligning the strategic objectives and Western Sydney Aerotropolis Plan and to also protect the future operations of the airport with airport safeguarding provisions.

Part 3 Development controls—Airport safeguards

The applicant must ensure that the proposal is consistent with aviation safeguarding requirements contained within the Western Sydney Aerotropolis Planning Package. This includes the Western Sydney Aerotropolis Plan and the State Environment Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP). More specifically, the applicant shall address Section 5 (Safeguarding the 24-hour airport) of the Western Sydney Aerotropolis Plan and Part 3 (Development Controls-Airport safeguard) of the Aerotropolis SEPP.

It is noted that the subject site is situated north-east of the future Western Sydney International Airport and falls within the Australian Noise Exposure Forecast (ANEF) 20-25 contour. The proposed use for a warehouse and distribution centre is an acceptable development within these contours.

The site is also within the 8 km wildlife buffer zone on the Wildlife Buffer Zone Map of the SEPP and careful consideration must be given to any proposed vegetation or landscaping to minimise wildlife attraction as per Clause 21 of Part 3 of the Aerotropolis SEPP.

Wildlife Management

Please note, in accordance with Clause 21(2) of the Aerotropolis SEPP, development consent must not be granted to relevant development on land in the 13 km wildlife buffer zone unless the consent authority—

- a) has consulted the relevant Commonwealth body, and
- b) has considered a written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport provided by the applicant, which includes:
 - i. species, size, quantity, flock behaviour and the particular times of day or year when the wildlife is likely to be present, and
 - ii. whether any of the wildlife is a threatened species, and
 - iii. a description of how the assessment was carried out, and
- c) is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport, including, for example, measures relating to—

- i. waste management, landscaping, grass, fencing, stormwater or water areas, or
- ii. the dispersal of wildlife from the land by the removal of food or the use of spikes, wire or nets

Further, in accordance with Clause 21(4) of the Aerotropolis SEPP, relevant development means development for the following purposes—

- a) agricultural produce industries,
- b) aquaculture,
- c) camping grounds,
- d) eco-tourist facilities,
- e) garden centres,
- f) intensive livestock agriculture,
- g) intensive plant agriculture,
- h) livestock processing industries,
- i) plant nurseries,
- j) recreation facilities (major),
- k) recreation facilities (outdoor),
- l) sewage treatment plants,
- m) waste or resource management facilities that consist of outdoor processing, storage or handling of organic or putrescible waste,
- n) water storage facilities.

It is unlikely the proposal relates to any of the relevant development listed above, therefore consideration must be given to Clause 21 of the Aerotropolis SEPP. However, the proponent will need to demonstrate compliance with this Clause of the SEPP.

Application assessed against the Western Sydney Aerotropolis Plan (WSAP)

The WSAP establishes a vision, objectives and principles for the development of the Aerotropolis. The Mamre Road precinct is generally identified for industrial uses and may initially support the infrastructure that enables the construction of the Airport and Aerotropolis. Page 70 of the WSAP outlines the key considerations, strategic outcomes and implementation strategies for the Mamre Road Precinct and an assessment of the proposal against this is requested.

An analysis of the proposal should also be given against the Aerotropolis planning principles contained in the Appendix (pages 92-94).

--- END OF COMMENTS ---

22 April 2021

TfNSW Reference: SYD21/00456/01
Departments Reference: SSD-17552047

Department of Planning, Industry and Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Bianca Thornton

Dear Ms Thornton

REQUEST FOR SEARS - ALDINGTON ROAD ESTATE - 155-217 ALDINGTON ROAD, KEMPS CREEK

Reference is made to the Department's correspondence dated 15 April 2020, requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

TfNSW has reviewed the submitted scoping report and other supporting documentation and provides the following advice for consideration to the draft SEARs in **Attachment A – Key Issues**.

Mamre Road is being investigated for the long term widening. Additionally, the Southern Link Road corridor is being investigated and will likely alter the northern section of Aldington Road and the intersection of Mamre Road/Bakers Lane.

Due to the Covid-19 Pandemic, counts undertaken at the moment may not be representative. Alternative approaches to understand the impact of Covid-19 on traffic patterns should be discussed with TfNSW.

It is suggested the applicant meet with TfNSW to discuss these issues and the options available prior to undertaking a traffic impact assessment.

If you have any further questions, Ms Laura van Putten would be pleased to take your call on (02) 8849 2480 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely



Pahee Rathan
Senior Land Use Assessment Coordinator
Transport for NSW

Attachment A – Key Issues

Transport and Accessibility

Provide a transport and accessibility impact assessment, which includes, but is not limited to the following:

1. Details of all traffic types and volumes likely to be generated by the proposed development during construction and operation, including a description of haul route origins and destinations, including:
 - a. Daily inbound and outbound vehicle traffic profile by time of day and day of week (if travel patterns differ across the week);
 - b. Site and traffic management plan on how to manage number of vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the surrounding road network;
 - c. Detailed plan of proposed layout of internal road network to demonstrate that the site will be able to accommodate the most productive vehicle types and parking on site in accordance with the relevant Australian Standard and Council's Development Control Plan;
 - d. Plans detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes;
 - e. demonstrate compliance with the *Western Sydney Employment Area State Environmental Planning Policy*, Part 6; clause 33C; Development within the Mamre Road Precinct; specifically:
 - i. integration with the Mamre Road Precinct dedicated freight corridor (DFC), including provision for access from the DFC to the entire estate. The applicant should continue to liaise with TfNSW to ensure the DFC is incorporate;
 - f. Swept path diagrams to demonstrate vehicles entering, exiting and manoeuvring throughout the site;
 - g. An assessment of the forecast impacts on traffic volume generated on road safety and capacity of road network including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model as prescribed by TfNSW (former Roads and Maritime). The traffic modelling should consider the scenarios of year 2026, 2031, 2036. These should include, but not be limited to:
 - i. Mamre Road at Bakers Lane (Aldington Road); and
 - ii. Mamre Road at Abbots Road.

- h. An assessment of potential impact on load road pavement lifespan including:
 - i. Aldington Road/ Bakers Lane/ Abbotts Road; and
 - ii. Mamre Road.
- i. To ensure that the above requirements are fully addressed, an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model. This is to include the identification and consideration of approved and proposed developments/planning proposals/road upgrades in the vicinity. The assessment needs to consider the impact on Aldington Road for the duration of the works because traffic growth in this area is expected to increase more quickly than standard growth rates;
- j. details of road upgrades, infrastructure works, or new roads or access points required for the development;
- k. details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and specific Workplace Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site;
- l. details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed development; and
- m. measures to integrate the development with the existing/future public transport network.
- n. The preparation of a preliminary Construction Pedestrian and Traffic Management Plan (CPTMP) to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
 - i. assessment of cumulative impacts associated with other construction activities (if any);
 - ii. an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity;
 - iii. details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process;
 - iv. details of anticipated peak hour and daily construction vehicle movements to and from the site;
 - v. details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle;
 - vi. details of temporary cycling and pedestrian access during construction.

2. Traffic Counts:

TfNSW requests that any counts undertaken are not within close proximity to the school holidays/long weekend.

Counts undertaken within close proximity to these events may not indicate normal traffic conditions. Ideally vehicle counts should be undertaken during a typical day, to include Thursday (or Wednesday) and Friday for the study (not near school/public holidays). This will provide the departments with an accurate understanding of the existing traffic conditions and the actual impact of this development application to the surrounding network.

Should the date of the counts be within a week either side of the above events, it will be recommended that new counts are undertaken at more appropriate dates and are to include a breakdown of light and heavy vehicles.

Flooding:

The EIS shall:

- Provide a flood impact assessment to understand the potential impacts of the development on flood evacuation is to be carried out. To assess the impacts of the proposed development, information for pre and post-development scenarios including modelling of the local overland flows are to be provided to allow assessment of the impact of the development.

Statutory and Strategic Framework

The applicant is to demonstrate that the proposal is generally consistent with all relevant environmental planning instruments including:

- State Environmental Planning Policy (Western Sydney Employment Area) 2009 Amendment
- State Environmental Planning Policy (Infrastructure) 2007
- Draft State Environmental Planning Policy (Western Sydney Aerotropolis)

In addition (but not limited to) the following plans and reports:

- Future Transport 2056 and supporting plans
- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).
- Freight and Ports Plan 2018-2023
- Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas.
- Cycling Aspects of Austroads Guides.
- NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004).
- Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Austroads, 2020).
- Australian Standard 2890.3 Parking facilities, Part 3: Bicycle parking (AS 890.3).
- Draft Mamre Road Precinct Structure plan - Local Road Network Structure Plan
- Mamre Road Upgrade Strategic Design Report (2016)
- Mamre Road Upgrade Strategic Design Plans
- Southern Link Road Strategic Design Plans

Consultation

During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.

In particular you must consult with:

- Transport for NSW



OUT21/4897

Bianca Thornton
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

155-217 Aldington Road Estate (SSD-17552047)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

I refer to your email of 15 April 2021 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following recommendations are provided by DPIE Water and NRAR.

The SEARS should include:

- The identification of an adequate and secure water supply for the life of the project. This includes confirmation that water can be sourced from an appropriately authorised and reliable supply. This is also to include an assessment of the current market depth where water entitlement is required to be purchased.
- A detailed and consolidated site water balance.
- Assessment of impacts on surface and ground water sources (both quality and quantity), related infrastructure, adjacent licensed water users, basic landholder rights, watercourses, riparian land, and groundwater dependent ecosystems, and measures proposed to reduce and mitigate these impacts.
- Proposed surface and groundwater monitoring activities and methodologies.
- Consideration of relevant legislation, policies and guidelines, including the NSW Aquifer Interference Policy (2012), the Guidelines for Controlled Activities on Waterfront Land (2018) and the relevant Water Sharing Plans (available at <https://www.industry.nsw.gov.au/water>).

Any further referrals to DPIE Water & NRAR can be sent by email to:
landuse.enquiries@dpi.e.nsw.gov.au.

Yours sincerely

Simon Francis
Senior Project Officer, Assessments
Water – Knowledge Division
26 April 2021

Our Ref: C21/213

26 April 2021

Your Ref: SSD-17552047

Ms Bianca Thornton
via Major Projects Portal
c/o: bianca.thornton@planning.nsw.gov.au

Ms Thornton,

Request for consultation – Planning Secretary’s Environmental Assessment Requirements (SEAR’s) for proposed warehouse and logistics hub at 155-217 Aldington Road, Kemps Creek NSW 2178 (Lot 33 DP 2589 & Lots 25-28 DP 255560)

Thank you for your referral seeking consultation on the proposal from DPI Fisheries, a division of NSW Department of Primary Industries on the proposed works stated above.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the Scoping Report prepared by Willow Tree Planning (April, 2021). Information requirements that may be of assistance in the preparation of an environmental assessment for this proposal are listed below in Attachment 1 and Attachment 2 contains relevant guidelines for assessment.

If you require any further information, please contact Josi Hollywood on (02) 4222 8311 or josi.hollywood@dpi.nsw.gov.au

Yours sincerely,



Scott Carter
Senior Fisheries Manager, Coastal Systems Unit

Attachment 1 – General information requirements for environmental assessment

Fisheries NSW recommends that development proposals comply with the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* (referred to hereafter as P&GLs) (found at <https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation>)

Issue	Information requirements for environmental assessment
A: General Requirements	- site address and contact details - property description (e.g. Lot and DP numbers) - a clear description of the proposal including details of construction methods and materials - map(s) of the development area and adjacent areas - this should include nearby waterways, adjacent infrastructure (such as jetties) and land use - clear photographs of the site (at low and high tide in estuaries), including photographs of any riparian and aquatic vegetation present (including pest species such as <i>Caulerpa taxifolia</i>) - location of any oyster leases or other aquaculture facilities and recreational and commercial fishing areas within the subject waterway - a description of the potential direct and indirect impacts on aquaculture, commercial and recreational fishing from the development - a clear description of the physical and hydrological features of the development area (which may extend upstream and downstream of the development site in the case of flowing rivers or tidal waterways) - approximate depth contours within 20 metres of the proposal - a clear description of aquatic environments including: - fish in the locality, including threatened and protected species, populations, ecological communities, pest species or presence of 'critical habitat' under the FM Act or EPBC Act - an aquatic and riparian vegetation survey map of the area which shows the location and/or coverage of saltmarsh, mangrove, seagrass, macroalgae, macrophytes, riparian vegetation and snags - description of aquatic habitat TYPE on site (see Table 1 in the P&GLs) - description of the waterway CLASS (see Table 2 in the P&GLs) - details of the nature, timing, magnitude and duration of the proposed disturbance to the aquatic environment - assessments of predicted impacts upon any threatened species (fish and marine vegetation) (i.e. completion of a 7 part test and/or species impact statement(s)) and other aquatic flora and fauna - details of any mitigation measures to limit environmental impacts - details of the general regional context, any protected areas, other developments in the area, and/or cumulative impacts - a copy of the land owner's consent where relevant - notification of any other matters relevant to the proposal and of interest to NSW DPI
Dredging and reclamation activities	- purpose of works - type(s) and distribution of marine vegetation in the vicinity of the proposed works - method of dredging to be used - timing and duration of works - dimension of area of works including levels and volume of material to be extracted or placed as fill - nature of sediment to be dredged, including Acid Sulphate Soil, contaminated soils etc - method of marking area subject to works - environmental safeguards to be used during and after works - measures for minimising harm to fish habitat under the proposal - spoil type and source location for reclamation activities - method of disposal of dredge material - location and duration of spoil stockpiling, if planned
Activities that damage marine vegetation	- type of marine vegetation to be harmed - map and density distribution of marine vegetation - reasons for harming marine vegetation - methods of harming marine vegetation - construction details - duration of works/activities - measures for minimising harm to marine vegetation under the proposal and details of compensatory habitat development to replace lost vegetation. - method and location of transplanting activities or disposal of marine vegetation.
Activities that block fish passage	- type of activity eg works in a stream that change flow or morphological characteristics - length of time fish passage is to be restricted - timing of proposed restriction - remediation works
B. Aquatic habitat assessment	The aim of the aquatic assessment should be to define the presence of 'key fish habitat' within the study site, adjacent areas (upstream and downstream), and the broader regional area. There may be a range of potential fish habitats that could be impacted by a particular activity. Some points to consider include:

	- geomorphic characteristics of the waterway (i.e. what characteristics of a CLASS 1-4 waterway does it have (see Table 2 in P&GLs)? Is it a gully, intermittent stream or major river? Does it have deep pools or in-stream gravel beds? Is it a wetland? Does the watercourse connect with other watercourses upstream or downstream? What is the slope/gradient?) - is it mapped as key fish habitat? (see www.dpi.nsw.gov.au/fisheries/habitat/protecting-habitats#KFH for maps of key fish habitat per Local Government Area) - flow regime of the watercourse (e.g. is it an intermittent or permanently flowing stream? What is the range of water velocity of the flow? What are the maximum and minimum or percentile flows (in megalitres/day) for the watercourse?) - description of local wave and current regimes (in tidal areas) - description of the water quality (e.g. discolouration, sedimentation, turbidity, pH, dissolved oxygen, nutrients) - types of surrounding land use (e.g. agricultural, urban, aquaculture) - condition of riparian vegetation (i.e. present or absent. Are the species native or exotic? Is the density of vegetation thick or sparse?) - condition of freshwater aquatic vegetation (i.e. present or absent. Are the species native or exotic? Is the density of vegetation thick or sparse? Is it continuous or sparse in coverage? What is the aerial extent of major vegetation types? Is the vegetation healthy or degraded?) - condition of marine vegetation (i.e. information on type, species, shoot density and/or percentage cover. Is the vegetation continuous or sparse in coverage? What is the aerial extent? Is the vegetation healthy or degraded? Is wrack (dead seagrass or macroalgae) present?) - presence of wetlands nearby (including freshwater wetlands and saltmarsh) (i.e. are wetlands protected under any legislation (e.g. SEPP 14 coastal wetlands, Ramsar wetlands)? Are the wetlands in a healthy or degraded condition?) - substrate type (e.g. rock, sand, gravel, silt) - presence of refuge areas (e.g. adjacent wetlands, upstream pools) - presence of spawning areas (e.g. gravel beds, snags, reed beds, saltmarshes) - presence of natural or artificial barriers to fish passage upstream and downstream (e.g. waterfalls, cascades, weirs, dams, floodgates, road crossings) - types of migratory fish or other aquatic species likely to inhabit the areas (based on known distribution range within the scientific literature) - timing of construction in relation to any fish migration seasons - timing of construction in relation to flow conditions relative to expected wet seasons presence of any listed threatened or protected aquatic species or 'critical habitat' under the FM Act and EPBC Act
C. Aquatic fauna assessment	For aquatic fauna studies, sites where fish and/or other aquatic fauna are well documented, and no threatened species are recorded, a site inspection and desktop review of the study site and regional area may be the required level of assessment. During the completion of the planning phase for a new project, it may be determined that a detailed aquatic survey is required. Detailed surveys are to be undertaken only after direct consultation with NSW DPI as permits are required for sampling aquatic fauna under the FM Act. The Department of Planning and Infrastructure has developed a document entitled <i>Aquatic Ecology in Environmental Impact Assessment</i> (Lincoln-Smith 2003) which may also assist in the survey design. Note that a detailed survey may be required: - where the project is on a CLASS 1 or 2 watercourse (see Table 2 in P&GLs) or where it has been identified that there may be a significant impact on a threatened aquatic species; and/or - where the project crosses through, over or within a 'critical habitat' and a Species Impact Statement is required.
D. Assessment of likely impacts	- indicate the location, nature and extent of habitat removal or modification (both direct and indirect) which may result from the proposed action; - discuss the potential impact of the modification or removal of habitat (potential direct and indirect sources of impact are stated in the letter with this attachment). Note: In defining the proposal area, discussion must be provided regarding possible indirect effects of the proposal on species/habitats in the area surrounding the subject site: for example, through altered hydrological regimes, soil erosion or pollution.
E. Ameliorative measures	The environmental assessment should consider and provide detail on how the proposal has been or may be modified and managed to minimise impacts and conserve aquatic habitat on the subject site and in the study area.

Attachment 2 – Guidelines for assessment

Title	Location
<i>Policy and Guidelines for Fish Habitat Conservation and Management (2013)</i>	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation
<i>Fish Passage Requirements for Waterway Crossings and Policy (2003) and Guidelines for Fish Friendly Waterway Crossings (2003)</i>	https://www.dpi.nsw.gov.au/fishing/habitat/threats/barriers

27 April 2021

Our Ref: 190802

Bianca Thornton

Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry & Environment
4 Parramatta Square, Parramatta NSW 2150
bianca.thornton@planning.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-17552047 155-217 Aldington Road Estate

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the abovementioned state significant development, which proposes development of a warehouse and logistics hub including construction and operation of two warehouses connected by a breezeway and comprising 64,260 m² of floor space as well as a 9-lot Torrens Title subdivision. We have reviewed the proposal and provide the following comments for your consideration.

Water and Wastewater Servicing

- The proponent, Frasers Property, has engaged a Water Servicing Coordinator (WSC) and submitted a feasibility application under case number 190802. Sydney Water will continue to liaise directly with the proponent via this case and any future cases.
- We note there are currently capacity constraints in the Cecil Park Water Supply Zone (WSZ), and that this development may be dependent on delivery of trunk potable water infrastructure by a separate developer as well as Sydney Water.
- Currently, no wastewater servicing is available to the site. Sydney Water plans to deliver Stage 1 wastewater to service this catchment within Mamre Road precinct by about mid-2023. Future stages will be delivered in line with growth within the precinct.
- Where high-water users are identified, commercial agreements or further studies may be required.

Recycled Water

- Sydney Water supports recycled water in this precinct. Sydney Water wrote to DPIE in December 2020 to notify our intent to supply recycled water to this precinct from the new Upper South Creek Advanced Water Recycled Centre. Sydney Water recycled water (DSP) charges are to be confirmed.
- We will continue to work with the developer to progress a suitable recycled water solution for the proposed development.
- Construction of recycled water reticulation mains on-site should be in accordance with Sydney Water requirements.

Further input to the SEARs for this proposal can be found in Attachment 1. If any further information is required, please contact the relevant account manager, Shalini Gonsalves, via shalini.gonsalves@sydneywater.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'K. Leitch', with a stylized flourish extending to the right.

Kristine Leitch

Growth Intelligence Manager

City Growth and Development, Sydney Water

1 Smith Street, Parramatta NSW 2150

Attachment 1

Proposed SEARs Requirements

Sydney Water requests that the Department of Planning, Industry and Environment include the following Secretary's Environmental Assessment Requirements relating to the provision of water-related services for the subject site:

Water-related Infrastructure Requirements

1. The proponent of development should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (if required) services have been made.
2. The proponent must obtain endorsement and/or approval from Sydney Water to ensure that the proposed development does not adversely impact on any existing water, wastewater or stormwater main, or other Sydney Water asset, including any easement or property. When determining landscaping options, the proponent should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.
3. Strict requirements for Sydney Water's stormwater assets (for certain types of development) may apply to this site. The proponent should ensure that satisfactory steps/measures been taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets and building bridges over stormwater assets. The proponent should consider taking measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.
4. As this development creates trade wastewater, Sydney Water has trade wastewater requirements which need to be met. By law, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. The proponent must obtain Sydney Water approval for this permit before any business activities can commence. Given this development comprises industrial operations, wastewater may discharge into a sewerage area that is subject to wastewater reuse. Please contact Sydney Water's Business Customer Services to send your permit application or to find out more information. They can be contacted at the following email address: businesscustomers@sydneywater.com.au.

Integrated Water Cycle Management

5. The proponent should outline any sustainability initiatives that will minimise/reduce the demand for drinking water, including any alternative water supply and end uses of drinking and non-drinking water that may be proposed, and demonstrate water sensitive urban design (principles are used), and any water conservation measures that are likely to be proposed. This will allow Sydney Water to determine the impact of the proposed development on our existing services and required system capacity to service the development.

26 April 2021

Contact: *Justine Clarke*

Telephone: *0457 535 955*

Our ref: *D2021/50835*

Bianca Thornton
Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Thornton

155-217 Aldington Road Estate – Request for SEARs (SSD 1755047)

Thank you for your email dated 15 April 2021 requesting WaterNSW's input into the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above proposal at 155-217 Aldington Road, Kemps Creek. 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.

WaterNSW owns and manages the Warragamba Pipelines, critical water supply infrastructure located approximately 2.2km downstream of the development site. The Pipelines convey water from Warragamba Dam to the Prospect Water Filtration Plant and are an integral component of the Sydney drinking water supply system. It is essential this water supply infrastructure is protected from the potential impacts of upstream development.

The development will need to consider the downstream impacts on the Pipelines corridor, specifically surface water flow properties for pre- and post-development scenarios. It is a WaterNSW requirement that post-development flows that enter or are conveyed across the Pipelines corridor must be equal to or less than the pre-development flows for each storm event up to and including 1% AEP event.

WaterNSW requests the following points be included in the SEARs and addressed in the subsequent Environmental Impact Statement (EIS) for the proposal, as this will assist WaterNSW to determine any potential impact on the downstream Warragamba Pipelines Corridor.

- Consideration of the Mamre Road Precinct planning controls and objectives, including a detailed assessment against the provisions of the Draft Mamre Road Precinct DCP and how they will be achieved.
- An assessment of the impacts of the proposed development on hydrology. The EIS should include a water balance that models pre- and post-development flows that enter and leave the site, including volume, frequency and quality of discharges.
- The EIS should include a stormwater management strategy that ensures safe and appropriate management and disposal stormwater without negative impacts on downstream or neighbouring allotments.

WaterNSW would appreciate being advised when the EIS is exhibited for further review, and requests the Department continues to consult with us on any development that may impact on our assets, infrastructure or land, using the email address Environmental.Assessments@waterNSW.com.au.

If you have any questions regarding this letter, please contact Justine Clarke at justine.clarke@waterNSW.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AK' followed by a long horizontal stroke.

ALISON KNIHA
Catchment Protection Planning Manager



DOC21/293326-2

Department of Planning, Industry and Environment
Locked Bag 5022,
Parramatta NSW 2124

Email: bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton,

**PROPOSED 9 LOT SUBDIVISION AND WAREHOUSE AND LOGISTICS HUB
155-217 ALDINGTON ROAD ESTATE - KEMPS CREEK (SSD-17552047)**

I am writing in reply to the Department of Planning, Industry and Environment's (DPIE) request for the Environment Protection Authority (EPA) to provide key requirements for the preparation of Environmental Impact Statement (EIS) for the above proposed development.

The EPA has attached some guidance to assist DPIE in the development of Secretary Environmental Assessment Requirements for the above proposal (**Attachment A**). This guidance relates to the following key environmental issues:

- EPA Licensing and Regulation
- Water Quality
- Air Quality
- Noise and Vibration
- Waste Management
- Contaminated Land Management
- Emergency Response.

These issues should be assessed per the relevant guidelines/documents listed in **Attachment B**.

While the Western Sydney Aerotropolis Precinct Plans are still only draft and yet to be finalised and the adjoining Mamre Road Precinct is being delivered through a separate planning process, the use of information and approaches in the Plans should be encouraged to help inform the development of the EIS. In particular, the sustainability and resilience framework.

The EPA may have additional requirements or comments upon receipt and review of the EIS.

If you have questions regarding the above, please contact Paul Wearne on (02) 4224 4100.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Greg Newman'.

29/4/2021

GREG NEWMAN
A/Unit Head Regulatory Operations
Metropolitan South

Att A: Key Environmental Issues , Att B: Guidance Material

Phone 131 555
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(from outside NSW)

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ATTACHMENT A - KEY ENVIRONMENTAL ISSUES

1. EPA Licensing and Regulation

The proponent should undertake a review of all activities associated with the development and document any EPA licensing requirements. The proponent should consult the EPA's Guide to Licensing to assess whether any activities undertaken at the premises will require licencing.

The supporting information states that no activities may require licencing. It is important that any licencing considerations should be assessed once more detailed understanding of the proposal is available. For example, while the supporting information states that some hazardous substances will be stored on the site, activities that involve the capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form) would require licensing as "Chemical Storage" under the *Protection of the Environment Operations Act 1997* (POEO Act).

Section 47 of the *POEO Act* defines scheduled development work as '*work at any premises at which scheduled activities are not carried on that is designed to enable scheduled activities to be carried on at the premises*'. Under Section 47 of the *POEO Act* it is an offence for scheduled development work to be undertaken without an EPL.

2. Water Quality

The environmental outcome for the project should ensure:

- there is no pollution of waters (including surface & groundwater) except in accordance with an EPL
- provides development that maintains or restores the community's environmental uses and values of water through the achievement of the relevant NSW Water Quality and Flow Objectives
- promotes integrated water cycle management that optimises opportunities for sustainable water supply, wastewater and stormwater management and reuse initiatives where it is safe and practicable to do so
- bunding is designed in accordance with the EPA's Bunding and Spill Management Guidelines.

The EIS should document how the above outcomes will be achieved.

The EIS should also include but not necessarily be limited to the following matters:

- Details on proposed stormwater management at the site including integrated water cycle management/water sensitive urban design, first flush systems etc.
- Provide a description of the receiving waters including measures to ensure the achievement of the relevant NSW Water Quality and Flow Objectives in particular, how the proposal will support waterway health outcomes being sought for Winanamatta- South Creek (See WS Draft Aerotropolis Precinct Plan)
- Provide information on any water discharges including location, volumes, water quality, monitoring programs and frequency of discharge.
- Describe the nature and degree of any likely impacts that the proposed project may have on the receiving environment. This should include a characterisation of potential water pollutants at the site and any associated mitigation and management measures.
- Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.
- Information on any stormwater reuse, retention and detention strategies including measures to minimise impervious areas to minimise impacts on the hydrological (flow) regime of receiving waterways.

- Describe how stormwater will be managed during the construction phase. The proponent should provide a commitment in the EIS that a *Soil and Water Management Plan* will be developed and implemented prior to construction in accordance with the *Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B. Waste landfills; C. Unsealed roads; D. Main Roads; E. Mines and quarries)* (DECC 2008).
- Identify any potential risks of salinity at the site and document appropriate management strategies to inform the design and construction of the proposal. This should include options including minimising any disturbance to the soil profile.

Sewage Management

There appears to be no information provided regarding connection of the proposed development to the existing Sydney Water sewerage system. The EPA recommends that the proponent document in the EIS discussions with Sydney Water regarding this connection and whether it can cater for any new loads. Information should also be sought on whether any additional load will impact the system's environmental performance especially in relation to sewage overflows from any existing sewage pumping stations and discharges from any associated sewage treatment plant. The EPA's policy is that for new systems there should be no pollution of waters as a result of overflows during dry weather and that overflows during wet weather should be avoided.

3. Air Quality

The environmental outcome for the project should ensure:

- emissions do not cause adverse impact upon human health or the environment
- no offensive odour beyond the boundary of the premises
- compliance with the requirements of the POEO Act and its associated regulations
- maintains or improves air quality to ensure National Environment Protection Measures for ambient air quality are not compromised
- any dust emissions are prevented or minimised.

The EIS should document how the above outcomes will be achieved.

The EPA recommends that an Air Impact Assessment must be prepared in accordance with the *Approved Methods and Guidance for the Modelling and Assessment of Air Pollutants in New South Wales*. A thorough assessment needs to be undertaken of the proposed activities at the site to assess the impact of any air emissions and the adequacy of proposed air pollution controls. This should include but not necessarily be limited to information on the following matters:

- characterization of any emissions (including any fugitive emissions) for example NO_x, VOCs, particles and odours
- best practice management measures to control emissions
- any cumulative impacts.

In particular back up power generation of electricity with diesel equipment can also be a source of PM₁₀, PM_{2.5} and NO_x. In this regard if the proposal involves back up power generation of electricity with diesel equipment that has the capacity to burn more than 3 megajoules of fuel per second, the EIS should document a best practice review of reasonable and feasible diesel emission reduction technology.

Off road transport sources (particularly diesel engines) can be a source of PM₁₀, PM_{2.5} and NO_x. Opportunities that involve the adoption of best practices to achieve the lowest possible emission standard for these pollutants should be assessed. The EPA recommends that any off road equipment or plant should achieve the specifications or be consistent with the specifications listed on page 16 of the *NSW Government Resource Efficiency Policy*, (OEH 2019).

The EIS should detail measures to prevent or minimise air pollution during construction and operation. The EIS should include a commitment that the proponent will develop and implement an Air Quality Management Plan prior to construction. This plan should include but not necessarily be limited to the following requirements:

- Identify all major sources of air emissions and associated mitigation measures to ensure air pollution is prevented or minimised
- Describe protocols for regular maintenance of plant and equipment
- Outline procedures for monitoring and reporting air emissions
- Describe measures to regularly review the effectiveness of air pollution control measures.

4. Noise and Vibration

The environmental outcome of the project should be to minimise adverse impacts due to noise and vibration from the development. The EIS must clearly outline the noise mitigation, monitoring and management measures the proponent intends to apply to the project to minimise noise and vibration impacts during construction and development of the site.

The assessment should be undertaken in accordance with the NSW Noise Policy for Industry (NPfI). In particular the assessment should include, but not necessarily limited to the identification and assessment of all potential noise sources associated with the development, the location of all sensitive receptors, proposed hours of operation and proposed noise mitigation measures. The assessment should also take into account adverse weather conditions including temperature inversions. Sound power levels measured or estimated for all plant and equipment should be clearly stated and justified. It should also include an assessment of cumulative noise impacts, having regard to existing surrounding industrial activities and development.

The proposal involves a nine (9) lot subdivision on employment land and the potential development of multiple noise sources in each lot. The NPfI has a number of guidelines, including the concept of Noise Management Precincts (s. 2.8) and the process to derive amenity noise levels in areas near an existing or proposed cluster of industry (s 2.4.1) that could be drawn on to develop a mechanism to ensure that the land is developed in a manner that minimises noise to adjoining or nearby sensitive receiver locations in a structured and equitable manner.

The EIS should also identify the transport route(s) to be used, the hours of operation and assess any potential road traffic noise impacts in accordance with the “*NSW Road Noise Policy*”.

Any construction noise should also be assessed and any proposed noise mitigations measures identified and documented in the EIS in accordance with the Interim Construction Noise Guideline (2009) or if superseded by the Draft Construction Noise Guideline currently being exhibited.

5. Traffic and Transport

The EPA would support a proposal that delivers an environmental outcome that minimise air and noise emissions due to heavy vehicle movements from the project. In this regard the EIS should include predictions of expected traffic volumes likely to be generated during the construction and operation of the project, including proposed transport routes and details of any upgrades to road or shipping infrastructure.

The supporting information should include a feasibility assessment of Best Management Practices for all on-road diesel trucks associated with the project. Best Management Practices could include, but not necessarily be limited to:

- a) The development and implementation of a truck noise auditing program to confirm trucks achieve noise standards for engine brake noise; and
- b) All on-road diesel trucks associated with the project should:

- Conform with relevant and current emission standards as prescribed in Australian Design Rules for heavy-duty engines and vehicles (EURO IV); or
- Where the vehicle is older than the 2006 model year (that is, EURO I, EURO II or EURO III standards), the vehicle should be fitted with a diesel exhaust treatment device.
- Consider emission reduction options in the diesel NEPM.

5. Waste Management

The goal of the development should be to ensure:

- it is in accordance with the principles of the waste hierarchy and circular economy
- the handling, processing and storage of all materials used at the premises does not have negative environmental or amenity impacts
- the beneficial reuse of all wastes generated at the premises are maximised where it is safe and practical to do so
- no waste disposal occurs on site except in accordance with an EPL.

The EIS should document waste management strategies that will ensure any waste generated during construction and operation is classified and managed in accordance with the latest version of EPA's *Waste Classification Guidelines*.

The EIS should also provide details of how waste will be handled and managed both onsite and offsite to minimise pollution. This should include information on the procedures and protocols to be implemented to ensure that any waste leaving the site is transported and disposed of lawfully and does not pose a risk to human health or the environment.

The supporting information states that bulk earthworks are proposed involving cut and fill. Details of bulk earth work should be documented in the EIS including the quantity, source and quality of any fill material brought to the site. If any fill is imported to the site it should be only Virgin Excavated Natural Materials (VENM) or Excavated Natural Material (ENM) or other soils under a specific resource recovery order and exemption.

In addition, any fill received for this purpose must be validated by a suitably qualified independent person to demonstrate that it is VENM or meets the requirements of the relevant resource recovery order/exemption and is fit for its intended purpose.

The EPA recommends the proponent consult the following guidelines:

- The *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (EPA December 2012).

6. Contaminated Land

State Environmental Planning Policy (SEPP) 55 will apply and a contaminated land assessment will need to be undertaken and included in the EIS. SEPP 55 states that as part of the development process the following key considerations should be addressed:

- Whether the land is contaminated
- If the land is contaminated whether it is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes to which the land will be used
- If the land requires remediation; will be made suitable for any purpose for which the land will be used.

In cases where land is potentially contaminated, the investigation and any remediation and validation work is to be carried out in accordance with the guidelines made or approved by the EPA under Section 105 of the *Contaminated Land Management Act 1997* and be in accordance with the requirements and procedures in the following:

- *Contaminated Land Management Act 1997*

- *Contaminated Land Management Regulation 2013*
- *State Environmental Planning Policy 55 – Remediation of Land.*

7. Emergency Response

The EIS should document systems and procedures to deal with all types of emergencies. This includes incidents (for example, spills, explosions or fire) that may occur at the premises or that may be associated with activities that occur at the premises and which are likely to cause harm to the environment. This should also include appropriate measures to protect the environment during these emergencies such as on site containment measures for fire water and communication strategies that involves reporting of any incidents to appropriate regulatory authorities.

ATTACHMENT B: Relevant guidelines and documents

Title	Web address
Licensing	
Protection of the Environment Operations Act 1997	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
EPA Guide to Licensing	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/licensing-guide-160369.pdf
Air	
Approved Methods for Modelling and Assessment of Air Pollutants in NSW (2005)	http://www.epa.nsw.gov.au/resources/air/ammodelling05361.pdf
Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (2007)	http://www.epa.nsw.gov.au/resources/air/07001amsaap.pdf
Technical Notes - Assessment and Management of Odour from Stationary Sources in NSW	http://www.epa.nsw.gov.au/air/odour.htm
POEO (Clean Air) Regulation 2010	http://www.austlii.edu.au/cgi-bin/viewdb/au/legis/nsw/consol_reg/poteoar2010601/
National Environment Protection (Diesel Vehicle Emissions) Measure	http://www.scew.gov.au/nepms/diesel-vehicle-emissions
The Assessment and Management of Odour from Stationary Sources in NSW: Technical Notes	http://www.environment.nsw.gov.au/resources/air/20060441notes.pdf
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieol/index.htm
Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018)	https://www.waterquality.gov.au/guidelines/anz-fresh-marine
Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006)	https://www.environment.nsw.gov.au/research-and-publications/publications-search/using-the-anzecc-guidelines-and-water-quality-objectives-in-nsw
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	http://www.epa.nsw.gov.au/resources/legislation/approved-methods-water.pdf
Stormwater Management	
	https://www.environment.nsw.gov.au/research-and-publications/publications-search/managing-urban-stormwater-soils-and-construction-volume-1-4th-edition

Title	Web address
Noise and Vibration	
Interim Construction Noise Guideline (2009) or if superseded by the Draft Construction Noise Guideline currently being exhibited	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
Noise Policy for Industry (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
NSW Road Noise Policy (2011)	https://www.epa.nsw.gov.au/~media/EPA/Corporate%20Site/resources/noise/2011236nswroadnoisepolicy.ashx
Noise Policy for Industry (EPA, 2017)	https://www.epa.nsw.gov.au/publications/noise/17p0524-noise-policy-for-industry
Waste	
Waste Classification Guidelines (DECC, 2008)	https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines
Resource Recovery Exemptions	https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/current-orders-and-exemption
Circular Economy Policy	https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/response-to-china-national-sword/circular-economy-policy
Managing Industrial Waste	https://www.epa.nsw.gov.au/your-environment/waste/industrial-waste
Contaminated Land	
State Environmental Planning Policy 55 – Remediation of Land.	http://www.planning.nsw.gov.au/assessingdev/pdf/gu_contam.pdf

Bunding and Spill Management

Title	Web address
Storing and Handling Liquids: Environmental Protection - Participants Manual	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/2007210liquidsmanual.pdf?la=en&hash=F58F9A86A4293434464AC43554AEEEB7FDCF6E01
Environmental Compliance Report: Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/ecrchemicalsb05590.pdf?la=en&hash=5BDC31AB157E52F9F3098E663F6808709DEBE76E

Our ref: DOC21/316464
Senders ref: SSD 17552047

Bianca Thornton
Environmental Assessment Officer
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Ms Thornton

Subject: Request for SEARs for 155-217 Aldington Road Estate, Mamre Road Precinct (SSD 17552047)

Thank you for your e-mail received on 15 April 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the Request for SEARs for 155-217 Aldington Road Estate, Kemps Creek within the Mamre Road Precinct.

EES has reviewed the scoping report prepared by Willowtree Planning dated April 2021 and provides the following comments and recommendations at **Attachment A**.

Waterway health

As set out in the Section 7 Water and Soils in Attachment A, EES recommends that:

The EIS must describe background conditions for any water resource likely to be affected by the development, including:

- *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions* <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>.

In accordance with the *Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions*, EES has developed the NSW Government water quality and flow related objectives (Tables 1 and 2 below) for the Wianamatta-South Creek catchment to achieve the vision for Western Sydney Parkland City.

The water quality and flow related objectives were provided to key stakeholders at a workshop on 19 October 2020 and were included in the recently exhibited Draft Aerotropolis Precinct Plan. EES has also worked closely with DPIE Place Design and Public Spaces in developing the exhibited draft Mamre Road Precinct DCP and it is expected that the interim objectives in Section 2.6 in the draft Mamre Road Precinct DCP will be superseded by tables 1 and 2 below as follows:

- Page 26, Section 2.6 Integrated Water Cycle Management: Following the description of the flow components the new Table 1 (below) will be added and referred to. Also, 'and baseflow requirements' in the last/following sentence will be deleted.

Table 1 Ambient stream flows and requirements of waterways and water dependent ecosystems in the Mamre Rd Precinct

Flow Related Objectives		
	1-2 Order Streams	3 rd Order Streams or greater
Median Daily Flow Volume (L/ha)	71.8 ± 22.0	1095.0 ± 157.3
Mean Daily Flow Volume (L/ha)	2351.1 ± 604.6	5542.2 ± 320.9
High Spell (L/ha) ≥ 90 th Percentile Daily Flow Volume	2048.4 ± 739.2	10091.7 ± 769.7
High Spell - Frequency (number/y)	6.9 ± 0.4	19.2 ± 1.0
High Spell - Average Duration (days/y)	6.1 ± 0.4	2.2 ± 0.2
Freshes (L/ha) ≥ 75 th and ≤ 90 th Percentile Daily Flow Volume	327.1 to 2048.4	2642.9 to 10091.7
Freshes - Frequency (number/y)	4.0 ± 0.9	24.6 ± 0.7
Freshes - Average Duration (days/y)	38.2 ± 5.8	2.5 ± 0.1
Cease to Flow (proportion of time/y)	0.34 ± 0.04	0.03 ± 0.007
Cease to Flow – Duration (days/y)	36.8 ± 6	6 ± 1.1

- Page 30, Section 2.6.2 Stormwater Quality: Table 6 will be replaced with the new Table 2 below.

Table 2 Ambient water quality of waterways and waterbodies in the Mamre Rd Precinct

Water Quality Objectives	
*Total Nitrogen (TN, mg/L)	1.72
Dissolved Inorganic Nitrogen (DIN, mg/L)	0.74
Ammonia (NH ₃ -N, mg/L)	0.08
Oxidised Nitrogen (NO _x , mg/L)	0.66
*Total Phosphorus (TP, mg/L)	0.14
Dissolved Inorganic Phosphorus (DIP, mg/L)	0.04
Turbidity (NTU)	50
Total Suspended Solids (TSS, mg/L)	37
Conductivity (µS/cm)	1103
pH	6.20 - 7.60

Dissolved Oxygen (DO, %SAT)	43 - 75
Dissolved Oxygen (DO, mg/L)	8

* when showing compliance towards TN and TP through industry models, the DIN and DIP performance criteria should be instead to recognise that stormwater discharges of nutrients are mostly in dissolved form

Should you have any queries regarding this matter, please contact Marnie Stewart, Senior Project Officer - Planning on 9995 6868 or Marnie.stewart@environment.nsw.gov.au

Yours sincerely



03/05/21

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch
Biodiversity and Conservation

Attachment A – EES Environmental Assessment Requirements – 155-217 Aldington Road Estate, Mamre Road Precinct

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
 - The total number and classes of biodiversity credits required to be retired for the development/project;
 - The number and classes of like-for-like biodiversity credits proposed to be retired;
 - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules;
 - Any proposal to fund a biodiversity conservation action;
 - Any proposal to conduct ecological rehabilitation (if a mining project);
 - Any proposal to make a payment to the Biodiversity Conservation Fund.

If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the Biodiversity Conservation Act 2016.

Water and soils

6. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems
 - f. Proposed intake and discharge locations
7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - Existing surface and groundwater.
 - Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the [ANZECC \(2000\) Guidelines for Fresh and Marine Water Quality](#) and/or local objectives, criteria or targets endorsed by the NSW Government.
 - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>

8. The EIS must assess the impact of the development on hydrology, including: a. Water balance including quantity, quality and source. b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas. c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems. d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches). e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water. f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options. g. Identification of proposed monitoring of hydrological attributes.
Flooding and coastal hazards
9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including: a. Flood prone land. b. Flood planning area, the area below the flood planning level. c. Hydraulic categorisation (floodways and flood storage areas) d. Flood Hazard. 10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event. 11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios: a. Current flood behaviour for a range of design events as identified above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change. 12. Modelling in the EIS must consider and document: a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.

- b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
 - c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
 - d. Relevant provisions of the NSW Floodplain Development Manual 2005.
13. The EIS must assess the impacts on the proposed development on flood behaviour, including:
- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
 - b. Consistency with Council floodplain risk management plans.
 - c. Consistency with any Rural Floodplain Management Plans.
 - d. Compatibility with the flood hazard of the land.
 - e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
 - f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
 - g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.
 - h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
 - i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
 - j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
 - k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: 155-217 Aldington Road Estate
SSD/I #: SSD-17552047

1. The EIS must identify and describe the Aboriginal cultural heritage values that exist across the whole area that will be affected by the development and document these in an Aboriginal Cultural Heritage Assessment Report (ACHAR). This may include the need for surface survey and test excavation. The identification of cultural heritage values must be conducted in accordance with the [Code of Practice for Archaeological Investigation in NSW](#) (DECCW 2010), and be guided by the [Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales](#) (OEH 2011).
2. Consultation with Aboriginal people must be undertaken and documented in accordance with the [Aboriginal Cultural Heritage Consultation Requirements for Proponents](#) (DECCW 2010). The significance of cultural heritage values for Aboriginal people who have a cultural association with the land must be documented in the ACHAR.
3. Impacts on Aboriginal cultural heritage values are to be assessed and documented in the ACHAR. The ACHAR must demonstrate attempts to avoid impact upon cultural heritage values and identify any conservation outcomes. Where impacts are unavoidable, the EIS must outline measures proposed to mitigate impacts. Any objects recorded as part of the assessment must be documented and notified to Heritage NSW.
4. The assessment of Aboriginal cultural heritage values must include a surface survey undertaken by a qualified archaeologist. The result of the surface survey is to inform the need for targeted test excavation to better assess the integrity, extent, distribution, nature and overall significance of the archaeological record. The results of surface surveys and test excavations are to be documented in the ACHAR.
5. The ACHAR must outline procedures to be followed if Aboriginal objects are found at any stage of the life of the project to formulate appropriate measures to manage unforeseen impacts.
6. The ACHAR must outline procedures to be followed in the event Aboriginal burials or skeletal material is uncovered during construction to formulate appropriate measures to manage the impacts to this material.

NOTE: The process described in the *Due Diligence Code of Practice for the protection of Aboriginal objects in NSW* (DECCW 2010) is not sufficient to assess the impacts on Aboriginal cultural heritage of Major Projects.

Bianca Thornton
Department of Planning, Industry and Environment
320 Pitt Street
SYDNEY NSW 2000

By email: Bianca.Thornton@planning.nsw.gov.au

Dear Ms Thornton

Request for Secretary's Environmental Assessment Requirements (SEARS) for 155-217 Aldington Road Estate (SSD-17552047)

Thank you for your referral dated 15 April 2021 inviting SEARS input from the Heritage Council of NSW on the above State Significant Development proposal.

The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological relics. Therefore, no referral to the Heritage Council of NSW is required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.

If you have any questions regarding the above advice, please contact Gary Hinder, A/Senior Customer Strategies Officer, at Gary.Hinder@environment.nsw.gov.au or on 9873 8547.

Yours sincerely



Anna London
A/Senior Team Leader Customer Strategies
Heritage NSW
Department of Premier and Cabinet
As Delegate of the Heritage Council of NSW
27 April 2021

Bianca Thornton

From: John Hawes <John.Hawes@fire.nsw.gov.au>
Sent: Friday, 30 April 2021 1:35 PM
To: Bianca Thornton
Cc: Fire Safety
Subject: Major Projects – New Request for Advice - 155-217 Aldington Road Estate (SSD-17552047) (Penrith)

Bianca,

Thank you for your submission for the above development to Fire & Rescue NSW (FRNSW) for review and agency input.

It is understood that Frasers Property Group (the Applicant) is proposing the Construction and Operation of a Warehouse and Distribution Facility at the above address.

FRNSW have reviewed the submitted SEARs Scoping Report prepared by Willow Tree Planning Pty Ltd in support of the proposal and have no comment or requirements to be addressed in the preparation of the Environmental Impact Statement (EIS).

We request that we be given the opportunity to review and provide comment on the EIS upon its release for exhibition.

If you have any queries regarding the above please contact the Fire Safety Infrastructure Liaison Unit, referencing FRNSW file number BFS21/1273.

Please ensure that all correspondence in relation to this matter is submitted electronically to firesafety@fire.nsw.gov.au.

Regards,



Superintendent John Hawes

MANAGER FIRE SAFETY
INFRASTRUCTURE LIAISON UNIT
COMMUNITY SAFETY DIRECTORATE

M: [REDACTED]
PH. (02) 9742 7406
E: john.hawes@fire.nsw.gov.au
1 Amarina Ave Greenacre NSW 2190
Locked Bag 12, Greenacre, NSW, 2190
www.fire.nsw.gov.au



NSW RURAL FIRE SERVICE

Department of Planning and Environment (Sydney Offices)
GPO Box 39
Sydney NSW 2001

Your reference: SSD-17552047
Our reference: DA20210421001562-SEARS-1

ATTENTION: Bianca Thornton

Date: Wednesday 28 April 2021

Dear Sir/Madam,

Development Application
State Significant – SEARS – Warehouse or Distribution Centre
155-217 Aldington Road Kemp's Creek NSW 2178, 33//DP258949

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 15/04/2021.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the request for the Secretary's Environmental Assessment Requirements and advise that the Environment Impact Statement must incorporate a bush fire report prepared by a suitably qualified person that address sections 8.3.1 and 8.3.10 of *Planning for Bush Fire Protection 2019*.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
Team Leader, Dev. Assessment & Planning
Planning and Environment Services

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au

Bianca Thornton

From: Cornelis Duba <Cornelis.Duba@endeavourenergy.com.au>
Sent: Wednesday, 28 April 2021 11:17 PM
To: Bianca Thornton
Cc: DPE CSE Information Planning Mailbox; Jeff Smith
Subject: NSW Planning, Industry & Environment Request for SEARs SSD-17552047 155-217 Aldington Road Estate
Attachments: SW08773 Work near underground assets.pdf; SW Work near overhead power lines.pdf; ENA EMF What We Know.pdf; EE Safety Plumbing.pdf; EE Safety on the job.pdf; EE MDI0044 Easements and Property Tenure.pdf; EE Guide for Padmount Substations.pdf; EE FPJ 6007 Technical Review Request Aug 2019.pdf; EE FPJ 4603 Permission to Remove Service July 2007.pdf; EE Drawing 86232 OH lines minimum clearances.pdf

Hello Bianca

I refer to the your below email of 15 April 2021 regarding the exhibition of the request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for State Significant Development SSD-17552047 155-217 Aldington Road Estate for 'Development of a warehouse and logistics hub including construction and operation of two warehouses connected by a breezeway and comprising 64,260 m² of floor space as well as a 9-lot Torrens Title Subdivision' at 155-217 Aldington Road, Kemps Creek (Lot 33 DP 258949 and Lots 25-28 DP 255560) in the Penrith City Council Local Government Area (LGA). Submissions need to be made to the Department by 28 April 2021.

Endeavour Energy would expect that the Planning Secretary would require the applicant to address in utilities as a key issue in the future Environmental Impact Statement, with the following being an example of the 'Utilities' section for other recent notification received by Endeavour Energy from the Department.

14. Utilities

- In consultation with relevant service providers:
 - assess of the impacts of the development on existing utility infrastructure and service provider assets surrounding the site.
 - identify any infrastructure upgrades required off-site to facilitate the development and any arrangements to ensure that the upgrades will be implemented on time and be maintained.
 - provide an infrastructure delivery and staging plan, including a description of how infrastructure requirements would be co-ordinated, funded and delivered to facilitate the development.

The following is a combination of the various requests for SEARs for other State Significant Development referred to Endeavour Energy which attempts to capture are the possible 'Utilities' related matters.

Prepare an Infrastructure Management Plan in consultation with relevant agencies / authorities to:

- *address the existing capacity of the site to service the proposed development and any extension or augmentation, property tenure or staging requirements for the provision of utilities, including arrangements for electrical network requirements, drinking water, waste water and recycled water and how the upgrades will be co-ordinated, funded and delivered on time and be maintained to facilitate the development; and*
- *identify the existing infrastructure on the site or within the network which may be impacted by the construction and operation of the proposal and the measures to be implemented to address any impacts on this infrastructure.*

As shown in the below site plans from Endeavour Energy's G/Net master facility model (and extracts from Google Maps Street View) there are:

- No easements over the site benefitting Endeavour Energy (active easements are indicated by red hatching).
- Low voltage and 11,000 volt / 11 kilovolt (kV) high voltage overhead power lines including two pole mounted substations no. 8469 and 7500 (indicated by the symbol ) to the road verge / roadway .
- 11 kV high voltage overhead power lines coming from poles on the road verge to pole mounted substation no. 8523 on the site from which there is a low voltage overhead service conductor going to the customer connection point for the existing dwellings / premises on Lot 26 DP 255560.
- Extended low voltage overhead service conductors coming from poles on the road verge using customer owned / private poles (indicated by the green circles) going to the customer connection point for the existing dwellings / premises.

Please note the location, extent and type of any electricity infrastructure, boundaries etc. shown on the plan is indicative only. In addition it must be recognised that the electricity network is constantly extended, augmented and modified and there is a delay from the completion and commissioning of these works until their capture in the model. Generally (depending on the scale and/or features selected), low voltage (normally not exceeding 1,000 volts) is indicated by blue lines and high voltage (normally exceeding 1,000 volts but for Endeavour Energy's network not exceeding 132,000 volts / 132 kV) by red lines (these lines can appear as solid or dashed and where there are multiple lines / cables only the higher voltage may be shown). This plan only shows the Endeavour Energy network and does not show electricity infrastructure belonging to other authorities or customers owned electrical equipment beyond the customer connection point / point of supply to the property. This plan is not a 'Dial Before You Dig' plan under the provisions of Part 5E 'Protection of underground electricity power lines' of the Electricity Supply Act 1995 (NSW).

In regard to the 11 kV high voltage overhead power lines traversing the site, although not held under easement (as they may only service the sites on which they are located) are protected assets and deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the Electricity Supply Act 1995 (NSW). Essentially this means the owner or occupier of the land cannot take any action in relation to the presence in, on or over the land of electricity works ie. the electricity infrastructure cannot be removed to rectify the encroachment. These protected assets are managed as if an easement is in place – please refer the below point 'Easement Management / Network Access'.

In accordance with Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', as shown in the following extracts of Table 1 – 'Minimum easement widths', the low voltage overhead power lines require a 9 metre minimum easement width ie. 4.5 metres to both sides of the centre line of the poles / conductors.

Table 1 - Minimum easement widths

	Voltage	Asset Type	Construction	Minimum Easement (m)
Overhead Assets	400V–22kV	Bare Construction	All	9
		ABC		
		CCT		

ABC = Aerial Bundled Cables CCT = Covered Conductor Thick

This easement width in some circumstances may not be warranted ie. depending on the span, type of conductor, access etc. However as a minimum any buildings, structures, etc. whether temporary or permanent must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) for any building or structure (including fencing, signage, flag poles etc.) whether temporary or permanent must comply with the minimum safe distances / clearances for voltages up to and including 132,000 volts (132kV) as specified in:

- Australian/New Zealand Standard AS/NZS 7000 – 2016: 'Overhead line design' as updated from time to time.

- 'Service and Installation Rules of NSW' which can be accessed via the following link to the Energy NSW website:

<https://energy.nsw.gov.au/government-and-regulation/legislative-and-regulatory-requirements/service-installation-rules> .

As a guide please find attached a copy of Endeavour Energy Drawing 'Overhead Lines Minimum Clearances Near Structures'. These distances must be maintained at all times to all buildings and structures and regardless of the Council's allowable building setbacks etc. under its development controls.

Even if there is no issue with the safety clearances to the building or structure, ordinary persons must maintain a minimum safe approach distance of 3.0 metres to all voltages up to and including 132,000 volts / 132 kV. Work within the safe approach distances requires an authorised or instructed person with technical knowledge or sufficient experience to perform the work required, a safety observer for operating plant as well as possibly an outage request and/or erection of a protective hoarding.

If there is any doubt whatsoever regarding the safety clearances to the overhead power lines, the applicant will need to have the safety clearances assessed by a suitably qualified electrical engineer / Accredited Service Provider (please refer to the below point 'Network Capacity / Connection'. This will require the provision of a detailed survey plan showing the location of the conductors to enable the assessment / modelling of the clearances for which there are software packages available. If the safety clearances are inadequate, either the parts of the building encroaching the required clearances or the overhead power lines will need to be redesigned to provide the required clearances.

Subject to the foregoing and the following recommendations and comments Endeavour Energy has no objection to the State Significant Development.

- Network Capacity / Connection

Endeavour Energy has noted that the SEARs Request Report includes the following:

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
Other Infrastructure and Services	▪ All essential infrastructure services would be augmented accordingly for the proposed development, including water, sewer, electricity and communications.

The Mamre Road Precinct within the Western Sydney Employment Area is initially being supplied from the existing Mamre Zone Substation located at 8 John Morphet Place, Erskine Park (Lot 9 DP 1097134) which has limited spare capacity but is enabling some development to progress ahead of the timeline for upstream utility and civil infrastructure. The establishment of the proposed South Erskine Park Zone Substation within the Oakdale West Estate (currently expected to be available in the fourth quarter of 2022) together with the associated the installation of multiple 22,000 volt 22 kV high voltage feeders will be required to service any significant development along Mamre Road and Aldington Road.

In regard to electricity distribution within the Precinct, the availability of electricity supply to a site is based on a wide range of factors eg. the age and design of the network; other development in the locality utilising previously spare capacity within the local network; the progress of nearby / surrounding sites including electricity infrastructure works eg. a smaller and isolated development that may not of its own accord require a distribution

substation may require a substation to facilitate the development and from which the spare capacity is made available to subsequent nearby development.

Non-urban / above ground areas of the network utilising pole mounted substations have comparatively limited capacity of 25 kilovolt amperes (kVA) up to a maximum of 400 kVA. Padmount substations usually utilised in urban areas can accommodate loads from 315 kVA up to 1,500 kVA (typically 500 kVA). Accordingly there is a significant variation in the number and type of premises able to be connected to a substation ie. a single distribution substation may serve one large building, or many homes.

Whilst there are a number of existing pole mounted substations on and near the site, they are not intended or capable of providing electricity supply to a significant urban industrial subdivision / development. As well as the capacity of distribution substations, other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed.

Accordingly an extension and / or augmentation of the existing local network may be required but this will not be determined until a detailed assessment is undertaken. Endeavour Energy's preference is to alert proponents / applicants (and the Department) of the potential matters that may arise as further development of areas continues to occur.

In due course the applicant for the proposed development of the site will need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on business days on telephone: 133 718 or (02) 9853 6666 from 9am - 4:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>.

Depending on the outcome of the assessment, any required padmount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

Advice on the electricity infrastructure required to facilitate the proposed development can also be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our connection services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.

Alternatively the applicant should engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load associated with the proposed development. The ASP scheme is administered by Energy NSW and details are available on their website via the following link or telephone 13 77 88:

<https://energy.nsw.gov.au/government-and-regulation/legislative-and-regulatory-requirements/asp-scheme-and-contestable-works> .

Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant prior to finalising plans to in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

- Network Asset Design

Endeavour Energy's Company Policy 9.2.5 'Network Asset Design', includes the following requirements for electricity connections to new urban subdivision / development:

5.11 Reticulation policy

5.11.1 Distribution reticulation

In order to improve the reliability performance of and to reduce the operating expenditure on the network over the long term the company has adopted the strategy of requiring new lines to be either underground cables or where overhead is permitted, to be predominantly of covered or insulated construction. Notwithstanding this strategy, bare wire overhead construction is appropriate and permitted in some situations as detailed below.

In areas with the potential for significant overhanging foliage, CCT is used to provide increased reliability as it is less susceptible to outages from wind-blown branches and debris than bare conductors. CCT must only be used in treed² areas as the probability of a direct lightning strike is low. In open areas where the line is not shielded from a direct lightning strike, bare conductors must generally be used for 11kV and 22kV reticulation.

Non-metallic Screened High Voltage Aerial Bundled Cable (NMSHVABC) must be used in areas which are heavily treed and where it is not practicable to maintain a tree clearing envelope around the conductors.

² A "treed" area is one with a substantial number of trees adjacent to the line, in each span. In these situations CCT is used to provide increased reliability as it is less susceptible to outages from wind-blown

5.11.1.1 Urban areas

Reticulation of new residential subdivisions will be underground. In areas of low bushfire consequence, new lines within existing overhead areas can be overhead, unless underground lines are cost justified or required by either environmental or local council requirements.

Where underground reticulation is required on a feeder that supplies a mixture of industrial, commercial and/or residential loads, the standard of underground construction will apply to all types of load within that development.

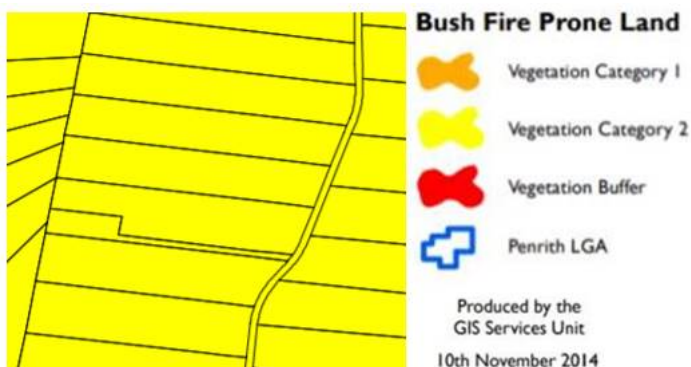
Where ducting is used, adequate spare ducts and easements must be provided at the outset to cover the final load requirements of the entire development plan.

Extensions to the existing overhead 11kV/22kV network must generally be underground. Bare wire will be used for conductor replacements and augmentations except in treed areas where CCT or NMSHVABC must be used.

Extensions to the existing overhead LV network and augmentations must either be underground or ABC. Conductor replacements greater than 100m in route length must utilise aerial bundled cable.

- Bushfire

Endeavour Energy has noted that as shown in the following extract of Penrith City Council LGA – Bush Fire Prone Land Map 10 November 2014 that the majority of the site is bush fire prone. The request for SEARs Scoping Report indicates in Section 7.0 'Expected Deliverables' that a Bushfire Risk Assessment will accompany the future Environmental Impact Statement.



Penrith City Council LGA ~ Bush Fire Prone Land Map

Although commercial and industrial uses are not covered by Chapters 5 to 7 of NSW Rural Fire Service 'Planning for Bush Fire Protection 2019' (PBP), the aim and objectives of PBP still need to be considered and a suitable package of bush fire protection measures should be proposed commensurate with the assessed level of risk to the development. PBP provides the following advice regarding electricity services:

5.3.3 Services – Water, electricity and gas

Intent of measures: *to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.*

Table 5.3c

Performance criteria and acceptable solutions for water, electricity and gas services for residential and rural residential subdivisions.

PERFORMANCE CRITERIA		ACCEPTABLE SOLUTIONS	
The intent may be achieved where:			
ELECTRICITY SERVICES	➤ location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings.	➤ where practicable, electrical transmission lines are underground;	
		➤ where overhead, electrical transmission lines are proposed as follows:	
		➤ lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and	
		➤ no part of a tree is closer to a power line than the distance set out in ISSC3 <i>Guideline for Managing Vegetation Near Power Lines</i> .	

The following is an extract of Endeavour Energy's Company Policy 9.1.1 Bushfire Risk Management:

9.1.1 BUSHFIRE RISK MANAGEMENT

1.0 POLICY STATEMENT

The company is committed to the application of prudent asset management strategies to reduce the risk of bushfires caused by network assets and aerial consumer mains to as low as reasonably practicable (ALARP) level. The company is also committed to mitigating, the associated risk to network assets and customer supply reliability during times of bushfire whilst achieving practical safety, reliability, quality of supply, efficient investment and environmental outcomes. The company is committed to compliance with relevant acts, regulations and codes.

Accordingly the electricity network required to service the proposed development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy's risk assessment associated with the implementation and use of the network connection / infrastructure for a bushfire prone site. In assessing bushfire risk, Endeavour Energy has traditionally focused on the likelihood of its network starting a bushfire, which is a function of the condition of the network. Risk control has focused on reducing the likelihood of fire ignition by implementing good design and maintenance practices. However the potential impact of a bushfire on its electricity infrastructure and the safety risks associated with the loss of electricity supply are also considered.

- Flooding and Drainage

Endeavour Energy has noted the Request for SEARs Report indicates 'The potential flooding impacts and behaviours of the proposal will be considered in the future EIS'.

The electricity network required to service an area / development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy's risk assessment associated with the implementation and use of the network connection / infrastructure for a flood prone site. Risk control has focused typically on avoiding the threat, but where this is not possible, reducing the

negative effect or probability of flood damage to assets by implementing good design and maintenance practices.

Distribution substations should not be subject to flood inundation or stormwater runoff ie. the padmount substation cubicles are weatherproof not flood proof and the cable pits whilst designed to be self-draining should not be subject to excessive ingress of water. Section 7 'Substation and switching stations' of Endeavour Energy's Mains Construction Instruction MCI 0006 'Underground distribution construction standards manual' provides the following details of the requirements for flooding and drainage in new padmount substation locations.

7.1.6 Flooding and drainage

Substations are to be located such that the risk of flooding or stormwater damage is minimal.

As a minimum the level at the top of the transformer footing, HV and LV switchgear, shall not be lower than the 1:100 year flood level.

All drains within the substation site area or in the vicinity shall be properly maintained to avoid the possibility of water damage to Endeavour Energy's equipment.

In areas where, as determined by the Network Substation Manager, there is a high water table or a heightened risk of flooding, indoor substations will not be permitted.

All materials used in the construction below the substation (ground level) shall be capable of withstanding prolonged immersion in water without swelling or deterioration.



Figure 51 - Example substation raised above 1:100 flood level

- Easement Management / Network Access

The following is a summary of the usual / main terms of Endeavour Energy's electrical easements requiring that the landowner:

- o Not install or permit to be installed any buildings, structures or services within the easement site.
- o Not alter the surface level of the easement site.
- o Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

Endeavour Energy's preference is for no activities or encroachments to occur within its easements. However, if any proposed works (other than those approved / certified by Endeavour Energy's Network Connections Branch as part of an enquiry / application for load or asset relocation project) will encroach / affect Endeavour Energy's

easements or protected assets, contact must first be made with the Endeavour Energy's Easements Officer, Jeffrey Smith, on business days on direct telephone 9853 7139 or alternately email Jeffrey.Smith@endeavourenergy.com.au or Easements@endeavourenergy.com.au.

Please find attached for the applicant's reference copies of Endeavour Energy's:

- o General Restrictions for Overhead Power Lines.
- o Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which in Section 5.14 'Encroachments on overhead line easements' deals with activities / encroachments within easements.
- o 'Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations' in regard to the padmount substation sites that will be required to facilitate the proposed development.

It is imperative that the access to the existing electrical infrastructure on and in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Restricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.

This is particularly important where there are poles or towers as in the event of fallen conductors, access to the restring overhead power lines will be required by electricity workers with heavy vehicles, machinery and materials essential for restoring electricity supply.

- Earthing

The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations' as updated from time to time. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. It applies to all electrical installations including temporary builder's supply / connections.

Inadequate connection to the earth to allow a leaking / fault current to flow into the grounding system and be properly dissipated places persons, equipment connected to the network and the electricity network itself at risk from electric shock, fire and physical injury. The earthing system is usually in the form of an earth electrode consisting of earth rods or mats buried in the ground. It should be designed by a suitably qualified electrical engineer / Accredited Service Provider (ASP) following a site-specific risk assessment having regard to the potential number of people could be simultaneously exposed, ground resistivity etc.

For details of the ASP scheme please refer to the above point "Network Capacity / Connection".

In particular appropriate consideration should be provided to the conductivity of the fencing within the easement where there is a possibility it could act as a conductor of electricity and dangerous currents may be carried along the fence. Where conductive / metal fencing is used it must be appropriately earthed eg. the by the use of isolation panels where the fence enters or exits the easement created by the use of timber posts and/or earth electrode installed adjacent to the easement.

- Vegetation Management

The planting of large trees near electricity infrastructure is not supported by Endeavour Energy. Particularly for overhead power lines, ongoing vegetation management / tree trimming is a significant network cost and falling trees and branches during storms are a major cause of power outages.

The planting of large trees near electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure (including any new electricity

infrastructure required to facilitate the proposed development). Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant.

Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access, reduce light levels from streetlights or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

- Location of Electricity Easements / Prudent Avoidance

The incorporation of electricity easements into privately owned lots is generally problematic for both Endeavour Energy and the future landowners and requires additional easement management to ensure no uncontrolled activities / encroachments occur within the easement area.

Accordingly Endeavour Energy's recommendation is that whenever reasonably possible, easements be entirely incorporated into public reserves and not burden private lots. Endeavour Energy's preference is to have continuity of its easements over the most direct and practicable route affecting the least number of lots as possible.

This is also in keeping with a policy of prudent avoidance. In practical terms this means that when designing new transmission and distribution facilities, consideration is given to reducing exposure and increasing separation distances to more sensitive uses such as residential or schools, pre-schools, day care centres or where potentially a greater number of people are regularly exposed for extended periods of time.

These emissions are usually not an issue but with Council's permitting or encouraging development with higher density, reduced setbacks and increased building heights, but as the electricity network operates 24/7/365 (all day, every day of the year), the level of exposure can increase.

Endeavour Energy believes that irrespective of the zoning or land use, applicants (and the Department) should also adopt a policy of prudent avoidance by the siting of more sensitive uses eg. the office component of an industrial building, away from and less susceptible uses such as garages, non-habitable or rooms not regularly occupied eg. storage areas in a commercial building, towards any electricity infrastructure – including any possible future electricity infrastructure required to facilitate the proposed development.

Where development is proposed near electricity infrastructure, Endeavour Energy is not responsible for any amelioration measures for such emissions that may impact on the nearby proposed development.

Please find attached a copy of Energy Networks Association's 'Electric & Magnetic Fields – What We Know' which can also be accessed via their website at <https://www.energynetworks.com.au/electric-and-magnetic-fields> and provides the following advice:

Electric fields are strongest closest to their source, and their strength diminishes rapidly as we move away from the source.

The level of a magnetic field depends on the amount of the current (measured in amps), and decreases rapidly once we move away from the source.

Typical magnetic field measurements associated with Endeavour Energy's activities and assets given the required easement widths, safety clearances etc. and having a maximum voltage of 132,000 volt / 132 kV, will with the observance of these separation distances not exceed the recommended magnetic field public exposure limits.

- Dial Before You Dig

Before commencing any underground activity the applicant is required to obtain advice from the **Dial Before You Dig 1100** service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

- Demolition

Demolition work is to be carried out in accordance with Australian Standard AS 2601—2001: ‘The demolition of structures’ as updated from time to time. All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected ie. all electrical apparatus shall be regarded as live until isolated and proved de-energised by approved means.

Depending on the extent of the demolition works, the low voltage service conductor and customer connection may need to be isolated and/or removed during demolition. Please refer to the below point ‘Removal of Electricity Supply’ for further information.

Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site eg. streetlight columns, power poles, overhead power lines and underground cables etc.

- Removal of Electricity Supply

Approval for the permanent disconnection and removal of supply must be obtained from Endeavour Energy’s Network Connections Branch (contact via Head Office enquiries on business days on telephone: 133 718 or (02) 9853 6666 from 9am - 4:30pm) by Accredited Service Providers (ASP) with the relevant class of Authorisation for the type of work being carried out. The work could involve:

- o The disconnection and removal of an underground service cable or overhead service line,
- o Removal of metering equipment.

The written request must be submitted to Endeavour Energy using Form FPJ4603 ‘Permission to Remove Service / Metering by Authorised Level 2 Accredited Service Provider’ which must be accompanied by Notification of Service Works (NOSW) forms provided as a result of service work activity performed by a Level 2 ASP. The retailer must also provide written agreement for the permanent removal of supply.

For details of the ASP scheme please refer to the above point ‘Network Capacity / Connection’.

- Site Remediation

Endeavour Energy’s Environmental Business Partner Section have advised that the remediation of soils impacted by various forms of electricity infrastructure is not uncommon but is usually not significant eg. transformer oil associated with leaking substations, pole treatment chemicals at the base of timber poles etc. The method of remediation is generally the removal of the electricity infrastructure, excavation of any contaminated soils and their disposal at a licensed land fill. The decommissioning and removal of the redundant electricity infrastructure will be dealt with by Endeavour Energy’s Network Connections Branch as part of the application for the connection of load for the new development.

If the applicant has any concerns over the remediation of soils impacted by redundant electricity infrastructure they should contact Environmental Business Partner Section via Head Office enquiries on business days on telephone: 133 718 or (02) 9853 6666 from 9am - 4:30pm.

- Public Safety

Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>.

If the applicant has any concerns over the proposed works in proximity of the Endeavour Energy's electricity infrastructure to the road verge / roadway, as part of a public safety initiative Endeavour Energy has set up an email account that is accessible by a range of multiple stakeholders across the company in order to provide more effective lines of communication with the general public who may be undertaking construction activities in proximity of electricity infrastructure such as builders, construction industry workers etc. The email address is Construction.Works@endeavourenergy.com.au.

- Emergency Contact

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours / 7 days. Endeavour Energy's contact details should be included in any relevant risk and safety management plan.

I appreciate that not all the foregoing issues may be directly or immediately relevant or significant to the request for SEARs / Development Application. However in keeping with the Department's aim of earlier and better engagement, Endeavour Energy's preference is to alert proponents / applicants of the potential matters that may arise should development within closer proximity of the existing and/or required electricity infrastructure needed to facilitate the proposed development on or in the vicinity of the site occur.

Could you please pass on a copy of this submission and the attached resources to the applicant? Should you wish to discuss this matter, or have any questions, please do not hesitate to contact me or the contacts identified above in relation to the various matters. Due to the high number of development application / planning proposal notifications submitted to Endeavour Energy, to ensure a response contact by email to property.development@endeavourenergy.com.au is preferred.

With the current easing of the COVID-19 health risk, whilst a significant number of Endeavour Energy staff are returning to the office, they are at times still working from home. Although working from home, access to emails and other internal stakeholders can still be somewhat limited and as a result it may take longer than usual to respond to enquiries. Thank you for your ongoing understanding during this time.

Kind regards

Cornelis Duba

Development Application Specialist

Network Environment & Assessment

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