Bianca Thornton

From: Melissa Rassack
Sent: Monday, 5 July 2021 4:09 PM
To: Bianca Thornton
Cc: Liza Miller; William Hodgkinson
Subject: RE: Request for advice on SEARs - 1-51 Aldington Road Estate (SSD-22595032)

Hi Bianca

Thank you for the opportunity to comment. As you are aware, in June 2020, the Mamre Road Precinct was zoned for Industrial purposes and the Structure Plan for the Precinct was approved. We are currently working to finalise the draft Development Control Plan (DCP) for the Mamre Road Precinct. The DCP will provide detailed design controls for development in the precinct in line with the approved Structure Plan.

The following comments are provided in relation to SSD 22595032:

1. Any development, including drainage, roads, etc, are not supported within the E2 zone affecting the development. We note that the draft Cumberland Plain Conservation Plan applies to the site. In addition, specific clauses apply under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) to land zoned E2, such as cl.33K.
2. The EIS is required to demonstrate that the development will be consistent with the provisions within the Draft Mamre Road DCP. This includes submission of architectural, engineering and landscaping plans to enable a detailed assessment Matters to be address include:
    a. Building controls such as setbacks, built form, landscaping and height controls.
    b. Demonstration that the proposal does not impede the functioning of the trunk drainage infrastructure across part of the site to the satisfaction of the stormwater authority.
    c. Layout and connections to the proposed transport network, including access locations. Under the indicative precinct road network, proposed Southern Link Road affects the site, a potential industrial road is identified along the southern boundary of the site and part of the north eastern site boundary.
    d. How bulk earthworks and the road pattern will be prepared to connect to adjoining sites to enable their feasible development for industrial purposes. Note any temporary access arrangements must meet the requirements of TfNSW and Penrith City Council.
    e. Details on all earthworks and retaining walls, meeting the requirements of the draft DCP and cl. 33H of the WSEA SEPP.
    f. Areas of known and potential Aboriginal heritage and their management in accordance with DPIE and/or best practice guidelines.
    g. Sensitive landscape design of the interface with the E2 Environmental Conservation zoning on the site and the adjoining properties of the site. The SSD must address the design treatment of the interface between industrial development and the E2 Environmental Conservation zoning. The design and location of hardstand areas must avoid adverse impacts to the areas zoned E2 both in the site and on neighbouring sites including matters of noise and vibrations from vehicle movements, stormwater runoff, light pollution and weed control measures during and after construction. The draft Mamre Road DCP provides guidance on this matter.
    h. 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.
    i. Demonstrate how stormwater flow and quality and flood risk will be effectively managed to address the integrated water cycle management as set out in the draft Mamre Road DCP and compliance with clause 33L of the WSEA SEPP.
    j. Demonstrate how the proposal provides a streetscape design and landscaped transition to the public realm that is consistent with the draft Mamre Road DCP.
    k. Consistency with the Mamre Road Structure Plan, as required by section 275B of the Environmental Planning and Assessment Regulation 2000. The Structure Plan identifies the following in relation to the site:
        a. Opportunity for ecological corridor
        b. Transition to Environmental conservation
3. State and Local infrastructure contributions will apply. Relevant State agencies and Penrith City Council should be consulted with regarding this matter.

4. 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.

It is trusted that others have been consulted, including the Green and Resilient Places team, with respect to input into SEARs.

Regards

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

Greater Sydney, Place and Infrastructure | Department of Planning, Industry and Environment
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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: Monday, 5 July 2021 5:06 PM
To: Bianca Thornton
Cc: Kirk Osborne; Planning and Safeguarding
Subject: RE: [SEC=OFFICIAL] RE: 1-51 Aldington Road Estate - Request for SEARs

OFFICIAL

Hi Bianca,

Thank you for providing the opportunity to provide comments in relation to the proposed Concept / First Stage Application for 1-51 Aldington Road Estate (SSD-22595032).

Please note our comments below:

Issue	Comment
General	As the *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020* applies to the site, the proposal needs to have regard for the objectives of the SEPP.
	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.
Wildlife Attraction / Management	As the site is within the 8-13km wildlife buffer under *State Environmental Planning Policy (Western Sydney Aerotropolis) 2020*, consideration needs to be given to the landscape species selected, to ensure that wildlife attraction risk is adequately addressed.
	An assessment of the future uses, including in regards to the design and location of any outdoor waste storage, external handling of any organic or putrescible materials, and the like, is to be included in regards to wildlife attraction.
	Any proposed fill should be detailed, noting the fill uses need to be non-putrescible.
	An assessment of the wildlife attraction of any later stage lots which may not be developed for some time will need to be undertaken. This could include measures such as grass seeding to minimise wildlife attraction, as well as timing of these remaining stages to measure the risk.
Airspace Operation (Vertical Clearance)	The proposal will need to assess the development's potential impacts on the Obstacle Limitation Surface, during construction and operation. It should be noted that the *Airports Act 1996* covers any intrusions into prescribed airspace, which could include: a. constructing permanent structures, such as buildings, into the protected airspace; b. temporary structures such as cranes protruding into the protected airspace; or c. activities causing non-structural intrusions into the protected airspace such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. If it is likely that any of the above components would result in an impact on protected airspace, then approval will need to be obtained in accordance with the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996.*

Aircraft Noise	It is to be demonstrated that uses will comply with Australian Standard 2021:2015, including in regards to indoor sound levels.

We are more than happy to discuss any of the above further as required.

Kind regards,

Tim

Tim Smith
Planning Manager
Airport Planning and Design

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tsmith@wsaco.com.au
PO Box 397 Liverpool NSW 1871

Western Sydney Airport

Our reference: ECM: 9632728
Contact: Gavin Cherry
Telephone: (02) 4732 8125

05 July 2021

Department of Planning, Industry and Environment
Attn: Bianca Thornton
Email: bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton,

Response to Request for Advice on SEAR's Request: 1-51 Aldington Road Estate Warehouse and Distribution Use - SSD-22595032

I refer to the Department's request to provide comments on a request for SEARs. Thank you for the opportunity to review and contribute.

The following comments are provided for the Department's consideration in relation to this matter.

1. Planning and Design Considerations

- The proposal seeks to subdivide land within the Mamre Road Precinct and 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 includes 2 x development lots and what appears to be 2 x residue lots being Lot 3 and the land containing the E2 zoned portion of the site. The subdivision arrangement and access points must be informed by a structure / master plan that extends beyond the boundaries of the site. This is effectively what the DCP is required to provide and will inform where necessary road alignments and locations would be and how the land should then be developed. The plan of subdivision has indicative road connection points that cannot be adequately assessed or verified as suitable in the absence of the adopted DCP.

- The intention for the E2 zoned land which hasn't been identified as a residue lot on the concept plan requires confirmation. This includes ownership and management intentions as well as information in support of the application that address biodiversity conservation and management of this land.

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- The arrangement of the building form and car parking within proposed Lot 2 is generally reasonable however setbacks to the proposed internal road between the front property boundary and the car park must be of a suitable width, depth and planting density to screen the car park from the street. It is Council's position as advocated to the Department and Planning Partnership, that 6m landscaped setbacks are required if large scale parking areas are proposed in front of industrial / commercial developments.

- The arrangement of the building form and car parking / driveway points on Proposed Lot 1 requires refinement as the accumulation of driveway access points provides a poor streetscape presentation. The streetscape presentation would be dominated by 3 x driveway points and service infrastructure / tanks. This will not achieve the objectives within the draft DCP. Noting comments below which recommended realignment of the road itself, spatial break with suitable landscaping is required to ensure that the streetscape is not dominated by excessive hard stand areas and infrastructure within front setback zones.

- Details are required that address the extent of cut and fill that will be required to be undertaken to accommodate the development and its fit with the adjoining lands and precinct earthworks/levels. The spatial arrangement of the development should 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 the southern and northern 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.

- Infrastructure Contributions will be required for this development and will need to be determined by resolution between the Department and Penrith City Council prior to any development application being determined within the Precinct.

2. Development Engineering and Traffic Considerations

Stormwater Management

- Stormwater drainage for the site must be in accordance with the following:
    - Mamre Road Precinct Draft DCP (requiring adoption)

- A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.

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- 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 water quality controls of the Mamre Road precinct Draft DCP.

- 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.

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- 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

Proposed Roads and Traffic Arrangements

- The 12m wide shared driveway connection to Aldington Road is not supported. The use of Bakers Lane by heavy vehicles is also not supported. Any interim road access arrangements must be generally in accordance with the Mamre Road Precinct Draft DCP Figure 14 'Mamre Road Precinct Road Network Map' or as depicted within the adopted DCP if the application is lodged after DCP adoption.

- Any consideration of a temporary connection prior to the delivery of Aldington Road / Abbots Road ultimate road upgrades would be contingent upon security of the Southern Link Road and arrangements for connection across Aldington Road to the Southern Link Road with all industrial traffic directed via that route and to the satisfaction of TfNSW and Council.

- Any temporary driveway connection should also include at least a 1.8m wide separate accessible pedestrian path from the road frontage along the driveway and to footpaths in the internal roads.

- Aldington Road and Abbotts Road are currently rural roads and are unsuitable for heavy vehicle traffic in their current state. As the development will rely upon Aldington Road for access to the site, Aldington Road and Abbotts Road are to be upgraded to a distributer road (as per Mamre Road Precinct Draft DCP) from the development site to the intersection with Mamre Road, including a signalised intersection with Mamre Road.

- The location and width of the internal road as depicted in the Site Plan by Gibb Group, reference 2007-310, dated 27 May 2021 is generally consistent with the with the 'Local Industrial Road' as per the Mamre Road Precinct Draft DCP Figure 14 'Mamre Road Precinct Road Network Map'. Notwithstanding this, the location of the future southern east-west DCP road as depicted in the Site Plan by Gibb Group, reference 2007-310, dated 27 May 2021 is shown upon the adjoining lot. This road should be located either entirely within the proposed development site or half within the development lot and half within the adjoining southern lot. Any interim access arrangements shall utilise this road. The application should provide evidence of discussions with the adjoining lot to the south for delivery of the DCP road.

- It is suggested that an overlay of the DCP road layout be included with the estate road plans. Any proposed staging of works is also to be shown.

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Earthworks

- The site is impacted by two major ridgelines with land falling towards the north-west. An east-west ridge runs parallel to the southern boundary and adjoins the main ridge that runs along the eastern boundary. A site cut / fill plan is to be submitted that includes any retaining walls and batter extents. The plan shall include any batters or retaining walls for the future roads as shown in the Mamre Road Precinct Draft DCP

- 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 which identifies any lots proposed as “residue” lots as well as any required easements or restrictions.

3. Traffic Modelling and Further Precinct Wide Design Considerations

- If the applicant wishes to proceed ahead with this development applicant (prior to the Final Mamre Road Precinct DCP traffic modelling, design, cost and delivery plans), then ithe SEPP requires a site specific DCP ro be prepared that has regard to the Draft Mamre Road Precinct DCP but also must go through the same issues for the precinct 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. This includes designs for all of the precinct collector / distributor / arterial roads and intersection (Mamre Rd/ Abbotts Rd / Aldington Rd / and link to Southern Link Road / collector roads).
- 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 / Abbotts Road are to include traffic signalized intersections. Other Development Road intersections being either sign

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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.

- All proposed Road reconstruction and cross sections shall comply with the DCP.
- A Traffic Assessment shall be provided and include 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.
- Given the status of several other SSDAs and DAs in this precinct currently, there should be consideration as to how this DA would interrelate with others in the precinct, and how they would all tie in together. Considering each SSDA and DA in isolation will likely lead to disjointed outcomes in the precinct as a whole and could result in adverse impacts regarding matters of cumulative impact (e.g. stormwater, traffic, etc.).
- The development is to be informed by the Draft Mamre Road Precinct DCP as well as the Precinct Road Network traffic modelling and intersection traffic modelling and a Transportation Mobility and Access Plan (TMAP – of the road, path, bicycle and bus network and infrastructure) to inform engineering designs and documentation of the Precinct road network including Aldington Road, Bakers Lane, Mamre Road, Abbotts Road and internal roads and intersections.
- 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 Landowners Group.

4. Environmental Management Considerations

Noise Impacts

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- An acoustic assessment is required to be submitted as a part of an application to demonstrate that the proposed development will not have any impact on nearby sensitive receivers. This report is to be prepared by an appropriately qualified acoustic consultant, and is to consider noise impacts including, but not limited to:
    - Construction
    - Operation
    - Mechanical plant
    - Vehicular movements
    - Road traffic noise

  Should mitigation measures be necessary, recommendations should be included to this effect. Recommendations and mitigation measures must be shown on all architectural plans.

Contamination (SEPP 55)

- The application is to address all relevant requirements under State Environmental Planning Policy 55 Remediation of Land (SEPP 55). Council cannot consent to any development unless these requirements have been satisfied. The application is to demonstrate that the land is suitable for the proposed purpose either by the submission of a Phase 1 Preliminary Site Investigation or Phase 2 Detailed Site Investigation. Any reports need to be completed by a suitably qualified person(s) or company.

Hazardous Building Materials Survey

- Provide a hazardous building materials survey of the site in accordance with Work Health and Safety Legislation. Should hazardous building materials be identified, a demolition plan to remove these materials is to be provided.

Hazardous and Offensive Development (SEPP 33)

- An application is to consider SEPP 33 and provide an assessment of the proposed development with regard to the SEPP.

Waste Management

- A Waste Management Plan is to be provided addressing waste produced during the demolition, excavation and construction phases of the development. It should address waste quantities, storage locations and removal.

General Environmental Health Impacts

- The environmental impacts associated with the demolition and construction phases of the development need to be addressed, such as water quality, noise, dust/air quality and erosion and sediment control. This can be included in the Statement of Environmental Effects and plans.

Dams

- Provide details on the removal of the existing dams on-site, dewatering plan, ecological impacts etc.

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Sewerage Infrastructure

- Provide confirmation that the proposed development will be connected to Sydney Water's reticulated sewer.

5. Biodiversity Considerations

- It is noted that the application will be supported by a BDAR which will need to be assessed at the time of lodgement. Details of the intended land use, conservation and management, ownership and titling of the E2 zoned land will need to be addressed in the application.

Should you require any further information regarding the comments, please do not hesitate to contact me on (02) 4732 8125.

Yours Sincerely,

Gavin Cherry
Development Assessment Coordinator

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5 July 2021

TfNSW Reference: SYD21/00755/01
Departments Reference: SSD-22595032

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

Attention: Bianca Thornton

Dear Ms Thornton

REQUEST FOR SEARS - WAREHOUSE & DISTRIBUTION FACILITY - 1-51 ALDINGTON ROAD, KEMPS CREEK

Reference is made to the Department's correspondence dated 22 June 2021, 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.**

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

Zhaleh Alamouti
A/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) broken down per vehicle types;

    b. Site and traffic management plan which includes details of all traffic types and volumes likely to be generated by the proposed development during construction and operation and awaiting loading, unloading or servicing, including predicted haulage routes, including over size over mass vehicles, and consider any impacts to the state road network (i.e. where the haulage route meets the state road);

    c. Details of the origin/destination of dangerous goods movements to/from the site (if any);

    d. 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;

    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. Plans detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes;

    g. Provide a swept path analysis in accordance with Austroads turning templates to demonstrate that the largest vehicle likely to utilise the access can enter and exit the driveway in a forward direction and manoeuvring throughout the site;

    h. 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. 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 Abbotts Road.

i. An assessment of potential impact on load road pavement lifespan including:

    i. Aldington Road/ Bakers Lane/ Abbotts Road; and
    ii. Mamre Road.

j. 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 Mamre Road for the duration of the works because traffic growth in this area is expected to increase more quickly than standard growth rates;

k. Details of road upgrades, infrastructure works, or new roads or access points required for the development;

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;

m. Measures to integrate the development with the existing/future public transport network;

n. Measures to ameliorate any adverse traffic and transport impacts due to the development based on the above analysis, including:
    i. travel demand management programs to increase sustainable transport (such as a Green Travel Plan); and

o. 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)
- Mamre Road Precinct Structure Plan (DPIE, June 2020)
- Draft Mamre Road Precinct Development Control Plan
- Draft Western Sydney Aerotropolis Plan

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

- Mamre Road Upgrade Strategic Design Report (2016)
- Mamre Road Upgrade Strategic Design Plans

- Southern Link Road Strategic Design Plans
- Future Transport 2056 and supporting plans
- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).
- NSW 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).

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

Our ref: DOC21/547625
Senders ref: SSD 22595032

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 1-51 Aldington Road Estate, Mamre Road Precinct (SSD-22595032)

Thank you for your e-mail received on 22 June 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the SEARs for 1-51 Aldington Road Estate, Kemps Creek, Mamre Road Precinct.

EES has reviewed the scoping report prepared by Ethos Urban dated 21 June 2021 and provides the following comments and recommendations at Attachment A.

Biodiversity

EES's recommended SEARs for biodiversity are provided in sections 1-5 in Attachment A. EES notes that the scoping report appears to indicate that part of the proposed road network and the turning circles are located within the E2 Environmental Conservation zone, although the exact extent of the encroachment is not stated. While it is understood that roads are permissible within the E2 zone, the construction of the road and turning circles would potentially impact biodiversity values within the zone which would be inconsistent with the objectives of the zone which include:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

The construction of access roads and tuning circles within in the E2 zone would also be inconsistent with the Mamre Road structure plan which identifies this area as environmental conservation with an adjoining buffer area identified as 'transition to environmental conservation'. Furthermore, the structure plan also identifies 'an opportunity for ecological corridor' within the site which is not addressed.

As detailed in the attached recommended SEARs, 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.

EES recommends that the proposed roads and turning circles be wholly located within the industrial zone and that development be designed to avoid and minimise impacts to biodiversity values.

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 Road Precinct

Flow Related Objectives		
	1-2 Order Streams	3rd 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) ≥ 90th Percentile Daily Flow Volume	2048.4 ± 739.2	10091.7 ± 769.7
High Spell - Frequency (number/y) High Spell - Average Duration (days/y)	6.9 ± 0.4 6.1 ± 0.4	19.2 ± 1.0 2.2 ± 0.2
Freshes (L/ha) ≥ 75th and ≤ 90th Percentile Daily Flow Volume	327.1 to 2048.4	2642.9 to 10091.7
Freshes - Frequency (number/y) Freshes - Average Duration (days/y)	4.0 ± 0.9 38.2 ± 5.8	24.6 ± 0.7 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 Road 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 (NOx, 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

EES has also developed stormwater management targets that achieve the NSW Government water quality and flow objectives, following the 5-step process outlined in the Risk-based framework for considering waterway health outcomes in strategic land use planning decisions.

EES has established that a mean annual runoff volume (MARV) target is required to achieve the flow objectives, in addition to the 95th, 90th, 75th and 50th percentile flows and a Cease to Flow target. These targets are provided in the Table 3 (below) and it is also expected that compliance with these stormwater targets will be included in the Mamre Road DCP as a specific development control.

To assist the applicant, EES has also prepared a package of technical information at Attachment B, including:

- Flow duration curve, which defines the pre-development hydrology for development catchments in Wainamatta-South Creek
- Source node MUSIC model parameters for post development modelling
- Climatic information – rainfall period, and monthly PET

It is recommended that above technical information be used in any MUSIC modelling for the development.

Table 3. Stormwater targets

Parameter	Target
Stormwater quality	
Gross Pollutants (anthropogenic litter >5mm and coarse sediment >1mm)	90% reduction (minimum) in mean annual load from unmitigated development

Parameter	Target
Total Suspended Solids (TSS)	90% reduction in mean annual load from unmitigated development
Total Phosphorus (TP)	80% reduction in mean annual load from unmitigated development
Total Nitrogen (TN)	65% reduction in mean annual load from unmitigated development
Flow	
Mean Annual Runoff Volume (MARV)	≤ 2 ML/ha/year at the point of discharge to the local waterway
95%ile flow	3000 to 11000 L/ha/day at the point of discharge to the local waterway
90%ile flow	1500 to 5000 L/ha/day at the point of discharge to the local waterway
75%ile flow	200 to 1000 L/ha/day at the point of discharge to the local waterway
50%ile flow	20 to 100 L/ha/day at the point of discharge to the local waterway
Cease to flow	Cease to flow to be between 10% to 30% of the time

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

S. Harrison

06/07/21

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

Attachment A – EES Environmental Assessment Requirements

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 2020, 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 2020. 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 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 or 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.

Attachment B – Stormwater Compliance Technical Information – Mamre Road

MUSIC Modelling Climate

Rainfall	Penrith - 6 minute timestep 1/1/1999 – 31/12/2008 Annual Average = 691mm/yr	
Potential Evapotranspiration	Jan	183
	Feb	144
	March	127
	April	88
	May	60
	June	41
	July	48
	August	73
	September	107
	October	138
	November	150
	December	177
	Total	1336

Development Source Node Assumptions

Rainfall runoff parameters are listed below:

Impervious Area Parameters	
Rainfall Threshold (mm)	1.0
Pervious Area Parameters	
Soil Storage Capacity (mm)	150
Initial Storage (% of capacity)	30
Field Capacity (mm)	130
Infiltration Capacity Coefficient – a	175
Infiltration Capacity Exponent - b	2.5
Groundwater Properties	
Initial depth (mm)	10
Daily Recharge Rate (%)	25
Daily Baseflow Rate (%)	1.4
Daily Deep Seepage Rate (%)	0.0

- Pollutant export parameters must adopt those recommended in *WSUD developer handbook MUSIC modelling and design guide 2020*.

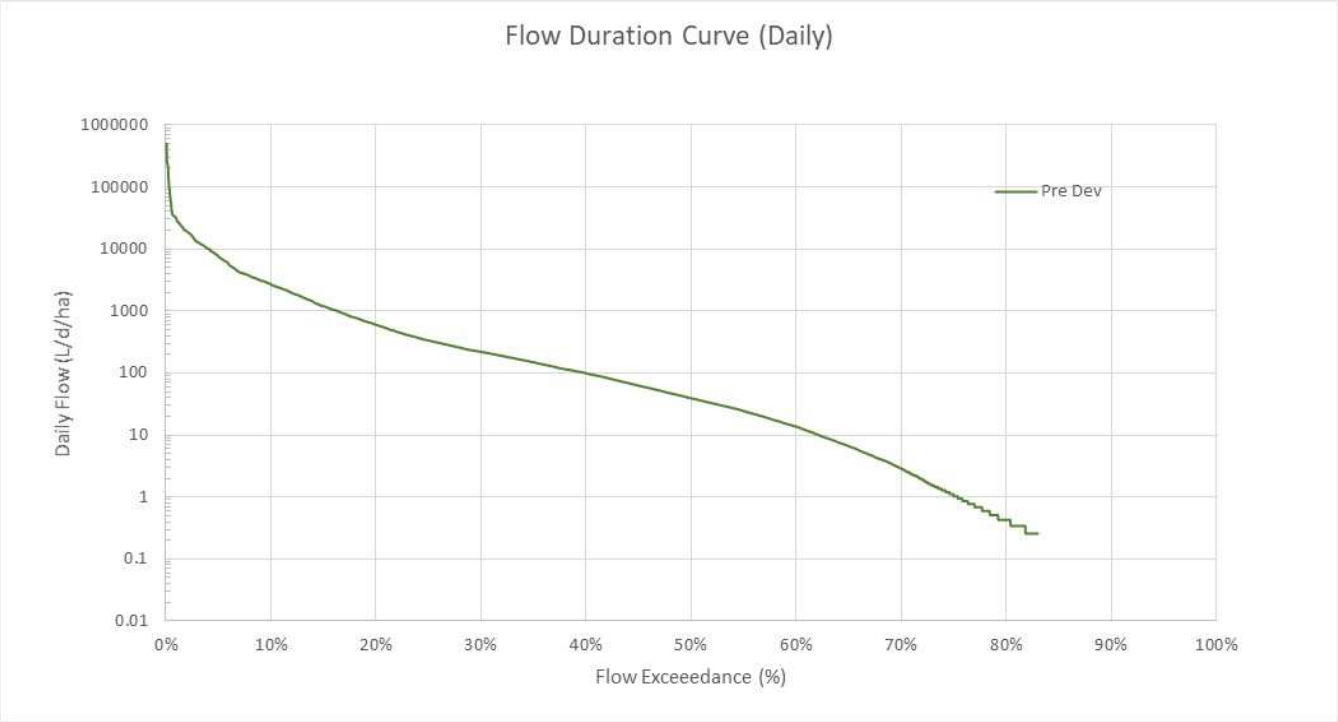

Figure 1: Pre-Development Development Scale Flow Duration Curve (refer spreadsheet attached)

End of Submission

OUT21/8283

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

bianca.thornton@planning.nsw.gov.au

Dear Ms Thornton

1-51 Aldington Road Estate (SSD-22595032)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

I refer to your email of 22 June 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 and NRAR can be sent by email to landuse.enquiries@dpie.nsw.gov.au. or to the following coordinating officer within DPIE Water:

Alistair Drew, Project Officer
E: Alistair.drew@dpie.nsw.gov.au
M: 0417 626 567

Yours sincerely

Alistair Drew
Project Officer, Assessments
Water – Knowledge Office
23 June 2021

2 July 2021

Bianca Thornton
Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
Bianca.Thornton@planning.nsw.gov.au

RE: Sydney Water input to SEARs - SSD-22595032 for 1-51 Aldington Road Estate, Kemps Creek

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the abovementioned SSD which proposes demolition of all existing structures, earthworks, subdivision of the site into three lots, construction of two warehouses with a combined total GFA of 43,310m2, connection to site infrastructure, integrated water cycle management infrastructure and road constructions. We have reviewed the proposal and provide the following comments for your consideration.

Sydney Water have reviewed the proposal and provide the following comments for your consideration:

- Sydney Water currently has limited potable water services and no existing wastewater services within the vicinity of this development, however, the site is located within Sydney Water's *Growth Servicing Plan (2020-2025)* and therefore Sydney Water will likely provide trunk services to the property in the future.
- Sydney Water requires detailed domestic and industrial water & wastewater demands for this proposed development to accurately plan for timely services for this development. We recommend that the proponent lodges a feasibility case with Sydney Water as soon as possible, if they have not done so already.
- Sydney Water understands this proposal does not include approval for the proposed future chemical manufacturing facility on lot 3 intended to be constructed on this site (subject to a separate SSDA). However, to ensure sufficient and holistic servicing arrangements are organised for the combined future development, Sydney Water requires detailed domestic and industrial water and wastewater demands for this proposed development and the future chemical manufacturing facility be specified within the EIS or supporting appendices. As above, Sydney Water strongly recommends that a feasibility case is lodged as soon as possible to ensure the demand profile is fully understood and any investigations can be carried out as soon as feasible.
- Indicative stormwater, trade wastewater and water re-use quantities should also be included within the EIS report.

- It is recommended that the proponent engages a Water Servicing Coordinator to facilitate the feasibility process and meetings are held between the proponent and Sydney Water to ensure that Sydney Water's requirements inform all design processes.

Sydney Water also 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 the development should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and, recycled water 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 any other Sydney Water asset, including any easement or property.
3. 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.
4. 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.
5. 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

6. 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.

If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

Kristine Leitch
Growth Intelligence Manager
City Growth and Development, Business Development
Sydney Water, 1 Smith Street, Parramatta NSW 2150

Heritage NSW

Our ref: HMS ID 158

Bianca Thornton
Planner
Department of Planning Industry & Environment
GPO BOX 404
PARRAMATTA NSW 2124

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

Dear Ms Thornton

Request for Secretary's Environmental Assessment Requirements (SEARS) for 1-51 Aldington Road Estate (SSD 22595032)

Thank you for your referral dated 22 June 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 heritage comments are 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
29 June 2021

Our reference: DOC21/510666
Date: 2 July 2021

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: 1-51 Aldington Road Estate
SSD#: 22595032

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.

Level 6, 10 Valentine Ave Parramatta NSW 2150 ■ Locked Bag 5020 Parramatta NSW 2124
P: 02 9873 8500 ■ E: heritagemailbox@environment.nsw.gov.au

NSW RURAL FIRE SERVICE

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

Your reference: SSD-22595032
Our reference: DA20210706002788-SEARS-1

ATTENTION: Bianca Thornton

Date: Thursday 8 July 2021

Dear Sir/Madam,

Development Application
State Significant – SEARS – Warehouse or Distribution Centre
1-51 Aldington Road Kemps Creek NSW 2178, 39//DP708347

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 22/06/2021.

The NSW RFS has reviewed the request for the Secretary's Environmental Assessment Requirements and recommends the following:

- The Environment Impact Statement must incorporate a bush fire report prepared by a suitably qualified person that addresses the requirements under *Planning for Bush Fire Protection 2019* (PBP).
- The interim road connection to Aldington Road is made permanent as a future public through road to provide unobstructed perimeter access to bush fire hazards on the E2 zone land.
- If the proposed uses involve the storage of hazardous or dangerous goods, a Fire Safety Study may need to be prepared consistently with the *Hazardous Industry Planning and Assessment Papers* (HIPAPs) according to section 8.3.9 of PBP.
- Construction requirements for commercial and industrial buildings are considered on a case-by-case basis, and compliance with AS3959 and the NASH Standard must be considered under section 8.3.1 of PBP.

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

Yours sincerely,

Kalpana Varghese
Supervisor Development Assessment & Plan
Built & Natural Environment

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

Our Ref: FE20/98#17 and C21/359 22 June 2021

Your Ref: SSD-22595032

Ms Bianca Thornton
Environmental Assessment Officer
Industry Assessments
Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150
c/o: *bianca.thornton@planning.nsw.gov.au*
via Major Projects Portal

Ms Thornton,

Request for consultation - Secretary's Environmental Assessment Requirements (REAR's) for 1-51 Arlington Road Estate, 1-51 Arlington Road Kemps Creek NSW 2178 (Lot 39 & 40 DP 708347)

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 have reviewed the Scoping Report prepared by Ethos Urban (June, 2021).This proposal seeks to redevelop the site for a distribution warehouse.

General 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 lists some important guidelines for assessment.

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

Yours sincerely,

J. Hollywood

Josi Hollywood
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 *Caulerpa taxifolia*) ▪ 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 distr bution 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 or 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:

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	▪ 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 spwning 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 fauns under the FM Act. The Department of Planning and Infrastructure has developed a document entitled *Aquatic Ecology in Environmental Impact Assessment* (Lincoln-Smith 2003) which may also assist in the survey design. Note that a detailed survey may be required: a) 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 b) 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.

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Attachment 2 – Guidelines for assessment

Title	Location
Policy and Guidelines for Fish Habitat Conservation and Management (2013)	https://www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation)
Fish Passage Requirements for Waterway Crossings and *Policy (2003) and Guidelines for Fish Friendly Waterway Crossings (2003)*	https://www.dpi.nsw.gov.au/fishing/habitat/threats/barriers
Degradation of native riparian vegetation along NSW watercourses is listed as a key threatening process (KTP) under the Fisheries Management Act DPI-Fisheries recommends that this activity is avoided.	https://www.dpi.nsw.gov.au/fishing/threatened-species/what-current/key-threatening-processes/degradation-of-native-riparian-vegetation

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Bianca Thornton

From: Cornelis Duba <Cornelis.Duba@endeavourenergy.com.au>
Sent: Tuesday, 22 June 2021 11:26 AM
To: Bianca Thornton
Subject: NSW Planning, Industry & Environment SEARs SSD-22595032 for 1-51 Aldington Road Estate
Attachments: EE FPJ 4603 Permission to Remove Service July 2007.pdf; 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 Drawing 86232 OH lines minimum clearances.pdf

Hello Bianca

I refer to the your below email of 22 June 2021 regarding the exhibition of the request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for State Significant Development SSD-22595032 1-51 Aldington Road Estate for 'Development of a manufacturing and warehousing hub including construction and operation of a chemical manufacturing facility and a warehouse for a total of 50,210 m2 of floor space. Bulk earthworks, site infrastructure and subdivision of the site' at 1 – 51 Aldington Road, Kemps Creek (Lots 39 and 40 DP 708347) in the Penrith City Council Local Government Area (LGA). Submissions needed to be made to the Department by 5 July 2021.

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

Endeavour Energy believes that either of the foregoing would adequately require the applicant to investigate and address in utilities required for the State Significant Development.

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) (constructed at 22,000 volts / 22 kV) high voltage overhead power lines to the road verge / roadway.
- Extended low voltage overhead service conductors utilising customer owned / private poles (indicated by the green circles) coming from the poles on the road verge to the customer connection points for the existing dwellings (which only service the site on which they are located and will become redundant electrical assets if the proposed development proceeds).

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).

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

- Network Capacity / Connection

Endeavour Energy has noted the following in the SEARs Request Report.

> **4.3 Infrastructure and servicing**
>
> The EIS will assess in detail the impact the proposal will have on existing utility services and service provider asse surrounding the site. The infrastructure requirements and augmentation needed (on and off site) to support the development will also be outlined and assessed in detail. This includes infrastructure and services such as water, sewage, electricity, telecommunications, and gas infrastructure.

The Mamre Road Precinct within the Western Sydney Employment Area is initially being supplied from the existing Mamre Zone Substation located at 8 John Morphett 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 (Lot 99 DP 1266383) 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 16 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 distribution substations 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 will 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 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/s 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 treed[2] 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 the following in the SEARs Request Report.

4.11 Other issues for consideration and assessment

In addition to the above, the following matters outlined below will also be considered as part of the EIS.

Bushfire

The vulnerability of the site to bushfires will be assessed as part of the EIS. This will include an assessment against the NSW Government's *Planning for Bush Fire 2019*.

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 *Guideline for Managing Vegetation Near Power Lines*.

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 following in the Request for SEARs Report.

4.5 Stormwater management and flooding

The EIS will be accompanied by a Stormwater Management Plan and Flood Assessment. The Mamre Road Precinct is affected by 1 in 100 year and probable maximum flood (PMF) levels from creeks within the vicinity of the site (Ropes Creek, South Creek and Kemps Creek). Notwithstanding that the site is not identified as flood prone land, the assessment will assess the impact of the proposed development on downstream flood behaviour.

The EIS will also address the Integrated Water Cycle Management provisions in the draft Mamre Road DCP and the site water discharge requirements.

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

- Safety Clearances

As a minimum 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 (132 kV) 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 .

These distances must be maintained at all times and regardless of the Council's allowable building setbacks etc. under its development controls. As a guide only please find attached a copy of Endeavour Energy Drawing 86232 'Overhead Lines Minimum Clearances Near Structures'. Factors such as the span (the longer the span the greater the sag and blowout of the overhead power lines), type of conductor, access, property type and use etc. will impact on the minimum clearances.

- 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.

- 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.

- 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.

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.

Endeavour Energy's recommendation is that existing trees which are of low ecological significance in proximity of overhead power lines be removed and if necessary replaced by an alternative smaller planting. Any planting needs to ensure appropriate clearances are maintained whilst minimising the need for future pruning.

- 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 from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666) by Accredited Service Providers (ASP) with the relevant class of Authorisation for the type of work being carried out. The work could involve:

  - The disconnection and removal of an underground service cable or overhead service line,
  - 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.

The ASP scheme is administered by NSW Planning, Industry & Environment and details are available on their website via the following link or telephone 13 77 88:

https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service .

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

- Site Remediation

Endeavour Energy's Environmental Business Partner Team have advised that the remediation of soils or surfaces 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, removal of any stained surfaces or 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 – please refer to the above point 'Network Capacity / Connection'.

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

- 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. Please find attached copies of 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

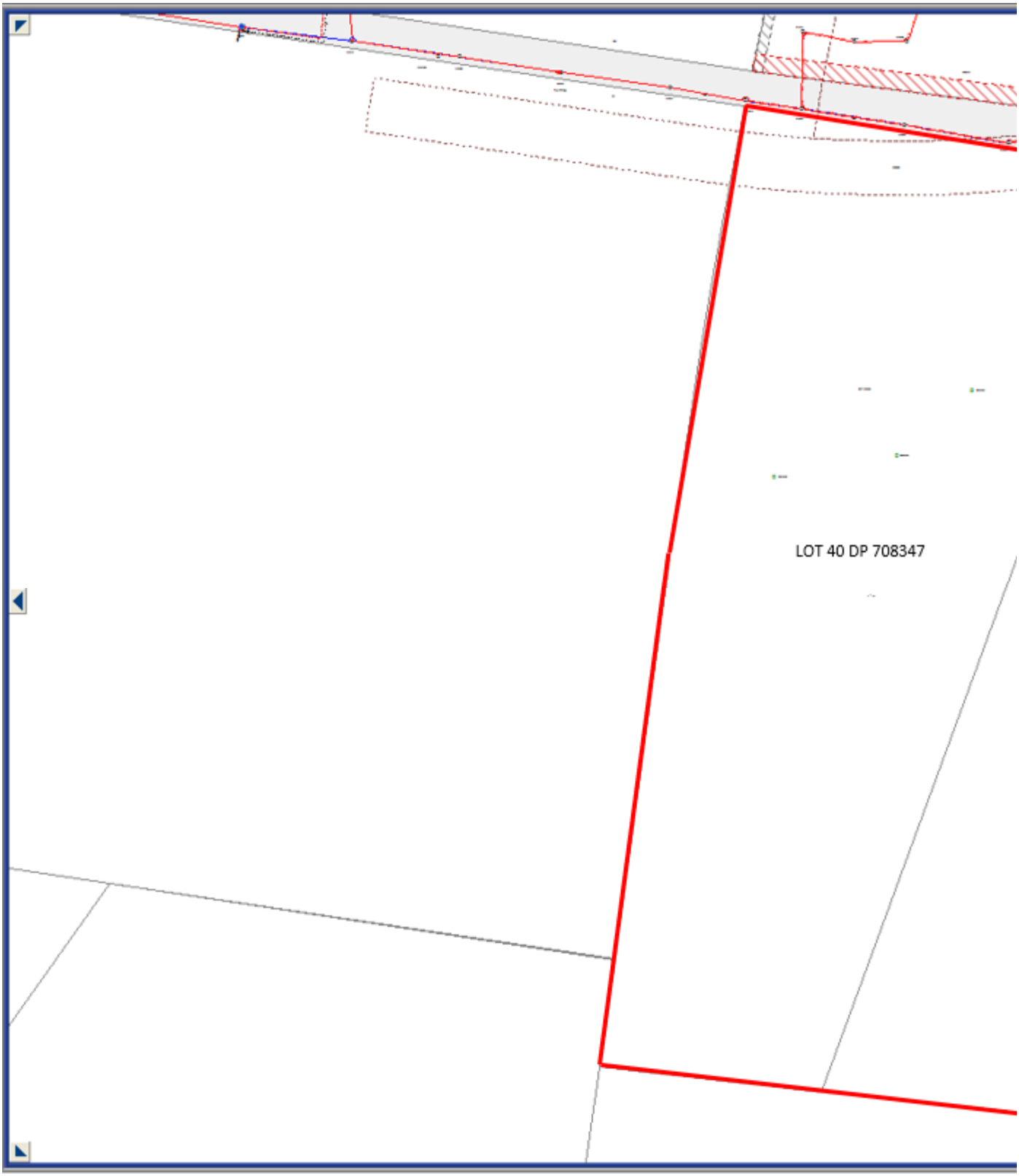
In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours / 7 days. Endeavour Energy's contact details should be included in any relevant risk and safety management plan.

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
M: [redacted]
E: cornelis.duba@endeavourenergy.com.au
51 Huntingwood Drive, Huntingwood NSW 2148
www.endeavourenergy.com.au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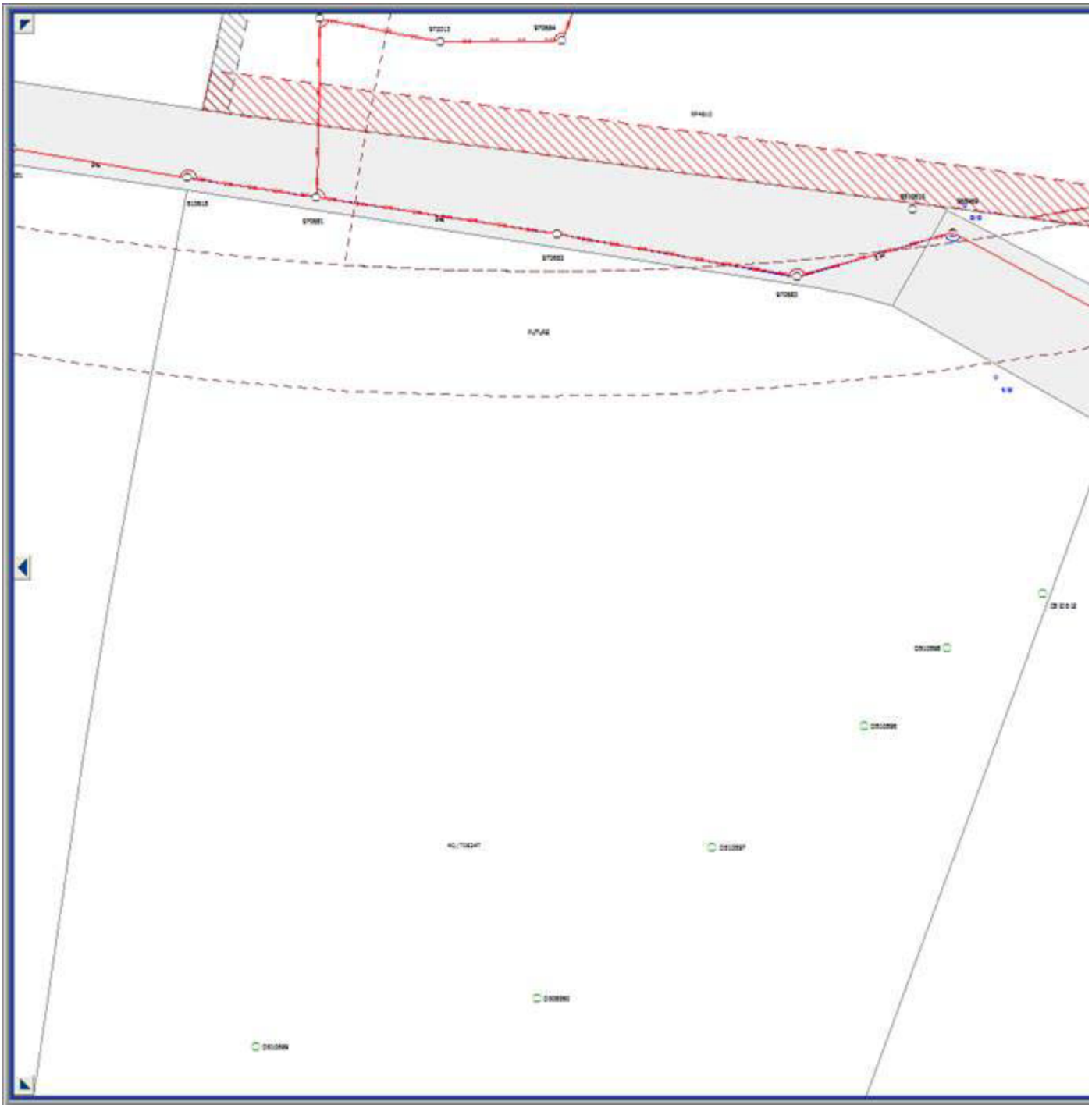


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Street View
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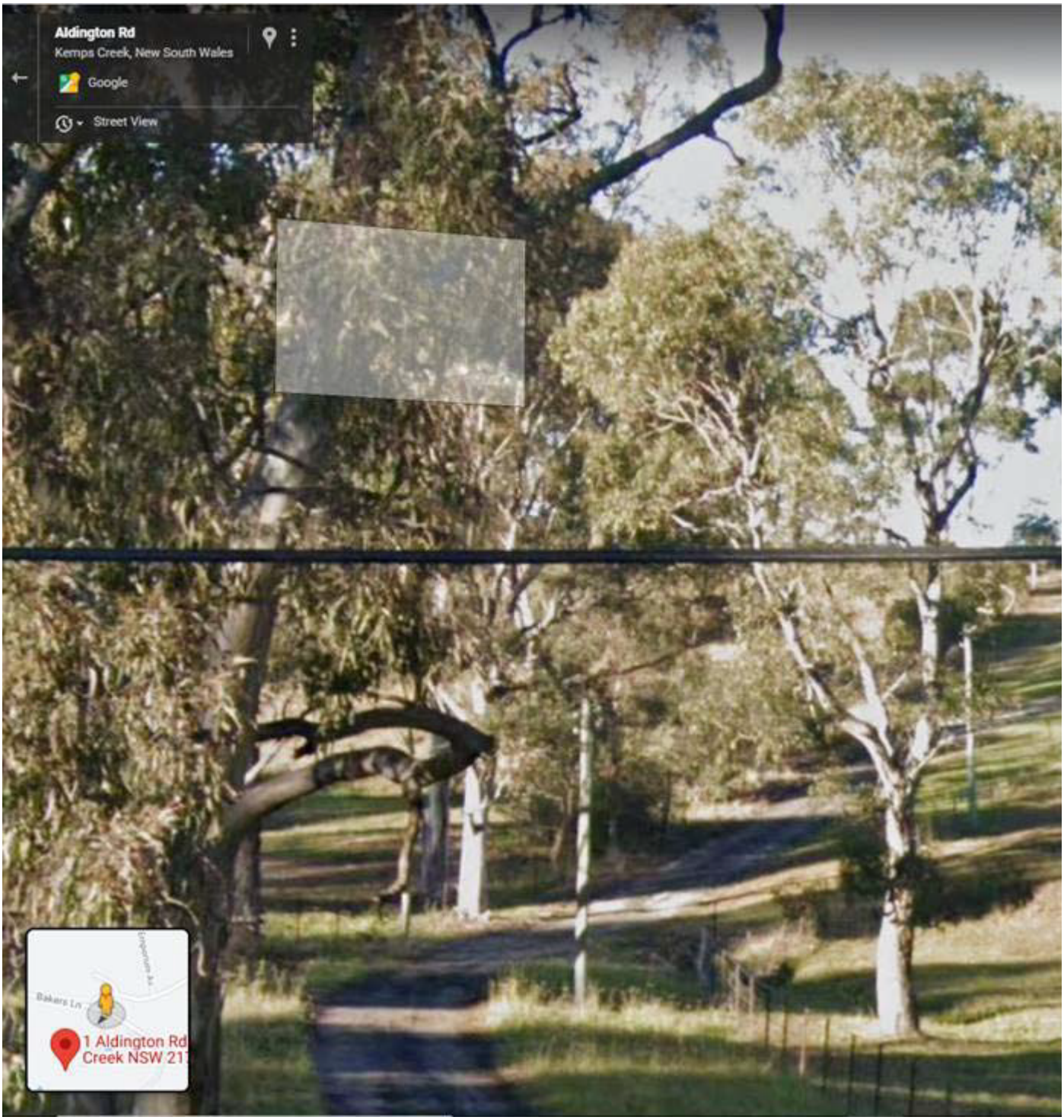
Aldington Rd
Kemps Creek, New South Wales
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Street View
Bakers Ln
1 Aldington Rd
Creek NSW 21

DOC21/512068-3

Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

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

28 June 2021

No Comment to Planning Advice Request

I refer to your request for advice on proposed redevelopment or warehouse and distribution use (Application SSD- 22595032) located at 1-51 Aldington Road Estate, Kemps Creek.

The proposal is for;

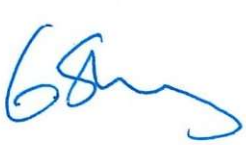
- site preparation works including demolition of all existing structures and bulk earthworks in development areas;
- subdivision of the site into three development lots and an environmental conservation lot;
- construction and use of a warehouse of approximately 24,710m^2 within Lot 1, with associated office floorspace, vehicle loading and parking areas;
- construction and use of a warehouse of approximately 18,600m^2 within Lot 2, with associated office floorspace, vehicle loading and parking areas;
- connection to required site infrastructure;
- integrated water cycle management infrastructure; and
- road construction including:
  - interim connection to Aldington Road; and
  - internal estate roads.

Based on the information provided, the proposal does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997*. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required, Penrith City Council should be consulted as the appropriate regulatory authority for the *Protection of the Environment Operations Act 1997* in relation to the proposal.

If you have any questions about this request, please contact Environment Line on 131 555 and quote the above reference number.

Yours sincerely



Greg Sheehy
A/ Executive Director Regulatory Operations
NSW Environment Protection Authority