



30 July 2021

Mr Sam Franklin
Project Manager
Icon Oceania Kemps Development Pty Ltd
Level 8, 123 Pitt Street
SYDNEY NSW 2000

Attention: Georgia McKenzie, Urbis

Dear Mr Franklin

**Planning Secretary's Environmental Assessment Requirements
253-267 Aldington Road Estate (SSD-23480429)**

Please find attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the 253-267 Aldington Road Estate State significant development application (DA) at 253-267 Aldington Road, Kemps Creek in the Penrith local government area (LGA).

The SEARs have been prepared in consultation with relevant public authorities (see **Attachment 2**) and are based on the information you have provided to date. Please note that the Planning Secretary may modify these requirements at any time. Unfortunately, the Department's Water Group and Fire and Rescue NSW were not able to respond by the time of writing. These comments will be forwarded separately once received.

Please contact the Department of Planning, Industry and Environment (the Department) at least two weeks before you propose to submit your DA and EIS. This will enable the Department to confirm the consultation and public exhibition arrangements, including format requirements for the DA and EIS.

Prior to exhibiting the EIS, the Department will review the document in consultation with the relevant public authorities to determine if it addresses the requirements in Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation). You will be required to submit an amended EIS if it does not adequately address these requirements. If you do not submit a DA and EIS for the development within two years, the SEARs will expire. A written request to extend the SEARs expiry date may be made to the Planning Secretary before the expiry date.

Mamre Road Precinct

The site is located within the Mamre Road Precinct under State Environmental Planning Policy (Western Sydney Employment Area) 2009. The draft Mamre Road Precinct Development Control Plan (Draft DCP) was publicly exhibited from 10 November to 17 December 2020. The Draft DCP and the Mamre Road Precinct Structure Plan (Structure Plan) identify an indicative riparian buffer within the site. The requirements of the Draft DCP and the Structure Plan, including those which relate to the riparian buffer, must be considered during preparation of the EIS, in consultation with both the Department's Central (Western) team and the Department's Water Group.

Penrith City Council (Council) has raised concerns regarding the capacity of the local road network to accommodate the development. Council should be closely consulted during preparation of the EIS on any interim and ultimate infrastructure upgrades required to the local road network. Additionally, neighbouring landowners should be closely consulted on the design and timing of delivery of the proposed shared road along the southern boundary and the connection to the northern boundary.

A transmission easement traverses through the eastern extent of the site and the Department encourages close consultation with TransGrid on this matter.

Community Consultation

The Department wishes to emphasise the importance of effective and genuine community consultation. A comprehensive open and transparent community consultation engagement process must be undertaken during the preparation of the EIS. This process must ensure that the community is provided with a good understanding of what is proposed (including a description of any potential impacts) and they are actively engaged in issues of concern to them. **Please note, the Department will require clear evidence that this consultation has been undertaken and justification for the proposed consultation method(s) used.**

Commonwealth Requirements

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of Agriculture, Water and the Environment to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

If you have any questions, please contact Bianca Thornton, Planning and Assessment, on (02) 8217 2040 or via email at bianca.thornton@planning.nsw.gov.au.

Yours sincerely



30 July 2021

Chris Ritchie
**Director, Industry Assessments
Planning & Assessment**

as delegate for the Planning Secretary

Attached: Planning Secretary's Environmental Assessment Requirements