OUT21/16014

David Schwebel
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

david.schwebel@planning.nsw.gov.au

Dear Mr Schwebel

Summit at Kemps Creek (SSD-30628110)
Comment on the Secretary's Environmental Assessment Requirements (SEARs)

I refer to your email of 26 October 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- email: Alistair.drew@dpie.nsw.gov.au

Yours sincerely

Judy Court
A/Project Officer, Assessments
Water – Knowledge Office
4 November 2021

Our ref: DOC21/986111
Senders ref: SSD-30628110

David Schwebel
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 the Summit at Kemps Creek (SSD-30628110) (Penrith)

Thank you for your e-mail received on 2 July 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the SEARs for the Summit (SSD-30628110) (Penrith) at 706-752 Mamre Road, Kemps Creek in the Mamre Road Precinct.

EES has reviewed the scoping report prepared by Ethos Urban dated 25 October 2021 and provides the following comments and recommendations at Attachment A.

Biodiversity

Please note in relation to point (4) of the standard EES biodiversity environmental assessment requirements in Attachment A the minimum information and spatial data requirements are in Tables 24 and 25 of the Biodiversity Assessment Method (BAM), and as required more broadly by the revised BAM 2020. Other requirements, such as those relating to the BAM Calculator and Biodiversity Offsets and Agreements Management System (BOAMS), are detailed in various guidelines, practice notes, updates and other advices issued by EES to BAM accredited assessors – see https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources.

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 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 objectives were provided to key stakeholders at a workshop on 19 October 2020 and were included in the 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 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

Water Quality Objectives	
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*. These targets are provided in Tables 3 - 5 (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. The targets were also included as benchmark solutions in the recently exhibited Draft Western Sydney Aerotropolis Development Control Plan 2021 Phase 2.

To assist the applicant, EES has prepared a MUSIC modelling toolkit (Attachment B), which includes:

- Frequently Asked Questions to provide further background and context for the stormwater management targets.
- Construction (Table 1) and operational phase (Tables 2,3) targets for Mamre Road DCP.
- Recommended rainfall and potential evapotranspiration for MUSIC models (Table 4).
- Source Node assumptions for developing MUSIC models under the developed scenario (Table 5).
- Flow Duration Curve Tool for assessing compliance against Stormwater Flow Targets at the development scale (Figure 1, and excel spreadsheet titled 'Flow Duration Curve Development Scale - South Creek – Locked.xlsx').
- MUSIC model file which provides the rainfall, PET and Source Node Assumptions to support assessments and development of WSUD strategies in Wianamatta-South Creek.

It is recommended that above technical information be used in any MUSIC modelling for the development and that the applicant provide this as part of the EIS.

Table 3 Stormwater quality targets – Construction Phase

	Construction Phase Target
Total suspended solids (TSS) and pH	All exposed areas greater than 2500 square metres must be provided with sediment controls which are designed, implemented and maintained to a standard which would achieve at least 80% of the average annual runoff volume of the contributing catchment treated (i.e. 80% hydrological effectiveness) to 50mg/L Total Suspended Solids (TSS) or less, and pH in the range (6.5–8.5)
Oil, litter and waste contaminants	No release of oil, litter or waste contaminants

	Construction Phase Target
Stabilisation	Prior to completion of works for the development, and prior to removal of sediment controls, all site surfaces must be effectively stabilised including all drainage systems. An effectively stabilised surface is defined as one that does not, or is not likely to result in visible evidence of soil loss caused by sheet, rill or gully erosion or lead to sedimentation water contamination.

Table 4. Stormwater quality targets – operational phase

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

Table 5. Stormwater flow targets – operational phase

	Stormwater Flow Target – Operational Phase
Option 1: Mean Annual Runoff	
Mean Annual Runoff Volume (MARV)	≤ 2 ML/ha/year at the point of discharge to the local waterway
90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway
50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway
10%ile flow	0 L/ha/day at the point of discharge to the local waterway
Option 2: Flow Duration Curve Approach	
95%ile flow	3000 to 15000 L/ha/day at the point of discharge to the local waterway
90%ile flow	1000 to 5000 L/ha/day at the point of discharge to the local waterway
75%ile flow	100 to 1000 L/ha/day at the point of discharge to the local waterway
50%ile flow	5 to 100 L/ha/day at the point of discharge to the local waterway

	Stormwater Flow Target – Operational Phase
Cease to flow	Cease to flow to be between 10% to 30% of the time

Note: Flexibility for showing compliance with the performance criteria has been provided in response to feedback from the urban development industry. Option 1 is primarily based on MARV and is simpler to calculate using industry standard models, whereas Option 1 is based key percentiles of a flow duration curve. Development must comply with either Option 1 or Option 2.

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

10/11/21

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.

DOC21/938937-3 9 November 2021

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

Email: david.schwebel@planning.nsw.gov.au

Dear Mr Schwebel

SUMMIT AT KEMPS CREEK (SSD-30628110) – SECRETARY ENVIRONMENTAL ASSESSMENT REQUIREMENTS

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

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

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

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

While the Western Sydney Aerotropolis Precinct Plans are yet to be finalised, the use of information and approaches in the Plans should be encouraged to help inform the development of the EIS. In particular, the guiding sustainability and resilience framework should be consulted. In addition, the design of the development should also be informed by the Phase 1 Western Sydney Aerotropolis Development Control Plan (DCP) and its replacement Phase 2 DCP once released.

Please contact Mr Paul Wearne (02) 4224 4100 if you require any further information.

Yours sincerely

MITCHELL BENNETT
Unit Head – Statutory Planning

Att A: Key Environmental Issues
B: Guidance Material

ATTACHMENT A - KEY ENVIRONMENTAL ISSUES

1. EPA Licensing and Regulation

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

It is important that any licensing considerations should be assessed, once more detailed understanding of the proposal is available. For example, warehousing and logistic facilities can potentially store a range of chemical substances. Where activities that involve the capacity to store more than 20 tonnes (pressurised gases), 200 tonnes (liquefied gases) or 2,000 tonnes (chemicals in any other form) would require licensing as "Chemical Storage" under *the Protection of the Environment Operations Act 1997* (POEO Act).

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

2. Water Quality

The environmental outcome for the project should ensure:

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

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

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

- Details on proposed stormwater management at the site including integrated water cycle management/water sensitive urban design, first flush systems etc,
- Provide a description of the receiving waters including measures to ensure the achievement of the relevant NSW Water Quality and Flow Objectives, in particular, how the proposal will support waterway health outcomes being sought for Winanamatta- South Creek (See WS Draft Aerotropolis Precinct Plan). In particular the siting and management of water detention and treatment measures during both construction and operation, and their relationship in meeting the Government directions for Winanamatta- South Creek. Further information is available in the *DPIE EES MUSIC MODELLING TOOLKIT – Wianamatta South Creek* which provides guidance that should be consulted to help proponents develop information to inform environmental assessments. A copy of this guidance can be obtained from DPIE EES.
- Provide information on any water discharges including location, volumes, water quality, monitoring programs and frequency of discharge.

- Describe the nature and degree of any likely impacts that the proposed project may have on the receiving environment. This should include a characterisation of potential water pollutants at the site and any associated mitigation and management measures.
- Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.
- Information on any stormwater reuse, retention and detention strategies, including measures to minimise impervious areas to minimise impacts on the flow regime of receiving waterways.
- Identify any potential risks of salinity at the site and document appropriate management strategies to inform the design and construction of the proposal. This should include minimising any disturbance to the soil profile. Salinity is a significant hazard in the area of the proposed development that requires careful planning and management, especially where bulk earth works are proposed.

The EIS should include documentation of discussion with Sydney Water regarding the site's connection to sewer and whether the system has capacity for any new loads. In particular, whether any additional load will impact the system's environmental performance especially in relation to sewage overflows from any existing sewage pumping stations and discharges from any associated sewage treatment plant. The EPA's policy is that, for new systems, there should be no pollution of waters due to overflows during dry weather and overflows during wet weather should be avoided.

3. Air Quality

The environmental outcome for the project should ensure:

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

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

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

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

In particular, back up power generation of electricity with diesel equipment can also be a source of PM10, PM2.5 and NOx. If the proposal involves back up power generation of electricity with diesel equipment that has the capacity to burn more than 3 megajoules of fuel per second, the EIS should document a best practice review of reasonable and feasible diesel emission reduction technology.

Off road transport sources (particularly diesel engines) can be a source of PM10, PM2.5 and NOx. Opportunities that involve the adoption of best practices to achieve the lowest possible emission standard for these pollutants should be assessed. Any off road equipment or plant should achieve

the specifications or be consistent with the specifications listed on page 16 of the *NSW Government Resource Efficiency Policy*, (OEH 2019).

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

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

3. Noise and Vibration

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

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

The proposal appears to involve the development of seven industrial buildings which could have the potential to generate multiple noise sources. The NPfI has a number of guidelines, including the concept of Noise Management Precincts (s. 2.8) and the process to derive amenity noise levels in areas near an existing or proposed cluster of industry (s 2.4.1). Such approaches could be drawn upon to develop a mechanism to ensure that the land is developed in a manner that minimises noise to adjoining or nearby sensitive receiver locations in a structured and equitable manner.

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

Any construction noise should also be assessed and any proposed noise mitigations measures identified and documented in the EIS in accordance with the *Interim Construction Noise Guideline* (2009) or any equivalent guideline that supersedes it.

5. Waste Management

The goal of the development should be to ensure:

- it is in accordance with the principles of the waste hierarchy and circular economy
- the handling, processing and storage of all materials used at the premises does not have negative environmental or amenity impacts
- the beneficial reuse of all wastes generated at the premises are maximised where it is safe and

practical to do so
- no waste disposal occurs on site except in accordance with an EPL.

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

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

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

The EIS should document a process to ensure that any fill received for this purpose is validated by a suitably qualified independent person to demonstrate that it is VENM or meets the requirements of the relevant resource recovery order/exemption and is fit for its intended purpose.

The EPA recommends the proponent consult the following guidelines:

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

6. Contaminated Land

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

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

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

- *Contaminated Land Management Act 1997*
- *Contaminated Land Management Regulation 2013*
- *State Environmental Planning Policy 55 – Remediation of Land*.

7. Emergency Response

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

ATTACHMENT B: RELEVANT GUIDELINES AND DOCUMENTS

Title	Web address
Licensing	
Protection of the Environment Operations Act 1997	https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156
EPA Guide to Licensing	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/licensing-guide-160369.pdf
Air	
Approved Methods for Modelling and Assessment of Air Pollutants in NSW (2005)	http://www.epa.nsw.gov.au/resources/air/ammodelling05361.pdf
Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (2007)	http://www.epa.nsw.gov.au/resources/air/07001amsaap.pdf
Technical Notes - Assessment and Management of Odour from Stationary Sources in NSW	http://www.epa.nsw.gov.au/air/odour.htm
POEO (Clean Air) Regulation 2010	https://legislation.nsw.gov.au/view/html/inforce/current/sl-2010-0428
National Environment Protection (Diesel Vehicle Emissions) Measure	https://www.epa.nsw.gov.au/~/media/EPA/Corporate%20Site/resources/air/140426diesbgdpaper.ashx
Water	
Water Quality Objectives	http://www.environment.nsw.gov.au/ieo/index.htm
Australian and New Zealand Guidelines for Fresh and Marine Water Quality (2018)	https://www.waterquality.gov.au/guidelines/anz-fresh-marine
Using the ANZECC Guidelines and Water Quality Objectives in NSW (DEC, 2006	https://www.environment.nsw.gov.au/research-and-publications/publications-search/using-the-anzecc-guidelines-and-water-quality-objectives-in-nsw
Approved Methods for the Sampling and Analysis of Water Pollutant in NSW (2004)	https://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/licensing-under-poeo-act-1997/licensing-to-regulate-water-pollution/approved-methods-for-sampling-and-analysing-water-pollutants

Title	Web address
Noise and Vibration	
Interim Construction Noise Guideline (2009) or if superseded by the Draft Construction Noise Guideline currently being exhibited	http://www.epa.nsw.gov.au/noise/constructnoise.htm
Assessing Vibration: a technical guideline (2006)	http://www.epa.nsw.gov.au/noise/vibrationguide.htm
Noise Policy for Industry (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
NSW Road Noise Policy (2011)	https://www.epa.nsw.gov.au/~/media/EPA/Corporate%20Site/resources/noise/2011236nswroadnoisepolicy.ashx
Waste	
Waste Classification Guidelines (DECC, 2008)	https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines
Resource Recovery Exemptions	https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/resource-recovery-framework/current-orders-and-exemption
Circular Economy Policy	https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/response-to-china-national-sword/circular-economy-policy
Managing Industrial Waste	https://www.epa.nsw.gov.au/your-environment/waste/industrial-waste
Contaminated Land	
State Environmental Planning Policy 55 – Remediation of Land.	https://legislation.nsw.gov.au/view/html/inforce/current/epi-1998-0520
Bunding and Spill Management	
Storing and Handling Liquids: Environmental Protection - Participants Manual	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/2007210liquidsmanual.pdf?la=en&hash=F58F9A86A4293434464AC43554AEEEB7FDCF6E01
Environmental Compliance Report: Liquid Chemical Storage, Handling and Spill Management - Part B Review of Best Practice and Regulation	https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/ecrchemicalsb05590.pdf?la=en&hash=5BDC31AB157E52F9F3098E663F6808709DEBE76F

Our reference:DOC21/937344
Date:3 November 2021

HERITAGE NSW – Aboriginal Cultural Heritage - SEARs

Project Name: Major Projects – Summit at Kemps Creek (SSD-30628110) (Penrith)

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-30628110
Our reference: DA20211027004659-SEARS-1

ATTENTION: David Schwebel

Date: Tuesday 9 November 2021

Dear Sir/Madam,

State Significant Development – Warehouse or Distribution Centre
Request for Secretary's Environmental Assessment Requirements
Summit at Kemps Creek Industrial Estate 706-752 Mamre Road Kemps Creek NSW 2178, 1//DP104958

Reference is made to correspondence dated 26/10/2021 seeking input regarding the preparation of Secretary's Environmental Assessment Requirements for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the information provided and advises that a bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of *Planning for Bush Fire Protection 2019*.

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

Yours sincerely,

Adam Small
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 reference: ECM Ref: 9782635
Contact: Kathryn Saunders
Telephone: (02) 4732 8567

9 November 2021

Department of Planning, Industry and Environment
Attn: David Schwebel
Email: David.Schwebel@planning.nsw.gov.au.

Dear Mr Schwebel,

Request for Advice – Summit at Kemps Creek SSD-30628110 at 706 Mamre Road, Kemps Creek

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

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

1. Planning Considerations

(a) Proposal

From a review of the submitted documents council understands that the proposal is for a Concept masterplan and Stage 1 development, being a future State Significant Development Application (**SSDA**) and that a request has been made to the Department of Planning, Industry and Environment (**DPIE**) for the Secretary's Environmental Assessment Requirements (**SEAR**s).

The development proposal incorporates the following:

- A Concept Masterplan for the site comprising seven industrial buildings,
- An indicative total building area of 238,290sqm's,
- Road layout including high order roads with external connections, and internal estate local industrial roads,
- Conceptual building locations, car parking arrangements, building heights, setbacks and built form parameters,
- Associated landscaping, and
- Provision of a corridor for the proposed future **AGV** Network.

Consent will also be sought for a detailed Stage 1 which will include:

- Site wide earthworks, site preparation, and infrastructure works,
- Demolition and clearing of all existing trees and vegetation and built form structures,

- Construction of high order roads intersections, and internal estate roads,
- Construction of three warehouse buildings with ancillary offices being Warehouses 01, 02 and 03, comprising a total of 80,420sqm, including: 76,570sqm of warehouse GFA, 3,700sqm of office GFA, 150sqm of café GFA, hardstand area for loading and vehicle manoeuvring, and car parking and landscaping.

An image of the concept masterplan and a satellite image of the site are provided below.

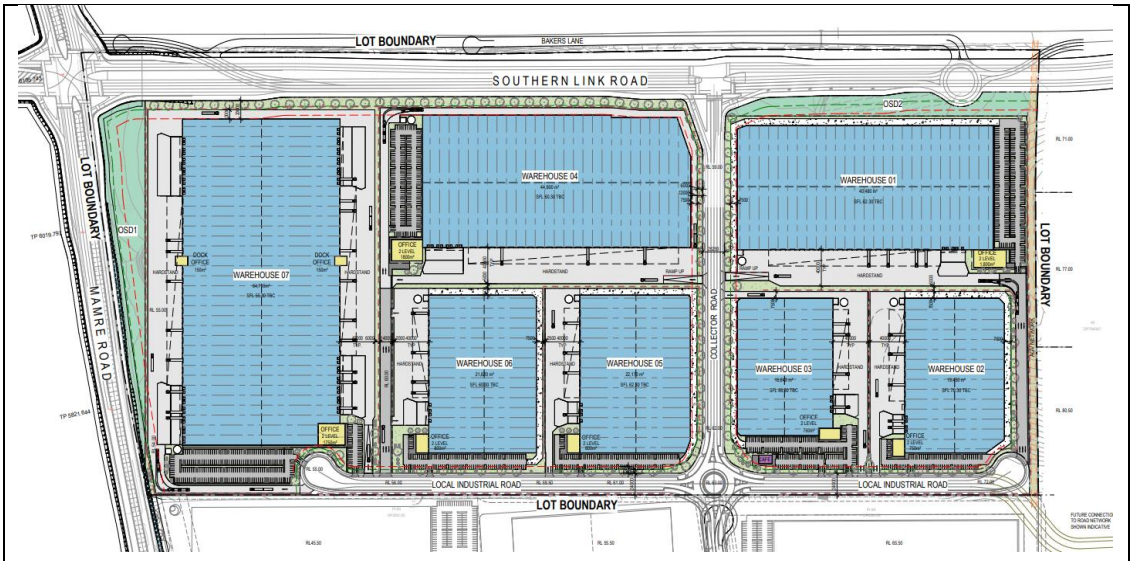


Figure 1 (above): Excerpt from Estate Masterplan prepared by Watson Young/Aliro

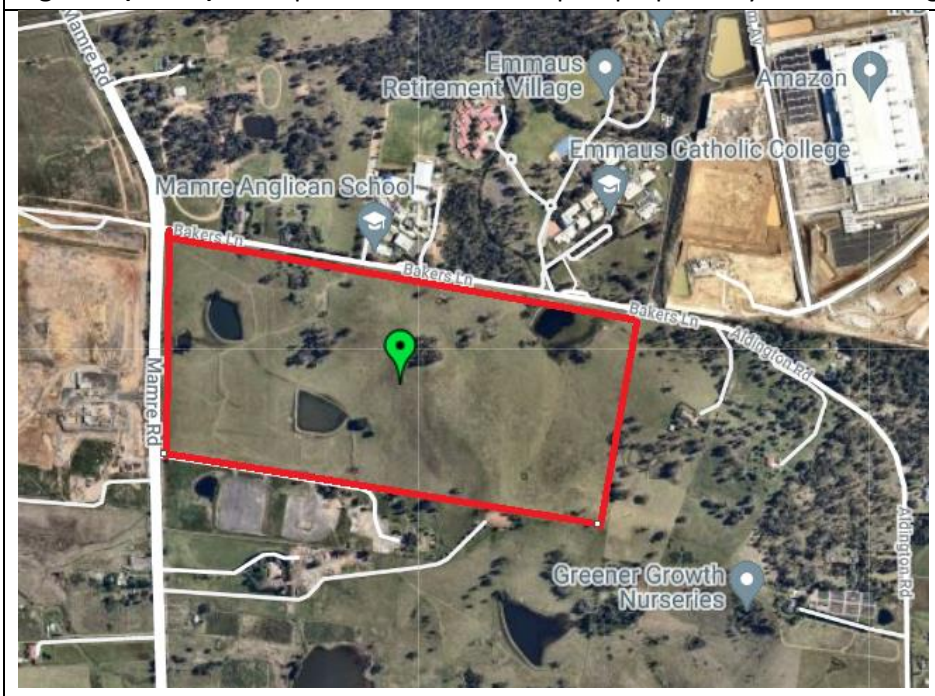


Figure 2 (above): Nearmap image, site indicated in red.

(b) Draft Mamre Road Precinct Development Control Plan (Draft DCP) Traffic and roads – Infrastructure

The site is located in close proximity to the identified Southern Link Road Transport Investigation Area (refer **Figure 3** below). The site also has frontage to Mamre Road which is identified for a significant upgrade and widening.

The Mamre Road roadway in this location will also provide for an Interim Wastewater Pressure Main and a Wastewater Trunk Main. In addition, a large-scale signalised intersection is proposed at the intersection with Southern Link Road and Mamre Road, along the frontage of the future Intermodal Terminal.

The location of the proposed north-south collector road (High Order Road) and its signalised intersection with Southern Link Road, and the roadway design and alignment of Mamre Road and Southern Link Road (horizontal and vertical) are to be endorsed by Transport for NSW (**TfNSW**) and relevant stakeholders.

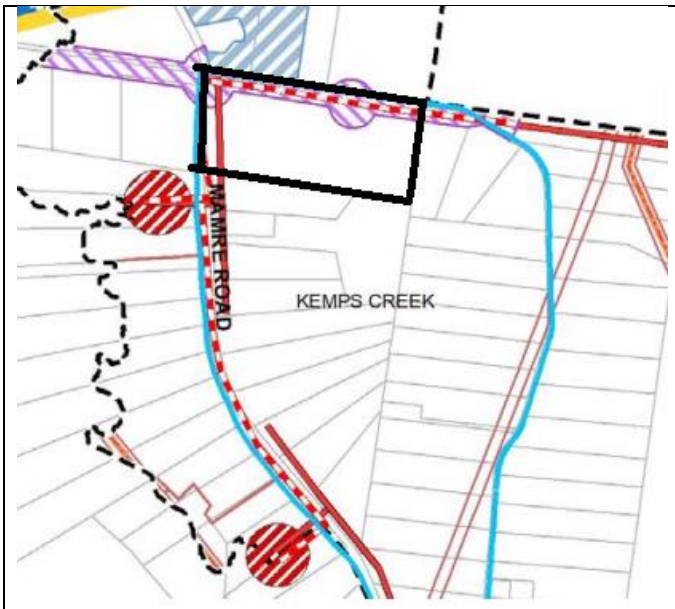


Figure 3: Excerpt from Draft Mamre Road Precinct DCP, site indicated in black.

Insufficient Design Widths of Distributor/Collector Roads

The proposed design width of the Collector/Distributor road is not consistent with the required minimum roadway widths as indicated in Figure 13 of the Draft DCP. Distributor/Collector roads are required to be a minimum of 26.40m variable to 30.6m at intersections.

There is no justification for narrowing of this roadway and departure from the Draft DCP controls.

Traffic and Roads – Internal, Battle Axe Warehouse Lots

The proposed layout of warehouses and inter allotment roads is considered to be insufficient for the traffic, safety and access requirements of the development (7 x warehouse buildings).

The proposal includes battle-axe style warehouse allotments (Warehouse 01, 04 and in part 06) which are not provided with direct access from a local estate road.

The proposed direct access onto the north-south 'collector' road, which is defined as a 'Collector/Distributor Road' under the Draft DCP, is contrary to Section 3.4.1 Controls (6) of the Draft DCP, which states that *'No direct vehicle access to Mamre Road or Southern Link or distributor roads are permitted'* and its design width is also non-compliant.

Proposed office buildings attached to Warehouses 04 and 01 do not have frontage to a local estate road. Access to the office areas is proposed via access handles with driveways to the proposed east-west local industrial road. The most western access handle/driveway to Warehouse 04 also provides heavy vehicle access to Warehouse 06.

Staff and visitor access to warehouses 04 and 01 are shared with heavy vehicles associated with warehouses 01, 04 and 06, which is contrary to the Draft DCP and presents as a safety issue.

It is unclear how pedestrians and cyclists would safely access warehouses/office areas of 04 and 01.

These arrangements should not be supported as this departs from the Draft Mamre Road Precinct DCP controls and their objectives and sets a poor precedent for development of the Precinct.

The proposed east-west road is provided with approximately 16 entry and exit points over a short distance with many clustered and located within a cul-de-sac turning head, being a mixture of heavy vehicle and domestic (staff and visitor) driveways.

The clustering of entry points for heavy and domestic vehicle entry points is unsupportable on safety and traffic generation grounds and it is raised for the Department's consideration that the development is not provided with an appropriate local road network.

The Draft Mamre Road Precinct DCP requires that warehouses be provided with frontage and access to an estate road.

In relation to safe and accessible road networks and in relation to the proposed cul-de-sacs, the Draft DCP includes that (Section 3.4.1(7)) *all intersections within the internal road network shall incorporate traffic facilities, which promote safe and efficient pedestrian, cyclist and traffic movement*, and also states that *the internal road pattern is to facilitate 'through-roads' with cul-de-sac to be avoided unless dictated by topography or other constraints.*

The applicant has not demonstrated alignment with the requirement under Section 3.4.1(10) to provide sufficient internal roads at identified intervals (refer **Figure 4**).

10) The internal road network intersections to be provided at the following minimum intervals:
- Local to local industrial street 40m-60m;
- Local to collector / distributor street 100-200m; and
- Collector / distributor to sub-arterial 400m-500m.

Figure 4: Excerpt from Draft Mamre Road DCP Control at 3.4.1(10)

It is also raised for the Department's consideration that Section 3.4.1 of the Draft DCP requires that areas of the site provided for loading and unloading of vehicles is to be screened from the road. Inadequate screening is provided to loading areas which present directly to Mamre Road (Warehouse 07) with limited to no landscape buffers and where proposed levels will increase the presence of the development as viewed from the road.

Traffic and Roads – Sections, levels and setbacks

Limited detail is provided in relation to levels, sections and how landscaping and on-site detention basins will be designed. Cross sections through thresholds, boundaries, roadway and landscaped front setbacks, including those with OSD basins are to be provided to enable a thorough assessment, and an understanding of landscape potential, sustainability and amenity outcomes.

The proposed setback to the future Southern Link Road is limited and will result in a poor presentation to the north. Limited landscape planting is provided to this frontage for all warehouses (<10m).

The location of the OSD Basin in the front setback to future Southern Link Road, forward of Warehouse 01 is poor and should be increased.

As OSD basins are engineered and layered to preform drainage and water quality functions, there is limited opportunity to provide long term and sustainable layering of landscaping which would assist to moderate the bulk and expanse of the warehouse development and which is required to improve canopy tree targets, improve visual amenity, and respond to the industrial nature of the precinct.

The landscape response to the development overall is poor and departs from the objectives of the Draft DCP.

The location of the OSD within the setback to Mamre Road is not supported. The levels of the OSD are not provided and the narrowing (to 0m setback) of the hardstand truck turning and loading area with frontage to Mamre Road is also not supported. This is a poor presentation of the development to Mamre Road.

It is not ascertained from the documentation provided, that the landscaping provided in OSD basins could provide for screening to retaining walls and which would in any meaningful way, assist in screening the warehouse development, in moderating bulk and which will not be at odds with the engineering requirements of the OSD basins.

The applicant is to be encouraged to consolidate the basins into one larger basin and provide areas for staff amenity – this could be co-located with the face element.

Café

The location of the café is poorly thought, and this offering will be low in amenity. The café is located within a hard stand carpark and safety, amenity (acoustic, noise, emissions) and shade is not addressed. The applicant should be advised to co-locate the café with an office and provide for indoor and outdoor seating, amenities and short stay parking.

Carparking Calculations

As is included within the Draft Mamre Road Precinct DCP, car parking and associated internal manoeuvring areas provided over and beyond the requirements of the DCP shall be calculated as part of the development's gross floor area (refer rates also provided at Table 12 of the Draft DCP).

The design of parking and access areas is to address Water Sensitive Urban Design (WSUD) principles (refer Section 2.6 of the Draft DCP).

Dedicated Freight Network and Connections

It is raised for the Department's consideration that the proposal does not provide for the indicative freight connections and network, including the required dedicated crossing of the future Southern Link Road (Figure 16 of the Draft DCP).

The subject site is the most northern within the Precinct and is located at the head of the freight network (refer **Figure 5**).

Figure 5: Excerpt from Draft Mamre Road DCP – Mamre Road Precinct Road Network Map. Site indicated in black.

It is raised for the Department's consideration, that should this development not provide for the required Dedicated Freight Network infrastructure, land holdings to the south will be prevented from delivering the requisite network connections contrary to the requirements of the Draft DCP and those

supportive objectives included within the NSW Freight and Ports Plan 2018-2023.

The relocating of the network to suit individual proposals will detract from certainty and will erode confidence in the ability to realise this innovative and supportive infrastructure.

It is essential that the Precinct connections to the Mamre Road Precinct Intermodal be provided in the locations identified to allow equality of access to the network. The infrastructure will ease pressure on local roads and intersections and future proof sustainable and efficient movement of freight.

The Objectives and controls (3.4.3(d) and (1)) of the Draft DCP specifically state that development is not to preclude the transition to automated guided vehicle (AGV) freight network.

The Draft Mamre Road Precinct DCP includes at Section 3.4.3 (amongst others) that, the objectives are to:

- deliver the Western Sydney Intermodal Terminal and an integrated freight network within the Mamre Road Precinct.

- provide dedicated freight access from the intermodal terminal to surrounding industrial precincts and individual warehouses/distribution centres,

- operate as a network of dedicated freight roads with provision for future expansion to surrounding areas,

- not preclude the transition to an automated guided vehicle (AGV) freight network in the long term.

- minimise freight vehicle impacts and interfaces with traffic on the public road network, particularly Mamre Road, the future potential Southern Link Road and internal local, distributor and estate roads.

It is also raised for the Department's consideration that the cumulative impacts resulting from successive development proposals (SSDAs) in the Precinct, which are not proposing adequate freight connections or access points in support of the intermodal/AGV network will prohibit its realisation and practical, efficient and equitable access.

The development must be amended to provide for the freight/AGV network in accordance with the requirements of TfNSW and other stakeholders and in accordance with Section 3.4.3 of the Draft DCP.

Further, the Department is encouraged to assist in the swift delivery of a concept plan, providing greater detail than that which is illuded to in the Draft DCP, for freight/AGV connections and access points. This will provide greater certainty for landowners and will demonstrate a commitment to the delivery of this asset.

End of trip facilities

All warehouse developments are to be provided with end of trip facilities and secure bicycle parking (designed as detailed under the Draft Mamre Road Precinct DCP as may be amended).

Landscaping – General

Landscaped areas and setbacks are minimal and will not achieve outcomes envisaged by the Draft DCP. No existing trees or vegetation is proposed to be retained contrary to the Draft DCP requirements.

Plans shall indicate tree locations (to be retained and removed) and mature canopy trees and significant vegetation should be retained and protected.

Landscaping of the precinct shall be a higher order design consideration and not to be an afterthought. Limited detail is provided for Council for its review.

(c) Development Contributions

Clause 270 of the Environmental Planning and Assessment Regulations states that, *pursuant to section 4.16(11) of the Act, a development application in relation to any land zoned IN1 General Industrial under State Environmental Planning Policy (Western Sydney Employment Area) 2009 must not be determined by the consent authority unless a contributions plan under Section 7.18 of the Act has been approved for the land to which the application relates.*

Council advises that a contributions plan for the subject land has not been approved (Council's Section 7.12 Plan no longer applies to the Mamre Road Precinct). The applicant is to be advised that a Voluntary Planning Agreement would need to be finalised with the relevant authority and would need to address State and local infrastructure.

(d) State Environmental Planning Policy (Western Sydney Employment Area) 2009 [SEPP WSEA]

The development shall comply with the requirements of the Policy inclusive (although not limited to) Part 5 and Part 6 (land zoning is discussed below).

Sections 20 through 27 are to be addressed and where necessary, evidence to the effect is to accompany the SSDA including an Ecological Sustainable Design development report with recommendations to be adopted and implemented.

The SSDA is to be accompanied by a broader precinct wide infrastructure context plan to enable consideration of the suitability of any proposed subdivision having regard to Section 24 Development involving subdivision, of the Policy.

Interim and final roads are to be nominated. Detail is to be included as to who/what entity will be responsible for the delivery of final or ultimate configurations.

Any future SSDA is to address Section 25 in relation to the connection of the site to utilities. It is raised for the Department's consideration that Council will not take ownership or be responsible for management of OSD, swales or vegetated stormwater basins.

It is not understood from the information provided as to how the proposal is satisfactory having regard to Section 31 Design Principles, in particular 31(c) and (d) of the Policy. Sufficient levels to AHF are not provided.

Any future SSDA is to be accompanied by larger scale sections through the OSDs and basins, details of maintenance for access, all fencing or security features, levels and boundary interface details and details of proposed landscaping in these areas.

2. <u>Development Engineering Considerations</u>

(a) <u>Stormwater</u>

- Stormwater drainage for the site must be in accordance with the Mamre Road Precinct Draft DCP.

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

- 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 any interim development and the ultimate developed estate scenarios.

- 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.

- Penrith City Council does not support the location of any water quality or water quality basin within the front landscape setback area along either Mamre Road or the future Southern Link Road.

(b) Local Overland Flow Flooding

- The site flood affected by local overland flow flooding from the local catchment and has been coded as being subject to flood related development controls.

- The application must demonstrate that the development proposal is consistent with the Mamre Road Precinct Draft DCP Section 2.7 Flood Prone Land.

- The application must be accompanied by an Overland Flow Flood Report prepared by a suitably qualified person to assess the developments impacts upon overland flows. Overland flows shall be managed through the site in a safe manner.
- Further information regarding Council's Flood Studies is available from Council's website at the following address:

  https://www.penrithcity.nsw.gov.au/services/other-services/floodplain-management

(c) Traffic

- The use of Bakers Lane by heavy vehicles is not supported. Any interim road access arrangements shall generally be in accordance with the Mamre Road Precinct Draft DCP Figure 14 'Mamre Road Precinct Road Network Map'.

- A staging plan is to be provided identifying the timing for delivery of the local road network and any upgrade works to local roads.

- The Estate Masterplan by Watson Young, reference 21114 – SK02, revision P6, dated 16.10.2021, shows the width of the north-south collector road as 25.293m, and the width of the eastern Local Industrial Road as 24.0m, which are not in accordance with the road types and road widths of the Mamre Road Precinct Draft DCP.

  Figure 14 of the Draft DCP has identified the north-south road and the eastern local industrial road as 'blue' High Order Roads, with Figure 13 requiring a road reserve width of 26.4m (varied to over 30m at intersections) for any Distributer / Collector roads.

- Pending the outcome of the final Mamre Road Precinct DCP, the north-south collector road may require a central median requiring a left-in left-out type arrangement for heavy vehicle access to Warehouses 01, 03 & 04. Access for these lots should be from an internal Local Industrial Road.

- Heavy vehicle access for Warehouse 01 is proposed at the end of a temporary cul-de-sac on the eastern local industrial road. The heavy vehicle access shall consider the ultimate road alignment of the east-west 'blue' high order road with regards to turning movements and sight distances from any proposed driveway access location.

- 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.

- Given the terrain relief through the site, road long sections are to be included showing maximum grades for heavy vehicle usage.

- A Stage 2 Road Safety Audit is to be submitted with the application.

(d) Dedicated Freight Network

- The Estate Masterplan by Watson Young, reference 21114 – SK02, revision P6, dated 16.10.2021, has not considered the location of the future integrated freight network.

- The application and plans shall demonstrate compliance with all controls of the Mamre Road Precinct Draft DCP Clause 3.4.3 for the Integrated Freight Network.

- Plans shall include a layout of the freight network, a section as per Figure 15 and access points as per Figure 16 of the Draft DCP.

(e) Earthworks

- The site is impacted by a major ridgeline through the site with land falling towards the north-east and towards the south-west.

  A site cut / fill plan and bulk earthworks plan are to be submitted that include 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.

(f) Subdivision Works

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

All plans shall include land areas and proposed boundaries required for the ultimate road works along Mamre Road and the future Southern Link Road.

3. Environmental Management Considerations

The Scoping Report broadly identifies a number of key environmental issues that will be addressed in the EIS. Some additional aspects that were not necessarily identified in the Scoping Report but that will need to be included in the EIS are:

- Details of the volume, nature and source of any fill material to be imported to the site along with a Fill Importation Protocol for fill importation works.

- Should the contamination investigation that is to be undertaken identify that the site requires remediation to make it suitable for the proposed use, then a Remedial Action Plan (RAP) will need to be included in the application. The contamination investigation will need to include an assessment of the existing dams.

- A dam dewatering management plan that outlines the management of environmental impacts that may arise from dewatering the existing dams. The Plan will need to detail the quality, quantity and fate of water to be released, and identify and assess any ecological impacts.

4. Traffic Considerations

The requirements for road network arrangements, including provision and connection to the future Southern Link Road, provision of the Freight Road, and fit with Draft and/or ultimate DCP and fit with adjoining lands and development roads, road and verge widths, driveways works, footpath works, verge works, drainage works, street lighting, public utility provisions and other civil infrastructure works within the road reserves, as are addressed in the advice above is reiterated.

Further Traffic Engineering comments on the documents include that:

- The future SSDA should address and be further detailed and reviewed by DPIE / Council to ensure a suitable fit with the ultimate Mamre Road Precinct road network, collector and arterial road network and intersections including adjoining land and developments, Aldington Road/ Southern Link Road/ Bakers Lane / Abbotts Road/ Mamre Road, trunk drainage systems and civil infrastructure ultimate design delivery plan and works / contributions.

- Full ultimate collector and arterial road network and intersections (including Aldington Road/ Aldington Road extension to Southern Link Road and the extension south of Abbotts Road to Mamre Road / Abbotts Road / Southern Link Road / Bakers Lane), trunk drainage systems and civil infrastructure design and construction design and works delivery plan and fit of any future SSDA is required.

  This should include works delivery plans by State Government, DPIE, TfNSW and developers and include key road network links including Southern Link Road, Bakers Lane, Aldington Road (and links northern to Southern Link Road and south past Abbotts Road to Mamre Road), Abbotts Road and Mamre Road.

  Council's roles and responsibilities on this Mamre Road Precinct rezoning, road, drainage and civil infrastructure delivery and development are yet to be resolved and so further direction should be sort from Strategic Planning/ Council/ DPIE/ State Government prior to any development being accepted in this precinct.

5. Biodiversity Considerations

The letter prepared by Ethos did not identify any considerations of the requirements of the Biodiversity Conservation Act 2016 and the implications of the biodiversity values present on the site.

A review of background information shows that portions of the site is identified on the Biodiversity Values Map which appear correlate with the stands of vegetation present on the site. The vegetation has been mapped previously as Cumberland Plain Woodland. The Biodiversity Values Map may not have captured the extent of which Cumberland Plain Woodland occurs within the site.

Cumberland Plain Woodland is listed as critically endangered under the NSW Biodiversity Conservation Act 2016.

Based on consideration of available information, the proposed development is likely to have a significant impact on Cumberland Plain Woodland on the site.

It is recommended that the development should be designed to retain the stands of Cumberland Plain Woodland in the proposed development.

Not only will by retaining the stands will provide 'stepping-stones' of habitat that are critical in the Western Sydney landscape for a number of threatened fauna species as well as ecological communities that rely on pollination by highly mobile species but also could provide for a unique feature in the development to allow the opportunity for passive recreation for staff who work in the development such as walking and lunch breaks.

Based on the proposed Concept Plan the development is likely to trigger the Biodiversity Offset Scheme and any future application will need to be supported by a Biodiversity Development Assessment Report prepared by an Accredited Assessor.

It is recommended the following is included in the SEARs/SSDA

- An assessment of the biodiversity values and the likely biodiversity impacts of the project in accordance with the Biodiversity Conservation Act 2016, the Biodiversity Assessment Method 2020 (BAM) and documented in a Biodiversity Development Assessment Report (BDAR).

- The design of the development should be informed by the significance of the biodiversity values present on the site and opportunities should be explored to retain the existing biodiversity values wherever possible.

- 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 BAM.

- The BDAR must assess all direct, indirect and prescribed impacts to Commonwealth listed species and ecological communities, where relevant.

- Proposed landscaping is to allow for deep planting and sufficient widths to plant native endemic trees characteristic of Cumberland Plain

Woodland to ameliorate the impacts of the development and assist with maintaining the aesthetic of the surrounding vegetation in the locality.

6. Waterways Considerations

The following information should be provided in support of any future SSDA:

- A Stormwater Management Strategy for the proposed will need to be prepared by a suitably qualified professional in support of the development.

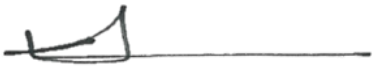
  The strategy needs to demonstrate and outline how both surface and groundwater resources will be safeguarded for the duration of the development. In developing the strategy, the proposed water management objectives outlined in the Draft Mamre DCP should be adopted.

  Details on the proposed ownership and management arrangements of all stormwater treatment assets and associated trunk drainage will also need to be detailed in the report. The treatment measures and associated drainage infrastructure including any trunk drainage are to remain in the ownership of the developer in perpetuity.

- Any changes to the alignment of creeks will need to be in accordance with the requirements of the NSW Natural Resources Assess Regulator as well as be consistent with the trunk drainage arrangements identified in the Draft DCP.

Should you wish to discuss any aspect of Council's comments further, please do not hesitate to contact me directly on (02) 4732 8567.

Yours sincerely



Kathryn Saunders
Principal Planner

9 November 2021 Our Ref: 195170

David Schwebel
Planning Officer
Industry Assessments
Department of Planning, Industry and Environment
David.Schewbel@planning.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-30628110 at 706-752 Mamre Road, Kemps Creek

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the abovementioned SSD which proposes a Concept Masterplan for the site comprising 7 industrial buildings with an indicative total building area of 238,290m^2 and detailed Stage 1 consent for site preparation, earthworks and infrastructure works on the site. This includes demolition of existing structures and clearing of all existing vegetation and construction of there warehouse buildings with ancillary offices (Warehouse 1, 2 and 3 under the Concept Masterplan), comprising a total of 80,420m^2. The proposed development is within the Mamre Road Precinct. We 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 within Sydney Water's *Growth Servicing Plan 2020-2025*. As a result of this, Sydney Water is planning for trunk services to the precinct in the future.
- Sydney Water requires detailed domestic industrial water and wastewater demands for the proposed development to accurately plan for timely services for this development.
- **Sydney Water notes that the proponent's Water Servicing Coordinator lodged a Feasibility case with Sydney Water on 27 October 2021.**
- Indicative stormwater, trade wastewater and water re-use quantities should be included within the EIS report if applicable.
- **It is recommended that meetings are held between the proponent and Sydney Water to ensure that Sydney Water's requirements inform all design processes.**

Recycled Water

- Recycled water for non-drinking water uses will be provided in the Mamre Road Precinct. The Integrated Water Servicing Options analysis is currently underway. It will determine the extent to which recycled stormwater is integrated with recycled wastewater.
- Sydney Water is currently preparing a Development Servicing Plan (DSP) for the Mamre Road Precinct. This will include Developer Charges for the provision of recycled water services to the Precinct.

Stormwater

- If Sydney Water is nominated as the trunk drainage manager in the Mamre Road Precinct, then Sydney Water will confirm the requirements for trunk drainage services needed to be delivered before a Section 73 certificate can be issued. This may include trunk drainage channels as well as stormwater treatment and storage to facilitate precinct

wide stormwater harvesting integrated with recycled wastewater. We recommend that the proponent discusses this with Sydney Water following the lodgement of the feasibility

- The Integrated Water Servicing Options analysis is currently underway in collaboration with the Department of Planning, Industry and Environment. This analysis will determine the extent to which recycled stormwater is integrated with recycled wastewater. More information surrounding the outcome of this discussion with the Department of Planning, Industry and Environment will be released once it is available.
- Evidence may also be required by Sydney Water to demonstrate how the development has met the current waterway health and flood management requirements as specified in the Development Control Plan (DCP).

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

Integrated Water Cycle Management

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

If you require any further information, please do not hesitate to contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

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

Attachment 1

Growth Data Information

This data collected will inform Sydney Water's planning investigations for servicing the proposed development and wider area. Ideally updates should be provided every quarter for each development. Development intel helps to ascertain demonstrated demand and development confidence which supports business cases, planning studies, and commercial opportunities. The data collected will be treated as commercial in confidence. It is understood that the data may indicative only at this stage.

	Ultimate Growth	Ultimate EP (if known)	Number of Stages
Jobs			

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Jobs Numbers										
OR: Jobs in GFA										

High water users
Insert details on any proposed high demand water users (data centres, food production etc)

4 November 2021

TfNSW Reference: SYD21/01327/01
Departments Reference: SSD-30628110

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

Dear Mr Schwebel

REQUEST FOR SEARS – SUMMIT AT KEMPS CREEK INDUSTRIAL ESTATE, 706 – 752 MAMRE ROAD, KEMPS CREEK

Reference is made to the Department's correspondence dated 26 October 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.**

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

Yours sincerely

Pahee Rathan
A/ Senior Manager Land Use Assessment West & Central
Greater Sydney

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. The subject property is within an area under investigation for the proposed Southern Link Road Project. The investigations completed to date indicate that the proposed Southern Link Road alignment runs through the subject property. Currently the Southern Link Road project is at early concept design stage. The investigations completed to date indicate that the subject property may partially be affected by the project.

   However, the proposal may change, as no decision has been made as to the preferred option and it is not possible at this date to provide any more definite information as to the likely requirement for any part of the property.

   As there is no funding for construction the 2036 year should be modelled with the following options:

   i. With Southern link Road
   ii. Without Southern Link 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. An assessment of potential impact on load road pavement lifespan including:

   i. Mamre Road.

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

m. 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;

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

o. 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

p. 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

PO Box 398, Parramatta NSW 2124
Level 14, 169 Macquarie Street
Parramatta NSW 2150
www.waternsw.com.au
ABN 21 147 934 787

29 October 2021

Contact: *Justine Clarke*
Telephone: *0457 535 955*
Our ref: *D2021/115330*

David Schwebel
Industry Assessments
Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Mr Schwebel

Summit at Kemps Creek (SSD-30628110) – Request for SEARs

Thank you for your Major Project Portal referral dated 26 October 2021 requesting WaterNSW's input into the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above proposal at 706-752 Mamre Road, Kemps Creek (the site). It is understood the intent of the proposal is to redevelop the site for a warehouse and distribution use.

WaterNSW owns and manages the Warragamba Pipelines, critical water supply infrastructure located approximately 500 m downstream of the development site. The Pipelines convey water from Warragamba Dam to the Prospect Water Filtration Plant and are an integral component of the Sydney drinking water supply system. It is essential this critical water supply infrastructure is protected from the potential impacts of upstream development.

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

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

- Consideration of the Mamre Road Precinct planning controls and objectives, including a detailed assessment against the provisions of the Draft Mamre Road Precinct DCP and how they will be achieved.
- An assessment of the impacts of the proposed development on hydrology. The EIS should include a water balance that models pre- and post-development flows that enter and leave the site, including volume, frequency and quality of discharges.
- The EIS should include a stormwater management strategy that ensures safe and appropriate management and disposal stormwater without negative impacts on downstream or neighbouring allotments.
- WaterNSW is particularly interested in reviewing the impact of any changes to the flow paths from the large dam (dam furthest north east), through the unnamed tributary, which reaches the Warragamba Pipelines Corridor to the North.

- The EIS should address dam dewatering provisions and any sediment basin or permanent basin discharge requirements.

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

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

Yours sincerely

ALISON KNIHA
Catchment Protection Planning Manager

08 November 2021

David Schwebel
c/- Industry Assessments
Department of Planning, Industry and Environment
Via email: david.schwebel@planning.nsw.gov.au

Dear Mr Schwebel,

Comments on Request for SEARS for SSD-30628110 at No.706-752 Mamre Road, Kemps Creek (Lot 1 DP 104958).

Thank you for the opportunity to provide feedback from the Western Sydney Planning Partnership (the Partnership) on the request for Secretary Environmental Assessment Requirements (SEARS) for the proposed State Significant Development (SSD-30628110) at No.706-752 Mamre Road, Kemps Creek (Lot 1 DP 104958).

It is understood the Proponent is seeking to obtain SEARs for a concept masterplan comprising of seven (7) warehouse buildings and internal roads. It also includes detailed Stage 1 consent for demolition of existing structures, removal of vegetation, roads, three (3) warehouse buildings, car parking, earthworks, stormwater and drainage works and landscaping at the subject site.

The Partnership does not object to the provision of the SEARs. Comments on what should be provided within the Environmental Impact Statement are canvassed on the following pages to this letter. It is expected the Western Parkland City team of DPIE will also provide comments on items relating to planning for the Mamre Road precinct.

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

Yours sincerely

Anthony Pizzolato
Manager, Western Sydney Planning Partnership

Comments:

Strategic Planning Context

The subject site at No.706-752 Mamre Road, Kemps Creek NSW 2178 is located within the Mamre Road Precinct, which is an initial precinct. The site is identified for future employment land in the Western Sydney Aerotropolis Plan (WSAP). The land is zoned IN1 General Industrial under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). The proposed uses are a permitted from of development with consent under the IN1 zone.

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

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

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

It is noted that the subject site is situated north-east of the future Western Sydney International Airport and falls within the Australian Noise Exposure Forecast (ANEF) 20 contours.

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

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

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

c) is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport, including, for example, measures relating to—
   i. waste management, landscaping, grass, fencing, stormwater or water areas, or
   ii. the dispersal of wildlife from the land by the removal of food or the use of spikes, wire or nets

Further, in accordance with Clause 21(4) of the Aerotropolis SEPP, relevant development means development for the following purposes—
a) agricultural produce industries,
b) aquaculture,
c) camping grounds,
d) eco-tourist facilities,
e) garden centres,
f) intensive livestock agriculture,
g) intensive plant agriculture,
h) livestock processing industries,
i) plant nurseries,
j) recreation facilities (major),
k) recreation facilities (outdoor),
l) sewage treatment plants,
m) waste or resource management facilities that consist of outdoor processing, storage or handling of organic or putrescible waste,
n) water storage facilities.

It is unlikely the proposal relates to any of the development listed above however, should the proposal include a use that falls within the above list, Clause 21 of the Aerotropolis SEPP shall be addressed.

Application assessed against the Western Sydney Aerotropolis Plan (WSAP)

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

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

--- END OF COMMENTS ---

David Schwebel

From: [redacted]
Sent: Wednesday, 10 November 2021 8:00 AM
To: David Schwebel
Cc: Planning and Safeguarding
Subject: HPE CM: RE: Request for SEARs input - Summit at Kemps Creek industrial estate (SSD-30628110)

Hi David,

I note that WSA has reviewed the Scoping Report in relation to the Summit at Kemps Creek. We note the following comments for consideration in the development of the SEARs for this application:

Category	Comment
Legislative Context	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	Given that the site is within the 3-8km wildlife buffer, consideration needs to be given to the landscape species selected, to ensure that wildlife attraction risk is adequately addressed.
	Any proposed fill should be detailed, noting the fill uses need to be non-putrescible.
	Waste Management measures should be detailed, including measures to mitigate wildlife attraction (e.g. storage of waste indoors).
	Noting the long term nature of this project an assessment of the wildlife attraction of remaining 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.
Prescribed Airspace	The proposal will need to assess the development's potential impacts on the OLS, 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*.

Should you have any further queries or clarifications, please do not hesitate to contact me.

Kind regards,

Tim

Tim Smith
Planning Manager
Airport Planning and Design

[redacted]
PO Box 397 Liverpool NSW 1871

Western Sydney Airport

From: David Schwebel <David.Schwebel@planning.nsw.gov.au>
Sent: Tuesday, 26 October 2021 12:40 PM
To: Planning and Safeguarding <planning@wsaco.com.au>
Subject: Request for SEARs input - Summit at Kemps Creek industrial estate (SSD-30628110)

Dear Sir/Madam

The Department of Planning, Industry and Environment has received a request for Secretary's Environmental Assessment Requirements (SEARs) for the Summit at Kemps Creek industrial estate at 706-752 Mamre Road, Kemps Creek. The proposed development is a State Significant Development under the Environmental Planning and Assessment Act 1979.

You are invited to provide input into the SEARs for the proposal including details of any key issues and assessment requirements by **9 November 2021**.

The SEARs request can be viewed on the Department's website at https://www.planningportal.nsw.gov.au/major-projects/project/43206 .

If you have any enquiries, please contact me on 9274 6400 or david.schwebel@planning.nsw.gov.au .

Kind regards,

David Schwebel
Planning Officer, Industry Assessments
Planning & Assessment | Department of Planning, Industry and Environment
T 02 9274 6400 | 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
www.dpie.nsw.gov.au

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.

David Schwebel

From: Cornelis Duba[redacted]
Sent: Wednesday, 3 November 2021 1:47 PM
To: David Schwebel
Cc: Jeff Smith
Subject: NSW Planning, Industry & Environment SEARs SSD-30628110 Summit at Kemps Creek Industrial Estate
Attachments: EE Drawing 86232 OH lines minimum clearances.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 FPJ 4603 Permission to Remove Service July 2007.pdf

Hello David

I refer to the your below email of 26 October 2021 regarding the exhibition of the request for the Planning Secretary's Environmental Assessment Requirements (SEARs) for State Significant Development SSD-30628110 Summit at Kemps Creek Industrial Estate for 'Concept proposal and Stage 1 DA for an industrial estate. Stage 1 includes construction of three warehouses, site-wide bulk earthworks and retaining walls, internal road network, car parking, stormwater infrastructure and landscaping' at 706-752 Mamre Road, Kemps Creek (Lot 1 DP 104958) in the Penrith City Council Local Government Area (LGA). Submissions needed to be made to the Department by 9 November 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, 11,000 volt / 11 kilovolt (kV) high voltage and 11 kV (constructed at 22,000 volts / 22 kV) high voltage overhead power lines to the Mamre Road road verge / roadway which appear to encroach the site.
- Low voltage and 11 kV high voltage overhead power lines and a section of underground cables to the Bakers Lane road verge / roadway.
- Low voltage overhead service conductor going to the customer connection point for the existing dwelling on the site.

In regard to the overhead power lines to the Mamre Road road verge / roadway which appear to encroach the site, although not held under easement, these are protected assets and deemed to be lawful for all purposes under Section 53 'Protection of certain electricity works' of the *Electricity Supply Act 1995* (NSW). Essentially this means the owner or occupier of the land cannot take any action in relation to the presence in, on or over the land of electricity works ie. the electricity infrastructure cannot be removed to rectify the encroachment. These protected assets are managed as if an easement is in place – please refer to the below point 'Easement Management / Network Access'.

In accordance with Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights', as shown in the following extracts of Table 1 – 'Minimum easement widths', the low voltage, 11 kV high voltage and 11 kV (constructed at 22 kV) high voltage overhead power lines all require a 9 metre minimum easement width ie. 4.5 metres to both sides of the centre line of the poles / conductors.

Table 1 - Minimum easement widths

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

ABC = Aerial Bundled Cables CTT = Covered Conductor Thick

This easement width in some circumstances may not be warranted ie. depending on 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. However if the easement width cannot be reasonably provided, 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'. As indicated above in regard to the width of the easement, some of these factors will similarly impact on the minimum clearances.

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

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

Endeavour Energy's recommendation is that whenever reasonably possible buildings and structures be located and designed to avoid the need to work within the safe approach distances for ordinary persons eg. not having parts of the building normally accessible to persons in close proximity of the overhead power lines; the use of durable / low maintenance finishes. Alternatively, in some instances the adoption of an underground solution may be warranted ie. particularly for low voltage which can be more readily (in shorter distances) and comparatively economically be undergrounded.

Also the applicant should note the following requirements of Endeavour Energy's 'Land Interest Guidelines for Network Connection Works, Provision of Network Connection Services'.

5.0 REGISTERED LAND INTERESTS REQUIRED WHEN SUBDIVIDING LAND

5.1 Urban Requirements

Endeavour Energy will require the registration of Land Interests for:

a) all new transmission, high voltage and low voltage Network Assets; and
b) all existing transmission, high voltage and low voltage Network Assets located within the Customer's land.

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

- Network Capacity / Connection

Endeavour Energy has noted the following in the Scoping / Request for SEARs Request Report.

4.3 Infrastructure and servicing

The EIS will include a detailed assessment of the impact the proposal will have on existing utility services and service provider assets surrounding the site. The infrastructure requirements and augmentation needed (on and c 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 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 Scoping / Request for SEARs Request Report.

4.10 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 Scoping / Request for SEARs Request 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 th 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 proposal on downstream flood behaviour.

The EIS will also address the Integrated Water Cycle Management provisions in the draft Mamre Road DCP and the site mean annual runoff volume (MARV) 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

- 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.

- Easement Management / Network Access

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

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

Endeavour Energy's preference is for no activities or encroachments to occur within its easements. However, if any proposed works or activities (other than those approved / certified by Endeavour Energy's Network Connections Branch as part of an enquiry / application for load or asset relocation project) will encroach / affect Endeavour Energy's easements or protected assets, contact must first be made with the Endeavour Energy's Easements Officer, Jeffrey Smith, on business days on direct telephone 9853 7139 or alternately email Jeffrey.Smith@endeavourenergy.com.au or Easements@endeavourenergy.com.au .

Please find attached for the applicant's reference copies of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' which deals with activities / encroachments within easements.

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

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

- 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 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 COVID-19 health risk a significant number of Endeavour Energy staff are working from home. Access to emails and other internal stakeholders can accordingly be somewhat limited. As a result it may sometimes take longer than usual to respond to enquiries. Thank you for your ongoing understanding during this time.

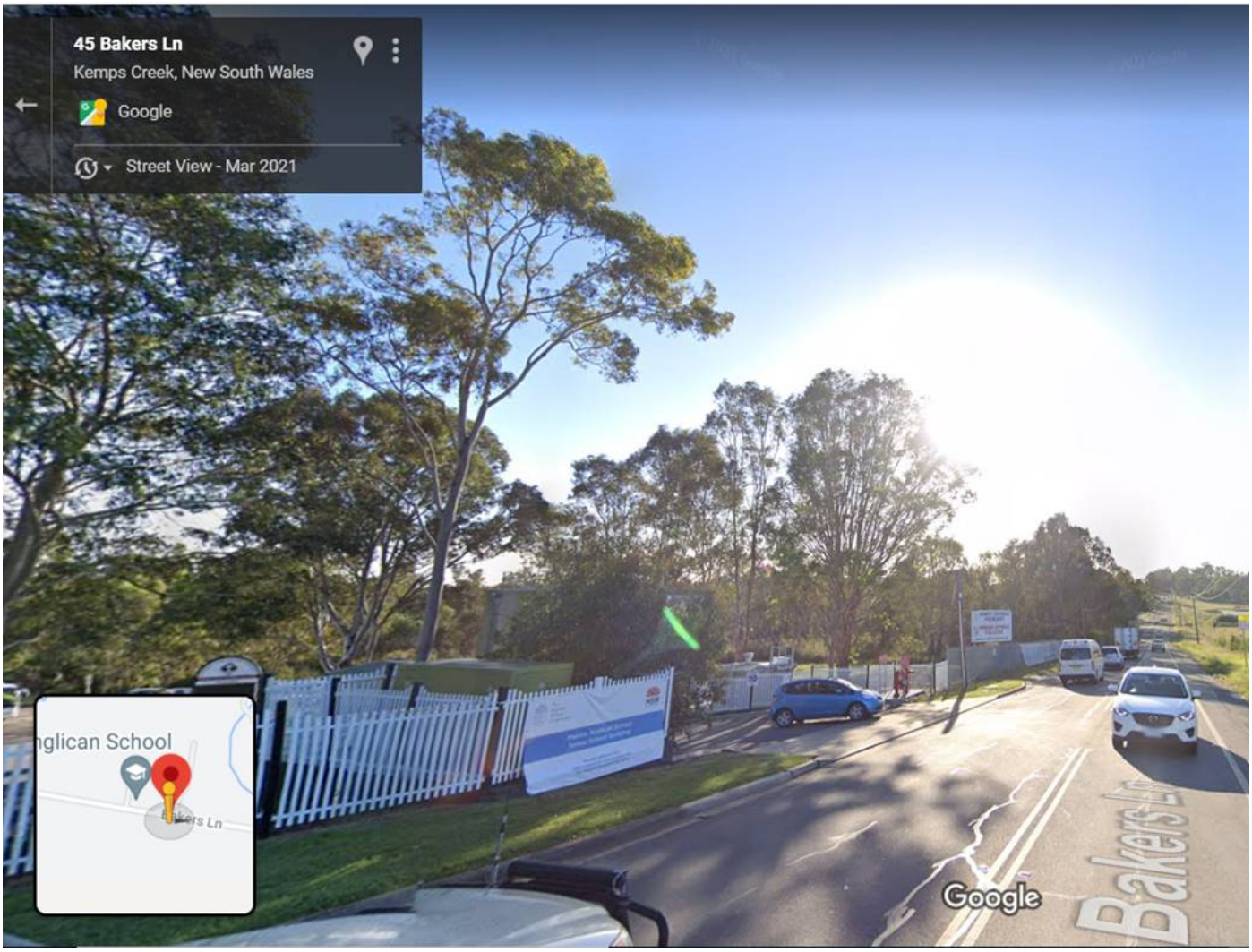
Kind regards
Cornelis Duba

Development Application Specialist
Sustainability & Environment
M: 0455 250 981
E: cornelis.duba@endeavourenergy.com.au
51 Huntingwood Drive, Huntingwood NSW 2148
www.endeavourenergy.com.au

G3E_FID	Feature Name	Component Name	G3E_CID	
63341457	Crown Parcel	Crown Parcel Find	1	1

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. Easements benefitting Endeavour Energy are indicated by red hatching. 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).


Mamre Rd
Kemps Creek, New South Wales
Google
Street View - Mar 2021
Bakers Ln
EARLY
LEARNING
CENTRE
Google



There are low voltage and 11 kV high voltage underground cables to the Bakers Lane road frontage in proximity of padmount substation no. 29264 on the opposite side of the road on the Mamre Anglican School site.

From: David Schwebel <David.Schwebel@planning.nsw.gov.au>
Sent: Tuesday, 26 October 2021 12:38 PM
To: Property Development <Property.Development@endeavourenergy.com.au>
Subject: Request for SEARs input - Summit at Kemps Creek industrial estate (SSD-30628110)

Dear Sir/Madam

The Department of Planning, Industry and Environment has received a request for Secretary's Environmental Assessment Requirements (SEARs) for Summit at Kemps Creek industrial estate at 706-752 Mamre Road, Kemps Creek. The proposed development is a State Significant Development under the Environmental Planning and Assessment Act 1979.

You are invited to provide input into the SEARs for the proposal including details of any key issues and assessment requirements by **9 November 2021**.

The SEARs request can be viewed on the Department's website at https://www.planningportal.nsw.gov.au/major-projects/project/43206 .

If you have any enquiries, please contact me on 9274 6400 or david.schwebel@planning.nsw.gov.au .

Kind regards,

David Schwebel
Planning Officer, Industry Assessments

Planning & Assessment | Department of Planning, Industry and Environment
T 02 9274 6400 | 4 Parramatta Square, 12 Darcy Street, Parramatta NSW 2150
www.dpie.nsw.gov.au

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.