

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

Application Number	SSD-32722834
Project Name	Dexus Kemps Creek
Development	Concept Masterplan comprising five warehouse buildings with a total gross floor area (GFA) of 157,990 m² and a Stage 1 development for construction and use of two warehouse buildings with GFAs of 51,100 m² and 19,000 m² with associated works including: • demolition and vegetation clearing, bulk earthworks, retaining walls, stormwater infrastructure • construction of internal roads and temporary road access to Aldington Road • signage, landscaping, car parking, services and subdivision.
Location	Lots 34, 35 and 36 DP 258949, 113-153 Aldington Road, Kemps Creek within the Penrith City Local Government Area
Applicant	Dexus Wholesale Management Limited
Date of Issue	21 December 2021
General Requirements	The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (the Regulation) and must have regard to the State Significant Development Guidelines. In addition, the EIS must include: • a detailed description of the development, including: – an accurate history of the site, including development consents – the need and justification for the proposed development – alternatives considered including a description of feasible options within the development including a layout options analysis – likely staging of the development – likely interactions between the development and existing, approved and proposed operations on the site and in the vicinity of the site – plans of any proposed building works – contributions required to offset the proposal and – infrastructure upgrades or items required to facilitate the development, including measures to ensure these upgrades are appropriately maintained. • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments • consideration of issues discussed in the public authority responses to request for key issues (see Attachment 2) • a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment • a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: – a description of the existing environment, using sufficient baseline data – an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes and – a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment. • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.

	The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the capital investment value (CIV) of the proposal (as defined in clause 3 of the Regulation), including details of all assumptions and components from which the CIV calculation is derived. The report shall be prepared on company letterhead and indicate the applicable GST component of the CIV • an estimate of the jobs that will be created by the development during the construction and operational phases of the proposed development • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters: • Statutory and Strategic Context – including: – detailed justification that the proposed land use is permissible with consent and a clear description of the type of development and land uses proposed – details of any proposed consolidation or subdivision of land – a detailed description of the history of the site, including the relationship between the proposed development and all development consents and approved plans previously and/or currently applicable to the site – demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s), adopted management plans and development control plans and justification for any inconsistencies. This includes, but is not limited to: ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEP) ○ State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 ○ State Environmental Planning Policy No 33 - Hazardous and Offensive Development ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 64 – Advertising and Signage ○ Greater Sydney Region Plan: A Metropolis of Three Cities ○ Our Greater Sydney 2056: Western City District Plan ○ Future Transport Strategy 2056 ○ Mamre Road Precinct Structure Plan ○ Mamre Road Precinct Development Control Plan 2021 (MRP DCP) ○ Western Sydney Aerotropolis Plan ○ Draft Cumberland Plain Conservation Plan. • Suitability of the Site – including: – a detailed justification for the proposal having regard to the development's potential environmental impacts, permissibility, strategic context and existing site constraints, including: ○ details of the design, function and ongoing management of the proposed 'biodiversity areas'; detailed consideration of the objectives of the E2 zone and the waterway assessment undertaken to support the Mamre Road Precinct rezoning in relation to proposed development in the E2 corridor; consideration of the interface of the 'biodiversity areas' with proposed buildings, roads and retaining walls; ensuring connection with E2 zoned land on adjoining properties is maintained; and details on timing for the delivery of the 'biodiversity areas' with regard to other aspects of the development. ○ an options analysis of the proposed bulk earthworks to seek to deliver balanced cut and fill and minimise the height and visual impact of proposed retaining walls, with consideration of proposed works and levels on adjoining properties. – a detailed description of the relationship between the proposed development, other proposed developments and all development consents and approved plans previously and/or currently applicable to the site and surrounding sites

- an analysis of site constraints.
- **Community and Stakeholder Engagement** – a community and stakeholder participation strategy identifying key community members and other stakeholders, including:
 - details and justification for the proposed consultation approach(es)
 - clear evidence of how each stakeholder identified in the community and stakeholder participation strategy has been consulted
 - issues raised by the community and surrounding landowners and occupiers
 - clear details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development
 - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Traffic and Transport** – a quantitative traffic impact assessment prepared in accordance with relevant Roads and Maritime Services and Austroads guidelines, that includes:
 - details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of key access / haul routes, vehicle types and potential queuing impacts. Traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation
 - 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 of the site in the 2026, 2031 and 2036 scenarios
 - consideration of clause 33C of the WSEA SEPP, specifically integration with the Mamre Road Precinct dedicated freight corridor, including consultation with TfNSW
 - details of road upgrades, infrastructure works or new roads or access points required for the development. Provide details of consultation with adjoining landowners with regard to road connections on the site boundary
 - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network
 - details and plans of any proposed the internal road network, loading dock servicing and provisions, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards
 - detailed plans of all proposed site access points, justification for their location and an assessment of potential traffic impacts from the proposed access points
 - details of the largest vehicle anticipated to access and move within the site, including swept path analysis
 - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site.
- **Soils and Water** – a surface and groundwater assessment that includes:
 - a topographic assessment and justification the proposed earthworks are site responsive and contextually appropriate
 - an assessment of potential surface and groundwater impacts associated with the development, including potential impacts on watercourses, riparian areas, groundwater, and groundwater-dependent communities nearby
 - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
 - a site-specific integrated water management strategy with details of stormwater/wastewater management system including how it will be designed, operated and maintained, including the capacity of onsite detention system(s) description of the measures to minimise water use
 - demonstration of consistency with the Integrated Water Cycle Management requirements of the Mamre Road DCP
 - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria (including proposed mitigation measures to manage any impacts to receiving waters and monitoring activities and methodologies)

- assessment of the impacts of the development on downstream flood behaviour
- description of the proposed erosion and sediment controls during construction
- consideration of salinity and acid sulphate soil impacts.
- **Biodiversity** – an assessment of the proposal's biodiversity impacts in accordance with the *Biodiversity Conservation Act 2016*, including the preparation of a Biodiversity Development Assessment Report (BDAR) where required under the Act, except where a waiver for preparation of a BDAR has been granted.
- **Urban Design and Visual, including:**
 - demonstration of how the development will achieve design excellence in accordance with any relevant EPI provisions and the objectives for good design in Better Placed (Government Architect NSW, 2017)
 - design details and justification for the proposed undercroft carparking areas
 - a visual impact assessment (including photomontages and perspectives) of the development layout and design (buildings and storage areas), including:
 - details of staging, site coverage, setbacks, open space, landscaping, height, colour, scale, building materials and finishes, façade design, retaining walls, signage and lighting, particularly in terms of potential impacts on:
 - nearby public and private receivers
 - significant vantage points in the broader public domain
 - consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks
 - detailed plans showing suitable landscaping which incorporates endemic species.
- **Noise and Vibration** – a quantitative noise and vibration impact assessment undertaken by a suitably qualified acoustic consultant in accordance with the relevant Environment Protection Authority guidelines and Australian Standards which includes:
 - the identification of impacts associated with construction, site emission and traffic generation at noise affected sensitive receivers, including the provision of operational noise contours and a detailed sleep disturbance assessment
 - details of noise monitoring survey, background noise levels, noise source inventory and 'worst case' noise emission scenarios
 - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
 - a cumulative impact assessment inclusive of impacts from other developments
 - details and analysis of the effectiveness of proposed management and mitigation measures to adequately manage identified impacts, including a clear identification of residual noise and vibration following application of mitigation these measures and details of any proposed compliance monitoring programs.
- **Infrastructure Requirements** – an infrastructure management plan that includes:
 - a detailed written and/or graphical description of infrastructure required on the site, including upgrades required
 - details of 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, wastewater and recycled water
 - a description of how any upgrades will be co-ordinated, funded and delivered on time and be maintained to facilitate the development
 - identification of any existing infrastructure or easements on or off the site which may be impacted by construction or operation of the development and details of measures to be implemented to address any impacts.
- **Aboriginal Cultural Heritage** – an Aboriginal Cultural Heritage Assessment Report (ACHAR) prepared in accordance with the Code of Practice for Archaeological Investigation in NSW (DECCW 2010), and guided by the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales (OEH 2011). The ACHAR must:
 - identify, describe and assess impacts on the Aboriginal cultural heritage values that exist across the development

- provide evidence and details of consultation with Aboriginal people in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010)
- include results of a surface survey and any test excavations and an unexpected finds protocol.
- **Non-Aboriginal Cultural Heritage** – a non-Aboriginal cultural heritage assessment (including both cultural and archaeological significance) which must detail potential impacts on heritage assets and any proposed management and mitigation measures.
- **Socio-Economic** – including:
 - a social impact assessment in accordance with the Department's Social Impact Assessment Guideline
 - an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits to the local and broader community.
- **Ecologically Sustainable Development** – including:
 - a description of how the proposal will incorporate the principles of ecologically sustainable development in the design, construction and ongoing operation of the development
 - consideration of the use of green walls, green roofs and/or cool roofs in the design of the development
 - a description of the measures to be implemented to minimise consumption of resources, especially energy and water.
- **Air Quality** – a quantitative assessment of the potential air quality, dust and odour impacts of the development (construction and operation) on surrounding landowners, businesses and sensitive receptors, in accordance with relevant Environment Protection Authority guidelines, including details of proposed mitigation, management and monitoring measures.
- **Waste** – including:
 - details of the quantities and classification of all waste streams to be generated on site during construction and operation
 - details of waste storage, handling and disposal requirements.
- **Contamination** – including an assessment of site suitability under the provisions of SEPP 55.
- **Bush Fire** – a bush fire assessment report that addresses the aims and objectives of Planning for Bushfire Protection 2019.
- **Hazards and Risk** – including:
 - a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development* and Applying SEPP 33 (DoP, 2011), that includes:
 - a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the development
 - a Preliminary Hazard Analysis (PHA) prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011), should the preliminary risk screening indicate that the project is “potentially hazardous”.
- **Greenhouse Gas and Energy Efficiency** – including an assessment of the energy use of the proposal and all reasonable and feasible measures that would be implemented on site to minimise the proposal's greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050).
- **Airport Safeguarding** – including a risk assessment of the proposed development on Western Sydney Airport operations and addressing related matters in the Western Sydney Aerotropolis Plan and State Environmental Planning Policy (Western Sydney Aerotropolis) 2020.
- **Planning Agreement/Development Contributions** – including consideration of any applicable Section 7.11/7.12 Contribution Plan and/or details of any Voluntary Planning Agreement (VPA) and demonstration that satisfactory arrangements have been or would be made to provide, or contribute to the provision of, necessary local and regional infrastructure as required by clause 270 of the Regulation, the WSEA SEPP, the draft Aerotropolis Special Infrastructure Contribution and/or any other policy or plan. During preparation of the EIS,

	consultation must be undertaken with the relevant parties regarding any VPA required.
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: • Penrith City Council • Department of Planning, Industry and Environment, specifically the: – Central (Western) team, Place Design and Public Spaces Group – Environment, Energy and Science Group – Water Group (including the Natural Resources Access Regulator) • Transport for NSW • Sydney Water • TransGrid • surrounding local landowners, businesses and stakeholders • any other public transport, utilities or community service providers. The EIS must detail the engagement undertaken and demonstrate how it was consistent with the Undertaking Engagement Guide: Guidance for State Significant Projects. The EIS must detail how issues raised and feedback provided have been considered and responded to in the project. Where amendments have not been made to address an issue, a short explanation should be provided.
SEARs Expiry	SEARs will expire two years after the date of issue (or the date they were last modified).
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, Attachment 1 contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this proposal.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the environmental impact statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.shop.nsw.gov.au/index.jsp>

<http://www.australia.gov.au/publications>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sqm) and north point
 - the existing levels of the land in relation to buildings and roads
 - location and height of existing structures on the site
 - location and height of adjacent buildings and private open space
 - all levels to be to Australian Height Datum (AHD).
2. Locality/context plan drawn at an appropriate scale should be submitted indicating:
 - significant local features such as heritage items
 - the location and uses of existing buildings, shopping and employment areas
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed buildings
 - detailed plans of proposed access driveways, internal roads, carparking and external alterations and services infrastructure.
4. Schedule of materials, colours and additions. finishes.

Documents to be Submitted

Documents to submit include:

- one (1) electronic copy of all the documents and plans for review prior to exhibition
 - other copies as determined by the Department once the development application is lodged.
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Policies, Guidelines & Plans	
Aspect	Policy / Methodology
State Significant Development Guidelines	
	State Significant Assessment Guidelines (DPIE, 2021)
	Undertaking Engagement Guide – Guidance for State Significant Projects (DPIE, 2021)
	Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, 2021)
Traffic, Transport and Access	
	Roads Act 1993
	State Environmental Planning Policy (Infrastructure) 2007
	Guide to Traffic Generating Development (RTA, 2002 as updated)
	Road Design Guide (RMS, 2015-2017)
	Guide to Traffic Management – Pt 12: Traffic Impacts of Development (Austroads, 2016)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads, 2014)
	Bicycle Parking Facilities: Guidelines for Design and Installation (AS 2890.3:2015)
	Integrated Public Transport Service Planning Guidelines: Sydney Metropolitan Area (TfNSW, 2013)
	Future Transport Strategy 2056 (TfNSW, 2018)
	Greater Sydney Services and Infrastructure Plan (TfNSW, 2018)
	NSW Freight & Ports Plan 2018-2023 (TfNSW, 2018)
Soils and Water	
Erosion and Sediment	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2nd Edition (DIPNR, 2003)
Groundwater	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC, 2000)
	NSW State Groundwater Policy Framework Document (DLWC, 1997)
	NSW Aquifer Interference Policy (NOW, 2012)
	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
Stormwater	Managing Urban Stormwater: Strategic Framework. Draft (EPA, 1996)
	Managing Urban Stormwater: Council Handbook. Draft (EPA, 1997)
	Managing Urban Stormwater: Treatment Techniques (DEC, 2006)
	Managing Urban Stormwater: Source Control. Draft (EPA, 1998)
	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
Wastewater	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC, 1997)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC, 2000)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 1) (EPHC, NRMMC & AHMC, 2006)
	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMMC & AHMC, 2009)
	State Environmental Planning Policy No. 55 – Remediation of Land

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
Contamination	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
	Assessment Guideline: Multi-level Risk Assessment (Planning and Infrastructure, 2011)
Biodiversity	
	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
Heritage	
Non-Aboriginal Heritage	<i>Heritage Act 1977</i>
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)
Aboriginal Heritage	Code of Practice for the Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW, 2010)
	Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW (DECCW, 2011)
	Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010 (DECCW, 2010)
Noise and Vibration	
	Acoustics - Description and measurement of environmental noise (AS1055:2018)
	Noise Policy for Industry (EPA, 2017)
	NSW Road Noise Policy (DECCW, 2011)
	Noise Criteria Guideline (RMS, 2015)
	Noise Mitigation Guideline (RMS, 2015)
	Interim Construction Noise Guideline (DECC, 2009)
	Assessing Vibration: A Technical Guide (DEC, 2006)
	Noise Guide for Local Government (EPA, 2013)
Air Quality	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Sampling and Analysis of Air Pollutants in New South Wales (DEC, 2007)
	Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (EPA, 2016)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse Gas	AGO Factors and Methods Workbook (AGO, 2018)
	Guidelines for Energy Savings Action Plans (DEUS, 2005)
	National Greenhouse and Energy Reporting Scheme Measurement, Technical Guidelines for the estimation of emissions by facilities in Australia (Department of the Environment and Energy (DoEE), 2017)
	National Greenhouse Accounts Factors (DoEE, 2019)
Upper Canal and Warragamba Pipeline Corridors	

Policies, Guidelines & Plans

Aspect	Policy / Methodology
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
Bush Fire	
	Planning for Bush Fire Protection (RFS, 2019)
Waste	
	NSW Waste and Sustainable Material Strategy 2041 (EPA, 2021)
	NSW Plastics Action Plan (EPA, 2021)
	NSW Energy from Waste Policy Statement (EPA, 2021)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA, 2014)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC, 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA, 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	Standards for Managing Construction Waste in NSW (EPA, 2018)
Urban Design and Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
	Better Placed (Government Architect NSW, 2017)
	Greener Places (Government Architect NSW, 2020)
Social	
	Social Impact Assessment Guideline for State Significant Projects (DPIE, 2021)

ATTACHMENT 2
Government Authority Advice