



Mr Jack Marples  
Development Manager  
Dexus Wholesale Management Limited  
Australia Square, Level 25, 264-278 George Street  
SYDNEY NSW 2000

21 December 2021

Dear Mr Marples

**Planning Secretary's Environmental Assessment Requirements  
Dexus Kemps Creek - 113-153 Aldington Road (SSD-32722834)**

Please find attached a copy of the Planning Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the Dexus Kemps Creek State significant development application (DA) at Lots 34-36 DP 258949, 113-153 Aldington Road, Kemps Creek in the Penrith local government area (LGA).

The SEARs have been prepared in consultation with relevant public authorities (see **Attachment 2**) and are based on the information you have provided to date. A response from some agencies have not yet been received and a copy of any additional responses will be provided to you when received. In addition, the MUSIC modelling toolkit prepared by the Department's Environment, Energy and Science Group, and referenced in their advice, will be emailed to you separately. Please note the Planning Secretary may modify these requirements at any time.

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

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

**Mamre Road Precinct**

The site is located within the Mamre Road Precinct under State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP). The Mamre Road Precinct Development Control Plan (DCP) was adopted on 19 November 2021. The EIS is to clearly demonstrate how the proposal is consistent with the relevant provisions of the WSEA SEPP, DCP and the Mamre Road Precinct Structure Plan. The EIS must provide a detailed response to the issues raised by Penrith City Council in their comments at Attachment 2.

The Department notes the proposed development includes prohibited development within the E2 Environmental Conservation zoned land on the site and relies on the provisions of clause 33A of WSEA SEPP. The EIS is to include detailed justification for the proposal with consideration of the objectives of the E2 zone, the objectives and controls of the DCP, and the waterway assessment undertaken to support the Mamre Road Precinct rezoning. The EIS is to include written evidence of consultation with the Department's Water Group/the Natural Resources Access Regulator (NRAR) in relation to the proposed realigned corridor.

Given the topography of the site, the proposal is to demonstrate due consideration is given to design options seeking to achieve balanced cut and fill and minimising retaining walls where possible, promoting good urban design and landscaping, and reducing visual impacts on the public domain and surrounding receivers, in accordance with clauses 31 and 33H of WSEA SEPP and the DCP.

## **Contributions**

The EIS is to demonstrate how the application will satisfy the requirements of Section 270 of the Regulation and Clause 29 of the WSEA SEPP, including details of any planning agreements proposed to deliver infrastructure and services. You are encouraged to commence consultation with the relevant parties regarding any proposed planning agreements early in the EIS preparation process.

## **Community Consultation**

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

## **Commonwealth Requirements**

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

If you have any questions, please contact David Schwebel on 02 9274 6400 or via email at [david.schwebel@planning.nsw.gov.au](mailto:david.schwebel@planning.nsw.gov.au).

Yours sincerely



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

as delegate for the Planning Secretary

*Attached: Planning Secretary's Environmental Assessment Requirements*