

Mr Adam Davies  
DHL Supply Chain (Australia) Limited  
Rhodes Corporate Park, Level 4, Building C  
1 Homebush Bay Drive  
RHODES NSW 2138

**23/03/2022**

Dear Mr Davies

**DHL Logistics Facility, Badgerys Creek (Southern Site) (SSD-38206707)  
Planning Secretary's Environmental Assessment Requirements – Industry-Specific**

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 DHL Logistics Facility (southern site) State significant development application (DA) at Elizabeth Drive, Badgerys Creek in the Penrith Local Government Area.

Based on the information provided in your application, industry-specific SEARs have been issued for your project.

Please contact the Department of Planning, Industry and Environment (the Department) as soon as possible if your project changes, such that consultation is required with public authorities (under Part 8, clause 175(2) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation)). Your SEARs may need to be reissued and a scoping report may also be required.

If required, the Planning Secretary may modify your SEARs to ensure the environmental assessment of the project covers all relevant matters and is consistent with contemporary assessment practice.

**Your SEARs will expire two years from the date of issue** (or the date they were last modified) unless the Planning Secretary has granted an extension. If you would like to seek an extension, you should contact the Department at least three months prior to the expiry date.

If your EIS is not submitted by the date of expiry (or by the agreed extension date), you will need to make a new application for SEARs to progress your project.

**Additional assessment requirements**

The Department has identified assessment requirements additional to those attached. These requirements, in addition to the industry-specific SEARs, are provided below and should be taken to be the collective SEARs for the project:

- The site is located within the Northern Gateway Precinct under the Western Sydney Aerotropolis Plan. The EIS must clearly demonstrate how the proposal is consistent with the Western Sydney Aerotropolis planning framework, including, but not limited to:
  - Draft Aerotropolis Precinct Plan
  - Draft Phase 2 Western Sydney Aerotropolis Development Control Plan (DCP) 2021

- Draft Recognise Country: Guidelines for Development in the Aerotropolis.
- The EIS must clearly describe the relationship between the proposed development and that proposed under SSD-18406916, including sequencing of infrastructure delivery and timing of construction. However, should the EIS be prepared prior to the determination of SSD-18406916, the subject development must demonstrate how it will be delivered independently with regard to matters including earthworks, road access, services, stormwater and other infrastructure.
- Should the EIS rely on any technical reports prepared for SSD-18406916, justification is to be provided that clearly demonstrates that no further assessment of the specific aspects of the proposed development are required.
- The EIS must clearly demonstrate that the proposed development meets the classification of State significant development under Section 12 of Schedule 1 in State Environmental Planning Policy (Planning Systems) 2021, including identifying how the two warehouses are related to the same operation.
- The EIS must clearly demonstrate how the development addresses the design excellence requirements under Part 4.5 of Chapter 4 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021. The EIS is to include
  - A Design Review Report following a review of the development by a design review panel in consultation with the Government Architect NSW
  - A Design Excellence Strategy demonstrating how the proposed development will exhibit design excellence in accordance with Part 4.5 of Chapter 4 of the Precincts—Western Parkland City SEPP; how the proposed development has addressed recommendations from the design review panel; and measures to ensure design integrity will be maintained in subsequent stages of the planning process (such as post approval and any modifications).
- Engagement is to be undertaken as required by the SEARs during preparation of the EIS, including all relevant agencies. Evidence of consultation is to be provided and include, but not limited to:
  - Western Sydney Planning Partnership
  - Commonwealth Department of Infrastructure, Transport, Regional Development and Communications
  - Government Architect NSW
  - Western Sydney Airport.
- Transport for NSW and Penrith City Council must be closely consulted during preparation of the EIS on any interim and ultimate infrastructure upgrades required to the road network and any traffic modelling requirements. The EIS must include an assessment of road access and delivery, intersection operation and any required infrastructure upgrades.
- The development is to comply with the Integrated Water Cycle Management targets and requirements in the draft Precinct Plan and Phase 2 DCP. The EIS must utilise and demonstrate compliance with the MUSIC modelling toolkit prepared by the Department's Environment, Energy and Science Group for developments in the Aerotropolis, which will be provided separately to these SEARs.
- Provide an assessment of the cumulative impacts (including noise, air quality and traffic) of the project and other approved and proposed developments in accordance with the Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, July 2021).

- The EIS must demonstrate how the application will satisfy the requirements of any applicable Section 7.11/7.12 Contribution Plan, Section 66 of the EP&A Regulation, Section 4.48 of State Environmental Planning Policy (Precincts—Western Parkland City) 2021, and/or any other contributions policy or plan including details of any planning agreements proposed to deliver infrastructure and services. During preparation of the EIS, consultation must be undertaken with the relevant parties regarding any VPA required, and, if proposed, the EIS is to include evidence of an agreed Terms of Offer or agreed draft agreement with the relevant party.

### **Preparing your EIS**

Your environmental impact statement (EIS) must be prepared having regard to the Department's new *State Significant Development Guidelines (DPIE, 2021)*, including Appendix B to the Guidelines - *preparing an environmental impact statement*. All relevant guides for *State Significant Projects* that are referenced in the SEARs are available at [www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework](http://www.planning.nsw.gov.au/Policy-and-Legislation/Planning-reforms/Rapid-Assessment-Framework).

During the preparation of your EIS, you are required to consult with various parties, including the Department and any relevant agencies, in accordance with the *Undertaking Engagement Guidelines for State Significant Projects* (DPIE, 2021). For more information, including agency contact details, please visit the guide to agency engagement available at <https://www.planningportal.nsw.gov.au/major-projects/assessment/state-significant-development/ssd-process/guide-agency-engagement>.

*Note: If you submit your EIS after 31 December 2022, a Registered Environmental Assessment Practitioner (REAP) will need to declare that your EIS meets certain standards in relation to compliance, completeness, accuracy and legibility.*

### **Lodging your development application (DA)**

Once you submit your EIS, we will check it for completeness to confirm it addresses the requirements in Part 8 of the EP&A Regulation. We will also notify you of the DA fee for your project.

Please note that **your DA is not taken to be lodged until the DA fee has been paid.**

To minimise lodgement delays, **please contact the Department at least two weeks before you submit your DA and EIS** to confirm DA fee payment arrangements. This will give us sufficient time to ensure your fees can be determined.

### **Information needed to determine the DA fee**

Your application will need to be accompanied by a Quantity Surveyor's Report supporting the estimated cost of works for your project. You must ensure that the information in the report is consistent with the information provided in your DA form.

If your project involves marinas, extractive industries or any subdivision of land, you must also ensure that your report includes a breakdown of estimated costs for any other component of your project.

### **Public exhibition requirements**

When you contact us, regarding the applicable DA fee, we will also advise whether hard and/or electronic copies of the DA and EIS will be required for public exhibition.

**Matters of National Environmental Significance**

Any development likely to have a significant impact on matters of National Environmental Significance will require approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (Cth) (EPBC Act). This approval is in addition to approvals required under NSW legislation.

It is your responsibility to contact the Commonwealth Department of Agriculture, Water and the Environment to determine if you need approval under the EPBC Act (<http://www.environment.gov.au> or 6274 1111).

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

Yours sincerely



Chris

D i r e c t o r  
Industry Assessments

Ritchie

**as delegate for the Planning Secretary**

*Attached: Planning Secretary's Environmental Assessment Requirements*