

# Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*  
Part 8 of the *Environmental Planning and Assessment Regulation 2021*

Application Number	SSD-46516458
Development Name	Aspect Industrial Estate Warehouse 4
Development	Construction and operation of Warehouse 4 of the Aspect Industrial Estate. The proposed warehouse is partly high-bay with a total gross floor area (GFA) of 26,652 square metres (m <sup>2</sup> ), and associated offices, loading docks, hardstands, car parks, landscaping, services and utilities.
Location	826-882 Mamre Road, Kemps Creek (Lots 1-3, DP 1285305) within Penrith City Council Local Government Area
Applicant	Evolution Trustees Limited
Date of Issue	17 August 2022
General Requirements	<p>The Environmental Impact Statement (EIS) for the development must comply with these assessment requirements and must meet the form and content requirements in sections 190 and 192 of the <i>Environmental Planning and Assessment Regulation 2021</i> (NSW) (the Regulation) and must have regard to the Department's State Significant Development Guidelines 2021.</p> <p>In addition, the EIS must include:</p> <ul style="list-style-type: none"> <li>consideration of issues discussed in the public authority responses to request for key issues (see <b>Attachment 2</b>)</li> <li>a detailed assessment of the key issues below, including: <ul style="list-style-type: none"> <li>a description of the existing environment, using sufficient baseline data;</li> <li>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</li> <li>a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including measures for adaptive management and/or contingency plans to manage significant risks to the environment.</li> </ul> </li> <li>an assessment demonstrating the development is consistent with the conditions, requirements, development standards, and environmental impact envelope of any Concept Proposal applying to the site.</li> </ul> <p>The EIS must also be accompanied by:</p> <ul style="list-style-type: none"> <li>high quality files of maps and figures of the site and the development;</li> <li>architectural plans depicting the proposed internal layout, including the location of machinery and equipment;</li> <li>a report from a AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor providing: <ul style="list-style-type: none"> <li>a detailed calculation of the capital investment value (CIV) (as defined in Schedule 7 of the EP&amp;A Regulation) of the development, including details of all assumptions and components from which the CIV calculation is derived. The</li> </ul> </li> </ul>

	<p>report must be prepared having regard to the Department's Planning Circular PS 21-200 Calculation of capital investment value or its successor and on company letterhead and indicate applicable GST component of the CIV;</p> <ul style="list-style-type: none"> <li>• an estimate of jobs that will be created during the construction and operational phases of the proposed development; and</li> <li>• certification that the information provided is accurate at the date of application.</li> </ul>
<b>Key Issues</b>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Consistency with the Approved Aspect Industrial Estate Concept Plan</b> – including: <ul style="list-style-type: none"> <li>– detailed assessment of the potential impacts of the development against the approved Concept Plan including but not limited to urban design and visual impact, construction and operational traffic impacts, and noise and vibration, water management for the site and the entire Aspect Industrial Estate; and</li> <li>– justifications for any departures from the approved Aspect Industrial Estate Concept Plan.</li> </ul> </li> <li>• <b>Statutory and Strategic Context</b> – including: <ul style="list-style-type: none"> <li>– detailed justification that the proposed land use is permissible with consent;</li> <li>– details of any proposed consolidation or subdivision of land; and</li> <li>– demonstration that the development is consistent with all relevant planning strategies, environmental planning instruments, proposed environmental planning instruments, adopted precinct plans, district plan(s), and adopted management plans and justification for any inconsistencies. This includes, but not limited to: <ul style="list-style-type: none"> <li>▪ State Environment Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP)</li> <li>▪ State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP)</li> <li>▪ State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP)</li> <li>▪ State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP)</li> <li>▪ Mamre Road Precinct Plan (DPIE, 2020)</li> <li>▪ Mamre Road Precinct Development Control Plan (DPIE, 2021)</li> <li>▪ Greater Sydney Region Plan: A Metropolis of Three Cities</li> <li>▪ Western City District Plan</li> <li>▪ Future Transport 2056 and supporting plans</li> <li>▪ Freight and Ports Plan 2018-2023.</li> </ul> </li> </ul> </li> <li>• <b>Site Suitability</b> – including a detailed justification that the site can accommodate the proposed development, having regard to the scope of the operations and its environmental impacts and relevant mitigation measures.</li> <li>• <b>Community and Stakeholder Engagement</b> – including: <ul style="list-style-type: none"> <li>– a community and stakeholder participation strategy identifying key community members and other stakeholders and the proposed consultation approach;</li> <li>– issues raised by the community and surrounding landowners and occupiers;</li> <li>– details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development, if so, details of changes made; and</li> <li>– details of the proposed approach to future community and stakeholder engagement based on the results of consultation.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including: <ul style="list-style-type: none"> <li>– details of all daily and peak traffic volumes likely to be generated during all key stages of construction and operation, including a description of vehicle types and vehicle access routes;</li> <li>– 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 modelling;</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>– details of access to the site from the road network including driveway locations, design, sight distance, and impacts on efficient and safe operation of access roads within the Aspect Industrial Estate;</li> <li>– details and plans of loading dock servicing and provisions, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards;</li> <li>– details of the largest vehicle anticipated to access and move within the site, including swept path analysis which depicts vehicles entering, exiting, and manoeuvring throughout the site;</li> <li>– demonstration that the Mamre Road/Access Road 1 intersection can accommodate operational traffic associated with the development;</li> <li>– if upgrades to Mamre Road/Access Road 1 intersection are required, details of such an upgrade include but are not limited to consultation with TfNSW and Penrith City Council, timing and delivery (construction and operation) of the upgrades.</li> <li>• <b>Noise and Vibration</b> – including: <ul style="list-style-type: none"> <li>– a description of all potential noise and vibration sources during construction and operation of the development, including but not limited to external plant and equipment (e.g., air conditioners, refrigeration systems, and ventilation units), on-site vehicle movements (e.g., forklifts, temperature-controlled trucks manoeuvring within loading areas), and on-site and off-site traffic noise;</li> <li>– demonstration of compliance with the noise limits set out in condition A16, Schedule 2 of SSD-10448 development consent;</li> <li>– a cumulative noise impact assessment of all potential noise sources in accordance with relevant Environmental Protection Authority guidelines; and</li> <li>– details of noise mitigation, management, and monitoring measures.</li> </ul> </li> <li>• <b>Urban Design</b> – including: <ul style="list-style-type: none"> <li>– a detailed urban design review of the proposed changes to approved building heights, design, footprints including setbacks in the context of the entire Aspect Industrial Estate and the topography of the site, the immediate surrounds, and the wider area;</li> <li>– justification for any departures from the approved Aspect Industrial Estate Concept Plan and Mamre Road Precinct Development Control Plan (DPIE, 2021) including but not limited to building height, setbacks, landscaping, and site coverage;</li> <li>– a detailed design and options analysis of the development including diagrams, illustrations, and drawings with reference to the built form, height, setbacks, bulk and scale, views and vistas, open space and the public domain with consideration of section 2.30 Design Principles of the State Environmental Planning Policy (Industry and Employment) 2021; and</li> <li>– a landscaping plan showing proposed landscaping within the setback areas and car park, in the context of the building form, height, bulk and scale, with consideration of compliance with the Mamre Road Precinct Development Control Plan (DPIE, 2021).</li> </ul> </li> <li>• <b>Visual Impact</b> – including: <ul style="list-style-type: none"> <li>– a detailed assessment (including photomontages and perspectives) of the development (building and parking areas) including height, colour, scale, building materials and finishes, signage and lighting, from nearby public receivers and significant vantage points of the broader public domain taking section 3.2 of the Mamre Road Precinct Development Control Plan (DPIE, 2021) into account;</li> <li>– a comparison of the finished ground levels, building heights, setbacks, and landscaping of the approved concept plan and the proposed development in the context of visual impacts at key receptors; and</li> <li>– an assessment of the adequacy of the proposed landscaping for minimising the overall visual impacts of the development, which shows any landscaping over various periods of times.</li> </ul> </li> <li>• <b>Soil and Water</b> – including:</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>– an assessment of potential surface water impacts associated with the development, including potential impacts on watercourses riparian areas;</li> <li>– a detailed site water balance, including a description of the water demands, a breakdown of water supplies, and any water licensing requirements;</li> <li>– demonstration that the approved stormwater management system for the Aspect Industrial Estate can accommodate the development, including compliance with Section 2.4 Integrated Water Cycle Management of the Mamre Road Precinct Development Control Plan (DPIE, 2021);</li> <li>– details of the infrastructure required for the development to connect to a precinct-wide stormwater management system;</li> <li>– an assessment of any impacts on salinity and sodic soils from the future development, including any proposed Water Sensitive Urban Design infrastructure; and</li> <li>– a description of the proposed erosion and sediment controls during construction.</li> </ul> <ul style="list-style-type: none"> <li>• <b>Infrastructure</b> – including: <ul style="list-style-type: none"> <li>– details of infrastructure required on the site and identification of any upgrades required to facilitate the development;</li> <li>– an assessment of impacts on the integrity and security of TfNSW freight corridor reserve that may result from the development including consultation with TfNSW and response(s) to any issues raised during the consultation and the proposed measures to be taken to mitigate those impacts; and</li> <li>– an assessment of the impacts of the development (construction and operation) on existing infrastructure surrounding the site.</li> </ul> </li> <li>• <b>Social Impact</b> – including a Social Impact Assessment prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Projects</i> (DPIE, 2021).</li> <li>• <b>Subdivision</b> – including: <ul style="list-style-type: none"> <li>– details of any proposed subdivision of land; and</li> <li>– demonstration the lot(s) will be released in an orderly and coordinated manner, with appropriate access and parking.</li> </ul> </li> <li>• <b>Hazards and Risk</b> – 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), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is “potentially hazardous” a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).</li> <li>• <b>Greenhouse Gas Emission and Energy Efficiency</b> – including an assessment of the energy use on-site and all reasonable and feasible measures that would be implemented on-site to minimise greenhouse emissions and achieve energy efficiency.</li> <li>• <b>Biodiversity</b> – including an assessment of the proposal’s biodiversity impacts is required 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.</li> <li>• <b>Aboriginal Cultural Heritage</b> – including justification for reliance upon any previous Aboriginal Cultural Heritage Assessment undertaken for SSD-10448.</li> <li>• <b>Air Quality</b> – including an assessment of air quality impacts at private properties during construction and operation, in accordance with Environment Protection Authority guidelines and details of mitigation, management, and monitoring measures.</li> <li>• <b>Waste Management</b> – including details of the quantities and classification of waste streams generated during construction and operation and proposed storage, handling, and disposal requirements.</li> </ul>
--	---

	<ul style="list-style-type: none"> <li>• <b>Planning Agreement and Development Contributions</b> – including consideration of Penrith City Council Mamre Road Precinct Development Contributions Plan 2022 (4 April 2022), Special Infrastructure Contribution – Western Sydney Aerotropolis 2022, and details of any Voluntary Planning Agreement 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 Industry and Employment SEPP or any other policy or plan.</li> </ul>
<b>Engagement</b>	<p>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.</p> <p>In particular, you must consult with:</p> <ul style="list-style-type: none"> <li>• Penrith City Council</li> <li>• Transport for NSW (TfNSW) (including Roads and Maritime Services)</li> <li>• Environment and Heritage Group, Department of Planning and Environment</li> <li>• Water Group, Department of Planning and Environment</li> <li>• Fire and Rescue NSW</li> <li>• Endeavour Energy</li> <li>• Sydney Water</li> <li>• surrounding residents and stakeholders.</li> </ul>
<b>Expiry Date</b>	<p>If you do not lodge a Development Application and EIS for the development within two years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs will be required, please consult with the Planning Secretary three months prior to the expiry date.</p>
<b>References</b>	<p>The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental assessment of this development.</p>

## 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:

<https://www.planningportal.nsw.gov.au/major-projects/assessments/policies-and-guidelines/key-guidance>  
<http://www.australia.gov.au/publications>  
<http://www.epa.nsw.gov.au/>  
<http://www.environment.nsw.gov.au/>  
<http://www.dpi.nsw.gov.au/>

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
<b>State Significant Development Guidelines</b>	
	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)
<b>Air Quality</b>	
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 (EPA, 2022)
	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)
<b>Biodiversity</b>	
	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
<b>Bush Fire</b>	
	Planning for Bush Fire Protection (RFS, 2019)
<b>Fire Safety</b>	
	Fire Safety Guidelines – Fire Safety in Waste Facilities (FRNSW, 2020)
<b>Hazards and Risk</b>	
	State Environmental Planning Policy (Resilience and Hazards) 2021
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DoP, 2011)
	Assessment Guideline: Multi-level Risk Assessment (Planning and Infrastructure, 2011)
<b>Heritage</b>	
Non-Aboriginal Heritage	<i>Heritage Act 1977 (NSW)</i>
	NSW Heritage Manual (HO and DUAP, 1996)
	The Burra Charter (ICOMOS Australia, 2013)
	Statements of Heritage Impact (HO and DUAP, 2002)



<b>Policies, Guidelines &amp; Plans</b>	
<b>Aspect</b>	<b>Policy / Methodology</b>
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)
<b>Human Health Risk</b>	
	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (7nHealth, 2012)
<b>Noise and Vibration</b>	
	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)
<b>Social</b>	
	Social Impact Assessment Guideline for State Significant Projects (DPIE, 2021)
<b>Soils and Water</b>	
Erosion and Sediment	Managing Urban Stormwater: Soils & Construction (Landcom, 2004)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC, 2000)
	Wind Erosion – 2 <sup>nd</sup> 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)
Stormwater	Storing and Handling Liquids: Environmental Protection (DECC, 2007)
	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)
Wastewater	Managing Urban Stormwater: Harvesting and Reuse (DEC, 2006)
	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, NRMCC & AHMC, 2006)
Contamination	National Water Quality Management Strategy – Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2) (EPHC, NRMCC & AHMC, 2009)
	State Environmental Planning Policy (Resilience and Hazards) 2021
	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
<b>Traffic, Transport and Access</b>	
	Roads Act 1993 (NSW)
	State Environmental Planning Policy (Transport and Infrastructure) 2021

## Policies, Guidelines & Plans

Aspect	Policy / Methodology
	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)
<b>Upper Canal and Warragamba Pipeline Corridors</b>	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2018)
<b>Urban Design and Visual</b>	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
	Better Placed (Government Architect NSW, 2017)
	Greener Places (Government Architect NSW, 2020)
<b>Waste</b>	
	NSW Waste and Sustainable Material Strategy 2041 (EPA, 2021)
	NSW Plastics Action Plan (EPA, 2021)
	NSW Energy from Waste Policy Statement (EPA, 2021)
	NSW Energy from Waste Infrastructure Plan (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)



**ATTACHMENT 2**  
**Government Authority Advice**

<https://www.planningportal.nsw.gov.au/major-projects/projects/aspect-industrial-estate-warehouse-4>