

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-46516461
Project Name	Aspect Industrial Estate Warehouse 9
Development	Construction and operation of Warehouse 9 of the Aspect Industrial Estate. The proposed warehouse has a total gross floor area (GFA) of 64,725 square metres (m ²) and associated offices, loading docks, hardstand, car parks, landscaping, services and utilities.
Location	864-882 Mamre Road, Kemps Creek (Lots 54-58, DP 259135) within Penrith City Council Local Government Area
Applicant	Mirvac Projects Pty Ltd
Date of Issue	16 August 2022
General Requirements	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 Environmental Planning and Assessment Regulation 2021 (the Regulation) and must have regard to the Department's <i>State Significant Development Guidelines (2021)</i>. In addition, the EIS must include: • consideration of issues discussed in the public authority responses to request for key issues (see Attachment 2) • a detailed assessment of the key issues specified below, including: – 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 – 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. • an assessment demonstrating the proposal is consistent with the conditions, requirements, development standards and environmental impact envelope of any Concept Proposal applying to the site. The EIS must also be accompanied by: • high quality files of maps and figures of the subject site and proposal • a report from a qualified quantity surveyor providing a detailed calculation of the capital investment value (CIV) of the proposal (as defined in the Dictionary of the Regulation), including details of all assumptions and components from which the CIV calculation is derived. The report must be prepared having regard to the Department's Planning Circular PS 21-020 'Calculation of capital investment value' • 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 address the following specific matters: • Consistency with the Approved Aspect Industrial Estate Concept Plan – including: – 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, noise and vibration and water management for the site and the entire Aspect Industrial Estate – justification for any departures from the approved Aspect Industrial Estate Concept Plan. • Statutory and Strategic Context – including: – detailed justification that the proposed land use is permissible with consent; and – 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 is not limited to: ▪ State Environment Planning Policy (Industry and Employment) 2021 (Industry and Employment SEPP) ▪ State Environmental Planning Policy (Planning Systems) 2021 (Planning Systems SEPP) ▪ State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity SEPP) ▪ State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) ▪ State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP) ▪ State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Precincts SEPP) ▪ Mamre Road Precinct Plan (DPIE, 2020) ▪ Mamre Road Precinct Development Control Plan (DPIE, 2021) ▪ Greater Sydney Region Plan: A Metropolis of Three Cities ▪ Western City District Plan ▪ Future Transport 2056 and supporting plans ▪ Freight and Ports Plan 2018-2023. • Suitability of the Site – 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; and – floor plans depicting the proposed internal layout, including the location of machinery and equipment. • Community and Stakeholder Engagement – including: – a community and stakeholder participation strategy identifying key community members and other stakeholders and the proposed consultation approach – issues raised by the community and surrounding landowners and occupiers – 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 – details of the proposed approach to future community and stakeholder engagement based on the results of consultation. • Traffic and Transport – including: – 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
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	– 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 – details of access to the site from the road network including driveway locations, design, sight distance, and impacts on the efficient and safe operation of access roads within the Aspect Industrial Estate; – 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 – details of the largest vehicle anticipated to access and move within the site, including swept path analysis which depict vehicles entering, exiting and manoeuvring throughout the site – demonstration that the Mamre Road/Access Road 1 intersection can accommodate operational traffic associated with the development – if upgrades to the Mamre Road/Access Road 1 intersection is required, provide details of the upgrades including but not limited to consultation with TfNSW and Penrith City Council, timing and delivery (construction and operation) of the upgrades. • Noise and Vibration – including: – a description of all potential noise and vibration sources during the construction and operational phases of the development, including on- and off-site traffic noise – demonstration of compliance with the noise limits set out in condition A16, Schedule 2 of SSD-10448 development consent – an analysis of all external plant and equipment, including but not limited to, forklifts, air conditioners and refrigeration systems and on-site vehicle movements – a cumulative noise impact assessment of all potential noise sources in accordance with relevant Environmental Protection Authority guidelines – details of noise mitigation, management, and monitoring measures to demonstrate the noise limits in Condition A16 can be achieved. • Soil and Water – including: – an assessment of potential surface water impacts associated with the development, including potential impacts on watercourses riparian areas. – a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements – demonstration that the approved stormwater management system for the Aspect Industrial Estate can accommodate the development, including compliance with the Integrated Water Cycle Management (IWCM) controls (section 2.4) of the Mamre Road Precinct Development Control Plan (DPIE, 2021); – details of the infrastructure required for the development to connect to a precinct-wide stormwater management system – an assessment of any impacts on salinity and sodic soils from the future development including any proposed Water Sensitive Urban Design infrastructure – a description of the proposed erosion and sediment controls during construction. • Urban Design and Visual – including: – a detailed urban design review of any proposed changes to approved building heights, design and footprints including setbacks and landscape treatment in the context of the entire Aspect Industrial Estate, the topography of the site, the immediate surrounds and the wider area; – demonstration of compliance with 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
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	– 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 – a visual impact assessment (including photomontages and perspectives) of the development (building and parking areas) including details of height, colour, scale, building materials and finishes, signage and lighting, from nearby public receivers and significant vantage points within the broader public domain, taking into consideration section 3.2 of the Mamre Road Precinct Development Control Plan (DPIE, 2021) – a landscaping plan showing proposed landscaping within the setback areas and car park in the context of the building form, height, bulk and scale, and compliance with the Mamre Road Precinct Development Control Plan (DPIE, 2021). • Infrastructure – including: – details of infrastructure required on the site and identification of any upgrades required to facilitate the development – an assessment of impacts on the integrity and security of the 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 impacts – an assessment of the impacts of the development (construction and operation) on existing infrastructure surrounding the site. • Social Impact – including a Social Impact Assessment prepared in accordance with the <i>Social Impact Assessment Guideline for State Significant Projects</i> (DPIE, 2021). • Subdivision – including: – details of any proposed consolidation or subdivision of land – demonstration the lot(s) will be released in an orderly and coordinated manner, with appropriate access and servicing. • Hazards and Risk – including a preliminary risk screening completed in accordance with State Environmental Planning Policy (Resilience and Hazards) 2021, Chapter 3 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). • Greenhouse Gas Emission 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). • Aboriginal Cultural Heritage – justification for reliance on any previous Aboriginal Cultural Heritage Assessments undertaken for SSD-10448 • Biodiversity – 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. • Air Quality – including an assessment of air quality impacts at private properties during construction and operation, and details of mitigation, management, and monitoring measures in accordance with Environment Protection Authority guidelines. • Waste Management – including details of the quantities and classification of waste streams generated during construction and operation and proposed storage, handling, and disposal requirements.
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	• Planning Agreement and Development Contributions – 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.
Engagement	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 • Transport for NSW (TfNSW) (including Roads and Maritime Services) • Environment Protection Authority (EPA) • Environment and Heritage Group, Department of Planning and Environment • Water Group, Department of Planning and Environment • Fire and Rescue NSW • Endeavour Energy • Sydney Water • surrounding residents and stakeholders.
Expiry Date	If you do not lodge a Development Application for the development within two years of the issue date of these SEARs, your SEARs will expire. If an extension to these SEARs is sought, you must consult with the Planning Secretary three months prior to the expiry date.
References	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.

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/>

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)
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 (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)
Biodiversity	
	<i>Biodiversity Conservation Act 2016</i>
	Biodiversity Assessment Method (EES, 2021)
	Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018)
Bush Fire	
	Planning for Bush Fire Protection (RFS, 2019)
Fire Safety	
	Fire Safety Guidelines – Fire Safety in Waste Facilities (FRNSW, 2020)
Hazards and Risk	
	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)
Heritage	
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)

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
	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)
Social	
	Social Impact Assessment Guideline for State Significant Projects (DPIE, 2021)
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 – 2 nd 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)
	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 (Resilience and Hazards) 2021
Contamination	Managing Land Contamination Planning Guidelines, SEPP 55 – Remediation of Land (DUAP & EPA, 1998)
	Consultants reporting on contaminated land: Contaminated Land Guidelines (EPA, 2020)
Traffic, Transport and Access	
	Roads Act 1993 (NSW)
	State Environmental Planning Policy (Transport and Infrastructure) 2021
	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)

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
	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)
Upper Canal and Warragamba Pipeline Corridors	
	Guidelines for Development Adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 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)
Waste	
	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-9>