

Planning Secretary's Environmental Assessment Requirements

Stephen Road Multi-level Warehouse, Banksmeadow



Application Number	SSD-65924461
Project Name	Stephen Road Multi-level Warehouse, Banksmeadow
Development	Remediation of site and construction and operation of a multi-level warehouse.
Location	49-61 Stephen Road, Banksmeadow within Bayside Local Government Area
Applicant	ESR Developments (Australia) Pty Ltd
Date of Issue	30 January 2024
General Requirements	The Environmental Impact Statement (EIS) for the development must • comply with these assessment requirements • meet the form and content requirements in sections 190 and 192 of the Environmental Planning and Assessment Regulation 2021 (the Regulation) • have regard to the Department's <i>State Significant Development Guidelines (2022)</i>. In addition, the EIS must include: • a clear comprehensive description of the proposal for the site, including details of all activities and processes proposed to be carried out as part of the development • 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 and activities that form part 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. The EIS must also be accompanied by: • high quality files of maps and figures of the subject site and proposal • a report providing a detailed calculation of the capital investment value (CIV) (as defined in Schedule 7 of the Regulation) of the proposal. The CIV report must: – be prepared by an AIQS Certified Quantity Surveyor or RICS Chartered Quantity Surveyor – include details of all assumptions and components from which the CIV calculation is derived – include certification from the Quantity Surveyor that the report has been prepared having regard to the Department's Planning Circular PS 21-020 'Calculation of capital investment value' and all components costed are consistent with the project description and all proposed works for which consent is being sought as described in the EIS. • an estimate of the retained and new jobs that would be created during the construction and operational phases of the development, including details of the methodology to determine the figures provided • certification that the information provided is accurate at the date of preparation • a declaration from a Registered Environmental Assessment Practitioner that your EIS includes the information specified in the Department's <i>Registered Environmental Assessment Practitioner Guidelines</i>.
Key issues	The EIS must address the following specific matters: • Statutory and Strategic Context – including: – justification for the proposal and the suitability of the site – detailed justification that the proposed land use is permissible with consent – 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) and adopted management plans and justification for any inconsistencies. This includes, but is not limited to:
 - State Environmental Planning Policy (Biodiversity and Conservation) 2021
 - State Environmental Planning Policy (Industry and Employment) 2021
 - State Environmental Planning Policy (Planning Systems) 2021
 - State Environmental Planning Policy (Resilience and Hazards) 2021
 - State Environmental Planning Policy (Sustainable Buildings) 2022
 - State Environmental Planning Policy (Transport and Infrastructure) 2021 (including Chapter 5 – Three Ports)
 - Bayside Local Environmental Plan 2021
 - Greater Sydney Region Plan: A Metropolis of Three Cities
 - Eastern City District Plan
 - Our Greater Sydney 2056: Central City District Plan
 - Future Transport Strategy 2056.
- **Suitability of the Site** – including:
 - a detailed justification for the proposal and that the site can accommodate the proposed development having regard to its potential environmental impacts, permissibility, strategic context and existing site constraints.
- **Community and Stakeholder Engagement** – a community and stakeholder engagement strategy consistent with the Department's *Undertaking Engagement Guidelines for State Significant Projects* for all stages of the development, including (but not limited to):
 - details of how issues raised, and feedback provided during engagement activities have been considered and responded to in the development
 - details of the proposed approach to future community and stakeholder engagement based on the results of consultation.
- **Contamination** – a site contamination assessment in accordance with the Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land (DUAP, 1998), including:
 - assessment of the extent and nature of any contamination of the soil, groundwater and soil vapour including the potential risks to human health and the environmental receptors near the site
 - the engagement of a Site Auditor accredited under the *Contaminated Land Management Act 1997* NSW Site Auditor Scheme
 - a remedial action plan (RAP) detailing the measures that will be undertaken to remediate and manage contamination identified at the site
 - a statement from a NSW Site Auditor, certifying site suitability for the intended use subject to the implementation of the submitted RAP
 - details of any required long term management of the site
 - how the development will integrate with any Voluntary Management Proposal applying to the site.
- **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
 - 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 on existing performance levels of nearby intersections (including maximum queue length), using a calibrated and validated SIDRA (or similar) traffic model (see TfNSW comments in Attachment 2)
 - swept path diagrams demonstrating that the largest vehicle accessing the site can manoeuvre surrounding key intersections.
 - 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 the proposed internal road network, loading docks, pedestrian and cycling facilities and on-site parking in accordance with the relevant Australian Standards
- consideration of any parking that is required for a café use
- details of the largest vehicle anticipated to access and move within the site, including swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site
- details of road upgrades, infrastructure works or new roads or access points required for the development if necessary.
- **Air Quality and Odour** – an assessment of the potential air quality, dust and odour impacts of the development (remediation, 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.
- **Soils** – an assessment of potential impacts on soil resources and riparian land on and near the site, including:
 - impacts on soil erosion, salinity and acid sulfate soils
 - details of earthworks, including cut and fill volumes
 - description of the proposed erosion and sediment controls during construction.
- **Water Management** – an integrated water management strategy, including:
 - a surface and groundwater water discharge assessment in accordance with relevant EPA guidelines, including an assessment of potential impacts on watercourses, riparian areas, groundwater, and groundwater-dependent communities nearby
 - detail how water sensitive urban design has been incorporated into the development
 - a detailed site water balance including a description of the water demands and breakdown of water supplies, and any water licensing requirements
 - details of the proposed stormwater/wastewater drainage design including the capacity of onsite detention system(s), onsite sewage management and measures to treat, reuse or dispose of water
 - 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
 - description of the measures to minimise water use
 - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria using a MUSIC water quality model
 - details of any surface or groundwater mitigation, management and monitoring activities and methodologies.
- **Flooding** – a flood risk assessment, that includes a detailed flooding assessment that satisfies the objectives and any relevant provisions of the NSW Floodplain Development Manual (2023) and Council's requirements.
- **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 noise generated from a potential café onsite
 - consideration of annoying characteristics of noise and prevailing meteorological conditions in the study area
 - consideration of vehicle's usage of ramps
 - 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.

- **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)
 - consideration of building orientation (including office space orientation) and impact on Stephens Road
 - consideration of interface with Stephens Road, including large height differences between the proposal and low density residential across Stephens Road
 - a response to all urban design matters raised by Bayside Council (Attachment 2)
 - 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, 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 as well as how it maximises opportunities for green infrastructure, consistent with Greener Places (Government Architect NSW, 2020) and consideration of retention of existing vegetation
 - assessment of shading, privacy and light nuisance impacts on residences across Stephens Road
 - plans demonstrating height and extent of any retaining walls proposed.
- **Infrastructure Requirements** – an infrastructure delivery, management and staging plan that includes:
 - an assessment of impacts of the development on existing utility infrastructure and service provider assets surrounding the site
 - a detailed written and/or graphical description of infrastructure required on the site, including any electrical substation/s and on-site switch yard/s
 - 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.
- **Hazards and Risk** – including:
 - a preliminary risk screening completed in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* 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”.
 - an evaluation and assessment of the risks posed by the Botany Industrial Park (BIP) complex on the development and demonstrate that the development complies with the risk criteria for development in the vicinity of potentially hazardous facilities published in *Hazardous Industry Planning Advisory Paper No. 10 – Land Use Safety Planning* (DoP, 2011). The assessment must be undertaken in consultation with BIP, must be based on the most recently available data and must demonstrate that the development would not result in any increase of the overall societal risk in the area
 - consultation with APA Group regarding proximity to the Moomba Sydney Pipeline
 - consideration of any impacts associated with Sydney Airport.
- **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 site – 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. • Biodiversity – an assessment of the proposal's biodiversity impacts in accordance with the <i>Biodiversity Conservation Act 2016</i>, 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. • Waste – including: – details of the quantities and classification of all waste streams to be generated on site during the development – details of waste storage, handling and disposal during the development – details of the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the <i>NSW Waste and Sustainable Materials Strategy 2041</i>. • Social – including a social impact assessment in accordance with the Department's <i>Social Impact Assessment Guideline</i> • Bush Fire Risk – if the development is on mapped bush fire prone land, or a bush fire threat is identified on or adjoining the site, provide a bush fire assessment that details proposed bush fire protection measures and demonstrates compliance with Planning for Bush Fire Protection • Ecologically Sustainable Development – including: – identification of how ESD principles (as defined in section 193 of the EP&A Regulation) are incorporated in the design and ongoing operation of the development – demonstration of how the development will meet or exceed the relevant industry recognised building sustainability and environmental performance standards – demonstration of how the development minimises greenhouse gas emissions (reflecting the Government's goal of net zero emissions by 2050) and consumption of energy, water (including water sensitive urban design) and material resources – if Chapter 3 of State Environmental Planning Policy (Sustainable Buildings) 2022 applies: ○ demonstrate how the development has been designed to address the provisions set out in Chapter 3.2(1) ○ provide a NABERS Embodied Emissions Material Form to disclose the amount of embodied emissions attributable to the development in accordance with section 35BA of the EP&A Regulation. • Planning Agreement/Development Contributions – including consideration of any applicable State and local development contributions, Housing and Productivity Contribution and/or draft contributions plan(s).
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: • Bayside Council • Department of Climate Change, Energy, the Environment and Water, specifically the: ○ Environment Protection Authority • Transport for NSW • Fire & Rescue NSW • Sydney Water • surrounding local landowners, businesses and stakeholders • local and regional community and environmental groups • Local Aboriginal Land Council

	• Sydney Airport • AirServices Australia • APA Group • Civil Aviation Safety Authority • any other public transport, utilities or community service providers.
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:

<https://www.planningportal.nsw.gov.au/major-projects/assessment/policies-and-guidelines>

<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 (DPE, 2022)
	Cumulative Impact Assessment Guidelines for State Significant Projects (DPE, 2022)
Air Quality	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2022
	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, 2022)
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)
	Developments adjacent to National Parks and Wildlife Service lands (DPIE, 2020)
Bush Fire	
	Planning for Bush Fire Protection (RFS, 2019)
Climate Change	
	EPA Climate Change Policy (EPA, 2023)
	Net Zero Plan Stage 1: 2020-2030 (DPIE, 2020)
Design Quality	
	Greener Places (Government Architect NSW, 2020)
	Better Placed (Government Architect NSW, 2017)
Fire Safety	
	Fire Safety Guidelines – Fire Safety in Waste Facilities (FRNSW, 2020)
Flooding	

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
	Flood Impact and Risk Assessment Flood Risk Management Guide (LU01) (DPE, 2022)
	Department of Climate Change, Energy, Environment and Water Flood Risk Management Toolkit – https://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-guidelines
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	
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)
Human Health Risk	
	Environmental Health Risk Assessment: Guidelines for assessing human health risks from environmental hazards (enHealth, 2012)
Noise and Vibration	
	Approved methods for measurement and analysis of environmental noise in NSW (EPA, 2022)
	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)

Policies, Guidelines & Plans	
Aspect	Policy / Methodology
Stormwater	Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources (NOW, 2011)
	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)
Contamination	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)
Traffic, Transport and Access	
	<i>Roads Act 1993</i>
	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)
	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)
Visual	
	Control of Obtrusive Effects of Outdoor Lighting (AS 2482)
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 2018
	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)

Policies, Guidelines & Plans

Aspect	Policy / Methodology
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
	Standards for Managing Construction Waste in NSW (EPA, 2018)

ATTACHMENT 2
Government Authority Advice