



Our reference: P-748257-Q9B2
Contact: Sandra Fagan
Telephone: (02) 4732 7992

29 August 2024

Attn: David Schwebel
Email: david.schwebel@planning.nsw.gov.au

Dear David,

Council Response to Request for Advice on SEAR's - SSD-74784709 - 1-51 Aldington Road Industrial Estate at 1-23 and 25-51 Aldington Road, Kemps Creek, NSW

Thank you for providing Penrith City Council with the opportunity to comment on the abovementioned application for Secretary's Environmental Assessment Requirements (SEARs).

Council has reviewed the information referred for comment on 15 August 2024.

In addition to the assessment considerations outlined in the Scoping Report from Ethos Urban dated 12 August 2024, the following matters are raised for the Department's consideration in relation to the Secretary's Environmental Assessment Requirements (SEARs) for this State Significant Development proposal.

1. Planning Considerations

- a) The EIS should consider and address the required upgrade of surrounding roads and intersections, particularly Aldington Road as this is the primary access to the subject site. The proposal should address the proposed delivery of the new intersection at Aldington Road and the construction of the local industrial road between the proposed new intersection and the subject site. This includes the section of local road shown to run in an east-west direction along the southern boundary of the subject site. This road is not shown on the concept plan although it is shown in the MRP DCP.
- b) The EIS should also consider the proposed extension of Aldington Road to the future Southern Link Road. The information should include details of staging and timing of works given the implications for the proposed development and future operation of any warehouses.

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city

- c) The proposed interim access arrangement from the northern end of Aldington Road requires in principle support from Council and TfNSW. The proposed interim location is adjacent to Transport Investigation Area B. The EIS should include further information about the proposed interim arrangement considering the comments above.
- d) The proposal should address the 'dedicated freight corridor' shown in the MRP DCP to run along the western side (rear) boundary of the site.
- e) The traffic report needs to be a cumulative assessment, which considers existing industrial approvals in the precinct, and proposed roads and road upgrades.
- f) The proposal should be reconciled with the requirements of both Sydney Water and Transport for NSW as this will have implications for spatial planning of the proposed development.
- g) The civil drawings should include detailed sections of all proposed retaining walls and that compliance with the MRP DCP is achieved. Final designs for roads will be needed to demonstrate adjoining levels and suitable interface treatments. The concept plan shows a proposed retaining wall along part of the boundary with the adjoining site at 53 Aldington Road. This will require careful consideration in terms of interface treatments and retaining wall heights.
- h) The proposal should address the intent of the proposed C2 Environmental Conservation lot in terms of future ownership / maintenance. This should include details about how the interface between the C2 and IN1 zone will be designed and managed.
- i) The proposal should clearly identify if both the proposed local road within the site, and the proposed stormwater basin is to be located on land zoned C2 or on industrial zoned land. This should be reconciled with the permissibility in the zone and the zone objectives.
- j) The concept plans and architectural drawings should clearly show the required landscape and building setbacks, landscaped areas, tree planting on public verges and within the car parking areas, and signage locations and design.
- k) Landscape plans should include street tree species as identified in Council's Draft Street Tree Masterplan. For the internal estate road this includes a selection from the following species:

- i. *Acer buergeranum*, Trident maple
- ii. *Acer freemannii* 'Autumn Blaze,'
- iii. *Acer negundo* 'Sensation,' Sensation Maple
- iv. *Angophora hispida*; Dwarf Apple (single leader)
- v. *Arbutus andrachnoides*, Grecian Strawberry tree
- vi. *Arbutus unedo*, Irish Strawberry tree
- vii. *Backhousia citriodora*, Lemon scented myrtle
- viii. *Backhousia myrtifolia*, Grey Myrtle
- ix. *Bauhinia variegata*, Butterfly Tree
- x. *Bauhinia variegata* 'Alba,' Butterfly Tree
- xi. *Brachychiton populneus*, Kurrajong
- xii. *Buckinghamia celsissima*, Ivory Curl Flower
- xiii. *Brachychiton populneus*,
- xiv. *Callistemon salignus*, Willow Bottlebrush
- xv. *Callistemon viminalis* 'Dawson River,' Weeping Bottlebrush
- xvi. *Callistemon viminalis* 'Kings Park Special,' Weeping Bottlebrush
- xvii. *Corymbia eximia* & *Corymbia eximia* 'nana,' Yellow bloodwood
- xviii. *Cupaniopsis anacardoides*, Tuckeroo
- xix. *Fraxinus griffithii*, Evergreen Ash
- xx. *Glochidion ferdinandi*, Cheese Tree
- xxi. *Koelreuteria paniculata*, Golden Rain Tree
- xxii. *Lagerstroemia* hybrids 'Indian Summer' range, Crepe myrtle
Lipan, Biloxi, Natchez, Tuscarora, Sioux
- xxiii. *Magnolia grandiflora* 'Exmouth,' Bull Bay Magnolia
- xxiv. *Melaleuca bracteata*, Black Tea tree
- xxv. *Melaleuca linariifolia*, Snow in Summer
- xxvi. *Melaleuca styphelioides*, Prickly Paperbark
- xxvii. *Melia azedarach* 'Elite', Elite White Cedar
- xxviii. *Olea europaea* 'Swan Hill', Swan hill Olive (Low fruiting)
- xxix. *Pistachia chinensis*, Chinese Pistachio
- xxx. *Pyrus calleryana* 'Chanticleer'
- xxxi. *Tristaniaopsis laurina*, Water Gum
- xxxii. *Waterhousea floribunda* and cultivars, Weeping Lilly Pilly
- xxxiii. *Syzygium leuhmannii*, Riberry, Small leafed lilly pilly
- xxxiv. *Zelkova serrata* 'Green Vase'.

- i) For the road shown on the MRP DCP as running in an east-west direction along the southern property boundary, the street trees are to be:

- i. On the north side of the road - *Tristaniaopsis laurina*, Water Gum,
- ii. On the south side of the road - *Zelkova serrata* 'Green Vase,' Japanese Zelkova.

2. City Planning Team

- a) The Gibb group site boundaries are just beyond the future Southern Link Road (SLR) connection onto Aldington Road.

Therefore, once the intersection is delivered and the local roads are connected through the estates, traffic entering into the Gibb Group site will be via the intersection/stretch of Aldington Road to be completed further south of their site by Log-NE. Noting this also needs to connect through 53 Aldington Road (not owned by Gibb Group nor Log-NE).

- b) In the interim access arrangement proposed it is unclear if Gibb Group will ever have access via local roads OR if the local roads are delivered how long this will take. As per the information in the SEARs it appears that the development could rely on the temporary access off Aldington Road, indefinitely.

Aldington Road is currently a rural road that is in urgent need of upgrade and widening due to the rezoning of the precinct.

Concern is therefore raised on the reliance of a temporary access arrangement from Aldington Road to facilitate access into the site.

As such it is requested that the developer complete the upgrade works to Aldington Road (the stretch between Log-NE works and the SLR), as the development access is reliant on this road. Please note that Council's consent as the landowner of the road is required for any works on Council owned land/Aldington Road.

- c) It is also noted that the plans submitted with the SEARS request at Attachment B (being the Roadworks Plan for LOG-N) do not appear to align with the more recent updated plans by LOG-N submitted by Aliro/ISPT (Summit). Specifically, the plans at Attachment B indicate that some of the road works on Aldington Road will be permanent, not interim. This appears to be contrary to the updated LOG-N plans which identify some of those works as being interim and to be removed once the permanent road works are completed.

It is therefore requested that the Gibb Group submit an updated road works plan to ensure consistency with the proposed road design submitted by Aliro/ISPT as part of LOG-N.

3. Development Engineering Considerations

a) Stormwater

- i. Stormwater drainage for the site must be in accordance with the Mamre Road Precinct DCP.
- ii. A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.
- iii. Evidence of owner's consent shall be provided with the application for the provision of the easement. The easement to drain water must be registered prior to the issue of an operational consent. Drainage easement widths shall be in accordance with Council's Stormwater Drainage Specification for Building Developments policy.
- iv. The application is to demonstrate how stormwater discharge from the proposed development complies with the trunk drainage infrastructure as per Figure 4 of the Mamre Road Precinct DCP. The application shall include concept stormwater plans for both the proposed development and the ultimate developed estate scenarios.
- v. The stormwater concept plan shall demonstrate how the development complies with the Mamre Road precinct DCP water quality and water quantity controls for any interim and ultimate developments.
- vi. A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.
- vii. The application shall include MUSIC modelling (*.sqz file) demonstrating compliance with water quality controls of the Mamre Road precinct Draft DCP.
- viii. Penrith City Council will not accept the dedication of any estate water quantity or water quality basins. Any estate drainage basins are to be maintained in perpetuity by the estate. It is Council's preference that all water quantity and water quality treatment be provided on the individual lots. Any on-site detention system or water quality system must be within common property and accessible from the street.

- ix. Sydney Water have been appointed as the Water Management Authority for the Mamre Road Precinct and have prepared an Aerotropolis Stormwater Management Framework which is a set of guiding principles to plan and manage trunk drainage in the Aerotropolis and Mamre Road precincts. As part of the framework, a Stormwater Scheme Plan has been prepared for the Mamre Road Precinct that nominates areas for water treatment wetlands and storage ponds for water re-use. Consultation is to occur with Sydney Water to determine how the development will comply with the proposed scheme including final land levels, top water levels, appropriate freeboard and the like.

b) Local Overland Flow Flooding

- i. The site is flood affected by local overland flow flooding from the local catchment and has been coded as being subject to flood related development controls.
- ii. The application must demonstrate that the development proposal is consistent with the Mamre Road Precinct DCP Section 2.5 Flood Prone Land.
- iii. The application must be accompanied by an Overland Flow Flood Report prepared by a suitably qualified person to assess the developments impacts upon overland flows. Overland flows shall be managed through the site in a safe manner.
- iv. Further information regarding Council's Flood Studies is available from Council's website at the following address:
<https://www.penrithcity.nsw.gov.au/services/other-services/floodplain-management>

c) Proposed Roads

- i. The proposed 15m wide shared driveway is not supported. In accordance with the Mamre Road Precinct DCP Figure 12 the internal road should be a local industrial road. The temporary access road from the estate to Aldington Road should be designed to allow for 30 m PBS Level 2 Type B vehicles and tested for 36.5m PBS Level 3 Type A vehicles.
- ii. Aldington Road and Abbots Road are currently rural roads and are unsuitable for heavy vehicle traffic in their current state. As the development will rely upon Aldington Road for access to the site, Aldington Road and Abbots Road are to be upgraded to a

distributer road (as per the Mamre Road Precinct DCP) from the development site to the intersection with Mamre Road, including a signalised intersection with Mamre Road.

- iii. Until such times as development occurs upon the adjoining lots to the north and south, temporary turn head facilities with appropriate easements / right of carriageway are to be provided for any road terminating at the property boundary.

d) Earthworks

- i. The site is impacted by two major ridgelines with land falling towards the north-west. An east-west ridge runs parallel to the southern boundary and adjoins the main ridge that runs along the eastern boundary. A site cut / fill plan is to be submitted that includes any retaining walls and batter extents. The plan shall include any batters or retaining walls for the future roads as shown in the Mamre Road Precinct DCP.
- ii. No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site.
- iii. The location and height of any retaining walls are to be included. The potential impact of any retaining walls upon future development of adjoining lands is to be considered.
- iv. The application is to be supported by a geotechnical report prepared by a suitably qualified person and shall address, but not be limited to ground water movement, salinity, contamination and potential damage to adjoining public and private infrastructure during construction.
- v. Sections are to be provided extending into adjoining lands showing existing and proposed site levels, retaining walls, batters and the impacts upon adjoining properties.

e) Subdivision Works

- i. The application shall demonstrate compliance with the Controls of Section 3 Precinct and Subdivision Design of the Mamre Road Precinct DCP.
- ii. The application is to be accompanied by a subdivision concept plan.
- iii. A Stage 2 Road Safety Audit is to be submitted with the application.

4. Traffic Engineer Considerations

- a) A detailed Traffic and Parking Impact Assessment will be submitted with the EIS. The detailed Traffic and Parking Impact Assessment will address the following matters, in addition to any other requirement identified by the SEARs.
- i. Assessment of traffic volumes generated from the proposal, including traffic associated with construction and operation;
 - ii. Assessment of proposed traffic generation and impacts on the existing road network, including impacts to existing intersections. This will include a cumulative assessment which will consider existing and future development within the Mamre Road Precinct and any planned or proposed road/infrastructure upgrades associated with the Aerotropolis.
 - iii. Detail on site access, internal loading, and manoeuvring in accordance with the relevant standards and controls;
 - iv. Detail interim access arrangements in accordance with the progress of the proposed extension of the Southern Link Road corridor at the northern boundary of the site;
 - v. Detail on relevant or required road upgrades, access points or road-related infrastructure to support the proposal.
 - vi. Details of travel demand management measures to minimise the impact of the development on general traffic and bus operations.
- b) In addition to the matters that will be addressed, the following issues should also be addressed in the detailed Traffic and Parking Impact Assessment:
- i. Swept path analysis for the largest vehicle requiring access to the development;
 - ii. Details and plans of any proposed internal road network, loading dock provision and servicing, on-site parking provisions, and sufficient pedestrian and cyclist facilities, in accordance with the relevant Australian Standards; and
 - iii. 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.

5. Environmental Health Considerations

a) Environmental Management Considerations

- i. An acoustic assessment is required to be submitted to demonstrate that the proposed development will not have any impact on nearby sensitive receivers. This report is to be prepared by an appropriately qualified acoustic consultant, and is to consider noise impacts including, but not limited to:
 - Construction
 - Operation
 - Mechanical plant
 - Vehicular movements
 - Road traffic noise
- ii. Should mitigation measures be necessary, recommendations should be included to this effect. Recommendations and mitigation measures must be shown on all architectural plans.
- iii. An air quality assessment is required to be submitted as a part of an application to demonstrate that the proposed development will not have any impact on the health of nearby sensitive receivers or the environment. This report is to be prepared by an appropriately qualified consultant.
- iv. The EIS is to address all relevant requirements under State Environmental Planning Policy (Resilience and Hazards) 2021. The application is to demonstrate that the land is suitable for the proposed purpose through the submission of a Phase 2 Detailed Site Investigation. Reporting needs to be completed by a suitably qualified person(s) or company.
- v. The EIS is to consider whether the proposed development triggers the SEPP as potentially 'hazardous or offensive' and provide an assessment of the proposed development regarding the SEPP.
- vi. The environmental impacts associated with the construction phase of the development will need to be addressed, such as water quality, noise, dust/air quality and erosion and sediment control. This should be included in the EIS, Construction Environmental Management Plan (CEMP) and plans.

- vii. Provide details on the removal of the existing dams on-site, water quality, dewatering plan and the like.
- viii. Provide confirmation that the proposed development will be connected to Sydney Water's reticulated sewer.

b) Biodiversity

- i. The proposed development is located predominantly within land certified as urban-capable under the Cumberland Plain Conservation Plan, however there are roads and infrastructure proposed within avoided land. The proposal will need to be accompanied by a Biodiversity Development Assessment Report (BDAR) to assess impacts of both the construction and operation of the development on surrounding biodiversity, particularly regarding the adjacent land zoned C2 – Environmental Conservation
 - The Cumberland Plain Conservation Plan requires that every effort is made to ensure that infrastructure development is limited to the certified-urban capable land. Where essential infrastructure development is required in the avoided land, it will need to comply with 'Appendix A. Accessing EPBC approval for essential infrastructure development in the avoided land'. This includes:
 - a. specific requirements to avoid, minimise mitigate and offset impacts to MNES and other relevant EPBC Act matters
 - b. specific commitments for avoidance (Commitments 2.1 and 2.2)
 - c. cumulative impact thresholds for EPBC Act-listed threatened ecological communities listed in Table 3. Cumulative impact thresholds per EPBC Act TEC in the avoided land.
 - Essential infrastructure development in the avoided land will need all the required NSW biodiversity approvals. Where essential infrastructure development cannot meet the Cumberland Plain Conservation Plan Guidelines for Essential Infrastructure Development and requirements of the CPCP, the proponents will need to seek a separate approval under the EPBC Act.
 - The application will need to be supported by supporting documentation that addresses the objectives and controls of

Chapter 13 Part 13.3 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

- Despite not applying to development within the Aerotropolis the Cumberland Plain Conservation Plan Guidelines should be applied as best practice for biodiversity avoidance and mitigation.
 - ii. A detailed Biodiversity Management Plan should be prepared to mitigate impacts to biodiversity. Details required include; sensitive methods for habitat clearing; and fauna rescue and relocation. The report should also provide details for dam dewatering, including rescue of fish and fauna residing within the dam, details for euthanasia of exotic fauna or injured and release sites for native fish/fauna. Provide details of relevant approvals/licences including animal ethics/NPWS/ and NSW DPI.
 - iii. The BDAR will need to consider direct, indirect and prescribed impacts. In addition, it will need to consider construction and operational impacts (such as noise and light) and how this can be mitigated as part of the design stage of the project.
- c) Waterways Considerations

It is intended that use of this land will achieve the stormwater controls for the development for the interim period until the Sydney Water MRP stormwater scheme becomes operational (with an interim basin).

The following information will be required to be provided in support of any future application.

- i. A Stormwater Management Strategy for the proposal will need to be prepared by a suitably qualified engineer in support of the development. The strategy will need to demonstrate and outline how both surface and groundwater resources will be managed on-lot, until the ultimate regional stormwater infrastructure is available to connect to. The strategy must also outline how the development integrates into the trunk drainage infrastructure that is proposed for the scheme and precinct.
- ii. All interim arrangements must comply with the Wianamatta-South Creek construction and operational phase stormwater management targets in Section 2.4 of the Mamre Road Precinct Development Control Plan, 2021 and in accordance with the Technical guidance for achieving Wianamatta-South Creek



stormwater management targets, prepared by DPE, 2022 and associated MUSIC modelling toolkit.

- iii. The strategy will need to be supported with Concept engineering plans and MUSIC modelling. The plans must be prepared in accordance with the Technical guidance for achieving Wianamatta–South Creek stormwater management targets.
- iv. Details of proposed water conservation measures also need to be provided in the absence of an available connection to the regional recycled water scheme. The DCP requires that a minimum of 80% non-potable demands are serviced by harvested rainwater through allotment rainwater tanks.
- v. Details of how the proposed stormwater management systems will connect to Sydney Water’s regional stormwater system once available (including how any interim measures will be decommissioned).

Should you wish to discuss this matter further, you may contact me on (02) 4732 7992.

Yours sincerely,

Sandra Fagan
Principal Planner



David Schwebel
Senior Assessment Officer
Department of Planning, Housing and Infrastructure
4 Parramatta Square, 12 Darcy Street
PARRAMATTA NSW 2150

4 September 2024

Subject: SEARs - 1-51 Aldington Road Industrial Estate (SSD-74784709)

Dear David,

I refer to the 15 August 2024 request for input from the Biodiversity, Conservation and Science Group (BCS) of the Department of Climate Change, Energy, the Environment and Water on the Planning Secretary's environmental assessment requirements (SEARs) for the above project within the Mamre Road Precinct.

BCS has reviewed the Scoping Report (Ethos Urban, 12 August 2024) and provides comments and recommendations below in addition to recommended standard SEARs in Attachment A.

Biodiversity

The site contains land that is zoned C2 Environmental Conservation and identified as avoided land under the Cumberland Plain Conservation Plan (CPCP).

The C2 zoned and CPCP avoided land contains Cumberland Plain Woodland (CPW) which is a critically endangered ecological community under the *Biodiversity Conservation Act, 2016* (BC Act). Regarding CPW, it is important to note that:

- The ecological community has undergone a very large reduction in distribution since European settlement. Today, only 9% of the original extent remains intact.
- In the opinion of the NSW Scientific Committee, CPW is facing an extremely high risk of extinction in NSW in the immediate future.
- CPW contains several threatened plant and animal species which potentially occur on the site.

CPW is also an entity at risk of serious and irreversible impacts (SAIL entity), given its current rapid rate of decline and given the extent of reduction in ecological function.

The proposal includes extensive development within the C2 zoned land and CPCP avoided land that will impact high biodiversity values. This includes significant earthworks (due to the topography) to construct the proposed roads (including the temporary access road and shared driveway), batter and stormwater basin. I note that the Scoping Report indicates that *other water cycle management infrastructure* is proposed, however the full extent of this other infrastructure, including the location of the irrigation area, is unclear.

Cumberland Plain Conservation Plan (CPCP) Avoided land

The CPCP identifies areas suitable for development within nominated areas. These areas are mapped as certified-urban capable land or certified-major transport corridors. Development in these areas does not require further biodiversity approvals under the BC Act and the

Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* if development is in accordance with the CPCP.

Avoided land is defined under the CPCP as land that has been avoided from development and which represents areas of high biodiversity value to be protected. It was determined by applying the CPCP avoidance criteria and is subject to development controls to avoid or minimise impacts on biodiversity.

Chapter 13 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* includes provisions to limit more intensive land uses on avoided land and ensure that the proposed development in the new precincts is confined to the certified-urban capable land identified under the CPCP.

The values contained within avoided land have been reinforced through the assessment of the strategic biodiversity certification application and subsequent conferral of biodiversity certification of the CPCP.

The subject proposal includes significant impacts to C2 Zoned and CPCP avoided land which BCS does not support. The proposed layout is to be amended so that impacts to avoided land are removed.

C2 Environmental Conservation land

While I note that roads are permissible within the C2 zone under the *State Environmental Planning Policy (Industry and Employment) 2021*, impacts to the high biodiversity values from the earthworks, roads and batter would be inconsistent with the objectives of the zone which are:

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*

Similarly, the proposed earthworks and the stormwater basin and infrastructure (including the irrigation area) would also result in impacts inconsistent with the zone objectives. BCS has concerns about the permissibility of the stormwater basin and infrastructure (including the irrigation area), as this use does not appear to be permitted.

Mamre Road Precinct Development Control Plan

The proposed development within the CPCP avoided and C2 zoned land is inconsistent with objectives and controls of Mamre Road DCP including (but not limited to):

- Section 2.1 Mamre Road Precinct Structure Plan - identifies the C2 zoned and avoided land as *Environmental conservation Land to be protected for its high conservation value and supported with surrounding buffers.*
- Section 2.2.3 Biodiversity Conservation and Management – controls for the C2 zoned land include:
 - *Minimise clearing of native vegetation within the blue-green network, which comprises land zoned E2 Environmental Conservation, RE1 Public Recreation, RE2 Private Recreation and riparian corridors*
 - *stormwater detention basins, and roads are to be located wholly within land zoned IN1 General Industrial and avoid the blue-green network.*
- Section 3.4 – Figure 12 Road network hierarchy in the Mamre Road Precinct shows the road outside of the environmental conservation land (i.e. within the IN1 zoned land).

Recommendation

The BC Act requires that impacts to biodiversity are first *avoided*:

1.3 (k) to establish a framework to avoid, minimise and offset the impacts of proposed development and land use change on biodiversity,

BCS does not consider that the development has been designed and located to avoid impacts to the high biodiversity values in accordance with the BC Act. Further, the development is

inconsistent with the CPCP, C2 zone objectives and objectives and controls of the Mamre Road Precinct DCP.

Consequently, BCS does not support the proposed development within the C2 zoned and CPCP avoided land. As stated above, the proposed layout must be amended so that impacts to avoided land and C2 zoned land are removed.

Waterway health and stormwater management

BCS recommends the following assessment requirements be incorporated into the SEARs:

- The EIS must demonstrate compliance with sections 2.4 Integrated Water Cycle Management and 4.4.2 Erosion and Sediment Control of the Mamre Road Precinct DCP in accordance with the *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022) and the Wianamatta MUSIC modelling toolkit.
- An assessment of any impacts on salinity and sodic soils.

Flood Risk Management

Flooding is mentioned in Section 5.5 of the Scoping Report, titled ‘Stormwater Management and Flooding’, which states the following:

5.5 Stormwater Management and Flooding

The EIS will be accompanied by a Stormwater Management Plan and Flood Assessment. The Mamre Road Precinct is affected by 1 in 100 year and probable maximum flood (PMF) levels from creeks within the vicinity of the site (Ropes Creek, South Creek and Kemps Creek).

Notwithstanding that the site is not identified as flood prone land, the assessment will assess the impact of the proposed development on downstream flood behaviour.

BCS highlights that the above paragraph contains the following incorrect statements:

- *Statement 1: The Mamre Road Precinct is affected by 1 in 100 year and probable maximum flood (PMF) levels from creeks within the vicinity of the site (Ropes Creek, South Creek and Kemps Creek).*

BCS notes the site is not impacted by mainstream flooding from Ropes Creek, South Creek or Kemps Creek.

- *Statement 2: Notwithstanding that the site is not identified as flood prone land.*

The 2023 Flood Risk Management Manual identifies ‘Flood prone land’ as land susceptible to flooding by the probable maximum flood (PMF) event. This is applicable to flooding due to mainstream or overland flow.

The site is shown as partially impacted by overland flow in the PMF event in Figure 6.2K of the Penrith Overland Flow Flood “Overview Study” (Cardno, August 2006). Accordingly, the site is within the overland flow flood prone land.

BCS has no information about flood events between the 1% annual exceedance probability (AEP) and the PMF.

- *Statement 3: the assessment will assess the impact of the proposed development on downstream flood behaviour.*

This is based upon the conclusion at Statement 2 that the site is not impacted by flooding and accordingly the flood assessment would only be limited to the impact of the proposed development on the downstream areas.

However, as stated above Council’s 2006 overland flow flood overview study indicates that the site is impacted by overland flooding.

BCS recommends that a simple flood impact and risk assessment (FIRA) should be undertaken in accordance with the 2023 Flood Risk Management Manual Flood Impact and Risk Assessment Guideline Section 2.8.

As stated in Section 2.8 of the guideline, the results of this simple FIRA would:

- provide the information required to inform controls for the development (if required) proportionate with overland flood behaviour and the associated risks
- provide preliminary information on key overland flood characteristics at critical locations
- identify the potential for any significant adverse impacts to the existing community because of the proposed development. Where impacts are expected to be significant, a more detailed assessment would generally be warranted.

Please contact Greater Sydney Planning team at rog.gsrplanning@environment.nsw.gov.au should you have any queries regarding this advice.

Yours sincerely



Louisa Clark
Director, Greater Sydney Branch
Regional Delivery
Biodiversity, Conservation and Science Group

Attachment A - BCS Environmental Assessment Requirements - 1-51 Aldington Road Industrial Estate (SSD-74784709)

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the *Biodiversity Conservation Act 2016* (BC Act), the Biodiversity Assessment Method 2020 (BAM) and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the BC Act (s.6.12), *Biodiversity Conservation Regulation 2017* (s.6.8) and the BAM, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).
2. The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the BAM.
3. The BDAR must include details of the measures proposed to address the offset obligation as follows:
 - The total number and classes of biodiversity credits required to be retired for the development/project.
 - The number and classes of like-for-like biodiversity credits proposed to be retired.
 - The number and classes of biodiversity credits proposed to be retired in accordance with the variation rules.
 - Any proposal to fund a biodiversity conservation action.
 - Any proposal to make a payment to the Biodiversity Conservation Fund.If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.
4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per the BAM.
5. The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s.6.10 of the BC Act.

Water and soils

6. The EIS must map the following features relevant to water and soils including:
 - Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - Rivers, streams, wetlands, estuaries (as described in s.4.2 of the BAM).
 - Wetlands as described in s.4.2 of the BAM.
 - Groundwater.
 - Groundwater dependent ecosystems.
 - Proposed intake and discharge locations.
7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - Existing surface and groundwater.
8. The EIS must assess the impact of the development on hydrology, including:
 - Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
 - Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.

End of Submission

29 August 2024

TfNSW Reference: SYD24-01452/01
DPHI Reference: SSD-74784709



Ms. Kirsten Fishburn
Secretary
Department of Planning, Housing, and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Attention: David Schwebel

**REQUEST FOR SEARS -ALDINGTON ROAD INDUSTRIAL ESTATE
1-23 AND 25-51 ALDINGTON ROAD, KEMPS CREEK**

Dear Ms. Fishburn,

Thank you for providing Transport for New South Wales (**TfNSW**) an opportunity to comment on the request for Secretary's Environmental Assessment Requirements (**SEARs**) for the proposed industrial estate development at 1-23 and 25-51 Aldington Road, Kemps Creek.

TfNSW has reviewed the submitted SEARs scoping report and has provided in **TAB A** suggested inclusions for the Department's consideration in the finalisation of the SEARs.

For more information regarding the above matter, please contact Nav Prasad, Land Use Planner via email at development.sydney@transport.nsw.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "B. Pegg".

Brenden Pegg
Senior Manager Land Use Assessment Central and Western
Planning and Programs, Greater Sydney Division

TAB A – TfNSW suggested inclusion in the SEARs

Transport and Accessibility

TfNSW requires the Transport Assessment be updated (where required), to reflect any changes in the future road network layout since the concept masterplan approval, which includes, but is not limited to the following:

- Details of all traffic types and volumes likely to be generated by the proposed development including:
- Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required);
- Details of the proposed accesses and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e., turn paths, sight distance requirements, aisle widths, etc.);
- Proposed number of car parking spaces and compliance with the appropriate parking codes.
- Details of service vehicle movements (including vehicle type and likely arrival and departure times);
- Provide a swept path analysis in accordance with Austroads turning templates to demonstrate that the largest vehicle likely to utilise the access can enter and exit the driveway in a forward direction and manoeuvring throughout the site.
- Details of any road upgrades including any proposed interim road works, infrastructure works, new roads or access points required for the development or proposed for the precinct by other nearby developments.
- Details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed development.
- Measures to integrate the development with the existing/future public transport network.
- Measures to ameliorate any adverse traffic and transport impacts due to the development based on the above analysis, including a travel demand management program to increase sustainable transport (such as a Green Travel Plan)
- The preparation of a preliminary Construction Pedestrian and Traffic Management Plan (CPTMP) to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
 - assessment of cumulative impacts associated with other construction activities (if any).
 - an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity.
 - details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process.
 - details of anticipated peak hour and daily construction vehicle movements to and from the site.
 - details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle.
 - details of temporary cycling and pedestrian access during construction; and

Dedicated Freight Corridor

Demonstrate compliance with the Western Sydney Employment Area State Environmental Planning Policy, Part 6; clause 33C; Development within the Mamre Road Precinct; specifically, integration with the Mamre Road Precinct dedicated freight corridor (DFC), including provision for access from the DFC to the entire estate. The applicant is to engage with TfNSW's Corridor and Network Protection team with respect to the design considerations for the DFC.

Flooding

The EIS shall provide a flood impact assessment to understand the potential impacts of the development on flood evacuation is to be carried out. To assess the impacts of the proposed development, information for pre- and post-development scenarios including modelling of the local overland flows are to be provided to allow assessment of the impact of the development.

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.

The Applicant must consult with:

- Transport for NSW

- Statutory and Strategic Framework
- The applicant is to demonstrate that the proposal is generally consistent with all relevant environmental planning instruments including:
 - State Environmental Planning Policy (Western Sydney Employment Area) 2009 Amendment
 - State Environmental Planning Policy (Infrastructure) 2007
 - State Environmental Planning Policy (Western Sydney Aerotropolis)
 - Mamre Road Precinct Structure Plan (DPIE, June 2020)
 - Mamre Road Precinct Development Control Plan
 - Western Sydney Aerotropolis Plan

In addition (but not limited to) the following plans and reports:

- Mamre Road Upgrade Strategic Design Report (2016)
- Mamre Road Upgrade Strategic Design Plans
- Southern Link Road Strategic Design Plans
- Future Transport 2056 and supporting plans.
- Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).
- NSW Freight and Ports Plan 2018-2023
- Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas.
- Cycling Aspects of Austroads Guides.
- NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004).
- Guide to Traffic Management Part 12: Integrated Transport Assessments for Developments (Austroads, 2020).
- Australian Standard 2890.3 Parking facilities, Part 3: Bicycle parking (AS 890.3).

Mr Chris Ritchie
Director, Industry Assessments
Department of Planning, Housing and Infrastructure
4 Parramatta Square
PARRAMATTA NSW 2150

Dear Mr Ritchie

RE: 1-23 & 25-51 Aldington Road, Kemps Creek (SSD-74784709) request for SEARs.

Thank you for requesting Bradfield Development Authority's (the Authority) feedback on the Secretary Environmental Assessment Requirements (SEARs) for a proposed industrial estate at 1-51 Aldington Road, Kemps Creek (Lots 39 and 40, DP 708347).

The Authority has reviewed the submitted scoping report and provides the following comments for the Department's consideration.

- The development should ensure that key road connections of Southern Link Road and Aldington Road are protected and delivered in accordance with the requirements of Transport for NSW and Penrith City Council. These road corridors provide important connection to the broader Western Sydney Aerotropolis, including connecting Western Sydney Employment Area to the Outer Sydney Orbital.

It is acknowledged that as part of the assessment process, the Department is undertaking a detailed assessment and consulting with various stakeholders, including Penrith City Council, Transport for NSW, Sydney Water, and landowners on the satisfaction of the proposal.

If you have any questions, please contact Harrison Barrett, Student Planning Officer, at Harrison.Barrett@wpcasidney or planningreferrals@wpcasidney

Yours sincerely



Gina Metcalfe
Director, Aerotropolis Strategy and Coordination

29 August 2024

Our ref: DOC24/663374

David Schwebel
Senior Environmental Assessment Officer
Department of Planning, Housing and Infrastructure
david.schwebel@planning.nsw.gov.au
Letter uploaded to the Major Projects Planning Portal

Input to SEARs – State Significant Development

Proposal: 1-51 Aldington Road Industrial Estate

Major Project reference: SSD-74784709

Received: 15 August 2024

Dear David

Thank you for your referral seeking input to the Secretary's Environmental Assessment Requirements for the above State Significant Development proposal.

In preparing this advice Heritage NSW has reviewed relevant sections of the following document:

- Scoping Report: 1-51 Aldington Road, Kemps Creek – prepared by Ethos Urban, dated 12 August 2024.

Heritage NSW recommends that the following Secretary's Environmental Assessment Requirements be included with respect to Aboriginal cultural heritage in relation to the proposed 1-51 Aldington Road Industrial Estate (SSD-74784709):

- The Environmental Impact Statement should be informed by an Aboriginal Cultural Heritage Assessment Report, prepared in accordance with relevant policy and guidelines to identify, describe and assess any impacts to Aboriginal cultural heritage sites or values associated with the project. The Aboriginal Cultural Heritage Assessment Report must be prepared in accordance with the Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW (2011) and the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW (2010), including results of archaeological survey and test excavations (where required) undertaken in accordance with the relevant standards and requirements;
- Include evidence of adequate and continuous consultation with Aboriginal parties in relation to determining and assessing impacts, identifying and selecting options for avoidance of Aboriginal cultural heritage and identifying appropriate mitigation measures (including the final proposed

measures) in substantial compliance with the consultation process outlined in the Aboriginal cultural heritage consultation requirements for proponents 2010

If you have any questions regarding these comments, please contact Marika Low, Senior Assessments Officer, at Heritage NSW on 9873 8500 or heritagemailbox@environment.nsw.gov.au.

Yours sincerely

Nicole Davis

Nicole Davis
Manager Assessments
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate under *National Parks and Wildlife Act 1974*
26 August 2024

29 August 2024

Contact: Justine Clarke
Telephone: 0457 535 955
Our ref: D2024/70513

David Schwebel
Department of Planning, Housing and Infrastructure
Industry Assessments
Locked Bag 5022
PARRAMATTA NSW 2124

1-51 Aldington Road Industrial Estate (SSD-74784709)- Request for SEARs

Dear Mr Schwebel,

Thank you for your Major Project Portal referral dated 15 August 2024 requesting WaterNSW's input into the preparation of Secretary's Environmental Assessment Requirements (SEARs) for the above project. It is understood that the proposal scope is to subdivide the site into two (2) development lots and an Environmental Conservation lot and construct three (3) warehouse and distribution centre buildings, including land restoration of the conservation lot at 1-51 Aldington Road, Kemps Creek.

WaterNSW owns and manages the Warragamba Pipelines, critical water supply infrastructure located approximately 950 m downstream of the development site. The Pipelines convey water from Warragamba Dam to the Prospect Water Filtration Plant and are an integral component of the Sydney drinking water supply system. It is essential this critical water supply infrastructure is protected from the potential impacts of upstream development.

The development will need to consider the downstream impacts on the Pipelines corridor, specifically surface water flow properties for pre- and post-development scenarios. It is a WaterNSW requirement that post-development flows that enter or are conveyed across the Pipelines corridor must be equal to or less than the pre-development flows for each storm event up to and including 1% AEP event.

WaterNSW requests the following points be included in the SEARs and addressed in the subsequent Environmental Impact Statement (EIS) for the proposal, as this will assist WaterNSW to determine any potential impact on the downstream Warragamba Pipelines Corridor.

- Consideration of the Mamre Road Precinct planning controls and objectives, including a detailed assessment against the provisions of the Mamre Road Precinct Development Control Plan (DCP) 2021, and how they will be achieved.
- An assessment of the impacts of the proposed development on hydrology.
- The EIS should demonstrate safe and appropriate management and disposal stormwater without negative impacts on downstream or neighbouring allotments.

WaterNSW would appreciate being advised when the EIS is exhibited for further review, and requests the Department continues to consult with us on any development that may impact on our assets, or land, using the email address Environmental.Assessments@waternsw.com.au. If you have any questions regarding this letter, please contact me at justine.clarke@waternsw.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J. Clarke".

JUSTINE CLARKE
A/ Environmental Planning Assessments & Approvals Manager



RFS



Department of Planning, Housing & Infrastructure (Parramatta)
Locked Bag 5022,
PARRAMATTA NSW 2124
Australia

Your reference: SSD-74784709
Our reference: DA20240816003347-SEARS-1

ATTENTION: David Schwebel

Date: Friday 23 August 2024

Dear Sir/Madam,

Development Application

State Significant Development - SEARS - Warehouse or Distribution Centre

1-51 Aldington Road Industrial Estate 1-23 & 25-51 Aldington Road Kemps Creek NSW 2178, 40//DP708347, 39//DP708347

I refer to your correspondence regarding the above proposal which was received by the NSW Rural Fire Service on 15/08/2024.

The NSW RFS has reviewed the request for the Secretary's Environmental Assessment Requirements and recommends the following:

- The Environment Impact Statement must incorporate a bush fire report prepared by a suitably qualified person that addresses the requirements under Planning for Bush Fire Protection 2019.
- If the proposed uses involve the storage of hazardous or dangerous goods, a Fire Safety Study may need to be prepared consistently with the Hazardous Industry Planning and Assessment Papers (HIPAPs) according to section 8.3.9 of Planning for Bushfire Protection 2019.
- Construction requirements for commercial and industrial buildings are considered on a case-by-case basis, and compliance with AS3959 and the NASH Standard must be considered under section 8.3.1 of Planning for Bushfire Protection 2019.

For any queries regarding this correspondence, please contact Kristy Chedid on 1300 NSW RFS.

Yours sincerely,

Rohini Belapurkar
**Supervisor Development Assessment & Plan
Built & Natural Environment**

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



[SEC=OFFICIAL] RE: Request for advice on SEARs - 1-51 Aldington Road (SSD-74784709)

Planning and Safeguarding <planning@wsaco.com.au>

Thu 29-Aug-24 5:46 PM

To: David Schwebel <David.Schwebel@planning.nsw.gov.au>

Cc: Dayle Bennett <dbennett@wsaco.com.au>; Planning and Safeguarding <planning@wsaco.com.au>; Kirk Osborne <kosborne@wsaco.com.au>; Louise Ruggier <lruggier@wsaco.com.au>

OFFICIAL

Hi David,

Thank you for the opportunity to provide comments in relation to the proposed State Significant Development Application for 1-51 Aldington Road Estate (SSD-74784709). WSA understands that this application is to renew the SEARs for the former SSD-22595032.

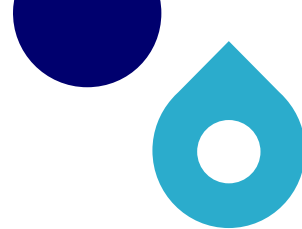
Please note our comments below:

Issue	Comment
General	The future State Significant Development Application needs to have regard for relevant provisions of <i>State Environmental Planning Policy (Precincts – Western Parkland City) 2021</i> and Aerotropolis Development Control Plan, particularly in relation to aviation safeguarding.
Wildlife Attraction / Management	Given that the site is within the 8-13km wildlife buffer under <i>State Environmental Planning Policy (Western Sydney Aerotropolis) 2020</i> , the proposed development should address the following to minimise wildlife attraction: <ul style="list-style-type: none">• Design, management and monitoring of the onsite detention basin and temporary bio retention and sediment basins.• Landscaping species selection and maintenance.• The design and management of waste storage areas/receptacles during construction.• External handling and storage of organic materials.• Monitoring and management of any wildlife. Waste Management measures should be detailed, including measures to mitigate wildlife attraction (e.g. storage of waste indoors).
Airspace Operation (Vertical Clearance)	The proposal will need to assess the development's potential impacts on the Obstacle Limitation Surface, during construction and operation. It should be noted that the <i>Airports Act 1996</i> covers any intrusions into prescribed airspace, which could include: <ul style="list-style-type: none">a. constructing permanent structures, such as buildings, into the protected airspace;b. temporary structures such as cranes protruding into the protected airspace; orc. activities causing non-structural intrusions into the protected airspace such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. If it is likely that any of the above components would result in an impact on protected airspace, then approval will need to be obtained in accordance with the <i>Airports Act</i>

	<i>1996 and the Airports (Protection of Airspace) Regulations 1996.</i>
Plume Rise	That the applicant provide further information that vertical emissions will not impact on protected airspace.

Should you have any further question or clarifications regarding the above please contact planning@wsaco.com.au.

Kind regards,
Dayle



5 September 2024

Our reference: N/A

David Schwebel

Senior Planning Officer, Industry Assessments
Department of Planning, Housing and Infrastructure
david.schwebel@planning.nsw.gov.au

RE: Sydney Water input to SEARs for SSD-74784709 at 1-51 Aldington Road, Kemps Creek

Thank you for seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the development proposal at 1-51 Aldington Road, Kemps Creek, within the Mamre Road Precinct of the Western Sydney Employment Area. The SSDA will seek consent for the following:

- site preparation works, including bulk earthworks,
- subdivision of the site into two development lots and an Environmental Conservation lot
- construction of three single-storey warehouses comprising a total warehousing GFA of 47,365m² as well as 2,530m² of ancillary office space split across the three warehouses,
- connection to required site infrastructure,
- construction of an interim stormwater basin (approximately 3,400m²) within the northern portion of the site,
- road construction,
- provision of 292 carparking spaces, and
- associated site landscaping, including revegetation works on land zoned C2 Environmental Conservation.

Sydney Water requests that the Department of Planning, Housing and Infrastructure include the following Secretary's Environmental Assessment Requirements relating to the provision of water-related services for the subject site:

Water-related Infrastructure Requirements

1. The proponent of the development should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (where required) services have been made.
2. The proponent must obtain endorsement and/or approval from Sydney Water to ensure that the proposed development does not adversely impact on any existing water, wastewater or stormwater main, or other Sydney Water asset, including any easement or property. To do this, **the proponent should register a direct Feasibility** enquiry with Sydney Water as soon as possible via an approved [Water Servicing Coordinator](#) (WSC) to ascertain servicing needs and to ensure the proposed development is considered in any potential planning that we might be undertaking.
3. When determining landscaping options, the proponent should take into account that certain tree species can cause cracking or blockage of Sydney Water pipes and therefore should be avoided.

4. The proponent should consider taking measures to minimise or eliminate potential flooding, degradation of water quality, and avoid adverse impacts on any heritage items, and create pipeline easements where required.
5. Strict requirements for the protection of Sydney Water's stormwater assets may apply to this site. The proponent should ensure that satisfactory steps/measures been taken to protect existing stormwater assets, such as avoiding building over and/or adjacent to stormwater assets and building bridges over stormwater assets.
6. Development in Aerotropolis areas must consider stormwater and integrated water cycle management in accordance with the Sydney Water Regional Stormwater Scheme. Additional infrastructure requirements will apply. See the Stormwater and Integrated Water Cycle Management section below for detailed information.

Stormwater and Integrated Water Cycle Management

Sydney Water is the Regional Stormwater Authority for the Mamre Road Precinct. Sydney Water has undertaken integrated water cycle management (**IWCM**) planning for this precinct which details the infrastructure necessary to support the delivery of a regional stormwater management system, integrated with the recycled water network (**Regional Stormwater Scheme**). Regional stormwater infrastructure for this Scheme comprises natural creek lines, naturalised trunk drainage channels and consolidated treatment and stormwater harvesting wetlands. Connection to the Regional Stormwater Scheme is required and will enable development in the precinct to meet the NSW Government stormwater quality and flow targets and NSW Government parkland city objectives. The Integrated Stormwater Scheme Plan for the Mamre Road Precinct was finalised in May 2024 and can be found here: [Aerotropolis stormwater development requirements \(sydneywater.com.au\)](https://sydneywater.com.au)

The proponent should outline the development's projected potable and non-potable water demands and any sustainability initiatives that will minimise/reduce the demand for drinking water. This will allow Sydney Water to determine the impact of the proposed development on our existing services and required system capacity to service the development.

Sydney Water encourages high non-potable water demands within the Aerotropolis and Mamre Rd Precincts which must be met through the development's connection to the Regional Stormwater Scheme recycled water network.

To demonstrate compliance with the regional stormwater servicing approach, the development must:

- demonstrate the integration of any planned regional stormwater infrastructure on the development site, as per the Mamre Road Precinct Integrated Stormwater Scheme Plan (Sydney Water, 2024)
- ensure it complies with the pervious area requirements outlined in the relevant DCP,
- provide gross pollutant traps to service the development,
- provide passively irrigated street trees on all public roads,
- demonstrate a commitment to connect to the regional stormwater scheme,
- respond to the relevant stormwater requirements in the Draft Scheme Infrastructure Design Guideline (Sydney Water, 2024),

Sydney Water Corporation ABN 49 776 225 038

1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124

Telephone 13 20 92 Media (24/7) 8849 5151 sydneywater.com.au



- demonstrate compliance with the [Technical guidance for achieving Wianamatta - South Creek stormwater management targets](#) (DPE, 2022) for both construction and operational phases (**including for interim periods before the Regional Stormwater Scheme is available**),
- provide appropriate access to all trunk drainage corridor land on the development site (including waterways and riparian corridors as mapped in the Mamre Road Precinct Stormwater Scheme Plan) under section 88A and/or restriction or public positive covenant under section 88E of the Conveyancing Act 1919.

Sydney Water notes the proposed concept plan shows a significant departure from the Scheme Plan with a change in the alignment and the width of trunk drainage channel that runs along the northern boundary of the site.

It is advised that the proponent submits a **Feasibility application** to Sydney Water, which will enable detailed review of the proposal and resolve the design through a **Flexible Planning Agreement (or similar)**.

Growth information

Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require **anticipated ultimate and annual growth data** for this development as outlined in the enclosed Growth Data Form.

A **Feasibility application** will enable a comprehensive servicing review ensuring the proposed development is considered in any potential planning that we might be undertaking. Failure to provide this information may impede proper planning requirements for the proposed development and for the broader area. The completed growth form should be submitted by the proponent to Sydney Water as part of the Feasibility application via a Water Servicing Coordinator (WSC), citing this referral response and our reference number.

Next Steps:

- Due to the scale and complexity of the proposed development, further investigations will be required to determine the servicing requirements for this site. It is recommended that a Water Servicing Coordinator is engaged as soon as possible, and a **Feasibility** application is submitted with Sydney Water prior to the preparation of the EIS.
- The proponent should complete and return the enclosed Growth Data Form as part of their Feasibility application submission. The Growth Data Form should be updated promptly with Sydney Water in case of changes or every six months.
- The Department is advised to forward the enclosed *Sydney Water Development Application Information Sheet (for proponent)* to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and provides information on Infrastructure Contributions.

If the proponent has any questions, they should contact their Sydney Water case manager once a Feasibility is lodged. Should the Department require further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,



Cassie Loughlin

Commercial Growth Manager

Enclosed:

- **Sydney Water Growth Data Form**
- **Sydney Water Development Application Information Sheet (for proponent)**

Sydney Water Corporation ABN 49 776 225 038

1 Smith Street, Parramatta, NSW 2150 | PO Box 399, Parramatta, NSW 2124

Telephone 13 20 92 **Media (24/7)** 8849 5151 sydneywater.com.au



Sydney Water Development Application Information Sheet for Proponent

Sydney Water has provided advice to the Department/Council on your proposed development. Further steps are required before Sydney Water connections and final approvals can be granted. Without relevant Sydney Water approval, your Subdivision Certificate or Occupation Certificate, Construction Certificate, may not be issued. Please read the information below to assist with your development. Further information can also be found on our website (sydneywater.com.au).

Building Plan Approval

Why have I been advised a Building Plan Approval?

Demolition, excavation, construction or modification to existing buildings and structures all have the potential to damage or limit access to our water, wastewater or stormwater services. That's why we need to review and approve your building plans before you start any work. In many cases, you need a Building Plan Approval before council can allow you to start demolishing or constructing.

How do I apply for a Building Plan Approval?

The approved plans must be submitted to the Sydney Water [Tap in®](#) online service to determine whether the development will affect any Sydney Water wastewater, water, stormwater mains and/or easement, and if further requirements need to be met.

Sydney Water recommends you apply for Building Plan approval early as in some instances a detailed engineering assessment would be required when building over or near our critical assets. This can be a lengthy process and may also impact development designs.

You will be required to pay Sydney Water for the costs associated with any detailed review.

Section 73 Compliance Certificate

Why have I been advised a Section 73 application?

If you are developing or subdividing land and needing water or wastewater, you may need to apply for a Section 73 Compliance Certificate before council can issue an Occupation or Subdivision Certificate.

If we have noted a requirement for a Section 73 Compliance Certificate in our advice to Council, one must be obtained from Sydney Water under the *Sydney Water Act 1994*. These include secondary homes or granny flats in an area with Priority Sewerage Scheme or with a GFA greater than 60 m².

How do I apply for a Section 73 Compliance Certificate?

You can choose to use a water servicing coordinator for works of any size. If you only have minor works, you can apply directly through Sydney Water Developer Direct.

We suggest you lodge an early application for the certificate, as there may be additional connections or pipes to be built or additional steps to protect our existing assets. This can also impact other services, buildings, driveways, or landscape designs.

Feasibility

Why have I been advised to carry out a Feasibility enquiry?

If the development presents potentially large water servicing demands on drinking water, wastewater, recycled water and stormwater where applicable or asset impacts are anticipated, further investigation may be required to determine the servicing requirements for the site.

It is recommended that a Water Servicing Coordinator is engaged to ensure early discussion on your proposed development so it is considered in any potential planning that we might be undertaking. We advise you do this as soon as possible to prevent potential delays to your development approvals or servicing.

How do I apply for a Feasibility?

To apply for a Feasibility, you will need to contact a Water Servicing Coordinator. Tell them you have been advised to lodge a Feasibility as part of your development application.

Growth Data Form

Why do I need to complete a Growth Data Form as part of the Feasibility application?

If you have been requested to provide growth data, it is likely your planning proposal may lead to development with significant servicing needs, especially in areas not previously identified for substantial growth. To ensure thorough servicing advice and explore staged servicing options, we need anticipated growth data and indicative development staging, including yield per stage, as specified in the Growth Data Form in Appendix 1 of this information sheet.

Infrastructure Contributions

What are infrastructure contributions?

Infrastructure contributions are a payment towards the cost of infrastructure needed to provide water-related services to new developments. The contributions are set to be reintroduced by Sydney Water from 1 July 2024 followed a decision by the NSW Government.

Please note existing charges still apply for the recycled water schemes provided by Sydney Water.

How do infrastructure contributions impact me?

Infrastructure contributions for drinking water and wastewater will be payable for all developments that require a Section 73 Compliance Certificate to be issued from 1 July 2024 onwards. The contributions will be gradually reintroduced such that they will be capped at 25 percent in 2024-25 and 50 percent in 2025-26, with full contributions payable from 1 July 2026 onwards, in line with a transition plan approved by the NSW Government.

You can find more information on the reintroduction of drinking water and wastewater contributions at [Infrastructure contributions | Sydney Water Talk](#).

I am building in the Western Sydney Aerotropolis Precincts. How does this impact me?

The NSW Government has appointed Sydney Water as the Regional Stormwater Authority in the initial Western Sydney Aerotropolis precincts, including the Mamre Road Precinct.

If you are building in the Aerotropolis Initial Precincts, you will be required to pay infrastructure contributions towards Sydney Water's stormwater and recycled water servicing. The estimated amount of contributions for stormwater and recycled water servicing will be provided at the Notice of Requirements issued during the Section 73 application.

You can find more information on Mamre Road and Aerotropolis Infrastructure Contributions at [Mamre Road and Aerotropolis development](#).

Water Servicing Coordinator

What is a Water Servicing Coordinator?

Water Servicing Coordinators are accredited providers who can manage your Sydney Water applications for you.

They can design new pipes, manage applications for Section 73 Compliance Certificates and Feasibilities, applications for approval to move or extend our pipes, design and construction of new pipes, and applications for approval to build over or next to assets.

All Water Servicing Coordinators have designer accreditation and can provide design services.

How do I find a Water Servicing Coordinator?

Please follow this link to find a list of Water Servicing Coordinators: [Water servicing coordinators](#)

Quick Links

[Building plan approvals](#)

[Section 73 Compliance Certificates](#)

[Steps for first time developers](#)

[Water servicing coordinators](#)

[Infrastructure contributions | Sydney Water Talk](#)

[Managing trade wastewater](#)

[Growth Servicing Plan](#)

[Mamre Road and Aerotropolis development](#)

Trade wastewater for business customers

I am a business customer and my development may generate commercial or industrial trade wastewater. What do I do?

If your development is going to generate trade wastewater, you must have written approval to connect your business to our network, and properly install and maintain appropriate treatment equipment before any business activities can commence. It is illegal to discharge trade wastewater into the Sydney Water sewerage system without permission.

How to apply for approval to discharge?

Complete an application for connection to discharge trade wastewater at Sydney Water [Tap in®](#) or contact businesscustomers@sydneywater.com.au for further information.



Appendix 1. Example of growth data form

The following is an example of the level of intel that we require to assess the potential staging and phasing of asset upgrades. We acknowledge that this information is an indication only and is provided as a guide to assist SW to provide more nuanced feasibility or servicing advice. We note that timescales are often subject to developer intent/demand and approval timescales. Sydney Water uses the information at its own risk.

Anticipated growth timescales													
<i>Project name:</i>	<i>Address:</i>	<i>Sydney Water Ref. Number and DA Ref Number:</i>											
Development Type	Ultimate growth (additional)	Total # stages	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	Continue as required
<i>Example (dwelling multi)</i>	2050	5	0	0	350	350	500	500	350	0	0	0	
<i>Example (job number)</i>	1600	6	0	200	200	300	300	300	300	0	0	0	
Dwellings (single)													
Dwellings (multi)													
Jobs (number)													
Jobs (GFA)													