

Response to Government Agencies Comments

The following section provides a response to comments from Government Agencies received as part of the SEARs process.

Agency Comment	Response
Department of Climate Change, Energy, the Environment and Water (Conservation Programs, Heritage and Regulation (CPHR) Group)	
<p>Waterway Health</p> <ul style="list-style-type: none"> 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 Development Control Plan in accordance with the Technical guidance for achieving Wianamatta-South Creek stormwater management targets (DPE, 2022) and the Wianamatta MUSIC modelling toolkit. The EIS provides an assessment of any impacts on salinity and sodic soils. 	<p>Details on water cycle management and erosion and sediment controls are found in the Stormwater Management Report provided in MOD 4.</p> <p>All earthworks and building pads are approved under SSD-10479. The scope of this SSDA does not include any earthworks which will include salinity and sodic soils. Notwithstanding the above, a Salinity Management Plan is included in the CEMP.</p>
<p>Flooding</p> <p>BCS note that the site of Lot F is not impacted by flooding. Accordingly, CPHR provide no additional requirements to address flooding.</p>	<p>Noted.</p>
<p>Biodiversity</p> <p>CPHR notes that the subject land is identified as certified urban capable land under State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the Cumberland Plain Conservation Plan.</p>	<p>Noted.</p>
Transport for NSW	
<p>Details of all traffic types and volumes likely to be generated by the proposed development during construction and operation, including a description of haul route origins and destinations, including:</p> <ul style="list-style-type: none"> Daily inbound and outbound vehicle traffic profile by time of day and day of week (if travel patterns differ across the week). 	<p>Refer to the Transport Statement (Appendix N) for information regarding inbound and outbound traffic, site management plans, swept paths.</p> <p>The development will remain consistent with connection and access to roads within the Estate and road upgrades occurring under SSD-10479 MOD 3 and other applications.</p>

- Site and traffic management plan on how to manage number of 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 surrounding road network.
- Detailed plan of proposed layout of internal road network to demonstrate that the site will be able to accommodate the most productive vehicle types and parking on site in accordance with the relevant Australian Standard.
- Plans detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes.
- Swept path diagrams to demonstrate vehicles entering, exiting, and manoeuvring throughout the site.
- details of road upgrades, infrastructure works, or new roads or access points required for the development.
- details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site.
- 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; and
- an assessment of traffic and safety impacts of the proposed development on public transport, pedestrian and cyclists.
- Identify the existing and future transport infrastructure and any possible impacts of the construction and operation of the proposal on this infrastructure and associated mitigation measures.
- Opportunities to improve public and active transport and promote sustainable transport initiatives, including through the preparation of a Green Travel Plan.

Penrith City Council

It is understood that the proposal is for the use and fit out of the warehouse on Lot F of the industrial estate for the purposes of paper (cardboard) processing.

Noted.

The EIS should address the proposed change of use from 'warehouse building' to 'industry' and identify any additional relevant matters relating to the proposed use. This includes any triggers for Integrated and/or Designated Development (paper pulp industrial facility), and any licences or approvals that may be required.

The change of use and integrated and/or designated development triggers are discussed in the EIS. In summary, the SSDA does not constitute as integrated and/or designated development.

It is expected that the EIS will consider and address the relevant planning and related matters, including noise, landscaping, truck movements, and operational requirements. The acoustic assessment should identify any sensitive receivers, such as

The EIS addresses all relevant planning and related matters.

the adjoining place of public worship, and should make suitable noise mitigation recommendations based on specific proposed operations.

The EIS should also demonstrate consistency with the approved SSD concept for the site and for Lot F (noting that the proposal also requests modifications to the SSD approval).

The EIS addresses consistency with the concept SSD (SSD-10479).

Environment Protection Authority

1. Environmental Impact of the project

The EIS and supporting appendices cover the requirements listed by the EPA.

1.1. The description should include the following for both the construction and operation of the project:

- a. Details of the premises covered by the project including any relationship with any existing Environment Protection Licences
- b. the layout of all the physical elements of the project within the project area, including all buildings, structures, works, haulage activities, pollution controls, stockpile and material handling areas, sealed and unsealed areas, landscaping and open space.
- c. all mitigation measures that will be built into the physical layout and design of the project (such as noise walls)
- d. any ancillary infrastructure for which approval is being sought (such as upgrades to utilities or surrounding roads)
- e. identify those components of the physical layout and design that may change during the detailed design of the project, and set clear limits within which this change may occur without requiring amendments to the DA or modifications to the development consent if the project is approved
- f. plans showing the layout and design in plan-view and cross section.

1.2. Identify any likely interactions between the development and any existing/approved developments and land uses in the area.

1.3. Identify all sensitive receivers likely to be affected by the development using clear maps/plans, including key landform areas, such as conservation areas and waterways.

1.4. Identify all potential environmental emissions, assess the likely environmental impacts, and describe the proposed mitigation measures to minimise environmental pollution to achieve compliance with relevant environmental legislation, policies, and guidelines.

1.5. The EIS must accurately summarise the key findings of the detailed technical studies in the appendices of the EIS and use suitable cross-referencing to reduce repetition between the two parts of the EIS.

2. EPA Licensing and Approval Requirements

Identify all approvals and licences required under environment protection legislation including details of all scheduled activities under schedule 1 of the Protection of the Environment Operations Act 1997.

Outline how the proposal and its environmental protection measures would be implemented and managed so as to demonstrate that the proposal is capable of complying with statutory obligations under EPA licences or approvals (e.g. outline of an environmental management plan).

The proposed development and future operation does not require an approval or license under the POEO Act and does not exceed the threshold for integrated and/or designated development.

3. Construction Works

3.1 The EIS must include detail of the construction works including:

a. any earthworks or site clearing; re-use and disposal of cleared material (including use of spoil on-site).

b. identify, characterise and classify the following in accordance with the EPA's Waste Classification Guidelines (2014):

i. all waste that will be generated onsite through excavation, demolition or construction activities, including proposed quantities of the waste;

ii. all waste that is to be removed to an offsite location, including proposed quantities. Include the commitment to ensure this waste is taken to a facility that can lawfully receive it.

Note: The EPA's Waste Classification Guidelines (2014) are available at:

<https://www.epa.nsw.gov.au/your-environment/waste/classifying-waste>

c. construction timetable and staging; hours of construction; proposed construction methods.

d. environment protection measures, including noise mitigation measures - in accordance with the Interim Construction Noise Guideline (DECC, 2009), dust control measures and erosion, and sediment control measures- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 2004).

3.2 Include a site diagram showing the site layout and location of environmental controls.

3.3 Construction noise associated with the proposed development should be assessed using the *Interim Construction Noise Guideline* (DECC, 2009). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>

Construction works relevant to the fitout of the cardboard manufacturing facility is outlined in the CEMP (**Appendix K**).

4. Air Issues

4.1 The EIS must demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the POEO Act and the Protection of the Environment Operations (Clean Air) Regulation 2022. This consideration should include section 129 of the POEO Act concerning control of "offensive odour".

4.2 The EIS must include an air quality impact assessment (AQIA). The AQIA must be carried out in accordance with the document, Approved Methods for the Modelling

An Air Quality Impact Assessment (**Appendix G**) has been prepared to demonstrate compliance with the relevant regulatory framework including consideration of the POEO Act and the Protection of the Environment Operations (Clean Air) Regulation 2022.

and Assessment of Air Pollutants in NSW (2022). These are available at: <https://www.epa.nsw.gov.au/your-environment/air/industrial-emissions/approved-methods-for-the-modelling-and-assessment-of-air-pollutants>

4.3 The EIS must detail emission control techniques/practices that will be employed at the site and identify how the proposed control techniques/practices will meet the requirements of the POEO Act, POEO (Clean Air) Regulation (2022) and criteria within Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (2022).

The development does not include a type of scheduled activity and section 129 of the POEO Act does not apply.

5. Noise and Vibration

The EIS must assess the following noise and vibration aspects of the proposed development:

5.1. Operational and construction activities on the premises that maybe considered vibration intensive should be assessed using the guidelines contained in the Assessing Vibration: a technical guideline (DEC, 2006). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/assessing-vibration>

5.2. If blasting is required for any reasons during the construction or operational stage of the proposed development, blast impacts should be demonstrated to be capable of complying with the guidelines contained in Australian and New Zealand Environment Council – Technical basis for guidelines to minimise annoyance due to blasting overpressure and ground vibration (ANZEC, 1990). These are available at: <https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/construction-noise>

5.3. Operational noise from noise intensive activities to be undertaken on the premises should be assessed using the guidelines contained in the NSW Noise Policy for Industry (EPA, 2017).

5.4 If applicable, noise on public roads from increased road traffic generated by land use developments other than road projects should be assessed using the guidelines contained in the *NSW Road Noise Policy* (EPA, 2011) and associated application notes. Available at: <https://www.epa.nsw.gov.au/your-environment/noise/transport-noise>.

5.5. If applicable, noise on rail lines from increased rail traffic generated by land-use developments other than rail projects should be assessed using the guidelines contained in the *Rail Infrastructure Noise Guideline* (EPA, 2013) and associated application notes. Available at: <https://www.epa.nsw.gov.au/your-environment/noise/transport-noise>.

A Noise Impact Assessment (**Appendix T**) has been prepared to addresses the impacts of operational and construction activities. This includes an assessment under the NSW Noise Policy for Industry.

6. Waste, chemicals and hazardous materials and radiation

The EIS must assess the following waste, chemical and hazardous materials related aspects of the proposed development:

6.1. Assess and describe all aspects of waste generation, management and disposal associated with the proposed development.

A Waste Management Plan (**Appendix M**) has been prepared which outlines the proposed type and volumes of construction and operational waste and associated management a disposal measures. The Waste Management Plan responds to items 6.1, 6.2 and 6.7. The remaining items relate to hazardous waste which the Hazardous Screening Assessment (**Appendix P**) identifies is not applicable to the development.

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- 6.2. Demonstrate compliance with all regulatory requirements outlined in the POEO Act and associated waste regulations.
- 6.3. Outline contingency plans for any event that may result in environmental harm, such as excessive stockpiling of material, or dirty water volumes exceeding the storage capacity available on-site.
- 6.4. Demonstrate that appropriate spill containment will be provided for storage, filling and loading of all fuels and other chemicals to be used on site, in accordance with all relevant Australian Standards, and/or NSW EPA's Storing and Handling of Liquids: Environment Protection- Participants Manual (DECC, 2007).
- 6.5. Demonstrate compliance with Part 9.3E of the POEO Act for the use of any industrial chemicals, including details of activities involving Schedule 6 or Schedule 7 chemicals listed on the IChEMS register. Additionally, demonstrate a system for periodic review to ensure that any new IChEMS Register requirements are incorporated.
- 6.6. Assess and describe any potential risks relating to per- and polyfluoroalkyl substances (PFAS) that may be associated with the proposed development and if applicable, how they will be mitigated. Consideration should be given to potential health and environment related impacts caused by PFAS. The assessment should consider various sources, receptors and exposure pathways including but not limited to ingestion (drinking water and food consumption), inhalation, and dermal contact. Where the Proponent believes that this PFAS requirement is not applicable, the Proponent may indicate that in the EIS but must provide sufficient justification.
- 6.7. Identify the measures that would be implemented to ensure that the development is consistent with the aims, objectives and guidance in the NSW Waste Avoidance and Resource Recovery Strategy 2014-21. Available at: <https://www.epa.nsw.gov.au/your-environment/recycling-and-reuse/warr-strategy>.

7. Water

The EIS surface water quality assessment must:

- 7.1 Demonstrate that all practical measures to prevent, control, abate or mitigate water pollution have been implemented, including a description of options that were explored (such as reuse to avoid a discharge or treatment).
- 7.2 Provide details of the proposal that are essential for predicting and assessing potential impacts to receiving waters. This could include (but is not limited to):
- Site layout, including details of the existing and proposed water management system.
 - Drainage map for the entire site identifying sub-catchments, flow paths, drainage infrastructure, design sizing of structures, water storages, discharge points, and any potential flow paths to receiving waters.
 - How stormwater will be managed in all phases of the project. Information should include, where appropriate, measures to avoid or minimise erosion, leachate generation, and sediment mobilisation at the site.

This SSDA relates to the internal fitout and land use of Warehouse W5. Civil infrastructure within Lot F and the Estate will remain to be delivered under SSD-10479 as per MOD 4. The response and mitigation measures to water quality will remain unchanged.

With specific regards to item 7.4 and 7.5 which relate to water pollution, the tenant will discharge 50kL/day of operational wastewater. Wastewater will be separated in the wastewater room which will house a wastewater treatment plant. A wastewater treatment plant will be installed with a maximum storage capacity of approximately 2,000L. The tenant will enter into a trade waste agreement with Sydney Water to accommodate the wastewater volumes. Nevertheless, the trade waste is similar in nature to stormwater that is stored in an on-site detention system, rather than a prescribed waste that risks significant harm to the environment.

d. Any in-water activities (such as piling or dredging).

7.3 Include water balance(s) for ground and surface water, including any intake and discharge locations, volumes, frequency and duration.

7.4 Identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point, including residual discharges after mitigation measures are implemented. This should be undertaken for construction and operational phases.

7.5 Include a water pollution impact assessment undertaken consistent with the guidance available at <https://www.epa.nsw.gov.au/your-environment/water/managing-water-pollution-in-nsw/environment-protection-licensing/water-pollution-discharge-assessments>. The level of assessment should be commensurate with the risk to the environment and human health.

7.6 Describe any surface water quality monitoring programs, including proposed monitoring locations, frequency and indicators of surface water quality. Analytical limits of reporting should have regard to any identified guideline values. Water quality monitoring should be undertaken in accordance with the Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (2004) available at: <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/water/22p3488-approved-methods-for-water-in-nsw.pdf>.

7.7 The EIS must describe how stormwater will be managed in all phases of the project, including details of how stormwater and runoff will be managed to minimise pollution. Information should include measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site. The EIS should consider the guidelines *Managing urban stormwater: soils and construction*, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; C. Unsealed roads; D. Main Roads; E. Mines and quarries) (DECC, 2008).

8. Groundwater

8.1 Provide details of the project that are essential for predicting and assessing impacts to groundwater with a description of the existing environment, including:

- a. Geological, topographical, and hydrogeological resource descriptions, maps, and cross-sections.
- b. Assessment of groundwater quality, users of groundwater, existing bores including depths and construction, assessment of local land use.
- c. A hydrogeological interpretation of water-bearing geological units, depth to water table, groundwater gradient, Conceptual hydrogeological model, assessment of groundwater dependent ecosystems.
- d. Site map and cross-sections showing and characterising any proposed excavations and spoil emplacement (relative to water table) with topography.
- e. Proposed groundwater monitoring program.

There will be no impact to groundwater under this SSDA. SSDA-10479 as originally approved provided an assessment of groundwater. There are no earthworks proposed under this SSDA and no potential to impact groundwater. Groundwater will remain to be adequately managed under SSD-10479.

9. Soils

9.1. The EIS should include an assessment of the potential impacts on soil and land resources should be undertaken, being guided by the Soil and Landscape Issues in Environmental Impact Assessment (DLWC 2000). The nature and extent of any significant impacts should be identified. Particular attention should be given to:

- a. Soil erosion and sediment transport- in accordance with Managing urban stormwater: Soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B Waste landfills; C Unsealed Roads; D Main Roles) (DECC2008).
- b. Mass movement (landslides) – in accordance with Landslide risk management guidelines presented in the Australian Geomechanics Society (2007).
- c. Urban and regional salinity – guidance given in the Local Government Salinity Initiative booklets which includes Site Investigation for Urban Salinity (DLWC, 2002).

9.2. A description of the mitigation and management options that will be used to prevent, control, abate or minimise identified soil and land resource impacts associated with the project. This should include an assessment of the effectiveness and reliability of the measures and any residual impacts after these measures are implemented. Where required, add any specific assessment requirements relevant to the project.

There will be no impact to soils under this SSDA. An assessment of soils erosion and salinity was undertaken as part of the original SSD-10479. There will be no change to the mitigation mechanisms recommended under SSD-10479.

10. Contamination

10.1. Identify the likelihood of contamination at the site and surrounding land (on different media such as soils, groundwater, ground gas, surface water and sediments, where applicable) by considering the context of past, current, and proposed land uses. The EIS must document how the assessment of contaminated land has been undertaken with regard to the relevant guidelines for contaminated land made or approved by the NSW EPA.

10.2. All reports on contamination must be prepared by a suitably qualified contaminated land consultant(1) who is also certified(2).

(1) A suitably qualified and experienced contaminated land consultant is a contaminated land consultant who meets the competencies outlined in the Guideline on the Competencies and Acceptance of Environmental Auditors and Related Professionals (Schedule B9) as provided in the ASC National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended in 2013)."

(2) A certified consultant is a consultant certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme;

10.3 Where contamination is considered likely based on past or current land uses or other factors (such as offsite contamination migrating onto the site), undertake detailed site investigation/s to determine the nature and extent of the contamination.

No earthworks are proposed as part of this SSDA. All earthworks have been carried out in accordance with SSD-10479, as modified. The site will remain to be remediated and made suitable under SSD-10479.

10.4 Where contamination exists, assess if remediation of the land is required, having regard to current and future land uses; and the ecological and human health risks posed by the contamination to both onsite and offsite receptors.

10.5 Where a detailed site investigation is prepared and/or remediation is considered necessary, a NSW EPA accredited Site Auditor must be engaged to undertake an audit. The EIS must include copies of any Interim Audit Advice provided by the auditor and a Site Audit Statement and Site Audit Reports issued by the auditor which certifies the site can be made suitable for the proposed use

10.6. The following references should be included as relevant guidelines that must be followed when assessing contaminated land:

a. *Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land (DUAP and EPA, 1998)* - <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/clm/managing-contaminated-land-guidelines-remediation.pdf?la=en&hash=6AAE054645C2A0264515ABF7121AEF7F47E5FC85>

b. *Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (EPA, 2015)*

c. *Contaminated land sampling design guidelines - Part 1 and 2 (EPA, 2022)*

d. *Consultants reporting on contaminated land: contaminated land guidelines (EPA, 2020)*

e. *Guidelines for the NSW Site Auditor scheme 3rd edition (EPA, 2017)*

f. Any other relevant guidelines made or approved by the EPA under s105 of the *Contaminated Land Management Act 1997* - <https://www.epa.nsw.gov.au/your-environment/contaminated-land/statutory-guidelines>

11. Climate Change

Estimates of GHG is provided in the Sustainability Report.

11.1 Provide estimate of greenhouse gas (GHG) emissions for the project by carrying out a Greenhouse Gas Assessment consistent with the most recent version of the EPA's Greenhouse Gas Assessment Guide for Large Emitters (GHG guide) that is available on the EPA's website. The GHG estimate is to confirm if the project is likely to result in 25,000 tonnes or more of scope 1 and 2 emissions (CO₂-e), in any financial year during the operational life of the project. Input data and assumptions used to estimate GHG should be accompanied by supporting evidence.

Sydney Water

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

The historical approvals for the site (namely SSD-10479) will ensure that the site is suitably serviced. Details of connections to services and utilities are found in the Utility Infrastructure Statement.

The development remains consistent with SSD-10479's level of consistency with the Sydney Water Regional Stormwater Scheme. This is further outlined in the Stormwater Management Report.

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 and Aerotropolis Initial Precincts. 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 Integrated Stormwater Scheme). Regional stormwater infrastructure for this Scheme comprises natural creek lines, naturalised trunk drainage channels, consolidated treatment and stormwater harvesting basins, final polishing, and recycled water distribution system. Connection to the Integrated Stormwater Scheme is required and will enable development in the precinct to meet the NSW Government stormwater quality and flow targets, as well as the NSW Government parkland city objectives. The Integrated Stormwater Scheme Plan for Mamre Rd Precinct was finalised in May 2024 and can be found here.

The scope of this SSDA relates to the fitout and the land use of the facility. Warehouse W5 will remain to be consistent with the Regional Integrated Stormwater Scheme as demonstrated throughout SSD-10479 as modified. This is further discussed in the Stormwater Management Report.

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

The completed growth form is provided in **Appendix V**.

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.

Fire and Rescue NSW

FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.

Noted.
