



Mr Mark Griffiths
Development Manager
CIP Constructions (NSW) Pty Ltd
Suite 59, 26-32 Pirrama Road
Pyrmont NSW 2009

SSD 8900
DOC17/595203

Dear Mr Griffiths

**State Significant Development – Secretary's Environmental Assessment Requirements
Nulon Motor Oils Facility, Bringelly Road Business Hub (SSD 8900)**

Please find attached the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above mentioned development. **Attachment 1** provides guidelines which may assist in the preparation of the EIS.

These SEARs have been prepared in consultation with relevant government agencies (see **Attachment 2**), and are based on the information you have provided to date. Unfortunately, Transport for NSW was unable to respond in time. The Department will provide you with a copy of its requirements as soon as it is received.

Please note the Department may alter these SEARs at any time. You must consult further with the Department if you do not lodge a development application (DA) and EIS for the development within two years of the date of issue of these SEARs.

I wish to emphasise the importance of effective and genuine community consultation and the need for the proposal to proactively respond to the community's concerns. Accordingly, you must undertake a comprehensive, detailed and genuine community consultation and engagement process during the preparation of the EIS. This process must ensure the community is informed of the development and engaged with issues of concern to it. Sufficient information must be provided to the community to enable a good understanding of the development and any potential impacts.

If the proposal is likely to have a significant impact on matters of National Environmental Significance, it may require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary SEARs may need to be issued. This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment and Energy to determine if an approval under the EPBC Act is required for your proposal.

Please contact the Department at least **two weeks** before you propose to submit the DA and EIS for the development. This will enable the Department to confirm:

- the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements including the number of copies (hard-copy and USB) of the DA and EIS that will be required.

If you have any enquiries, please contact Ms Chloe Dunlop on 02 8289 6667 or via email at chloe.dunlop@planning.nsw.gov.au.

Yours sincerely

Chris Ritchie

Director

Industry Assessments

as the Secretary's nominee

13/12/17.

Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD 8900
Development	Construction and operation of a light industrial building within the Bringelly Road Business Hub including ancillary office space, car parking and landscaping. The light industrial building will be for the preparation of automotive industry products and will include the following operations: – bulk fluid delivery and storage; – blending; – bottling and packaging; – storage; – dispatch and distribution; and – ancillary office administration.
Location	Lot 8 within Bringelly Road Business Hub located at Bringelly Road, Leppington (Lot 10 DP 29104), Liverpool local government area
Applicant	CIP Constructions (NSW) Pty Ltd
Date of Issue	December 2017
General Requirements	The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. In addition, the EIS must include: • a detailed description of the development, including: – a description of the proposed operation (with diagrams) incorporating a description of the proposed delivery, storage, blending, bottling, packaging and distribution operations; – the need and justification for the proposed development; – a description of feasible options within the development which may include a layout options analysis; – likely staging of the development; – likely interactions between the development and any existing, approved and proposed developments in the vicinity of the site; – plans of any proposed works with details of the proposed setbacks, site coverage, car parking, landscaped areas; – details of infrastructure upgrades or items required to facilitate the development, and a description of any arrangements to ensure the upgrades will be implemented in a timely manner and maintained; • consideration of the conditions of the development consent SSD 6324; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a risk assessment of any potential environmental impacts of the development, identifying the issues for further assessment; • a detailed assessment, where relevant, of the key issues below, and any other potential significant issues identified in the risk assessment, which must include: – a description of the existing environment, including sufficient baseline data; – an assessment of the potential impacts of the development, including any cumulative impacts due to other development in the vicinity; and – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the predicted potential impacts, including strategies for adaptive management and/or contingency plans to manage any significant risks to the environment; and

	– a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. The EIS must also be accompanied by a report from a qualified quantity surveyor providing: • a detailed calculation of the Capital Investment Value (CIV) (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created by the development during the construction and operational phases of the development; and • certification that the information provided is accurate at the date of preparation.
Key issues	The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters: • Strategic Context – including: – detailed justification for the proposal having regard to its location and impacts, the suitability of the site and public interest; – demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans and justification for any inconsistencies. The following documents must be addressed: ○ <i>State Environmental Planning Policy (Western Sydney Parklands) 2009</i>; ○ the <i>Parklands Plan of Management 2020</i>; ○ the <i>Parklands Plan of Management 2020 Supplement</i>; ○ the <i>Parklands draft Plan of Management 2030</i>; and – justification for the proposed site layout. • Traffic and Access – including: – a quantitative Traffic Impact Assessment prepared in accordance with the relevant Council, Austroads and Roads and Maritime Services guidelines; – details of all daily and peak traffic and transport movements likely to be generated by the development (vehicle type, public transport) during construction and indicative operation; – details and a justification of access to, from and within the site (vehicular and pedestrian); – impacts on the safety and capacity of the surrounding road network (including intersections along Bringelly Road and Cowpasture Road) and access points, using SIDRA modelling or similar to assess impacts from current traffic counts and cumulative traffic from existing and proposed development; – demonstrate that sufficient loading/unloading, car parking and pedestrian and cyclist facilities have been provided for the development; and – details of road upgrades, new roads or access points required for the development, if necessary. • Hazards and Risk – including: – a preliminary risk screening completed in accordance with <i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33</i> (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should preliminary screening indicate that the project is “potentially hazardous” a preliminary hazard analysis (PHA) must be prepared in accordance with <i>Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis</i> (DoP, 2011) and <i>Multi-Level Risk Assessment</i> (DoP, 2011); and – report on consultation with pipeline operator Jemena to ensure that high pressure gas pipelines remain compliant with the relevant Australian

Standards throughout the life of the development and include a Safety Management Study, if necessary.

- **Noise and Vibration** – including:
 - a quantitative noise and vibration impact assessment undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority (EPA) guidelines (including the NSW Noise Policy for Industry 2017) with an assessment of nearby sensitive receivers;
 - cumulative impacts of other developments; and
 - details of proposed mitigation, management and monitoring measures.
- **Urban Design** – including:
 - measures to minimise the potential visual impacts of the development including:
 - a detailed assessment (including photomontages and perspectives) of the proposed facility including height, colour, scale, building materials and finishes, signage and lighting, particularly from nearby residential receivers and significant vantage points in the public domain;
 - detailed plans showing suitable landscaping incorporating endemic species; and
 - justification for any inconsistencies with the Updated Site Design Guidelines prepared by JBA Urban Planning Consultants, dated June 2015 as amended and approved under Condition A8 of the development consent for SSD 6324.
- **Bushfire** – including:
 - a bushfire assessment report which provides an assessment of bushfire hazard, including:
 - details of the storage of flammable materials;
 - an assessment against the requirements of *Planning for Bushfire Protection 2006*, particularly access and provision of water supply for firefighting purposes; and
 - a description of measures to ensure the proposal will not increase the bushfire risk to adjoining lands.
- **Soil and Water** – including:
 - a description of water demands of the development and a breakdown of water supplies;
 - identify any water licensing requirements under the *Water Act 1912* of *Water Management Act 2000*;
 - details of proposed erosion and sediment controls during construction;
 - detailed plans and a description of the surface and stormwater management system, including on-site detention, designed in accordance with Water Sensitive Urban Design principles; and
 - an assessment of potential impacts (including from potential spillage of materials) on surface and groundwater resources, drainage patterns, soil (stability, salinity and acid sulfate soils), related infrastructure, watercourses and riparian land and measures proposed to reduce and mitigate those impacts.
- **Biodiversity** – including:
 - details of the number of trees to be removed and the number of trees to be planted on the site; and
 - an assessment and documentation of biodiversity impacts related to the development in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR) in the form required by section 6.12 of the *Biodiversity Conservation Act 2016*, section 6.8 of the *Biodiversity Conservation Regulation 2017* and the Biodiversity Assessment Method.
- **Heritage** – including:
 - an assessment of European Heritage including potential impacts on the surrounding site and surrounding area, including any built landscape items, conservation areas, views and settings.

	• Waste Management – including: – details of the quantities and classification of all waste streams to be generated on site in accordance with the EPAs <i>Waste Classification Guidelines</i> (2014); – details of waste storage, handling, transport, and disposal; and – the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>. • Air Quality – including: – a description and assessment of all air quality impacts from the proposed operations; and – details of dust control during site preparation and civil works.
Plans and Documents	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i> . Those documents should be included as part of the EIS rather than as separate documents.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners. In particular you must consult with: • Western Sydney Parklands Trust • Liverpool City Council; • Roads and Maritime Services; • Transport for New South Wales; • Office of Environment and Heritage; • Environment Protection Authority; • Sydney Water; • Water NSW; • Rural Fire Service; and • any other public transport or community service providers. The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to those issues. Where amendments have not been made to address an issue, a short explanation should be provided.
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, Attachment 1 contains a list that may be relevant to the assessment of this development.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sq.m) and north point;
 - the existing levels of the land in relation to buildings and roads;
 - location and height of existing structures on the site;
 - location and height of adjacent buildings and private open space; and
 - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale indicating:
 - significant local features;
 - the location and uses of existing buildings, shopping and employment areas; and
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - draft plan of subdivision prepared by a registered surveyor;
 - detailed earthworks plan;
 - stormwater concept plan;
 - landscape plan; and
 - Construction Management Plan, inclusive of a Construction Traffic Management Plan and construction methodology and staging.

Documents to be Submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
- Additional copies as determined by the Department once the development application is lodged

Policies, Guidelines and Plans

Aspect	Policy /Methodology
--------	---------------------

Traffic and Access	Guide to Traffic Generating Development (RTA) Planning Guidelines for Walking and Cycling Austroads Guide to Traffic Management – Part 12: Traffic Impacts of Development
---------------------------	---

Policies, Guidelines and Plans	
Aspect	Policy /Methodology
	Cycling Aspects of Austroads Guides
	Road Design Guide (RTA)
	NSW 2021
	NSW Long Term Transport Master Plan
	Sydney's Walking Future
	Sydney's Cycling Future
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Noise and Vibration	
	Interim Construction Noise Guideline (DECC)
	Assessing Vibration: a technical guide (DEC)
	NSW Noise Policy for Industry 2017 (EPA)
	Environmental Criteria for Road Traffic Noise (EPA)
	Noise Guide for Local Government (EPA)
Bushfire	
	Planning for Bush Fire Protection 2006 (RFS)
	Draft Planning for Bush Fire Protection 2017 (RFS)
Soil and Water	
Surface Water	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
	Water Guidelines for Controlled Activities (DPI)
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
	Floodplain Development Manual (DIPNR)
	Floodplain Risk Management Guideline (DECC)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	Technical Guidelines: Bunding & Spill Management (DECC)
	Council's Stormwater Management Policy 2017

Policies, Guidelines and Plans

Aspect	Policy /Methodology
<i>Erosion and Sediment</i>	Managing Urban Stormwater: Soils & Construction (Landcom)
	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC)
	Wind Erosion – 2nd Edition
<i>Groundwater</i>	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC) Draft
<i>Soil</i>	NSW Aquifer Interference Policy (NOW)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	State Environmental Planning Policy No. 55 – Remediation of Land
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
Biodiversity	
Waste	NSW Biodiversity Assessment Method (OEH, 2017)
	The NSW State Groundwater Dependant Ecosystem Policy (DWLC)
Air Quality	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014)
	EPA's Waste Classification Guidelines
	Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSW EPA)
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2002
	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)

ATTACHMENT 2
Public Authority Responses to Request for Key Issues

Chloe Dunlop

From: Nicholas Hon
Sent: Tuesday, 21 November 2017 9:30 AM
To: Chloe Dunlop
Subject: RE: SSD 8900 - Request for input into SEARS - Nulon Motor Oils

Hi Chloe,

The responses from the Applicant on my queries after the meeting is sufficient at this stage.

Following a review of the attached documents, it is recommended that the following SEARs be included:

Hazards and Risks – The Environmental Impact Statement (EIS) must include a preliminary risk screening completed in accordance with *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33* (DoP, 2011), with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development. Should the preliminary risk screening indicate that the development is "potentially hazardous", a Preliminary Hazard Analysis (PHA) must be prepared in accordance with *Hazardous Industry Planning Advisory Paper No. 6 - Guidelines for Hazard Analysis* (DoP, 2011) and *Multi-Level Risk Assessment* (DoP, 2011).

The EIS must also report on the consultation with Jemena (pipeline operator) to ensure that high pressure gas pipelines remain compliant with the relevant Australian Standards throughout the life of the development, and include a Safety Management Study if necessary.

Regards,

Nicholas Hon

Technical Specialist (Hazards)
NSW Department of Planning & Environment
Level 29, 320 Pitt Street
Sydney NSW 2000 Australia
T (02) 9274 6344 E nicholas.hon@planning.nsw.gov.au



Planning &
Environment

From: Chloe Dunlop
Sent: Monday, 20 November 2017 4:18 PM
To: Nicholas Hon <Nicholas.Hon@planning.nsw.gov.au>
Subject: FW: SSD 8900 - Request for input into SEARS - Nulon Motor Oils

Hi Nick,

Please see attached CIP's response to the Department's queries re dangerous goods discussed in the meeting on 7 November 2017 for the proposed Nulon Oils facility. The formal request for SEARs for the EIS is also attached.

I would appreciate if you could advise if you could provide your comments and input into the SEARs.

Many thanks

Regards,

Chloe Dunlop



Office of
Environment
& Heritage

DOC17/596687

Ms Chloe Dunlop
Senior Planning Officer – Industry Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Dunlop

**SSD 8900 - Request for input into the Secretary's Environmental Assessment Requirements -
Nulon Motor Oils**

I refer to your email of 16 November 2017 requesting input from the Office of Environment and Heritage (OEH) on the Secretary's Environmental Assessment Requirements (SEARs) for the above.

As requested, please find attached OEH's recommended SEARs in attachment 1.

If you have any queries about this advice, please contact Marnie Stewart on 9995 6868 or by email at marnie.stewart@environment.nsw.gov.au.

Yours sincerely

7.12.2017

ALEX GRAHAM
Director Greater Sydney
Regional Operations

Attachment 1: OEH recommended SEARs

Biodiversity
1. Biodiversity impacts related to the proposal are to be assessed in accordance with the <i>Biodiversity Assessment Method</i> and documented in a Biodiversity Development Assessment Report (BDAR).
2. The BDAR must include information in the form detailed in the <i>Biodiversity Conservation Act 2016</i> (s. 6.12), <i>Biodiversity Conservation Regulation 2017</i> (s. 6.8) and <i>Biodiversity Assessment Method</i> including 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; and • Any proposal to make a payment to the Biodiversity Conservation Fund.
3. If requesting the application of the variation rules, the BDAR must contain details of what reasonable steps have been taken to attempt to obtain the required like-for-like biodiversity credits.
4. The BDAR must be prepared by a person accredited in accordance with the <i>Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017</i> under s. 6.10 of the <i>Biodiversity Conservation Act 2016</i> .
5. In accordance with section 9.1 and 9.2 of the BAM the BDAR must assess <i>all</i> direct and indirect impacts of the proposal on native vegetation, threatened ecological communities and threatened species habitat.



Heritage Council
of New South Wales

Level 6, 10 Valentine Avenue
Parramatta NSW 2150
Locked Bag 5020
Parramatta NSW 2124

Telephone: 61 2 9873 8500
Facsimile: 61 2 9873 8599
heritagemailbox@environment.nsw.gov.au
www.heritage.nsw.gov.au

File No: SF17/53052
Ref No: DOC17/566150
Your reference: SSD 8900

Ms Chloe Dunlop
Senior Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Sent by email to: Chloe.Dunlop@planning.nsw.gov.au

Dear Ms Dunlop

Request for Secretary's Environmental Assessment Requirements (SEARs) for the proposed construction of a Light Industrial Warehouse Facility with Ancillary Office Space, Liverpool LGA (SSD 8900)

Reference is made to your email received on 16 November 2017 seeking input into the Department of Planning and Environment Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Assessment (EIS) for the above proposal.

On 13 January 2017, the Department of Planning and Environment granted deferred development consent to Staged Development Application SSD 6324 for the Bringelly Road Business. The concept approval also involved bulk earthworks and other works in stage 1 early works. This is very likely to have involved removal and harm to archaeology at the site and was subject to specific conditions to manage this. The current application is unlikely to require SEARs for historical archaeology on that basis.

The DA seeks consent for a light industrial warehouse facility with ancillary office space, accommodating approximately 10,360 m² and approximately 70 car parking spaces.

The SEARs Request Report and preliminary Environmental Impact Statement, both prepared by Ethos Urban, outlining the background, the proposal, the planning context and key Environmental Aspects to be assessed, dated 6 and 14 November 2017 respectively, have been reviewed and the following comments are provided:

Heritage is not identified as a key factor for the SEARs. The subject site is in the vicinity the local heritage item the *Bringelly Road Cultural Landscape*. It is noted there is no excavation proposed as part of this application. The following SEARs are recommended to be included to enable an appropriate level of assessment:

- The EIS should be amended to include a Heritage Impact Statement (HIS) to address the extent of impact on the surrounding site and surrounding area, including any built and landscape items, conservation areas, views and settings.

If you have any questions regarding the above matter, please contact James Quoyale, Heritage Officer, at the Heritage Division, Office of Environment and Heritage on telephone (02) 9873 8612 or by email: james.quoyale@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink that reads "Timothy Smith". The signature is written in a cursive style, with the first name "Timothy" and the last name "Smith" clearly legible.

Tim Smith OAM
Director Heritage Operations
Heritage Division
Office of Environment & Heritage
As Delegate of the Heritage Council of NSW
5 December 2017



4 December 2017

Roads and Maritime Reference: SYD17/01598/01 (A20155059)
DP&E Reference: SSD 8900

Director
Department of Planning and Environment
Industry Assessments
GPO Box 39
SYDNEY NSW 2001

Attention: **Chloe Dunlop**

Dear Sir/Madam

**NULON MOTOR OILS – LOT 8 BRINGELLY ROAD BUSINESS HUB, WESTERN SYDNEY
PARKLANDS**

Reference is made to your correspondence dated 16 November 2017 requesting Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment (EA) requirements.

Roads and Maritime require the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on intersections along the Bringelly Road and Cowpasture Road and the need/associated funding for upgrading or road improvement works (if required).
2. Details of the proposed site access and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc).
3. Detailing vehicle circulation, proposed number of car parking spaces and compliance with the appropriate parking codes.
4. Details of light and heavy vehicle movements (including vehicle type and likely arrival and departure times).
5. To ensure that the above requirements are fully addressed, the transport and traffic study must properly ascertain the cumulative study area traffic impacts associated with the development (and any other known proposed developments in the area). This process provides an opportunity to identify a package of traffic and transport infrastructure measures required to

Roads and Maritime Services

support future development. Regional and local intersection and road improvements, vehicular access options for adjoining sites, public transport needs, the timing and cost of infrastructure works and the identification of funding responsibilities associated with the development should be identified.

The proponent is advised that Roads and Maritime is currently undertaking road widening works on Bringelly Road and Cowpasture Road. The proponent can contact the Project Manager Roy Surace (Roy.Surace@rms.nsw.gov.au or 02 8874 7076) for further information regarding the Bringelly Road design plan.

Any inquiries in relation to this Application can be directed to Malgy Coman on 8849 2413 or development.sydney@rms.nsw.gov.au.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'RCumming', written in a cursive style.

Rachel Cumming
Senior Land Use Assessment Coordinator
Network and Safety Section



Our Reference: DOC17/567051
Your Reference: SSD8900

Ms Chloe Dunlop
Senior Planning Officer
NSW Department of Planning and Environment
by email: chloe.dunlop@planning.nsw.gov.au

Dear Ms Dunlop

**Request for Input into Secretary's Environmental Assessment Requirements
Nulon Motor Oils SSD 8900**

Reference is made to your request for the Environment Protection Authority's ("EPA") requirements for the preparation of an Environment Impact Statement ("EIS") for the construction of a light industrial warehouse facility to be operated by Nulon Motor Oils. The proposed operations include bulk fluid delivery and storage; blending; bottling and packaging; storage; dispatch and distribution.

The EPA acknowledges the *Preliminary Environmental Impact Statement*, dated 14 November 2017, prepared by Ethos Urban. The EPA has considered the proposal given the information provided. In summary, the EPA's key information requirements include an adequate description and assessment of:

1. how materials will be stored and handled to prevent spillage and or environmental incidents.
2. expected impacts of the proposed manufacturing activities and what impact this will have on air quality
3. the impacts and quantity of wastewater, stormwater management and discharges from the site.

The EPA's requirements for the preparation of an EIS for the proposed Nulon Motor Oils facility are included in Attachment 1. The EIS should consider relevant guidelines as listed in Attachment 2. Any industry specific codes of practice and best practice management guidelines should also be considered.

Please contact Tenille Lawrence on (02) 9995 6207 if you require any further information regarding this matter.

Yours sincerely

 28/11/2017

ERIN BARKER

Unit Head - Sydney Industry

NSW Environment Protection Authority

Contact officer: TENILLE LAWRENCE
9995 6207

ATTACHMENT 1

1. Licensing requirements

On the basis of the information submitted to date, it appears the proposal meets the thresholds of scheduled activity *Petroleum products and fuel production* under the *Protection of the Environment Operations Act 1997* (POEO Act) and will therefore require an Environment Protection Licence (EPL) if approval is granted.

The EIS should address the requirements of Section 45 of the POEO Act determining the extent of each impact and providing sufficient information to enable the EPA to determine appropriate limits for the EPL.

Should project approval be granted, the proponent will need to make a separate application to the EPA for an EPL for the proposed facility prior to undertaking any on site works. Additional information is available through the EPA's Guide to Licensing document.
<http://www.epa.nsw.gov.au/licensing-and-regulation/licensing/environment-protection-licences/guide-to-licensing>

2. The Proposal and the Premises

The objectives of the proposal should clearly state and refer to:

- the specifics of the operation including its components and activities
- the raw products which will be used onsite and the products which will be produced
- the toxicity of the products involved and the potential impacts on the surrounding environment.

The EIS will need to fully identify all the processes and activities intended for the site over the life of the development including:

- all equipment proposed for use at the site
- chemicals used on site and proposed methods for their transportation, storage use and emergency management
- waste generation and disposal
- methods to mitigate any expected environmental impacts of the development, especially in relations to pollution controls, potential modification or augmentation of these controls to manage increased production and environmental risks at the facility.

3. Air issues

The EIS should include a detailed air quality impact assessment (AQIA).

The AQIA should:

- a) include a detailed description of all processes that could result in air emissions must be identified and described. Sufficient detail to accurately communicate the characteristics and quantity of all emissions must be provided
- b) assess the risk associated with potential discharges of fugitive and point source emissions for all stages of the proposal. Assessment of risk relates to environmental harm, risk to human health and amenity

- c) justify the level of assessment undertaken on the basis of risk factors, including but not limited to:
 - proposal location;
 - characteristics of the receiving environment; and
 - type and quantity of pollutants emitted.
- d) describe the receiving environment in detail.
- e) the proposal must be contextualised within the receiving environment (local, regional and inter-regional as appropriate). The description must include but need not be limited to:
 - meteorology and climate;
 - topography;
 - surrounding land-use; receptors; and
 - ambient air quality.
- f) include a consideration of 'worst case' emission scenarios and impacts at proposed emission limits
- g) account for cumulative impacts associated with existing emission sources as well as any currently approved developments linked to the receiving environment.
- h) include air dispersion modelling where there is a risk of adverse air quality impacts, or where there is sufficient uncertainty to warrant a rigorous numerical impact assessment. Air dispersion modelling must be conducted in accordance with the *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2007)
- i) demonstrate the proposal's ability to comply with the relevant regulatory framework, specifically the (POEO) Act (1997) and the POEO (Clean Air) Regulation (2010).
- j) provide an assessment of the project in terms of the priorities and targets adopted under the NSW State Plan 2010 and its implementation plan Action for Air.
- k) detail emission control techniques/practices that will be employed by the proposal.

4. Noise and vibration

In relation to noise, the following matters should be addressed (where relevant) as part of the Environmental Assessment.

- Construction noise associated with the proposed development should be assessed using the Interim Construction Noise Guideline (DECC, 2009).
- Vibration from all activities (including construction and operation) to be undertaken on the premises should be assessed using the guidelines contained in the Assessing Vibration: a technical guideline (DEC, 2006).
- Operational noise from all industrial activities to be undertaken on the premises should be assessed using the guidelines contained in the *Noise Policy for Industry* (EPA, 2017).
- Noise on public roads from increased road traffic generated by land use developments should be assessed using the guidelines contained in NSW Road Noise Policy (EPA, 2011)

5. Waste, chemicals and Hazardous Materials

Details of the quantity and type of liquid and/or non-liquid waste(s) generated, handled, processed or disposed of at the premises. Waste must be classified according to EPA's Waste Classification Guidelines 2014.

Details of liquid waste and non-liquid waste management at the facility, including:

- the transportation, assessment and handling of waste arriving at or generated at the site;
- any stockpiling of wastes or recovered materials at the site;
- any waste processing related to the facility, including reuse, recycling, reprocessing or treatment both on- and off-site;
- the method for disposing of all wastes or recovered materials at the facility;
- the emissions arising from the handling, storage, processing and reprocessing of waste at the facility;
- the proposed controls for managing the environmental impacts of these activities.

Details of procedures for the assessment, handling, storage, transport and disposal of all hazardous waste used, stored, processed or disposed of at the site, in addition to the requirements for liquid and non-liquid wastes.

Outline contingency plans for any event that affects operations at the site that may result in environmental harm, including: excessive stockpiling of waste, volume of leachate generated exceeds the storage capacity available on-site etc.

6. Water and soils

Describe the proposal including position of any intakes and discharges, volumes, water quality and frequency of all water discharges.

Demonstrate that all practical options to avoid discharge have been implemented and environmental impact minimised where discharge is necessary.

Outline all erosion, sediment and leachate control including measures to be implemented to minimise erosion, leachate and sediment mobilisation at the site during works. The EIS should show the location of each measure to be implemented including:

- Sediment traps
- Diversion banks
- Sediment fences
- Bunds (earth, hay, mulch)
- Geofabric liners
- Other control measures as appropriate.

Attachment 2 – Guidance Material

Title	Web address
<i>Protection of the Environment Operations Act 1997</i>	http://www.legislation.nsw.gov.au/maintop/view/inforce/act+156+1997+cd+0+N
<u>Licensing</u>	
EPA Guide to Licensing	www.epa.nsw.gov.au/licensing/licenceguide.htm
<u>Air Issues</u>	
Air Quality	
Approved methods for modelling and assessment of air pollutants in NSW (2005)	http://www.environment.nsw.gov.au/resources/air/ammodelling05361.pdf
POEO (Clean Air) Regulation 2010	https://www.legislation.nsw.gov.au/#/view/regulation/2010/428/full
<u>Noise and Vibration</u>	
Interim Construction Noise Guideline (DECC, 2009)	www.epa.nsw.gov.au/resources/noise/09265cng.pdf
Assessing Vibration: a technical guideline (DEC, 2006)	www.epa.nsw.gov.au/noise/vibrationguide.htm
NSW Road Noise Policy	http://www.epa.nsw.gov.au/publications/noise/2011236-nsw-road-noise-policy
Noise Policy for Industry (EPA, 2017)	https://www.epa.nsw.gov.au/your-environment/noise/industrial-noise/noise-policy-for-industry-(2017)
<u>Waste, Chemicals and Hazardous Materials and Radiation</u>	
Waste	
Waste Classification Guidelines (EPA, 2014)	http://www.epa.nsw.gov.au/your-environment/waste/classifying-waste/waste-classification-guidelines
<u>Water and Soils</u>	
Soils – general	
Managing urban stormwater: soils and construction, vol. 1 (Landcom 2004) and vol. 2 (A. Installation of services; B	Vol 1 - Available at http://www.environment.nsw.gov.au/resources/water/BlueBookVol1.pdf

27 November 2017

Chloe Dunlop
Senior Planning Officer
Industry Assessments
Department of Planning & Environment
GPO Box 39, Sydney NSW 2001

Dear Chloe

Sydney Water input to SEARs for Nulon Motor Oils

Thank you for your letter of 16 November 2017 seeking Sydney Water's input on the Secretary's Environmental Assessment Requirements for the abovementioned proposal. We have reviewed the proposal and provide the following comments for your consideration. Sydney Water requests that the Department of Planning and Environment 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 development should determine service demands following servicing investigations and demonstrate that satisfactory arrangements for drinking water, wastewater, and recycled water (if 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. 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.
3. Strict requirements for Sydney Water's stormwater assets (for certain types of development) 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. 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.

Integrated Water Cycle Management

4. The proponent should outline any sustainability initiatives that will minimise/reduce the demand for drinking water, including any alternative water supply and end uses of drinking and non-drinking water that may be proposed, and demonstrate water sensitive urban design (principles are used), and any water conservation measures that are likely to be proposed. 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.

If you require any further information, please contact Lulu Huang of Growth Planning and Development on 02 8849 4269 or e-mail lulu.huang@sydneywater.com.au

Yours sincerely,



Paul Mulley
Manager, Growth Planning and Development

Department of Planning and Environment
Industry Assessments
GPO Box 39
Sydney NSW 2001

By email: Chloe.Dunlop@planning.nsw.gov.au

Attention: Chloe Dunlop

Re: SSD 8900 - Request for input into SEARS - Nulon Motor Oils

Liverpool City Council was invited to provide a response to a Secretary's Environmental Assessment Requirements (SEARs) request from Ethos Urban, on behalf of CIP Constructions (NSW) Pty Ltd, for the construction of an industrial premises in Lot 8 of the Bringelly Road Business Hub, Horningsea Park.

It is Council's opinion that such a facility will likely pose a serious risk to the community and to the environment. The development consent for certain land in the Western Sydney Parklands (here-in called the Bringelly Road Business Hub) was approved for the uses of 'large format retail premises', 'light industry', 'service station', 'take away food and drink premises', and 'restaurant or café'. Council is not satisfied that the development can be defined as light industry.

Land in the Western Sydney Parklands is not subject to any land-use zoning. Instead, there are a number of low-impact land-uses which are permitted without consent, which are necessary for the operation and maintenance a regional park (such as recreation facilities (outdoor)). All other uses must be consistent with clause 12 of the WSP SEPP, including any approved concept (in this instance SSD 6324). Land in the Western Sydney Parklands is not subject to any Standard instrument LEP nor SEPP that contains zone objectives, nor a definition of 'Light Industry' (the proposed land-use). It is noted that the approval for the Bringelly Road Business Hub also omits any definition of what constitutes 'light industry'. As such, it is deemed appropriate to assess whether the proposed development is consistent with the objectives of the Bringelly Road Business Hub. This is assisted by utilising the standard instrument definition of light industry being:

***light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:*

- (a) high technology industry,
- (b) home industry.

Note.

***Light industries** are a type of **industry**—see the definition of that term in this Dictionary.*



Customer Service Centre Ground floor, 33 Moore Street, Liverpool NSW 2170

All correspondence to Locked Bag 7064 Liverpool BC NSW 1871 **Call Centre** 1300 36 2170

Fax 9821 9333 **Email** lcc@liverpool.nsw.gov.au

Web www.liverpool.nsw.gov.au **NRS** 13 36 77 **ABN** 84 181 182 471

The justification provided for the land-uses in the Bringelly Road Business Hub was provided by JBA on behalf of the trust as part of SSD 6324. Section 6.1 in the document titled '*Preliminary Environmental Investigation Report Request for DGRs State Significant Development*', dated December 2013, stated that the proposed land-uses would facilitate *"the development of large format retail with the potential to provide a variety of local jobs in close proximity to future residential development. The proposed land use will complement the activities proposed for the nearby Leppington Major Centre."* In a revised request for DGRs (letter dated 3 April 2014), light industry and warehousing/logistic land-uses were also sought, as they were deemed to be similar in nature. The Trust's Plan of Management requires that business parks are only considered where the four criteria below are met:

1. *Land uses should not only generate an appropriate commercial return but also add to the amenity of adjacent communities.*
2. *Land uses must generate additional employment and training opportunities for local and regional communities.*
3. *Development must be undertaken in a manner that will minimise the environmental impact of such development.*
4. *The development of business hubs will only be permitted to occur on sites with low environmental and recreational values.*

The proponent's SEPP 33 assessment states that the quantities of dangerous goods stored and vehicle movements associated with the development do not exceed threshold quantities outlined in 'Applying SEPP 33', therefore SEPP 33 does not apply, and therefore it is presumed that the development is not a hazardous or offensive industry. Council does not have the required in-house expertise to either concur or refute these findings. It is Council's opinion that the hazardous nature of the materials handled by this facility may lie outside the scope of SEPP 33 and Australian Standards, and as such international standards and best practice should apply. Council defers comment on the SEPP 33 assessment to a person or company with specialist qualifications and experience in the relevant field. It is strongly advised that the SEPP 33 assessment and the EIS is peer reviewed by an appropriately qualified and experienced party.

It is Council's opinion that the operations of a facility which stores and transforms combustible petrochemicals is generally inconsistent with the definition of light industry (as per the Standard Instrument), and is generally incompatible with the intended use of the land, as per the planning framework above. The risks of fire/explosion and potential ecological damage from spills or failure of equipment could have significant repercussions on the safety of the local community and the natural environment.

If you have any questions please contact Ian Stendara, A/Senior Strategic Planner on 9821 9246.

Yours sincerely



Masud Hasan

A / Executive Planner
Strategic Planning



NSW RURAL FIRE SERVICE



The Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Your reference: SSD 8900
Our reference: D17/4216

30 November 2017

Attention: Chloe Dunlop

Dear Sir/Madam,

Request for input into SEARS - Bringelly Road Business Hub- Nulon Motor Oils Warehouse

Reference is made to correspondence dated 17 November 2017 seeking input regarding the preparation of Secretary's environmental assessment requirements for the above State Significant Development in accordance with the *Environmental Planning and Assessment Act 1979*. On the basis of the information provided the proposed development is for the construction of a light warehouse facility and operations will include the preparation of motor oil products for future retail sale off-site as well as the following:

- Bulk fluid delivery and storage;
- Blending;
- Bottling and packaging;
- Storage;
- Dispatch and distribution; and
- Ancillary office administration.

The New South Wales Rural Fire Service (NSW RFS) has reviewed the information provided and advises that a bush fire assessment report shall be prepared which identifies the extent to which the proposed development conforms with or deviates from the relevant provisions of *Planning for Bush Fire Protection (PBP) 2006*.

As the proposed warehouse facility is proposed to store and process flammable materials on bush fire prone land the following will need to be considered within the submitted bush fire report:

- Information which demonstrates that the development can comply with Section 4.3.6 f) of *PBP 2006* for industrial and warehouse facilities;
- Evidence of how the proposal will not increase "the bush fire risk to adjoining lands" in accordance with Section 4.1.3 of *PBP 2006* for infill development, where additional potential fire hazards are located within the subject sites;

Postal address
NSW Rural Fire Service
Records Management
Locked Bag 17
GRANVILLE NSW 2141

Street address
NSW Rural Fire Service
Planning and Environment Services (East)
42 Lamb Street
GLENDENNING NSW 2761

T 1300 NSW RFS
F (02) 8741 5433
E pes@rfs.nsw.gov.au
www.rfs.nsw.gov.au

- Information which shows how flammable materials will be stored in such a way that their ability to become involved with a potential bush fire will be minimised; and,
- Information which shows that the proposed warehouse will not be in the flame zone, as the proposed development will store, process and package flammable substances.

If you have any queries regarding this advice, please contact Emma Jensen, Development Assessment and Planning Officer, on 1300 NSW RFS.

Yours sincerely,



Nika Fomin
Manager, Planning and Environment Services (East)