



Mr Paul Jewiss
Development Manager
CI Property
Suite 59, 26-32 Pirrama Road
Pyrmont NSW 2009

SSD 9511
DOC18/62044

Dear Mr Jewiss

**State Significant Development – Planning Secretary's Environmental Assessment Requirements
CFC Group Large Format Retail Building, Bringelly Road Business Hub (SSD 9511)**

Please find attached the Planning 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.

The attached SEARs have been prepared in consultation with the relevant government agencies and Liverpool City Council (see **Attachment 2**), and are based on the information you have provided to date. Unfortunately, NSW Roads and Maritime Services and Environment Protection Agency was unable to respond in time. The Department will provide you with a copy of its requirements as soon as it is received. The SEARs are based on the Preliminary Environmental Impact Statement dated 10 August 2018.

Please note the Planning Secretary may alter the 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. A comprehensive, detailed and genuine community consultation and engagement process must be undertaken 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.

Please contact the Department at least **two weeks** before you lodge the EIS and any associated documentation 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.

If you have any enquiries, please contact 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 delegate of the Planning Secretary

31/8/18.

Planning Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

State significant development

Application Number	SSD 9511
Development	Construction and operation of a large format retail building with associated warehouse and workshop spaces, ancillary office, car parking and landscaping within the Bringelly Road Business Hub. The building will be for the display and sale of machinery and construction equipment.
Location	Lot 6 within Bringelly Road Business Hub located at Bringelly Road, Horningsea Park (Lot 11 DP 29104), Liverpool local government area
Applicant	CIP Constructions (NSW) Pty Ltd
Date of Issue	September 2018
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 – the need and justification for the proposed development – 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. • a detailed description of how the development is consistent with the Bringelly Road Business Hub concept approval (SSD 6324), particularly the approved land uses • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments • a list of any approvals that must be obtained under the <i>Local Government Act 1993</i>, the <i>Roads Act 1993</i>, or any other Act or law before the development may lawfully be carried out • consideration of key issues identified by Government agencies and Liverpool City Council (see Attachment 2) • 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 – measures 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

	– 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 • a close estimate of the jobs that will be created by the development during the construction and operational phases • 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: • Community and Stakeholder Engagement – including: – a detailed community and stakeholder engagement strategy identifying who and how stakeholders will be engaged in the process – a report detailing the issues raised and how they have been addressed including any changes to the proposal – details of proposed engagement activities throughout the construction and operation of the development. • Social and Economic – including: – identifying and analysing the potential social impacts of the development from the point of view of the affected community and other relevant stakeholders – assessment of the significance of positive, negative and cumulative social impacts – mitigation measures and monitoring of likely negative social impacts – an analysis of any potential economic impacts of the development, including a discussion of any potential economic benefits. • 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> – justification for the proposed site layout. • Traffic and Access – including: – a quantitative Traffic Impact Assessment prepared in accordance with the relevant Council, Austroads and RM 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 – details of road upgrades, new roads or access points required for the development, 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 and including an assessment of nearby sensitive receivers – cumulative impacts of other developments – 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 development including height, colour, scale, building materials and finishes, signage and lighting, particularly from nearby residential receivers ○ detailed plans showing suitable landscaping ○ 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 <i>Planning for Bushfire Protection 2006</i>, particularly access and provision of water supply for firefighting purposes ○ 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 <i>Water Act 1912</i> of <i>Water Management Act 2000</i> – 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 – an assessment of potential flooding impacts – 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 proposed mitigation measures. • 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) – report on consultation with pipeline operator Jemena to ensure that any nearby 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.
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	• Biodiversity – including: – details of the number of trees to be removed and the number of trees to be planted on the site – 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 <i>Biodiversity Conservation Act 2016</i>, clause 6.8 of the <i>Biodiversity Conservation Regulation 2017</i> 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 EPA's <i>Waste Classification Guidelines</i> (2014) – details of waste storage, handling, transport, and disposal – 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 of all air quality impacts (including dust) from the proposal, particularly from the outdoor storage area – 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 • Jemena • surrounding landowners and the local community • 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 Planning 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
 - 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
 - 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
 - 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
 - Additional copies as determined by the Department once the development application is lodged
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Policies, Guidelines and Plans	
Aspect	Policy /Methodology
Social	Social Impact Assessment Guideline (Department of Planning and Environment)
Traffic and Access	<i>Roads Act 1993</i> Austroads Guide to Traffic Management – Part 12: Traffic Impacts of Development Planning Guidelines for Walking and Cycling Guide to Traffic Generating Development (RTA) 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
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	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)
<i>Surface Water</i>	

Policies, Guidelines and Plans

Aspect	Policy /Methodology
	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
<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)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
Biodiversity	
	NSW Biodiversity Assessment Method (OEH, 2017)
	The NSW State Groundwater Dependant Ecosystem Policy (DWLC)
Heritage	
	<i>Heritage Act 1977</i>
Waste	
	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

State Government Agency and Council Submissions



**Transport
for NSW**

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

Dear Ms Dunlop,

**Request for Input to SEARs for proposed CFC Large Format Retail Premises at
Bringelly Road Business Hub (SSD 9511)**

Thank you for your correspondence dated 13 August 2018 requesting Transport for NSW (TfNSW) input to the Secretary's Environmental Assessment Requirements (SEARs) for the subject State Significant Development Application (SSDA).

The following key assessment requirements should be addressed within the SSD EIS:

- an estimate of the total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips;
- the daily and peak (AM and PM) vehicle movements impact on nearby intersections, with consideration of the cumulative impacts from the likely developments in the remaining lots and the need for any additional funding for upgrading or road improvement works, if required;
- a comparative assessment against the intersection analysis undertaken for the concept plan of future intersection operation at Bringelly Road and the site access road;
- proposed car and bicycle parking provision, including consideration of the availability of public transport and the requirements of the relevant parking codes and Australian Standards;
- provision of end of trip facilities (i.e. showers, lockers, change rooms etc.) for the use of employees who choose to walk or cycle to/from work as well as undertake activities during work hours;
- the proposed access arrangements from the development to public transport and cycling networks and an assessment of the adequacy of each access route;
- service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times);
- details of access arrangements for emergency vehicles;

Transport for NSW

241 O'Riordan Street, Mascot NSW 2020

T 02 8202 2200 | F 02 8202 2209 | W transport.nsw.gov.au | ABN 18 804 239 602

- details of any likely dangerous goods to be transported on arterial and local roads to/from the site, if any, and the preparation of an incident management strategy, if necessary; and
- Preparation of a draft/preliminary Construction Traffic Management Plan which includes:
 - assessment of cumulative impacts associated with other construction activities;
 - 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 access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle;
 - Details of vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures for all demolition/construction activities.
 - details of temporary cycling and pedestrian access during construction;
 - details of proposed construction vehicle access arrangements at all stages of construction; and
 - measures to mitigate any associated construction impacts on traffic, pedestrian, cyclists, parking and public transport.

If you require clarification with any of the information provided above, please contact Billy Yung, Senior Transport Planner, via email at billy.yung@transport.nsw.gov.au.

Yours sincerely



21/8/2018

Mark Ozinga
Principal Manager, Land Use Planning & Development
Freight, Strategy & Planning

CD18/07429

Chloe Dunlop

From: Elizabeth Shelly <Elizabeth.Shelly@waternsw.com.au>
Sent: Wednesday, 15 August 2018 10:07 AM
To: Chloe Dunlop
Subject: WaterNSW response for SEARs for proposed CFC Large Format Retail Premises at Bringelly Business Hub (SSD 9511)

Dear Ms Dunlop,

Thank you for your email and the opportunity for WaterNSW to provide input to the SEARs for the proposed **SSD 9511 CFC Large Format Retail Premises** at Bringelly Road Business Hub.

WaterNSW understands that Department of Planning and Environment has received a request for SEARs lodged by Ethos Urban, on behalf of CI Property. The proposal is for the construction of a large format retail facility in the Bringelly Road Business Hub in the Liverpool Local Government Area. The proposed large format retail facility will include the display and sale of machinery and construction equipment, an associated warehouse and workshop and ancillary office for CFC Group.

The subject site, Lot 6 DP 29104 , Bringelly Road Business Hub is located more than 1 km to the east from the WaterNSW Upper Canal corridor. Considering this, and having reviewed the Preliminary Environmental Impact Assessment, WaterNSW has no particular requirements and has no wish to provide input to the SEARs for the proposal.

We request the Department continues to consult with WaterNSW regarding proposals on land adjacent to and impacting on WaterNSW infrastructure, land or assets due to the potential for impact on water quality and water supply. Please email all correspondence using the address Environmental.Assessments@waternsw.com.au

If you have any questions regarding this email, please feel free to contact me.

Regards,

Liz Shelly
Environmental Advisor



Level 14, 169 Macquarie Street, Parramatta NSW

T: (02) 9865 2308

elizabeth.shelly@waternsw.com.au

www.waternsw.com.au



NSW RURAL FIRE SERVICE



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

Your reference: SSD 9511
Our reference: D18/6824

24 August 2018

Attention: Chloe Dunlop

Dear Sir/Madam,

Request for SEARs - Bringelly Road Business Hub

Reference is made to correspondence dated 13 August 2018 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*.

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 Section 4.3.6(f) *Planning for Bush Fire Protection 2006*.

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

Yours sincerely,

Kalpana Varghese
A/Team Leader, Development Assessment and Planning
Planning and Environment Services (East)

Postal address

NSW Rural Fire Service
Planning and Environment Services
Locked Bag 17
GRANVILLE NSW 2141

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



Office of
Environment
& Heritage

DOC18/579468
SSD-9511

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

Dear Ms Dunlop

Secretary's Environmental Assessment Requirements – Proposed CFC Large Format Retail Premises at Bringelly Road Business Hub – SSD 9511

Thank you for your letter and email of 13 August 2018, requesting comments from the Office of Environment and Heritage (OEH) on the Secretary's Environmental Assessment Requirements (SEARs) for the above State Significant Development.

OEH has reviewed the SEARs Request report and provides the following comments and recommendations in Attachment A.

OEH notes the site is subject to an existing State Significant Development approval (SSD 6324) and that the Department considered the suitability of the site with regard to broad impacts of the proposed development during the assessment of SSD 6324.

Biodiversity

In accordance with Section 7.9 of the *Biodiversity Conservation Act 2016*, the SSD will need to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values. OEH therefore recommends the SEARs incorporates the attached OEH Biodiversity SEARs or the proponent lodges a BDAR waiver request.

Flooding

The EIS will need to undertake the assessment of the flooding conditions based on the following considerations:

- 1) Develop a local catchment model (hydrology and hydraulics models) using appropriate modelling tools to evaluate the flow characteristics and determine the flooding behaviour.
- 2) Undertake baseline assessment of flooding conditions (without any development and land use changes). Predict flooding conditions over a range of recurrence intervals as specified in the Floodplain Development Manual (2005).

- 3) Update model with the development site and its topographical changes (such as cut and fill activities of land development and drainage facilities).
- 4) Undertake the assessment of flooding conditions along with the proposed development site. Predict flooding conditions over a range of recurrence intervals as specified in item 2. The assessment will need to include anticipated developments in the upper reaches of the catchment which would have impacts at the proposed development site as well as in the downstream reaches.
- 5) Compare the flooding conditions and hazards at baseline and proposed development scenarios, and determine the flooding impacts at the development site and its adjoining areas.
- 6) Investigate appropriate measures to mitigate potential flooding conditions both at the development site and its adjoining areas.
- 7) Document and present the findings to relevant agencies for review and approval of the potential options for flood mitigation.

Landscaping

OEH notes Condition B4 (Landscaping) in the Conditions of Consent for SSD 6324 requires future development applications to include detailed landscape plans. OEH recommends landscaping at for this SSD uses a diversity of local native provenance plant species and the SEARs include the following:

Landscape Plan:

- *identifies any native trees or shrubs to be removed, retained or transplanted*
- *includes details on the native vegetation community (or communities) that occurs, or once occurred, on the site, with a list of local provenance species (trees, shrubs and groundcovers) to be used for landscaping*
- *specifies that any landscaping will use a diversity of local provenance species (trees, shrubs and groundcovers) from the native vegetation community (or communities) that occurs, or once occurred, on the site, to improve biodiversity*

Dam Dewatering

The Flora and Fauna Assessment (FFA) prepared for SSD 6324 EIS indicates five farm dams occur within the Bringelly Road Business Hub site and one of these dams occurs on the land the subject of this SSD. The FFA notes the dams are likely to be occupied by aquatic and amphibious native fauna such as turtles and eels.

OEH notes the approval for SSD 6324 includes bulk and detailed earthworks but it is unclear if the dam on the subject site is to be dewatered/removed by earthworks approved under SSD 6324, or if SSD 9511 proposes to dewater/remove the dam. If the applicant is seeking to dewater/remove the dam under a consent for SSD 9511, it is recommended the SEARs require the EIS to assess the impact on native fauna and it provides adequate provisions to protect and manage native fauna and the downstream environment.

OEH suggests the EIS:

- provides details on the farm dam to be dewatered; removed or retained on site; including size, volume, depth and whether the dam is located online (i.e. on watercourses) or offline
- provides details on the watercourses effected by the works including stream order; whether the creeks are ephemeral or perennial; the condition of the watercourses and riparian vegetation
- describes background conditions for any water resource likely to be affected by the development including hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations
- assesses the existing environmental assets provided by the farm dam and watercourses
- assesses the environmental impacts of dewatering/removing the dam and watercourses on native fauna and flora species (including any water dependent species) and includes:
 - details on native fauna and flora species known to occur or potentially inhabit or use the dams; the area surrounding the dams; or the creeks and downstream environment
 - mitigation measures to mitigate impacts on native fauna including details on the location and adequacy of the proposed relocation sites for any impacted fauna

- assesses the impacts of the development on water quality including:
 - the nature and degree of impact on receiving waters including:
 - assess impacts on water quality including the potential to release nutrient rich water; water with low oxygen levels; blue-green algae etc; aquatic weeds downstream
 - the potential to disturb bottom sediments; increase turbidity and release sediment; organic loads downstream etc
 - assess the potential impact on the instream habitat below the dams
 - identification of proposed monitoring of water quality and instream habitat
- assesses the impact of the development on hydrology including:
 - effects to the downstream environment / stream channel dynamics and morphology
 - effects to downstream ecological functions / water-dependent fauna and flora
 - impacts to natural processes and functions within watercourses
 - mitigating effects of proposed stormwater and wastewater management during and after the proposed works on hydrological attributes such as volumes, flow rates, management methods and re-use options.
 - identification of proposed monitoring of hydrological attributes

Heritage

A separate response may be provided on heritage matters by the Heritage Division of OEH as delegate of the Heritage Council of NSW.

Should you have any queries regarding this matter, please contact Janne Grose on t:8837 6017 or e: janne.grose@environment.nsw.gov.au

Yours sincerely

S. Harrison 28/08/18

SUSAN HARRISON
Senior Team Leader Planning
Greater Sydney Branch
Communities and Greater Sydney Division

Attachment A – OEH Environmental Assessment Requirements

Biodiversity

1. Biodiversity impacts related to the proposed development are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017 the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, 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 Biodiversity Assessment Method.
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 conduct ecological rehabilitation (if a mining project);
 - 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 Appendix 11 of 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 s6.10 of the *Biodiversity Conservation Act 2016*.

Water and soils

6. The EIS must map the following features relevant to water and soils including:
 - a. Acid sulfate soils (Class 1, 2, 3 or 4 on the Acid Sulfate Soil Planning Map).
 - b. Rivers, streams, wetlands, estuaries (as described in s4.2 of the Biodiversity Assessment Method).
 - c. Wetlands as described in s4.2 of the Biodiversity Assessment Method.
 - d. Groundwater.
 - e. Groundwater dependent ecosystems
 - f. Proposed intake and discharge locations

7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:
 - a. Existing surface and groundwater.
 - b. Hydrology, including volume, frequency and quality of discharges at proposed intake and discharge locations.
 - c. Water Quality Objectives (as endorsed by the NSW Government <http://www.environment.nsw.gov.au/ieo/index.htm>) including groundwater as appropriate that represent the community's uses and values for the receiving waters.
 - d. Indicators and trigger values/criteria for the environmental values identified at (c) in accordance with the ANZECC (2000) Guidelines for Fresh and Marine Water Quality and/or local objectives, criteria or targets endorsed by the NSW Government.
 - e. Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions <http://www.environment.nsw.gov.au/research-and-publications/publications-search/risk-based-framework-for-considering-waterway-health-outcomes-in-strategic-land-use-planning>
8. The EIS must assess the impacts of the development on water quality, including:
 - a. The nature and degree of impact on receiving waters for both surface and groundwater, demonstrating how the development protects the Water Quality Objectives where they are currently being achieved, and contributes towards achievement of the Water Quality Objectives over time where they are currently not being achieved. This should include an assessment of the mitigating effects of proposed stormwater and wastewater management during and after construction.
 - b. Identification of proposed monitoring of water quality.
 - c. Consistency with any relevant certified Coastal Management Program (or Coastal Zone Management Plan)
9. The EIS must assess the impact of the development on hydrology, including:
 - a. Water balance including quantity, quality and source.
 - b. Effects to downstream rivers, wetlands, estuaries, marine waters and floodplain areas.
 - c. Effects to downstream water-dependent fauna and flora including groundwater dependent ecosystems.
 - d. Impacts to natural processes and functions within rivers, wetlands, estuaries and floodplains that affect river system and landscape health such as nutrient flow, aquatic connectivity and access to habitat for spawning and refuge (e.g. river benches).
 - e. Changes to environmental water availability, both regulated/licensed and unregulated/rules-based sources of such water.
 - f. Mitigating effects of proposed stormwater and wastewater management during and after construction on hydrological attributes such as volumes, flow rates, management methods and re-use options.
 - g. Identification of proposed monitoring of hydrological attributes.

(END OF SUBMISSION)



Ref No: DOC18/576840

Ms Chloe Dunlop
Senior Planning Officer
Industry Assessments
Department of Planning & Environment
23-33 Bridge Street
SYDNEY NSW 2000

Sent by e-mail to: Ms Chloe Dunlop<chloe.dunlop@planning.nsw.gov.au>

Dear Ms Chloe Dunlop

Request for Secretary's Environmental Assessment Requirements (SEARs) for proposed CFC Large Format Retail Premises at Bringelly Road Business Hub (SSD 9511)

Reference is made to your correspondence received on 13 August 2018 requesting SEARs input from the Heritage Council of NSW (the Heritage Council) for the above proposal at Bringelly Road, Leppington.

It is noted that the site is subject to an existing State Significant Development Approval (SSD 6324) for a concept proposal and a s96(1A) modification was granted consent by the Department on 14 April 2016.

The proposed State Significant Development (SSD) site is not listed on the State Heritage Register (SHR). The site is, however, located near the following SHR items:

- Upper Canal System (Pheasants Nest Weir to Prospect Reservoir), Prospect (SHR No 01373)
- Horningsea Park, Camden Valley Way, Horningsea Park (SHR No 00255)

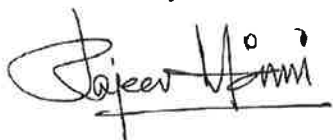
Based on the above, the following heritage SEARs are recommended:

- A Statement of Heritage Impact (SOHI) should be prepared for the project by a suitably qualified heritage consultant in accordance with the guidelines in the NSW Heritage Manual. The SOHI is to address the impacts of the proposal on the heritage significance of the site and adjacent areas and shall:
 - identify all heritage items (state and local) within and near the site, including built heritage, landscapes and archaeology, and includes detailed mapping of these items, and assessment of why the items and site(s) are of heritage significance;
 - assess the proposal's impact on the heritage significance of heritage items on, and near the development site;
 - address the proposal's compliance with policies of relevant Conservation Management Plans for the affected sites;
 - include a detailed visual impact assessment along with photomontages; and
 - provide detailed mitigation measures and strategies to avoid and mitigate any adverse impacts on heritage values of the affected sites.

- If the SOHI identifies impact on potential historical relics, a historical archaeological assessment shall be prepared by a suitably qualified archaeologist in accordance with the Heritage Division, Office of Environment and Heritage Guidelines 'Archaeological Assessment' 1996 and 'Assessing Significance for Historical Archaeological Sites and Relics' 2009. This assessment should identify what relics, if any, are likely to be present, assess their significance and consider the impacts from the proposal on this potential archaeological resource. Where harm is likely to occur, it is recommended that the significance of the relics be considered in determining an appropriate mitigation strategy. If harm cannot be avoided in whole or part, an appropriate Research Design and Excavation Methodology should also be prepared to guide any proposed excavations or salvage programme.

If you have any questions regarding the above matter, please contact Shikha Jhaldiyal, Senior Heritage Assessment Officer, at the Heritage Division, Office of Environment and Heritage on telephone (02) 9873 8545 or by e-mail: shikha.jhaldiyal@environment.nsw.gov.au.

Yours sincerely



Rajeev Maini

Senior Team Leader

Regional Heritage Assessments South

Heritage Division, Office of Environment and Heritage

As Delegate of the Heritage Council of NSW

27 August 2018

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 9511 - Request for input into SEARS – CFC Large Format Retail Premises at Bringelly Road Business Hub

Liverpool City Council was invited to provide a response to a Secretary's Environmental Assessment Requirements (SEARs) request from Ethos Urban, on behalf of CI Property, for the construction of a large format retail and light industrial premises at Lot 6 of the Bringelly Road Business Hub, Horningsea Park.

It is Council's opinion that such a facility is generally consistent with the approved land-uses in the Bringelly Road Business hub, namely 'large format retail premises', and 'light industry'. However, it is also considered that some of the uses proposed in the facility could impact neighbourhood amenity without sufficient mitigation measures in place, particularly the emission of dust.

Ethos Urban's preliminary EIS indicates that the following documents will be produced:

- Assessment against the Design Guidelines,
- Detailed Architectural Plans,
- Detailed Landscaping Plans,
- A Visual Impact Assessment,
- A Traffic and Parking Impact Statement,
- A Noise and Vibration Impact Statement,
- A Construction Management Plan,
- An Environmentally Sustainable Development Analysis,
- A Stormwater Management Plan,
- A Crime Prevention Through Environmental Design Assessment,
- A Disability Access Review,
- A Building Code of Australia Report,
- A Waste Management Plan,
- A Dangerous Goods Assessment, and
- Details of any signage and outdoor lighting.

In addition to those above Council provides the following comments.

Social Impact and Public Consultation

It is Council's observation that any developments within the Western Sydney Parklands will be subject to an increased level of community focus and scrutiny. The proponent

should adopt a pro-active approach, by committing to a high level of public engagement throughout the life of the project. It is recommended that the proponent uses a range of media sources (letterbox drops, print, social media and a website) to inform the community of the development. Providing some information on the planning framework (being the Bringelly Road Business Hub concept approval) will also assist with the community in understanding the reasons behind light industrial developments taking place in the Western Sydney Parklands. A two way communications platform should ensure that the views of residents can be heard, and that questions can be answered.

Air Quality Impacts

It is noted that the development proposes a storage area with a crushed rock road base. Whilst acknowledging the advantage of this surface in its cost and reduction in stormwater run-off, the resultant impact could be the generation of dust and other fine particulates in dry and windy conditions. Council would recommend that the proponent engages the services of a suitably qualified and experienced air quality consultant to undertake an air quality assessment of the proposal in accordance with the Department of Environment and Conservation (now known as the NSW Environment Protection Authority) 'Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (January 2017). The assessment shall identify all sources of air pollution and potential emissions.

Recommendations

Council officers recommend that:

1. The proponent engages in a high level of public consultations, using multiple media platforms to ensure that a two-way dialogue is established between the proponent and the community.
2. An air quality assessment is produced which identifies any dust emissions emanating from the crushed rock area, including details as to any methods of mitigation which may be required.

If you have any questions please contact Ian Stendara, A/Executive Planner on 8711 7511.

Yours sincerely,



David Smith
A/Manger Strategic Planning

Chloe Dunlop

From: Fire Safety <FireSafety@fire.nsw.gov.au>
Sent: Tuesday, 21 August 2018 2:16 PM
To: Chloe Dunlop
Cc: Fire Safety
Subject: RE: Request for SEARS for State Significant Development Application SSD 9511

Good afternoon Ms Dunlop

Fire & Rescue NSW (FRNSW) have reviewed the preliminary EIS. Based on the nature of the proposed development we did not identify any unique hazards associated with the proposal. Consequently, at this stage of the development, FRNSW do not intend to provide any formal recommendations in regards to the preparations of the SEARs. Of course, if the risk profile of the proposed development is altered due to any subsequent revisions or changes to the development FRNSW will reassess.



Regards

STATION OFFICER MARK CASTELLI
TEAM LEADER – SPECIAL HAZARDS
INFRASTRUCTURE LIAISON UNIT

T: (02) 9742 7430 M: 0438 601 582
E: mark.castelli@fire.nsw.gov.au
1 Amarina Ave, Greenacre, NSW 2190
www.fire.nsw.gov.au



From: Chloe Dunlop <Chloe.Dunlop@planning.nsw.gov.au>
Sent: Monday, 13 August 2018 3:28 PM
To: Fire Safety <FireSafety@fire.nsw.gov.au>
Subject: Request for SEARS for State Significant Development Application SSD 9511

Good afternoon,

The Department has received a request for SEARs lodged by Ethos Urban, on behalf of CI Property. The proposal is for the construction of a large format retail facility in the Bringelly Road Business Hub in the Liverpool Local Government Area. The proposed large format retail facility will include the display and sale of machinery and construction equipment, an associated warehouse and workshop and ancillary office for CFC Group.

The proposal is State Significant Development under the *Environmental Planning and Assessment Act 1979* and the Minister for Planning is the consent authority. It would be appreciated if you could provide input to the SEARs for the proposal. Under Clause 3 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, the Department must provide SEARs to the applicant within 28 days of receiving the request.

The SEARs request is available via the Department's major projects website via the following link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9511

I would appreciate if you could review the SEARs request and provide details of any key issues and assessment requirements by **Monday, 27 August 2018**.

Regards,

Chloe Dunlop
Senior Planning Officer
Industry Assessments

Department of Planning & Environment
| GPO Box 39, SYDNEY NSW 2001 | T 02 8289 6667

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Chloe Dunlop

From: Joshua French
Sent: Thursday, 16 August 2018 11:59 AM
To: Chloe Dunlop
Subject: RE: Request for SEARS for State Significant Development Application SSD 9511

Hi Chloe,

No comment from the Trust on this application.

Regards,

Josh

Joshua French | Director, Parklands Development and Strategy

Parramatta Park & Western Sydney Parklands Trusts

P: 02 9895 7512 | M: 0436 660 096 | F: 02 9895 7580

A: Level 7, 10 Valentine Avenue, Parramatta, NSW 2150

M: PO Box 3064 Parramatta NSW 2124

W: www.parrapark.com.au | www.westernsydneyparklands.com.au

Facebook: [/parrapark](https://www.facebook.com/parrapark) | [/westernsydneypark](https://www.facebook.com/westernsydneypark)

Twitter: [@parrapark](https://twitter.com/parrapark) | [@westernsydnpark](https://twitter.com/westernsydnpark)

We acknowledge and respect the Traditional Owners and Custodians of the Lands on which we work.



From: Chloe Dunlop
Sent: Wednesday, 15 August 2018 3:20 PM
To: Joshua French <Joshua.French@wspt.nsw.gov.au>
Subject: Request for SEARS for State Significant Development Application SSD 9511

Good afternoon Josh,

The Department has received a request for SEARs lodged by Ethos Urban, on behalf of CI Property. The proposal is for the construction of a large format retail facility in the Bringelly Road Business Hub in the Liverpool Local Government Area. The large format retail facility will include the display and sale of machinery and construction equipment, an associated warehouse and workshop and ancillary office for CFC Group.

The proposal is State Significant Development under the *Environmental Planning and Assessment Act 1979* and the Minister for Planning is the consent authority. It would be appreciated if you could provide input to the SEARs for the proposal. Under Clause 3 Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, the Department must provide SEARs to the applicant within 28 days of receiving the request.

The SEARs request is available via the Department's major projects website via the following link: http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9511

I would appreciate if you could review the SEARs request and provide details of any key issues and assessment requirements by **Wednesday, 29 August 2018**.

Regards,

Chloe Dunlop
Senior Planning Officer
Industry Assessments

Department of Planning & Environment
| GPO Box 39, SYDNEY NSW 2001 | T 02 8289 6667

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