



19 July 2021

David Schwebel
Environmental Assessment Officer, Industry Assessments
Department of Planning, Industry and Environment
Via email: david.schwebel@planning.nsw.gov.au

Dear Mr Schwebel,

Request for comments regarding (SSD – 9138102) for the proposed Westlink Industrial Estate at Kemps Creek

Thank you for the opportunity to provide comments on the proposed State Significant Development (SSD-9138102) at No's 59 – 62 Abbots Road & No.63 Abbots Road, Kemps Creek also known as the Westlink Industrial Estate.

It is understood the proponent is seeking to obtain development consent including: site preparatory works, subdivision of the site into 7 lots, 7 new industrial warehousing buildings, retail café, new internal road layout and parking for 777 vehicles, associated servicing works, landscaping and works in kind arrangements for infrastructure works.

The Western Sydney Planning Partnership (the Partnership) does not object to the proposed development. Comments on the proposed development are provided at **Attachment 1**. It is expected the Western Parkland City team of DPIE will also provide comments on items relating to planning for the Mamre Road precinct.

I trust this information has been of assistance. If you have any more questions, please contact Lance Collison, Senior Planning Officer, Planning Partnership Office on 9860 1536 or via email at lance.collison@planning.nsw.gov.au.

Yours sincerely

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

Anthony Pizzolato
Manager, Western Sydney Planning Partnership

Attachment 1 – Detailed comments on SSD – 9138102

Application assessed against the Western Sydney Aerotropolis State Environmental Planning Policy (Aerotropolis SEPP)

Whilst the land is zoned under the WSEA SEPP, certain provisions of the State Environmental Planning Policy - Western Sydney Aerotropolis 2020 (Aerotropolis SEPP) apply to the site. The Aerotropolis SEPP applies to the site for the purpose of aligning the strategic objectives and Western Sydney Aerotropolis Plan in particular those relating to airport safeguarding provisions.

Part 3 Development controls—Airport safeguards

The applicant must ensure that the proposal is consistent with aviation safeguarding requirements contained within the Western Sydney Aerotropolis Planning Package. This includes the Western Sydney Aerotropolis Plan and the State Environment Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP). More specifically, the applicant must address Section 5 (Safeguarding the 24-hour airport) of the Western Sydney Aerotropolis Plan and Part 3 (Development Controls-Airport safeguard) of the Aerotropolis SEPP.

The site is within the 8 km wildlife buffer zone on the Wildlife Buffer Zone Map of the SEPP and careful consideration must be given to any proposed vegetation or landscaping to minimise wildlife attraction as per Part 3, Clause 21 of the Aerotropolis SEPP. It is also noted the proposal will not penetrate the obstacle limitation surface.

Wildlife Management

Please note, in accordance with Clause 21(2) of the Aerotropolis SEPP, development consent must not be granted to relevant development on land in the 13 km wildlife buffer zone unless the consent authority—

- a) has consulted the relevant Commonwealth body, and
- b) has considered a written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport provided by the applicant, which includes—
 - i. species, size, quantity, flock behaviour and the particular times of day or year when the wildlife is likely to be present, and
 - ii. whether any of the wildlife is a threatened species, and
 - iii. a description of how the assessment was carried out, and
- c) is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport, including, for example, measures relating to—
 - i. waste management, landscaping, grass, fencing, stormwater, or water areas, or
 - ii. the dispersal of wildlife from the land by the removal of food or the use of spikes, wire, or nets.

Page 46 of The EIS advises that the proponent has considered the Aerotropolis SEPP and it is noted the consent authority has previously consulted with WSA Co. in the preparation of the SEARS request to ensure compliance with aviation safeguarding requirements.

However, the written assessment of the wildlife is limited to a brief response on page 40 and 41 of the EIS. Noting, *“Given the nature of the proposed use, the proposal is not considered attract wildlife which may impact the operation of the Western Sydney Airport. The proposed development is for warehouse and distribution purposes with storage of goods being enclosed within buildings. The site does not propose any waste management facilities.”* On this basis, in reference to the Aerotropolis SEPP, particularly (b) in Clause 21(2) has not been sufficiently addressed.

Application assessed against the Western Sydney Aerotropolis Plan (WSAP)

The WSAP establishes a vision, objectives, and principles for the development of the Aerotropolis. Page 70 of the WSAP outlines the key considerations, strategic outcomes, and implementation strategies for the Mamre Road precinct. This advises the Mamre Road Precinct is to become an industrial warehousing and logistics precinct, given its connection to the proposed Western Sydney Freight Line and the lands not being suitable for noise sensitive land uses. Page 42 of the EIS provides an analysis of the proposal against the WSAP.

This quotes the WSAP from page 60 and 70, which identifies the following for the Mamre Road Precinct:

- Desirable land uses including warehousing and logistics, high technology industry, manufacturing, intermodal facilities, circular economy uses; and
- Strategic outcomes including in particular:
 - Opportunities for logistics and distribution, connecting Western Sydney to the broader freight network.
 - Support the future operations of the Airport through enabling export freight and logistics; and
 - Zoning to prioritise warehousing and distribution to support freight and logistics movements.

The proposed development generally meets these provisions of the Mamre Road Precinct; however, it is recommended an analysis of the proposal should also be given against the Aerotropolis planning principles contained in the Appendix (pages 92-94).

--- PAGE 3 of 3 ... END OF COMMENTS ---