



DOC21/361173-2

Shaun Williams
Planning and Assessment Division
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124
Email: shaun.williams@planning.nsw.gov.au

EPA Advice on SEARS Request

Dear Shaun

Thank you for the request for advice from Public Authority Consultation (PAE-18721742), requesting the NSW Environment Protection Authority (EPA) to provide input into Secretary's Environmental Assessment Requirements (SEARs) for the proposed food manufacturing facility (SSD 18204994) at 14 and 2 Distribution Drive, Orchard Hills.

The EPA has reviewed the following documents:

- Scoping Report for Secretary's Environmental Assessment Requirements (Version 1) – Willottree Planning Pty Ltd – 20/04/2021

The EPA understand the proposal is for:

- Bulk earthworks involving cut and fill works;
- Infrastructure comprising civil works and utilities servicing;
- Construction of an industrial manufacturing facility (20,225m²), comprising:
 - Warehouse area of 15,612m²
 - Second stage addition of 2,813m²
 - Ancillary office area of 1,800m²
 - 35 car parking spaces
 - Waste treatment plant
- Change of use of 3,500m² of existing warehouse to food manufacturing;
- Storage of dangerous goods, comprising:
 - Approximately 30kL of Class 8 – Packing Group II
 - Approximately 10kL of Class 2.2 (Nitrogen)

Based on the information provided, the proposal will require an environment protection licence under sections 43, 47 and 55 of the Protection of the Environment Operations Act 1997 (POEO Act) for Agricultural processing clause 2 of Schedule 1 of the POEO Act.

Phone 131 555
Phone +61 2 9995 5555
(from outside NSW)

TTY 133 677
ABN 43 692 285 758

Locked Bag 5022
Parramatta
NSW 2124 Australia

4 Parramatta Square
12 Darcy St, Parramatta
NSW 2150 Australia

info@epa.nsw.gov.au
www.epa.nsw.gov.au

The EPA requests that the EIS provide the following information and details

1. Standard Environmental Guidelines to be followed

a. Air Quality Impacts

The assessment should include a detailed Air Quality Impact Assessment (AQIA) for construction and operation of the project in accordance with the Approved Methods for the Modelling and Assessment of Air Pollutants in NSW.

The AQIA should:

- demonstrate how the development will comply with the relevant regulatory framework, specifically the POEO Act and the POEO (Clean Air) Regulation (2010); and
- include a cumulative local and regional air quality impact assessment, including odour.

Technical standards and guidelines

- [Approved Methods for the Modelling and Assessment of Air Pollutants in NSW](#) (EPA, 2016)
- [Approved Methods for the Sampling and Analysis of Air Pollutants in NSW](#) (DECC 2006)
- [Technical Framework – Assessment and Management of Odour from Stationary Sources in NSW](#) (DEC, 2006)
- [Generic Guidance and Optimum Model Settings for the CALPUFF Modelling System for Inclusion into the 'Approved Methods for the Modelling and Assessments of Air Pollutants in NSW, Australia](#) (OEH, 2011)
- [Ground-level ozone impact assessment framework](#) (EPA, 2015)

b. Water Quality Impacts

The assessment should demonstrate that:

- all practical options to avoid discharge have been investigated and implemented, and
- measures have been taken to reduce the level of contaminants in the discharge, so that any impact is reduced where a discharge is necessary.

Applicants must:

- identify and estimate the quality and quantity of all pollutants that may be introduced into the water cycle by source and discharge point
- describe the nature and degree of impact that any discharge(s) will have on the receiving environment. This includes consideration of all pollutants that pose a risk of non-trivial harm to human health and the environment (this should also include intercepted saline groundwater or acidic runoff generated by acid sulphate soil where appropriate).
- demonstrate assessment against the ambient NSW Water Quality Objectives and environmental values for the receiving waters relevant to the infrastructure activity. This includes the indicators and associated trigger values or criteria for the identified environmental values (this information should be sourced from the ANZECC (2000) criteria)
- assess the significance of any identified impacts, including consideration of the relevant environmental values and ambient water quality outcomes. Assessment of discharges to surface waters should be guided by the ANZECC (2000) guidelines, using local Water Quality Objectives.

Technical Standards and requirements

- [Approved Methods for the Sampling and Analysis of Water Pollutants in NSW](#) (DECC 2008)
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) (Australian and New Zealand Governments and Australian State and territory governments,).
- [NSW Water Quality and River Flow Objectives](#)
- [Using the ANZECC Guidelines and Water Quality Objectives in NSW](#) (DEC 2006)
- Managing Urban Stormwater: Soils and Construction Volume 1 (Landcom 2004) and Volume 2 (A. Installation of Services; B Waste Landfills; C. Unsealed Roads; D. Main Roads; E. Mines and Quarries) (DEC, 2008), [Stormwater Publications](#)
- [Environmental Guidelines for use of effluent by irrigation](#)
- [Storing and Handling Liquids: Environmental Protection](#) (EPA, 2007)

c. Noise Impacts

The impact of noise and vibration to protect the amenity and wellbeing of the community must be managed. Potential impacts should be minimised through the implementation of all feasible and reasonable mitigation measures.

Technical standards and guidelines

- [Noise Policy for Industry](#)
- [Interim Construction Noise Guideline](#)
- [ANZEC Guideline for Blasting](#)
- [Assessing Vibration: A Technical Guide](#)
- [Rail Noise Infrastructure Noise Guidelines](#) (EPA, 2013)
- [Road Noise Policy and Application Notes](#)

d. Waste Generation and Management

Different assessment requirements apply based on the type of facility (that is landfills, alternative waste treatment plants, liquid waste treatment plants, waste recovery facilities, building demolition waste processing yards, scrap metal yards, waste processing, waste fuel production, energy recovery facilities and in the context of Resource Recovery Orders and Exemptions). The waste transported, generated, or received as part of carrying out the activity should be minimised and managed in a way that protects all environmental values.

Technical standards and guidelines

- Waste guidelines and resources about legislation can be found at [Waste Avoidance and Resource Recovery Strategy and Waste regulations in NSW](#)
- [EPA's Waste Classification Guidelines](#) (EPA, 2014)
- [Environmental Guidelines: Solid Waste Landfills](#) (EPA, Second edition 2016)
- [Environmental Guidelines: Use and Disposal of Biosolids Products](#) (EPA, 1997)
- [Environmental Guidelines: Composting and Related Organics Processing Facilities](#) (EPA, 2004)
- [NSW Energy from Waste Policy Statement](#) (EPA, 2015)
- [Standards for managing construction waste in NSW](#) (EPA, 2018)

e. Contaminated Sites

An assessment should determine whether the land is likely to be contaminated and identify if remediation of the land is required. This assessment should have regard to the ecological and human health risks posed by the contamination in the context of past, existing and future land uses. Contaminated groundwater may also harm human health, the environment and the types of land uses that may safely be carried out on a contaminated site. Assessments should consider contamination in both land and groundwater.

Technical Standards and Guidelines

- The [Contaminated Land Management Compliance Statement](#) (NSW EPA 2018)
- [Guidelines for the NSW Site Auditor Scheme](#) (3rd edition) (NSW EPA, 2017).
- [Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997](#) (EPA, 2015)
- [Guidelines for Consultants Reporting on Contaminated Sites](#) (NSW OEH 2011).
- [Guidelines for the Assessment and Management of Groundwater Contamination](#) (NSW DEC 2007).
- [Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land](#) (DUAP and EPA, 1998) -
- [NSW EPA Sampling Design Guidelines](#) (NSW EPA, 1995).
- [The National Environment Protection \(Assessment of Contamination\) Measure 1999](#) (as amended 2013, NEPC 2013).
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) (ANZG 2018)
- [Australian and New Zealand Guidelines for Fresh and Marine Water Quality](#) - Water Quality for primary industries (ANZECC 2000)

f. Dangerous goods, hazardous substances and chemical waste

The assessment should demonstrate:


- how materials and wastes containing scheduled chemical wastes and other waste subject to a chemical control order (CCO) will be managed in accordance with a CCO and relevant National Management Plans.
- how the requirements of the Radiation Control Act 1990 and the Radiation Control Regulation 2013 will be met.

Technical Standards and Guidelines

- [Chemical control order requirements](#)
- [Dangerous Goods](#) requirements
- [Pesticides](#) requirements

If you have any questions about this request, please contact Joanne Bell on 02 9274 6285 or via email at joanne.bell1@epa.nsw.gov.au.

Yours sincerely



18 May 2021

Erin Barker
Manager Regulatory Operations
Regulatory Operations Metropolitan West



Our ref: DOC21/376346

Senders ref: SSD 18204994 (Penrith)

Shaun Williams
Environmental Assessment Officer
Energy Resource Assessment
Planning and Assessment Group
Department of Planning, Industry and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

Dear Mr Williams,

Subject: Request for SEARs for Snack Brands Manufacturing Facility, 14 and 2 Distribution Drive, Orchard Hills (SSD 18204994)

Thank you for your e-mail received on 3 May 2021, requesting input from Environment, Energy and Science Group (EES) in the Department of Planning, Industry and Environment (DPIE) on the Request for SEARs for Snack Brands Manufacturing Facility, 14 and 2 Distribution Drive, Orchard Hills. EES has reviewed the scoping report prepared by Willow Tree Planning dated April 2021 and provides the following comments and recommendations at **Attachment A**.

Biodiversity

EES recommends the proponent addresses the attached standard EES biodiversity requirements. Please note in relation to point (4) of the standard EES biodiversity environmental assessment requirements in Attachment A the minimum information and spatial data requirements are in Tables 24 and 25 of the Biodiversity Assessment Method (BAM), and as required more broadly by the revised BAM 2020. Other requirements, such as those relating to the BAM Calculator and Biodiversity Offsets and Agreements Management System (BOAMS), are detailed in various guidelines, practice notes, updates and other advices issued by EES to BAM accredited assessors – see <https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity/accredited-assessors/assessor-resources>.

Flooding

EES recommends the proponent addresses the attached standard EES flooding requirements.

Water and Soils

EES recommends the proponent addresses the attached standard EES flooding requirements.

Should you have any queries regarding this matter, please contact Bronwyn Smith, Senior Conservation Planning Officer on 9873 8604 or bronwyn.smith@environment.nsw.gov.au

Yours sincerely

12/05/21

Susan Harrison
Senior Team Leader Planning
Greater Sydney Branch

Attachment A – EES Environmental Assessment Requirements – Snack Brands Manufacturing Facility, 14 and 2 Distribution Drive, Orchard Hills (SSD 18204994)

Biodiversity
<p>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).</p> <p>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.</p> <p>3. The BDAR must include details of the measures proposed to address the offset obligation as follows:</p> <ul style="list-style-type: none">• 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. <p>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.</p> <p>4. The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM.</p> <p>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.</p>

Water and soils
<p>6. The EIS must map the following features relevant to water and soils including:</p> <ul style="list-style-type: none"> 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.
<p>7. The EIS must describe background conditions for any water resource likely to be affected by the development, including:</p> <ul style="list-style-type: none"> 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 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.

Flooding and coastal hazards

9. The EIS must map the following features relevant to flooding as described in the Floodplain Development Manual 2005 (NSW Government 2005) including:
- a. Flood prone land.
 - b. Flood planning area, the area below the flood planning level.
 - c. Hydraulic categorisation (floodways and flood storage areas)
 - d. Flood Hazard.
10. The EIS must describe flood assessment and modelling undertaken in determining the design flood levels for events, including a minimum of the 5% Annual Exceedance Probability (AEP), 1% AEP, flood levels and the probable maximum flood, or an equivalent extreme event.
11. The EIS must model the effect of the proposed development (including fill) on the flood behaviour under the following scenarios:
- a. Current flood behaviour for a range of design events as identified in 14 above. This includes the 0.5% and 0.2% AEP year flood events as proxies for assessing sensitivity to an increase in rainfall intensity of flood producing rainfall events due to climate change.

12. Modelling in the EIS must consider and document:

- a. Existing council flood studies in the area and examine consistency to the flood behaviour documented in these studies.
- b. The impact on existing flood behaviour for a full range of flood events including up to the probable maximum flood, or an equivalent extreme flood.
- c. Impacts of the development on flood behaviour resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories
- d. Relevant provisions of the NSW Floodplain Development Manual 2005.

13. The EIS must assess the impacts on the proposed development on flood behaviour, including:

- a. Whether there will be detrimental increases in the potential flood affectation of other properties, assets and infrastructure.
- b. Consistency with Council floodplain risk management plans.
- c. Consistency with any Rural Floodplain Management Plans.
- d. Compatibility with the flood hazard of the land.
- e. Compatibility with the hydraulic functions of flow conveyance in floodways and storage in flood storage areas of the land.
- f. Whether there will be adverse effect to beneficial inundation of the floodplain environment, on, adjacent to or downstream of the site.
- g. Whether there will be direct or indirect increase in erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.
- h. Any impacts the development may have upon existing community emergency management arrangements for flooding. These matters are to be discussed with the NSW SES and Council.
- i. Whether the proposal incorporates specific measures to manage risk to life from flood. These matters are to be discussed with the NSW SES and Council.
- j. Emergency management, evacuation and access, and contingency measures for the development considering the full range of flood risk (based upon the probable maximum flood or an equivalent extreme flood event). These matters are to be discussed with and have the support of Council and the NSW SES.
- k. Any impacts the development may have on the social and economic costs to the community as consequence of flooding.

(END OF SUBMISSION)



Our reference: ECM: 9578065
Contact: Gavin Cherry
Telephone: (02) 4732 8125

19 May 2021

Shaun Williams
NSW Department of Planning and Environment
Email: shaun.williams@planning.nsw.gov.au

Dear Mr Williams

**Response to Notification of Request for SEAR's: Snack Brands
Manufacturing Facility SSD-18204994 – 14 Distribution Drive, Orchard Hills**

I refer to the Department's request to provide comments in relation to the above development proposal. Thank you for providing Council with the opportunity to comment.

The following comments are provided for the Department's consideration in relation to this matter.

Planning Considerations

The critical consideration with this proposal will be the edge conditions and associated landscape design to the public domain.

Detailed landscape plans will be required that support the SSD application and these plans should provide for a layering of canopy tree planting within the site that complements streetscape planting.

Further planting within car parking areas should be undertaken as per Council's DCP requirements and should be of sufficient dimensions to accommodate canopy trees.

Engineering Considerations

Stormwater Management

- Stormwater discharge from the site shall comply with Mamre West Land Investigation Area DCP and the water quality and quantity controls approved under the parent subdivision SSD-7173.
- A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.



- The application shall include MUSIC modelling (*.sqz file) demonstrating compliance with Section 5.2 of the Mamre West Land Investigation Area DCP.

Waterways Considerations

The scoping report indicates that a suitable stormwater management cycle is proposed which includes a Water Sensitive Urban Design (WSUD) strategy capable of achieving the relevant stormwater and pollution reduction targets across the site.

Rainwater harvesting should / would also be applied across the site (where considered practical), which will incorporate re-use in irrigation methods and recycled potable water components, i.e. toilet flushing.

Councils' waterways team prefers naturally vegetated system such as raingardens instead of cartridge filters. If a raingarden cannot be provided, evidence and justification supporting this outcome must be provided.

All proposed WSUD systems must be accompanied by an electronic MUSIC model in sqz format to confirm compliance with councils WSUD policy.

Environment Considerations

Food Fit-out Details

It is requested that the applicant provide detailed plans, sections and elevations of food handling and storage areas as part of the SSD lodgement package. The submitted plans and drawings must demonstrate compliance with, AS4674 and Food Safety Standard 3.2.3 Food Premises & Equipment. It is also suggested that the NSW Food Authority be consulted to determine if they would require a referral as the operation of the premises will be regulated by this authority and not Council.

Environment Protection Licence (EPL) – NSW EPA

Schedule 1 of the Protection of the Environment Operations Act 1979 (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out. Page 18 of the Scoping Report confirms the need for an EPL with the NSW EPA – “The proposed operations are expected to exceed the general agricultural processing capacity threshold of 30,000 tonnes of agricultural products per year, pursuant to item 2, Part 1 of Schedule 1 of the POEO Act. As such, an environment protection licence (EPL) will be required for the proposed operations”. It is suggested that the NSW EPA be consulted to determine if they would like a referral or not as the operation of the premises will be regulated by this authority and not Council.

Noise Impacts

The main source of noise generated by commercial development is from the operation of machinery, loading and unloading, deliveries and equipment. In particular, noise generated from air conditioning, exhaust and refrigeration systems have been major sources of noise complaints received by Council. In this regard. Section C12.4 C of Council's Development Control Plan states: “All development applications where the above controls are relevant are required to

provide a Noise Impact Statement prepared by a qualified acoustic consultant in accordance with the requirements set out in the DA Submission Requirements Appendix of this DCP”.

Due to the proposed operation involving 24 hour operation and its proximity to residential receivers, an acoustic assessment is required to be submitted as part of the development application to demonstrate that the proposed development will not have any noise impact on nearby sensitive receivers, including nearby residences and workplaces. This Report is to be prepared by a suitably qualified acoustic consultant and is to consider:

- The ‘NSW Noise Policy for Industry’ in terms of assessing the noise impacts associated with the development, all noise generating activities on the site (including, but not limited to, use of plant and equipment – air conditioning, cooling towers and condensers, deliveries, traffic and car parking) and the location of nearby workplaces and residents;
- Given the proposed hours of operation, the acoustic report should also consider the requirements of the NSW EPA’s Sleep Disturbance Criteria; and
- the Interim Construction Noise Guideline in assessing the impacts associated with the construction phase of the development.

Should mitigation measures be necessary, recommendations should be included to this effect and should be shown on all architectural plans.

Table 5 on page 26 of the Scoping Report addresses noise and confirms: “It is noted that a complete Noise Impact Assessment would be undertaken by a suitably qualified Acoustic Engineer to confirm the proposed development does not exceed the relevant acoustic emissions criteria”.

Air Quality Impacts

Table 5 on page 27 discusses possible air impacts. The Report states: “Potential sources of odour include:

- Rooftop ventilation units, which draw air from within the facility
- Fryer exhaust stacks
- Wastewater treatment plant tanks”.

A formal Air Quality Assessment is required. This documentation would need to specifically consider the development proposed, including the site, location of receivers, scale of operations and processes involved (including those outlined above from the scoping report). The assessment must be prepared by a suitably qualified environmental consultant. This assessment is to consider the relevant NSW Environment Protection Authority (EPA) Guidelines and criteria, including the ‘Approved Methods for the Modelling and Assessment of Air Pollutants’ and the Protection of the Environment Operations (Clean Air) Regulation 2010, and the location of nearby workplaces and residents.

It is noted that the scoping report confirms the applicant’s intention to complete an Air Quality Assessment – “An Air Quality Impact Assessment Report prepared

by a suitably qualified expert would accompany the EIS in accordance with the NSW EPA requirements”.

SEPP 55 – Remediation of Land

The application is to address all relevant requirements under State Environmental Planning Policy 55 Remediation of Land (SEPP 55). Council cannot support any development unless these requirements have been satisfied. Should remediation be required this will require development consent by virtue of the overlay of SEPP 55 and SREP 20 provisions in combination. The application is to demonstrate that the land is suitable for the proposed purpose. Any Reports need to be completed by an appropriately qualified person(s) or company. An appropriately qualified person(s) is defined as “a person who, in the opinion of the Council, has a demonstrated experience or access to experience in hydrology, environmental chemistry, soil science, eco-toxicology, sampling and analytical procedures, risk evaluation and remediation technologies.

It is noted that page 20 of the submitted Scoping Report states: “A Phase 1 contamination investigation was carried out as part of SSD-7173, which concluded there are no sources of contamination on site, the site is suitable for industrial uses and there is low potential for subsurface contamination. The proposal involves an industrial use for food manufacturing, which is deemed suitable for the subject site”. Council is not aware of the date of when the abovementioned report was prepared or the conclusions made in the report. It is therefore recommended that the report be submitted along with further information confirming if there has been any activity at the site since the report was written that has the potential to alter the previous conclusions or recommendations.

SEPP 33 – Hazardous and Offensive Development

Page 19 of the Scoping Report states: “To facilitate the operational use of the proposed food manufacturing facility, there will be some hazardous substances stored on site. The proposed operations involve the storage of approximately 30kL of Class 8 – Packing Group II, which exceeds the State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33) threshold for Class 8 corrosives, as such a Preliminary Hazard Analysis will form part of the EIS”. As a result, a Preliminary Hazard Analysis should be submitted.

Waste Management

A Waste Management Plan is to be provided addressing waste produced during the construction and operational phases of the development. It should address waste quantities, storage locations, waste classification and removal. Vehicular access for collection also needs to be addressed. I note that Council's Waste Services section has more prescriptive requirements for these types of developments.

Regulated Systems

These types of development may include a water cooled system. These systems are regulated under the Public Health Act and Regulations made thereunder and have specific installation, operation and maintenance requirements. Should the development include a regulated system(s) as defined under the Public Health Act, details should be submitted to Council including, but not limited to, the number of systems, type of systems, system details and location of system.



Water Quality Management

Any areas provided for waste/bin storage and washing are to be connected to sewer with provision of hot and cold water as well as drained to appropriately to Sydney Water's sewage system. During the meeting, the applicant advised the property was connected to both potable water and sewer through Sydney Water's networks.

Erosion & Sediment Control

The applicant should provide a detailed Erosion & Sediment Control Plan to Council prior to the determination of this application that conforms to Council's Development Control Plan including, but not limited to:

- Location of stockpiles during construction;
- Location & details of all-weather access;
- Location & details of erosion and sediment control measures – sediment fences, vegetation strips etc;
- Location & details of stormwater pit protection measures (internal & external); and
- Location of waste storage area during construction.

General Environmental Health Impacts

The environmental impacts associated with the construction and operational phases of the development will also need to be addressed, such as water quality, noise, dust, erosion and sediment control and air quality. This can be included in the Statement of Environmental Effects.

Traffic Management and Road Design Considerations

- The development should be supported by a Traffic Impact Assessment of the proposed development, road and footway network, heavy vehicle and light vehicle access, complying number of heavy vehicle parking, loading and manoeuvring areas and complying numbers of light vehicle staff and visitor parking spaces including compliance with Australian Standards, Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines and Council's Development Control Plans (DCPs) including DCP C10.
- The Traffic Impact Assessment should include the proposed development driveway accesses for heavy vehicles and visitor / staff car parks, sight distance compliances at driveways, arrangements for waste collection vehicles, emergency / fire service vehicles and other service vehicles, accessible parking and at least 1.8 metre wide accessible pedestrian access from the road frontage the office building, and at least 1.5m wide accessible pedestrian access to the car park to others buildings, car parking and bicycle provision numbers and bicycle facilities, electric vehicle charging station provisions and manoeuvring swept turn paths.

This should include compliances with Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines, AS 2890 including parts 1, 2 & 6, AS 1158, NSW Government Walking and Cycling Guidelines and Council's Development Control Plans (DCPs) including DCP C10.

- The Traffic Impact Assessment and documentation should include dimensioned plans of the proposed accessible paths of travel, kerb ramps, driveways, access aisles, loading and vehicle swept path manoeuvring areas, parking spaces, accessible parking, sight distance requirements at intersections and driveways including compliance with Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines, AS 2890 including parts 1, 2 & 6, AS 1158, NSW Government Walking and Cycling Guidelines and Council's Development Control Plans.
- The entry and exit for any car parking areas to and from a public road is to be separate from any heavy vehicle access. The car park entry/ exit and any conflict with heavy vehicles include emergency/ fire service vehicles and waste collection vehicles should be removed or justified to be limited and managed.
- A minimum of four Electric Vehicle Charging Stations (EVCS) are to be provided within the car parking areas of the warehouse development. The charging stations are to be designed to accommodate the requirement of commercially available public vehicles and their required connector types (currently known as Type 1 and Type 2 connectors). A minimum of six additional car parking spaces are to be designed to be readily retrofitted as EVCS parking spaces. The installed EVCS car parking spaces are to be signposted and marked as for the use of electric vehicles only and are to be located as close as possible to the building accesses after accessible parking space priority. EVCS are to be free of charge to staff and visitors.
- Complying numbers of secure, all weather bicycle parking, end of journey facilities, change rooms, showers, lockers are to be provided at convenient locations at each warehouse development in accordance with Council Development Control Plan (DCP) C10 Section 10.7, AS 2890.3 Bicycle Parking Facilities and Planning Guidelines for Walking and Cycling (NSW Government 2004).
- Appropriate signage, visible from the public road and on-site shall to be installed to reinforce designated vehicle circulation and to direct staff / delivery vehicle drivers / service vehicle drivers / visitors to on-site parking, delivery and service areas.
- The required sight lines around the driveway entrances and exits are not to be compromised by street trees, landscaping or fencing.
- Sight distance requirements at verges, footpaths and driveways are to be in accordance with AS 2890.2 Figure 3.3 and Figure 3.4.



- All vehicles shall enter and leave to site in a forward direction.

Further Engagement Processes

Engagement with Penrith City Council following the issues of SEAR's is to be pursued via Council's Pre-lodgement Meeting processes. A pre-lodgement meeting can be arranged with key officers involved in the review of SSD applications which will result in detailed advice that can then be tabled with DPIE as evidence of consultation and engagement in the preparation of the final SSD Application. The applicant should be advised that fees apply for this service in accordance with Council's adopted Schedule of Fees & Charges.

Should you wish to discuss any aspect of Council's comments further, please do not hesitate to contact me on (02) 4732 8125.

Yours sincerely

Gavin Cherry
Development Assessment Coordinator



19 May 2021

TfNSW Reference: SYD21/00574/01
Departments Reference: SSD-18204994

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

Attention: Shaun Williams

Dear Mr Williams

**REQUEST FOR SEARS - SNACK BRANDS MANUFACTURING FACILITY - 14 & 2
DISTRIBUTION DRIVE, ORCHARD HILLS**

Reference is made to the Department's correspondence dated 6 May 2021, requesting Transport for NSW (TfNSW) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

TfNSW has reviewed the submitted scoping report and other supporting documentation and provides the following advice for consideration to the draft SEARs in **Attachment A – Key Issues**.

Mamre Road is being investigated for the long term widening and will likely alter the intersections of Mamre Road/Distribution Drive and Mamre Road/James Erskine Drive.

Due to the Covid-19 Pandemic, counts undertaken at the moment may not be representative. Alternative approaches to understand the impact of Covid-19 on traffic patterns should be discussed with TfNSW.

It is suggested the applicant meet with TfNSW to discuss these issues and the options available prior to undertaking a traffic impact assessment.

If you have any further questions, Ms Laura van Putten would be pleased to take your call on (02) 8849 2480 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Pahee'.

Pahee Rathan
Senior Land Use Assessment Coordinator
Transport for NSW

Attachment A – Key Issues

Transport and Accessibility

Provide a transport and accessibility impact assessment, which includes, but is not limited to the following:

1. Details of all traffic types and volumes likely to be generated by the proposed development during construction and operation, including a description of haul route origins and destinations, including:
 - a. Daily inbound and outbound vehicle traffic profile by time of day and day of week (if travel patterns differ across the week);
 - b. Site and traffic management plan on how to manage number of vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the surrounding road network;
 - c. Detailed plan of proposed layout of internal road network to demonstrate that the site will be able to accommodate the most productive vehicle types and parking on site in accordance with the relevant Australian Standard and Council's Development Control Plan;
 - d. Plans detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes;
 - e. Swept path diagrams to demonstrate vehicles entering, exiting and manoeuvring throughout the site;
 - f. An assessment of the forecast impacts on traffic volume generated on road safety and capacity of road network including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model as prescribed by TfNSW (former Roads and Maritime). The traffic modelling should consider the scenarios of year 2026, 2031, 2036. These should include, but not be limited to:
 - i. Mamre Road at Bakers Lane;
 - ii. Mamre Road at Distribution Drive;
 - iii. Mamre Road at James Erskin Drive; and
 - iv. Mamre Road at Erskine Park Road.
 - g. To ensure that the above requirements are fully addressed, an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model. This is to include the identification and consideration of approved and proposed developments/planning proposals/road upgrades in the vicinity. The assessment needs to consider the impact on Mamre Road for the

duration of the works because traffic growth in this area is expected to increase more quickly than standard growth rates;

- h. details of road upgrades, infrastructure works, or new roads or access points required for the development;
 - i. details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and specific Workplace Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site;
 - j. details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed development; and
 - k. measures to integrate the development with the existing/future public transport network.
 - l. The preparation of a preliminary Construction Pedestrian and Traffic Management Plan (CPTMP) to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:
 - i. assessment of cumulative impacts associated with other construction activities (if any);
 - ii. an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity;
 - iii. details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process;
 - iv. details of anticipated peak hour and daily construction vehicle movements to and from the site;
 - v. details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle;
 - vi. details of temporary cycling and pedestrian access during construction.
2. Traffic Counts:
- TfNSW requests that any counts undertaken are not within close proximity to the school holidays/long weekend.

Counts undertaken within close proximity to these events may not indicate normal traffic conditions. Ideally vehicle counts should be undertaken during a typical day, to include Thursday (or Wednesday) and Friday for the study (not near school/public holidays). This will provide the departments with an accurate understanding of the existing traffic conditions and the actual impact of this development application to the surrounding network.

Should the date of the counts be within a week either side of the above events, it will be recommended that new counts are undertaken at more appropriate dates and are to include a breakdown of light and heavy vehicles.

Flooding:

The EIS shall:

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

Statutory and Strategic Framework

The applicant is to demonstrate that the proposal is generally consistent with all relevant environmental planning instruments including:

- State Environmental Planning Policy (Western Sydney Employment Area) 2009 Amendment
- State Environmental Planning Policy (Infrastructure) 2007
- Draft State Environmental Planning Policy (Western Sydney Aerotropolis)

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

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

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:

- Transport for NSW