



## Planning & Environment

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Mr Matthew O'Donnell  
McKenzie Group Consulting Planning (NSW) Pty Ltd  
Level 6, 189 Kent Street  
Sydney NSW 2000

Our ref: SSD 6407

Dear Mr O'Donnell

**Amended SEARs for a Stage 1 Concept proposal for a commercial/retail development, subdivision and early works at Fifteenth Avenue, West Hoxton (SSD 6407)**

Thank you for your letter dated 29 January 2015 where you provided detail of amendments to the proposed State Significant Development application at Fifteenth Avenue, West Hoxton.

The Department of Planning and Environment has reviewed the revised development proposal and attaches a copy of the amended Secretary's environmental assessment requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for a proposed development. These requirements have been prepared based on the information you have provided to date. Please note that the Secretary may alter these requirements at any time.

If you do not lodge a DA and EIS for the development within 2 years, you must consult further with the Secretary in relation to the preparation of the EIS.

Prior to exhibiting the EIS that you submit for the proposed development, the Department will review the document in consultation with the relevant agencies to determine if it addresses the requirements in Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*.

It would be appreciated if you would contact the Department at least two weeks before you propose to submit your EIS that will enable P&I to:

- confirm the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- determine the number of copies (hard-copy and CD-ROM) of the EIS that will be required for reviewing and exhibition purposes.

If your development is likely to have a significant impact on matters of National Environmental Significance, it will require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Department of Sustainability, Environment, Water, Population and Communities to determine if an approval under the EPBC Act is required (<http://www.environment.gov.au> or 6274 1111).

Your contact officer, Amy Watson, can be contacted on 02 9228 6379 or at [amy.watson@planning.nsw.gov.au](mailto:amy.watson@planning.nsw.gov.au). Please mark all correspondence regarding the proposal to the attention of the contact officer.

Yours sincerely

Ben Lusher  
Manager  
Key Sites



## Amended Secretary's Environmental Assessment Requirements

Section 78A(8A) of the *Environmental Planning and Assessment Act*  
Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*

<b>Application Number</b>	SSD 6407
<b>Proposal Name</b>	Stage 1 development application for a commercial precinct including: <ul style="list-style-type: none"> <li>• demolition;</li> <li>• bulk earthworks and construction of estate infrastructure, landscaping, car parking and internal access road;</li> <li>• subdivision; and;</li> <li>• concept proposal for site layout, land uses, building envelopes and design guidelines.</li> </ul>
<b>Location</b>	Fifteenth Avenue, West Hoxton
<b>Applicant</b>	Western Sydney Parklands Trust
<b>Date of Issue</b>	11 FEBRUARY 2015.
<b>General Requirements</b>	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>Notwithstanding the key issues specified below, the EIS must include an environmental risk assessment to identify the potential environmental impacts associated with the development.</p> <p>Where relevant, the assessment of the key issues below, and any other significant issues identified in the risk assessment, must include:</p> <ul style="list-style-type: none"> <li>• adequate baseline data;</li> <li>• consideration of potential cumulative impacts due to other development in the vicinity; and</li> <li>• measures to avoid, minimise and if necessary, offset the predicted impacts, including detailed contingency plans for managing any significant risks to the environment.</li> </ul> <p>The EIS must be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>• 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 proposal, including details of all assumptions and components from which the CIV calculation is derived;</li> <li>• an estimate of the jobs that will be created by the future development during the construction and operational phases of the development; and</li> <li>• certification that the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS for the staged development application must address the following specific matters:</p> <p><b>1. Relevant EPIs, Policies and Guidelines</b></p> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011;</li> <li>• State Environmental Planning Policy (Western Sydney Parklands) 2009;</li> <li>• State Environmental Planning Policy No.55 – Remediation of Land;</li> <li>• State Environmental Planning Policy (Infrastructure) 2007;</li> </ul>



	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Major Development) 2005; and</li> <li>• Liverpool Local Environmental Plan 2008.</li> </ul> <p><i>Permissibility</i> Detail the nature and extent of any prohibitions that apply to the development.</p> <p><i>Development Standards</i> Identify compliance with the development standards applying to the site.</p> <p><b>1. Policies</b> Address the relevant planning provisions, goals and strategic planning objectives in the following:</p> <ul style="list-style-type: none"> <li>• NSW 2021: A Plan to make NSW Number One;</li> <li>• Metropolitan Plan for Sydney 2036;</li> <li>• Draft Metropolitan Strategy for Sydney 2031;</li> <li>• South West Subregion: Draft Subregional Strategy;</li> <li>• Western Sydney Parklands Plan of Management 2020;</li> <li>• Planning for Bushfire Protection 2006;</li> <li>• NSW Government Flood Prone Land Policy (1984) as set out in the Floodplain Development Manual (2005);</li> <li>• Draft Centres Policy 2009;</li> <li>• Relevant Development Contribution Plans;</li> <li>• Liverpool Community Strategic Plan 2021; and</li> <li>• Liverpool Development Control Plan 2008.</li> </ul> <p><b>2. Strategic Justification</b> Provide detailed analysis of the various development options considered for the site and the evolution of the preferred development option (commercial/retail development) with the rationale for identifying the subject site as the preferred location for future development.</p> <p><b>3. Economic Impacts</b></p> <ul style="list-style-type: none"> <li>• Clarify the nature of the intended future land uses. Assess the supply and demand for the future land uses facilitated by the proposal, and include a detailed justification in relation to the demand for the intended future land uses; and</li> <li>• Address the economic implications the future land uses will have on existing and planned retail/commercial centres in the trade area and the viability of existing nearby retail/commercial centres within the trade catchment.</li> </ul> <p><i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> <li>• <i>Liverpool Retail Centres Hierarchy Review 2012;</i></li> <li>• <i>The Business Centres and Corridors Strategy Review 2013; and</i></li> <li>• <i>Liverpool Economic Profile 2013.</i></li> </ul> <p><b>4. Site Layout and Urban Design</b></p> <ul style="list-style-type: none"> <li>• Provide urban design guidelines and design parameters for the entire site which address the future subdivision layout and design for the development including but not limited to staging, site layout, open space and public domain, connectivity, building mass, site coverage, setbacks, floor space distribution, building height, building articulation, materials and finishes, parking, landscaping, signage, vehicle and pedestrian access and circulation, loading and servicing, safety and amenity;</li> <li>• Identify the location of the land required for the future widening of Fifteenth Avenue in consultation with Liverpool City Council and Roads and Maritime Services;</li> <li>• Address potential land use conflicts associated with current and planned future neighbouring uses, in the layout and potential building footprints/envelopes. Include spatial separation, siting, noise mitigation,</li> </ul>
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and a suitable design response incorporating appropriate presentation to the public domain, and landscaping using endemic species;

- Provide an assessment of any geo-technical and/or topographical limitations (such as site soils and slope) and, if necessary, design considerations that address these limitations; and
- Outline how the extent of cut and fill associated with the proposal has been minimised.

#### **5. Ecologically Sustainable Development (ESD)**

- Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Environmental Planning and Assessment Regulation 2000) will be incorporated in the design, construction and ongoing operation phases of the development; and
- Include a description of the measures that would be implemented to minimise consumption of resources, water and energy, including an Integrated Water Management Plan which details any proposed alternative water supplies, proposed end uses of potable and non-potable water, and demonstrates water sensitive urban design and any water conservation measures.

#### **6. Traffic and Transport**

- Provide a detailed traffic and transport assessment including an analysis of existing traffic conditions and estimated traffic generated by the proposed development;
- Assess the cumulative traffic impacts on the safety and efficiency of the local road network (consider existing and proposed development in Austral, West Hoxton and Middleton Grange) and intersection capacity, with a detailed intersection performance analysis of the Fifteenth Avenue and Twenty Seventh Avenue intersection;
- Identify the potential need and outline any funding agreement for intersection/road improvement works to accommodate the traffic impact of the proposed development in consultation with Liverpool City Council and Roads and Maritime Services;
- Provide an analysis of likely pedestrian movements to and within the development including access to public transport services and measures to ensure pedestrian safety;
- Provide a travel plan outlining measures to promote sustainable means of transport including the provision of facilities to increase the non-car mode share for travel to and from the site;
- Provide details of the proposed access and parking provisions and the requirements of the relevant parking codes and Australian Standards and details of the proposed service vehicle movements (including vehicle type and the likely arrival and departure times).

##### *Relevant Policies and Guidelines:*

- *Guide to Traffic Generating Developments (RMS);*
- *EIS Guidelines – Road and Related Facilities (DoPI); and*
- *NSW Planning Guidelines for Walking and Cycling.*

#### **7. Noise and Vibration**

Identify the main noise and vibration generating sources and activities at all stages of construction, and any noise sources during operation. Outline measures to minimise and mitigate potential noise and vibration impacts on surrounding occupiers of land.

##### *Relevant Policies and Guidelines:*

- *NSW Industrial Noise Policy (EPA);*
- *NSW Road Noise Policy (DECCW 2011);*
- *Interim Construction Noise Guideline (DECC); and*
- *Assessing Vibration: A Technical Guideline 2006.*



	<p><b>8. Staging</b> Provide details regarding the staging of the proposed development.</p> <p><b>9. Utilities</b> In consultation with relevant agencies and through the preparation of an integrated water/infrastructure management plans, detail the existing capacity and any augmentation requirements of the utilities for the development, including water and waste water supply, staging of infrastructure, and potential impacts on environmental performance.</p> <p><b>10. Contributions</b> Identify contributions which are to be established for the development, including relevant Section 94 Contribution Plans and/or details of any Voluntary Planning Agreement.</p> <p><b>11. Stormwater, Flooding and Water Management</b></p> <ul style="list-style-type: none"> <li>• Provide a detailed analysis of the stormwater runoff (including potential overland flooding impacts) for the site and all adjacent areas, to ensure the pre-development flow regime is maintained for all design storm events, including and up to the 100 year ARI storm event;</li> <li>• Outline the safe water run-off arrangements from the site towards the Sydney Water Channel in consultation with Sydney Water;</li> <li>• Assess the impacts on surface and ground water sources (both quality and quantity), watercourses, riparian land and groundwater dependent ecosystems, and measures proposed to mitigate impacts;</li> <li>• Provide a detailed water quality impact assessment including water quality modelling to assess and address the impacts on stormwater runoff from the development site;</li> <li>• Identify management strategies for the existing dam on the site including disposal of sediment and water; and</li> <li>• Provide details of on-site stormwater treatment facilities to ensure all gross pollutants and liquid contaminants are captured and removed from stormwater runoff.</li> </ul> <p><b>12. Bulk Earthworks and Waste</b></p> <ul style="list-style-type: none"> <li>• Detail the management of earthworks across the site including measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and airborne pollutants;</li> <li>• Provide a bulk earthworks strategy including details of volume/s of soil to be excavated, removed from the site, or imported to the site and cut and fill diagrams;</li> <li>• Identify measures to ensure future construction works do not impact on water quality; and</li> <li>• Identify, quantify and classify the likely waste streams to be generated during construction and the measures to be implemented to manage, reuse, recycle and safely dispose of this waste.</li> </ul> <p><i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> <li>• <i>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA); and</i></li> <li>• <i>Managing Urban Stormwater-Soils &amp; Construction Volume 1 2004 (Landcom) and Volume 2 (DECC 2008).</i></li> </ul> <p><b>13. Contamination</b></p> <ul style="list-style-type: none"> <li>• Provide a preliminary site assessment, and further detailed site assessment and remedial action plan/s (if applicable), to demonstrate that the site is suitable, or can be made suitable, for the proposed use in accordance with SEPP 55; and</li> <li>• Identify measures for the management and disposal of any hazardous materials from the demolition/removal of existing buildings/structures</li> </ul>
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	<p>(including dams).</p> <p><i>Relevant Policies and Guidelines:</i></p> <ul style="list-style-type: none"> <li>• <i>EPA Guidelines, under the Contaminated Land Management Act.</i></li> </ul> <p><b>14. Flora and Fauna</b></p> <ul style="list-style-type: none"> <li>• Assess the impact on flora and fauna, including threatened species, populations and endangered ecological communities and their habitats, in accordance with the Office of Environment and Heritage (OEH) <i>Threatened Species Survey and Assessment Guidelines</i> and any relevant draft or recovery plans; and</li> <li>• Identify any steps to mitigate or offset any identified impacts to the environment in accordance with the <i>NSW Offset Principles for Major Projects (state significant development and state significant infrastructure)</i> issued by OEH on 17 July 2013.</li> </ul> <p><b>15. Heritage</b></p> <ul style="list-style-type: none"> <li>• Assess the potential impact on the heritage significance of any listed heritage items in the vicinity of the site including the adjoining Kirkpatrick-Boyland Park and the nearby Sydney Water Channel; and</li> <li>• Address Aboriginal cultural heritage in accordance with the <i>Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (2005)</i> and <i>Aboriginal Cultural Heritage Consultation Requirements for proponents (DECCW, 2010)</i>. Impacts to Aboriginal cultural heritage must be avoided or adequately mitigated (in consultation with Aboriginal stakeholders).</li> </ul> <p><b>16. Archaeological Impact</b></p> <p>If relevant, an archaeological study is to be carried out on the site to identify any European and/or aboriginal archaeological impacts associated with the proposed development. Address recommendations in any archaeological zoning plan or archaeological management plan held by Liverpool City Council.</p>
<p><b>Plans and Documents</b></p>	<p>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.</p> <p>In addition, the EIS must include the following:</p> <ul style="list-style-type: none"> <li>• Concept Development Plans and a Site Analysis Plan;</li> <li>• Draft Plan of Subdivision and Road Layout Plan;</li> <li>• Demolition Plan;</li> <li>• Site Survey Plan, showing existing levels, location and height of existing and adjacent structures/buildings;</li> <li>• Crime Prevention Through Environmental Design Principles Report (Stage 1);</li> <li>• Noise and Vibration Impact Assessment (Stage 1);</li> <li>• Bushfire Assessment;</li> <li>• Economic Impact Assessment;</li> <li>• Visual Impact Analysis/Photomontages (Stage 1);</li> <li>• Acid Sulfate Soil Assessment;</li> <li>• Stormwater Concept Plan;</li> <li>• Sediment and Erosion Control Plan (Stage 1);</li> <li>• Concept Landscape Plan (Stage 1);</li> <li>• Construction Management Plan, inclusive of a Construction Traffic Management Plan and construction methodology (Stage 1);</li> <li>• Aborist Report;</li> <li>• Remediation Plan (if applicable).</li> </ul>

<b>Consultation</b>	<p>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.</p> <p>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 these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further consultation after 2 years</b>	<p>If you do not lodge a development application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Secretary in relation to the preparation of the EIS.</p>