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

Application Numbers	SSD 10397 and SSD 7348 MOD 3	
Development	 Construction and operation of a warehouse and distribution centre within the approved Oakdale West Estate and associated modifications to the approved concept layout, including: a State 2 Development Application for the construction and operation of a warehouse and distribution centre including: four level warehouse providing gross lettable area of 189,130 square metres and associated office space concrete hardstand, truck and car parking, internal road network, landscaping, utilities and services Modifications to the approved concept plan for the Oakdale West Estate including: masterplan layout and staging increase in gross lettable area internal road network changes to civil design, retaining wall, building pad levels, noise wall and stormwater basin increase in building height. 	
Location	2 Aldington Road, Kemps Creek (Lot 11 in DP 1178389) in the Penrith City Council Local Government Area	
Applicant	Goodman Property Services (Aust) Pty Ltd	
Date of Issue	15 November 2019	
General Requirements	 The Environmental Impact Statement (EIS) for the development must meet the form and content requirements in clauses 6 and 7 of Schedule 2 of the Environmental Planning and Assessment Regulation 2000. In addition, the EIS must include: a detailed description of the development, including: the need for the proposed development justification for the proposed development likely staging of the development likely interactions between the development and existing, approved and proposed operations in the vicinity of the site plans of any proposed building works. consideration and justification of any inconsistencies with these instruments, including identification and justification of any inconsistencies with these instruments a detailed assessment of the development against the approved concept plan and conditions for future development applications, included in SSD 7348 a risk assessment of the key issues for further assessment a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: a description of the existing environment, using sufficient baseline data an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes 	

	• 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) of the development as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000, including details of all components of the CIV an estimate of the jobs that will be created by the development during the construction and operational phases of the development certification the information provided is accurate at the date of preparation.
Kaviaavaa	
Key issues	 The EIS must address the following specific matters: Consistency with the Approved Oakdale West Estate Concept Plan – including: detailed assessments of the potential impacts of the development against the approved Concept Plan including but not limited to urban design and visual impact, traffic and transport and noise and vibration; and justifications for any departures from the approved Concept Plan. Community and Stakeholder Engagement – including: a community and stakeholder participation strategy identifying key community members and other stakeholders and the proposed consultation approach; issues raised by the community and surrounding land owners and occupiers; details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development; and details of the proposed approach to future community and stakeholder engagement based on the results of consultation. Urban Design - including: a detailed urban design review of the proposed changes to approved building heights, design and setbacks in the context of the entire Oakdale West Estate concept Plan and Penrith Development Control Plan 2014 including but not limited to building height, setbacks, landscaping and site coverage; assessment in accordance with Clause 31 Design Principles of the State Environmental Planning Policy (Western Sydney Employment Area) 2009; and a landscaping plan showing proposed landscaping within the setback areas and car park, in the context of the building height, colour, scale, building materials and finishes, signage and lighting, from nearby public receivers and significant vantage points of the broaded public domain; a comparison of the finished ground levels, building height, setbacks and landscaping of the approved concept plan and the proposed development in the context of visual impacts at key receptors; and a a traffic Impac
	 impacts on nearby intersections; details of access to the site from the road network including intersection
	 location, design and sight distance; an assessment of predicted impacts on road safety and the capacity of the
	road network to accommodate the development;

	 detailed plans of the proposed site access and parking provision on site in accordance with the relevant Australian Standards and with reference to the approved concept plan (SSD 7348); and details of impact mitigation, management and monitoring measures. Noise and Vibration- including: a description of all potential noise and vibration sources during the construction and operational phases of the development, including on and off-site traffic noise; a cumulative noise impact assessment of all potential noise sources in accordance with relevant Environment Protection Authority guidelines; demonstration of compliance with the noise limits set out in condition B18, Schedule B of development consent SSD 7348; and details of noise mitigation, management and monitoring measures. Soil and Water – including: justify the need for any additional fill, detail the resulting finished ground levels and describe any changes to the approved drainage design; a detailed and consolidated site water balance; assessment of potential impacts on surface and groundwater sources (quality and quantity), soil (including contamination, salinity and acid sulphate soil), related infrastructure, watercourses;
	 describe surface and stormwater management measures designed in accordance with Penrith City Council's Water Sensitive Urban Design Policy and principles, including drainage design, on-site detention, measures to treat or reuse water, and proposed uses of portable and non-potable waters; a description of the proposed erosion and sediment controls during construction and operational phases of the development; and details of impact mitigation, management and monitoring measures. Infrastructure Requirements – including: details of infrastructure required on the site and identification of any upgrades required to facilitate the development; details of any impacts on existing easements; an assessment of the impacts of the development (construction and operation) on existing infrastructure surrounding the site; an assessment of any other risks to the integrity and security of the Water NSW pipelines corridor that may result from the development and the proposed measures to be taken to mitigate those risks and impacts including vibration on the pipelines, soil and water, and infrastructure interaction with the pipelines corridor: and
	 the pipelines corridor; and an assessment of the impacts of the development on drainage paths, in particular Ropes Creek and the impacts on the pipelines and associated corridors. Subdivision – including details of any proposed subdivision and demonstration the lots will be released in an orderly and coordinated manner, with appropriate access and servicing. Waste Management – including details of the quantities and classification of waste streams generated during construction and operation and proposed storage, handling and disposal requirements. Biodiversity – including an assessment of how biodiversity impacts have been addressed through the Oakdale West Estate Concept Plan or a waiver for the preparation of a Biodiversity Development Assessment Report under the <i>Biodiversity Conservation Act 2016</i>. Air Quality – including an assessment of air quality impacts at private properties during construction and operation, in accordance with Environment Protection Authority guidelines and details of mitigation, management and monitoring measures. Energy Efficiency – including an assessment of the energy uses on-site and the proposed energy efficiency measures.
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. You should provide these 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: Penrith City Council (former) Roads and Maritime Services (now part of TfNSW) Transport for NSW Water NSW Climate Change and Sustainability Branch, Department of Planning, Industry and Environment (former Office of Environment and Heritage, Greater Sydney Region) Water Group, Department of Planning, Industry and Environment (former Department of Industry, Lands and Water) TransGrid Endeavour Energy surrounding residents and stakeholders. 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, an explanation should be provided. 	
Further consultation after 2 years	If you do not lodge an EIS for the development within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to any further requirements for lodgement.	
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans as identified. While not exhaustive, the following attachment contains a list of some of the guidelines, policies, and plans that may be relevant to the environmental 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: <u>http://www.planning.nsw.gov.au</u> <u>https://www.australia.gov.au/about-government/publications</u>

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 (sqm) 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. Locality/context plan drawn at an appropriate scale should be submitted indicating:
 - significant local features such as heritage items
 - 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:
 - detailed plans, sections and elevations of the existing building, which clearly show all proposed internal and external alterations and additions.

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
- Other copies as determined by the Department once the development application is lodged.

Policies, Guidelines & Plans		
Aspect	Policy /Methodology	
Traffic and Tra	ansport	
	Guide to Traffic Generating Developments (RTA 2002)	
	RMS Road Design Guide	
	Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings (Austroads 2019)	
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2019)	
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads 2014)	
	State Environmental Planning Policy (Infrastructure) 2007	
	Future Transport Strategy 2056	
	NSW Port and Freight Plan 2018-2023	
Noise and Vib	ration	
	Noise Policy for Industry (EPA 2017)	
	NSW Road Noise Policy (EPA 2011)	
Noise	Environmental Criteria for Road Traffic Noise (EPA 1999)	
	Interim Construction Noise Guideline (DECC 2009)	
	Assessing Vibration: A Technical Guideline (DEC 2006)	
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure	
Vibration	and Ground Vibration (ANZECC 1990)	
	BS 6472-1:2008 Guide to evaluation of human exposure to vibration in buildings.	
	Vibration sources other than blasting (2008)	
Soil and Wate		
	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)	
Soil	Draft Guidelines for the Assessment & Management of Groundwater Contamination	
	(DECC) State Environmental Planning Policy No. 55 – Remediation of Land	
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)	
	Acid Sulfate Soils Manual (Stone et al. 1998)	
	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)	
Surface Water	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)	
	NSW State Rivers and Estuaries Policy (1993)	
	State Water Management Outcomes Plan	
	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 2004)	
	Managing Urban Stormwater: Treatment Techniques (DECC 1997) Managing Urban Stormwater: Source Control (DECC)	
	Technical Guidelines: Bunding & Spill Management (DECC)	

Aspect	Policy /Methodology
	NSW Floodplain Development Manual 2005
	NSssW Guidelines for Controlled Activities on Waterfront Land (NOW 2012) National Water Quality Management Strategy Guidelines for Groundwater Protection in
	Australia (ARMCANZ/ANZECC 1995)
	NSW State Groundwater Policy Framework Document (DLWC 1997)
	NSW State Groundwater Quality Protection Policy (DLWC 1998)
	NSW State Groundwater Dependent Ecosystems Policy (DLWC 2002)
Groundwater	NSW State Groundwater Quantity Management Policy (DLWC 2002)
	Guidelines for the Assessment and Management of Groundwater Contamination (DEC
	2007)
	NSW Aquifer Interference Policy (NOW 2012)
	MDBC Guidelines on Groundwater Flow Modelling 2000
	Australian Groundwater Modelling Guidelines (NWC 2012)
	Environmental Guidelines: Use of Effluent by Irrigation (DECC 2004)
	Environmental Guidelines: Storage and Handling of Liquids (DECC 2007)
	National Water Quality Management Strategy - Guidelines For Water Recycling:
	Managing Health And Environmental Risks (Phase 1) 2006 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of
Wastewater	Drinking Water Supplies 2008 (EPHC, NRMMC & AHMC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems -
	Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use
	of Reclaimed Water (ARMCANZ/ANZECC)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI
	2015)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities
	(DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Air Quality an	
	Protection of the Environment Operations (Clean Air) Regulation 2010
Air Quality	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016)
<u> </u>	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
Odour	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines
Gas	(NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
Fire and inclu	lent Management
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
	Draft Planning for Bushfire Protection (NSW Rural Fire Service 2018)
Hazards and	Risk
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines
	(DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)

Aspect	Policy /Methodology	
	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)	

ATTACHMENT 2 Government Authority and Council Responses to Request for Key Issues

Bruce Zhang

Subject: FW: Oakdale West Estate Stage 2 - Proposed Modification No. 3 - Response to Request for SEARs

From: Gavin Cherry Sent: Thursday, 14 November 2019 9:17 AM

To: Cc:

Subject: Oakdale West Estate Stage 2 - Proposed Modification No. 3 - Response to Request for SEARs

Morning Bruce,

I refer to the attached documents and the email below submitted to Council for comment. Please find comments below which I hope can incorporated into the SEAR's for the applicant to address in any DA progressed.

Planning Matters

The necessity for any additional fill and the resulting finished ground levels should be confirmed given the previous approvals and drainage strategy that underpins the original consent as amended. It should be demonstrated the amended subdivision pattern, spatial arrangement of the proposed built form, the location and configuration of proposed parking and the landscape setbacks have suitably responded to natural topography.

The proposal provides a significant height non-compliance to the applicable DCP for this precinct. The reasoning for the height non-compliance is not derived from suggestions for high bay clearance (due to the number of levels and floor to ceiling heights proposed). The height limits in the DCP would have been derived from a character and contextual analysis relevant at the time of its adoption. If there is a suggestion that a variation of this extent can be considered, then the application must consider the strategic intentions and reasoning behind the adopted height controls as they currently exist, and then provide analysis for how a variation contextually integrates with the planned outcomes for the entire precinct. Given a site by site departure is not appropriate, the concept plan component should consider and propose suitable alternate building heights for specific nominated sites within the development based on lot size, lot depth and overall orientation. If it is deemed that the DCP height limits are no longer reasonable or suitable contextually, the determination of the concept plan amendment should establish what heights, the consent authority deems to be suitable and reasonable based on a precinct wide analysis.

Given the extent of building height variation, and the contextual analysis that is necessary to underpin this extent of variation, it is recommended that an urban design review panel processes be undertaken. While this is not necessarily typical of industrial and commercial development, the variations sought and massing of the proposal is considered to warrant this level of contextual consideration and demonstration of design quality (if not design excellence). It is recommended that the State Design Review Panel be afforded consideration of this proposal as a development of this scale would be typically considered through Council's Urban Design Review Panel, where Council was the applicable consent authority. This review could consider the built form outcomes proposed but also consider the suitability of the contextual analysis that supports the request for height variation and how changes to height should be considered across the precinct as a whole.

In combination with the height variations above, the landscape setbacks and parking locations should respond to the increased heights sought through increased and proportionate landscape setbacks. Where a height of the extent proposed is considered, landscape setbacks should be increased to reflect the proportionate extent of the variation and / or provide a layering of landscaping within the public domain setback zones and throughout the hard stand areas. The intention being to accommodate tree planting and canopy shade to ameliorate the bulk and scale of the built form. The current plans suggest a 6.0m road setback which is not a proportionate increase reflective of the variation to height. There is also nil landscaping in the hard stand setback to Estate Road 1. The setback to estate road 1 should be increased as a proportionate response to the height sought, or the landscape design should

consider capability for naturalised mounding and depict how landscaping and canopy tree planting within the site, coupled with street tree planting can achieve the above objective. Estate Road 2 provides the same setback however landscaping is provided throughout the car park. The feasibility and viability of this landscaping through the car park is questioned and opportunities to group the planting into more meaningful and large planting bays, coupled with the setback zone and street tree planting should be further considered.

Thank you for the opportunity to comment on the draft SEAR's and the proposal as submitted. If I can provide any further clarification on the comments above please don't hesitate to contact me on **second second**.

Gavin Cherry

Development Assessment Coordinator



From: Sent: Thursday, 7 November 2019 9:30 AM To: Cc:

Subject: Oakdale West Estate Stage 2 Development SEARs

EXTERNAL EMAIL: This email was received from outside the organisation. Use caution when clicking any links or opening attachments.

Dear Peter and Gavin

As discussed during our last week meeting, Goodman Property Services (Aust) Pty Ltd submitted a Scoping Report for the Oakdale West Estate Stage 2 development.

The attached are the Scoping Report and the draft SEARs. It is greatly appreciated if you can provide Council's input on the SEARs by **Thursday 14 November 2019**.

We will send you the Stage 2 plans including 3D montages showing the contextual relationship of the Stage 2 building within the broader Oakdale West Estate shortly.

Should you have any questions, please do not hesitate to contact me.

Kind regards

Bruce Zhang Industry Assessments | Department of Planning, Industry and Environment

320 Pitt Street SYDNEY 2000





Mr Bruce Zhang Environmental Assessment Officer Industry Assessments Department of Planning & Environment GPO Box 39 SYDNEY NSW 2001

Dear Mr Zhang,

Oakdale West Industrial Estate, Kemps Creek, Penrith (SSD 7348) - Advice in relation to the Environmental Assessment Requirements for proposed Modification 3

Thank you for your recent correspondence requesting Transport for NSW (TfNSW) provide advice in relation to the above.

The proposed modification seeks to facilitate change to the concept design and layout of precincts 2 and 3, including the precinct layout and staging and minor modifications to road layout, building heights, pad levels and Gross Lettable Area (GLA).

The relevant documentation has been reviewed and TfNSW advises any update or amendment to State Environmental Assessment Requirements (SEARs) should include the relevant planning, policy and legislation documents. This includes the removal of references to *NSW Long Term Transport Masterplan (2014)* to be replaced with *Future Transport Strategy 2056* and the *NSW Port and Freight Plan 2018-2023*.

Yours sincerely



11/11/2019

Mark Ozinga Principal Manager Land Use Planning and Development

CD19/08963



PO Box 398, Parramatta NSW 2124 Level 14, 169 Macquarie Street Parramatta NSW 2150 www.waternsw.com.au ABN 21 147 934 787

14 November 2019

Contact:	Justine Clarke
Telephone:	
Our ref:	D2019/131770

Bruce Zhang Industry Assessments Department of Planning, Industry & Environment 320 Pitt Street SYDNEY NSW 2001

Dear Mr Zhang

Input to Secretary's Environmental Assessment Requirements for Oakdale West Estate (SSD 7348) – Stage 2 Modification 3

Thank you for your email dated 7 November 2019 requesting WaterNSW's input into the preparation of SEARs for Stage 2 Modification 3 of SSD 7348, Oakdale West Estate.

WaterNSW owns and manages the Warragamba Pipelines, which are critical water supply infrastructure located along the northern boundary of the Oakdale West Estate site.

WaterNSW has previously commented on various aspects of the Estate and, as part of this assessment, WaterNSW requests the SEARs include the following to protect Sydney's critical water supply infrastructure:

- An assessment of any other risks to the integrity and security of the Pipelines corridor that
 may result from the development and the proposed measures to be taken to mitigate those
 risks and impacts. Specific issues include impacts of vibration on the Pipelines, soil and
 water, and infrastructure interaction with the Pipelines corridor.
- An assessment of the impacts of the proposed development on drainage paths, in particular Ropes Creek and the impacts on the Pipelines and associated corridor.

WaterNSW supports the proposed revised layout for precinct 2, including the realignment of estate road 2, creating a further buffer between the estate and the Pipelines corridor.

WaterNSW affirms the need for ongoing consultation throughout the development of the Oakdale West Estate, specifically in relation the preparation of the EIS and for development on proposed new combined Lot 2A (formerly 2A and 2B) adjoining the Pipelines corridor.

WaterNSW would appreciate being advised when the EIS is exhibited for further review and requests the Department continues to consult with us on any development that may impact on our assets, infrastructure or land, using the email address <u>Environmental.Assessments@waternsw.com.au</u>

If you have any questions regarding this letter, please contact Justine Clarke at

Yours sincerely

CLAY PRESHAW Manager Catchment Protection