



Secretary's Environmental Assessment Requirements



Owen Walsh
Development Director
Sydney Business Park
15 Hollinsworth Road
MARSDEN PARK NSW 2756

SSD 9153
EF18/3228

Dear Mr Walsh

**State Significant Development – Secretary's Environmental Assessment Requirements
ASICS Warehouse and Distribution Centre, 4 Darling Street, Marsden Park (SSD 9153)**

Please find attached the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an Environmental Impact Statement (EIS) for the above mentioned development.

These SEARs have been prepared in consultation with relevant government agencies (see **Attachment 2**), and are based on the information you have provided to date. Please note that the Secretary may alter these SEARs at any time, and that you must consult further with the Secretary if you do not lodge a development application (DA) and EIS for the development within two years of the date of issue of these SEARs.

I wish to emphasise the importance of effective and genuine community consultation and the need for proposals to proactively respond to the community's concerns. Accordingly, a comprehensive, detailed and genuine community consultation engagement process must be undertaken during preparation of the EIS. This process must ensure that the community is both informed of the proposal and actively engaged in issues of concern to them. Sufficient information must be provided to the community so it has a good understanding of what is proposed and any potential impacts.

If the proposal is likely to have a significant impact on matters of National Environmental Significance, it may require an approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). If an EPBC Act approval is required, please advise accordingly, as the Commonwealth approval process may be integrated into the NSW approval process, and supplementary SEARs may need to be issued. This approval would be in addition to any approvals required under NSW legislation and it is your responsibility to contact the Commonwealth Department of the Environment and Energy to determine if an approval under the EPBC Act is required for your proposal.

Please contact the Department at least **two weeks** before you propose to submit the DA and EIS for the development. This will enable the Department to confirm:

- the applicable fee (see Division 1AA, Part 15 of the *Environmental Planning and Assessment Regulation 2000*); and
- consultation and public exhibition arrangements including the number of copies (hard-copy and USB) of the DA and EIS that will be required.

If you have any enquiries, please contact Thomas Piovesan on (02) 9274 6356 or via email at thomas.piovesan@planning.nsw.gov.au.

Yours sincerely

Chris Ritchie

Director

Industry Assessments

as the Secretary's nominee

22/3/18.

Secretary's Environmental Assessment Requirements

Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*

State Significant Development

Application Number	SSD 9153
Development	Development of a warehouse and distribution facility with ancillary offices, a showroom and retail outlet, private open space consisting of a playing field and sports courts, car parking, signage and supporting infrastructure and services.
Location	4 Darling Street, Marsden Park, Blacktown (Part Lots 303 and 304 and Lot 305 DP 1213756)
Applicant	Marsden Park Developments Pty Ltd
Date of Issue	March 2018
General Requirements	<p>The Environmental Impact Statement (EIS) must meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>Environmental Planning and Assessment Regulation 2000</i>. The EIS must include:</p> <ul style="list-style-type: none"> • a detailed description of the development including: <ul style="list-style-type: none"> – need and justification for the development; – alternatives considered; – likely staging of the development; – details of any proposed consolidation or subdivision of land; – likely interactions between the development and any existing, approved and proposed developments in the vicinity of the site; – plans of any proposed works; – infrastructure upgrades or items required to facilitate the development, and description any arrangements to ensure the upgrades will be implemented in a timely manner and maintained; • consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments; • a risk assessment of any potential environmental impacts of the development, identifying the issues for further assessment; • detailed assessment, where relevant, of the key issues below, and any other potential significant issues identified in the risk assessment, which must include: <ul style="list-style-type: none"> – a description of the existing environment, including sufficient baseline data; – an assessment of the potential impacts of the development, including any cumulative impacts due to other development in the vicinity; – a description of the measures that would be implemented to avoid, minimise and if necessary, offset the predicted potential impacts, including strategies for adaptive management and/or contingency plans to manage any significant risks to the environment; and • a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS. <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> • a detailed calculation of the Capital Investment Value (CIV) (as defined in clause 3 of the <i>Environmental Planning and Assessment Regulation 2000</i>) of the development, including details of all assumptions and components from which the CIV calculation is derived; • an estimate of the jobs that will be created by the development during the construction and operational phases of the development; and

	<ul style="list-style-type: none"> • certification that the information provided is accurate at the date of preparation.
Key issues	<p>The EIS must include an assessment of the potential impacts of the proposal (including cumulative impacts) and develop appropriate measures to avoid, mitigate, manage and/or offset these impacts. The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> • Strategic Context – including: <ul style="list-style-type: none"> – detailed justification for the proposal having regard to its location and impacts, the suitability of the site and public interest; – details of the relationship and interactions between all components of the proposal; and – demonstration that the proposal is generally consistent with all relevant planning strategies, environmental planning instruments and draft district plan(s) or adopted precinct plans and justification for any inconsistencies. • Community and Stakeholder Engagement – including: <ul style="list-style-type: none"> – a detailed community and stakeholder participation strategy which identifies who in the community has been consulted and a justification for their selection, other stakeholders consulted and the form(s) of the consultation, including a justification for this approach; – a report on the results of the implementation of the strategy including issues raised by the community and surrounding occupiers and landowners that may be impacted by the proposal; – details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the proposal; and – details of the proposed approach to future community and stakeholder engagement based on the results of the consultation. • Traffic and Access – including: <ul style="list-style-type: none"> – a quantitative Traffic Impact Assessment prepared in accordance with the relevant Council, Austroads and Roads and Maritime Services guidelines using current traffic counts and cumulative traffic from surrounding existing and approved development and the proposed development; – details of all daily and peak traffic and transport movements likely to be generated by the development during construction and indicative operation (vehicle type, public transport, pedestrian and bicycle trips); – an assessment of impacts to the safety, capacity and function of the surrounding road network and key intersections; – details of the largest vehicle anticipated to access and move within the site, including swept path analysis; – details of the likely arrival and departure times for vehicles for all components of the proposed development; – details and plans of the internal road network, loading dock servicing and provisions and on-site parking provision in accordance with the relevant Australian Standards; and – details of any necessary road upgrades, new roads or access points required for the proposed development. • Soil and Water – including: <ul style="list-style-type: none"> – a description of water demand and a breakdown of water supplies; – a description of the measures to minimise water use; – details of proposed erosion and sediment controls during construction and operation; – details of the surface and stormwater management system, designed in accordance with Water Sensitive Urban Design principles, including on-site detention and measures to treat or re-use water; – an assessment of potential surface and groundwater impacts; – the source of any fill material or destination of excavated material; – volumes of proposed cut and fill works, the quality of the fill to be placed or soil to be excavated and measures to minimise its extent; and

	<ul style="list-style-type: none"> – details of impact mitigation, management and monitoring measures. • Urban Design – including: <ul style="list-style-type: none"> – layout of the development including staging, site coverage, setbacks, proposed open space and landscaping; – the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks, if applicable; – details of the design choices of the development layout and finishes, including consideration of alternatives; – a detailed description (including photomontages and perspectives) of the proposal including height, colour, scale, building materials and finishes, signage and lighting from nearby public receivers and significant vantage points within the broader public domain; and – details of suitable landscaping incorporating locally native species. • Noise and Vibration – including: <ul style="list-style-type: none"> – a qualitative noise impact assessment which demonstrates the project can meet the minimum default noise levels of the EPA's Noise Policy for Industry (2017); – details of the proposed and likely hours of operation; and – details of mitigation, management and monitoring measures. • Infrastructure Requirements – including: <ul style="list-style-type: none"> – a detailed description of existing infrastructure on-site; – details of any works proposed near or within the TransGrid Sydney West – Sydney North No. 1, 330 KV transmission line easement and associated assets including car parking, fencing and any built element associated with the proposed private open space; and – plans of the development in 3D DXF format identifying the horizontal and vertical clearances of the development in relation to the transmission line. • Waste Management – including: <ul style="list-style-type: none"> – details of waste handling including, transport, identification, receipt, stockpiling, quality control and disposal; and – the measures that would be implemented to ensure the development is consistent with the aims, objectives and guidelines in the <i>NSW Waste Avoidance and Resource Recovery Strategy 2014-21</i>. • Air Quality and Odour – including: <ul style="list-style-type: none"> – a description of all potential dust and odour sources and predicted dust and odour emissions from construction and operation; and – details of mitigation, management and monitoring measures for preventing and/or minimising emissions. • Contributions – including: <ul style="list-style-type: none"> – Blacktown City Council - Section 94 Contributions Plan No. 21 – Marsden Park Industrial Precinct; and – Environmental Planning and Assessment Amendment (Western Sydney Growth Areas – Special Contributions Area) Determination 2011.
Plans and Documents	<p>The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the <i>Environmental Planning and Assessment Regulation 2000</i>. Those documents should be included as part of the EIS rather than as separate documents.</p>
Consultation	<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>In particular you must consult with:</p> <ul style="list-style-type: none"> • Blacktown City Council; • TransGrid; • Roads and Maritime Services; • Transport for New South Wales; • Office of Environment and Heritage; • Sydney Water; and • any other public transport or community service providers.

	The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to those issues. Where amendments have not been made to address an issue, a short explanation should be provided.
Further consultation after 2 years	If you do not lodge an application under Section 4.12(8) of the <i>Environmental Planning and Assessment Act 1979</i> within 2 years of the issue date of these SEARs, you must consult with the Secretary in relation to the requirements for lodgement.
References	The assessment of the key issues listed above must take into account relevant guidelines, policies, and plans. While not exhaustive, Attachment 1 contains a list that may be relevant to the assessment of this development.

ATTACHMENT 1

Technical and Policy Guidelines

The following guidelines may assist in the preparation of the Environmental Impact Statement. This list is not exhaustive and not all of these guidelines may be relevant to your proposal.

Many of these documents can be found on the following websites:

<http://www.planning.nsw.gov.au>

<http://www.epa.nsw.gov.au/>

<http://www.environment.nsw.gov.au/>

<http://www.dpi.nsw.gov.au/>

Plans and Documents

The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Environmental Planning and Assessment Regulation 2000. Provide these as part of the EIS rather than as separate documents.

In addition, the EIS must include the following:

1. An existing site survey plan drawn at an appropriate scale illustrating:
 - the location of the land, boundary measurements, area (sq.m) and north point;
 - the existing levels of the land in relation to buildings and roads;
 - location and height of existing structures on the site;
 - location and height of adjacent buildings and private open space; and
 - all levels to be to Australian Height Datum (AHD).
2. A locality/context plan drawn at an appropriate scale indicating:
 - significant local features;
 - the location and uses of existing buildings, shopping and employment areas; and
 - traffic and road patterns, pedestrian routes and public transport nodes.
3. Drawings at an appropriate scale illustrating:
 - draft plan of subdivision prepared by a registered surveyor;
 - detailed earthworks plan;
 - stormwater concept plan;
 - landscape plan; and
 - Construction Management Plan, inclusive of a Construction Traffic Management Plan and construction methodology and staging.

Documents to be Submitted

Documents to submit include:

- 1 hard copy and 1 electronic copy of all the documents and plans for review prior to exhibition; and
 - Additional copies as determined by the Department once the development application is lodged
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Policies, Guidelines and Plans

Aspect	Policy /Methodology
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Traffic and Access	
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	Guide to Traffic Generating Development (RTA)
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	Planning Guidelines for Walking and Cycling
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	Austrroads Guide to Traffic Management – Part 12: Traffic Impacts of Development
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Policies, Guidelines and Plans

Aspect	Policy /Methodology
	Cycling Aspects of Austroads Guides
	Road Design Guide (RTA)
	NSW 2021
	NSW Long Term Transport Master Plan
Soil and Water	
	National Water Quality Management Strategy: Water quality management - an outline of the policies (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Policies and principles - a reference document (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Implementation guidelines (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)
	National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)
	Using the ANZECC Guideline and Water Quality Objectives in NSW (DEC)
	State Water Management Outcomes Plan
<i>Surface Water</i>	Water Guidelines for Controlled Activities (DPI)
	NSW Government Water Quality and River Flow Environmental Objectives (DECC)
	Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DEC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
	Managing Urban Stormwater: Treatment Techniques (DECC)
	Managing Urban Stormwater: Source Control (DECC)
	Technical Guidelines: Bunding & Spill Management (DECC)
	Floodplain Development Manual (DIPNR)
	Floodplain Risk Management Guideline (DECC)
	A Rehabilitation Manual for Australian Streams (LWRRDC and CRCCH)
	Technical Guidelines: Bunding & Spill Management (DECC)
	Managing Urban Stormwater: Soils & Construction (Landcom)
<i>Erosion and Sediment</i>	Design Manual for Soil Conservation Works - Technical Handbook No. 5 (Soil Conservation Service of NSW)
	Soil and Landscape Issues in Environmental Impact Assessment (DLWC)
	Wind Erosion – 2nd Edition
	National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)
	NSW State Groundwater Policy Framework Document (DLWC)
<i>Groundwater</i>	NSW State Groundwater Quality Protection Policy (DLWC)
	NSW State Groundwater Quantity Management Policy (DLWC) Draft
	The NSW State Groundwater Dependent Ecosystem Policy (DLWC)
	Guidelines for the Assessment and Management of Groundwater Contamination (DECC) Draft
	NSW Aquifer Interference Policy (NOW)
	Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites (ANZECC & NHMRC)
<i>Soil</i>	National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPC)
	State Environmental Planning Policy No. 55 – Remediation of Land

Policies, Guidelines and Plans	
Aspect	Policy /Methodology
	Managing Land Contamination – Planning Guidelines SEPP 55 – Remediation of Land (DOP)
Noise and Vibration	Interim Construction Noise Guideline (DECC) Assessing Vibration: a technical guide (DEC) Noise Policy for Industry (EPA, 2017) Environmental Criteria for Road Traffic Noise (EPA) Noise Guide for Local Government (EPA)
Waste	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA 2014) EPA's Waste Classification Guidelines Environmental Guidelines: Assessment Classification and Management of Non-Liquid and Liquid Waste (NSW EPA)

ATTACHMENT 2
Public Authority Responses to Request for Key Issues

Your ref: SSD 9153
File no: MC-18-00002

15 March 2018

Industry Assessments
NSW Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: Thomas Piovesan

Dear Thomas,

**Re: SSD 9153 Input into Secretary's Environmental Assessment
Requirements for the ASICS warehouse and distribution facility at Part Lots
303 & 304, and Lot 305, in DP 1213756, 4 Darling Street, Marsden Park**

I refer to your correspondence dated 28 February 2018, requesting that Council provide input with regard to the Secretary's Environmental Assessment Requirements (SEARs) for the above proposal, which proposes to construct and operate a 25,000 sqm warehouse and distribution facility. Blacktown City Council appreciates the opportunity to provide comments on the key issues and assessment requirements for the proposed application.

We met with the Applicant on 13 March 2018 and we have undertaken a preliminary review of this proposal. We request that the comments identified in **Attachment A** to this letter be included in the SEARs.

We also trust that all owners and occupiers within a suitable catchment from the proposed development will be informed of this proposal.

If you would like to discuss this matter further, please contact me on 9839 6000.

Yours faithfully,



Judith Portelli

Manager Development Assessment

ATTACHMENT A

Further to the items to be addressed as identified in the Preliminary Environmental Assessment, the following items are requested to be included in the SEARS:

Planning Matters

The proposal is to clearly demonstrate the permissibility of all proposed land uses are permissible. If relevant, the proposal is to provide planning justification for any retail use, including for any future tenants of the site. This is of particular importance if the retail component is a detached building.

Details of the private use of the playing field and its purpose.

The proposal is to undertake a full and detailed assessment of potential impacts of the proposal on nearby residential areas. Any measures to mitigate these potential impacts in the design of the proposal and management of operational matters are to be detailed, with particular reference to noise generating activities undertaken during the night period and truck reversing beepers.

Details of the proposed pedestrian / cycle pathways are to be provided to ensure that these are appropriately located, capable of being provided in a safe manner, and provide appropriate connections to public roads and pathways.

Details are to be provided regarding the proposed cut and fill, levels, and location and height of retaining structures are to be provided. This is to include the proposed levels relative to the surrounding land, roads and pathways.

The application is to address the importation of any fill material protocol and will be required to be certified at the source by a suitably qualified consultant as VENM fill material, non-slightly saline and non-aggressive to concrete or steel.

Details of any measures with regard to Water Sensitive Urban Design and Ecologically Sustainable Development.

The proposal is to demonstrate that appropriate landscaping is provided to accommodate tree planting that is capable of growth to a large mature size for aesthetic benefits and to provide opportunities for shading.

Details of any subdivision of the land, including if any existing easements or restrictions on the land are proposed to be extinguished. The land the subject of this proposal is to be a separate formal lot prior to the issue of any occupation certificate.

Traffic Management

The following comments are provided by Council's Access and Transport Management section:

A Traffic Impact Assessment is to be submitted which addresses parking requirements,

truck manoeuvring, road safety, etc.

The proposal is to demonstrate that compliant car parking provision is provided for this tenant, and is capable of being provided for any future tenants which may result in a change in use.

Engineering and Drainage

The engineering works are to be designed in accordance with the relevant aspects of the following documents:

- (a) Blacktown City Council's Engineering Guide for Development (Current Version)
- (b) Blacktown City Council Growth Centre Precincts Development Control Plan (Current Version)
- (c) Blacktown City Council Development Control Plan (Current Version) including Part J – Water Sensitive Urban Design and Integrated Water Cycle Management

Section 94 Contributions

The applicant shall contribute to any Section 94 or Section 94A contributions plan that apply to the development, and is in force at the date of consent.



Department of Industry

OUT18/4258

Mr Thomas Piovesan
Industry Assessments
NSW Department of Planning and Environment

thomas.piovesan@planning.nsw.gov.au

Dear Mr Piovesan

**ASICS Warehouse and Distribution Facility (SSD 9153)
Request for input to SEARs**

I refer to your email of 12 March 2018 to the Department of Industry in respect to the above matter. Comment has been sought from relevant branches of Lands & Water. Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

The department has reviewed the Preliminary Environmental Assessment and recommends the EIS be required to address the following:

- An assessment of impacts to surface and groundwater sources including water use, water licensing arrangements, impacts on water users, waterfront land and aquifers, as well as compliance with relevant policies.

Yours sincerely

Alison Collaros
A/Manager Assessments
19 March 2018



DOC18/122056-01
SSD 9153

Thomas Piovesan
Senior Planning Officer – Industry Assessments
NSW Department of Planning and Environment
320 Pitt St GPO Box 39
Sydney NSW 2001

Dear Mr Piovesan

ASICS Facility – 4 Darling Street Marsden Park SSD 9153 Request for Response to Secretary's Environmental Assessment Requirements

I refer to your request for Secretary's Environmental Assessment Requirements (SEARs) for the environmental impact statement (EIS) of the proposed ASICS facility at 4 Darling Street, Marsden Park, which was received by the Environment Protection Authority (EPA) on 28 February 2018.

Based on the information provided, the proposal will involve the construction of ASICS warehouse, distribution and retail facility within the Sydney Business Park, part of the Marsden Park industrial precinct. This proposal is considered a State Significant Development under Part 4, Division 4.1 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) due to the capital investment value (CIV) of \$53,922,966. However, the proposal does not involve facilitation of a scheduled activity under the *Protection of Environment Operations Act 1997* (POEO Act) and will not require an Environmental Protection Licence (EPL).

The construction activities will pose certain environmental risks that needs to be addressed. Due to this the EPA identifies the following information to be included in the EIS:

- detailed information of the site's proposed stormwater infrastructure, including the drainage systems for separation of dirty and clean areas during construction and operation, must be included in the proposed Stormwater Management Plans;
- a map showing the location of all the sensitive receptors including the residential land users that will be affected by dust and noise during the construction and operational activities including the mitigation measures proposed to minimise these impacts;
- detailed information about the wastes generated during construction and operation of the facility, including the mitigation measures proposed to manage the wastes; and
- the proposed Erosion and Sediment Control Plan, Stormwater Management Plan and Waste Management Plan must be reviewed by the EPA.

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(from outside NSW)

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

If you have any questions relating to this matter, please contact Lilian De Torres on (02) 9995 5059 or Lilian.DeTorres@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Carey', written in a cursive style.

Mark Carey
Acting Unit Head – Sydney Industry
Environment Protection Authority

6 March 2018

Mr Thomas Piovesan
Senior Planning Officer
Industry Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Mr Piovesan

**Request for Input to SEARs for the Proposed ASICS Facility at 4 Darling Street,
Marsden Park (SSD 9153)**

Thank you for your email message dated 28 February 2018 requesting Transport for NSW (TfNSW) provide input into the Secretary's Environmental Assessment Requirements (SEARs) for the above.

TfNSW recommends that the following information be included in the SEARs:

Policies

- NSW Long Term Transport Master Plan;
- A Plan for Growing Sydney;
- NSW State Priorities;
- NSW Freight and Ports Strategy;
- Sydney's Walking Future; and
- Sydney's Cycling Future.

Transport and Accessibility (Construction and Operation)

A Traffic and Transport Impact Assessment shall be prepared to include, but not limited to, the following:

- Identify accurate details of the current daily and peak hour vehicle, public transport, pedestrian and bicycle movements and existing traffic and transport facilities provided on the local road network;
- Estimate the total daily and peak hour trips anticipated to be generated by the development, including accurate details of the future daily and peak hour vehicle movements, the split of light and heavy vehicles, and the type of heavy vehicles likely to be used (e.g. PBS A-doubles or PBS Super B-doubles) and detail routes used to access key freight locations/routes;
- Give consideration to the largest vehicle type expected to be used by the proposed development to be PBS 2B vehicles;

Transport for NSW

18 Lee Street, Chippendale NSW 2008 | PO Box K659, Haymarket NSW 1240
T 02 8202 2200 | F 02 8202 2209 | W transport.nsw.gov.au | ABN 18 804 239 602

- Assess the impacts of the traffic generated on the road networks, including impacts on road safety, intersection capacity and the potential need/associated funding for upgrading or road works, having regard to the planning controls applicable to the site. The assessment needs to be supported by appropriate modelling and analysis to the satisfaction of Roads and Maritime Services;
- Assessment of the cumulative impact of traffic volumes from the proposal together with existing and approved development in the area;
- Detail any upgrades or road improvement works to road infrastructure and nearby intersections that would be required due to the development;
- Detailed plans of the proposed development layout, including the internal road network and truck marshalling, staging and driver facility areas;
- Proposed access arrangements at all stages of construction and operation, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and cycle networks;
- Detail access and parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (i.e. turning lanes, swept paths, sight distance requirements) and other relevant parking codes;
- Demonstrate how future uses of the development will be able to make travel choices that support the achievement of State Plan targets and develop specific sustainable travel plan and list the provision of bicycle parking and end of trip facilities that will be provided to increase the non-car mode share for travel to and from the site. Detail the measures to be implemented to promote sustainable means of transport including public transport usage and pedestrian and bicycle encouragement;
- Assessment and details of traffic, transport and safety impacts during construction and how these impacts will be mitigated for any associated traffic, pedestrian, cyclists and public transport, including the preparation of a draft Construction Traffic Management Plan to demonstrate the proposed management of impact. This Plan needs to include vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures for all demolition/construction activities; and
- Detail service vehicle movements (including vehicle type and likely arrival and departure times).

Relevant Policies and Guidelines:

- Guide to Traffic Generating Developments (Roads and Maritime Services);
- Planning Guidelines for Walking and Cycling;
- Austroads Guide to Traffic Management - Part 12: Traffic Impacts of Development; and
- Austroads Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas.

Consultation

- Transport for NSW; and
- Roads and Maritime Services.

Should you have any questions regarding this matter, please contact Para Sangar, Senior Transport Planner on 0466 024 892.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Mark Ozinga', with a circular flourish at the end.

12/3/2018

Mark Ozinga

**Principal Manager, Land Use Planning and Development
Freight, Strategy and Planning**

Objective Reference CD18/01929



2 March 2018

Our Reference: SYD18/00384 (A21221264)
DP&E Ref: SEAR 8801

Director/Team Leader
Industry Assessments
Department of Planning & Environment
GPO Box 39
SYDNEY NSW 2001

Attention: **Thomas Piovesan**

Dear Sir/Madam

SSD9153 ASICS WAREHOUSE – 4 DARLING STREET, MARSDEN PARK, BLACKTOWN

Reference is made to your correspondence dated 28 February 2018 requesting Roads and Maritime Services (Roads and Maritime) to provide details of key issues and assessment requirements regarding the abovementioned development for inclusion in the Secretary's Environmental Assessment Requirements (SEARs).

Roads and Maritime require the following issues to be included in the transport and traffic impact assessment of the proposed development:

1. Daily and peak traffic movements likely to be generated by the proposed development including the impact on nearby intersections and the need/associated funding for upgrading or road improvement works (if required). The key intersections to be examined/modelled include:
 - Richmond Road / Hawthorne Avenue
 - Richmond Road / Hollinsworth Road
2. Details of the proposed access and the parking provisions associated with the proposed development including compliance with the requirements of the relevant Australian Standards (ie: turn paths, sight distance requirements, aisle widths, etc) and relevant parking codes. Swept path plans need to be provided.
3. Details of service vehicle movements (including vehicle type and likely arrival and departure times).
4. Roads and Maritime requires the environmental assessment report to assess the implications of the proposed development for non-car travel modes (including public transport use, walking and cycling); the potential for implementing a location-specific sustainable travel plan and the provision of facilities to increase the non-car mode share for travel to and from the site. This will entail an assessment of the accessibility of the development site by public transport.

Roads and Maritime Services

Any inquiries in relation to this Application can be directed to Amanda Broderick on 8849 2391 or development.sydney@rms.nsw.gov.au.

Yours sincerely

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Rachel Cumming
Senior Land Use Assessment Coordinator
North West Precinct

Thomas Piovesan

From: Skye Shanahan <Skye.Shanahan@transgrid.com.au> on behalf of Easements&Development <Easements&Development@transgrid.com.au>
Sent: Wednesday, 28 February 2018 1:16 PM
To: Thomas Piovesan
Cc: Michael Platt
Subject: RE: 2018-111 - Request for Input to Secretary's Environmental Assessment Requirements - Proposed ASICS Facility - 4 Darling Street, Marsden Park (SSD 9153)
Attachments: TG Easement Guidelines for Third Party Development (V10).pdf; SSD 9153 CIV ASICS Warehouse.PDF; SSD 9153 Request for Secretarys Requirements_Feb18.pdf

Hi Thomas,

TransGrid Reference Number: 2018-111

Request for Input to Secretary's Environmental Assessment Requirements

**Proposed ASICS Facility - 4 Darling Street, Marsden Park (SSD 9153)
Part Lots 303 & 304 and Lot 305 in DP 1213756**

Thank you for referring the abovementioned proposal to TransGrid.

TransGrid operates and maintains the NSW high voltage transmission line network. After review of the subject parcel of land, TransGrid can confirm the development site is impacted by the following TransGrid infrastructure within a **60.96 metre** wide easement:

- *Sydney West - Sydney North No 1 330KV transmission line (feeder 20, structure span 37 – 39)*

In the interest of public safety, the design and placement of any proposed development should 'prudently avoid' TransGrid easements and infrastructure. Any development to be located near high voltage transmission lines must be thoroughly assessed by TransGrid and this process takes considerable time. A review of the final design of the proposed development must be undertaken by our engineers.

For preliminary advice please see a copy of *TransGrid's Easement Guidelines for Third Party Development (V10)* above. Please note these guidelines are **not** an exhaustive list and should there be any uncertainty further consultation with TransGrid is required.

TransGrid's Requirements:

1. Detailed site plans in **PDF format** clearly identifying TransGrid's easement on the plans and any proposed activity within and/or immediately adjacent.

Please note – Unfortunately TransGrid are unable to locate any supporting plans on the Department of Planning & Environments – Major Projects website (SSD 9153)

2. Plans in **3D DXF format** to assess the vertical and horizontal clearances from TransGrid's high voltage transmission line to the proposed development.

TransGrid requires time to duly assess the proposed development per the documentation provided, particularly to the extent that impacts on our easement and the infrastructure therein. This review of the proposed development must be completed prior to a formal response to the notice issued.

Should you wish to discuss this further, please don't hesitate to contact me.

Kind regards,

Skye Shanahan

Enquiry Services Coordinator | Network Planning and Operations

TransGrid | 200 Old Wallgrove Road, Wallgrove, NSW, 2766

T: (02) 9620 0104

E: Skye.Shanahan@transgrid.com.au **W:** www.transgrid.com.au

From: Thomas Piovesan [mailto:thomas.piovesan@planning.nsw.gov.au]

Sent: Wednesday, 28 February 2018 11:28 AM

To: OLG - Blacktown City Council; Easements&Development; 'development@transport.nsw.gov.au'; 'Development Sydney'; EPA Planning Matters Mailbox; 'urbangrowth@sydneywater.com.au'

Subject: Request for Input to Secretary's Environmental Assessment Requirements - Proposed ASICS Facility - 4 Darling Street, Marsden Park (SSD 9153)

Good morning

PJEP Environmental Planning, on behalf of Marsden Park Developments Pty Ltd (the Applicant) have lodged a request for Secretary's Environmental Assessment Requirements (SEARs) for a proposed warehouse and distribution centre for ASICS at 4 Darling Street, Marsden Park, Blacktown.

The proposal is State significant development under Section 89C of the *Environmental Planning and Assessment Act 1979*. The Minister for Planning is the consent authority.

The proposal seeks to construct and operate a 25,000 sqm warehouse and distribution facility, including:

- A two storey, 4,000 sqm ancillary office
- A 1,500 sqm separate showroom and retail premises
- 4,500 sqm of private open space (playing field and sports courts)
- Ancillary infrastructure and services
- Car parking
- Signage
- Operations on a 24/7 basis, with the retail component operating during standard business hours.

Under clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation 2000*, the Department must provide SEARs to the Applicant within 28 days of receiving the request. I have attached the report submitted with the SEARs request to assist in providing input. The documents may also be viewed on the Department's website at the link below.

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=9153

I would greatly appreciate receiving the details of any key issues and assessment requirements by **Wednesday 14 March 2018**. However, if you are able to provide comments prior to this date, it would be greatly appreciated.

If you have any questions, please contact me on the details below.

Kind regards

Thomas Piovesan

Senior Planning Officer

Industry Assessments

NSW Department of Planning and Environment

320 Pitt Street | GPO Box 39 | SYDNEY NSW 2001
T: (02) 9274 6356 E: thomas.piovesan@planning.nsw.gov.au



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Background

TransGrid acquires Transmission Line (TL) and cable easements to provide adequate clearance along the route of a TL for construction and maintenance work and to preserve certain property rights in perpetuity. These easements also ensure no work or other activity is undertaken under or near a TL or cable that could create an unsafe situation either for persons or for the security of the TL or cable.

The TL or cable easement area and its ongoing maintenance are control measures that cannot be compromised. Easements are established to prevent and mitigate against the following electrical safety risks:

- > Infringement of electrical safety clearances e.g. due to an activity or vegetation growth;
- > Electrical Induction e.g. due to parallel conducting materials;
- > Step and touch potentials under fault conditions e.g. due to lightning or bushfire;
- > Failure of structures or line equipment e.g. due to third party vehicle or plant impact;
- > Transfer off easement of dangerous voltages, e.g. by services installed within the easement area; and
- > Blowout of a conductor under high wind (or blow in of vegetation) e.g. into an adjacent structure.

TransGrid's paramount concern is the safety of people and property. TransGrid is also bound to maintain its infrastructure efficiently and cost effectively. The TL and cable easements, along with the accesses, have been designed to facilitate effective operational maintenance.

Development Approval Process

The *Environmental Planning and Assessment Act 1979* may empower Local Councils to act as the consent authority for development applications. In these situations, a Development Application (DA) is prepared and submitted to the Local Council for development consent.

The *State Environmental Planning Policy (Infrastructure) 2007* (SEPP), which commenced on 1 January 2008, requires Local Councils to consult with Electricity Network Operators before granting development consent for proposals that might adversely affect:

- > existing electricity infrastructure; and
- > easements for electricity purposes, even if no infrastructure has yet been constructed in the easement.

The Local Council must take into consideration any comments made by the Electricity Network Operator who has 21 days to respond to any written notification of a DA received by Council. Council must take into consideration any comments provided by the Electricity Network Operator before it determines any DA. TransGrid's initial response may be a request for additional information to assess a development that seeks to encroach or is immediately adjacent to our easements and infrastructure. Such a request is likely to then be forwarded to the applicant.

The party submitting the development application is required to consult with TransGrid in accordance with the *State Environmental Planning Policy (Infrastructure) 2007 (SEPP)*; the *NSW Occupational Health and Safety Act 2000*; the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006, and; the WorkCover NSW 'Work Near Underground Assets' Guide 2007.

TransGrid Approval

The statutory approval authority should obtain a written approval from TransGrid for all proposed activities within an easement area in accordance with regulation 45 of the *SEPP*.

It is recommended that the development proponent consult with TransGrid prior to lodging a DA, so the proposed development may be assessed relative to TransGrid's easements and infrastructure within the specific locality. Statutory notification pursuant to regulation 45 of the *SEPP* may not always provide an adequate response time for TransGrid to assess any development proposed within or immediately adjacent to our easements and infrastructure. Therefore, it is considered to be in the best interests of any development proponent to thoroughly consult and attempt to resolve all and any issues with TransGrid prior to submitting a DA. In consulting with TransGrid prior to submitting the DA, the following information must be provided.

1. Detailed specifications and plans drawn to scale and fully dimensioned, showing property boundaries and other relevant information. Survey plans must clearly identify TransGrid's easements; any high voltage transmission infrastructure located therein (including stanchions); and horizontal clearances;
2. Three dimensional CAD file of the development, preferably in 3D-DXF format; and
3. TransGrid will also require an *Impact Assessment* of the development on TransGrid's infrastructure and associated interests (including easements). Details of how any adverse impacts will be managed, mitigated or resolved must also be provided. The *Impact Assessment* form is contained in **Appendix A** of these guidelines.

Upon receipt of the abovementioned documentation, TransGrid will assess the proposed development in relation to its impact on TransGrid infrastructure, easements and means of access. For complicated proposals the consultation process will be comprehensive and the proponent should allow sufficient time for this process prior to lodgement of a DA (see *Timeframes* below).

General Development Proposal Guidelines

1. Prohibited Activities and Encroachments

A number of activities and encroachments are not permitted within the easement area. These are detailed in the "TransGrid Easement Guide" contained in **Appendix B** of these guidelines.

Any *Development Proposal* should be designed in such a way that:

- > It does not involve the listed activities, nor introduce the identified encroachments; and
- > Does not encourage other parties to undertake such activities or introduce such encroachments in the future.

2. Development

The Development Proposal should be planned taking into consideration the policy of "*prudent avoidance*" as identified by The Right Honourable Harry Gibbs Report (*Inquiry into Community Needs and High Voltage Transmission Line Development*).

This report placed recommendations on the design of new TL's having regard to their proximity to houses, schools, work sites and the like and is equally valid when considering new developments proposed in proximity to existing powerlines and associated easements.

The policy not only considers electrical safety risks it also takes into consideration Electric and Magnetic Field (EMF). The EMF strength rises from the easement edge to beneath the conductors and the most practical way to achieve *prudent avoidance* is to keep any development entirely outside the easement area.

If it is desired to place any part of a development within an easement the proponent shall, in conjunction with the *Development Proposal*, undertake an *Impact Assessment* (see **Appendix A**) to be provided to TransGrid that covers the changes in risk and mitigation measures proposed. General development requirements are listed in **Appendix C**.

Relocating Infrastructure and Interruption to Transmission

The development proponent will be liable for any costs involved in any agreed relocation of TransGrid infrastructure as part of any proposed development. Depending on how the development proposes to encroach on TransGrid's easement, an earthing study and earthing modifications may be required at the developer's expense. Further, the developer will also be liable for any costs and penalties incurred as a consequence of interruptions to TransGrid's transmission operations arising from the development, whether planned or inadvertent.

Post Construction Compliance Statement

The Development Proposal, as provided to TransGrid, must include as-built plans compliant with TransGrid's drawing management system of the final construction where approval of an encroachment is granted. The as-built drawings must be accurate, scaled and display distances/measurements, demonstrating compliance to the agreed plans and implementation of agreed control measures.

Timeframes

TransGrid will respond to a Local Council notification of a proposed development within 21 days as required in the SEPP, however that response may not be an approval (or disapproval). If the Development Proposal does not meet the requirements of these Guidelines, or in the event further detailed engineering analysis is required, TransGrid may require the Development Proposal to be revised and resubmitted or additional information will be sought.

Developers are advised to consider TransGrid's requirements early in the process as discussed and not as an afterthought that could result in project delays, including the future demolition of any prohibited construction works. To this extent, development proponents and their consultants are encouraged to contact and meet with TransGrid in the preliminary planning and design stages of the development in order to establish what restrictions and prohibitions apply and what, if any conditional encroachments can be accommodated.

Further Assistance

For any further development enquiry assistance please contact the Enquiries Services Coordinator:

Enquiries Services Coordinator	Telephone	(02) 9620 0104
	Mobile	0427 094 860

TransGrid Community Liaison Group	Phone	1800 222 537
	Email	community@transgrid.com.au
	Website	www.transgrid.com.au

Appendix A - Development Proposal Impact Assessment

Details of the Development

Street Address	
Land and Title References	
Encroachment and/or Proximity to Easement	
Development Proposal's Clearances to TransGrid's high voltage infrastructure	
Detailed plans of development attached	

Safety

Consideration	Yes/No (If Yes, please provide details and mitigation/resolution)
Are ground levels being changed within or in the vicinity of the easement? If so, by how much?	
Is any part of the development proposed within 30m of a transmission line structure or guy? If so, how close to the structure/guy?	
Will the development increase earth potential rise risk? (If unsure please consult with TransGrid Enquiries Services Coordinator.)	
Will the development contain metallic structures or services in the easement?	
Will the development result in voltages being transferred off the easement or bring remote earths onto the easement? (If unsure, please consult with TransGrid's Enquiries Services Coordinator.)	
Are public spaces or recreational areas proposed within or adjacent to the easement?	
Will the development encourage people to congregate and/or spend time within the easement or immediately adjacent thereto?	
Are structures with a height greater than 2.5m proposed on the easement?	
Will an Elevated Work Platform (EWP) be required to maintain any structures within the easement?	
Is infrastructure proposed that is a fire hazard, or that would encourage the storage or use of flammable material on the easement?	
Is infrastructure proposed that would require emergency workers (such as fire fighters) to come near, or their equipment to come onto or near high voltage conductors?	

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will the easement or the nature of the land in the vicinity of the easement, be altered in any way that would encourage prohibited encroachments to occur within the easement?	
Will access around any TransGrid structure be altered preventing EWP's, crane or other plant access? (Required for TransGrid maintenance purposes.)	
Will the development introduce other risks to maintenance staff when working within the easement?	
Will access to the easement be altered that would introduce risks to TransGrid personnel including, although not limited to, asset inspectors or patrol staff?	

Operations

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have any ground level developments been proposed (including roads, driveways, parking lots and turning bays etc) that would expose TransGrid transmission structures and lines to impact risk? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	
Will the development result in a change in water flows or drainage that could impact on the foundations or structural integrity of any TransGrid structure or guy-wire?	
Are excavations or surface activities proposed that would impact a TransGrid structure's foundations, stability or subterranean earthing systems? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	

Maintenance

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have roads, driveways or landscaping been proposed that would prevent or hinder TransGrid maintenance, or increase maintenance costs, for the above or below ground components of the transmission line structure?	
Will access to the easement or within the easement, be obstructed, restricted or altered?	
Have access roads, bridges, crossings and the like been designed to cater for the weight and size of TransGrid maintenance plant (EWPs and Cranes)?	
Does the development encourage the placement of obstructions that would prevent access for routine or emergency works?	

Development Design & Construction

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Has the development been designed so that during the construction phase TransGrid is not restricted from undertaking normal maintenance and inspection activities?	
Has the development been designed so that during the construction phase prohibited activities or encroachments are not required in the easement area?	
Has the design health and safety risk assessment complied with the following WorkCover NSW instruments: <ul style="list-style-type: none">• 'Work Near Overhead Power Lines' Code of Practice 2006; and/or• 'Work Near Underground Assets' Guide 2007?	

TransGrid's Rights

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Are TransGrid's existing access rights preserved, pursuant to the terms of the easement?	
Will TransGrid be exposed to new or higher maintenance costs (e.g. landscaping or other development changes impacting easement access, use and maintenance)?	
Does a new deed of easement need to be negotiated by the development proponent?	

Preservation of Easement for Access

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will TransGrid's <i>Easement for Access</i> be affected?	
Does a new <i>Easement for Access</i> need to be arranged by the development proponent, including to supersede an existing registered right of carriageway?	

Appendix B - Prohibited encroachments and activities

TransGrid will use its powers under the Electricity Supply Act, involve WorkCover or take other legal action as required to prevent or halt prohibited activities.

1. Transmission Lines

Activities and encroachments that are **prohibited** within a Transmission Line (TL) Easement include, but are not limited to (Note 2), the following:

- > The construction of houses, buildings, substantial structures, or parts thereof.
- > The installation of fixed plant or equipment.
- > The storage of flammable materials, corrosive or explosive material.
- > The placing of garbage, refuse or fallen timber.
- > The planting or cultivation of trees or shrubs capable of growing to a height exceeding 4 metres.
- > The placing of obstructions within 20 metres of any part of a transmission line structure or supporting guy-wire.
- > Camping or the permanent parking of caravans or other camping vehicles.
- > Public spaces or recreational areas which encourage people to spend time within or congregate within the easement.
- > The parking or storage of flammable liquid carriers or containers.
- > The installation of site construction offices, workshops or storage compounds.
- > Flying of kites or wire-controlled model aircraft within the easement area.
- > Flying of any manned aircraft or balloon within 60m of any structure, guy-wire or conductor.
- > Flying of remote controlled or autonomous aerial devices (such as UAVs) within 60m of any structure, guy-wire or conductor.
- > Placing any obstructions on access tracks or placed within the easement area that restricts access.
- > Any vegetation maintenance (such as felling tall trees) where the vegetation could come within the Ordinary Persons Zone – refer to the WorkCover NSW 'Work Near Overhead Power Lines' - Code of Practice 2006'.
- > Any substantial excavation within 15 metres of a pole or supporting guy-wire or guy foundation or within 20 metres of a tower
- > The climbing of any structure (any development that encourages or facilitates climbing will not be permitted).
- > Any change in ground levels that reduce clearances below that required in AS7000.
- > The attachment of any fence, any signage, posters, or anything else, to a structure or guy-wire.
Note: Interference to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The movement of any vehicle or plant between the tower legs, within 5m of a structure, guy-wire or between a guy-wire and the transmission pole.
Note: Any damage to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The storage of anything whatsoever within the tower base or within 10m of any tower leg.
- > Any structure whatsoever that during its construction or future maintenance will require an Accredited person to access.
Note: The final structure may meet AS7000 clearances, but may be accessible (e.g. by EWP) by Ordinary Persons within the Ordinary Persons Zone.
- > Any work that generates significant amounts of dust or smoke that can compromise the TL high voltage insulation.
- > The erection of any structure in a location that could create an unsafe situation work area for TransGrid staff.
- > Burning off or the lighting of fires.

- > Any activity (including operation of mobile plant or equipment having a height when fully extended exceeding 4.3 metres) by persons not Accredited or not in accordance with the requirements of the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006 that is within (Note 1):
 - 3m of an exposed 132kV overhead power line
 - 6m of an exposed 220kV or 330kV overhead power line
 - 8m of an exposed 500kV overhead power line

Note: Distances quoted are to the design conductor position (i.e. maximum sag and blowout)

The following activities may possibly be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Temporary parking of caravans and other large vehicles in the outer 3m of the easement area, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of flagpoles, weather vanes, single post signs, outdoor lighting, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of non-electric agricultural fencing, yards and the like.

Note: Fencing that exceeds 2.5 metres in height or that impedes access would not be approved.

- > The erection of metallic fencing less than 2.5 metres in height providing that it is earthed, located more than 20 metres from any part of a transmission line structure or supporting guy and greater than 4 metres of the vertical projection of the overhead conductors.
- > The erection of electric fencing provided that the height of the fencing does not exceed 2.5 metres and provided that the fence does not pass beneath the overhead conductors.

Note: Approval may be given for a portable electric fence to pass underneath the conductors provided that it is supplied from a portable battery-powered energiser that is located remotely from frequented areas. Where it is necessary for a permanent electric fence to pass beneath the overhead conductors, or where an extensive permanent electric fencing system is installed in proximity to a transmission line certain additional safety requirements will be required.

- > The installation or use of irrigation equipment inside the easement.

NOTE: An irrigation system will not be approved if it is capable of coming within 4 metres of the overhead conductors; exceeds 4.3 metres in height; consists of individual sections of rigid or semi-rigid pipe exceeding 4.3 metres; is capable of projecting a solid jet of water to within 4 metres of any overhead conductors; requires fuel to be stored within the easement; and/or requires an outage of the transmission line for its operation.

- > The installation of low voltage electricity, telephone, communication, water, sewerage, gas, whether overhead, underground or on the surface.

Note: Services that do not maintain standard clearances to the overhead conductors that are within 15 metres from the easement centre-line, 20 metres from any part of a transmission line supporting structure or are metallic and within 30 metres of any part of a structure will not be approved. TransGrid may impose additional conditions or restrictions on proposed development.

- > The installation of high voltage electricity services, subject to there being no practicable alternative and provided the standard clearances are maintained to the supporting structures.

Note: Where extensive parallels are involved certain additional safety requirements may be imposed by TransGrid, depending on the particular case and engineering advice.

- > Swimming pools, subject to TransGrid's strict compliance criteria.

Note: Above ground pools will not be approved. In-ground pools will not be approved if there is a practicable alternative site clear of the easement area. If there is no practical alternative site, in-ground

pools including coping will not be approved if it encroaches more than 4.5 metres, or is less than 30 metres away from a transmission line structure. A site specific assessment by TransGrid is required.

- > Detached garages, detached carports, detached sheds, detached stables, detached glass houses, caravans, site containers, portable tool sheds, pergolas and unroofed verandahs attached to residences on the outer 3 meters of the easement only.

- > Prefabricated metal (garden) sheds. TransGrid approved sheds must be earthed.

Note: Sheds exceeding 2.5 metres in height, with a floor area exceeding 8m², encroaching more than of up to 3 metres or within 30 metres of any part of a transmission line structure will not be approved. Connection of electric power will not be approved.

- > Single tennis courts.

Note: Tennis courts that hinder access are for commercial use or do not provide adequate clearances shall not be approved.

- > Subdivisions. See **Appendix C** requirements.

- > Roads, carparks, cycleways, walking tracks and footpaths on the outer part of the easement or as a thoroughfare across the easement, subject to horizontal and vertical clearances. Restrictions and other conditions on consent may also apply. These will not be approved when located within:

- 20 metres of any part of a transmission line structure
- 10 metres of the centre-line of a transmission line 132kV and below
- 17 metres of the centre-line of a transmission line above 132kV

Note: Roads and pathways that cross the transmission line as a thoroughfare may be permitted. Where it is proposed that a road passes within 30 metres of a transmission structure or supporting guy, TransGrid may refuse consent or impose restrictions and other conditions on consent. Where a road passes within 30 metres of a transmission structure or supporting guy, the structure's earthing system may require modification for reasons including, but not limited to, preventing fault currents from entering utility services which may be buried in the road. The option of raising conductors or relocation of structures, at the full cost to the proponent, may be considered.

- > Excavation – subject to restriction criteria.

Note: Substantial excavations located within 20 metres of any part of a steel tower or pole structure and exceeding a depth 3 metres will not be approved.

- > Quarrying activities, earthworks, dam or artificial lake construction.
- > Mining. Approval would be based on the merits of the proposal and any related circumstances.
- > Use of explosives.

Note 1: An encroachment or activity that is located outside the prohibited distance of the infrastructure but still within the easement will not necessarily be permitted. It will generally need to be addressed in the Impact Assessment and remains subject to TransGrid prior consent.

Note 2: The above list is not exhaustive and if there is any uncertainty as to whether an activity or encroachment is acceptable within an easement, please contact TransGrid. TransGrid may impose additional conditions or restrictions on proposed development.

2. Cables

The location of TransGrid's subterranean infrastructure and associated easements includes, but is not limited to, beneath private freehold and strata land as well as public roadways and railways etc. All development proposed within immediate proximity of TransGrid's subterranean infrastructure, including high voltage cables, stratum tunnels and conduits, must undertake a *Dial Before You Dig* search of any land where development is proposed, including roads adjoining a development site where subterranean services are proposed to be installed. The activities listed below are prohibited within cable easements:

- > The storage of flammable liquids or explosives
- > The planting or cultivation of trees or shrubs with extensive root systems
- > The construction of houses, buildings or substantial structures
- > The installation of fixed plant or equipment
- > The placing of garbage, refuse or fallen timber
- > Boring directly over the cable lay (eg. the installation of fencing or safety railing)
- > The raising or lowering of existing ground surface levels
- > Any excavation within 2m of an underground cable.

The following activities may be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Parking of vehicles

Note: Parking will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, risking the crushing of the cable/ducts or erosion of the ground

- > The operation of mobile plant and equipment

Note: Such operations will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, whereby risking the crushing of the cable/ducts or erosion of the ground

- > The erection of structures spanning the easement
- > Excavation
- > Concrete driveways
- > The installation of metallic pipes, fences, underground or overhead cables and services
- > Road-boring within approved distances of a high voltage cable.

Where TransGrid's prior written consent has been granted to undertake work near an easement and related subterranean infrastructure, including the tunnels and conduits that accommodate our high voltage transmission line cables, all works must be undertaken in accordance with the WorkCover NSW 'Work Near Underground Assets' Guide 2007. Further, all development works must comply with the TransGrid guidelines for subterranean infrastructure referring to the document titled "*Requirements for Working In the Vicinity of TransGrid Underground Cables*".

Appendix C - General Requirements for Developments and Subdivisions

The following list of current general requirements is provided for your information. It should be noted that the list is not exhaustive and, where there is any doubt concerning a particular activity within the easement area advice should be sought from TransGrid.

1. Completed Works

The completed works shall provide for the following considerations:

- > A safe unobstructed working platform shall be preserved around the transmission line structures for access by EWP, cranes as well as other large plant and equipment. No obstructions of any type shall be placed within 30 metres of any part of a transmission line structure.
- > Roads, streets etc (including kerb to property boundaries) and intersections shall not be located within 30 metres of any TL structure.
- > Developments must meet the clearances requirements set out in AS7000 between their finished level and the conductor at its maximum operating temperature.
- > Proposed roadway locations shall also take into consideration any street lighting requirements to ensure that statutory clearance requirements are followed. The design clearances should include future maintenance safety issues. TL outages will not be provided for street light maintenance. Access to the TL and its structures shall be available at all times for TransGrid plant and personnel. In this regard a continuous and unobstructed access way shall be retained along the easement.
- > Where fences are required for security purposes access gates will be installed in an agreed location and a TransGrid lock will be fitted.
- > Application of "prudent avoidance" in relation to electric and magnetic fields should always be observed.
- > No increase in earth potential rise risks.
- > All underground services installed more than 20 metres but within 30 metres of a TL structure shall be non-metallic. Utility services (including street lighting), whether above or below ground, shall not be installed without prior written approval of TransGrid.
- > Excavation work or other alterations to existing ground levels shall not be carried out within the easement area without the prior approval of TransGrid. Approval will not normally be granted for such work within 20 metres of any supporting structure.
- > Boundaries for new subdivided properties should not be located within the easement.
- > Fenced boundaries for all new properties in the subdivision shall not be within 30 metres of any TL structure.
- > A "Restriction-as-User" (88B Instrument) shall be placed on the titles of any created lots that may become affected by a TL easement. Any proposed activity within an easement area will require the prior written approval of TransGrid (appropriate wording will be advised when required).
- > Any proposed development must not impact on TransGrid's costs of inspecting, maintaining or reconstruction of the transmission lines.
- > In order to comply with its statutory responsibilities to maintain adequate clearance between the conductors and any forms of vegetation, TransGrid maintains its easements as follows:
 - Tall growing species likely to infringe safe clearances are to be removed regardless of existing height at time of construction.
 - Trees likely to fall onto conductors or towers are also to be removed whether on the easement or off the easement (ref. Sec 48 of the Electricity Supply Act 1995).

- Shrubs and other vegetation of lower mature height within the easement will be reduced and managed, generally by slashing with ground level retained.
- Vegetation management will aim to reduce available fuel and subsequent bushfire risks in accordance with NSW Rural Fire Service Bush Fire Environmental Assessment Code that sets out the requirements for hazard reduction strategies such as Asset Protection Zones and Strategic Fire Advantage Zones.
- Removed vegetation will be mulched or chipped and removed from site or retained on site in accordance with owner/stakeholder requirements.
- Other works considered necessary in order to provide a safe working environment for maintenance staff, contractors and for the property owner/manager will be undertaken.

Proposed vegetation plantings, such as Riparian corridors, within the transmission line easements shall be compatible with the above maintenance requirements and must consider on-going vegetation control.

2. Construction

During construction, the development plans shall also provide for the following considerations:

- > Vehicles, plant or equipment having a height exceeding 4.3 metres when fully extended shall not be brought onto or used within the easement area without prior TransGrid approval.
- > Where temporary vehicular access or parking (during the construction period) is within 16 metres of a transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage. Plans need to be submitted to TransGrid for prior approval.
- > The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials.

3. Costs

The Developer shall bear all costs of any specialist design studies, TransGrid supervision, reconstruction or modification of the transmission line and its components, including consultation and design required to maintain clearances due to proposed ground level changes; road crossings within the easement; or due to any damage to the TL arising from the development.

Example of the Required Working Platform for Transmission Tower Maintenance





Additional Stakeholder Feedback

Phil Jones

From: Lilian De Torres <Lilian.DeTorres@environment.nsw.gov.au>
Sent: Monday, 12 March 2018 11:49 AM
To: phil@pjep.com.au
Cc: Mark Carey
Subject: FW: ASICS Facility - Sydney Business Park
Attachments: Request for Secretarys Requirements_Feb18.pdf

Hi Phil,

EPA have already provided a response thru the Department of Planning and Environment (DPE) for this development. I believe DPE is coordinating/compiling the responses from different government agencies before sending it through to you.

Regards,

Lilian De Torres

Operations Officer – Sydney Industry

Metropolitan Branch, NSW Environment Protection Authority
+61 2 9995 5059

Lilian.DeTorres@environment.nsw.gov.au www.epa.nsw.gov.au ☐@EPA NSW

Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Nicky Koloveros **On Behalf Of** EPA RSD Metro Planning Mailbox

Sent: Monday, 12 March 2018 11:31 AM

To: Christine Mitchell <Christine.Mitchell@epa.nsw.gov.au>; Mark Carey <Mark.Carey@epa.nsw.gov.au>; Lilian De Torres <Lilian.DeTorres@environment.nsw.gov.au>

Subject: FW: ASICS Facility - Sydney Business Park

Hi All,

Please let me know whether this needs to be entered into CM9 as I believe a response has already been provided with DOC18/122056 + DOC18/122056-01.

Cheers,

Nicky

From: Christine Mitchell

Sent: Friday, 9 March 2018 3:06 PM

To: EPA RSD Metro Planning Mailbox <metro.planning@epa.nsw.gov.au>

Cc: Mark Carey <Mark.Carey@epa.nsw.gov.au>

Subject: FW: ASICS Facility - Sydney Business Park

Hi Phil

Thank you for your email, I have forwarded this to our planning mailbox so it can go through the proper process for allocation.

Regards

Christine Mitchell

Senior Operations Officer Sydney Industry

Metropolitan Branch, NSW Environment Protection Authority

+61 2 9995 5732

christine.mitchell@epa.nsw.gov.au www.epa.nsw.gov.au [@EPA NSW](#)

**Report pollution and environmental incidents 131 555 (NSW only) or
+61 2 9995 5555**



From: Phil Jones [<mailto:phil@pjep.com.au>]
Sent: Friday, 9 March 2018 2:53 PM
To: Christine Mitchell <Christine.Mitchell@epa.nsw.gov.au>
Cc: 'Owen Walsh' <owen.walsh@sydneybusinesspark.com.au>
Subject: ASICS Facility - Sydney Business Park

Hi Christine,

Sydney Business Park is proposing to develop a warehouse and distribution facility on behalf of ASICS within Sydney Business Park. The site address is 4 Darling Street, Marsden Park.

The facility would be used for the storage and distribution of ASICS range of running shoes and sporting goods, and would also include an ancillary office, showroom and retail outlet, and private sports playing fields.

The site is located towards the centre of Sydney Business Park, is zoned for industrial purposes, and is surrounded by existing or proposed industrial developments and infrastructure (drainage) land within Sydney Business Park. The site is accessed from Darling Street, which has recently been constructed to service the industrial estate, and has access to all required services.

The proposed facility is classified as State Significant Development, as it involves development for the purpose of warehousing and distribution with a capital investment value of more than \$50 million. Consequently, the Minister for Planning is the consent authority for the proposal.

Sydney Business Park has recently submitted a Request for Secretary's Requirements to the Department of Planning & Environment. The request document, which outlines the proposal in more detail, is attached for your reference.

Sydney Business Park and PJEP are currently preparing the EIS for the proposed facility and, as part of this preparation, are consulting with a range of stakeholders who may have an interest in the proposal. Your organisation has been identified as potentially having an interest in the proposal.

If you have any issues that you would like Sydney Business Park to consider during preparation of the EIS, it would be appreciated if you could provide any comments by return email by 21 March 2018. If you would like any further information, please don't hesitate to contact me.

Kind regards
Phil

Phil Jones

From: Owen Walsh <owen.walsh@sydneybusinesspark.com.au>
Sent: Monday, 26 March 2018 1:35 PM
To: phil@pjep.com.au
Subject: FW: Sydney Business Park - Proposed State Significant ASICS Facility

Phil,

Response from RMS.

Regards,

Owen Walsh | Development Director | **Sydney Business Park** | 15 Hollinsworth Road Marsden Park New South Wales 2765 | Phone 0413 442 096 | sydneybusinesspark.com.au

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From: BRODERICK Amanda J <amanda.j.broderick@rms.nsw.gov.au>
Sent: Monday, 26 March 2018 1:34 PM
To: Owen Walsh <owen.walsh@sydneybusinesspark.com.au>
Cc: CUMMING Rachel <rachel.cumming@rms.nsw.gov.au>
Subject: Sydney Business Park - Proposed State Significant ASICS Facility

Good Afternoon Owen,

Thank you for your consultation email. Roads and Maritime have no further comments for the preparation of the EIS for the proposed ASICS Warehouse.

Roads and Maritime however request that the comments made in the letter dated 2 March 2018 are addressed as a part of the Environmental Impact Statement. This letter is included in "Attachment 2" of the Director-General's Requirements dated 22 March 2018.

If you have any further questions please be in contact.

Kind Regards,

Amanda Broderick
Development Assessment Officer
Network Management | Journey Management
P: 8849 2391
www.rms.nsw.gov.au
Every journey matters

Roads and Maritime Services
Level 5/27 Argyle Street Parramatta NSW 2150



Phil Jones

From: LEITCH, KRISTINE <KRISTINE.LEITCH@sydneywater.com.au>
Sent: Monday, 9 April 2018 2:01 PM
To: 'phil@pjep.com.au'
Subject: RE: ASICS Facility - Sydney Business Park

Hi Philip

Apologies for the delay in responding I missed your email.

I have your email regarding the ASICS proposal for Marsden Park and will respond in full shortly.
In the interim, can you provide me with indicative timescales for the proposed development:

- Land clearance /lot preparation
- Construction starts
- Construction ends
- Operational

If the above is proposed to be developed in staging details of this would be appreciated.

Kind regards
Kristine

Growth Planning Lead, Growth Planning and Development
Liveable City Solutions Division
Sydney Water, Level 7, 1 Smith Street, Parramatta NSW 2150

Sydn Ph 02 8849 4900
kristine.leitch@sydneywater.com.au

From: Phil Jones [mailto:phil@pjep.com.au]
Sent: Friday, 9 March 2018 3:15 PM
To: LEITCH, KRISTINE <KRISTINE.LEITCH@sydneywater.com.au>
Cc: 'Owen Walsh' <owen.walsh@sydneybusinesspark.com.au>
Subject: ASICS Facility - Sydney Business Park

Hi Kristine,

Sydney Business Park is proposing to develop a warehouse and distribution facility on behalf of ASICS within Sydney Business Park. The site address is 4 Darling Street, Marsden Park.

The facility would be used for the storage and distribution of ASICS range of running shoes and sporting goods, and would also include an ancillary office, showroom and retail outlet, and private sports playing fields.

The site is located towards the centre of Sydney Business Park, is zoned for industrial purposes, and is surrounded by existing or proposed industrial developments and infrastructure (drainage) land within Sydney Business Park. The site is accessed from Darling Street, which has recently been constructed to service the industrial estate, and has access to all required services.

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Sydney Business Park and PJEP are currently preparing the EIS for the proposed facility and, as part of this preparation, are consulting with a range of stakeholders who may have an interest in the proposal. Your organisation has been identified as potentially having an interest in the proposal.

If you have any issues that you would like Sydney Business Park to consider during preparation of the EIS, it would be appreciated if you could provide any comments by return email by 21 March 2018. If you would like any further information, please don't hesitate to contact me.

Kind regards
Phil

Phil Jones
Principal Planner



pjep environmental planning Pty Ltd
mob. 0400 392 861
tel. 02 9918 4366
striving for balance between economic, social and environmental ideals...



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Phil Jones

From: Paul Barbuto <pb@ausreo.com.au>
Sent: Friday, 16 March 2018 4:34 PM
To: Owen Walsh
Cc: phil@pjep.com.au
Subject: RE: Sydney Business Park - Asics Development Application

Afternoon Owen.

Apologies for not coming back sooner and thanks for the information related to this exciting project.

This works well for us and hopefully we can work with the Builder once appointed to supply Steel Reinforcing Products to the project.

Regards



Paul Barbuto | General Manager NSW

AUSREO Pty Limited
133-145 Newton Road Wetherill Park NSW 2164
PO Box 2201 Smithfield NSW 2164
P 02 9765 2101 | M 0403 222 955
pb@ausreo.com.au | www.ausreo.com.au



Ausreo is proud to be certified by the Australasian Certification Authority for Reinforcing and Structural Steels



Ausreo is a proud member of the Steel Reinforcement Institute of Australia.

Ausreo have been assessed and approved by BSI Group ANZ Pty Limited to the management systems, standards and guidelines: ISO 9001:2008



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From: Owen Walsh [mailto:owen.walsh@sydneybusinesspark.com.au]
Sent: Wednesday, 14 March 2018 3:57 PM
To: Paul Barbuto <pb@ausreo.com.au>
Cc: phil@pjep.com.au
Subject: Sydney Business Park - Asics Development Application

Paul,

I hope you are well.

Please find attached the planned use that we are seeking to lodge a state significant application for Asics Australian headquarters at the end of the month that adjoins your tenancy at Marsden Park. This design is proposed to work in with your existing operations, and we believe will enhance the presentation of the Ausreo building.

Please note the attached is a final draft, and so I request that you not forward to third parties until they are final and lodged.

Let me know if you have any queries or wish to discuss.

Regards,

Phil Jones

Subject: FW: Sydney Business Park - Asics Development Application

From: Chenery, Mark <MChenery@lindt.com>
Sent: Thursday, 15 March 2018 2:29 PM
To: Owen Walsh <owen.walsh@sydneybusinesspark.com.au>
Subject: Re: Sydney Business Park - Asics Development Application

Thanks - Looks good!

Sent from my iPhone

On 15 Mar 2018, at 2:25 pm, Owen Walsh <owen.walsh@sydneybusinesspark.com.au> wrote:

Mark,

Yes, not to be issued outside Lindt.

Regards,

Owen Walsh | Development Director | **Sydney Business Park** | 15 Hollinsworth Road Marsden Park
New South Wales 2765 | Phone 0413 442 096 | sydneybusinesspark.com.au

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From: Chenery, Mark <MChenery@lindt.com>
Sent: Thursday, 15 March 2018 2:24 PM
To: Owen Walsh <owen.walsh@sydneybusinesspark.com.au>
Subject: RE: Sydney Business Park - Asics Development Application

THanks, What do you mean by 3rd Parties? Outside of Lindt?

Can I share internal to Lindt?

Mark

From: Owen Walsh [<mailto:owen.walsh@sydneybusinesspark.com.au>]
Sent: Wednesday, 14 March 2018 4:16 PM
To: Chenery, Mark <MChenery@lindt.com>
Cc: phil@pjep.com.au
Subject: Sydney Business Park - Asics Development Application

Mark,

I hope you are well.

Please find attached the planed use that we are seeking to lodge a state significant application for Asics Australian headquarters at the end of the month that adjoins your tenancy at Marsden Park.