

# 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*

<b>Application Number</b>	SSD-10436
<b>Project Name</b>	ESR Horsley Logistics Park includes construction, fit-out and operation of six warehousing and distribution buildings on four lots with a total gross floor area of 114,492 m <sup>2</sup> , loading dock, hardstand, truck and car parking, landscaping, utilities and services.
<b>Location</b>	6 Johnston Crescent, Horsley Park (Lot 103 DP 1214192) within Fairfield City Local Government Area
<b>Applicant</b>	ESR Developments (Australia) Pty Ltd
<b>Date of Issue</b>	June 2020
<b>General Requirements</b>	<p>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:</p> <ul style="list-style-type: none"> <li>• a detailed description of the development, including: <ul style="list-style-type: none"> <li>– the need for the development</li> <li>– justification for the development</li> <li>– likely staging of the development</li> <li>– likely interactions between the development and existing, approved and proposed operations in the vicinity of the site</li> <li>– plans of any proposed building works.</li> </ul> </li> <li>• consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments</li> <li>• a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment</li> <li>• a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> <li>– a description of the existing environment, using sufficient baseline data</li> <li>– 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</li> <li>– a description of the measures that would be implemented to avoid, minimise, mitigate and if necessary, offset the potential impacts of the development, including proposals for adaptive management and/or contingency plans to manage significant risks to the environment</li> </ul> </li> <li>• a consolidated summary of all the proposed environmental management and monitoring measures, highlighting commitments included in the EIS.</li> </ul> <p>The EIS must also be accompanied by a report from a qualified quantity surveyor providing:</p> <ul style="list-style-type: none"> <li>• a detailed calculation of the capital investment value (CIV) of the development as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000, including details of all components of the CIV</li> <li>• an estimate of the jobs that will be created by the development during the construction and operational phases of the development</li> <li>• certification the information provided is accurate at the date of preparation.</li> </ul>
<b>Key issues</b>	<p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> <li>• <b>Suitability of the Site</b> – including: <ul style="list-style-type: none"> <li>– an analysis of site constraints;</li> <li>– details of all development consents and approved plans applicable to the site; and</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>– a detailed justification that the site is suitable for the scale of the development, having regard to the site’s surrounds and the potential impacts.</li> <li>• <b>Statutory and Strategic Context</b> – including:       <ul style="list-style-type: none"> <li>– demonstration that the development is generally consistent with all relevant environmental planning instruments, planning strategies, district plan and justification for any inconsistencies. The following must be addressed:           <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)</li> <li>○ State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP)</li> <li>○ State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33)</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)</li> <li>○ State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)</li> <li>○ Fairfield Local Environmental Plan 2013</li> <li>○ Greater Sydney Region Plan – A Metropolis of Three Cities</li> <li>○ Western City District Plan.</li> </ul> </li> </ul> </li> <li>• <b>Community and Stakeholder Engagement</b> – including:       <ul style="list-style-type: none"> <li>– a 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 consultation, including justification for the approach;</li> <li>– a report on the results of the implementation of the strategy including issues raised by the community and surrounding landowners and occupiers;</li> <li>– details of how issues raised during consultation have been addressed and whether they have resulted in changes to the development; and</li> <li>– details of the proposed approach to future community and stakeholder engagement based on the results of consultation.</li> </ul> </li> <li>• <b>Urban Design and Visual Impact</b> – including:       <ul style="list-style-type: none"> <li>– a detailed design analysis of the development with reference to the built form, height, setbacks, bulk and scale in the context of the immediate locality, the wider area and the desired future character of the area, including views, vistas, open space and the public domain;</li> <li>– an urban design report that establishes design guidelines and development parameters including diagrams, illustrations and drawings to demonstrate design excellence of the development will be achieved in accordance with Clause 31 of WSEA SEPP;</li> <li>– consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks;</li> <li>– a detailed visual impact assessment (including photomontages and perspectives) of the development including height, bulk and scale, materials and finishes, colours, signage and lighting, particularly from existing and future residences to the south and significant or important vantage points of the broader public domain;</li> <li>– the visual impact assessment must include detailed mitigation measures including those approved under development consent DA 893.1/2013 and subsequent modifications; and</li> <li>– detailed landscaping design and plans for minimising the overall visual impacts of the development.</li> </ul> </li> <li>• <b>Traffic and Transport</b> – including:       <ul style="list-style-type: none"> <li>– a traffic impact assessment detailing all daily and peak traffic and transport movements likely to be generated (vehicle, public transport, pedestrian and cycle trips) during construction and operation of the development, including a description of vehicle access routes for both construction and operational vehicles and the impacts on local and regional road network and nearby intersections;</li> <li>– details of access to the site from the road network including intersection locations, design and sight distance;</li> </ul> </li> </ul>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> <li>– detailed plans of the proposed site access and parking provision on site in accordance with the relevant Australian Standards; and</li> <li>– a queuing impact assessment of the proposed site access to demonstrate sufficient storage has been provided for light and heavy vehicle driveways in each lot and queuing on public road is effectively minimised.</li> <li>• <b>Noise and Vibration</b> – including:       <ul style="list-style-type: none"> <li>– 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;</li> <li>– a cumulative noise impact assessment of all potential noise sources including those in nearby industrial developments in accordance with relevant NSW Environment Protection Authority guidelines; and</li> <li>– details of the proposed noise mitigation, management and monitoring measures including those approved under development consent DA 893.1/2013 and subsequent modifications.</li> </ul> </li> <li>• <b>Soil and Water</b> – including:       <ul style="list-style-type: none"> <li>– justification of the need for any earthworks, detailing the resulting finished ground levels;</li> <li>– a detailed and consolidated site water balance;</li> <li>– assessment of potential impacts on surface and groundwater sources (quality and quantity), soil, related infrastructure and watercourse(s);</li> <li>– a description of surface and stormwater management measures designed in accordance with relevant policies and guidelines, including drainage design, on-site detention, measures to treat and/or reuse water, and proposed use of potable and non-potable water;</li> <li>– a description of the proposed erosion and sediment controls during construction and operational phases of the development; and</li> <li>– details of impact mitigation, management and monitoring measures.</li> </ul> </li> <li>• <b>Contamination and Remediation</b> – including:       <ul style="list-style-type: none"> <li>– assessment and quantification of any soil and groundwater contamination and demonstration that the site is suitable for the proposed use(s) in accordance with SEPP 55; and</li> <li>– details of the proposed remediation strategy under development application DA 21.1/2020, including timing of carrying out remediation works and when the site will be made suitable for the proposed use(s).</li> </ul> </li> <li>• <b>Biodiversity</b> – including:       <ul style="list-style-type: none"> <li>– an assessment of the biodiversity impacts in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR); and</li> <li>– an assessment of the development's impacts on the adjacent E2 zoned land, including detailed interface management measures.</li> </ul> </li> <li>• <b>Hazard and Risk</b> – including:       <ul style="list-style-type: none"> <li>– a preliminary risk screening completed in accordance with SEPP 33 and Offensive Development and Applying SEPP 33 (DoP, 2011) with a clear indication of class, quantity and location of all dangerous goods and hazardous materials associated with the development; and</li> <li>– should preliminary screening indicate that the development is 'potentially hazardous', a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).</li> </ul> </li> <li>• <b>Bushfire</b> - including a bushfire assessment of bushfire risks and asset protection zones (APZ) in accordance with NSW Rural Fire Service guidelines.</li> <li>• <b>Air Quality</b> – including an assessment of air quality impact at sensitive receivers during construction and operation in accordance with NSW Environment Protection Authority guidelines and details of mitigation, management and monitoring measures.</li> <li>• <b>Waste Management</b> – including details of the quantities and classification of waste streams generated during construction and operation and proposed storage, handling and disposal requirements.</li> </ul>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<ul style="list-style-type: none"> <li>• <b>Energy Efficiency</b> – including an assessment of the energy uses on-site and the proposed energy efficiency measures.</li> <li>• <b>Planning Agreement / Development Contributions</b> – including details of the current Voluntary Planning Agreement (VPA) applying to the site in regard to development contributions made pursuant to WSEA SEPP and a demonstration that satisfactory arrangements have been made or will be made to provide or contribute to the provision of the necessary local and regional infrastructure required to support the development.</li> </ul>
<b>Plans and Documents</b>	The EIS must include all relevant plans, architectural drawings, diagrams and relevant documentation required under Schedule 1 of the Regulation. Provide these as part of the EIS rather than as separate documents. In addition, the EIS must include high quality files of maps and figures of the subject site and proposal.
<b>Consultation</b>	<p>During the preparation of the EIS, you must consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups and affected landowners.</p> <p>In particular you must consult with:</p> <ul style="list-style-type: none"> <li>• Fairfield City Council</li> <li>• Penrith City Council</li> <li>• Environment, Energy and Science Group, Department of Planning, Industry and Environment</li> <li>• NSW Environment Protection Authority</li> <li>• Fire and Rescue NSW</li> <li>• NSW Rural Fire Service</li> <li>• TfNSW</li> <li>• local community and other stakeholders.</li> </ul> <p>The EIS must describe the consultation process and the issues raised and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.</p>
<b>Further consultation after 2 years</b>	If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.
<b>References</b>	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 proposal.

## **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>

<https://www.australia.gov.au/about-government/publications>

#### **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
<b>Traffic and Transport</b>	
	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
<b>Noise and Vibration</b>	
Noise	Noise Policy for Industry (EPA 2017)
	NSW Road Noise Policy (EPA 2011)
	Environmental Criteria for Road Traffic Noise (EPA 1999)
	Interim Construction Noise Guideline (DECC 2009)
Vibration	Assessing Vibration: A Technical Guideline (DEC 2006)
	Technical Basis for Guidelines to Minimise Annoyance Due to Blasting Overpressure 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)
<b>Soil and Water</b>	
Soil	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)
	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 Sulphate Soils Manual (Stone et al. 1998)
Surface 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)
	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)	
NSW Floodplain Development Manual 2005	

<b>Aspect</b>	<b>Policy /Methodology</b>
Groundwater	NSW 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)
	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)
Wastewater	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, NRMCC & AHMC)
	National Water Quality Management Strategy – Australian Guidelines for Water Recycling: Managing Health and Environmental Risks (Phase 2): Augmentation of Drinking Water Supplies 2008 (EPHC, NRMCC & 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)
<b>Waste</b>	
	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)
<b>Air Quality and Odour</b>	
Air Quality	Protection of the Environment Operations (Clean Air) Regulation 2010
	Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA 2016)
Odour	Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DEC)
	Assessment and Management of Odour from Stationary Sources in NSW (DEC 2006)
Greenhouse Gas	The National Greenhouse and Energy Reporting (Measurement) Technical Guidelines (NGER Technical Guidelines)
	Guidelines for Energy Savings Action Plans (DEUS 2005)
<b>Fire and Incident Management</b>	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
	Draft Planning for Bushfire Protection (NSW Rural Fire Service 2018)
<b>Hazards and Risk</b>	
	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)
	Contaminated Sites – Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report (EPA 2003)