

Planning Secretary's Environmental Assessment Requirements
Section 4.12(8) of the *Environmental Planning and Assessment Act 1979*
Schedule 2 of the Environmental Planning and Assessment Regulation 2000

Application Number	SSD-9138102
Project Name	ESR Kemps Creek Logistics Park
Development	Construction, fit-out and operation of seven warehouse and distribution buildings with a total floor area of 167,028 m ² including offices, loading docks, parking and hardstand areas, landscaping, utilities and services. Associated works including demolition and bulk earthworks, vegetation removal and construction of internal roads
Location	290-308 Aldington Road, Kemps Creek (Lot 13 DP 253503), 59-62 Abbots Road (Lot 12 DP 253503), 63 Abbots Road, Kemps Creek (Lot 11 DP 253503) within Penrith City Local Government Area
Applicant	ESR Developments (Australia) Pty Ltd
Date of Issue	December 2020
General Requirements	<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"> · a detailed description of the development, including: <ul style="list-style-type: none"> - the need for the development - justification for the development - likely staging of the development - likely interactions between the development and existing, approved and proposed operations in the vicinity of the site - plans of any proposed building works. · consideration of all relevant environmental planning instruments, including identification and justification of any inconsistencies with these instruments · consideration of issues discussed in Attachment 2 (public authority responses to key issues) · a risk assessment of the potential environmental impacts of the development, identifying the key issues for further assessment · a detailed assessment of the key issues specified below, and any other significant issues identified in this risk assessment, which includes: <ul style="list-style-type: none"> - a description of the existing environment, using sufficient baseline data - an assessment of the potential impacts of all stages of the development, including any cumulative impacts, taking into consideration relevant guidelines, policies, plans and statutes - a 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 · 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) of the development as defined in clause 3 of the Environmental Planning and Assessment Regulation 2000, including details of all components of the CIV · an estimate of the jobs that will be created by the development during the construction and operational phases of the development

	<ul style="list-style-type: none"> · certification the information provided is accurate at the date of preparation.
<p>Key issues</p>	<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.</p> <p>The EIS must address the following specific matters:</p> <ul style="list-style-type: none"> · Suitability of the Site – including: <ul style="list-style-type: none"> - detailed justification for the proposal and the suitability of the site under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP); - a detailed description of the history of the site, including the relationship between the proposed development, other proposed developments and all development consents and approved plans previously or currently applicable to the site; and - an analysis of site constraints. · Statutory and Strategic Context – including: <ul style="list-style-type: none"> - detailed justification that the proposed land use is permissible with consent; - details of any proposed consolidation or subdivision of land; and - demonstration that the proposal is consistent with all relevant planning strategies, environmental planning instruments, proposed environmental planning instruments, adopted precinct plans, draft district plan(s) and adopted management plans, and justification for any inconsistencies. This includes, but not limited to: <ul style="list-style-type: none"> o State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) o State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) o State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) o State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (WSA SEPP) o State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33) o State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55) o State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) o Penrith Local Environmental Plan 2010 o Greater Sydney Region Plan – A Metropolis of Three Cities o Western City District Plan o Future Transport 2056 and supporting plans o Mamre Road Precinct Structure Plan (DPIE, 2020) and the Local Road Network Structure Plan o Western Sydney Aerotropolis Plan (DPIE, 2020) o Draft Mamre Road Precinct Development Control Plan. · 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 consultation, including justification for the approach; - a report on the results of the implementation of the strategy including issues raised by the community and surrounding landowners and occupiers; - details of how issues raised during community and stakeholder consultation have been addressed and whether they have resulted in changes to the development; and - details of the proposed approach to future community and stakeholder engagement based on the results of consultation. · Infrastructure Requirements – including: <ul style="list-style-type: none"> - a detailed written and/or graphical description of infrastructure required on the site, including any upgrades required;

- identification of any infrastructure upgrades required off-site to facilitate the development and describe any arrangements to ensure that the upgrades will be implemented in a timely and orderly manner and maintained;
- an infrastructure delivery and staging plan, including a description of how infrastructure on- and off-site will be coordinated and funded to ensure it is in place prior to the commencement of construction; and
- an assessment of the development's impacts on existing utilities and services and service providers' assets surrounding the site.
- **Urban Design and Visual Impact** – including:
 - a detailed design and options analysis of the development including diagrams, illustrations and drawings 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 with consideration of Clause 31 of SEPP WSEA;
 - a visual impact assessment (including photomontage and perspectives) of the development layout and design, including staging, site coverage, setbacks, open space, landscaping, height, bulk, scale, colour, building materials and finishes, façade design, signage and lighting, particularly in terms of potential impacts on:
 - o nearby public and private receivers
 - o significant vantage points in the broader public domain
 - o Aldington Road
 - o Mamre Road
 - consideration of the layout and design of the development having regard to the surrounding vehicular, pedestrian and cycling networks; and
 - detailed landscaping plans.
- **Traffic and Transport** – including:
 - details of all traffic types and volumes likely to be generated during construction and operation, including a description of haul routes. Traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation;
 - an assessment of the predicted impacts of this traffic on road safety and the capacity of the road network, including consideration of cumulative traffic impacts at key intersections using SIDRA or similar traffic model. This is to include the identification and consideration of approved and proposed developments/planning proposals/road upgrades in the vicinity. The assessment needs to consider the impact on Aldington Road for the duration of the works because traffic growth in this area is expected to increase more quickly than standard growth rates;
 - detailing how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes;
 - plans demonstrating how all vehicles likely to be generated during construction and operation and awaiting loading, unloading or servicing can be accommodated on the site to avoid queuing in the street network;
 - detailed plans of the site access and proposed layout of the internal road and pedestrian network and parking on site in accordance with the relevant Australian Standards and Council's DCP;
 - swept path diagrams depicting vehicles entering, exiting and manoeuvring throughout the site;
 - details of road upgrades, infrastructure works, or new roads or access points required for the development;
 - details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and specific Workplace Travel Plan) and the provision of facilities to increase the non-car mode share for travel to and from the site;
 - details of the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand for the proposed

- development; and
- measures to integrate the development with the existing/future public transport network.
- **Soil and Water** – including:
 - A topographic assessment and justification demonstrating the proposed earthworks are responsive and contextually appropriate;
 - an assessment of the development's potential impacts on soil and water resources, topography, hydrology, groundwater, groundwater dependent ecosystem(s), drainage lines, watercourses and riparian lands on or nearby to the site, including mapping and descriptions of existing background conditions and cumulative impacts and measures proposed to reduce and mitigate impacts;
 - consideration of the NSW Aquifer Interference Policy (2012) and the Guidelines for Controlled Activities on Waterfront Land (2018);
 - a detailed site water balance including identification of water requirements for the life of the development, measures that would be implemented to ensure an adequate and secure water supply is available for the development and a detailed description of the measures to minimise water consumption at the site;
 - demonstration satisfactory arrangements for drinking water, wastewater and if required recycled water services have been made;
 - characterisation of water quality at the point of discharge to surface and/or groundwater against the relevant water quality criteria (including proposed mitigation measures to manage any impacts to receiving waters and monitoring activities and methodologies);
 - a site-specific integrated water management strategy with details of stormwater/wastewater management system including how it will be designed, operated and maintained, including the capacity of on-site detention system(s), on-site sewage management and measures to treat, reuse (including indicative quantities) or dispose of water;
 - description of the measures to minimise water use;
 - description of the proposed erosion and sediment controls during construction; and
 - consideration of salinity and acid sulphate soil impacts.
- **Noise and Vibration** – including:
 - a quantitative noise and vibration impact assessment for construction and operation of the development, including traffic noise, undertaken by a suitably qualified person in accordance with the relevant Environment Protection Authority guidelines and including an assessment of nearby sensitive receivers;
 - cumulative impacts of other existing and proposed developments; and
 - details of the proposed noise mitigation, management and monitoring measures.
- **Hazard and Risk** – including:
 - 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
 - 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).
- **Biodiversity** – including:
 - an assessment of the biodiversity impacts in accordance with the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR); and
 - an assessment of the development's impacts on the riparian corridor and wetland on site, including detailed interface management measures.
- **Heritage** – including:
 - an assessment of non-Aboriginal cultural heritage items and values of the site and

	<ul style="list-style-type: none"> - surrounding area; - identifying and describing the Aboriginal cultural heritage values that exist across the development and document in an Aboriginal Cultural Heritage Assessment Report (ACHAR); - consultation with Aboriginal parties including local Aboriginal Council must be undertaken and documented in the ACHAR; and - a description of the impacts on Aboriginal cultural heritage values and associated mitigation measures must be included in the ACHAR. • Social Impact – including the preparation of a Social Impact Assessment (SIA), which: <ul style="list-style-type: none"> - identifies and analyses the potential social impacts of the development from the point of view of the affected communities and other relevant stakeholders (i.e. how they experience the development); - considers how potential environmental changes in the locality may affect people’s way of life including community, access to and use of infrastructure, services and utilities, culture, health and wellbeing, surroundings, personal and property rights, decision-making systems, and fears and aspirations, as relevant and considering how different groups may be disproportionately affected; - assesses the significance of positive, negative, and cumulative social impacts considering likelihood, extent, duration, severity/scale, sensitivity/importance, and level of concern/interest(s); - includes mitigation measures for likely negative social impacts and any proposed enhancement measures; and - details of how social impacts will be adaptively monitored and managed over time. • Contamination – including an assessment of the site suitability for the proposed use(s) in accordance with SEPP 55. • Bushfire - including a bushfire assessment against the requirements of Planning for Bush Fire Protection (NSW Rural Fire Service, 2019). • Air Quality – 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. • Waste Management – including details of the quantities and classification of waste streams generated during construction and operation and proposed storage, handling and disposal requirements. • Greenhouse Gas and Energy Efficiency – including an assessment of the energy uses onsite and all reasonable and feasible measures that would be implemented onsite to minimise the development’s greenhouse gas emissions. • Ecologically Sustainable Development – including a description of how the development will incorporate the principles of ecologically sustainable development in the design, construction and operation of the development. • Airport Safeguarding – including a risk assessment of the proposed development on Western Sydney Airport operations and addressing related matters in the Western Sydney Aerotropolis Plan and the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. • Planning Agreement / Development Contributions – including consideration of any applicable State and local development contributions and/or details of any Voluntary Planning Agreement and 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 by WSEA SEPP or any other policy or plan to support the development.
Plans and Documents	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.
Consultation	During the preparation of the EIS, you must consult with the relevant local, State or

	<p>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"> · Penrith City Council · Department of Planning, Industry and Environment, specifically: <ul style="list-style-type: none"> - Central (Western) Team, Central River City & West Parkland City, Place Design and Public Spaces Group - Cumberland Plain Conservation Plan Team, Green and Resilient Places - Climate Change and Sustainability Division, Environment, Energy and Science Group - Water Group (including the Natural Resources Access Regulator) · Endeavour Energy · Fire and Rescue NSW · NSW Rural Fire Service · Sydney Water · TfNSW (including Roads and Maritime Services) · Western Sydney Planning Partnership · Western Sydney Airport · local community and other stakeholders. <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>
Further consultation after 2 years	<p>If you do not lodge a Development Application and EIS for the development within 2 years of the issue date of these SEARs, you must consult further with the Planning Secretary in relation to the preparation of the EIS.</p>
References	<p>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.</p>

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
Traffic and Transport	
	Guide to Traffic Generating Developments (RTA 2002)
	RMS Road Design Guide
	Guide to Traffic Management Part 6: Intersections, Interchanges and Crossings (Austroads 2019)
	Guide to Traffic Management Part 12: Traffic Impacts of Developments (Austroads 2019)
	Guidelines for Planning and Assessment of Road Freight Access in Industrial Areas (Austroads 2014)
	State Environmental Planning Policy (Infrastructure) 2007
	Future Transport Strategy 2056
	NSW Port and Freight Plan 2018-2023
Noise and Vibration	
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)
Soil and Water	
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
	NSW Guidelines for Controlled Activities on Waterfront Land (NOW 2012)
Groundwater	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, NRMMC & 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, NRMMC & AHMC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Effluent Management (ARMCANZ/ANZECC)
	National Water Quality Management Strategy: Guidelines for Sewerage Systems - Use of Reclaimed Water (ARMCANZ/ANZECC)
	Recycled Water Guidance Document: Recycled Water Management Systems (DPI 2015)
Waste	
	Waste Avoidance and Resource Recovery Strategy 2014-2021 (EPA)
	The National Waste Policy: Less Waste More Resources 2009
	Waste Classification Guidelines (EPA 2008)
	Environmental guidelines: Composting and Related Organics Processing Facilities (DEC 2004)
	Environmental guidelines: Use and Disposal of Biosolid Products (EPA 1997)
	Composts, soil conditioners and mulches (Standards Australia, AS 4454)
Air Quality and Odour	
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)
Fire and Incident Management	
	Planning for Bushfire Protection (NSW Rural Fire Service 2006)
	Draft Planning for Bushfire Protection (NSW Rural Fire Service 2018)
Hazards and Risk	
	State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
	Applying SEPP 33 – Hazardous and Offensive Development Application Guidelines (DUAP)
	AS/NZS 4360:2004 Risk Management
	HB 203:2006 Environmental Risk Management – Principles and Process
	Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis
	Planning Advisory Paper No. 4 – Risk Criteria for Land Use Safety Planning (DUAP)

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