

Department of Planning and Environment

Our ref: DOC22/942880

Your ref: SSD-9138102

David Schwebel
Planning Group
Department of Planning and Environment
4 Parramatta Square, 12 Darcy Street
Parramatta NSW 2150

25 November 2022

Subject: Westlink Industrial Estate Stage 1 (SSD-9138102), 290-308 Aldington Road, 59-62 Abbots Road and 63 Abbots Road, Kemps Creek (Penrith) – Amendment Report

Dear Mr Schwebel

I refer to your request received on 21 October 2022 seeking comments from the Environment and Heritage Group (EHG) regarding the Westlink Industrial Estate Stage 1 (SSD-9138102) Amendment Report dated 21 October 2022.

EHG understands that the Amendment Report has been submitted as part of a formal amendment to SSD 9138102 to enable a staged approach to the delivery of the estate. According to the Amendment Report, the proposed amendments include:

- subdivision into 5 lots,
- reduction in number of proposed industrial warehouses from 6 to 2, with the remainder of the industrial allotments to be facilitated through subsequent development applications, and
- minor adjustments to the size and orientation of the remaining proposed warehouses (Warehouses 1 and 4 respectively).

EHG has reviewed the relevant documents and provides comments in regard to biodiversity and waterway health in Attachment 1.

If you have any queries, please contact Marnie Stewart via marnie.stewart@environment.nsw.gov.au or 02 9995 6868.

Yours sincerely,



Susan Harrison
Senior Team Leader Planning
Greater Sydney
Biodiversity and Conservation

Attachment 1 – EHG comments on Westlink Industrial Estate Stage 1 Amendment Report (SSD-9138102)

Biodiversity

In its previous comments dated 19 July 2022 (DOC21/504282), EHG advised that it considered the Biodiversity Development Assessment Report to be adequate.

EHG notes that the Order Conferring Strategic Biodiversity Certification on the Cumberland Plain Conservation Plan (CPCP) came into force on 17 August 2022. The subject site is identified as Certified – urban capable land under the Plan. With this noted, the biodiversity measures to mitigate and manage impacts identified in Section 2.2.5 of the BDAR remain relevant to the proposal (regardless of the CPCP) and a condition of approval should be applied requiring the implementation of these measures.

Waterway health

Erosion and Sediment Control

The Erosion and Sediment Control Plan does not meet the requirements of the *Mamre Road Precinct Development Control Plan 2021* (Mamre Road Precinct DCP) Sections 2.4 and 4.4.2 and *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022). A separate Erosion and Sediment Control Plan certified by a Certified Professional in Erosion and Sediment Control (CPESC) which outlines how the construction phase stormwater targets are achieved has not been provided. The submitted information does not contain suitable detail or calculations to illustrate how the stormwater targets will be achieved.

Information required

The applicant should provide a revised Erosion and Sediment Control Plan which addresses the requirements of the Mamre Road Precinct DCP Sections 2.4 and 4.4.2 and *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022). The revised ESCP is to be certified by a CPESC and is to address the following:

- provide plans for each major phase of works, including clearing and grubbing, bulk earthworks (existing and final levels), civil works, and stabilisation/practical completion
- identify the type of sediment basin and provide details for all functional components (e.g., forebay, level spreader, spillway, dosing system, flocculant type). Note that Type-A/B will likely be required to achieve the Mamre Road Precinct DCP Table 5 targets
- provide sediment basin calculations demonstrating compliance with the Mamre Road Precinct DCP Table 5 targets
- provide catchment plans identifying the sub catchments for all major drainage and sediment controls for each phase of works
- provide calculation tables and sizing/dimensions for all major controls during all phases of works
- provide a construction sequence identifying the order and timing for both the implementation and decommissioning of all controls, relative to specific site activities/hold points
- provide details on the timing, methods, and performance requirements for stabilisation of each area of site disturbance
- provide specific advice in relation to dispersive soil management – particularly in relation to excavated drainage controls and
- provide details on how external catchment flows will be managed around or through the works without becoming contaminated.

Water and Stormwater Management Plan (and MUSIC model)

A separate Water and Stormwater Management Plan (and MUSIC model) which outlines how the operational phase stormwater targets are achieved has not been provided. A high level summary of the proposed strategy has been included in the *Stage 1 Civil Infrastructure and Water Management Strategy* (AT&L). The stormwater strategy provided in the *Stage 1 Civil Infrastructure and Water Management Strategy* proposes a strategy which is not consistent with the *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022).

Information required

As per the requirements of the Mamre Road Precinct DCP and *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022), the applicant should submit a separate Water and Stormwater Management Plan (and MUSIC model and spreadsheet) certified by a suitable qualified engineer which illustrates how the operational phase stormwater targets are achieved on the site in the interim until the regional stormwater scheme is available.

The Water and Stormwater Management Plan should include all the information outlined in the Mamre Road Precinct DCP and *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022), in addition to specifically addressing the following:

- remove the evaporative roof irrigation components and provide alternate strategies for achieving the water quality and flow targets (this is discussed further below)
- the application material is inconsistent in terms of the Lot 5 evaporation pond (Catchment B2 pond). The bulk earthworks plans show this area being filled, while the report discusses a farm dam being retained and the MUSIC model has a 5700m² pond. The existing farm dam on this lot appears significantly smaller than the storage assumed in the modelling. This should be clarified and if a new storage is proposed, it should be lined and modelled with zero infiltration with details shown on the drawings, and
- provide stormwater long-sections for all drainage lines showing free-draining outlets.

Reliance on undeveloped land to achieve stormwater targets and staging

This application focusses on the first stage(s) of the development only and does not illustrate how the targets will be achieved in future stages. Importantly, the application relies on the ‘undeveloped’ portion of the site to comply with the stormwater quality and flow targets. If any further development is to occur on the site, then the stormwater targets will no longer be achieved.

Information required

As part of the Water and Stormwater Management Plan (and associated MUSIC modelling), it is recommended that details be provided on how the stormwater targets will be achieved in all future stages of the development.

MUSIC model

There are a range of concerns with the submitted MUSIC model as detailed below.

Information required

It is recommended that the MUSIC model be updated to be consistent with *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022). Specific issues that should be considered include:

- ensuring the climate series is used
- removing the evaporative roof irrigation
- non-potable reuse rates are accordance with the *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022)

- ensuring the Node Catchment B Pond of 5700m² is consistent with the design drawings. This requirement to have consistency between the MUSIC model and design drawings applies to all stormwater management systems
- removing all infiltration from stormwater management system(s) and pond(s)
- nutrient (TP) and sediment (TSS) removal is assumed in the GPTs and included in the MUSIC model. This is a proprietary device which is not yet approved and recommended through the *Stormwater Quality Improvement Device Evaluation Protocol* (Stormwater Australia 2018). Therefore, in accordance with the *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022) this device should not be adopted for nutrient and TSS removal purposes
- providing results for stormwater quality compliance option 2 (allowable mean load) as this has been selected by the application and the compliance method, and
- submitting the Flow Target Excel spreadsheet.

Regional Stormwater Scheme (Sydney Water)

It is noted that no commitment to the regional stormwater scheme (Sydney Water) is made.

Information required

It is recommended that the applicant and DPE Planning discuss this issue with Sydney Water, noting a regional approach to achieve the targets has been established by DPE.

Evaporative Roof Irrigation

One of the primary measures for achieving the stormwater flow target is evaporative roof irrigation. A list of stormwater treatment measures is available in the *Technical guidance for achieving Wianamatta–South Creek stormwater management targets* (DPE, 2022). This list of measures was reviewed by local operators in the catchment and considered to be viable due to their practicality and cost-effectiveness. Evaporative roof irrigation is not included on the list.

Known risks associated with evaporative roof irrigation are:

- No assurance allotment owners / operators will continue to operate the evaporative roof irrigation.
- Ongoing cost and maintenance of the system may be a concern to operators.
- Performance of the system has not been tested.

Given the above, the use of evaporative roof irrigation to achieve the stormwater targets and protect Wianamatta South Creek waterways is not supported by EHG.

Information required

It is recommended that the application be amended to remove evaporative roof irrigation from the stormwater strategy for the site.

Sodic Soils

This soils on the site have been confirmed as strongly sodic (refer to report *Soil Salinity Investigation* (Alliance Geotechnical, 13 December 2021).

Information required

All stormwater management devices must contain an impermeable liner.

All naturalised trunk drainage (or other open drainage) to be either lined with an impermeable liner, or ameliorated (i.e., gypsum) and compacted to a suitable depth and topsoiled (AS4419) to limit infiltration to soils.

The above requirements are to be confirmed in the Water and Stormwater Management Plan and the Soils reports (including amelioration requirements).

The Erosion and Sediment Control Plan must acknowledge the sodic/dispersive soils present onsite and account for this in the design of the erosion and sediment control approaches.

Trunk drainage open channel

There is a section of a second-order stream with a catchment of 24ha in the centre of the site. This feature also corresponds to an identified trunk drainage feature in the Mamre Road Precinct DCP mapping. In accordance with the Mamre Road Precinct DCP, this drainage feature should be preserved and enhanced as a naturalised/rehabilitated drainage line. Instead, as part of the development proposal this area is subject to filling, with the detention basin located over the drainage feature.

Information required

It is recommended that application provide the trunk drainage as a naturalised/rehabilitated drainage line in accordance with the Mamre Road Precinct DCP.

End of Submission