Appendix A – Detailed Record and Response to Submissions

Extracts from Government agency and authority submissions and submissions from the general public received in relation to SSD 10479, and a response to each of these matters, has been outlined in the **Table** below.

List of abbreviations

Council	Penrith City Council
DPIE	Department of Planning, Industry and Environment
Draft MRP DCP	Draft Mamre Road Precinct Development Control Plan
WSEA SEPP	State Environmental Planning Policy (Western Sydney Employment Area) 2009
The site	200 Aldington Road
FKC	Fife Kemps Creek Pty Ltd

Comment / Extract	Response
Department of Planning, Industry and Environment	
1. Mamre Road Precinct	
The draft Mamre Road Precinct Development Control Plan (MRP DCP) was publicly exhibited until 17 December 2020. The MRP DCP provides planning controls for future development in the Mamre Road Precinct including building design controls, a road network, drainage strategy, landscaping and biodiversity controls. Please provide a detailed assessment of the development against the MRP DCP, including justification for any departures from any planning controls.	An Assessment of the proposal against the draft MRP DCP is provided at **Appendix B** of the Submissions Report prepared by Ethos Urban. Key points are discussed in more detail in the RTS Report.
The proposed development layout is not consistent with the Mamre Road Precinct road network map in the draft MRP DCP.	Noted. The Draft DCP provides flexibility in relation to the development of roads within the network. In particular Section 3.4.1 1) states: "The Mamre Road Precinct should be developed generally in accordance with the network map identified in Figure 14" On this basis, should an alternate solution be identified that increases economic output through increased developable area or reduced development / construction costs, whilst still achieving the intent of the DCP, consideration to this option should occur. It is our view that the proposed layout achieves this and as such noting the flexibility in the DCP the revised network should reasonably be considered. Explanation is provided at **Section 6.1.3** of the Submissions Report.
Update the Urban Design Guidelines to ensure consistency with the draft MRP DCP.	Revised Urban Design Guidelines are provided at **Appendix O** of the Submissions Report to bring key controls in line with the draft DCP.
Provide further justification for the proposed parts of the development within the RE2 zone that are prohibited land uses under *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP), with regard to the objectives of the RE2 zone and the provisions of the draft MRP DCP.	Refer to **Section 6.2** of the Submissions Report.
2. Contributions and Planning Agreements	
The site is subject to the requirements of Clause 29 of State Environmental Planning Policy (Western Sydney Employment Area) 2009 (SEPP WSEA) and must make satisfactory arrangements for the provision of regional transport infrastructure and services. The site is also subject to the draft Aerotropolis Special Infrastructure Contribution (SIC) on public exhibition until 26 February 2021. Please consult with the Department's Infrastructure Contributions and Agreements team to discuss the requirements of Clause 29 of SEPP WSEA and the application of the draft Aerotropolis SIC to the development.	Dialogue is currently underway with other major development firms with interests in the Precinct and Penrith City Council for delivery of the Aldington and Abbots Road upgrades. A letter of offer is currently being prepared for Council to enter into a VPA. FKC is also seeking to negotiate a collective agreement with other major development firms in the precinct for the potential interim upgrade of the Abbots Road / Mamre Road intersection. In this regard, FKC has mt with Transport for NSW and a further meeting with DPIE's Infrastructure, Partnerships and Agreements team with a view to a VPA offer have are being arranged . Refer to **Section 6.3** of the Submissions Report
3. Civil Works	
The proposed road reserves for Abbotts Road, Aldington Road and the internal roads are not consistent with the draft MRP DCP.	The proposed road reserves have been amended to comply with the draft MRP DCP.

Comment / Extract	Response
Clarify the intention and timing of the statement "detailed coordination of precinct connectivity may occur post formal SSD exhibition stage" identified on page 7 of the Civil Infrastructure Report. Clarify the timing and coordination for the installation of the roundabout at the northern intersection of Road 01 Aldington Road.	The timing of Aldington Road, Abbotts Road and Mamre Road upgrades will be determined by way of agreements with Council and Transport for NSW . As detailed above, FKC is currently discussing with Council and DPIE how these public assets would be upgraded using VPA and Works-in-Kind arrangements. How the external roads are to be delivered is complex considering the disjointed landownership in the precinct where the ultimate road design requires resumption of land. It is expected that the agreements will ensure that the timing of development across the site will be commensurate with agreed road upgrades.
Provide further details on the timing and coordination of Future Road 04 and the two options shown on the siteworks plan (ref. 19-609-SKC51).	Upon completion of Road 1 construction, it is proposed to dedicate the land for Road 04 to Council at the same time. Once dedicated, the eastern landowner, in a timing that suits them, will be able to make an application to Council for the construction of this road as part of a works in kind agreement for development on their site, or alternatively the road will be constructed by Council using s7.11 local developer contributions funds.
The Department notes that driveways for Lots O and K conflict with the location of the Future Road 04 and will need to be redesigned.	Noted. The driveway positions have been amended on the revised Master Plan (see **Appendix C**) and no longer access Future Road 04.
Provide landowners' consent for all land involved in the proposed road upgrade works.	This matter was discussed with DPIE on a meeting held on 12 February 2021. The road upgrades will be undertaken under a future Works-in-Kind agreement with Council and the land will be dedicated to Council. the upgrade works have been included with the DA documentation to assist with the traffic assessment.
Clarify whether the proposed Road 01 road reserve is wide enough to be upgraded to accommodate the 2031 southern intersection layout (Figure 19 of Transport Assessment report).	Civil plans will be updated to accommodate the 2031 intersection layout upon confirmation of road network following precinct-wide modelling being conducted for TfNSW.
The Department notes that there are a number of retaining walls proposed across the site, up to over 7 metres in height. Please provide a more detailed assessment in the EIS of the proposed civil works against the relevant provisions of WSEA SEPP, including Clauses 33H and 33L, and justification for the proposed level of cut and fill across the site.	The earthworks have been designed to smooth out the existing topography into flat developable pad sites. As shown on the submitted earthworks drawings, the highest points on the site remain the highest development pads and likewise the lowest points, although raised in height, remain the lowest developments sites. This methodology ensures that the drainage patterns are similar to the existing condition with basins leading to existing drainage locations on the site while also minimising impacts to amenity of adjoining properties. The existing topography had a variance in height of around 22m, the new variance is 13m between the development sites and stormwater outflows. This means that most of the lots are closer in level in relation to each other (we have aimed for around 3m or less), which allows redevelopment to increase or reduce lots within the site in the future with minimum earthworks. Geotechnical reporting has shown existing material is suitable to be cut and filled within the site, and imported fill is likely to be high quality VENM / ENM from local infrastructure projects. An archaeological investigation has been undertaken and earthworks are proposed outside of the identified area of high potential for finding heritage items. The earthworks are proposed to interface with the natural environment and riparian zone with improvements proposed to the riparian zone.

Comment / Extract	Response
Clarify whether the proposed levels and retaining walls on the external site boundaries will impact on the ability for adjoining properties to be developed in an orderly manner in accordance with the Mamre Road Precinct Structure Plan.	The proposed design of retaining walls on the external site allows for orderly development. Where landowner need to fill their sites, they can design their earthwork so that it fills against the face of the walls. Where a landowner would wish to cut, they can still do so by engineering a batter from the existing surface level at the boundary and installing their own wall wholly on their land including reinforcing straps.
The Department notes the draft MRP DCP requires cut or fill retaining walls to be setback and suitably landscaped from the property boundary.	Noted. The proposed retaining walls are explained in **Section 6.4.3** of the Submission Report.
Clarify the height of the stormwater diversion walls shown in Drawing No 19-609-C1085 and how overland flows in the swale to the west of the wall will affected.	The height of the wall is shown as 1m (refer to **Appendix N** of the Submissions Report). The purpose of the wall is to take the energy out of the water and guide the overland flow to the 20m wide overland flow path proposed. The effect is that overland flow will be reduced to a velocity that is acceptable to minimise scouring. The wall is not required if the adjacent landowner prefers to have sheet flow rather flow concentrated into the swale drain on their land.
Ensure stormwater management proposed for the development complies with Section 2.6 of the draft MRP DCP.	The Stormwater integrated Water Cycle Management proposed is generally in accordance with the DCP (refer to **Appendix N** of the Submissions Report).
Clarify how it is intended to dewater and fill Dam 10 (as identified in the Riparian Assessment) as it is often filled to the point where it joins with Dam 9, and how the works will impact the future operation of Dam 9 and overland flows on the adjoining property.	To dewater Dam 10, a temporary barrier (sheet piles) will be installed along with the dam on the site's side of the boundary. It will be installed to the same height of the existing dam earth wall. This will allow flows to continue as existing in the event of rain. Any aquatic life will be removed and relocated to the eastern side of the barrier (Dam 09). The water will be pumped out from the Dam 10 side disposed of in accordance with the approved construction erosion and sediment controls. The 'slop' will be excavated until solid ground is found, then earthworks will be installed to fill the dam to the existing height of the dam wall. The future operation of Dam 9 will be the same as existing. Specifically, the water will flow both through the site to the north as well as through the wetland on the land to the east and direct to Ropes Creek.
Clarify the timing of the installation of the stormwater pit and pipe within the road reserve at the northern intersection of Aldington Road identified as 'Proposed stormwater as part of Aldington Road upgrade works' on drawing no. 19-609-C1061, and if it is not in conjunction with Stage 1 works, how stormwater from the west of the site will be managed in the meantime. Clarify the responsibility for maintenance of this infrastructure and whether any easements will be required for drainage of this external catchment onto the subject site.	The external catchment is proposed to be diverted through the site as part of the early stages of the project. The pipe is proposed to be owned by Council and will reside within the road corridor. An easement will be required near the end of the line where it departs off the road network to discharge into private land.
Clarify how stormwater quality and flows will be appropriately managed for the water collected from land to the west of the site and prior to discharge to the north of Bio-retention Basin B.	The water coming from the existing grassed lands West of the site (and bypassing the site) will be discharged in the same quantity and quality as the existing condition. When the land to the West of the site is developed, the landowner will comply with the DCP requirements and the water bypassing the site will be reduced in quantity and quality.
4. Flooding	
Provide more detail in the Flood Impact Assessment on the identified local adverse impacts on flood level and flood velocities in the vicinity of the north-east corner of the site in the 2-,	

Comment / Extract	Response
20- and 100-year ARI events and how these may affect surrounding properties. Also provide more details on the impacts from identified low hazard overland flows in the PMF within the site.	A Response to Flooding issues raised by DPIE, and other submissions made in relation to flooding is provided at **Appendix J** of the Submissions Report. It includes: • A revised Flood Impact Assessment with the figures for post-development flood conditions; and • A response to the relevant matters for consideration under Section 2.7 of the draft MRP DCP. The identified hazard is the existing overland flow path from the west notated as 'Existing Catchment H' on C1080. In a PMF event, the overland flow from this external catchment has been modelled on Road 1 and presents a 'low hazard' according to Figure for Provision of Hazard Categories used in the Flood Impact Assessment. Section 5 of the Flood Impact Assessment submitted with the proposal has already provided a detailed response and discussion against clause 33I of the WSEA SEPP.
Review the proposed development with regard to Section 2.7 of the draft MRP DCP and supporting *Mamre Road Flood, Riparian Corridor and Integrated Water Cycle Management Strategy*.	
Provide a more detailed assessment in the EIS of the proposed development against the provisions of Clause 33I of WSEA SEPP.	
5. Traffic and car parking	
Update the Transport Assessment report when TfNSW traffic modelling for the precinct has been completed and is available.	The modelling, being undertaken by Ason Group in conjunction with DPIE and TfNSW, will provide assistance to DIPE in its assessment of the DCP road network and future operation of intersections throughout the Mamre Road Precinct (Precinct). Notwithstanding, the Concept Design for the key intersections on Mamre Road have been exhibited by TfNSW and work completed by Ason Group and the Land Owners Group provides sufficient confidence that the Stage 1 application can be approved prior to the completion of the aforementioned modelling.
Provide an assessment of the Concept Proposal (13 warehouses) under the ultimate scenario (2036) that also considers traffic generated by development on surrounding sites.	This will be completed as part of the broader modelling for the Precinct. It is estimated that this will be completed by March.
Provide further details on the timing, coordination and funding of the proposed road upgrades and consultation with Transport for NSW, Council and adjoining landowners. Clarify which particular upgrade works, and their locations, are proposed to be undertaken in Stage 1 of the development.	FKC and other developers (i.e., ESR and Frasers) have begun consultation with Council on delivering the interim upgrades for Aldington and Abbots Road based on the understanding that it will be a Council managed road. This consultation is sought to agree items such as the required VPAs between council and developer/s to fund design and delivery of the interim road solution and dedication of land as offset to current contribution plans, so as to commence upgrade works as soon as possible. It is anticipated that one of the developers will enter into a Works in Kind agreement with Council to design, tender and construct the interim road upgrades with funding from developer VPA's (via a forward funding process). As noted, this is subject to consultation and agreement with Council. With regard to the proposed Abbotts Road / Mamre Road interim upgrade, this need to be agreed with TfNSW. A consultation meeting has been held with TfNSW to commence this process. Refer to **Section 6.1.3** of the Submission Report.

<table>
<tr><th>Comment / Extract</th><th>Response</th></tr>
<tr><td>The Department notes Section 7.1 of the Transport Assessment states the proposed trip rates have been agreed by TfNSW. The Department is currently undertaking traffic modelling for the precinct in consultation with TfNSW and the landowner group. Please provide evidence of TfNSW agreement to the trip rates. Should the consultation result in any changes to traffic modelling and trip generation rates, the report must be updated to the agreed trip generation rate and include an amended traffic assessment.</td><td>Agreement / direction has been provided by TfNSW / DPIE as per email from Steven Konstas dated 2/9/20:
As advised by TfNSW, please find attached below the trip generation characteristics to be adopted for General Warehousing for Mamre Road Precinct. Please ensure that these trip generation rates are used as part of the modelling work to test the initial road network option(s) proposed by LOG and the Agency.
<table><tr><td>Rate</td><td>TfNSW Adopted Rates</td></tr><tr><td>Daily Trips</td><td>2.91</td></tr><tr><td>Local Road AM Peak (7am – 8am)</td><td>0.23</td></tr><tr><td>Local Road PM Peak (4pm – 5pm)</td><td>0.24</td></tr><tr><td>Site Maximum Generation Rate (All Vehicles)</td><td>0.26</td></tr><tr><td>Site Maximum Generation Rate (Heavy Vehicles)</td><td>0.07</td></tr></table></td></tr>
<tr><td>Provide further detail on how GFA for properties surrounding the site has been calculated in Section 7.3.</td><td>GFA has been calculated in consultation with DPIE / TfNSW for the purposes of the background modelling work being undertaken. The analysis assumed:
• Calculation of sub-precinct area and constraints to establish net developable area
• Assumption of Site coverage of 55% based on benchmarked analysis of comparable developments (provided by the Land Owners Group)</td></tr>
<tr><td>The Transport Assessment should include consideration of the Abbotts Road and Aldington Road intersection.</td><td>It is noted that developers on Aldington Road have begun discussions with Council to agree on the approach to deliver the required road upgrades (including FKC, Frasers and ESR).</td></tr>
<tr><td>Consideration should be given in the transport assessment to the approved place of worship development to the immediate south of the site and the traffic generated by this non-industrial land use.</td><td>This has been included in the Transport and Accessibility Plan (TMAP) provided as Appendix M of the Submissions Report.</td></tr>
<tr><td>Prepare a Transport Management and Accessibility Plan (TMAP) in accordance with Section 3.4.2 of the draft MRP DCP.</td><td>A TMAP has been prepared to provide an update of the previous Transport Assessment and is provided as Appendix M.</td></tr>
<tr><td>Clarify that the proposed café has been provided with the required number of car parking spaces for a food and drink premises in accordance with the relevant rate.</td><td>On the basis of the “Neighbourhood Shops” rate in the Draft MRP DCP being the most applicable (1 space per 40m^2), the provision of 30 spaces exceeds the requirement.</td></tr>
<tr><td>The number of parking spaces for some of the proposed warehouses is inconsistent between the EIS (including Table 5 and Section 3.4.5) and the number identified on the plans at Appendix A.</td><td>The revised master plan (Appendix C to the Submission Report) provides for 225 car spaces for the Stage 1 Lot F/Warehouse W5 development. This number of spaces is still in excess of the requirement for 224 spaces in the RMS Guide to Traffic Generating Development.</td></tr>
<tr><td colspan="2">6. Visual and Amenity Impacts</td></tr>
<tr><td>The Department notes the Visual Impact Assessment (VIA) report is marked as ‘work in progress’.</td><td></td></tr>
</table>

Comment / Extract	Response
The VIA should include viewpoints: • along the Aldington Road frontage of the site. • when viewed from Aldington Road at the site's south-western and north-western corners and at the property to the immediate south considering the height of the retaining walls on the site boundary • from the RE2/E2 zoned land in the north-east corner.	A revised VIA to address the comments raised has been prepared and is provided at **Appendix D** of the Submissions Report to address each comment raised.
The VIA should include consideration of landscaping, materials, lighting, signage as required in the SEARs.	
The VIA should include photomontages of the development with proposed mitigation measures (e.g. landscaping) to demonstrate the effectiveness of those measures over certain periods (i.e. 1 year, 5 years, 10 years).	
Provide an assessment of the proposed retaining walls on the southern boundary (up to 7.6m high) and the visual and overshadowing impacts on the site to the south (230-242 Aldington Road) and the approved place of worship development on that site.	
7. Landscaping	
Identify the timing of landscaping to be provided across the site, including Aldington Road frontage and basin areas, noting that the landscape staging plan (page no. LR-003) only provides landscaping along internal roads and on Lot F under Stage 1.	The common or public landscape areas including the road frontages, streetscape for all internal roads and basin areas will be completed following the constriction of the roads and infrastructure.
Clarify how areas along the eastern and southern site boundaries between the top of retaining walls/security fence and site boundary will be maintained.	Landscape maintenance staff will access garden areas along the eastern and southern areas between site boundaries and retaining walls by the bio basin path access then walking through the gardens or through gates in fencing for road frontages.
Identify where access will be provided to Bio-retention basin B and the landscaped area on Lot D.	Access paths are provided around the perimeter each of the bio retention basins providing easy access for maintenance.
Provide additional sections along the highest points of retaining walls fronting Aldington Road (i.e south-west corner of Lot M, south-west corner of Lot J and north-west of Lot J) that demonstrate landscaping in front of these areas.	These sections have been provided.
The Department acknowledges the restrictions on landscaping and development within TransGrid easements. However, consideration should be given to the design and landscaping of the proposed café and car park to improve its presentation to Aldington Road.	Landscaping under the TransGrid easements will be native grasslands with a mix of species providing heights up to 1.2m high. Outside the easements fronting the streetscape of the café the landscape provides Tree, shrub and groundcover planting positively contributing to the streetscape amenity.
Provide additional sections along the highest points of retaining walls fronting Aldington Road (i.e south-west corner of Lot M, south-west corner of Lot J and north-west of Lot J) that demonstrate landscaping in front of these areas.	These sections have been provided.
8. Aboriginal heritage	

Comment / Extract	Response
The ACHAR identifies that further archaeological test excavations are required and an amendment to the report is currently being prepared. In addition, Section 4.4 of the report is yet to be completed. Submit a revised, complete ACHAR that incorporates the results of the required further test excavations and that can clearly describe any potential impacts from the development and necessary mitigation measures.	A revised ACHAR which incorporates the further test excavations has been prepared by Biosis and is provided at **Appendix E** of the Submissions Report.
Review the ACHAR for consistency with the Aboriginal heritage report exhibited as part of the draft MRP DCP package.	
9. Noise	
Update the Noise Impact Assessment (NIA) report to include noise contours, provide addresses for identified receivers and incorporate any updates to the traffic modelling undertaken by TfNSW and in the Transport Assessment report.	A revised Noise Impact Assessment has been prepared by White Noise and is provided at **Appendix F** of the Submissions Report.
The Department notes there was no unattended noise logger on Aldington Road to record the existing acoustic environment including road traffic noise or close to residences on Aldington Road.	The location of the noise monitoring was selected as it was free of other noise sources in the vicinity of the site, including traffic noise, such that the Representative Background noise Levels (RBL) could be recorded and used on the development of the project trigger noise criteria. In addition to the noise logging undertaken at the site attended noise levels have been at the site to supplement to the noise logging such that the ambient Leq noise levels at the site could be obtained for the use in determining suitable noise level criteria for additional traffic movements.
The Department notes that the attended noise survey was undertaken between 9.05 am and 9.20 am then 9.25 to 9.40 am, which is outside of school peak traffic that is likely to be a key user of Aldington Road.	The noise survey of the existing traffic noise was taken outside of the peak periods including school pick ups and drops offs. This is to ensure that the assessment of additional traffic volume noise includes a criteria which is based on suitable existing noise levels. In the event traffic noise levels during the peak period are to be used then the resulting criteria would be higher.
Update the total number of parking spaces in Table 7 of the NIA to reflect the masterplan (1700 spaces).	Updated. Refer to revised Noise Impact Assessment at **Appendix F** of the Submissions Report.
It is unclear what time the Worst 1-hour traffic noise periods are during the day- and night-time identified on Page 30 of the NIA report.	The peak traffic periods have been assessed assuming the traffic movements detailed in the report which could occur at any time of the day from the site. Although this is likely to include peak morning and afternoon periods the time has not been specially stipulated. Details of the peak assumed traffic movements are included in Section 7 of **Appendix F** of the Submission Report.
It is unclear which residence was used to calculate future additional traffic noise levels (Table 15 of NIA).	Details of the peak assumed traffic movements are included in Section 7 of **Appendix F** of the Submission Report. The assessment included the worst affected residence to the west of Aldington Road. (a specific residence location was not used as the noise level will be similar for all residence to the west of the roadway).
The NIA doesn't include consideration of the operation hours for the development.	The operational noise has been included in the report and specifically addressed in Section 6 of **Appendix F of the Submission Report**, including mechanical services noise, internal warehouse operations, external operation of the warehouses as well as traffic movements

Comment / Extract	Response
	on the site. Section 7 of **Appendix F** includes the assumed traffic movements. The assessment has assumed that the warehouse operations, plant and hardstand movements could occur 24 hours.
10. Contamination	
The Contamination Status Summary Report identifies that a search and review of historic titles and deposited plans, SafeWork NSW information, Council records and Section 10.7 certificates were not conducted 'due to the timeframe for the investigation.' Submit a revised report that includes all necessary research required as part of the assessment of the suitability of the site.	Refer to **Section 6.2** and **Appendix G** of the Submissions Report.
Undertake a detailed site investigation (DSI) across the site to address the recommended further investigations in the preliminary site investigation (PSI) reports and supplementary contamination investigation report.	
Include consideration of any contamination impacts from the removal of septic tanks identified on site and the history of failed on-site sewage management systems and pooling effluent on Lot 31 DP 258949 identified in the PSI for 106-142 Aldington Road (ref. 92345.00).	
Based on the DSI results, prepare and submit a remedial action plan as required.	
11. Geotechnical and Groundwater	
Undertake additional salinity investigations and prepare a salinity management plan as recommended in the Geotechnical and Groundwater Summary.	A Preliminary Salinity Management Plan is provided at **Appendix H** of the Submissions Report.
12. Air Quality	
Amend the Air Quality Impact Assessment to consider the operation of the entire development, not just the Stage 1 development.	An amended Air Quality Assessment is provided at **Appendix I** of the Submissions Report to address the entire development.
13. QS Report	
Ensure the QS report includes all works, roads, earthworks, retaining walls, landscaping and other aspects identified as part of the proposed Stage 1 development.	Provided. Refer to **Appendix P** of the Submissions Report.
Provide the CIV for the entire concept proposal.	
14. Water	
1. Provide detail of the proposed water source during construction and operation and any existing water access licences to be used or obtained under the Water Management Act 2000.	**During Construction**: sufficient water is available to the site by way of the existing water mains located in Aldington Road. **During Operation:** In its submission to the Department (dated 10 March 2021), Sydney water has provided advice regarding interim and long term water supply solutions for the site and the Mamre Road Precinct.

Comment / Extract	Response
	Water Licences: No water will be sourced for construction and operation by way of Water Licences.
2. Demonstrate due consideration of the NRAR Guidelines	Re-design of the riparian zone in the north east of the site has been undertaken and is consistent with the NRAR Guidelines. See **Section 6.2** and **Appendix N** of the Submissions Report.
3. Design the watercourse reconstruction to connect into upstream and downstream sections of the existing watercourse, and not limit any connectivity in the area. The reconstruction should also align with the Mamre Road Precinct Structure Plan (June 2020). Comment - NRAR notes that the site area contains a 1st order watercourse with an online dam that is proposed to be reconstructed into a riparian corridor and watercourse channel. Due consideration of the NRAR Guidelines should include the provision of a riparian corridor re-establishment plan for review prior to approval to assess its suitability against the NRAR Guidelines. NRAR notes that the established corridor must not contain non-riparian features.	The revised design connects upstream and downstream sections in the same location as the existing watercourse. The upstream connection currently occurs via a farm dam rather than a single channel. The proposed outcome is the farm dam will be modified by constructing a dam wall along the property boundary. The dam will flow out in two directions: 1. via a constructed and rehabilitated channel through the subject site; and 2. via the existing dam wall to the north which will remain unchanged. This will flow to the wetland on the adjoining property. The downstream connection is in the same location as shown on the Structure Plan. See **Section 6.2** and **Appendix N** of the Submissions Report.
The NRAR Guidelines can be accessed at: https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities/guide	The proposed design is consistent with the NRAR Guidelines as follows: • realignment of 1st order watercourses is consistent with the Guidelines • the Guidelines allow for non-riparian uses in the outer 50% of the Vegetated Riparian Zone provided the encroachment meets the averaging rule. The proposed design provides a vegetated riparian corridor as described below. See **Section 6.2** and **Appendix N** of the Submissions Report.
4. Establish a Vegetated Riparian Zone (VRZ) in all areas identified in the Mamre Road Precinct Structure Plan – June 2020. The VRZ should be established into a 10 metre riparian corridor, measured from top of bank either side of the channel, and subject to a Vegetation Management Plan (VMP).	The existing unvegetated 'riparian zone' has an area of 7345m2. The proposed design provides for a revegetated riparian zone of 7687m2, an increase of 342m2. The updated design is broadly consistent with the Mamre Road Structure Plan (June 2020), although the proposed design includes a stormwater basin within the RE2 zoned land. Non-riparian uses such as stormwater basins are allowed in the outer 50% of the Vegetated Riparian Zone. NRAR Guidelines recommend a 10m vegetated riparian zone on first order streams and allow for non-riparian uses in the outer 50% (in this case, the outer 5m) provided those incursions are offset in accordance with the averaging rule. The proposed Vegetated Riparian Zone is 5m on the western side and is more than adequately offset under the averaging rule by protecting a wider riparian zone on the eastern side. A Vegetation Management Plan will be submitted as a post-approval requirement – or as required by the consent authority. See **Section 6.2** and **Appendix N** of the Submissions Report.

Comment / Extract	Response
5. Assess post-development impacts on the watercourse and the adjacent wetland area.	The updated design intends to make no change to the adjacent wetland area. No direct impacts to the area are proposed and there should be negligible hydrological change. See **Section 6.2** and **Appendix N** of the Submissions Report.
14. General	
Clarify the proposed hours of operation for the development.	24 hour operation is proposed.
Clarify the heights (in metres) of the proposed warehouses.	15.6m.
Provide the employment generation for Stage 1 construction and operation.	Stage 1 of the Project will create 250 construction jobs and 330 ongoing operational jobs. The overall Concept development on the site is expected to generate 1,000 construction jobs and 2,300 operational jobs.
Provide an approximate timeframe for the Stage 1 works, including any staging.	Stage 1 of the Project will be 'shovel-ready' as soon as practical following determination. Construction is expected to commence in Q2/Q3 2021.
Figures 27-29 of the EIS do not correlate with the entire site boundary. Ensure that any assessment based on these figures is revised accordingly.	Noted. They have been provided to provide historical information on the large majority of the site. They have been included for illustrative purposes to show land use change over time.
Crown Lands	
Crown Lands has no comments for this proposal at this time.	Noted.
NSW Environment Protection Agency	
Based on the information provided, the proposal does not appear to require an environment protection licence under the Protection of the Environment Operations Act 1997. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority	Noted.
The EIS should estimate volumes of waste generated on the site and identify waste streams and disposal options for all waste including liquid waste, wastes classified as hazardous and wastes containing radiation. Waste management should consider the prevention of pollution, minimising resource use, improving the recovery of materials from the waste stream and ensuring the appropriate disposal of waste.	The Waste Management Plan submitted with the EIS (**EIS Appendix O**) estimates volumes and waste streams, and provides waste collection and removal.
Department of Primary Industries	
DPI Agriculture's environmental assessment requirements were not specifically included in the final Secretary's Environmental Assessment Requirements (SEARs). This has meant that the EIS has not addressed the matters that DPI Agriculture considered to be important for the proposed development.	The preparation of a LUCRA is not considered necessary. The site has already been subject to recent rezoning by DPIE which proposed significant land use change that the proposed development is consistent with. It is at this stage that the proposed land use change and associated activities are to be evaluated and risk reduction management strategies identified.

Comment / Extract	Response
Specifically, the EIS does not include a Land Use Conflict Risk Assessment (LUCRA) and does not adequately consider the potential impacts of the proposed development on surrounding agricultural land uses. The EIS has considered impacts such as noise, vibration, traffic and visual impact on surrounding residential, aged care and industrial land uses. While the EIS notes that surrounding land uses include agricultural activities it does not detail what these agricultural activities are, whether they are still operating and the potential impacts of the development on them. It is acknowledged that the area is identified to transition from rural to industrial land uses. However, while this transition occurs consideration needs to be given to existing uses as much as proposed. For this reason, it is important that potential impacts on agricultural land uses in the vicinity are identified and mitigated where possible to ensure that the existing business can remain operational during this period. DPI Agriculture requests that the proponent provide a LUCRA which details the type of agricultural land uses in the vicinity of the proposed development, the potential impacts that the proposed development may have on these agricultural businesses and the measures proposed to mitigate these impacts. Consultation with the owners and operators of the agricultural businesses will help to inform the potential impacts and mitigation measures.	
Water NSW	
WaterNSW has assessed the proposal as having a low potential risk to our land, assets and infrastructure and has no specific comment to make. The EIS has demonstrated that the stormwater management strategies will manage flows and velocities in all flood events up to 100 year ARI, without adversely impacting downstream properties, including the Warragamba to Prospect Pipelines.	Noted.
Western Sydney Planning Partnership	
1. Strategic Planning Context	
The subject site at No.106-228 Aldington Road, Kemps Creek NSW 2178 (Lots 30-32 in DP 258949 and Lots 20-23 in DP 255560) is located within the Western Sydney Aerotropolis within the Mamre Road Precinct, which is an initial precinct. Most of the site is identified for future employment land in the Western Sydney Aerotropolis Plan (WSAP) and in the Mamre Road Precinct Plan. The land was recently rezoned to predominantly IN1 General Industrial zoning with part of lots 31-32 of DP 58949 zoned for E2 Environmental Conservation and RE2 Private Recreation under the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP). The proposed warehouse or distribution centre is a use that is permitted with consent under the IN1 zone.	Noted.
2. Application assessed against the Western Sydney Aerotropolis State Environmental Planning Policy (Aerotropolis SEPP)	

Comment / Extract	Response
Whilst the land is zoned under the WSEA SEPP, certain provisions of the State Environmental Planning Policy - Western Sydney Aerotropolis 2020 (Aerotropolis SEPP) apply to the site. The Aerotropolis SEPP applies to the site for the purpose of aligning the strategic objectives and Western Sydney Aerotropolis Plan to the site along with airport safeguarding provisions.	Noted.
3. Part 3 – Development Controls – Airport Safeguards	
A key planning objective for the Western Sydney Aerotropolis is to safeguard the 24-hour operations of Western Sydney International (Nancy-Bird Walton) Airport. The SEPP provides further detail on airport safeguarding. It is noted that the subject site is situated north-east of the future Western Sydney International Airport and falls within the Australian Noise Exposure Forecast (ANEF) 20-25 contour. The proposed land use is not a sensitive use and is appropriate within this contour. The Planning Partnership notes the applicant's consideration of the Aerotropolis SEPP in Section 5.2 (National Airports Safeguarding Framework) of the EIS.	Noted.
The site is partially within the 8 km wildlife buffer zone on the Wildlife Buffer Zone Map of the SEPP and careful consideration must be given to any proposed vegetation or landscaping to minimise wildlife attraction as per Clause 21 of Part 3 of the Aerotropolis SEPP. Whilst the EIS has referenced this clause, the Partnership is of the view there is a requirement to provide a written assessment of the wildlife that is likely to be present on the land, and the risk of the wildlife to the operation of the Airport. Although most of the site will be developed for warehouse uses, the remaining RE2 and E2 land and proposed landscaping has the potential to attract wildlife and it is recommended that a written assessment be provided as part of the SSD application.	The riparian zones on site have been the subject of a Biodiversity assessment (**EIS Appendix W**) and Riparian Assessment (**EIS Appendix S**). The riparian areas of the site are proposed to be managed by way of a Vegetation Management Plan. There is not a significant increase in riparian habitat as a result of the development and therefore no significant change to existing wildlife use is anticipated.
4. Application assessed against the Western Sydney Aerotropolis Plan (WSAP)	
The WSAP establishes a vision, objectives and principles for the development of the Aerotropolis. The Mamre Road precinct is generally identified for industrial uses and may initially support the infrastructure that enables the construction of the Airport and Aerotropolis. Page 70 of the WSAP outlines the key considerations, strategic outcomes and implementation strategies for the Mamre Road Precinct.	Noted.
Generally, the proposed development appears to be consistent with these. However, the Planning Partnership is concerned about the placement of the building footprints and parking areas partly within the 1:100 flood area under the concept plan, particularly lots C and G (see Figure 1) and the impact such development will have on flood waters. In addition, the Planning Partnership is also concerned about the building footprint of Lot G and associated parking which is partly within land zoned RE2 Private Recreation (see Figure 2). It is recommended that the building footprints be wholly contained within the IN1 General Industrial zone and above the 1:100-year flood prone land. If approved as per the current application, it could set a precedent across the Aerotropolis which is not desirable and would be inconsistent with the strategic planning objectives of the WSAP.	The proposal remains consistent with the NSW Flood Prone Land Policy and the assessed impacts of the proposal in a 1% AEP flood do not give rise to any significant additional private or public losses (refer to response by Cardno at **Appendix J** of the Submissions Report). The proposed development in the RE2 zone, as proposed in **Section 6.2** and **Appendix N** of the Submissions Report, has also been assessed as being consistent with the NRAR Guidelines.

Comment / Extract	Response
Although the proposed SSD application has taken into consideration the objectives within the WSAP, there appears to be little consideration given to the Aerotropolis planning principles contained in the Appendix (pages 92-94). In particular, the following principles do not appear to have been addressed by the Proponent: • SU1 - Retain and enhance natural features such as waterways, vegetation, landform and culturally significant landscapes. • SU3 - Retain water in the landscape by maximising appropriate permeable surfaces, reusing water and developing appropriate urban typologies. • SU4 - Orient urban development towards creeks and integrate into the landscape through quality open space, a high degree of solar access and tree canopy. • SU15 - Plan for compatible land uses within the floodplain, provide safe evacuation and egress from flood events and consider climate change, culvert blockage and floodplain revegetation.	The proposal is consistent with the Aerotropolis planning principles because: • SU1 – the proposal includes the reestablishment of the riparian corridor (with riparian buffer) in the north-east corner of the site, which will support the enhancement of natural features with the Aerotropolis. • SU3 – the proposal looks to feasibly retain water on the site through detention basins, wetlands, deep soil and permeable surfaces while balancing the intended use of the site for warehousing and the associated hardstand areas which are associated with this typology. • SU4 – the orientation of development on the site has sought to maximise user efficiency and support better noise mitigation for surrounding development (especially for the recently approved Hindu Temple directly south of the site). • SU5 – Safe evacuation and egress from floods is not an issue for floodwaters on the Ropes Creek floodplain. The fill platforms typically have 4+ m freeboard to the PMF level consequently any impact of climate change or floodplain revegetation on mainstream flood levels would have no impact on the development. There are no crossings proposed on the floodplain consequently culvert blockage is not a concern.
In addition to the above, consideration should also be given to creating usable open space for future workers whilst achieving environmental outcomes and mitigating flood impacts. It is not clear in the proposed concept plan whether the proposed open space areas would be suitable for the proposed workers on the site or if equitable access would be provided.	Noted. The RE2 zone in the north east section of the site's primary purpose is to delineates the 1 in 100 year flood limit and not recreation. The development proposes to recreate a riparian corridor through this section with revegetation with riparian species. It is not considered desirable for public access to this area given the risk of illegal activities such as dumping etc. Suitable amenities for workers are proposed to be provided in open space areas within lots. These will be detailed in future DAs for individual buildings.
Roads and Maritime Service and Department of Transport	
1. Corridor Preservation	
In November 2020 the Department of Planning Industry and Environment (DPIE) released the Mamre Road Precinct Draft Development Control Plan. Objective 3.4.3(b) aims to provide a dedicated freight access from the intermodal terminal to surrounding industrial precincts and individual warehouses/distribution centres. To enable a precinct-wide integrated freight network, all development within the Mamre Road Precinct must demonstrate how an integrated network can be safeguarded within their development.	Noted. The dedicated freight network route is not within or adjacent to the site.
While the proposed development is removed from the proposed dedicated freight network (DFN), TfNSW request the applicant demonstrate how the proposed development would integrate with the future DFN.	Noted.
2. Green Travel Plan	
TfNSW policies emphasise the importance of integrating transport with land use and managing travel demand, building upon and unlocking existing and future capacity as the Mamre Road Precinct is developed. The SEARs for SSD-10479 outlines the proposal needs to provide details of travel demand management measures to minimise the impact	An overarching Framework Sustainable Travel Plan (**FSTP**) has been prepared and forms part of the TMAP (**Appendix L** to the Submissions Report).

Comment / Extract	Response
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. A Green Travel Plan, including a Travel Access Guide, will be required for each proposed development within the 200 Aldington Road Industrial Estate.	
It is requested that before the development application is approved, the applicant provide a Green Travel Plan (GTP) that demonstrates the measures to be implemented to encourage employees of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing. The GTP should include: • Specific mode share targets that support high mode share towards public transport, walking and cycling. Mode share should be reviewed annually; • Details of proposed end of trip facilities including number/ location of bike parking spaces, showers etc. • Provision of storage lockers for staff • TfNSW considers that carpooling is likely to be the main travel demand management strategy likely to reduce single occupant car travel in the short to medium term. The GTP should include details of this measure including carpooling schemes and/ or shuttle bus for employees; • Priority parking for car share/ carpooling for private vehicles; • Prepare a site specific Travel Access Guide for staff and visitors; • Appointment of a Travel Plan Coordinator to oversee the implementation and review of the GTP; • Specific information on behaviour change programs including a communication strategy for engaging staff and visitors regarding sustainable transport use to the site, and how the programs will be implemented into the GTP; and • Annual review of the GTP for at least the first five years including surveys, evaluation and review. The GTP must include examples of proposed travel surveys and; • After 12 months of operation, conduct surveys of current and additional trips associated with the proposal and current mode share including staff and visitor mode share. Include operational hours, peak usage including staff travel time and visitor travel times.	As above. The relevant items have been identified as possible implementation strategies within the FSTP.
3. Transport Assessment	
Section 4.2 - traffic counts from year 2018 were used. It is also noted that any current traffic counts will likely not indicate the worst case scenario because of the pandemic. Therefore it is suggested to use the appropriate growth factor to gain the most accurate and recent data.	Traffic counts from 2018 were adopted for assessment of the interim scenario as conditions during the COVID-19 do not represent normal conditions. It is noted that the future flows on Mamre Road were based on TfNSW LU16 STFM. Any change to the future base flows on Aldington Road related to other GFA being developed.

Comment / Extract	Response
	The broader modelling being undertaken in consultation with the TfNSW modelling team, which assesses the ultimate scenario includes the STFM growth factors for the LU19 dataset.
Section 7.4 - the background traffic modelling being undertaken for the MRP will identify the required road network and upgrades. Therefore, the future scenarios should be validated against this; when it becomes available.—TfNSW request that the results of the assessment be provided, when the most recent information is acquired.	Noted.
Section 8.3.3 Figure 16: Interim 2026 SIDRA Intersection Layout – Pedestrian crossings have not been provided on all legs of the proposed signalised intersection within the SIDRA modelling provided. An exemption from TfNSW is required should a pedestrian crossing not be provided on all legs. Therefore as no exemption has been provided, the modelling is to be updated to show all legs with signalised pedestrian crossings	Pedestrian demands are anticipated to be low on all crossings prior to the implementation of bus services or employee services within the precinct. Notwithstanding, modelling has been updated in the revised TMAP and now includes assessment of crossings on all approaches to the intersection (see **Appendix M** to the Submission Report).
Appendix B - the SIDRA results for the signalised intersection on Mamre Road/Abbotts Road show 80 seconds as the cycle time. The cycle times of all intersections should be modelled as a worst case scenario, this is achieved by using the maximum cycle time for the intersection. In this regard the model should be updated to use the correct maximum cycle time of 140 seconds.	The modelling undertaken as part of the submission used Practical Cycle time to establish the average delay within the network. The revised modelling outputs have been updated as requested and are provided as an appendix to the TMAP provided with this submission (see **Appendix M** to the Submission Report).
Appendix C - The swept paths provided are of an articulated vehicle (19m). Swept paths will be required to be provided to accommodate the largest type of heavy vehicle which could reasonably be expected to service the site. The WSEA SEPP outlines the required vehicle lengths to be accommodated for. In this regard, the design vehicle for the access to the site should be assessed with a 26m B-Double and a 30m PBS 2B vehicle. In addition, all swept paths are to be provided including the roundabouts.	Updated swept path analysis is attached to TMAP (see **Appendix M** to the Submission Report). Refer to Civil Drawing set for information retailing to design of internal Estate roads, including roundabouts.
5. Recommendation	
TfNSW requests the abovementioned information to be addressed/provided for further assessment prior to the determination of the application. TfNSW will further review and provide response upon receipt of the additional information.	Noted.
Biodiversity and Conservation Division	
As previously advised, the north eastern corner of the site is zoned E2 Environment Conservation and RE2 Private Recreation. The Mamre Road Precinct Structure Plan identifies this area as open space, environment conservation and indicative riparian buffer. Regarding the environment conservation land, the precinct structure plan states that this is “land to be protected for its high conservation value and supported with surrounding buffers”. The EIS indicates that part of warehouse W6, carparking and a basin impact and encroach into the RE2 zoned land. Within the RE2 zone, warehouse and basin uses are prohibited. The proposed development is therefore inconsistent with the structure plan and zoning regime applying to the site	Refer to **Section 6.2** and **Appendix N** of the Submissions Report.

Comment / Extract	Response
1. Biodiversity	
Finalisation of the BAM-C – The BAM-C needs to be finalised and the case submitted so it can be reviewed by EES. Digital shape files for all maps and spatial data also need to be provided. Candidate species credit species Several candidate species credit species that were excluded from further assessment need to be assessed in accordance with Step 4 of section 6.4 of the BAM, due to the following reasons. • Acacia pubescens was excluded because "Suitable habitat was not present within the development site" (page 36). However, this species is associated with habitat occurring within the development site i.e. PCT 850 and "Highly disturbed areas with no or limited native vegetation", including "road verges, ploughed paddocks etc that are generally devoid of native vegetation" • Grevillea juniperina subsp. juniperina was excluded because "The presence of this species was not identified (conspicuous species) and it was determined that the habitat is substantially disturbed such that this species is unlikely to utilise the development site." (page 37). However, the BDAR states no targeted surveys were carried out (for example, see page 19) and this species can occupy disturbed sites as "Physical disturbance of the soil appears to result in an increase in seedling recruitment. Has a tendency to colonise mechanically disturbed areas." Also, the distribution of this species includes "outlier populations at Kemps Creek and Pitt Town". • The Marsdenia viridiflora subsp. viridiflora endangered population was excluded because "Habitat features associated with this species were not present on the development site" (page 38). However, this species is associated with PCT 835 and PCT 850, both of which occur within the development footprint. • Meridolum corneovirens was excluded because "It was determined that the habitat within associated PCT 850 is substantially disturbed such that this species is unlikely to occur within the development site" (page 39). However – this species is also associated with PCT 835 – this species "will persist in degraded environments provided that ground cover of logs or rubbish is available" and it "can be found under logs and other debris, amongst leaf and bark accumulations around bases of trees and sometimes under grass clumps. Where possible it will burrow into loose soil. It can also be found sheltering under virtually any form of human made ground cover, including rubbish, building materials, old car parts etc." – Appendix B of the BDAR (Table 37) shows plots 1 and 2 (in PCT 835) had 50m of fallen logs and 39% litter cover, respectively. • Pimelea spicata was excluded because "It was determined that the habitat (PCT 850) is substantially disturbed such that this species is unlikely to occur within the development site." (page 41). However, as with A. pubescens, this species is associated with PCT 850 and "Highly disturbed areas with no or limited native vegetation"	Ecological Australia can submit final shapefiles as required. Three ecologists inspected the cleared areas and validated vegetation on site as well as undertaking six BAM plots. The listed species are not cryptic and can be relatively easily identified. There was no evidence of these threatened species and the ecologists concluded that none were likely to be found on site.

Comment / Extract	Response
Species polygon – The species polygon for the Green and Golden Bell Frog needs to be revised because there is some inconsistent information within the BDAR, and with the Aldington Road Kemps Creek Riparian Assessment (Eco Logical Australia, 15 October 2020) (hereafter referred to as the 'riparian assessment'), which makes it difficult to determine the area of habitat that will be impacted. This is because: • the BDAR states (page 38) "Habitat features associated with this species were present within the development site (3 dams containing Typha spp.)" • the BDAR also states (page 43) "Habitat features associated with this species consist of any dam containing Typha spp" • the BDAR also notes that the habitat for this species includes (page 94) "Marshes, dams and stream-sides, particularly those containing Typha sp. (bullrushes) or Eleocharis sp. (spikerushes)" • the riparian assessment describes five dams with Typha (Table 6) i.e. dams 2, 3, 4, 10 and 11, and one dam with Eleocharis i.e. dam 6 and • Table 23 of the BDAR indicates 0.598ha will be directly impacted, while Table 33 shows 0.342ha and Appendix D shows 0.9ha	Ecologists assessed the dams on site, including those that contained typha. The ecologists concluded that only one dam provided suitable habitat for GGBF. The inconsistency in Tables 23, 33 and Appendix D is acknowledged. The hectares of impact around the potential GGBF dam was 0.598 ha, however the BAM calculations used 0.9 to also account for impacts to the same PCT in the north east corner. Given this is the more conservative approach, the 0.9ha can continue to be used. No change required to the BAM calculations.
Furthermore, it should be noted that EES considers buffers should be applied in accordance with the Commonwealth significant impact guidelines for this species, which states that a 200m buffer must be applied around waterbodies, and that terrestrial corridors require a 100m buffer.	Ecologists assessed the habitat potential of the site and concluded that the potential habitat did not extend 200m from the dam identified as having potential GGBF habitat. The potential habitat was assessed as including the surrounding PCT.
Prescribed impacts – Prescribed biodiversity impacts are discussed on pages 47 and 52 of the BDAR. Section 2.1.2 of the BDAR states that prescribed biodiversity impacts are detailed in Table 19, but only very general information is given; the types of human-made structures and non-native vegetation occurring on the site are not discussed, and a list of candidate species using these habitats is not given. Also, while potential foraging habitat (fruit trees) for Grey-headed Flying-foxes is mentioned in Table 19, other foraging habitat for other species has not been recognised e.g. pastures for different species of microbats and birds. As such, sections 6.7.1.3(b) and 9.2.1.3 of the BAM need to be applied.	Ecologists assessed potential habitat on site. Whilst there are farm buildings on site, these are generally in use and in reasonable condition. The consent can condition the preparation of a Fauna Management Plan to ensure demolition of buildings is undertaken in a manner that minimises risk of injury to native fauna.
In conjunction with this, reconsideration of the types of habitat available for microbats on the site is needed. For example, Table 15 of the BDAR states for Miniopterus orianae oceanensis (page 34) "Foraging habitat features associated with this species were identified within the development site" but human-made structures can also provide habitat for this species because "Caves are the primary roosting habitat, but also use derelict mines, storm-water tunnels, buildings and other manmade structures"	
Assessment of impacts – It is not clear if all impacts associated with the proposal have been assessed in the BDAR. This is because: • Figure 16 of the riparian assessment shows the "unmapped wetland" (as shown on Figure 3 of the BDAR) to be part of the construction site, but Figure 3 of the BDAR shows it to be outside of the development footprint	The proponent has redesigned stormwater infrastructure and habitat retention in the north east corner of the site in order to improve riparian outcomes (Refer to **Section 6.2** and **Appendix N** of the Submissions Report). The proposal will re-create a watercourse through the site to join the first order stream to the unmapped wetland which will be retained. Figure

Comment / Extract	Response
• the riparian assessment states that the actual works within the riparian corridor have not been fully documented, and that a crossing is proposed (see page 27), but neither of these points are referred to in the BDAR and it seems that the location of the crossing has not been shown • from a comparison of Figure 3 of the BDAR, Figure 16 of the riparian assessment and Appendix A of the riparian assessment, it is not clear if vegetation zones 1 and 4 will be impacted by the bio-retention basin in the north eastern corner of the development site (on proposed Lot D) • the SSDA Estate Masterplan (drawing no. MP04, date 01/10/2020) and the Fencing Management Plan (drawing no. MP11, date 01/10/2020) show several retaining walls on Lot D but it is not clear if these will impact the "unmapped wetland" (as shown in Figure 3 of the BDAR) or PCTs 1232 or 835 • it is not clear if the 5m construction buffer (as shown in Figure 3 of the BDAR) is compatible with the construction of the retaining walls and bio-retention basin (as shown on drawing no. 19-609-C1020 of the 200 Aldington Kemps Creek 1000-Series Infrastructure Civil Works Package State Significant Development Application (at&l, 30-09-20)).	10 and 11 of the BDAR show impacts to vegetation. The redesign mentioned above does not increase these impacts.
As such, all impacts of the proposed development must be made clear in the BDAR and assessed in accordance with Stage 2 of the BAM.	Impacts have been assessed in accordance with the BAM.
Avoiding and minimising impacts – The ways in which the proposal has been located and designed to minimise and avoid impacts to biodiversity values are outlined in Tables 18 and 20 of the BDAR. However: • Table 18 states "The impact of the proposal on native vegetation has been reduced by locating the sediment dam in a way that minimises impact to PCT 835" but no mention has been made of other impacts within the riparian corridor, including clearing of a portion of PCT 1232, which forms part of an endangered ecological community and • Table 20 states "The dam in the northern-most section of the site had moderate levels of aquatic habitat and was representative of a wetland environment. This dam will be retained after development, and the surrounding vegetation managed to maintain habitat values." But no mention is made of infilling dam 10, which also occurs within the riparian corridor and provides habitat for the GGBF (as inferred by the riparian assessment, which notes that Typha orientalis was observed on the edges of the dam).	The design of the stormwater infrastructure and riparian corridors has been redesigned (Refer to **Section 6.2** and **Appendix N** of the Submissions Report).
As such, in accordance with section 8 of the BAM, more information is needed to document and justify the location and design of the project.	Noted.
Mitigation measures – The proposed mitigation measures are outlined in Table 27 of the BDAR (starting on page 53). However, more information is needed because the following are not addressed or explained in this table: • the 5m construction buffer identified in Figures 3 and 9 of the BDAR is not mentioned in this table and its purpose has not been explained	• Construction buffer allows for equipment to access the construction. • A Pre-clearing management plan / procedure will be provide as a post-approval Plan. • A VMP will be prepared post-approval and will cover the riparian vegetation in the north-eastern corner.

Comment / Extract	Response
• the processes for staged clearing, pre-clearance surveys and clearance surveys have not been explained; section 9.3.1.2(a) of the BAM states that proposed techniques must be documented • only PCT 835 has been included in the Vegetation Management Plan (VMP) but the unnamed local wetland (referred to in section 1.3.5 of the BDAR), PCT 1232, the bio-retention basin and any remaining exotic/cleared areas in this area, should also be included • processes for the removal of habitat associated with prescribed impacts have not been addressed, including de-watering dams and searching human-made structures for fauna, before they are demolished.	• Dam Dewatering Plan and Fauna Management Plan can be conditioned as a post-approval plan.
Furthermore, clarity is needed on: • what is meant by "Client" for the responsibility of preparing the VMP (page 56) and • the location of the 5m construction buffer (the BDAR and riparian assessment show it in different locations).	Client refers to the developer or contracted project manager.
Prescribed impacts on habitat for species credit species – The Biodiversity Assessment Method Operational Manual Stage 2 (DPIE 2019) discusses direct and prescribed impacts on species credit species. It is recommended that the approach described in Box 3 (page 20) of this manual is considered for GGBF and Southern Myotis.	Direct impacts to GGBF habitat have been assessed and assumed
2. Flooding	
Key Recommendation – EES recommends that the proponent revisit the flood assessment. The consultant needs to use a properly verified flood model and properly document pre- and post-development flood behaviour and any impacts.	A revised Flood Impact Assessment is provided at **Appendix J** of the Submission Report. It includes flow estimates assessed by others including the 2015 South Creek Flood Study Update (Advisian, 2015), and provides pre- and post-development flood behaviour.
Analysis – The northern part of the site drains east to Ropes Creek, a minor area at the north-eastern boundary is impacted by Ropes Creek mainstream flooding. The southern part of the site drains west to Kemps Creek. For base case flood conditions, the report refers to multiple models instead of utilising or adopting South Creek's latest base case flood data. These models are outlined in Section 1.4.1, EES has not overseen the models prepared for planning proposals i.e. GHD 2008/2016/2019 models and Lyall 2020 model. For developed conditions, Appendix Q part 1 indicates that developed conditions flood behaviour for the 2y ARI, 5% AEP, 1% AEP flood and PMF events are presented in Figures 5 - 7, 11-14, 17- 20 and 23-26 respectively, the development impacts are presented in figures 9, 15 and 21. However, all these figures depict existing base case conditions (rural site), not the developed conditions that include the master plan.	
Detailed recommendations – Therefore, EES recommends the consultants undertake the following tasks: Adopt the base case model of Advisian 2020, prepared for INSW South Creek Sector Review Stage 2. This model has been overseen by an Agency Working Group in	Detail on base case modelling is provided on Page 15 of the Response prepared by Cardno (**Appendix J** of the Submission Report). The base case model which has been adopted is considered to provide comparable estimates of design flood levels as the Advisian, 2020 base case model and it is therefore an acceptable model to assess the flood impacts of the

Comment / Extract	Response
consultation with Penrith and Liverpool Councils. Alternatively, the consultants are to verify their base case model with the Advisian 2020 model. Prepare a simple version of the report to provide the following information: existing flood behaviour under the adopted base case; developed conditions; changes in flood behaviour due to development; and any management measures required to mitigates these impacts.	proposed development. The information requested in Point (2) has already been provided in the submitted Flood Risk Assessment and revised Flood Impact Assessment.
It should be noted that the study area should extend downstream to the confluence of Ropes Creek with South Creek to ensure no impacts of any proposed detention basins on the downstream areas. These impacts occur when the timing of tributary flows coincide with the main South Creek flow as a result of attenuating tributaries flows under developed conditions.	The approached attached was to ensure peak outflows from Basin A and Basin B not exceed the 2 yr ARI and 100 yr ARI peak flows from the same catchment areas under Benchmark Conditions. The modelling has suggested that with basins there are minimal differences between pre-development and post-development hydrographs downstream of the Sydney Water pipeline.
3. Waterway health	
In its submission on the SEARs for this SSD (dated 21 July 2020), EES recommended a number of water and soil environment assessment requirements which included a requirement in relation to the OEH/EPA Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions	Noted.
In accordance with Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions, EES has developed the NSW Government water quality and flow related objectives (Tables 1 and 2 below) for the Wianamatta-South Creek catchment to achieve the vision for Western Sydney Parkland City. The water quality and flow related objectives were provided to key stakeholders at a workshop on 19 October 2020 and have been included in the Draft Aerotropolis Precinct Plan currently on exhibition. EES has also worked with DPIE PDPS in developing the draft Mamre Road Precinct DCP that is currently on exhibition and it is expected that the interim objectives in Section 2.6 in exhibited draft Mamre Road Precinct DCP will be superseded by tables 1 and 2 below as follows:	Noted.
Page 26, Section 2.6 Integrated Water Cycle Management: Following description of flow components the new Table 1 (below) will be added and referred to. Also, 'and baseflow requirements' in the last/following sentence will be deleted.	Noted.
Page 30, Section 2.6.2 Stormwater Quality: Table 6 will be replaced with the new Table 2.	Noted.
EES acknowledges that the objectives were developed after the SEARs were issued but they were developed using the Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-use Planning Decisions which is referenced in the SEARs.	Noted.
Penrith City Council	
1. Planning considerations	

Comment / Extract	Response
WSEA and WSA SEPPs – The provisions of State Environmental Planning Policy (Western Sydney Employment Area) 2009 and State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 shall be given close consideration in the assessment of the proposal	Noted.
Development Contributions – Development consent for the proposal should not be granted until a development contributions framework is in place, including local and state infrastructure. In this regard, it is noted that Council's Draft Aerotropolis Development Contributions Plan is currently on public exhibition until 31 January 2021. Council's contributions plan proposes a 6.5% levy on developments over $200,000 to fund local infrastructure needed to align with growth, fulfil the precinct's potential and create a sustainable, well-connected and liveable city. Development consent should not be granted until this contributions plan is in force so that local contributions can be levied on the proposal.	Refer to **Section 6.3** of the Submissions Report.
Mamre Road Precinct DCP – It is noted that public exhibition of the Draft Mamre Road Precinct Development Control Plan (DCP) concluded on 17 December 2020. The proposal should be closely assessed against the provisions in this DCP, notwithstanding that site specific urban design guidelines have been lodged to support the proposal. In this regard, the proposal must be considered contextually appropriate, and its appropriateness is dependent on consideration of the precinct wide Mamre Road Precinct planning controls and objectives to ensure suitable and orderly development delivery. Development consent should not be granted until such time that the Mamre Road Precinct DCP is in force.	Assessment against and proposed departures from the provisions of the draft MRP DCP are detailed in **Section 6.0** of the Submissions Report. Revised Urban Design Guidelines are provided at **Appendix O** of the Submissions Report. It is noted that DCP provisions are to be applied flexibly and allow reasonable alternative solutions provided they still meet the objectives of the DCP. The identified departures of the proposal from the draft MRP DCP provisions provide an equal or improved outcome.
In relation to the proposed landform and treatment of setback areas relative to the Draft Mamre Road Precinct DCP provisions, concerns are raised regarding the suitability of the Aldington Road setback treatment (in particular the inclusion of batter areas and the siting of a large stormwater basin) and the excessive height of proposed retaining walls.	The proposed approach is considered suitable from a civil perspective as: • The basin track is setback 5m from the ultimate property boundary, this allows visual amenity and additional recoverable space for any accident that may occur on Aldington Road. • Batters between Lot J and Aldington Road are up to 7m to 50m wide from the ultimate property boundary and a very flat at 1:8 slope. The retaining wall is 7m from the road reserve and only 3m high which is not excessive. • Lot H and E have a cut walls where face of wall is 7-16m from road reserve and up to 6.5m high. This is satisfactory. No retaining wall elements will be within the road reserve.
2. Landscape considerations	
Streets: • In general, refer to the Western Sydney Street Design Guidelines 2020 (DPIE) for best practice and preferred street design. • A natural and informal landscape character is supported in the precinct, given its proximity to the open space corridor. Formal and hedged landscape character is not supported. • Vistas along straight stretches of road (to intersections, corners, roundabouts and cul-de-sacs) should be terminated with substantial landscaping that contributes to	The landscape design has been preparing taking into consideration the Western Sydney Street Design Guidelines. The majority of the planting species for Trees, Shrubs, Groundcovers and Grasses are selected from Local Endemic Species contributing to biodiversity.

Comment / Extract	Response
wayfinding and amenity. Avoid aligning driveways and signage at vista termination points. • Tree species diversity is lacking in the precinct. Provide distinct streetscapes for each street for resilience, biodiversity and wayfinding. • Shrubs, grasses and groundcovers are not accepted in Council's verges. Replace with turf. • For the basins, increase species diversity and the ratio of tall trees. Extend to all sides of basins and open space batters. Add Casuarinas and Eucalyptus amplifolia and other water tolerant tree species. • In relation to street lighting, the arms of street lighting should extend further over the road pavement for effectiveness and therefore increase quantity of street tree plantings. A 20m gap for street lighting is considered excessive. Lighting poles are preferred on the northern and western sides of the roads so there is maximum shading on footpaths from an increase in street trees on the southern and western sides. Northern and western sides would benefit from canopy provided in setbacks. • In relation to primary frontages, there should be predominantly large and tall canopy trees. • In areas of cut and fill, specifications shall be provided to demonstrate restoration of ground to natural conditions suitable for maximum tree and shrub health and growth for the life of landscaping (this includes compaction, soil types and profiles, aeration and hydration). • The tree planting detail is not to industry standard. Further, the detail is not suitable for all of the pot sizes proposed.	
Street trees: • A continuous tree canopy is required on streets for maximum cooling, amenity and amelioration of the bulk and scale of built forms. • Clustered plantings are not supported. • The space provided for the large street tree species proposed and shown is significantly inadequate. • For the size of the trees proposed, a landscape strip (not verge width) of 5m would be required. • As per the Street Design Guidelines, consideration should be given to shared utility trenches to enable retention of the footpath and greater area and volume for trees and their rootzones. Note that the extent of a tree's rootzone is equivalent to the extent of the canopy above it. • The verges shown could sustain a medium sized tree (at best) and therefore tree spacings must be reduced. It is recommended that a maximum spacing of 8m be provided between trees.	Street Tree Planting is provided along all streets using native canopy tree species that will provide shade at maturity. 40m gaps are provided between street lighting to enable 20m rows of street trees between street lights. Further consideration will be made to these comments at the detailed design stage.

Comment / Extract	Response
• Gaps are required for street lighting. The side of the street without lighting poles must maximise the potential for continuous canopy and evenly spaced street trees are required. • Sight distances need to be considered in the placement of trees and species selection near driveways.	
Development site: • Species diversity is lacking in the precinct. Provide more species diversity for amenity, resilience, biodiversity and wayfinding, particularly canopy species. • Setback landscaping does not reflect the preference for the landscape character implied in the landscape documentation (i.e., consistent and full depth informal planting). There is an inadequate quantity of tree canopy in setbacks, shown typically as one tree per 25m-40m length. This does not achieve required cooling and amenity. Setbacks should have a consistent tall, dense and canopied address to the street for cooling and to reduce the bulk and scale of built forms. • Jacarandas are not supported as the species is contrary to the landscape character of the precinct. If they are required, then the overall palette should be extended, and the quantity of feature plantings increased on the site. • Side boundaries (with adjoining properties) lack species diversity for resilience. Shrub planting should be supplemented with narrow tree species to contribute to canopy cooling, screening and amenity. • Turf is not supported between boundary and retaining walls and fences as it offers no visual amenity or screening capacity (walls, storage, parking, operational areas, facades, etc). • Retaining walls and fences are to be fully screened with planting for streetscape amenity. • Wayfinding in the precinct is considered inadequate due to the sameness of planting style and species throughout. Feature planting design should mark entries and pedestrian dominated areas. • Water tanks should be screened and provided with a discreet access path for maintenance. • Canopy coverage calculations should be provided for each lot (excluding streetscape) and an explanation provided as to how the calculations were determined. • Car parks have insufficient canopy to provide cooling of pavements and amenity. Mounding in setbacks between parking and streets / public domain is supported, contributing to screening of cars and expansive pavements (this also applies to operational and storage areas). • Where large trees are planted within 5m of hardstand pavement, such as roadways, parking or storage areas, suitably engineered tree planting pits should be provided to	The landscape design has been preparing taking into consideration the Western Sydney Street Design Guidelines. The majority of the planting species for Trees, Shrubs, Groundcovers and Grasses are selected from Local Endemic Species contributing to biodiversity. Further consideration will be made to these comments at the detailed design stage.

Comment / Extract	Response
extend under those pavements for long term tree health and growth potential (e.g. stratavault systems and structural soils). • Consideration should be given to stepping changes in levels with multiple retaining walls and sloping garden beds between walls to reduce visual impacts of tall walls and allowing greater opportunity for trees (and rootzones) in proximity to walls. • The tree planting detail is not to industry standard. Further, the detail is not suitable for all of the pot sizes proposed.	
3. Environmental Considerations	
Dam Dewatering Management Plan – It is recommended that a dam dewatering management plan is developed to ensure polluted waters are not released into surrounding receivers.	The proposed dam dewatering methodology has been outlined above in response to comments raised by DPIE. A Dam Dewatering Plan can be included as a condition of consent.
Air Quality Impact Assessment – The proposal should be undertaken in accordance with the recommended mitigation and management measures outlined in Section 7 of the Air Quality Impact Assessment.	Noted. A revised Air Quality Impact Assessment has also been prepared and provided at **Appendix I** of the Submission Report. The amended assessment now considers the entire redevelopment and operation of the site (compared to solely Stage 1).
Noise Impact Assessment – The proposal should be undertaken in accordance with the recommendations outlined in the Noise Impact Assessment. A construction noise and vibration management plan (CNVMP) will need to be developed for the proposal.	Noted. Discussion on a CNVMP is provided in Section 8 of the Noise Impact Assessment (**Appendix F** of the Submission Report).
Contamination – The provisions of State Environmental Planning Policy No. 55 – Remediation of Land and related guideline documents shall be given close consideration in the assessment of the proposal.	Noted. SEPP 55 has been considered in the contamination assessments prepared for the site.
4. Biodiversity Considerations	
Biodiversity Development Assessment Report (BDAR) – Efforts to avoid and minimise biodiversity impacts are unsatisfactory. The minimum requirements which should be incorporated into the proposal include: • Council does not support redesign of the waterway through the north-east corner of the site, nor the loss of dams 4 and 7, or the removal of the associated vegetation. • Retention, protection and enhancement of these areas will necessitate a revised credit obligation which will need to be integrated into the Vegetation Management Plan (VMP). • The assessment that the proposal will not impact on key fish habitat located downstream is not supported.	The proponent has redesigned stormwater infrastructure and habitat retention in the north east corner of the site in order to improve riparian outcomes. The proposal will re-create a watercourse through the site to join the first order stream to the unmapped wetland which will be retained. A VMP will be prepared post-approval and will cover the riparian vegetation in the north-eastern corner. This is discussed in more detail in **Section 6.2** and **Appendix N** of the Submissions Report.
Riparian Assessment – In relation to the Riparian Assessment, the following matters need to be addressed: • Council requests a redesign to retain dams 8, 10 and 11, with the wetland area to be integrated into the VMP as an appropriate avoid/minimise impacts strategy suitable for the scale of development proposed.	The proposed development involves large footprint buildings that require even ground levels. The nominated dams could not be avoided whilst delivering these requirements. A Vegetation Management Plan, Dam Dewatering Plan and Fauna Management Plan can be conditions as post-approval plans.

Comment / Extract	Response
• Council requests a redesign to retain dams 4 and 7, with adjacent vegetation and an appropriate buffer provided which could be integrated as open space areas for worker amenity which act to serve as viable habitat and minimise biodiversity impacts of the proposal. • Both of the above outcomes should be incorporated into the VMP for treatment as part of the mitigation effort. • It is noted that no targeted surveys for species credit species were undertaken in the BDAR. It is also noted that no species identification was undertaken relative to the Riparian Assessment. It needs to be demonstrated how the dam dewatering activities, including preliminary assessment, will be targeted to address identification and onward actions relative to threatened species that have been assumed to be present.	
Dam Dewatering Plan – A detailed dam dewatering plan needs to be prepared to outline specific actions including responses to identification of any threatened species and reporting to include details of relocated aquatic fauna (with an assessment of the retained waterways as appropriate receiving locations).	Noted. This requirement can be a condition of consent.
Fauna Management – In relation to fauna management, the following matters need to be addressed: • The project ecologist or fauna ecologist is to undertake an inspection of built infrastructure and all vegetation marked for removal prior to any works commencing. • All protected fauna is to be removed and relocated to ensure its long term persistence within suitable habitat at a nearby location, with a formal assessment of receiving locations. • All affected wildlife shall be reported. • Actions shall be developed for identified threatened species. • Materials suitable for habitat requirements shall be reused. • All hollows shall be cut and relocated with the resident fauna. • Actions shall be outlined for exclusion of protected wildlife during the construction phase, outside all protected zones.	Noted. This requirement can be a condition of consent.
Vegetation Management Plan (VMP) – In relation to the VMP, the following matters need to be addressed: • The VMP will need to be expanded to include the riparian corridor, vegetation and buffers to the retained dams/waterway. • Annual reporting. • Recommendations for harvesting and reuse of seeds, plants and materials appropriate for collection and use by a suitably licensed bushland regenerator/nursery. • Required approvals are the responsibility of the applicant. Include all actions taken in this regard within the first annual report.	Noted. This requirement can be a condition of consent.

Comment / Extract	Response
• The VMP should be prepared for an initial 5 years, with review and evaluation to inform management for a subsequent 5 years.	
Construction Environmental Management Plan (CEMP) – The CEMP shall include all control measures and treatments indicated within the BDAR and Riparian Assessment	Noted. A CEMP can be enforced by way of condition of consent.
5. Waterway Considerations	
It is noted that no MUSIC modelling was submitted in support of the proposal. As such, Council was not able to complete a full assessment of the stormwater management strategy. In addition, the comments below are made on the assumption that the stormwater treatment assets will not be dedicated to Council.	MUSIC modelling can be submitted to DPIE on request. The assumption of Council is generally correct with the exception of GPT's directly upstream of the basins taking in road water, which will be owned and maintained by Council when the road is dedicated.
It is also noted that the proposal has not considered the relevant water management WSUD controls outlined in the Draft Mamre Road Precinct DCP. It is considered that the proposal should have regard for these controls in developing the approach to stormwater management. In this regard, the proposed stormwater management approach is not consistent with the controls and objectives outlined in Section 2.6 (Integrated Water Cycle Management) of the draft DCP.	The integrated water cycle management provisions outlined in the Draft Mamre Road Precinct DCP were released subsequent to the lodgement of the SSDA. Compliance with the draft DCP requirements will be demonstrated during the detailed design of each future stage and addressed in the relevant DA. Modelling undertaken by AT&L demonstrates that the requirement can be met for the Stage 1 (Lot F) component of the development. The approach is discussed in Section **6.2.2** and **Appendix R** of the Submissions Report.
In terms of water conservation measures, commitments have been made to meet a minimum of 80% non-potable demand with harvested rainwater. Additional details are required regarding the sizing of the tanks.	The proposed tanks have been estimated and modelled in line with the minimum 80% non-potable demand with harvested rainwater. The detailed design stage of each building will revisit and reconfirm capability of meeting the minimum target.
In relation to the treatment of stormwater, this is to be managed via the use of two large precinct style bioretention systems, with filter areas sized at 2,810m2 and 3,440m2 . Each basin will be pre-treated with a gross pollutant trap (GPT) located upstream of each of the stormwater management basins. The MUSIC model screen shot indicates a Rocla CDS type will be utilised. It is recommended that additional stormwater treatment be provided on the development lots.	Each development lot will have their own GPT(s) in order to meet the requirements.
As no on-lot OSD is to be provided, the proposed bioretention basins will also have capacity for OSD. As a result, the basins will be designed to store stormwater at depths in the order of 3m above the filter media. This approach is not consistent with Council's guidelines and as such Council is not supportive of this design approach. In this regard, the system should be reconfigured to ensure that maximum depths of extended detention are minimised. In addition, low flow diversions should be in place to ensure that only intended design flows are directed to the bioretention system (i.e. only low flows should be diverted to the bioretention filter area and high flows should be directed to the separate OSD storage).	PCC WSUDTG do not prohibit extended detention above bio-basin filter media. The basins are modelled in music and achieve the OSD and water quality targets. These basins are to be owned and maintained by the developer. This is consistent with the approach taken within the already PCC approved estates to the north. (Oakdale South and West)
It is also necessary for further consideration to be given to the design of the proposed future road to ensure that adequate treatment and management of stormwater as well as canopy cover can be provided. There are also opportunities to revise the stormwater strategy so it has a focus on providing for a range of ecological services, including integrated water	This comment is noted and will be considered further during the resolution of the Integrated Water Cycle Management DCP requirements

Comment / Extract	Response
management, which maximises opportunities for rainwater harvesting and reuse as well as passive irrigation so as to better contribute to urban cooling.	
Overall, and as outlined above, the proposed approach to stormwater management is inconsistent with the integrated water cycle management provisions outlined in the Draft Mamre Road Precinct DCP and the provisions in in Council's WSUD Policy and supporting technical guidelines.	The integrated water cycle management provisions outlined in the Draft Mamre Road Precinct DCP were released subsequent to the lodgement of the SSDA. Compliance with the draft DCP requirements will be demonstrated during the detailed design of each future stage and addressed in the relevant DA. Modelling undertaken by AT&L demonstrates that the requirement can be met for the Stage 1 (Lot F) component of the development. The approach is discussed in Section **6.2.2** and **Appendix R** of the Submissions Report.
6. Traffic considerations	
The proposal is subject to the final Mamre Road Precinct DCP and master planning being completed and NSW government commitments and timelines to deliver the road network and other infrastructure.	Noted
The proposed road upgrade works to Mamre Road / Bakers Lane, Bakers Lane, Bakers Lane / Addington Road, Addington Road, Addington Road / Abbotts Road, Abbotts Road and Mamre Road / Abbotts Road are subject to TfNSW and Penrith City Council acceptance and conditions. In addition, the proposed road upgrade works and proposed internal estate roads and intersections will need to comply with the final Mamre Road Precinct DCP, conform to the surrounding future road network and master plan and accommodate the ultimate traffic generated by the fully developed Mamre Road Precinct.	Noted
The proposed Lot O car park driveway and heavy vehicle driveway locations are not supported given they are in the driveway prohibited zone as set out in AS 2890, being opposite the terminating road at the proposed future road 'T' intersection.	The car park driveway positions have been amended on the revised Master Plan (see **Appendix C** of the Submissions Report) and no longer access Future Road 04. The heavy vehicle access in its current location will represent a temporary access only, until such a time that the road to the east is delivered. Once the road is delivered, the heavy vehicle access will be relocated to the east. It is recommended that a suitable Condition of Consent be imposed requiring the permanent crossover be delivered as part of any works once the access road is constructed, with the western driveway to be removed. This is supportable given the prohibited location occurs only due to the extension of the roadway to the east. The detailed design of these access points will be considered during the relevant detailed design and application stage for that Lot.
The proposed Lot K car park driveway location is not supported given it is in the driveway prohibited zone as set out in AS 2890, being at the corner kerb return to the terminating road at the proposed future road 'T' intersection.	The car park access has been relocated. (see **Appendix C** of the Submission Report)
The proposed future road and 'T' intersection should be provided as part of the proposal and the proposed driveway locations refenced above relocated clear of the driveway prohibited zone as set out in AS 2890.	The driveway locations have been addressed above.

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The future road to be provided to the site boundary and the road termination at the site boundary are to have a temporary turning head provided.	Subject to the above, the Proposal does not require a turning head.
Other matters to be addressed include the following: • Roadways, driveways, pathways, cycleways, vehicular access and manoeuvring, parking areas and the like shall comply with Australian Standards (AS 2890 including parts 1, 2 and 6 and AS 1158), Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines, the final Mamre Road Precinct DCP and the NSW Government Walking and Cycling Guidelines. • The entry and exit points for any car parking areas to and from the public roadway shall be separate from any heavy vehicle access. Car park entries and exits which conflict with heavy vehicle access points should be removed or limited and managed. • Separate and accessible pedestrian pathways at least 1.8m wide shall be provided from car parks and from roadway footpaths to building entrances in accordance with AS 2890 (car park access) and AS 1428 (mobility accessible paths of travel). Consideration shall be given to the most direct access to buildings for pedestrians. • The availability of public transport by bus shall be addressed. This shall include identifying the nearest existing and future bus routes, bus stops (including both sides of Mamre Road and through the development roads) and timetables. The existing and future bus stops shall be complaint with the Disability Discrimination Act provisions and Penrith City Council accessibility requirements. Provision shall be made for safe accessible paths of travel to and from these facilities and options and strategies applied to improve public bus transport facilities, accessible paths of travel and patronage. • Vehicle turn paths for the largest vehicle type expected to access the site shall be assessed in accordance with AS 2890 and shall clearly demonstrate satisfactory vehicle manoeuvring on-site and forward entry and exit to and from the public roadway. The proposed turn paths for heavy vehicles into and from the site and turn paths at intersections shall be addressed regarding any encroachments across the road centre line. The heavy vehicle turn paths shall be clear of roadside parked vehicle areas. • Accessible parking shall be provided as close as practicable to building entries with accessible paths of travel. • Wheel stops shall be provided for any parking spaces that front or back onto a pedestrianised area to control kerb overhang. Wheel stops shall be designed in accordance with AS 2890. • A minimum of two electric vehicle charging stations (EVCS) shall be provided within the car parking areas of each warehouse development. The charging stations are to be designed to accommodate the requirement of commercially available public vehicles and their required connector types (currently known as Type 1 and Type 2 connectors). A minimum of three additional car parking spaces shall be designed so as to be readily retrofitted as EVCS parking spaces. The installed EVCS car parking spaces are to be signposted and marked for the use of electric vehicles only and are to be located as close as possible to the building access points after accessible parking	These items largely relate to detailed design items that should be addressed at the relevant stage. It is expected that these would form suitable Conditions of Consent associated with any approval. As discussed above, a FSTP has been provided as part of the TMAP (**Appendix M** of the Submission Report**)**. This includes measures such as use of Electric Vehicle (EV) charging stations. However, it is noted that EV charging is not a standard requirement for industrial type developments as the demand for their use just does not exist. Therefore, at this early stage in the Development, it is proposed to facilitate their future use by designing the electrical supply with capacity to provides 2 x EVCS in the future if the market demands them. This will then be monitored as part of the final Travel Plans to be implemented across the Estate.

Comment / Extract	Response
space priority. EVCS shall be free of charge to staff and visitors. • Compliant numbers of secure, all weather bicycle parking facilities, end of journey facilities, change rooms, showers and lockers shall be provided at convenient locations for warehouses in accordance with AS 2890.3 Bicycle Parking Facilities and Planning Guidelines for Walking and Cycling (NSW Government 2004). • Appropriate signage, visible from the public roadway and on-site, shall be installed to reinforce designated vehicle circulation and to direct staff,delivery vehicle drivers, service vehicle drivers and visitors to on-site parking and delivery and service areas. • The required sight lines around the driveway entrances and exits shall notbe compromised by street trees, landscaping or fencing. • Sight distance requirements at verges, footpaths and driveways shall be in accordance with AS 2890.2, Figure 3.3 and Figure 3.4. • All vehicles shall enter and leave the site in a forward direction.	
7. Engineering considerations	
Roads – The road layout is not in accordance with the Draft Mamre Road Precinct DCP (Figure 14). The DCP shows an east-west 'High Order Road' (blue road) along the northern perimeter boundary that will also serve future development to the adjoining lands to the north. This road connects to an 'Open Space Edge Road' (green road) along the Ropes Creek riparian corridor.	The proposed road layout is explained in to **Section 6.1.3** of the Submissions Report.
Road No. 4 being a 'High Order Road' (blue road) is to be provided as part of the proposal.	Upon completion of Road 1 construction, it is proposed to dedicate the land for Road 04 to Council at the same time. Once dedicated, the eastern landowner, in a timing that suits them, will be able to make an application to Council for the construction of this road as part of a works in kind agreement for development on their site, or alternatively the road will be constructed by Council using s7.11 local developer contributions funds.
All roads identified in the draft DCP that are applicable to the development site, shall be located in accordance with the draft DCP and delivered as part of the proposal.	The Draft DCP provides flexibility in relation to the development of roads within the network. In particular Section 3.4.1 1) states: *"The Mamre Road Precinct should be developed generally in accordance with the network map identified in Figure 14".* On this basis, should an alternate solution be identified that increases economic output through increased developable area or reduced development / construction costs, whilst still achieving the intent of the DCP, consideration to this option should occur. It is our view that the proposed layout achieves this and as such noting the flexibility in the DCP the revised network should reasonably be considered. Explanation is provided at **Section 6.1.3** of the Submissions Report.

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Road Types – The Draft Mamre Road Precinct DCP has identified two road types for the precinct: • Local Industrial Road (Type 1) with a 24m wide road reserve; and • Distributer / Collector Road (Type 2) with a 26.4m wide road reserve. The proposed road upgrade of Abbotts Road and Aldington Road along with the internal estate roads are not in accordance with the draft DCP.	The proposal has amended the road reserves in accordance with the draft MRP DCP.
The draft DCP has identified Abbotts Road and Aldington Road as a future Distributer Road. The draft DCP has also identified Estate Road 01 (Ch. 000-360 and Ch. 1120-1600), along with Estate Road 04, as a 'High Order Road'. Aldington Road, Abbotts Road, Estate Road 01 (Ch. 000-360 and Ch 1120-1600) and Estate Road 04 shall be designed as a *Distributer / Collector Road* (Type 2) with a 26.4m wide road reserve with associated pavement widths and verge widths to be in accordance with the draft DCP.	The draft DCP does not clearly define if a 'high order road' is a Type 1 or Type 2 road. The blue roads through the site will be used for access into and out of industrial buildings therefore it is logical these roads are to be a lower speed environment compared to the distributor road which only has major intersections and no direct access for industrial facilities. As detailed above the Abbott's/Aldington Road will be widened to match the DCP Type 2 roads and all other roads will be widened to match DCP Type 1 roads.
Estate Road 01 (Ch. 360-1120) and Estate Road 02 shall be designed as a *Local Industrial Road* (Type 1) with a 24m wide road reserve with associated pavement widths and verge widths to be in accordance with the draft DCP.	The proposal has amended the road reserves in accordance with the draft MRP DCP.
Internal Intersections – The intersection of Estate Road 01 and Estate Road 04 shall be delivered as part of the proposal with priority given to the through road of Estate Road 04 (i.e. standard 'T' intersection) in accordance with the Draft Mamre Road Precinct DCP. The location of driveways for Lot K and Lot O shall be located clear of the intersection and in accordance with AS 2890.	Refer to previous commentary within the RTS on how the estate roads are proposed to be delivered.
The northern end of Estate Road 01 (Ch. 000-360) shall connect through to the proposed Open Space Edge Road in accordance with the draft DCP. Intersection priority shall be given to the through connection to the Open Space Edge Road (i.e. standard 'T' intersection) in accordance with the draft DCP. The extension of Road No. 1 to the Open Space Edge Road and the 'T' intersection shall be delivered as part of the proposal.	The proposed road layout, which does not propose the Open Space Park Edge Road is explained in **Section 6.1.3** of the Submissions Report.
The Open Space Edge Road shall be delivered as part of the proposal in accordance with the draft DCP. The road shall be designed as a Type 1 Road in accordance with the draft DCP.	
Temporary turning heads are to be provided at the end of any road.	No dead-ends are proposed. .
Estate Basins – Basin A proposes to discharge low flows and emergency overflows onto the adjoining private property to the south. The proposed 'stormwater diversion walls' and surrounding areas will not be able to be maintained. Consideration is to be given to the future development of the lands to the south and the management of stormwater discharge from Basin A through the adjoining lands. Basin batter slopes shall be at 1 in 5 (vertical to horizontal) to permit maintenance.	Downstream discharge and discharge to the adjoining land to the south of Basin A has been considered in the design of the basin.

Comment / Extract	Response
Flooding – Council does not support development of flood liable lands located within the 1% AEP flood event in Ropes Creek. The flood maps provided in the Flood Risk Assessment and Flood Impact Assessment prepared by Cardno are the same (i.e. pre-developed flood mapping). Flood maps detailing the impact of the proposal on the flooding regime of Ropes Creek have not been provided.	The proposal remains consistent with the NSW Flood Prone Land Policy and the assessed impacts of the proposal in a 1% AEP flood do not give rise to any significant additional private or public losses (refer to response by Cardno at **Appendix J** of the Submissions Report).
Detailed post development flood level difference mapping and post development flood hazard mapping shall be provided for the north-eastern area of the site for various flood events up to, and including, the PMF to determine the impact on adjoining properties.	A revised Flood Impact Assessment has been prepared by Cardno, including post-development mapping (refer to **Appendix J** of the Submissions Report).
NSW Rural Fire Service	
1. Asset Protection Zones	
The intent of measures is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting fire fighting activities. To achieve this, the following conditions shall apply:	Noted.
A Vegetation Management Plan must be prepared to include measures to establish the maintenance of the vegetation management area within proposed Lot D as demarcated on Fig. 3 of the Biodiversity Development Assessment Report (prepared by Eco Logical Australia, Project Number 20SYD16452, Version 2, dated 15 October 2020). The restoration and revegetation of the vegetation management area shall not exceed fuel loads of 22/36.1 t/ha as per Table A1.12.8 of Planning for Bushfire Protection 2019.	Noted. To be addressed in the VMP.
From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, all the proposed industrial lots within the subject site, except Lots D and L demarcated for drainage basin, must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019.	Noted.
When establishing and maintaining an IPA the following requirements apply: • tree canopy cover should be less than 15% at maturity; • trees at maturity should not touch or overhang the building; • lower limbs should be removed up to a height of 2 metres above the ground; • tree canopies should be separated by 2 to 5 metres; • preference should be given to smooth barked and evergreen trees; • large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings; • shrubs should not be located under trees; • shrubs should not form more than 10% ground cover;	Noted.

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• clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation. • grass should be kept mown (as a guide grass should be kept to no more than 100 mm in height); and • leaves and vegetation debris should be removed.	
2. Access to Property	
The intent of measures is to provide safe access to/from the public road system for fire fighters providing property protection during a bush fire and for occupants faced with evacuation. To achieve this, the following conditions shall apply:	Noted.
Access roads must comply with the following general requirements of Table 5.3b of Planning for Bush Fire Protection 2019 and the following: • are two-way sealed roads with minimum 8 metre carriageway width kerb to kerb; • are through roads, and these are linked to the internal road system at an interval of no greater than 500 metre; • curves of roads have a minimum inner radius of 6 metre; • the maximum grade road is 15 degrees and average grade of not more than 10 degrees; • the road crossfall does not exceed 3 degrees; • a minimum vertical clearance of 4 metre to any overhanging obstructions, including tree branches, is provided; • traffic management devices are constructed to not prohibit access by emergency services vehicles; • dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end; • the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles; bridges/causeways are to clearly indicate load rating; • hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; and • hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning.	Noted.
3. Water and Utility Services	
The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:	Noted.

Comment / Extract	Response
The provision of water, electricity and gas must comply the following in accordance with Table 5.3c of Planning for Bush Fire Protection 2019: reticulated water is to be provided to the development where available; • fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS2419.1:2005; • all above-ground water service pipes are metal, including and up to any taps; • where practicable, electrical transmission lines are underground; • where overhead, electrical transmission lines are proposed as follows: – lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and – no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines. • reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used	Noted.
4. Landscape Assessment	
The intent of measures is for landscaping. To achieve this, the following conditions shall apply:	Noted.
Any landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated: • A minimum 1 metre wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; • Planting is limited in the immediate vicinity of the building; • Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and trees do no touch or overhang buildings; • Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies; • Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; • Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter); • Avoid climbing species to walls and pergolas; • Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building; and • Low flammability vegetation species are used.	Noted. Further consideration will be made to these comments at the detailed design stage.

Comment / Extract	Response
Western Sydney Airport	
1. Wildlife Hazards – Vegetated Areas	
The proposed development includes new basin and vegetation management zones, which are identified as being planted with native species, and providing a habitat for fauna in the area (Page 91). It should be ensured that this wildlife zone does not present an increased risk of wildlife attraction in relation to the future airport. The proposal includes the realignment of an environmental corridor along the northern boundary of the site, and the provision of a riparian zone, including planting along the realigned corridor. The proposal also includes the provision of a stormwater basin on site. It should be ensured that this wildlife zone does not present an increased risk of wildlife attraction in relation to the future airport. The Aeronautical Impact Assessment that forms part of the DA package does not address the risk posed by these factors. Landscaping species should be selected to deter the attraction of birds / flying foxes.	It is noted that the site is located inside the 8km wildlife buffer zone. Given the nature of the proposed use and plant species however, the proposal is not considered that the development will attract wildlife which may impact the operation of the Western Sydney Airport. The proposed development is predominately for warehouse and distribution purposes with storage of goods being enclosed within buildings. The site does not propose any waste management facilities.
2. Wildlife Hazards – Fill	
It is also proposed that fill be undertaken at the site, with the following mitigation measure outlined at Chapter 5.21 of the EIS: “A Fill Management Protocol (FMP) should be prepared to control the quality of fill imported to the site, including the provision for the import of suitable waste material as defined by the NSW EPA”.It should be confirmed what material would for the purposes of future filling, noting that putrescible waste should not be used given the potential likelihood for wildlife attraction.	Noted. Fill will be undertaken in accordance with the Fill Management Protocol as discussed in **Section 5.21** of the EIS. Putrescible waste will not form part of filling.
3. Wildlife Hazards – Waste Storage	
The Waste Management Plan includes at Section 6.3 discussion in relation to the locations of future waste storage. Waste generally appears to be identified for storage in loading docks adjacent to each warehouse. It should be conditioned that waste be enclosed.	The location of waste and type of waste to be generated is not considered to exacerbate wildlife hazards.
4. Cumulative Impacts	
Given the status of the Draft Mamre Road Development Control Plan being recently concluded from exhibition, it should be ensured that the cumulative traffic impacts of the development are considered appropriately, including impacts on traffic to both the northern and southern approaches to the precinct. This would include ensuring that appropriate assessment is undertaken of the impact of the proposal on the surrounding road network, and ensuring that the cumulative impact of other projects (e.g. elsewhere in the Mamre Road Precinct and within the Initial Precincts of the Aerotropolis) are considered. This should also be considered with regard to construction / operational traffic impacts of major projects in the area including Western Sydney Airport, the M12 Motorway and Sydney Metro Western Sydney Airport.	The broader analysis is still being undertaken which incorporates the growth in the overall precinct. This work is being progressed in consultation with both TfNSW and DPIE.

Comment / Extract	Response
4. OLS Limitation	
The proposed development does not include details for the maximum heights of all future allotments. Future buildings under the Concept application will need to demonstrate compliance with the OLS limitations.	The site is located on land identified as having RL 200-220 OLS. The proposal seeks RL's well below RL 200. Future development on the site will be subject to detailed assessment against the OLS.
Endeavour Energy	
…Accordingly an extension and / or augmentation of the existing local network will be required. However the extent of the works will not be determined until the final load assessment is completed. Endeavour Energy's preference is to alert proponents / applicants (and the Department) of the potential matters that may arise as further development of areas continues to occur	Noted
In due course the applicant for the proposed development of the site will need to submit an appropriate application based on the maximum demand for electricity for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Straightforward applications can be completed online and permission to connect may be provided immediately if submitting a complying application.	Noted
… the electricity network required to service the proposed development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy's risk assessment associated with the implementation and use of the network connection / infrastructure for a bushfire prone site.	noted
The electricity network required to service an area / development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy's risk assessment associated with the implementation and use of the network connection / infrastructure for a flood prone site. Risk control has focused typically on avoiding the threat, but where this is not possible, reducing the negative effect or probability of flood damage to assets by implementing good design and maintenance practices.	Noted
Distribution substations should not be subject to flood inundation or stormwater runoff ie. the padmount substation cubicles are weatherproof not flood proof and the cable pits whilst designed to be self-draining should not be subject to excessive ingress of water.	Noted
…The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations' as updated from time to time. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. It applies to all electrical installations including temporary builder's supply / connections	Noted

Comment / Extract	Response
Endeavour Energy's preference is for no activities or encroachments to occur within its easements. However, if any proposed works (other than those approved / certified by Endeavour Energy's Network Connections Branch as part of an enquiry / application for load or asset relocation project) will encroach / affect Endeavour Energy's easements or protected assets, contact must first be made with the Endeavour Energy's Easements Officer, Jeffrey Smith, on business days on direct telephone 9853 7139	Noted
Endeavour Energy believes that irrespective of the zoning or land use, applicants (and Council) should also adopt a policy of prudent avoidance by the siting of more sensitive uses eg. the office component of an industrial building, away from and less susceptible uses such as garages, non-habitable or rooms not regularly occupied eg. storage areas in a commercial building, towards any electricity infrastructure – including any possible future electricity infrastructure required to facilitate the proposed development	Noted.
The planting of large trees near electricity infrastructure is not supported by Endeavour Energy. Particularly for overhead power lines, ongoing vegetation management / tree trimming is a significant network cost and falling trees and branches during storms are a major cause of power outages.	Noted.
Public submission – - Galliano Callegari	
Referring to my letter and photographic evidence dated 21/11/20 in response to the Mamre Road precinct proposed Development Control Plan. My wife and I repeat our strongest objection to the proposed widening of Aldington and Abbotts Road as it relates to our family home at 287 Aldington Road, Kemps Creek. Our objection relates solely to the potential demolition of my front fence which faces both Abbotts and Aldington Road which appear to support your development application. I personally constructed this unique, artistic, iconic fence over the course of 4 years. It is not replaceable, represents a landmark in Western Sydney which must be protected. Without its fence, the potential alternate use of our home in an industrial area, perhaps as a conference centre, is severely comprised. We propose any road widening extends into the property of my opposite neighbours, which have no unique characteristics, so as to not effect my fence and property. I am seeking legal advice to support my position.	Aldington Road will transition into a Distributor Road under the draft MRP DCP and therefore future widening of that road would need be addressed as part of the future upgrades to that Road.
Public submission – Name Withheld	
The proposal has included 200m2 of ancillary cafe floor space, which is not in sync with the "Mamre Rd Precinct Structure Plan" whereby the Indicative Employment Service Hubs with a 400m catchment, is not located within this development application. Therefore this request should be eliminated from their proposal, as too many "employment service hubs" would be ad hoc to the overall precinct, as it would lack consistency. The proposal is unclear to the origin of the materials for the infill of the numerous damns. To support the draft DCP for the precinct, they should be limited to using fill from developments within the precinct.	The 200 sqm of café floor space, given the size of the site, is considered suitable in catering to the day-to-day needs of workers and visitors. The café is not intended to operate as a full employment service hub with consolidated retail and services. The café floor space is not considered a size large enough to preclude the provision of an employment service hub on surrounding land within the precinct. All import materials will comply with the Import Fill Protocol and Geotechnical Specifications for the proposal.

Comment / Extract	Response
Public submission – Dino Seraglio	
…The SF proposal, has indicated a location for the future road on its southern end of the proposed development. This road is some 950m from our northern boundary, this access according to discussions with SF representatives, has no timeframe and will be demand driven for warehousing, therefore, Pazit's land will be land locked, until we do not know! This situation is untenable and unacceptable! This proposed road is approx. 400m further south, than identified in the Mamre Precinct structure plan.	As detailed in **Section 6.1.3** of the Submissions Report, the southern road reserve will be subdivided and dedicated to Council upfront, ensuring either Council (or the neighbouring landowner to the east by way of works-in-kind agreement) can construct a road and facilitate vehicular from the site to the adjoining land to the east. A second road connection can also be extended subject to precinct traffic modelling determining it is necessary on traffic grounds.
As discussed Department of Planning, Industry and Environment (DPIE) and Penrith Council, Pazit, is proposing to subdivide into industrial lots, upwards of 1,500sqm and can commence immediately, upon consent being issued thereto. However, we are currently unable to complete our structure plan, whilst the road access location to our site remains unresolved.	
…Sewerage services are available on our northern boundary therefore, road access is critical both as far as location and timeframe is concerned. In principle we support the DCP road hierarchy which depicts the collector road on the SF northern perimeter boundary and extends to the Pazit land, via the green road. This collector road thereafter heads in a westerly direction, whereby it crosses over Aldington Road and continues further westward and provides a much better traffic circulation and connection to our site by virtue of the wider collector road.	Refer to **Section 6.1.3** of the Submissions Report. The hierarchy under the draft MRP DCP proposes a high order road along the site's northern boundary, shared with the adjoining landowner to the north. A road in this location will require significant engineering given topographical constraints along the proposed alignment. The "Open Space Edge Road" along the north east boundary of the site is totally unrelated to the industrial land use activities proposed by FKC and provides no benefit to the Mamre Road Precinct. The road is a significant cost burden to the landowners given it does not benefit the IN1 land use, takes up otherwise useable employment land and, given its close proximity to an identified industrial road to the west, further sterilises land by creating undevelopable parcels of land between the roads. A road extension from the proposed realigned high order road can also be extended subject to precinct traffic modelling determining it is necessary on traffic grounds.
…Currently, Pazit has approx. 83 ha. of land-locked industrial land with 2 kilometres boundary with its western neighbours, 700m offset from Aldington Road, the primary roadway in the Mamre Precinct. Therefore, Pazit's land has very limited exposure, given this constraint we require three road access locations as shown in the DCP road hierarchy. The accessibility and ease of traffic circulation is imperative to make the isolated location attractive to end users. Without these attributes the land will become an isolated island.	As per above.
…The SF proposal does not include the construction of road to our boundary and remains approx. 300m away, this shortfall could create a ransom strip demand and cause delay in our subdivision proposal. The consent when issued, must include that all roads to landlocked properties including Pazit's land, the road construction and services must be constructed by the proponents to the boundary of any adjoining properties, alternatively these ransom strip's will cause conflict between land owners time after time.	
The current proposal demonstrates, that it is intended to provide retaining walls, fill the north eastern part of the SF land and locate an on-site detention basin online of a	

Comment / Extract	Response
watercourse, with consequent drainage and flooding impacts onto the Pazit land. Such work does not conform with industry standard. Any discharge of additional flood water onto the Pazit land is not acceptable.	Addressed in Section 6 of the Response prepared Cardno (**Appendix J** of the Submission Report).
There is a multiplicity of mapping, within the application and other topographical information showing this watercourse, the tributary of Ropes Creek naturally flowing in a northerly direction from Pazit's land, onto SF land and further northwards into Ropes Creek. The notion from the consultants that the water from this watercourse flows uphill on our land and contemplable. Pazit has owned this land since 1986 and prior to that, used the land for farming, we are very aware of the sites history and constraints and the water has always flowed to the north until the dam was built across the channel.	
Therefore, we submit that the development proposal by SF, should now reinstate the natural watercourse, to its historical flow path and any retaining wall on the common boundary and consequent discharge and concentration of stormwater on the Pazit land will not be accepted and strenuously contested and request alternate solutions.	
In summary, the industrial development of the 83 ha. of Pazit land dictate is the provision of vehicular access, variation from the Mamre Road DCP as proposed by SF, is opposed as it would affectively cause sterilisation of our land, or otherwise conspire to create a second rate isolated island of industrial subdivision. This is not the vision by Pazit for it's industrial estate. Matters to addressed: *1. Timing and location of road access/services* *2. Road construction to Pazit's western boundary (preventing a ransom strip)* *3. Resolution of retention basin* *4. Flooding on our land*	As per above.
Public submission – J Wyndham Prince c/o Pazit Pty Ltd and Dino Seraglio	
1. Draft Mamre Road DCP	
…It is critical that the east west connections shown in blue are constructed to enable a permeable road system to be achieved. The three east west connections create a strong direct connection to Aldington Road and Mamre Road. These connections are not yet properly recognised in the 200 ARIE proposal and need to be included to allow a fully functioning industrial estate to emerge.	As per above. Refer to **Section 6.1.3** of the Submissions Report.
…The proposed subdivision is inconsistent with the Mamre Road Precinct planning policies. The layout shows that the development intends to provide only one point of access through the estate to Aldington Road. The singular connection is proposed through 'Estate Road 01' which is located at the southern end of the site. This entry point is marked with a red circle in Figure 3.	As per above. Like detailed in the Submissions Report, the southern road reserve will be subdivided and dedicated to Council upfront ensuring either Council (or the neighbouring landowner to the east by way of works-in-kind agreement) can construct a road and facilitate vehicular from the site to the adjoining land to the east. A second road connection can also be extended subject to precinct traffic modelling determining it is necessary on traffic grounds (refer to **Section 6.1.3** of the Submissions Report).

Comment / Extract	Response
This subdivision layout is inconsistent with the Mamre Road Precinct planning policies and is therefore strongly opposed. This is because the subdivision layout is inconsistent with the Structure Plan and the Road network plan as it does not indicate a northern end access point through the subdivision. Further, the 200 ARIE has not considered the potential staging of the Seraglio Estate development to the east. The Mamre Road Structure Plan and the draft DCP road network clearly show a road connection point at the northern end of the Stockland / Fife land.	
Recommendations: 1. The Department require 200 ARIE to amend their proposal to include the three connection points as shown in the Draft DCP. 2. 200 ARIE should provide a logical subdivision plan that is cognisant of road access requirements for development in the east.	
2. Road network	
…The EIS was also reviewed against the road network plan, objectives and controls specified in the MRDCP. It is considered that the 200 ARIE is inconsistent with the specified controls, road network plan and the Draft Mamre Road Structure Plan.	As per above.
Recommendations: 1. 200 ARIE be required to provide the DCP stipulated point of access in the northern portion of the estate.	
3. Staging	
It is noted that the proposed staging works of the 200 ARIE do not include an initial connection through the estate to Aldington Road as part of stage 1. …It is essential that a condition of consent for the 200 ARIE development is that the connections to the Seraglio land be capable of construction as part of the first stage of the development.	The southern road reserve connecting through to the Landowner's site will be subdivided and dedicated to Council upfront ensuring either Council (or the neighbouring landowner to the east by way of works-in-kind agreement) can construct a road and facilitate vehicular from the site to the adjoining land to the east. A second road connection can also be extended subject to precinct traffic modelling determining it is necessary on traffic grounds (refer to **Section 6.1.3** of the Submissions Report).
Recommendation: 1. That provision be made for the northern access point (Open Space Edge Road). 2. A condition of consent be included to ensure that the Seraglio connections are part of the Stage 1 development process to prevent the land being landlocked for an undetermined period of time.	As above.
4. Specific Details on Driveways at Lot O and K	
TTPP have identified some deficiencies in the design and provision for the future access road related to Lot O, at the southern side of the 200 ARIE estate. The proposed driveway	Noted. The driveway positions have been amended on the revised Master Plan (see **Appendix C**) and no longer access Future Road 04.

Comment / Extract	Response
locations will be non-compliant with the relevant Australian Standards when the future road is provided. These driveways need to be appropriately shown now considering the extension of the road to the Seraglio land.	
5. Traffic Report – assumed traffic from Seraglio Land	
It is Seraglio's intention that his land be developed sooner than the generation proposed in the EIS Traffic Report. TTPP sets out the relevant timing. The EIS traffic Report should be revised to ensure that the relevant traffic flows are considered, and appropriate intersection treatments are included.	Noted.
6. Tributary of Ropes creek	
The assertions of Appendix R Part 5 and Appendix S of the EIS that the unnamed tributary of Ropes Creek does not proceed to the north are rejected. The original watercourse has elevated the access road and blocked the flows of from proceeding directly downstream to the north on its historic and traditional route. The flows to north-east to Ropes Creek through the Seraglio land only occur because of the overflow from the constructed dam, not as the original stream flow. Accordingly, the proposed diversion of the stormwater from 200 ARIE onto our site must be rejected. The Seraglio letter attached includes some details of the history of this matter. Specifically, even if the Department does not require the basin to be relocated out of the floodplain as recommended below, then the basin outlet as shown in Appendix F of the EIS must be relocated as shown in the image below.	Addressed in Section 7 of the Response prepared Cardno (**Appendix J** of the Submission Report). If the outlet from the basin is re-directed as indicated in the submission, then this would lower the flood levels on the Seraglio land while increasing the flood levels downstream of the basin due to the re-direction of flows in comparison to existing conditions.
7. Flooding	
The EIS does not explicitly state the full extent of the flooding impacts on the Seraglio land caused by the filling of the floodplain and flowpath of Ropes Creek and its tributary. Appendix F of the EIS indicates that the significant encroachment into the floodplain by the development, particularly with the construction of Lot G, but also Lot C (to a lesser degree).	It was found that the exhibited copies of the FRA and FIA reports (Cardno, 2020a, b) both included the same Figures of Benchmark Conditions. A corrected copy of the FIA Report is included in **Appendix J** to the Submissions Report. The corrected copy of the FIA report plots the extents of the estimated impact of the proposed 200 Aldington Industrial Estate on 2 yr ARI, 20 yr ARI and 100 yr ARI flood levels (in comparison to Benchmark Conditions). These plots disclose the full extent of the flooding impacts. The FIA Figures disclose local adverse impacts on flood level in the vicinity of the NE corner of the 200 Aldington Industrial Estate.
The EIS Appendix Q and R seem to indicate that the development does have an impact downstream of the development on Ropes Creek, but they also indicate that the proposed development does have at least an 80mm impact upstream of 200 ARIE (i.e. within our site). This is totally unacceptable and contrary to the provisions of the DCP. To be clear, this outcome is entirely unacceptable, and we will pursue every avenue (legal if necessary) to protect our rights to prevent 200 ARIE from increasing the flooding on our site.	The flood impact assessment described in Cardno, 2020b concluded, in part, that notwithstanding the local impacts on 100 yr ARI flood levels exceed 0.01 m at some locations (refer Table 2 Comparison of 2 yr ARI, 20 yr ARI and 100 yr ARI Flood Levels at Reference Locations, Cardno, 2020b) that: • The local adverse impacts on in the 2 yr ARI, 20 yr ARI and 100 yr ARI, events in the vicinity of the NE corner of the 200 Aldington Industrial Estate are minor and confined to the RE2 zoned land;

Comment / Extract	Response
	• The incremental impacts downstream of the 200 Aldington Industrial Estate in the 2 yr ARI, 20 yr ARI and 100 yr ARI, events are negligible. It is considered that the proposed development complies with the objective of the NSW Flood Prone Land Policy because these assessed impacts in a 100 yr ARI flood ado not give rise to any significant additional private or public losses.
8. Water Quality	
It appears that 200 ARIE has not attempted to meet the requirements of the Draft DCP, or if they have, have not provided the evidence that they have met those requirements.	Refer to **Section 6** and **Appendix B** of the Submissions Report which addresses the draft Mamre Road Precinct DCP compliance.
Public submission – Goodman Group	
For consistency with conditions of consent imposed on SSD-7348, Goodman urges Department of Planning, Industry and Environment to include the following conditions in an SSD-10479 approval: • No construction traffic should use Bakers Lane, particularly during school peak drop off / pickup hours; • The Proponent should complete regular consultation with Emmaus Catholic College and Village, Mamre Anglican School, Trinity Primary School, and Little Smarties Learning Centre and carry out all feasible measures to ensure safety along Bakers Lane; • No vehicles greater than 9.6m should use Aldington and Abbotts Roads until the proposed road upgrade works have been completed; • No vehicles should be able to turn right at Mamre Road / Abbotts Road intersection prior to the upgrade works at the intersection being completed; • No importation of fill material should occur on Aldington and Abbotts Roads until such time that Aldington Road is upgraded, particularly the Mamre Road intersection; • Any damage made to Aldington Road (pre and post upgrade works) as a result of the Proponent's construction should be repaired by the proponent to the satisfaction of Council, noting that Goodman will not be using this road for construction traffic following completion and dedication of the Western North South Link Road; • The Proponent is to engage an Environmental Representative for the Project; and • Reporting & Auditing: D135 – D145 of SSD 7348 (MOD 4) should be included within the conditions of consent requiring any non-compliances or incidents to be notified to DPIE.	Noted. These issues are matter for the Consent Authority to consider in its assessment however we note these conditions were issued for Goodman estate prior to the Mamre Road Precinct being rezoned to IN1. We refer the Consent Authority to the submissions received from landowners in response to this SSDA application following rezoning not prior applications by Goodman. We understand these conditions from Goodman Group were introduced in response to objections from properties fronting Aldington Road and Bakers Lane. In order to fast track delivery of jobs and investment within the now rezoned Mamre Road Precinct the upgrade of Aldington Road and Abbotts Road and the Abbotts Road/Mamre Road junction should be permitted in parallel to works at 200 Aldington Road with appropriate traffic management strategies implemented to facilitate resident and construction vehicle (up to 19m semi-trailers) operation and movements.