

State Significant Development Application – SSD 9522

Proposed Warehouse, Logistics and Industrial Facilities Hub

657-769 Mamre Road, Kemps Creek (Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 & Lot 22 DP 258414).

Table 1: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
<p><i>Strategic Justification:</i></p> <p><i>There are significant strategic issues with how the development aligns with the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan Stage 1 Initial Precincts (LUIIP) and the long term role of the South Creek Precinct. The EIS states that the proposal is entirely consistent with the objectives under the LUIIP (pg. xv) and repeatedly mentions that 11 ha of the site will be dedicated as green space along South Creek.</i></p>	<p>The Proposed Development as amended aligns with the Mamre Road Precinct Structure Plan and recent amendment made under SEPP (WSEA) 2009 with respect to the zone boundaries.</p> <p>The Mamre Road Precinct is identified as an “initial precinct” within the Stage 2 LUIIP release (Aerotropolis Plan). The Development footprint has been substantially reduced from the original submission that was exhibited in June 2019 to align with these zone boundaries in alignment with current strategic planning.</p> <p>Given the substantial amendments proposed, the Development now provides the following:</p> <ul style="list-style-type: none"> ▪ Provision for dedicated Public Recreation Land RE1 being Lots 14-16 of 7.64 ha. ▪ Provision for future built form amenity RE2 Land, pertaining to Proposed Lot 17 of 1.24 ha. ▪ Provision for Lots 3-5 (Stage 1 Subdivision) of 26.95 ha within the Q100 flood extent. <p>All land described above lies within the western portion of the Site and ensures a substantial buffer to South Creek that offers opportunity for future recreation and green space. It is considered that by ensuring this area is void of development, that the long term role of South Creek, being for infrastructure and open space provision can be realised.</p> <p>The Development seeks to ensure connectivity and permeability to South Creek is provided, which has been a fundamental design principle in formulating the revised design.</p>
<i>The South Creek precinct is identified as the central green spine of the</i>	The Proposed Development as amended aligns with the Mamre Road Precinct

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<i>Aerotropolis, set to provide open space, amenity, biodiversity and wellbeing values on land identified as 'non-urban'. The EIS does not consider that the majority of the 118ha site is located within the South Creek precinct and that 11ha represents a significant shortfall in non-urban land as envisaged. Locating the proposed development within the South Creek precinct would extinguish a large area of potential parkland. Justification is required as to how the proposal can therefore be consistent with the LUIIIP.</i>	<p>Structure Plan (June 2020) with respect to zone boundaries. The Development footprint has been substantially reduced from the original submission that was exhibited in June 2019. All built form is now located outside the 1% AEP year flood extent with the land adjoining South Creek preserved.</p> <p>This is evident with Lots 3-5 (Stage 1 Subdivision) of 26.95 ha within the 1% AEP flood extent remaining void of any development. It is considered that adequate open space is preserved and the green spine is maintained intact, consistent with the exhibited strategic planning framework.</p>
<i>Additionally, the proposal is inconsistent with Objectives 25, 26, 27, 31 and 32 under the Greater Sydney Region Plan: A Metropolis of Three Cities 2018 and the Sustainability Planning Priorities under the Draft Western City District Plan. These relate to protecting and improving the health and enjoyment of waterways, creating a cool and green Parkland City with the South Creek corridor as the defining spatial element and other relevant matters. No response is provided in the EIS to these Objectives and Planning Priorities.</i>	<p>Each relevant objective outlined in the adjoining submissions item is satisfactorily addressed below, including:</p> <ul style="list-style-type: none"> ▪ Objective 25: <i>The coast and waterways are protected and healthier</i> <p>South Creek is classified as a 5th Order stream under the Strahler Stream Ordering System and therefore, a 40 m vegetated riparian zone at the two locations of stormwater discharge to South Creek are required to be implemented in accordance with the requirements of the <i>NSW Water Management Act 2000</i>.</p> <p>From the investigations undertaken, terrestrial and aquatic groundwater dependent ecosystems are present in the Subject Site; however, their distribution across the Subject Site is considered to be confined to the South Creek area and adjoining riparian zone, which lies completely outside of the Proposed Development footprint.</p> <p>Accordingly, the condition of the riparian vegetation and creek channel along this reach of South Creek adjoining the Site is considered to range between poor and fair. Historical and current land use practices at the Subject Site (and</p>

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	<p>within the upper catchment), have resulted in significant degradation to the waterway (South Creek tributary) and the surrounding vegetative communities along the riparian corridor.</p> <p>The Proposed Development will not have any significant impacts on groundwater dependent, aquatic and / or riparian ecosystems. Rather, improvement to these ecosystems will occur if the following recommendations are implemented:</p> <ul style="list-style-type: none">▪ Establish an appropriately buffered Vegetated Riparian Zone;▪ Develop an appropriate Vegetation Management Plan; and▪ Develop an appropriate Construction Environmental Management Plan (CEMP). <p>By implementing appropriate stormwater management outcomes across the Site in accordance with the relevant principles and requirements concerning WSUD, the potential for runoff would be reduced through improved drainage conditions and provisions for Stormwater Detention to be implemented within the designated bio-retention basin in proposed Lots 11-13; and the implementation of Stormwater Treatments Measures (STMs) across the Site such as filters and pollutant traps, would enable the Site to achieve the relevant pollutant reduction targets in accordance with Penrith City Council's water quality control targets for achieving WSUD.</p> <p>Accordingly, the Proposed Development would not impose any significant impacts to the adjoining South Creek tributary and identified waterway, due to the revised Development completely avoiding works along the South Creek Corridor. CT Environmental (2020) conclude, that it is unlikely the Proposed Development will directly impact on riparian, aquatic and / or groundwater</p>

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	<p>dependent ecosystems as they are outside the major development footprint (refer to <i>Assessment of Riparian and Groundwater Dependent Ecosystems</i> prepared by CT Environmental at Appendix 27).</p> <p>Notwithstanding, the Proposal is considered to be consistent with Objective 25 of <i>A Metropolis of Three Cities</i>, as it would not cause any adverse environmental impacts to nearby waterways, rather, the Proposed Development has the opportunity to revitalise the Subject Site, in accordance with the strategic direction intended for the area.</p> <ul style="list-style-type: none"> ▪ Objective 26: <i>A cool and green parkland city in the South Creek corridor</i> <p>The Proposed Development includes generous and strategically comprehensive, aesthetically pleasing architectural landscape design which will contribute to a cool working and recreational environment, by reducing the Proposed Development's contribution towards the Urban Heat Island Effect and ameliorating the work space environment for employees, visitors and the general public, accessing the Site.</p> <p>This landscaping and overall design approach to deliver a cool and green industrial development is considered to satisfactorily address, not only Objective 26 of <i>A Metropolis of Three Cities</i>, but the subsequent, <i>Western City District Plan</i>, which notates the following aim and objective:</p> <p><i>"Mitigating the heat island effect and providing cooler places, by extending urban tree canopy and retaining water in the landscape."</i></p> <p>Accordingly, the Proposed Development includes provisions for a strategically</p>

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	<p>designed dichotomous mix of mature native and endemic species, that utilise and retain water, positively complementing the overall WSUD strategy of water storage and re-use across the Site.</p> <p>This is particularly evident within the western portion of as the Subject Site, which has been designated for open space land uses in accordance with the recreational land use zones (Lots 14-17). The Proposal now provides approximately 1,250 new trees planted, which includes approximately 98,891 m² of new vegetation and a canopy cover of approximately 141,250 m². Additionally, the portion of the Site identified within the South Creek Precinct (proposed Lots 3-5 Stage 1 Subdivision) will remain undeveloped (26.96 ha of undeveloped land), which includes identified threatened species which would be retained by the Proposal. Additionally, the micro-climate experienced across the Site would be significantly 'cooler', than a typical industrial estate; thereby, resulting in a reduction to the overall potential for the Urban Heat Island Effect to occur, which is significantly mitigated by the strategic landscape design proposed for the Site.</p> <p>The measures proposed to be incorporated in the overall design, are considered to satisfactorily address, mitigate and reduce potential adverse impacts, for which Objective 26 of <i>A Metropolis of Three Cities</i> is considered to be satisfied.</p> <ul style="list-style-type: none">▪ Objective 27: <i>Biodiversity is protected, urban bushland and remnant vegetation is enhanced</i> <p>The revised masterplan has reduced the development footprint from the originally exhibited plan, protecting significant flora and fauna and reducing biodiversity impacts.</p>

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	<p>The revised Biodiversity Development Assessment Report (BDAR) prepared by Ecoplaning (2020), now identifies only one (1) threatened species (fauna) under the <i>Commonwealth Environment Protection Biodiversity Conservation Act 1999</i> (EPBC Act) as having more than a 'low' likelihood of currently utilising habitats within the Subject Site. The species identified was the Grey-headed Flying Fox and as such further surveys were required. During the detailed site inspection, no Flying Fox camps were identified as being present on the Subject Site and as such, impacts on these species is considered to be negligible.</p> <p>Furthermore, the condition of the existing flora onsite, including Cumberland Plain Woodland – a Critically Endangered Ecological Community (CEEC) – listed under the EPBC Act on the Subject Site, is in poor condition and does not meet the condition criteria to be considered a Matter of National Environmental Significance (MNES). Consequently, referral to the Commonwealth is not required.</p> <p>Accordingly, Sections 5.2 and 6.2 of the BDAR prepared by Ecoplaning (2020), identifies, that no "undue biodiversity impacts" were anticipated as a result of the Proposed Development.</p> <p>Any minor impacts anticipated to remnant vegetation on the Subject Site, for which retention is not possible would be subject to ecosystem credits. A total of 230 ecosystem credits are required to offset the Proposal. In accordance with the Biodiversity Assessment Methodology (BAM) pursuant to the <i>Biodiversity Conservation Act 2016</i> (BC Act), the Site's potential biodiversity impacts are deemed acceptable.</p> <p>Through the abovementioned offsets, as well as a comprehensive landscape strategy proposed across the Subject Site, the Proposed Development is</p>

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	<p>considered consistent with Objective 27 of <i>A Metropolis of Three Cities</i>.</p> <ul style="list-style-type: none"> ▪ Objective 31: <i>Public open space is accessible, protected and enhanced</i> <p>The Proposed Development also ensures the provision of public open space and recreational opportunities along the western portion of the Estate, which will ultimately contribute to improve the wellbeing of local residents and workers and enhance the natural environment. Potential future land uses at this interface include:</p> <ul style="list-style-type: none"> ▪ Ancillary retail premises (such as Cafes, childcare); ▪ Recreation facilities, including proposed park, sporting fields, gym's, outdoor dining; ▪ High-tech Warehouse/Industrial facilities; and ▪ Collaboration and start-up space. <p>A fundamental outcome of the Proposed Development is not only to provide open space, it is to provide opportunity for public access to South Creek, which is presently unavailable given the ownership patterns which exist. Accordingly, the Proposed Development is considered to provide a substantial material benefit, which is in the public interest and increases the liveability of the area.</p> <ul style="list-style-type: none"> ▪ Objective 32: <i>The Green Grid links parks, open spaces, bushland and walking and cycling paths</i> <p>As detailed within the Architectural Plans, submitted as part of the SSD</p>

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	<p>Application, the revised Masterplan includes ample provisions for activated open space land uses that are consistent with the recreational land use requirements envisaged within the <i>A Metropolis of Three Cities</i>, the <i>Western City District Plan</i>, the <i>Aerotropolis Plan</i> and the <i>Mamre Road Precinct Structure Plan</i> (June 2020).</p> <p>These passive and active provisions will greatly assist in realising the recreational value and potential of South Creek, both in the short and long term.</p>
<p><i>Flood Impacts / Proposed Filling:</i></p> <p><i>The Department has engaged the services of an independent expert to undertake a peer review of the EIS and supporting information on this matter. Comments will follow once the peer review has been completed.</i></p>	<p>Part D of the RtS Report provides a direct response to the items raised in the Advisian Peer Review.</p> <p>It is noted that Costin Roe have confirmed as follows in relation to the updated flooding assessment:</p> <p><i>The assessment has been completed for a range of probabilistic flood events and has compared the predevelopment flood conditions to the post development. Scenario testing has been completed within the bounds and requirements of the specific criteria set out in Penrith City Council DCP Part C3 Water Management, NSW Floodplain Development Management Manual 2005, and discussions with Penrith City Council and NSW DPIE.</i></p> <p><i>The Council DCP Part C3 criteria as adopted in the assessment to confirm that the developed conditions do not result in affectation of upstream, downstream or adjacent properties are listed as follows:</i></p> <p><i>i) Flood levels are not increased by more than 0.1m by the proposed filling;</i></p> <p><i>ii) Downstream velocities are not increased by more than 10% by the</i></p>

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	<p><i>proposed filling;</i></p> <p><i>iii) Proposed filling does not redistribute flows by more than 15%;</i></p> <p><i>iv) The potential for cumulative effects of possible filling proposals in that area is minimal;</i></p> <p><i>v) There are alternative opportunities for flood storage</i></p> <p><i>vi) The development potential of surrounding properties is not adversely affected by the filling proposal;</i></p> <p><i>vii) The flood liability of buildings on surrounding properties is not increased;</i></p> <p><i>viii) No local drainage flow/runoff problems are created by the filling;</i></p> <p><i>ix) The filling does not occur within Floodway Corridor areas; and</i></p> <p><i>x) The filling does not occur within the drip line of existing trees.</i></p> <p><i>As part of discussions with Council and the NSW Department of Planning Industry and Environment (DPIE), Item i) above has been revised to ensure that no effect to upstream or downstream properties were to occur during the 1% AEP. The maximum offsite water level change (during the 1% AEP) confirmed for the assessment was to be 0.010-0.020m or less. On-site changes would need to be within the 0.1m as stipulated in the Council DCP. Further assessments relating to the 0.2% AEP and climate sensitivity are noted below.</i></p> <p><i>It is noted that the current development extent does not involve any development within the 1% AEP flood extent. Hence the noted DCP criteria and other agreements with DPIE and Council would be considered to have been met. Further discussion on this is made in Section 9 of the report.</i></p>

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	<p><i>Further comments on other key considerations relating to the development and the regional context are also noted as follows:</i></p> <ul style="list-style-type: none"> ▪ <i>The modelling confirms the outcomes of the flood assessments completed and approved for the First Estate under SSD7173 are maintained;</i> ▪ <i>The development proposal does not result in any incremental increase in peak flood levels off-site and other areas. If other future developments provide for similar relative impacts and management measures (including flood storage compensation) as required of Penrith DCP, the overall cumulative impact within the South Creek corridor would be effectively managed. Accordingly, the development would be considered to not be contributing to a future cumulative impact;</i> ▪ <i>There is sufficient capacity and time for either safe egress of occupants offsite or to an on-site refuge during a major flood event. The developed landform levels over the site are proposed at greater than 0.5m above the 1% AEP storm event which allows several hours of flood warning response time. Also, 100% of the developed site will be above the PMF flood event. Given the site will not be affected by the PMF event, on-site refuge could be taken for all occupants of the development during all flood and major storm events.</i> ▪ <i>A framework for flood evacuation has been included in the submitted report (refer Section 10) which can be used to formulate more detailed flood response plans for specific stages of the site, or individual developments in the estate;</i> ▪ <i>The modelling confirms any effect to flood waters associated with the development are negligible and are confined to a small area locally to</i>

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	<p><i>the development area, hence there is no effect on the proposed Badgerys Creek Airport in relation to the development which is more than 5km upstream of the development, with no effect to surrounding landowners; and</i></p> <ul style="list-style-type: none"> <i>Further to the above, there is also no effect on the Nepean River in relation to the development which is more than 20km downstream of the development.</i> <p>It is considered that all matters related to flooding have been adequately addressed as demonstrated in Appendix 13.</p>
<p>Traffic:</p> <ul style="list-style-type: none"> <i>The Traffic Impact Assessment (TIA) assumes the expansion of Mamre Road to two lanes each way will be completed prior to operation of Stages 2 and 3 of the development. RMS have advised that funding has not been allocated for the Mamre Road expansion along the site frontage. The TIA must assess the traffic impacts of the entire development (stages 1, 2 and 3) for the scenario where no expansion to Mamre Road has been completed.</i> 	<p>The proponent is proposing to bring forward the localised widening of section on Mamre Road, providing for two (2) lanes in each direction from the southern boundary of the Site to the existing signalised intersection of Mamre Road / Distribution Drive. The revised Development has been assessed by Ason Group, that will provide adequate capacity in relation to the key intersections.</p> <p>For further context, Sections 4 and 5 of the revised Traffic Impact Assessment (TIA) located in Appendix 16 contains both a qualitative and quantitative assessment.</p>
<ul style="list-style-type: none"> <i>The left in/left out connection to Mamre Road is not supported.</i> 	<p>Noted and agreed. The revised Development (refer to Appendix 16) has removed the left-in / left-out connection on Mamre Road.</p>
<ul style="list-style-type: none"> <i>A connection between the internal access roads and future development sites to the south should be provided.</i> 	<p>Noted and agreed. The revised Development (refer to Appendix 16) has allowed for the connection to the southern lots.</p>
Southern Link Road Extension:	TfNSW has confirmed that the proposed Southern Link Road (SLR) has been

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<p><i>The development assumes an alignment for the western extension of the Southern Link Road (SLR). The western extension of the SLR does not form part of the Transport and Arterial Road Infrastructure Map in the SEPP WSEA and it is premature to design a subdivision until an alignment is finalised. Additionally, due to the flood affectation of the site, consideration should be given to the infrastructure required for a crossing over South Creek.</i></p>	<p>strategically informed by a comprehensive and extensive level of consultation undertaken with relevant State Agencies, including TfNSW and NSW DPIE. The alignment proposed under this SSD Application identified within the original EIS prepared by Willowtree Planning (2019), includes the following three (3) potential options:</p> <ol style="list-style-type: none"> 1. <u>Option 1:</u> includes a relatively straight alignment, which provides efficiency in relation to the required amount of bridge structures, as well as avoiding conflicts with existing rural-residential properties. This option also aligns well with the future Western Sydney Freight Line (WSFL) Corridor. 2. <u>Option 2:</u> includes a curved alignment, which would significantly impact upon the Twin Creeks Golf Course and surrounding residential properties located within the Twin Creeks residential estate. This option would require multiple bridge structures to be constructed, as the alignment passes both South Creek and Cosgroves Creek. 3. <u>Option 3:</u> includes a curved alignment, which would cross both the proposed WSFL Corridor and the existing WaterNSW Pipeline Corridor, as well as intersecting an extensive portion of the 1% AEP flood extent. <p>The alignment proposed within the revised development has been deemed appropriate by TfNSW during extensive consultation.</p>
<p>Green Space:</p> <p><i>Section 3.2 - Description of the Proposal of the EIS provides limited details regarding works to establish an 11ha green space to the western side of the site or the detention basin proposed within that area. Despite this, the EIS continually alludes to outcomes for that space:</i></p>	<p>The Proposed Development does not include any built form works under this SSD Application within close proximity to the South Creek riparian edge. The revised Development completely removes the need to develop within the South Creek Precinct, for which the Subject Site's developable area is now entirely positioned within the Mamre Road Precinct pursuant to the release of the draft Structure Plan, which earmarks the Site for industrial-related and open space</p>

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<p><i>"this further emphasises the important environmental work planned for the South Creek banks, as part of the Proposed Development" (pg.10)</i></p> <p><i>"The Site will contribute strongly to a new, greener, more aesthetic setting at the Creek's edge, activating a functional, new outdoor passive and active recreational parkland space, covering an area of over 11-ha to be dedicated as Open Space." (pg.32)</i></p> <p><i>"Through the landscaping and enhanced planting of indigenous tree species and shrubs, the creek's edge will be activated with creation of 1.4km of walkable, green trails..." (pg. 33)</i></p> <p><i>"Revegetates a denuded 118 ha Site with over 615 new mature trees and over 16,000 shrubs and plants, helping to revitalise and naturally landscape a substantial canopy cover, particularly near the South Creek edge." (pg. 37)</i></p> <p><i>The above comments are misleading and inconsistent with the architectural plans, the landscape plans and civil plans which depict differing functions for that area. The statements also contradict the following comment that suggests the revegetation would occur as part of later development applications and not under this SSD:</i></p> <p><i>"South Creek Corridor, which at a later development application stages, will be revitalised into an aesthetically-pleasing re-vegetation riparian edge, through an activated open, green space at the South Creek edge of the Site." (pg. 4)</i></p> <p><i>Clarification is sought as to what works are proposed between the western boundary of the subdivision and the edge of South Creek. This includes details on</i></p>	<p>land uses.</p> <p>Notwithstanding, the Proposed Development would activate the Site through a sophisticated and aesthetically pleasing architectural landscape design, which would complement a conducive architectural design furthermore.</p> <p>It is noted, that provisions for Stormwater Detention have been made to be implemented within the designated bio-retention basin in proposed Lots 11-13; and the implementation of Stormwater Treatments Measures (STMs) across the Site such as filters and pollutant traps, would enable the Site to achieve the relevant pollutant reduction targets in accordance with Penrith City Council's water quality control targets for achieving WSUD.</p> <p>Given the substantial amendments proposed by reducing the extent of works, the Development now provides the following:</p> <ul style="list-style-type: none"> ▪ Provision for dedicated Public Recreation Land RE1 being Lots 14-16 of 7.64 ha. ▪ Provision for RE2 Land, pertaining to Proposed Lot 17 of 1.24 ha. ▪ Provision for Lots 3-5 (Stage 1 Subdivision) of 26.95 ha within the Q100 flood extent. ▪ The new planting of 1,250 trees; 141,250 m² of canopy cover; and new vegetation area comprising 98,891 m². <p>It is considered that the Proposal as amended now removes further detailed consideration with respect to the South Creek works given the above as the previous concerns are no longer relevant.</p>

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<p><i>any retaining structures, access arrangements, planting, facilities/land uses proposed and the timing of the works in relation to the staging of the development.</i></p> <p><i>Additionally, Lot 31, which is approximately 7.2 ha in area contains a large OSD basin. The revegetation of this infrastructure would not be possible as it would compromise the basins integrity or capacity. Further, the dedication of the detention basin would not be appropriate as the estate is reliant on it.</i></p>	
<p>Visual Impact Assessment:</p> <p><i>No visual impact assessment has been provided for the extensive cut and fill proposed and building pads on adjacent receivers and future users of recreation areas along South Creek.</i></p>	<p>The Proposed Development including any cut and fill has been assessed by Geoscapes (2020) with regard to visual impacts. Most cut and fill will be screened by proposed landscape treatments to the development boundaries. It is concluded that the visual impacts resulting from the Development will pertain to those properties near the Site, however there will be sufficient mitigation by way of landscaped treatment. Within their report located in Appendix 11 Geoscapes conclude the visual impacts of the Site to surrounding land is minor.</p> <p>Additionally, due to the recent rezoning pursuant to the release of the Mamre Road Precinct Structure Plan (June 2020) and the amendments made under SEPP (WSEA) 2009, the visual amenity of the locality will be ever changing with similar scale built form similar to that proposed under this SSD Application on surrounding land, particularly to the south and east.</p>
<p>Noise Assessment:</p> <p><i>The Noise Assessment does not model the impacts of construction.</i></p>	<p>A Construction Noise and Vibration Management Plan (CNVMP) has been prepared by Acoustic Works (2020) that recommends a management strategy that ensures attention to noise complaints and includes a system for achieving reasonable outcomes.</p> <p>With respect to vibration, the processes to be used during works may impact the nearby water pipeline and should be continually monitored throughout the</p>

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	works. It is considered that this Report satisfactorily addresses the construction phase of the Proposed Development (refer to Appendix 20).
<p>State Environmental Planning Policy (State and Regional Development) 2011</p> <p><i>The EIS does not contain sufficient analysis of proposal against State Environmental Planning Policy (State and Regional Development) 2011 (the SEPP). The proposal includes the construction of 9 warehouses and distribution centres and site wide earthworks, roads, infrastructure and subdivision of 24 lots for future development. The SEPP under Clause 8(2) requires the following:</i></p> <p><i>(2) If a single proposed development the subject of one development application comprises development that is only partly State significant development declared under subclause (1), the remainder of the development is also declared to be State significant development, except for:</i></p> <p><i>(a) so much of the remainder of the development as the Director-General determines is not sufficiently related to the State significant development.</i></p> <p><i>The proposal has been classed as SSD in accordance with Schedule 1, Clause 12:</i></p> <p><i>12 Warehouses or distribution centres</i></p> <p><i>(1) Development that has a capital investment value of more than \$50 million for the purpose of warehouses or distribution centres (including container storage facilities) at one location and related to the same operation.</i></p> <p><i>(2) This clause does not apply to development for the purposes of warehouses or distribution centres to which clause 18 or 19 applies.</i></p>	<p>Pursuant to the release of the Mamre Road Precinct Structure Plan (June 2020), the Subject Site has been zoned for both industrial-related and open space land uses. In accordance with the scope of works proposed, and of the eight (8) buildings (comprising ten (10) potential tenancies) proposed under this SSD Application, proposed Warehouse 8 is located on proposed Lot 8. It has a CIV (including infrastructure) of \$106 Million (excluding GST). A new tenancy has already been secured for the facility in this SSD and is for "the same operation at one location". It therefore also satisfies the requirements under SEPP (SRD) 2011, Schedule 1 Part 12. The Proposed Development, therefore, qualifies as SSD in accordance with the provisions and must be assessed accordingly. It is noted, that the total CIV for this SSD Application is approximately \$242 Million (excluding GST).</p> <p>By virtue of the SEPP and in accordance with the future zoning proposed, the Proposed Development demonstrates significant strategic merit to progress as SSD under SEPP (SRD) 2011, for which the provisions are satisfactorily addressed.</p>

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Proposed Warehouse, Logistics and Industrial Facilities Hub

657-769 Mamre Road, Kemps Creek (Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 & Lot 22 DP 258414)

Table 1: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
<p><i>The component of the proposal which is considered SSD is the construction and use of the warehouse on proposed Lot 6 which is being constructed for the purposes of a single operation and is valued in excess of \$50 million. The EIS has not addressed Clause 8(2) of the SEPP. The RTS must include an analysis of the proposal against clause 8(2) and argue that the remainder of the development (not associated with the component of the development which is SSD) is sufficiently related to the SSD component, including the construction and subdivision of 24 additional lots and all infrastructure, including stormwater detention. As the EIS argues the site is unzoned, these lots could, be utilised for any type of use with consent.</i></p>	
<p>Ecologically Sustainable Development:</p> <p><i>The EIS notes that the proposed development is targeting "Six-Star-Green-Star rated industrial buildings designed to set new standards in relation to sustainability, social amenity and building quality" (pg xv). This is inconsistent with the Ecologically Sustainable Development Report (Appendix 29) which states that the proposal "will aim to be a certified 5 Star Green Star Design and As-Built certification" (pg 8).</i></p> <p><i>Commitments are made within the EIS to sustainable design features, such as green walls (pg 41); however, these are not reflected on the architectural plans.</i></p>	<p>The Proposal will target a Six-Star-Green-Star NABERS rating, based on the information articulated within the ESD Report prepared by Frasers Property (2020). Notwithstanding, the recommendations stipulated within the report would be adopted and implemented for the Proposal (refer to Appendix 25).</p> <p>Some of the key design features to achieve this rating are noted as follows:</p> <ul style="list-style-type: none"> ▪ Provision of green walls; ▪ Solar panels; ▪ Mixed mode air conditioning; ▪ Use of weather-based irrigation control or soil moisture sensor for automatic irrigation system control; ▪ Water saving fixtures; and ▪ External louvres on west facing windows.
<p>Wastewater:</p> <p><i>In the RTS to Sydney Water's comments, please address how the three year</i></p>	<p>Noted.</p> <p>The issue of staged wastewater servicing is addressed in the Service</p>

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Table 1: Response Matrix

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NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
<i>delay in providing wastewater to the site will impact timing of construction and operation of the development.</i>	<p>Infrastructure Assessment Report and further confirmed in the Water and Wastewater Options report approved by Sydney Water (refer to Appendix 14 & 30). Various options exist to service the initial stages of the Proposed Development as described in the report prepared by Land Partners. These include:</p> <ul style="list-style-type: none"> a) Section 68 interim pump out; b) Initial pressure sewer system similar to the system serving the First Estate development to the north; and c) W.I.C.A Licensee (note that Sydney Water has already approved our options assessment, design has commenced and serviced will be available in the short term - reference Sydney Water letter in Appendix 30). <p>Both a low pressure sewer system and interim operating procedure via pump out can be achieved within 12 months.</p>
<p>Development Control Plan:</p> <p><i>Section 1.3 of the Draft Development Control Plan (Appendix 38) states that the DCP applies to land zoned IN1 General Industrial under the provisions of the WSEAP SEPP. The Draft DCP would therefore not apply to the site.</i></p> <p><i>An initial review of the DCP against the proposal reveals several inconsistencies. Please provide an assessment of the development against every clause in the DCP to ensure compliance.</i></p>	<p>A DCP compliance table has been included within Section 7.1 of the RtS Report, which demonstrates compliance can be achieved with the relevant built form controls and provisions articulated within the proposed Mamre South Precinct DCP.</p>
<p>Owner's Consent:</p> <p><i>Should the Bakers Lane extension be considered a crown road reserve, owner's consent will be required.</i></p>	<p>Crown Lands wrote to Altis/Frasers on 22nd February 2020 providing a copy of NSW Gazette No 36 of 21st February 2020 (folio 647-648) for transfer of unnamed road adjoining north boundary of Lot 1 DP 1018318 at Kemps Creek to Penrith City Council.</p>

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NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
	Penrith City Council have since wrote (24 th April 2020) to the Proponent providing landowners consent for Lot 1 DP 1018318 (refer to Appendix 31 & 33).
<p>Voluntary Planning Agreement:</p> <p><i>The EIS details that a letter of offer has been submitted to the Department to enter in a VPA (pg. xix) and that further details are provided at Appendix 40. Only 38 appendices were submitted with the Application. Further information must be provided with the Application regarding any proposed VPA.</i></p>	A formal letter of offer from Altis/Frasers has been made, for which ongoing consultation with NSW DPIE has been undertaken. This outlines the requirements for a Voluntary Planning Agreement (VPA) to be executed as part of the Proposal. The formal letters of offer are attached to this Submission in Appendix 29 .
<p>EIS Inconsistencies:</p> <p><i>The EIS contains several assertions which are misleading and not backed by sufficient evidence, including:</i></p> <ul style="list-style-type: none"> <i>"The Proposed Development constitutes a sequential (and highly orderly) economic development." (pg. 36).</i> 	<p>It is considered that this undertaking provided in the original EIS remains applicable, particularly given the land will be rezoned under SEPP (WSEA) 2009 for employment and open space purposes. The Development as amended complies with all the long-term strategic objectives, is contained within the Mamre Road Precinct, can be serviced at No Cost to Government and sets a desirable precedent for future development in terms of the permeability to South Creek, façade treatment, landscaped planting and infrastructure provision.</p> <p>The Development is therefore appropriate for the Site and overall Precinct.</p>
<ul style="list-style-type: none"> <i>"Given its siting and location, the Site is highly logical, given its proximity to existing industrial facilities and services to which it can connect at No Cost to Government." (pg. 36).</i> 	The Site is located within the Mamre Road Precinct which has been rezoned for industrial and open space land uses and is able to be serviced at No Cost to Government. It is an appropriate response to the strategic direction established.
<ul style="list-style-type: none"> <i>"The Proposed Development also has minimal impact on the South Creek Corridor." (pg. 37)</i> 	The revised Development completely removes any works being undertaken within the South Creek Corridor. Further consideration is not required in this respect.

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Table 1: Response Matrix

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NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
<ul style="list-style-type: none"> "The development will reduce gross pollutant, suspended solids and chemical leaching into South Creek by up 90%" (pg. 87) <ul style="list-style-type: none"> Is there any factual evidence to back up these statements? 	<p>All gross pollutants will be managed through the implementation of water quality basins (proposed Lots 11-13) to satisfy all of Council's pollutant reduction targets prior to discharge in the wider stormwater management system. Additionally, further stormwater treatment measures would be implemented to capture any trailing pollutants throughout the treatment train. The Civil Engineering Report completed by Costin Roe provides further detail on stormwater detention and treatment in Appendix 12.</p>
<ul style="list-style-type: none"> "All common areas of the Estate would be subject to a Community Management scheme. Altis and Frasers will jointly manage and operate the Estate, including stormwater basins and associated infrastructure." (pg. 20) <ul style="list-style-type: none"> Please provide details of the Community Management Scheme and how it is going to be tied to the Torrens Title Subdivision of the lands. 	<p>The revised SSD Application is based on the following subdivision strategy, which includes consolidation of five (5) allotments and Torrens Title subdivision in two (2) stages, including:</p> <ul style="list-style-type: none"> Stage 1: Subdivision to create five (5) residue allotments; and Stage 2: Subdivision to create 17 development allotments. <p>All stormwater bio-retention basins are now located above the 1% AEP flood extent and accordingly can be managed under a community management scheme.</p>
<p><i>The following inconsistencies were also identified:</i></p> <ul style="list-style-type: none"> The Architectural Plans (Appendix 6) do not provide any details regarding the 11ha green space area to the western portion of the site. The Bulk Earthworks & Building Plan (Appendix 5) show a green space as part of Stage 2 works. The Landscape Plan (Appendix 8) also shows a green space whilst the Civil Plans (Appendix 10) show an extensive OSD basin (Appendix 10). 	<p>The revised Development does not include any green space at the South Creek interface. Rather, the designated RE1 Public Recreation land is notated and reserved (refer to the revised Masterplan in Appendix 6).</p>
<ul style="list-style-type: none"> Setbacks are described in the EIS (pg 58) which are inconsistent with the setbacks shown on the architectural plans (Appendix 6). For example, the 	<p>The Architectural Plans have been revised to demonstrate consistency (refer to Appendix 7 of this Submission).</p>

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Table 1: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Department of Planning, Industry & Environment (Kelly McNicol – Team Leader – Industry Assessments)	
<i>setback for proposed Lot 3 is described as including 5m of landscaping but on the architectural plans this is shown as 4m.</i>	All the setbacks in the Development are consistent with the DCP, which has been modelled on the DCP for First Estate, Erskine Business Park and Oakdale West.
<ul style="list-style-type: none">▪ <i>The Stage 1 works as shown on Drawing Number DA-001 (Appendix 5) are inconsistent with the Stage 1 works shown on Drawing Number SP-KC1 DA-500 (Appendix 6).</i>	The revised Development and Architectural Plans have been amended to remain consistent with one another (refer to Appendix 7 of this Submission).
<ul style="list-style-type: none">▪ <i>The EIS (pg x) identifies 39 appendices in total but an Appendix 40 is also referred to (pg xix). Additionally, only 38 appendices were submitted.</i>	It is noted, that an RtS Report has been formally requested by the NSW DPIE; thereby, ameliorating the requirement to amend the EIS previously provided.

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Table 2: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p>Planning:</p> <p><i>While a number of the concerns identified within this correspondence relate to technical matters (traffic, stormwater management, noise) these issues raise further additional planning questions as to whether the site is suitably located for the proposed use, particularly regarding access, use of the local and regional road infrastructure, and adverse impact to the local community. In addition to these issues, the following planning considerations are raised;</i></p> <ul style="list-style-type: none"> <i>The subject site is located to the northern end of land identified as forming part of the Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan (LUIIP) – Stage 1: Initial Precincts. The site is identified as being located within two Precinct areas being the South Creek Precinct and the Mamre Road Precinct (with the majority of land within the South Creek Precinct) as identified by the Initial Precinct plan of the LUIIP.</i> <p><i>Noting the above, it is considered that supporting the current application as identified by Stages 1, 2 and 3 in its entirety may impact upon the orderly development of the locality as it is considered to raise concerns in relation to the suitability in accordance with Clause 4.15(c) of the Environmental Planning and Assessment Act 1979.</i></p> <p><i>While it is acknowledged that the current identified South Creek Precinct boundary may change pursuant to the release of the final plan, approval of all lots and infrastructure works associated with Stages 1 to 3 is not considered appropriate with approval of the proposal ahead of the release of LUIIP Stage 2: Structure Plan considered to adversely impact the master planning of this area associated with future permissible land use requirements.</i></p>	<p>The specific concerns of Council are addressed as follows:</p> <ol style="list-style-type: none"> The Proposed Development is now wholly located within the Mamre Road Precinct which been zoned IN1 General Industrial, and includes pockets of RE1 Public Recreation and RE2 Private Recreation zoned land under SEPP (WSEA) 2009. In accordance with Section 4.15(c) of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act), the Site is therefore considered highly suitable for the Proposed Development given it has been rezoned IN1 General Industrial, RE1 Public Recreation and RE2 Private Recreation. The proposed development will accord with the zone boundaries and provide the exact type of employment generating development envisaged. The Proposal no longer relies on Clause 12, which has since been repealed following the recent amendments to SEPP (WSEA) 2009. The Proposed Development is permitted with consent pursuant to the revised zoning provisions under SEPP (WSEA) 2009. <p>All planned infrastructure within the Mamre Road Precinct has been accounted for under the Proposed Development and the strategic objectives are complied with as exemplified in the design. Additionally, all built form is located outside of the 1% AEP year flood extent. It is therefore appropriate for the Development to proceed.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p><i>In this regard, should any approval be forthcoming, it is considered appropriate that this not be granted for any works associated with Stage 2 and 3 but only be restricted to works within Stage 1, should the Department be of the view that these works (for Stage 1) are not within the expected South Creek Precinct ahead of the release of LUIIP Stage 2.</i></p>	
<ul style="list-style-type: none"> <i>The proposal is dependent on the position of the future Southern Link Road as identified in the current supporting plans being in its current location. It is noted that the Roads and Maritime Services have not at this present time established that this road will be proportionally located as per the current proposal. This is considered to raise doubt in regard to the identified location of future warehouse and distribution facilities as provided by Stage 1. Further consideration and greater flexibility should be given to the provision of wider buffers being provided to the identified warehouses in relation to the Southern Link Road in lieu of the current uncertainty in relation to the roads position.</i> 	<p>Consultation with TfNSW has been undertaken, which confirms the validity of the proposed buildings in relation to future infrastructure upgrades in close proximity to the Site. All planned infrastructure upgrades and the proposed Estate would be able to be developed concurrently to one another in an orderly manner. Accordingly, the revised Development considers all agreed trajectories for the future upgrades that are planned.</p> <p>The alignment for the Southern Link Road proposed under this SSD Application identified within the original EIS prepared by Willottree Planning (2019), includes the following three (3) potential options:</p> <ol style="list-style-type: none"> <u>Option 1:</u> includes a relatively straight alignment, which provides efficiency in relation to the required amount of bridge structures, as well as avoiding conflicts with existing rural-residential properties. This option also aligns well with the future Western Sydney Freight Line (WSFL) Corridor. <u>Option 2:</u> includes a curved alignment, which would significantly impact upon the Twin Creeks Golf Course and surrounding residential properties located within the Twin Creeks residential estate. This option would require multiple bridge structures to be constructed, as the alignment passes both South Creek and Cosgroves Creek. <u>Option 3:</u> includes a curved alignment, which would cross both the proposed WSFL Corridor and the existing WaterNSW Pipeline Corridor, as well as intersecting an extensive portion of the 1% AEP flood extent.

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	The alignment proposed within the revised development has been deemed appropriate by TfNSW during extensive consultation.
<ul style="list-style-type: none"> <i>It is not considered that the current proposal has established that the Southern Link Road has been provided with adequate traffic signals to cater for future traffic movement, associated for instance with the identified 4 way traffic movement.</i> 	<p>The TIA prepared by Ason Group has reviewed the performance of the Mamre Road / Southern Link Road signalised intersection (refer to Appendix 16). Accordingly, the revised assessments undertaken (based on the revised Development) include detailed traffic impact assessments for Mamre Road / SLR under two (2) different sequence scenarios, for which demonstrates that a satisfactory Level of Service (LoS) could be achieved.</p> <p>The TIA states the Level of Service (LoS) for Sequence 1A and 1B will be as follows:</p> <ul style="list-style-type: none"> Sequence 1A will operate at an acceptable LoS (LoS D) during AM peak hour immediately post occupation of 166,225 m² of GFA and will continue to work satisfactorily by the design life of 2025. The upgraded intersection of Bakers Lane / Mamre Road will improve the existing overall LoS F during the PM peak period, reducing queuing lengths and times as well as providing vital safety upgrades including a pedestrian walkway. Therefore, it is considered to not only accommodate but also to improve traffic conditions at that intersection. Subsequent sequences, including 1b, 2 and 3 will operate at LoS C, which is acceptable under the current standards.
<ul style="list-style-type: none"> <i>It is noted that the proposal has identified landscaping setbacks of 4m to Bakers Lane which is significantly smaller than setbacks provided to other identified public road frontages. It is considered appropriate that</i> 	The DCP proposes setbacks that are consistent with the proposed industrial local roads as outlined in the DCP and is the same setback within the adopted Mamre West DCP, Council's Erskine Business Park DCP and the recently

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>landscaped front setbacks be provided with a consistent width for the proposal to allow for the potential of an improved streetscape presentation associated with integrated possibilities for landscaping.</i>	approved Oakdale West DCP. It is noted that both the Mamre Road and SLR, being higher order roads, which have a greater landscaping setback of 10 m.
<ul style="list-style-type: none"> <i>The proposal is not considered to have appropriately clarified the treatment and further extension of Bakers lane to the east of Mamre Road within the subject site, including its alignment with the Southern Link Road and possible closure or treatment in the future. It is considered that the potential does exist for the alignment of Bakers Lane to be changed in the future which at present has not been finalised by the Roads and Maritime Services.</i> 	<p>A sequenced intersection scheme has been submitted to TfNSW and is within the updated Traffic Impact Assessment that models the signalised intersection and demonstrates a satisfactory Level of Service is achieved.</p> <p>In summary the Sequences are as follows:</p> <p>Sequence 1a: interim upgrade at Mamre Road / Bakers Lane intersection, which is proposed to accommodate traffic associated with the first 166,225 m² of GFA.</p> <p>Sequence 1b: Further upgrading of Mamre Road (4-lanes along the frontage of the Site, extending north to Distribution Drive). This upgrade is expected to be fully delivered by 2025. Occupation of the balance of the Warehouse/Industrial buildings can occur once sequence 1b is complete.</p> <p>Sequence 2: Is for the future scenario when the SLR intersection at Mamre Road is built by TfNSW and will be delivered and terminated into a cul-de-sac at the access for the Site.</p> <p>Sequence 3: Shows the ultimate configuration of the SLR is built by TfNSW in the future and when it is extended west through the Site.</p> <p>It is noted that Section 5 of the revised TIA reviews the relevant performance of the surrounding road network under each access sequence option. The performance of each sequences is adequate and does not cause unacceptable delays on the wider road network.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>Further to the above, the current proposal has identified a narrow portion of land is to be retained between the proposed Southern Link Road and Bakers Lane. Noting the width of this portion of land, it is not considered economically viable that this may be developed in the future. Further clarification on the treatment of this land is considered appropriate.</i>	The Landscape Plans prepared by Habit8 demonstrate that landscape planting will be provided in the identified area, which satisfactorily addresses Council's requirements for increased canopy cover and landscaping across the Site (refer to Appendix 11). This additional landscaped portion will further mitigate the potential effects of the Urban Heat Island Effect, for which the Estate-wide landscaping strategy has satisfactorily considered.
<i>The proposal will provide for substantive cut and fill throughout the subject site noting that the majority of cut is maintained towards the Mamre Road frontage with fill to the proposed lots then extending in a westerly direction. A review of plans has identified in parts the proposed fill extending up from 4m to 4.5m in height from existing natural ground level. The extent of fill provided which is identified to be in the area of 2 million cubic metres is not considered appropriate as it is considered that this may create potential disturbances to overland flow and an immediate visual impact concern to its surrounds. It is not considered that the proposal has provided for appropriate justification for the proposed variances to the existing ground contours. In this regard, the amount of fill provided is also viewed with concern in relation to Clause 7.5 of the Penrith Local Environmental Plan – 'Protection of scenic character and landscape values' in which the subject site is identified as being located within.</i>	<p>The proposed civil design and subsequent earthworks designs have been completed with a balance of regrading to suit large format buildings, via inground pipes to the legal point of discharge (i.e. South Creek), and street presence of the Estate to Mamre Road.</p> <p>The design accommodates existing overland flow paths and includes provision for conveyance of upstream overland flow via dedicated inground and overland flow routes through the development site.</p> <p>The visual impact is considered to be minimal. Generally filling through the centre of the development is around the 3-4 m mark. Although there are locally up to 4-5 m of filling this would generally be confined to gullies and existing basins. At the interface locations, levels differences along the southern boundary are at or less than 2 m and similar on the south-west. The Proposal includes a 5 m wide landscaping setback to the west, south and north that will accommodate trees / screen the buildings.</p> <p>Level differences will be managed through a landscaped zone with a combination of batters and retaining walls to ensure good visual amenity. Refer to typical section on Drawing DA300 within Appendix 12.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	<p>Secondly in relation to visual amenity – when viewing the Site from Mamre Road, the vista will comprise a fall away from the road at an average of 1%. Refer to updated earthworks drawings and detailed site sections on drawings Co13362.00-DA300 and DA351 to DA354 at Appendix 12.</p> <p>In the Landscape and Visual Impact Assessment prepared by Geoscapes, it is noted, that the landscape value of the Subject Site itself, has been assessed based upon local planning designations; landscape ecological value; and the character and context in which it is located. Geoscapes conclude, that the significance of the impact upon the landscape at the Subject Site and surrounding sites are minor in nature. Although the Site presents some scenic qualities, this has to be considered against the immediate surrounding landscape character and context. Directly to the north and northeast of the Site, there exists industrial zoned land, which has created a landscape character, that has been heavily influenced by industrial and commercial development. A copy of the Landscape and Visual Impact Assessment is contained within Appendix 11.</p>
<i>The proposal has identified three (3) public accessible roads provided with a north to south orientation to the subject site. It is considered appropriate that these roads be extended at a minimum towards the southern boundary of the subject site to allow for any potential future applications for the adjoining southern neighbour the possibility of connection to these roads. This is considered beneficial in that it would allow for a direct means of access for vehicles entering or leaving lots to use a single intersection on Mamre Road (with its intersection with a future Southern Link Road) rather than creating the possibility of further future intersections onto Mamre Road which should be discouraged and is not in line with desired RMS strategy for this Classified Road. As discussed within this correspondence, consideration should only be given to development (including roads) which will not intervene into the</i>	<p>It is noted, that the revised Architectural Plans have been updated to satisfactorily address the extension towards the southern allotments (refer to Appendix 7).</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>future South Creek Precinct as per the LUIIP.</i>	
<i>The proposal has identified the location of an on site detention basin to be positioned in the vicinity of the western boundary alongside South Creek. The location of an OSD Basin in this position is not considered appropriate noting the potential ecological impacts which may be created to the existing creek. In addition, the provision of a basin in this location is considered contrary to the strategic direction and objections envisaged for the South Creek Precinct under the LUIIP.</i>	<p>The proposed layout has been updated which results in a reduction in the Subject Site and impact area. Provisions for Stormwater Detention are to be implemented within the designated bio-retention basin in proposed Lots 11-13; and the implementation of Stormwater Treatments Measures (STMs) across the Site such as filters and pollutant traps, would enable the Site to achieve the relevant pollutant reduction targets in accordance with Penrith City Council's water quality control targets for achieving WSUD.</p> <p>The location of the basins designated for the Development are considered suitable, as they lie within the Mamre Road Precinct boundaries and are above the 1% AEP year flood extent.</p>
<i>Should any approval be forthcoming in relation to the current proposal. It is considered that any consent should provide for the satisfaction of Clause 29 – 'Industrial Release Area — satisfactory arrangements for the provision of regional transport infrastructure and services' of the State Environmental Planning Policy (Western Sydney Employment Area) 2009. This should include a proposed Voluntary Planning Agreement with monetary contributions to be offered by the applicant and to be applicable towards the provision of regional transport infrastructure and services.</i>	A formal letter of offer from Altis/Frasers has been made, for which ongoing consultation with NSW DPIE has been undertaken. This outlines the requirements for a Voluntary Planning Agreement (VPA) to be executed as part of the Proposal. The formal letters of offer are attached to this Submission in Appendix 29 .
<p>Traffic Matters:</p> <p>Freight Line Corridor: <i>The Drawing SP-KC1-DA-003 identifies the future Western Sydney Freight Line as a 60m corridor. However, TfNSW's letter dated 6 September states that the corridor 60-80m. This requires confirmation from TfNSW prior to the approval.</i></p>	It is noted, that in the submission prepared by TfNSW, they acknowledge the integration of a 60 m wide setback, dedicated to the future construction of the Western Sydney Freight Line (WSFL) corridor.
<p>Road Classification: <i>Road Classification for the future Southern Link Road (SLR) extension should be</i></p>	Noted and agreed. Sufficient space has been reserved to accommodate any road design.

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Table 2: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p><i>State Road, not a Local Road.</i></p> <p>Interim Access Scenario: <i>Currently the timing of the delivery of SLR from the State Government is unknown. Therefore, the applicant has proposed to convert the existing "T" signalised intersection at Bakers Lane/Mamre Road to a "four-way" signalised interim access to the development.</i></p> <p><i>In Table 11 of the report, SIDRA analysis confirms that the intersection of Mamre Road / Bakers Lane would still operate at a LoS F during the PM peak hour and with the Stage 1 development. This clearly demonstrates that the intersection would require some form of an upgrade to accommodate future traffic demands. The applicant should identify the upgrade and this also requires TfNSW approval.</i></p>	<p>In summary, the Sequences for upgrade of the Mamre Road / Bakers Lane intersection and Southern Link Road are as follows:</p> <p>Sequence 1a: interim upgrade at Mamre Road / Bakers Lane intersection, which is proposed to accommodate traffic associated with the first 166,225 m² of GFA.</p> <p>Sequence 1b: Further upgrading of Mamre Road (4-lanes along the frontage of the Site, extending north to Distribution Drive). This upgrade is expected to be fully delivered by 2025. Occupation of the balance of the Warehouse/Industrial buildings can occur once sequence 1b is complete.</p> <p>Sequence 2: Is for the future scenario when the SLR intersection at Mamre Road is built by TfNSW and will be delivered and terminated into a cul-de-sac at the access for the Site.</p> <p>Sequence 3: Shows the ultimate configuration of the SLR is built by TfNSW in the future and when it is extended west through the Site.</p> <p>It is noted in the TIA, the Level of Service (LoS) for Sequence 1A and 1B will be as follows:</p> <ul style="list-style-type: none"> Sequence 1A will operate at an acceptable LoS (LoS D) during AM peak hour immediately post occupation of 166,225 m² of GFA and will continue to work satisfactorily by the design life of 2025. The upgraded intersection of Bakers Lane / Mamre Road will improve

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	<p>the existing overall LoS F during the PM peak period, reducing queuing times and lengths as well as incorporating essential safety upgrades (pedestrian crosswalk).</p> <ul style="list-style-type: none"> Sequence 1b will provide further upgrades to the Mamre Road / Bakers Lane intersection, resulting in a LoS C, and performance at an acceptable overall LoS D during the AM peak hour. Therefore, it is considered to not only accommodate but also to improve traffic conditions at that intersection. <p>The Mamre Road / SLR signalised intersection will generally operate at an overall LOS 'C' under both Sequence 2 and Sequence 3 when considering the SSD Application traffic.</p>
<p><i>Furthermore, as the timing of the delivery of the SLR is unknown, the applicant needs to assess the interim scenario access, with full master plan development. Also, it is necessary to identify the future infrastructure upgrades to cater for the full master plan development.</i></p>	<p>Revised 'interim' analysis has been undertaken based on assuming all access to / from Mamre Road / Bakers Lane (as per Sequence 1b). As a result, the Proposal now includes additional upgrades to Mamre Road (widening to 4-lanes adjacent to the Site) to cater for full development of the Site in accordance with the Development proposed under this SSD Application. Furthermore, additional upgrades have been envisaged for the signalised intersection of Mamre Road / Bakers Lane to fully accommodate the future traffic of the Development during the interim scenario.</p>
<p>SLR/Mamre Road Access: <i>Since the SLR including the western extension alignment and its intersection with Mamre Road location has not been finalised by the State Government, it is premature to agree in principle to the proposed subdivision layout. The proposed subdivision layout may need adjustment in consultation with the State Government.</i></p>	<p>TfNSW has confirmed that the proposed Southern Link Road (SLR) has been strategically informed by a comprehensive and extensive level of consultation undertaken with relevant State Agencies, including TfNSW and NSW DPIE. The alignment proposed under this SSD Application identified within the original EIS prepared by Willowtree Planning (2019), includes the following three (3) potential options:</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	<ol style="list-style-type: none"> <u>Option 1:</u> includes a relatively straight alignment, which provides efficiency in relation to the required amount of bridge structures, as well as avoiding conflicts with existing rural-residential properties. This option also aligns well with the future Western Sydney Freight Line (WSFL) Corridor. <u>Option 2:</u> includes a curved alignment, which would significantly impact upon the Twin Creeks Golf Course and surrounding residential properties located within the Twin Creeks residential estate. This option would require multiple bridge structures to be constructed, as the alignment passes both South Creek and Cosgroves Creek. <u>Option 3:</u> includes a curved alignment, which would cross both the proposed WSFL Corridor and the existing WaterNSW Pipeline Corridor, as well as intersecting an extensive portion of the 1% AEP flood extent. <p>The alignment proposed within the revised development has been deemed appropriate by TfNSW during extensive consultation.</p>
<p>Left In/Left Out Access: <i>The proposal has a left in/left out access arrangement to Mamre Road which is contrary to RMS advice on 11 September 2018 which stated that "Proposed development should have all its access from the Southern Link Road connection".</i></p>	<p>The revised Development has removed secondary access to Mamre Road, with all access via Bakers Lane and future connections to SLR should it proceed to the west in the future.</p>
<p>Internal Road "NSR2": <i>RMS has given close attention to future intersection locations, to provide safe access to and from properties along the Mamre Road corridor upgrade, between M4 and Kerrs Road. To be in line with RMS' principles, it is imperative that early planning considers alternate access arrangements to and from properties along the Mamre Road corridor. In considering this, the proposed internal road "NSR2" should be extended to the southern boundary of the property. The internal road "NSR2" needs to be designed as a high order industrial road standard and to be</i></p>	<p>Noted and agreed. An allowance for future connections to the south have been incorporated into the revised Development. Furthermore, interim upgrades proposed have also been assessed with respect to further development of the lands to the south.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>functioning as a future collector road.</i>	
Engineering Matters: <ul style="list-style-type: none"> <i>The provision of basins and associated infrastructure within the floodway is not supported. Whilst some infrastructure may be suitable below the 1% AEP development, such as water quality infrastructure within the floodway will not be supported.</i> 	As noted in the Costin Roe Civil Engineering Report (Appendix 12), the layout of the estate stormwater management basin is clear of the 1% AEP flood extent.
<ul style="list-style-type: none"> <i>The flood impact assessment must also assess the flood impacts to adjacent properties. When off-site flood impacts are assessed it should be considered a minimum 2km upstream and 2km downstream to avoid effects at the boundaries of flood modelling. The assessment shall also take into consideration recent surrounding land development.</i> 	It is confirmed by Costin Roe in the updated Report (Appendix 12) the new parameters include modelling extent (upstream and downstream boundary locations 2 km and levels), flow hydrographs, surface roughness and land use types, inclusion of hydraulic restrictions and the methodology for data extraction and presentation.
<ul style="list-style-type: none"> <i>An overland flow analysis of the catchment upstream of Mamre Road shall be considered in the overall stormwater management of the site.</i> 	Assessment of local flow paths has been included and assessed in the submitted civil documents. These are noted to have not been included in the Overland Flow Report which focuses on more substantial South Creek Flooding. Reference should be made to Section 6.2 of the Civil Engineering Report, drawing Co13362.00-DA420 and drawings DA400, DA410-DA419 should be made (refer to Appendix 13).
<ul style="list-style-type: none"> <i>The proposal includes a massively re-engineered solution to the South Creek floodplain and is inconsistent with the natural integrity of the South Creek system. This compromises South Creek, the Western Parkland City's future green spine, particularly in regard to amenity and environmental values.</i> 	The Proposed Development does not seek consent for built form within the 1% AEP extent. The extent of works are therefore significantly reduced to minimise the disturbance to this land within the flood plain.
<ul style="list-style-type: none"> <i>This type of development, if approved, will set a precedent to the entire South Creek floodplain and hence the natural creek system will be lost. Should the proposal, which is a significantly re-engineered natural creek system method, be implemented across the South Creek System, the</i> 	The Proposed Development will not contain any built form within the 1% AEP flood extent. There will be no major works directly adjacent the creek, thus this concern is considered to be alleviated.

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>integrity of the natural creek system is also compromised.</i>	
<ul style="list-style-type: none"> <i>The water management functions of the creek should be maintained. It is not considered appropriate to encourage or support the outdated mentality of providing a hard-engineered solution for the creek.</i> 	There are no hard-engineered solutions proposed for South Creek under the current Proposal. The revised Development does not propose any built form within the 1% AEP flood extent; hence this comment is considered to have been addressed.
<ul style="list-style-type: none"> <i>As previously indicated, any infrastructure within a floodway is not supported as a design solution.</i> 	As above, there will be no basins within the floodway.
<ul style="list-style-type: none"> <i>Any proposed flood storage within flood "Dead storage" to compensate the filling is not supported as this "dead storage" will not provide any flood storage as this will be filled before flooding occurs.</i> 	There are no hard-engineered solutions proposed for South Creek under the revised Proposal. The revised Development layout does not propose any built form within the 1% AEP flood extent; hence this comment is considered to have been addressed.
<ul style="list-style-type: none"> <i>Proposed Stage 1 has water quality and quantity measures within each lot, the applicant should consider doing the same for proposed Stage 2 development. Council will not permit this infrastructure within Council land.</i> 	<p>Under the revised Proposal, there are two estate basins proposed as combined on-site detention and water quality basins. Basin 1 is proposed to service the catchment South of Bakers Lane and Basin 2 to manage the catchment north of Bakers Lane.</p> <p>The whole of the 89 ha development footprint is proposed to be managed for water quality and quantity. Water quality is to be managed as follows:</p> <ul style="list-style-type: none"> ○ Primary treatment via end of line gross pollutant trap (GPT) is provided upstream of Basins 1 and 2. The GPT will target litter, oils and hydrocarbons, coarse sediment and some nutrients; and ○ Tertiary treatment is to be provided by bio-retention provided within

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p>Biodiversity Matters: BDAR:</p> <ul style="list-style-type: none"> <i>The development will see result in the loss of 12.51 ha of remnant indigenous vegetation on the Subject Site. This include 7.11 ha of Alluvial Woodland in an 'underscrubbed' condition, 4.04 ha of Alluvial Woodland in a 'DNG' condition, and 0.24 ha of Shale Plains Woodland in an 'underscrubbed' condition. The Alluvial Woodland is synonymous with the TEC River-flat Eucalypt Forest and the Shale Plains Woodland is synonymous with the TEC Cumberland Plain Woodland. The direct clearing and subsequent development of the subject land would represent a permanent impact, or loss, of this native vegetation and habitat. A further 0.72 ha of exotic plantings and 86.04 ha of cleared land 'exotic grassland' including only occasional native species would also be impacted by the project.</i> 	<p>Basins 1 and 2.</p> <p>The process undertaken by Ecoplanning (2020), followed the BAM (OEH 2017), which is the NSW State Government Policy on impact assessment. Further, the updated BDAR demonstrates a reduced Subject Site and development impact area, for which the the Proposed Development would now retain more indigenous vegetation.</p> <p>The previous Proposal exhibited, would have impacted on some 11.40 ha of native vegetation. The revised Proposal by comparison proposes to clear only 9.15 ha. This represents a reduction from approximately 79.1% of native vegetation being cleared to approximately 64.5%. All impacts resulting from cleared vegetation will be offset by the payment of biodiversity credits in line with the current legislation</p> <p>Additionally:</p> <ul style="list-style-type: none"> The Proposal will no longer impact the <i>Grevillea juniperina subsp. juniperina</i> habitat identified within the northern portion of the study area; and The revised Proposal will reduce the removal of hollow bearing trees, to only one (1) individual, located along Bakers Lane. <p>The updated BDAR is provided at Appendix 17.</p>
<ul style="list-style-type: none"> <i>A total of 11 hollow bearing trees (HBTs) were identified, most of which were confined to the northern portion of the subject land. A large farm dam is situated in the centre of the subject land and several smaller dams are scattered across the northern and eastern portions of the site.</i> 	<p>Noted. Dewatering of the dam will be carried out as required.</p> <p>The total number of hollow bearing trees is 12, the previous number was a mistake. Under the revised Masterplan 11 of the 12 trees will be retained.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	All farm dams will be impacted as a result of the proposal. Appropriate pre-clearance including dam dewatering protocols are required.
<ul style="list-style-type: none"> Interestingly the BDAR rules out the Southern Myotis, <i>Myotis macropus</i> as a candidate species to be ruled out as being surveyed on the site. <i>Myotis</i> are known to use farm dams and there are a number of dams and vegetated areas where this species could potentially move between different habitat resources. As such <i>Myotis</i> should be assessed as to whether they are utilising available habitat on the site. 	Microbat survey has been completed, with two (2) Anabat devices placed in proximity to farm dams on site over a period of 16 nights. Only one possible Southern Myotis call was detected over this period, this call was more likely to be a <i>Nyctophilus</i> sp..
<ul style="list-style-type: none"> The threatened species <i>Grevillea juniperina</i> subsp. <i>juniperina</i> (listed as Vulnerable under the BC Act) is identified as being impacted by the proposal. A total of 29 individuals will be lost. 	Noted. As mentioned in the BDAR, where species are potentially impacted in accordance with the BC Act, ecosystem credits will be offset to the Biodiversity Conservation Trust. It is noted, that <i>Grevillea juniperina</i> subsp. <i>Juniperina</i> will no longer be impacted by the Proposed Development.
<ul style="list-style-type: none"> Under the Biodiversity Offset Scheme (BOS) the applicant needs to demonstrate how firstly avoid impacts, then minimise and then offset impacts. The BDAR on page .46 claims that the impacts on vegetation have been avoided through considering that a Biodiversity Stewardship (BS) site be established. However, the BS site has not been established as it occurs within the two infrastructure corridors; 60 m freight rail corridor along the northern boundary of the site, adjacent to the Sydney Water pipeline. Reviewing Figure 1.3: Proposed development footprint on page .5. As such the decision process cannot be clearly considered to be understood which has led to the impact being avoided, with a large area of Alluvial Woodland being proposed to be removed, supporting significant habitat features such as hollow bearing trees and with Derived Native Grass (DNG) understory. No impacts have been avoided in the development area other than the area designated as a riparian corridor which contains and OSD Basin to the West and the Riparian Corridor and the Freight Corridor to the North. 	<p>Ecoplanning (2020) suggest that opportunities were explored for BSA. These however were not considered viable based on the credit generation.</p> <p>The revised Masterplan layout has been updated which results in a reduction in the subject land and impact area. A significant portion of the alluvial woodland in the north west of the Site which contains the majority of the hollow bearing trees has been avoided. No OSD Basins will be required under the revised proposal, rather detention basin have been proposed for the Estate within proposed Lots 11-13. This is reflected in the updated BDAR (V4.0) located within Appendix 6.</p>

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<ul style="list-style-type: none"> <i>The BDAR provides an Ecosystem credits summary and credit profiles and Species credits summary and credit profiles on pages 53 & 54. I agree with credit requirements to offset the impacts.</i> 	The Ecosystem credits have now been revised to 230 (from 290) based on the revised extent of clearing.
<ul style="list-style-type: none"> <i>Whilst it is agreed that the control measures will help to mitigate some of the impacts, it is disagreed that this development will not negatively impact the aquatic ecosystem in South Creek regarding flow regime changes as a result of hardstand through the proposed development.</i> 	The proposed stormwater management WSUD measures that are in accordance with Penrith City Council's policy will deliver outcomes to avoid any impacts on the riparian corridor along South Creek. Whilst there are no works proposed within the South Creek Precinct and importantly within any riparian areas along South Creek, a Stream Erosion Impact Assessment (SEI) was undertaken by Costin Roe to identify impacts from stormwater from the Site discharging into South Creek. This SEI showed that due to the extensive WSUD initiatives proposed for the Site and extensive trunk bioretention basins this level was significantly below the guidelines set out by Penrith City Council. This SEI is contained in page 34 of the Costin Roe report located in Appendix 12 .
<p>Landscape Plan:</p> <ul style="list-style-type: none"> <i>In summary for the Cumberland Plain Planting Schedule A is appropriate. The addition of Eucalyptus amplifolia Cabbage Gum be incorporated into the planting schedule. The use of Lophostemon confertus Queensland Brush Box is a Northern NSW species and is not appropriate for the of a buffer and should be removed from the Landscape Plan.</i> 	The Landscape Plans have been revised to satisfactorily address Council's comments in accordance with an appropriate landscaping treatment proposed across the Site. These trees have been removed from the planting schedule – reference should be made to Drawings L010-L012 of the revised Landscape Plans which have sourced the planting schedule from the PDCP2014 (refer to Appendix 10).
<ul style="list-style-type: none"> <i>The Landscape: Re-vegetation Area plan proposes a planting schedule, whilst I do not disagree with the species list, this needs to be managed under a Vegetation Management Plan prepared by a suitably qualified ecologist and implement by a bush regenerator with experience in the restoration of the Cumberland Plain.</i> 	A Vegetation Management Plan will be prepared by a suitably qualified ecologist and adopted prior to the issue of the relevant Construction Certificate.
<i>It is suggested that the proponent give some more consideration to the final design and configuration of the subdivision. There has be no attempt to avoid</i>	The revised Development (refer to Appendix 17) significantly reduces the amount of vegetation that will be impacted by the Proposed Development.

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<p><i>loss of threatened ecological communities across the proposed development, with all vegetation being proposed to be cleared outside of the required riparian zone for South Creek and offset.</i></p> <p><i>Please note the Penrith DCP C11 Subdivision Clause 4) Vegetation Management particulars:</i></p> <p><i>b) Not more than 10% of the vegetation on any site shall be cleared (or required to be cleared) as a result of any subdivision proposal.</i></p> <p><i>This proposal does not meet the vegetation management objective in the DCP. This coupled with not avoiding biodiversity impacts across most of the site including the loss of two threatened ecological communities Cumberland Plain Woodland listed as Critically Endangered Ecological Community under both the BC Act and EPBC Act and 29 individuals of the threatened species Grevillea juniperina subsp. juniperina Juniper-leaved Grevillea. As such the proposal is not supportable as it stands.</i></p>	<p>Accordingly, only 64.5% (9.29 ha) of native vegetation would be cleared as a result of the Proposed Development, which is a sympathetic and satisfactory reduction in vegetation clearing than previously proposed (79.1% or 11.40 ha).</p> <p>Clearing, coupled with an aesthetically-pleasing architectural landscape treatment across the Site would adequately revitalise the Subject Site to represent a welcoming industrial estate for workers and visitors, creating a sense of place and demonstrating positive connotations, that attribute to an improved well-being.</p>
<p>Environmental Matters:</p> <ul style="list-style-type: none"> <i>A dam dewatering management plan should be prepared for the dewatering of dams located at the site.</i> 	<p>A Dam Dewatering Management Plan will be prepared and integrated into the future Construction Management Plan to be prepared prior to the issue of the relevant Construction Certificate.</p>
<ul style="list-style-type: none"> <i>The Environment Team support the proposed sewer connection to St Marys Wastewater Treatment Plant. The Environment Team are not supportive of any on-site sewerage management pump-out system.</i> 	<p>Sydney Water have approved a Waste Water servicing strategy that will be adopted for the development , this includes either a low pressure sewer system connected to St Mary's WWTP or an interim operating procedure for on-site pump out.(Refer to Appendix 31).</p>
<ul style="list-style-type: none"> <i>An unexpected finds protocol should be developed with regard to possible contamination at the site.</i> 	<p>An unexpected finds protocol will be prepared and adopted for contamination management.</p>

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<ul style="list-style-type: none"> A construction noise management plan should be prepared for the works at the site. 	<p>A Construction Noise and Vibration Management Plan (CNVMP) has been prepared by Acoustic Works (2019) that recommends a management strategy that ensures attention to noise complaints and includes a system for achieving reasonable outcomes.</p> <p>With respect to vibration, the processes to be used during works may impact the nearby water pipeline and should be continually monitored throughout the works (refer to Appendix 20).</p>
<p>Waterway (WSUD) Matters:</p> <p><i>These comments are based on an understanding the stormwater treatment measures will not be handed over to Council. As such, conditions requiring maintenance of the treatment measures will need to be applied to any approvals. It is noted that no MUSIC modelling was submitted in support of the application, as such I was not able to complete a proper assessment of the performance of the stormwater management systems. However, the Civil Report and concept plans provide some information in relation to the proposed treatment measures.</i></p> <p><i>A review of the information provided indicates that Stage 1 will have on-lot stormwater treatment measures. No detailed information is provided in relation to what measures are proposed. As such, the report does not demonstrate compliance with Council's WSUD Policy requirements. Information on any stormwater treatment system will need to be dealt with at the DA stage of each lot.</i></p> <p><i>Stages 2 and 3 will be treated with on-lot GPTs and with a precinct bioretention basin with a 4,500m² filter area with an extended detention depth of 300mm and filter media depth of 500mm.</i></p>	<p>It is noted, that MUSIC modelling was issued to the NSW DPIE to be included in the assessment of the overall SSD Application.</p> <p>Section 8.2 of Costin Roe's Civil Engineering Report suggests, that developed impervious areas of the proposed Estate, including roof, hardstand, car parking, roads and other extensive impervious areas are required to be treated by the proposed Stormwater Treatment Measures (STMs). The STMs shall be sized according to the whole catchment area of the Proposed Development. The STM's for the Estate are based on a treatment train approach at the estate level to ensure, that all the objectives above are met. STM's include incorporating bio-retention basins and gross pollutant traps across the Subject Site. Further commentary is provided in Section 8.2 of the Civil Engineering Report that supports the updated Proposal (refer to Appendix 12).</p> <p>The Proposed Development as amended includes the following measures:</p> <ul style="list-style-type: none"> There are two estate basins proposed as combined on-site detention and water quality basins. Basin 1 is proposed to service the catchment South of Bakers Lane and Basin 2 to manage the catchment north of

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	<p>Bakers Lane. The whole of the 89 ha development footprint is proposed to be managed for water quality and quantity.</p> <ul style="list-style-type: none"> ▪ Water quality is to be managed by: <ul style="list-style-type: none"> ○ Primary treatment via end of line gross pollutant trap (GPT) provided upstream of Basins 1 and 2. The GPT will target litter, oils and hydrocarbons, coarse sediment and some nutrients; ○ Tertiary treatment is to be provided by bio-retention provided within Basins 1 and 2; ▪ Estate Basins and GPT's are proposed to be dedicated to council along with roads and associated public infrastructure; and ▪ Individual lot stormwater management measures will require provision of rainwater reuse tanks to reduce demand on potable water supply.
<i>The proposed bioretention basin will also have capacity for OSD. The plans show that part of the OSD will be combined with the bioretention storage and in larger flows will store up to 1.2 mm above the filter media. In relation to the design of the bioretention basin, the statement made in Section 8.2 of the Civil Report, regarding the design and my agreement to the design depth is incorrect. I have not discussed this proposal and have given no such approval or endorsement to the design. I suggest that the comment be removed from the report. I am also of the view that the bioretention basin has many design issues which will make the long-term maintenance more difficult.</i>	As noted above, the Development as amended proposes a new stormwater strategy with two (2) separate basins proposed. Consideration has been given to the design of these basins on the basis they are proposed to be dedicated to Council and will therefore need to meet all Council requirements.
<i>In this regard, it is suggested that the proponent give some more consideration to the final design and configuration of the basin during the detailed design stage. This should include but not be limited to the inlet design and flow configuration, sizing of basin, access provision for maintenance, configuration, and vegetation species to name a few considerations. In this regard, there are many technical design guidelines available to assist in any revised design.</i>	Provisions for Stormwater Detention to be implemented within the designated bio-retention basin in proposed Lots 11-13; and the implementation of Stormwater Treatments Measures (STMs) across the Site such as filters and pollutant traps, would enable the Site to achieve the relevant pollutant reduction targets in accordance with Penrith City Council's water quality control targets for achieving WSUD (refer to Appendix 12).

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<i>In any, case the ongoing management will sit with the owner of the properties within the estate and will not be handed over to Council for future management.</i>	The proposed bio retention basins are provided above the 1% AEP flood level, these satisfy Penrith City Council requirements. This will enable Council to own and maintain these basins.
<i>In summary, no MUSIC Modelling has been submitted in support of the application. However, a review of the commitments made in the stormwater management report generally indicates the proposed stormwater treatment would meet Council's WSUD Policy requirements if fully implemented and maintained.</i>	MUSIC Modelling has been provided to the NSW DPIE. The proposed stormwater management strategy is outlined below and would adhere to all necessary requirements.
<i>In summary, all developments in Stage 1 would need to develop stormwater treatment strategies and submit in support of any development application. These would need to be consistent with the commitments made in the Civil Report and meet the requirements of Council's WSUD Policy.</i>	<p>The proposed stormwater strategy for the revised development is summarised as follows:</p> <ul style="list-style-type: none">▪ The key stormwater management measures are transferred from a combination of on-lot measures and estate measures, to being wholly provided via estate management basins.▪ There are two estate basins proposed as combined on-site detention and water quality basins. Basin 1 is proposed to service the catchment South of Bakers Lane and Basin 2 to manage the catchment north of Bakers Lane. The whole of the 89 ha development footprint is proposed to be managed for water quality and quantity.▪ Water quality is to be managed:<ul style="list-style-type: none">o Primary treatment via end of line gross pollutant trap (GPT) provided upstream of Basins 1 and 2. The GPT will target litter, oils and hydrocarbons, coarse sediment and some nutrients; Tertiary treatment is to be provided by bio-retention provided within Basins 1 and 2;▪ Estate Basins and GPT's are proposed to be dedicated to council along with roads and associated public infrastructure;▪ Individual lot stormwater management measures will require provision of rainwater reuse tanks to reduce demand on potable water supply.

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	Further detail is provided at Appendix 12 .
<i>It is recommended that modelling and supporting information on the final basin be submitted for approval prior to the issue of Construction Certificate. In this regard, I have suggested a condition.</i>	All modelling to support the revised design is provided and is to be read in conjunction with Costin Roe Report at Appendix 12 .
<i>The proposed bioretention system shall also be used as a sediment basin until the catchment is developed. This is an important consideration and the bioretention system should not be constructed until a minimum of 90% has been constructed.</i>	<p>The revised Development does not propose any built form works within the 1% AEP flood extent, or major estate wide bio-retention systems.</p> <p>Smaller bio-retention systems are proposed for roadway treatment and these are to be used for sediment controls until such time that 90% of the upstream catchment has been developed or otherwise acceptably stabilised.</p> <p>Stage specific sediment basins are included in the erosion and sediment control designs and these have been updated to suit the development layout.</p>
<i>In relation to the Water Conservation requirements, the Civil Engineering Report includes a commitment to install an inline rainwater tank on each lot and consider rainwater harvesting and reuse as part of the development of each future lot. I have no objection to this proposed way forward.</i>	The revised design will include individual lot stormwater management measures will require provision of rainwater reuse tanks to reduce demand on potable water supply.
<i>It will also be important to develop and implement an Operation and Maintenance plan. In this regard, I have suggested a condition requiring the submission of a manual to Councils for approval, prior to the issue of a Construction Certificate.</i>	It is noted, that an Operation and Maintenance Plan has been formulated and is located within Appendix 12 .
<p>Landscape:</p> <ul style="list-style-type: none"> Address precinct-wide issues that follow in a precinct plan to be the guideline document for this and future stages. 	This SSD Application is accompanied by a DCP which details landscaping requirements based on comparable industrial sites (refer to Appendix 2). The Proposal accords with all requirements in this respect and the species list Council have provided.
<ul style="list-style-type: none"> The principles in the draft Greener Places Policy from the NSW government have not been applied, in particular consideration of green, blue and grey infrastructure at first design principles. 	The 'Green Places' document constitutes a draft document issued by the Government Architect NSW and publically exhibited on the 28 November 2017 to 26 February 2018. The draft document concerns four (4) main principles

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	<p>including:</p> <ol style="list-style-type: none"> 1. <u>Integration</u>: "Combine Green Infrastructure with urban development and grey infrastructure." 2. <u>Connectivity</u>: "Create an interconnected network of open space." 3. <u>Multifunctionality</u>: "Deliver multiple ecosystem services simultaneously." 4. <u>Participation</u>: "Involve stakeholders in development and implementation." <p>The Proposed Development has satisfactorily addressed the relevant principles in their own right, through conducive architectural design and expression (including strategic colour selections for buildings), as well as dedicating the western portion of the Subject Site for open space area for passive, active and recreational use by workers, visitors and community members alike.</p> <p>Adequate landscaping is proposed throughout the Estate including a tree lined boulevard along the Southern Link Road and Mamre Road corridor as well as extensive boundary landscaping for the full extents of the boundary interfaces. The Proposal as amended includes:</p> <ul style="list-style-type: none"> ▪ New Vegetation Areas measuring some: 91,700 m²; ▪ New Trees Planted of over: 1,250; and ▪ New Canopy Cover (average) of some: 141,250 m².
<ul style="list-style-type: none"> ▪ <i>Sustainability principles are to be embedded into the design, including and addressing Council's Cooling the City Strategy, in particular addressing provision of tree canopy to reduce heat over pavement and pedestrian areas.</i> 	<p>The vision for the Proposed Development, is to create and build a new Warehouse, Logistics and Industrial Facilities Hub with an architectural treatment that achieves a high-quality integrated Estate and an attractive appearance, in a style that is consistent with the architectural vernacular of the wider Industrial Precinct of the Western Sydney Employment Area (WSEA). The</p>

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	<p>Proposed Development will showcase the next-generation of industrial Estate design, targeting State-of-the-Art, Six-Star-Green-Star-rated industrial buildings designed to set new standards in relation to sustainability, social amenity and building quality.</p> <p>By providing an aesthetically-pleasing architectural landscape design, this will further contribute to the overall energy efficiency of the Subject Site, whilst mitigating the micro-climate of the Site, which would typically influence the Urban Heat Island Effect, due to a lack of energy efficient measures and increased hardstand; however, the Proposal represents a State-of-the-Art world-class design that targets the best possible industry standards, thereby achieving not only local strategy objectives, but world standards in industrial design.</p> <p>This will be the first fully designed Six-Star-Green-Star estate incorporating all sustainable measures included within the Green Star rating tool. Some examples include endemic species of plant, rainwater collection and reuse and solar panels installation on all buildings.</p> <p>Careful consideration of Council's Cooling the City Strategy has been incorporated within the design of the Estate, for example, large landscaping buffers to the western, southern and eastern boundaries including 1,250 new trees, with 98,891 m² of landscaping comprising 141,250 m² of canopy cover on the site, thus reducing the potential for the Urban Heat Island Effect.</p>
<ul style="list-style-type: none"> Memorable pedestrian connections through the Hub must be addressed to create a comfortable and connected precinct. 	<p>Whilst the aim of the Proposal is to provide a conducive Warehouse, Logistics and Industrial Facilities Hub, access will be provided to the western allotments (proposed Lots 14-17) which the built form would be subject to separate DAs.</p>
<ul style="list-style-type: none"> The design disregards the interface with surrounding areas and features. 	<p>The Proposal as amended integrates with the surrounding environment.</p>

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<i>Steep embankments do not address visual amenity and maintenance requirements.</i>	<p>Landscape buffer zones have been proposed with mitigate visual impacts.</p> <p>In the Landscape and Visual Impact Assessment prepared by Geoscapes (refer to Appendix 11), it is noted that the landscape value of the Subject Site itself, has been assessed based upon local planning designations; landscape ecological value; and the character and context in which it is located. Geoscapes conclude, that the significance of the impact upon the landscape at the Subject Site and surrounding sites are minor in nature. Although the Site presents some scenic qualities, this has to be considered against the immediate surrounding landscape character and context. Directly to the north and northeast of the Site, there exists industrial zoned land, which has created a landscape character, that has been heavily influenced by industrial and commercial development.</p> <p>Accordingly, the Proposal has satisfactorily addressed its interfaces with adjoining and surrounding areas.</p>
<ul style="list-style-type: none"> Given South Creek will be a recreation and open space corridor and an asset, the development must address high quality and accessible connections to the corridor whilst respecting the landform and landscape amenity. 	<p>The revised Proposal has sought to premise the design of the Estate on the following principles:</p> <ol style="list-style-type: none"> 1. Connect to the Creek 2. Create a Street Network 3. Build a walking environment 4. Legible Street Design <p>It is noted that the western edge of the Site has been deferred under this SSD Application and will be developed under separate applications.</p>
<ul style="list-style-type: none"> Visual: <ul style="list-style-type: none"> views to the Blue Mountains escarpment must be acknowledged 	<p>Viewpoint 16 from Bakers Lane close to 706-752 Mamre Road, Kemps Creek has been included in the report. This viewpoint is from an elevated position</p>

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<i>and enhanced through the design (streetscape). Include a viewpoint on the southern link road looking west;</i>	looking west towards the Blue Mountains. The Southern Link Road is clearly seen together with proposed landscape treatments. Overall, the visual impact is considered acceptable, noting the landscape and architectural treatment proposed.
<ul style="list-style-type: none"> <i>viewpoints along Mamre Rd in close proximity of the development are to be included to ensure streetscape amenity is high and scale and bulk of built forms is addressed. Viewpoints may include approaching from the north and south, and at the intersection;</i> 	Three (3) additional viewpoints have been included in the report, these are VP19, VP20 and VP21. These include a view of the intersection and approaching from the North and South of Mamre Road. The Visual Impact Assessment has concluded the visual impact along Mamre road is minor.
<ul style="list-style-type: none"> <i>viewpoints must show ultimate scenarios ie. widened roads, rail corridor;</i> 	The revised Landscape and Visual Impact Assessment prepared by Geoscapes satisfactorily addresses the ultimate scenarios for the proposed Estate, including widened roads and the freight rail corridor.
<ul style="list-style-type: none"> <i>screening of service areas from high use areas eg. Mamre Rd is to be effective while planting is immature and ineffective as a screen. This may include creative / public art metal or timber screen solutions;</i> 	Landscaping proposed is considered to adequate and satisfactory based on the pot sizes proposed; however, until maturity is reached, alternate screening measures have been proposed, which included additional measures with respect to the Estate entry feature – signage; acoustic screening (Warehouse 3B); and additional deep-soil landscaping along the Mamre Road boundary where views are likely to be impacted.
<ul style="list-style-type: none"> <i>Substations screened and sited for reduced visual impact;</i> 	Reference should be made to Endeavour Energy's requirements concerning Padmount Substations. These will be complied with in consultation with Endeavour Energy.
<ul style="list-style-type: none"> <i>Fencing shall be located within landscaping to reduce visual impact and improve amenity, not along property boundaries.</i> 	All fences are located within landscaping setbacks. Refer to Architectural and Landscape Plans located in Appendix 7 & 10 of this Submission.
<ul style="list-style-type: none"> <i>Provide a public domain plan and manual addressing: Landscape</i> 	The activation of the western portion of as the Subject Site has been

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<i>character and vision statements, design objectives, pedestrian and cycle connectivity, street trees and streetscape, furniture, WSUD, footpath treatments, lighting, fencing, changes in level, irrigation, recreation and open space, wayfinding, placemaking, street hierarchy, local landmarks, places to stay, safety, local landscape character, short and long term maintenance schedules with assets register, etc.</i>	designated for open space land uses is considered to be in accordance with the recreational land use zones earmarked pursuant to the release of the draft Mamre Road Precinct Structure Plan, as well as being consistent with the overarching strategic vision for the key interfaces with the South Creek Corridor. Through conducive architectural and landscape treatments, which are vibrant and aesthetically pleasing, the Proposal would retain cognisance of the relevant environmental parameters associated with the Site and their symbiotic relationship to the Site and proposed Estate. Where required, management and mitigation measures have been proposed to be implemented that capture any potential impacts as a result of the Proposed Development, both locally and regionally.
<ul style="list-style-type: none"> ▪ <i>Mamre Rd:</i> <ul style="list-style-type: none"> ○ <i>built form at Lot 21 provides inadequate articulation to the streetscape. By comparison, Lots 51-53 provide improved articulation with opportunity for tree canopy to reduce bulk and scale;</i> 	The revised Development on proposed Lot 8 (formally Lot 21) provides articulation to the street with tree canopy to reduce the bulk and scale of the proposal. This is shown on the Landscape Plans at Appendix 7 .
<ul style="list-style-type: none"> ○ <i>a 15m landscape setback is an adequate width, not 10m, given the intrusion of parking, internal roads and the steep nature of the setback;</i> 	The landscape setback on Mamre Road of 10 m has been adopted and is entirely consistent with surrounding development, including First Estate, Oakdale West and Erskine Business Park DCP's.
<ul style="list-style-type: none"> ○ <i>Mamre Rd / Southern Link Rd intersection: as a key entry to the Hub, carparking areas intrude into spatial opportunity for placemaking at the entry. Carparking should be removed from this primary location and sufficient space provided to accommodate the types of statement precedent images shown.</i> 	The revised Development (refer to Appendix 10) satisfactorily considers the notion of providing a 'place' for the Subject Site. Estate signage and deep-soil landscaping proposed will provide a significant level of identification and direction, whilst improving the visual amenity through increased landscaping across the Site.

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<ul style="list-style-type: none"> ▪ <i>Pipeline boundary: 5m is insufficient landscape setback given the necessary screening required of the rail corridor and potential east west recreational trail corridor.</i> 	<p>A 5 m landscaping setback is considered appropriate and in line with the standard DCP provisions for side and rear setbacks of recently approved developments including First Estate, Oakdale West and Erskine Business Park. Landscaping in this setback will include mature trees and species that will allow adequate screening of the buildings from the proposed Freight Rail Corridor.</p>
<ul style="list-style-type: none"> ▪ <i>Trees, canopy and cooling:</i> <ul style="list-style-type: none"> ○ <i>Provide soil / fill amelioration strategy and plan for the Hub precinct to enable healthy and maintainable planting areas;</i> 	<p>Landscape Drawings L013 and L014 have added significant detail on the soil preparation, in addition, the following soil amelioration strategy is proposed:</p> <ol style="list-style-type: none"> 1. Break up clay soil with gypsum during civil works. 2. Rip subgrade to 150 mm. 3. Test topsoil and re-use clean topsoil as the subbase to planting and turf areas. (min 800 mm depth) 4. Install 300 mm imported garden mix for planting areas and 150 mm turf underlay for turf areas. 5. Install new soil around the rootball of all tree planting and break up planting hole if compacted. 6. Mature trees have ag line drainage installed around the base of the rootball to remove excess water. 7. Install 75 mm mulch to all planting areas and base of trees. <p>These measures will enable healthy and maintainable planting throughout the Estate.</p>
<ul style="list-style-type: none"> ○ <i>Provide a tree planting and vegetation strategy and plan for the Hub precinct with technical details including drainage, planting medium, plant establishment, aeration, species etc.;</i> 	<p>The tree planting and vegetation strategy is addressed in the Landscape Drawings L010-L012. Technical queries requested are shown on Landscape Drawings L013 and L014.</p>
<ul style="list-style-type: none"> ○ <i>Provide a water use strategy and supporting WSUD treatments are to be integrated with the engineering design;</i> 	<p>A detailed water use strategy and supporting WSUD strategy have been provided within the Civil Engineering Design Report prepared by Costin Roe located within Appendix 12.</p>

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<ul style="list-style-type: none"> Given the extreme degree of cut and fill across the site, measures are required to ensure sustained tree / vegetation health and growth (capacity to achieve their natural height and form at maturity and be healthy) - includes underground / under pavement engineered planting vaults, use of Stratavault or similar. Designed with drainage solutions; 	<p>The landscaping strategy seeks to maximise larger trees in setbacks to the site and individual warehouses. Where infrastructure has a potential conflict with trees, smaller tree species or taller species are proposed with reduced canopy spread. This approach is not in conflict with the current DCP. (The use of stratavault and engineered planting vaults are not deemed appropriate given the deep soil root zones that are available and soil improvement that has occurred through soil amelioration). Furthermore, deep soil volume depths would be a minimum of 1.5 m to allow for increased and optimum growth rates in selected plant species throughout the Site.</p>
<ul style="list-style-type: none"> Plant schedule B is not supported for secondary streets. Larger trees are required to suit the scale of development. Some species are inappropriate; and 	<p>This point is addressed in current submitted landscape Development. The proposed plant schedule has been updated.</p> <p>The revised landscaping drawings include species recommended by Council which are appropriate in terms of size, screening properties and are suitable for the local climate (refer to Appendix 10)</p>
<ul style="list-style-type: none"> Street trees and parkland species in Plant schedule A are not supported. 	<p>This point is addressed in the current submitted landscape Development. The proposed plant schedule has been updated.</p> <p>Plant Schedule A now includes species directed by Council. Refer to the Landscape Drawings in Appendix 10.</p>
<ul style="list-style-type: none"> Setbacks: <ul style="list-style-type: none"> 6m wide fire trails shall abut the built form to maximise planting in the remainder of the (20m) setback. Planting between road and building is typically unsuccessful and maximum tree heights cannot be achieved; 	<p>This point is addressed in the current submitted landscape Development. Fire Access Trails abut the built form, with landscaping setbacks of 5m on side and rear setbacks provided at the boundary 5 m of deep soil setback planting now adjoins the 6 m wide fire trails. This deep soil setback is more than enough soil volume to sustain selected canopy trees reaching their full height.</p>

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<ul style="list-style-type: none"> ○ <i>4m wide landscaping is inadequate as a frontage to the development (office and carpark landscape). Minimum 7m to be provided including mounding for screening of parking (refer DCP);</i> 	<p>It is considered that 4 m wide landscaping for local industrial roads is sufficient and complies with comparable DCPs for existing industrial estates approved by Council, including Mamre West, Erskine Business Park and Oakdale West.</p> <p>The plant species selected for these areas have sufficient screening foliage and canopy extents to achieve the outcomes in relation to mitigating visual impacts of car parking areas.</p>
<ul style="list-style-type: none"> ○ <i>Minimum 2.5m side boundary setback to roads, infrastructure, pavement and parking areas (total 5m width across both lots) for canopy tree planting (while also giving consideration for any retaining wall and infrastructure location) providing cooling of pavement areas and reduced visual bulk and scale.</i> 	<p>The proposed side building setbacks are 6 m to accommodate Fire and Rescue NSW requirements. Landscaping on the sides are not warranted as they are not seen from the street and are functional areas for firefighting purposes only. Furthermore, they are not adopted in the Mamre West Precinct DCP, Oakdale West DCP and Council's Erskine Business Park DCP.</p>
<ul style="list-style-type: none"> ▪ <i>Reference is made to representing Altis Property Partners and Frasers Property 'branding' – this has not been explained or presented. Details to be provided to ensure the branding is suitably scaled and visually in keeping with the native landscape character of the site.</i> 	<p>The proposed Estate entry feature is included in the architectural set of drawings submitted (refer SP-KC1-DA-502 Issue G).</p> <p>The entry feature comprises of a masonry wall with an estate logo and vertical timber beams surrounded by landscaped areas. This is considered to represent a contemporary design which integrates with the desired character of the locality and is visually appealing from Mamre Road.</p>
<ul style="list-style-type: none"> ▪ <i>Comfortable and amenable well-designed outdoor spaces are to be provided for workers to socialise and recreate.</i> 	<p>Addressed in current submitted landscape Development.</p> <p>Every warehouse has included outdoor spaces for workers to socialise and recreate inclusive of shade structures and landscape surrounds. The nominates open space area which will be zoned for such purposes, are directly accessible throughout the Estate and are a key activation point towards South Creek.</p>
<ul style="list-style-type: none"> ▪ <i>Provide detailed landscape cross sections to demonstrate treatments of changes in level, boundaries, screening, streets including levels and</i> 	<p>Addressed in current submitted landscape Development.</p>

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<i>dimensions, drainage and below ground interventions.</i>	The revised landscape plans include seven detailed dimensioned cross sections at key locations throughout the proposed development, illustrating the interaction and screening between the existing ground levels on the site boundaries and adjacent industrial built form. Other cross sections show details through each class of road incorporated within the Proposal, drainage and below ground interventions refer landscaping plans in Appendix 10 .
<ul style="list-style-type: none"> <i>Landscape principles (Habit8) do not correlate with the level of detail shown in the remainder of documentation. Demonstrate how principles have been realised.</i> 	<p>The principles are addressed in the current submitted landscape Development, by inclusion of Drawing L03 that comprehensively documents landscape principles. The various site and detail plans illustrate where these principles are adopted.</p> <p>The key principles as addressed under the revised Development are summarised as follows:</p> <ul style="list-style-type: none"> a) Principle 1: Integration: The Development includes a multi-purpose infrastructure strategy that mimics nature, provides critical ecosystem services and promotes healthy and active living. We propose to combine green space with urban development and grey infrastructure. b) Principle 2: Connectivity: The development seeks to create a network of high quality open spaces that connect with each warehouse and office, public transport hubs, South creek corridor and residential areas. The network includes physical and functional connections that benefit people and wildlife. c) Principle 3: Multifunctionality: The proposed green space infrastructure is designed to be high quality and high performing, producing ecological, social, environmental and economic benefits. The multifunctionality of our design proposal allows the sites green

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	<p>infrastructure to deliver multiple ecosystem, environmental and other services simultaneously.</p> <p>d) Principle 4: Participation: The planning process has been open to all, transparent and incorporates the knowledge and needs of all interested and diverse parties. The process has involved stakeholders in development, Penrith Council and the industrial open market through tenants and the companies they represent. The process has incorporated local, district and regional Green Infrastructure policies and actions.</p> <p>Further, the revised landscape drawings include a planting strategy on drawing L02 describing how different appropriate species have been selected for specific locations based on the landscaping function and principle.</p>
<ul style="list-style-type: none"> <i>Verge widths are inadequate to enable street trees of a suitably large scale to grow – species indicate large trees that are supported to reduce bulk and scale of built forms. 1.2m path widths and soft areas for planting are both too narrow. Best practice conditions and spaces are required for street trees. The current verge will sustain only small trees.</i> 	<p>Due to B-double heavy-duty truck movements through the Site, street trees are chosen to be medium in size. This is to avoid conflicts between spreading tree canopies and the tall trucks and trailers. Tree planting is proposed that can easily be pruned, is true to its size and vertical form, provides canopy cover for footpaths and will not damage trucks when mature heights are reached. The proposed strategy is to plant the large canopy trees in the landscape setback where they have space to reach their full potential without damage. The landscaping plans in Appendix 10 provide sections and details on the planting strategy for all species proposed, confirming adequate space within each setback and subsoil strategies to support root growth.</p>
<ul style="list-style-type: none"> <i>Arborist report is required and must include the exact quantity of trees proposed to be removed.</i> 	<p>The requirement for an Arborist Report is not considered to be required. The Proposal includes provisions for vegetation removal across the Site, prior to earthworks being undertaken, for which the BDAR addresses any Biodiversity Credits required to be paid to the NSW Biodiversity Conservation Trust as a</p>

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Proposed Warehouse, Logistics and Industrial Facilities Hub

657-769 Mamre Road, Kemps Creek (Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 & Lot 22 DP 258414)

Table 2: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	result of vegetation clearing pursuant to the BC Act. Refer to the BDAR in Appendix 17.
<ul style="list-style-type: none"> <i>Green walls and climbers on walls and landscaping in general as shown on architectural perspectives are not supported and is interpreted as token greening of the building without thoughtful landscape design input. Replace with canopy trees. Unlikely to be maintained to achieve desired outcome by industrial development tenants.</i> 	Green walls and climbers are an aesthetically pleasing feature to the office and warehouse areas, which combined with the landscaping proposed provide a cooler natural setting that can be maintained as part of normal building operations. Green walls have been positioned on the buildings shaded from the Western sun where possible and have been thoughtfully connected to well defined landscaping areas within each facility, supporting growth.
<ul style="list-style-type: none"> <i>Landscape design documentation has insufficient detail. Provide cross sections to demonstrate street tree planting (see notes above) and changes in level treatments and materials. Insufficient tree planting in carpark areas. Refer Council's DCP for submission requirements.</i> 	The revised landscaping drawings include additional sections which show how each landscaped interface is treated and provides sufficient detail regarding level treatments, materials, planting and car parking areas, and street tree planting. There are seven (7) sections in total that provide this level of detail.
<p>Social Planning:</p> <p><i>The Social Planning team have reviewed the documents on exhibition as part of the Environmental Impact Statement for SSD 9522 titled SSD 9522 Kemps Creek Warehouse, Logistics and Industrial Facilities Hub located at 657-769 Mamre Road Kemps Creek.</i></p> <p><i>The proposal is for staged development of the site for use as a warehouse, logistics and industrial facilities hub. Operational use for warehousing, distribution and industrial purposes on a 24-hour, 7-day basis is proposed. The site is located 8km from the Western Sydney Airport site. The application includes roadworks and a 33-lot Torrens title subdivision.</i></p> <p><i>The proposed development would increase opportunities for local employment and encourage economic activity related to the Western Sydney Airport.</i></p>	The Proposal will deliver 3,150 full time jobs, being 2,000 operational jobs and 1,150 construction jobs upon completion of the entire Estate, where as this SSD Application will deliver approximately 950 operational jobs and 700 construction jobs.
Access to and Use of Infrastructure, Services and Facilities:	The revised Development is not proposing any works within the South Creek

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p><i>The Social Impact Assessment's proposed mitigation measures include "Recognise the limited social infrastructure in the area for future workers and plan to deliver social infrastructure as part of the ongoing development of the site." Proposed provision of social infrastructure comprises provision of street pathways, along with rejuvenation and dedication of creek corridor lots of around 11ha.</i></p> <p><i>Regarding the creek corridor, the EIS notes "Both small-format retail offerings and recreational facilities, may be operated in the future, in this area such as coffee shops and sandwich bars, primarily as an amenity offering to workers and the public. The area reserved around the creek's edge supports a range of active land uses, including bike paths, walking tracks, and outdoor recreation in line with the new landuse intentions for the Creek."</i></p> <p><i>Based on the information provided, it is proposed that the creek corridor is "heavily rejuvenated from its current poor condition and revitalised to encourage waterfront activities" and dedicated, but no recreational embellishment is proposed as part of the development. As the proposal contains no residential component, no development contributions will be provided to Council for open space improvements. Council has limited resources to fund recreational improvements to the creek corridor. Given the SIA's recognition of the need to provide social infrastructure for future workers, provision of some recreational embellishment of the creek corridor is encouraged however this social infrastructure should also be provided throughout the site given its scale and there is currently no recreational embellishment in stage 1. Whilst use of active transport is encouraged, successful open space provision will also require provision of car parking. The EIS notes that "all future development within close proximity the creek, would have a direct interface with the natural environment of the creek and its amenity offerings." To achieve a positive interface with the</i></p>	<p>Precinct or the South Creek Corridor. All development is now entirely within the Mamre Road Precinct.</p> <p>Included in the revised Development is designated open space to the west of the Site that has been zoned for such purposes under SEPP (WSEA) 2009. It is proposed to provide a high level of permeability to this area which will be for the benefit of workers and the general public.</p> <p>This proposed infrastructure will provide direct public access to the south creek corridor and connections to the north and south of the Subject Site</p> <p>The land shown within the South Creek Precinct, being 26.69 ha will remain in its current undisturbed and vegetated state.</p>

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Table 2: Response Matrix

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p><i>creek and public open space, early concept planning of the creek corridor, ancillary facilities like car parking, adjacent retail uses and road connections is encouraged, in collaboration with Council.</i></p> <p><i>The proposal is for staged development, with the creek corridor lots falling within the final stage. This staging has the potential to cause delays in the dedication of the creek corridor lots and in providing street/path connections to them. The provision of social infrastructure is an essential component of the proposal, and a clear timeframe around the provision of social infrastructure should be provided. The EIS addresses "details of how access to the Warragamba Pipelines corridor would be maintained, in consultation with WaterNSW". The Warragamba Pipeline Open Space Corridor is identified as a Green Grid Priority Project. As the proposal is located at the critical intersection of this pipeline corridor with the South Creek corridor, consideration should be given to ensure appropriate access and interface is afforded to support the success of both corridor projects.</i></p>	
<p>Health and Wellbeing:</p> <p><i>The Urban Heat Island effect experienced locally has social impacts related to health and wellbeing, including reduced physical activity, increased acute health conditions and mortality, increased social isolation and energy poverty for disadvantaged cohorts. Due to the large area of external building surfaces and hard surfaces for vehicles, the proposal has the potential to increase the local Urban Heat Island effect. The proposal should be designed to contribute positively to local environmental conditions to help minimise the Urban Heat Island effect.</i></p> <p><i>For this reason, the proposal's design should incorporate Council's Cooling the City Strategy principles, including solar reflectance, water permeability of hard surfaces and green infrastructure.</i></p>	<p>The vision for the Proposed Development, is to create and build a new Warehouse, Logistics and Industrial Facilities Hub with an architectural treatment that achieves a high-quality integrated Estate and an attractive appearance, in a style that is consistent with the architectural vernacular of the wider Industrial Precinct of the Western Sydney Employment Area (WSEA). The Proposed Development will showcase the next-generation of industrial Estate design, targeting State-of-the-Art, Six-Star-Green-Star-rated industrial buildings designed to set new standards in relation to sustainability, social amenity and building quality.</p> <p>By providing an aesthetically-pleasing architectural landscape design, this will further contribute to the overall energy efficiency of the Subject Site, whilst mitigating the micro-climate of the Site, which would typically influence the Urban Heat Island Effect, due to a lack of energy efficient measures and</p>

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Table 2: Response Matrix

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
	<p>increased hardstand; however, the Proposal represents a State-of-the-Art world-class design that targets the best possible industry standards, thereby achieving not only local strategy objectives, but world standards in industrial design.</p> <p>Careful consideration of Councils Cooling the City Strategy has been incorporated within the design of the Estate, for example, large landscaping buffers to the western, southern and eastern boundaries including 1,250 new trees, with 91,700 m² of landscaping comprising approximately 141,250 m² of canopy cover on the Site, thus reducing the heat island effect.</p>
<p>City Planning:</p> <ul style="list-style-type: none"> ▪ <i>The SSD details the application of State Environmental Planning Policy (Western Sydney Employment Area) 2009 and the mechanism under which the applications is made. No comment is provided on this aspect.</i> ▪ <i>The Western Sydney Aerotropolis Land Use and Infrastructure Implementation Plan (LUIIP) – Stage 1: Initial Precincts applies to this subject land. The LUIIP identifies the following for the subject land:</i> <ul style="list-style-type: none"> ○ <i>Part of the land is identified as being within the South Creek Precinct. The South Creek Precinct is identified as one of the initial precincts to be the focus for planning and rezoning. The future directions for the South Creek Precinct is as the central green spine of the Aerotropolis, although the LUIIP does not describe specific land uses that will be permitted in this precinct.</i> ○ <i>The remainder of the subject land is identified as being within the Mamre Road Precinct. The Mamre Road Precinct is not one of the initial precincts and no timeframe is provided in the LUIIP to describe when further planning and rezoning is expected to</i> 	<p>The revised Development is now entirely contained within the Mamre Road Precinct, now one of the initial precincts of the LUIIP 2 released in December 2019 (Aerotropolis Plan). The Site been zoned IN1 General Industrial and includes pockets of both RE1 Public Recreation and RE2 Private Recreation under SEPP (WSEA) 2009 to fulfil employment and open space directions established under the strategic planning framework.</p> <p>The Proposal as amended responds directly to the strategic direction by providing development within the revised zoning boundaries under SEPP (WSEA) 2009 and includes generous open space areas. The Development in this respect provides:</p> <ul style="list-style-type: none"> ▪ Provision for dedicated Public Recreation Land RE1 being Lots 14-16 of 7.64 ha. ▪ Provision for future built form amenity RE2 Land, pertaining to Proposed Lot 17 of 1.24 ha. ▪ Provision for Lots 3-5 (Stage 1 Subdivision) of 26.95 ha within the Q100 flood extent.

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Table 2: Response Matrix

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Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<p><i>occur. The LUIIP describes the principles for planning of the Mamre Road Precinct as:</i></p> <ul style="list-style-type: none"> ▪ <i>being affected by aircraft noise and not suitable for noise sensitive land uses;</i> ▪ <i>connected to the Western Sydney Employment Area (WSEA) and the potential Western Sydney Freight Line;</i> ▪ <i>be planned for uses such as a warehousing and logistics precinct, forming an extension of the WSEA;</i> ▪ <i>could present potential opportunities for an intermodal terminal serviced by the planned Western Sydney Freight Line; and</i> ▪ <i>Council is aware that the NSW Department of Planning, Industry and Environment are reviewing the boundary of the Mamre Road Precinct from the LUIIP. Council has no further information on the timing and expected outcomes from these investigations.</i> 	<ul style="list-style-type: none"> ▪ The new planting of 1,250 trees; 141,250 m² of canopy cover; and new vegetation area comprising 91,700 m². <p>All land described above lies within the western portion of the Site and ensures a substantial buffer to South Creek that offers opportunity for future recreation and green space. It is considered that by ensuring this area is void of development, that the long term role of South Creek, being for infrastructure and open space provision can be realised.</p> <p>The Development seeks to ensure connectivity and permeability to South Creek is provided, which has been a fundamental design principle in formulating the revised design.</p>
<ul style="list-style-type: none"> ▪ <i>In response to these matters, it is recommended that:</i> <ul style="list-style-type: none"> ○ <i>Further information be sought on the DP&E position on this proposal including:</i> <ul style="list-style-type: none"> ▪ <i>In the context of the investigations into reviewing the boundary of the Mamre Road Precinct;</i> 	<p>The Proposed Development is positioned entirely within the Mamre Road Precinct, for which the Subject Site has been rezoned solely for industrial and open space land uses. The Mamre Road Precinct Structure Plan was finalised in June 2020 and is addressed in Part B of the RtS Report.</p>
<ul style="list-style-type: none"> ▪ <i>Advice on the South Creek Precinct and future development outcomes; and</i> 	<p>The revised Development removes all works previously proposed within the South Creek Precinct. Accordingly, the Proposed Development is located entirely within the Mamre Road Precinct, for which it is entirely consistent with the overarching objectives outlined within the Structure Plan for the Mamre Road Precinct under the Aerotropolis Plan.</p>
<ul style="list-style-type: none"> ▪ <i>In the context of proposed transport corridors including the Western Sydney Freight Line and Southern Link</i> 	<p>It is noted, that in the submission prepared by TfNSW, they acknowledge the integration of a 60 m wide setback, dedicated to the future construction of the</p>

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Table 2: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Penrith City Council (Paul Anzellotti – Acting Development Assessment Coordinator)	
<i>Road, prior to indicating any support/not support for this application.</i>	Western Sydney Freight Line (WSFL) corridor. The Southern Link Road has also been accommodated, with a 38m wide corridor preserved. TfNSW has indicated support of this during extensive consultation. The Proposed Development conforms with this.

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Table 3: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Environment, Energy and Science Group (Susan Harrison – Senior Team Leader Planning)	
<p><i>Biodiversity Development Assessment Report:</i></p> <p><i>Description of the Proposal:</i></p> <p><i>The description of the proposal in the BDAR is confusing and contradicts some of the GIS data and other information provided with the EIS, including:</i></p> <ul style="list-style-type: none"> <i>The shapefiles provided add up to different total areas than are presented in the BDAR;</i> 	<p>The revised BDAR includes an updated layout with respect to the Proposed Development, as well as all GIS data being revised where necessary. All areas within the shapefiles have been updated and are now consistent with the BDAR (refer to Appendix 17).</p>
<ul style="list-style-type: none"> <i>There are five (5) vegetation zones in the shapefiles, but only three (3) in the BDAR;</i> 	<p>The revised BDAR includes updated layout with respect to the Proposed Development, as well as all GIS data being revised where necessary (refer to Appendix 17).</p>
<ul style="list-style-type: none"> <i>The BDAR says it does not address the proposed rail freight corridor on the north of the Site, but the areas in the Construction Stages shapefile include this; and</i> 	<p>The revised BDAR includes updated layout with respect to the Proposed Development, as well as all GIS data being revised where necessary (refer to Appendix 17). The construction stages shapefile is no longer applicable under the revised Masterplan.</p>
<ul style="list-style-type: none"> <i>Without shapefiles consistent with the BDAR data, it is not possible to confident that the biodiversity impact of the proposal have been addressed.</i> 	<p>All shapefiles are now consistent with the BDAR.</p>
<p><i>Survey:</i></p> <p><i>The surveys undertaken to inform the BDAR were not conducted in accordance with the BAM, and expert reports have not been provided in lieu of adequate surveys.</i></p> <p><i>The EIS advises that all the vegetation on the site will be cleared and Table 3.6 of the BDAR has post-development vegetation integrity scores for all zones = 0</i></p>	<p>As detailed in Section 4.2 of the BDAR, following the removal of several predicted candidate species in accordance with Section 6.4.1.17 of the BAM, a targeted survey was conducted for the following 15 species, as outlined in the BDAR:</p> <ul style="list-style-type: none"> <i>Acacia pubescens</i> (Downy Wattle) <i>Callistemon linearifolius</i> (Netted Bottle Brush) <i>Cynanchum elegans</i> (White-flowered Wax Plant)

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which indicate complete clearing. Despite this, the assessor notes that "the level of survey conducted is suitable for this planning proposal" (Section 4.3), which would indicate that the assessment does not take into consideration the clearing of vegetation for bulk earthworks over Stages 1 and 2. This should be clarified.

Table 4.3 indicates which candidate species do not have suitable habitat on site. Apart from the erroneous use of breeding habitat for Swift Parrot and Regent Honeyeater for species credits (it should be mapped important areas), the species in that table have been appropriately excluded. The site not part of the mapped important areas for Swift Parrot and Regent Honeyeater, so these can also be excluded.

Section 4.3 of the BDAR then notes that the other 15 "Confirmed candidate species will need to be assessed consistent with Steps 4-6 of Section 6.4 of the BAM and targeted surveys for species credit species should be undertaken in accordance with Section 6.5 of the BAM". However, Figure 4.3 of the BDAR confirms that most of the site has not been surveyed in accordance with the BAM, in that targeted surveys for species credit species were not undertaken.

- *Dillwynia tenuifolia*
- *Grevillea juniperina* subsp. *juniperina* (Juniper-leaved Grevillea)
- *Marsdenia viridiflora* subsp. *viridiflora* (endangered population including occurrences in the Blacktown LGA)
- *Persicaria elatior* (Tall Knotweed)
- *Pilularia novae-hollandiae* (Austral Pillwort)
- *Pimelea curviflora* var. *curviflora*
- *Pimelea spicata* (Spiked Rice-flower)
- *Pultenaea pedunculata* (Matted Bush-pea)
- *Hieraaetus morphnoides* (Little Eagle) (Breeding)
- *Meridolum corneovirens* (Cumberland Plain Land Snail)
- *Pteropus poliocephalus* (Grey-headed Flying-fox) (Breeding)

In addition to the above, a targeted survey for Southern Myotis was conducted. Further, a targeted survey, or an expert report has been prepared for Green and Golden Bell Frog (*Litoria aurea*) within the subject land, as detailed within the revised BDAR. Surveys for the Green and Gold Bell Frog did not find any individuals within the Subject Site or study area. Similarly, the Southern Myotis was considered unlikely to occur within the Subject Site or study area. All other predicted candidate species have been suitably removed as they were assessed not to have suitable habitat within the subject land as per Section 6.4.1.17 of the BAM (refer to **Appendix 17**).

Serious and Irreversible Impacts:

The information required by 10.2.2 of the BAM with respect to serious and irreversible impacts (SAII) for CPW has not been provided.

It is noted, that in Section 6.5.1 (P54) of the revised BDAR, Ecoplanning (2020) satisfactorily consider the Serious and Irreversible Impact (SAII) of the Cumberland Plain Woodland Critically Endangered Ecologically Community (CEEC). It is considered the assessment provided satisfies the query raised by EES Group (refer to **Appendix 17**).

Sustainability:

EES understands that the proposal intends that the project will achieve a Six-Star-Green-Star rating under the Green Star rating tool (NABERS4). EES supports this and recommends that the recommendations and requirements of the Ecologically Sustainable Development report prepared by Frasers Property (10 May 2019) form part of the development consent for the

The Proposal will target a Six-Star-Green-Star NABERS rating, based on the information articulated within the ESD Report (refer to **Appendix 25**). Notwithstanding, the recommendations stipulated within the Ecologically Sustainable Development Report would be adopted and implemented for the Proposal.

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proposal.	
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Table 4: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Endeavour Energy (Cornelis Duba – Development Application Specialist)	
<p>Network Capacity / Connection:</p> <p><i>In due course the applicant for the proposed development of the site will need to submit an application for connection of load via Endeavour Energy's Network Connection Branch to carry out the final load assessments and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substations will need to be located with the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefitting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am – 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:</i></p> <p>http://www.endeavourenergy.com.au/</p> <p><i>Advice on the electricity infrastructure required to facilitate the proposed development (including asset relocation) can be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our Connection Services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.</i></p>	<p>An application has been submitted to Endeavour Energy. Any and all authority requirements relating to easements and locations of padmount substations will be adhered to.</p>

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Endeavour Energy (Cornelis Duba – Development Application Specialist)	
<p><i>Alternatively, the applicant should engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation. The ASP scheme is administered by NSW Planning & Environment and details are available on their website via the following link or telephone 13 77 88:</i></p> <p>https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service</p>	
<p>Urban Network Design:</p> <p><i>Endeavour Energy's Company Policy 9.2.5 'Network Asset Design', includes the following requirements for electricity connections to new urban subdivision / development:</i></p> <p>(refer to Page 3 of Endeavour Energy Submission).</p>	These requirements will be adhered to.
<p>Location of Electricity Easements / Prudent Avoidance:</p> <p><i>The incorporation of electricity easements into privately owned lots is generally problematic for both Endeavour Energy and the future landowners and requires additional easement management to ensure no uncontrolled activities / encroachments occur within the easement area. Accordingly, Endeavour Energy's recommendation is that whenever reasonably possible, easements be entirely incorporated into public reserves and not burden private lots (except where they are remnant lots or not subject to development).</i></p> <p><i>Where easements are incorporated into private lots Endeavour Energy's preference is to have access by the most direct and practicable route with the easement area kept to a minimum e.g. padmount substations are located at the front boundary to avoid the need to have the associated cables extend into the</i></p>	These requirements would be adhered to, including detail around easements

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<p>Endeavour Energy (Cornelis Duba – Development Application Specialist)</p> <p><i>property which then also require an easement.</i></p> <p><i>This is also in keeping with a policy of prudent avoidance by the siting of more sensitive uses e.g. those parts of the site regularly occupied by people such as office components of a building, away from any electricity infrastructure to minimise exposure to electric and magnetic fields (EMF), noise etc. associated with the 24/7/365 (all day, every day of the year) operation of the electricity network.</i></p> <p><i>Please find attached a copy of Energy Networks Association's 'Electric & magnetic Fields – What We Know' which can also be accessed via their website at http://www.energynetworks.com.au/electric-and-magnetic-fields and provides the following advice:</i></p> <p><i>Electric fields are strongest closest to their source, and their strength diminishes rapidly as we move away from the source.</i></p> <p><i>The level of a magnetic field depends on the amount of the current (measured in amps), and decreases rapidly once we move away from the source.</i></p> <p><i>Typical magnetic field measurements associated with Endeavour Energy's activities and assets given the required easement widths, safety clearances etc. and having a maximum voltage of 132,000 volt / 132 kV, will with the observance of these separation distances not exceed the recommended magnetic field public exposure limits.</i></p>	
<p>Flooding and Drainage:</p> <p><i>Endeavour Energy has noted in the Request for Secretary's Environmental</i></p>	<p>No electrical infrastructure will be located below the 1% AEP flood extent.</p>

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Table 4: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Endeavour Energy (Cornelis Duba – Development Application Specialist)	
<p><i>Assessment Requirements that a portion of the site is flood affected. Distribution substations should not be subject to flood inundation i.e. the padmount substation cubicles are weather proof not flood proof. Section 7 'Substation and switching stations' of Endeavour Energy's Mains Construction Instruction MCI 0006 'Underground distribution construction standards manual' provides the following details of the requirements for addressing flooding in new padmount substation locations.</i></p> <p>(refer to Page 5 of Endeavour Energy Submission).</p>	
<p>Vegetation Management:</p> <p><i>The planting of larger trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access, reduce light levels from streetlights or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and / or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.</i></p> <p><i>In regards to padmount substations that will be required to facilitate the proposed development, please find attached for the applicant's reference a copy of Endeavour Energy's 'Guide to Fencing, Retaining Walls and Maintenance</i></p>	<p>Larger trees will not be planted around electrical infrastructure and will be documented in the detailed CC design drawings of each building.</p> <p>The proponent will complete all works and maintenance in accordance with Endeavour Energy's "guide to fencing, retaining walls, around padmount substations.</p>

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Table 4: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Endeavour Energy (Cornelis Duba – Development Application Specialist)	
<i>Around Padmount Substations’.</i>	
<p>Dial Before You Dig:</p> <p><i>Before commencing any underground activity the applicant is required to obtain advice from the Dial Before You Dig 1100 service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.</i></p>	All requirements in this respect will be complied with, including completion of a “Dial Before You Dig” service.
<p>Demolition:</p> <p><i>Demolition work is to be carried out in accordance with Australian Standard AS 2601-2001: ‘The demolition of structures’ as updated from time to time. All electric cables and apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected i.e. the existing customer service lines will need to be isolated and / or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site e.g. streetlight columns, power poles, overhead power lines and underground cables etc.</i></p>	All requirements in this respect will be complied with, ensuring appropriate care is taken not to interfere with electrical infrastructure
<p>Public Safety:</p> <p><i>Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy’s public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy’s website via the following link:</i></p> <p>http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage</p>	All requirements in this respect will be complied with.

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Proposed Warehouse, Logistics and Industrial Facilities Hub

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Table 4: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Endeavour Energy (Cornelis Duba – Development Application Specialist)	
/communitynav/safety/safety+brochures <i>If the applicant has any concerns over the proposed works in proximity of the Endeavour Energy's electricity infrastructure to the road verge / roadway, as part of a public safety initiative Endeavour Energy has set up an email account that is accessible by a range of multiple stakeholders across the company in order to provide more effective lines of communication with the general public who may be undertaking construction activities in proximity of electricity infrastructure such as builders, construction industry workers etc. The email address is Construction.Works@endeavourenergy.com.au</i>	
Emergency Contact: <i>In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours /7 days.</i>	All requirements in this respect will be complied with.

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Table 5: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Environment Protection Authority (Kyle Browne – Operations Officer – Sydney Industry)	
<i>As the proposal does not require an environment protection licence under the Protection of the Environment Operations Act 1997, the Environment Protection Authority does not have an interest in this matter.</i>	It is agreed that further consideration in this respect is not required.

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Table 6: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Fire and Rescue NSW (Superintendent Michael Henly – Manager – Fire Safety Infrastructure Unit)	
<i>The following recommendations are submitted to the Department for consideration:</i>	Each warehouse building will be provided with fire systems in accordance with the requirements of the National Construction Code (NCC) and the relevant Australian Standards.
1. <i>That each proposed warehouse building of the subject development is served by required fire systems that are independent of one another.</i>	
2. <i>That any development application relating to one of the developments speculative warehouses that is subject of the provisions of Part 2 of SEPP 33 and is subsequently approved; a condition be attached to the relevant instrument of consent requiring a fire safety study (FSS) to be undertaken in accordance with the requirements of Hazardous Industry Planning Advisory Paper (HIPAP) No.2. In addition, that any FSS be prescribed to meet FRNSW requirements or approval (as currently applicable under Appendices 1 – 3 [inclusive] of the January 2011 edition of HIPAP No.12).</i>	Any future tenants, as part of any future Development Applications, with respect to their first use / internal fitouts, would be required to be subject to a SEPP 33 analysis and subsequent Fire Safety study (where required), as per the FRNSW submissions received.
3. <i>That the certifying authority be required to make specific assessment and determination as to the applicability of Clauses E1.10 and E2.3 of Volume One of the relevant National Construction Code when considering future applications for construction certificates pertaining to fit out of the subject warehouses by prospective warehouse tenants.</i>	As part of any such Construction Certificate and / or any future Complying Development Certificate for works / use for the Site, Mckenzie Group (Appendix 28) note, that an analysis of the buildings and tenancies would be undertaken in accordance with the requirements of the EP&A Act and EP&A Regulations to verify compliance with the NCC. Furthermore, Mckenzie Group note, that owing to the size and geometry of each of the individual warehouse sites nominated on the proposed Estate, they confirm that the FRNSW input would be required as part of the Development Application process, pursuant to Clauses 144 and 152 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Regulation).
4. <i>Where the future applicability of either Clause E1.10 or E2.3 of Volume One of the relevant National Construction Code is affirmed, that the certifier be required to seek FRNSW concurrence of any additional provisions that are proposed to be implemented to satisfy the</i>	It is noted that any requirements in this respect will be complied with by the appointed certifier.

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Table 6: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Fire and Rescue NSW (Superintendent Michael Henly – Manager – Fire Safety Infrastructure Unit)	
<i>requirements of either Clause E1.10 or E2.3.</i>	
5. <i>Road widths and turning circles, bends and roundabouts, are provided compliant with FRNSW policy No. 4 – Guidelines for Emergency Vehicle Access (link provided). http://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/vehicle_access.pdf</i>	All turning circles, bends and roundabouts comply to the required FRNSW guidelines (refer to the Architectural Plans at Appendix 7).
6. <i>Pursuant to Clause 142 of the local Government (General) Regulation 2005 (the Regulation), and to ensure that a ready supply of water is available to first responders for the purpose of extinguishing fires, that the development's water supply main incorporates fire hydrants installed in accordance with the requirements of the Regulation.</i>	The provision of water supply will be available to the Estate and to each of the allotments (including all Warehouses), pursuant to the requirements stipulated within the NCC and relevant Australian Standards.

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Table 7: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)	
<p><i>Further to the meeting and review of the material circulated, the Commission furnished commentary on the proposal outline in the form of Contact Meeting Record setting out summary comments on the proposal with respect to the Greater Sydney Region Plan (GSRP), in particular Objective 26 and Western City District Plan (WCDP), which was subsequently circulated to both the proponent and DPIE.</i></p> <p><i>The Commission's summary comments noted that:</i></p> <p><i>"the Commission is not supportive of proposals being lodged and assessed within the South Creek catchment prior to critical catchment wide water cycle management studies being completed as this may pre-empt appropriate urban development consistent with the objectives of the Greater Sydney Region and Western City District Plans. This would apply to the above application as it is largely within the South Creek Precinct and proposes significant development within the PMF and 1% AEP flood area".</i></p>	<p>All built form development is now located within the Mamre Road Precinct and outside of the 1% AEP flood extent. This accords with the revised zone boundaries shown in the Mamre Road Precinct Structure Plan and the amendments made under SEPP (WSEA) 2009. Discussions with the NSW DPIE post exhibition of this SSD Application have confirmed the extend of development is acceptable on this basis.</p>
<p><i>Further...</i></p> <p><i>"...the Commission and INSW would have significant concerns with respect to projects that propose urban development in areas currently identified as 'nonurban' prior to the above investigations being completed in mid- 2019".</i></p> <p><i>The Commission has reviewed the SSD documentation and believes that the proposal is essentially similar in extent and type to that presented to the Commission at the meeting of December 2018, and accordingly remains premature pending completion of the catchment wide studies.</i></p>	<p>The revised Development has been prepared in consultation with the NSW DPIE to ensure that it aligns with the revised zone boundaries for the Mamre Road Precinct. This comment from the GSC was provided prior to the release of the Mamre Road Precinct Structure Plan and before extensive consultation occurred with the NSW DPIE on the masterplan.</p> <p>All built form is now contained within areas designated as "urban", with the development compliant with the strategic objectives of the <i>Greater Sydney Region and Western City District Plans</i></p>

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Table 7: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)	
<i>The Commission considers that the concerns it raised previously in the December consultation meeting do not appear to have been satisfactorily addressed.</i>	
<i>The significant concerns with the extent of urban development within the South Creek Precinct identified as Non-Urban therefore remain. Should the subject site be removed from the Land Use and Infrastructure Implementation Plan (LUIIP) and South Creek Precinct, it should be noted that the South Creek objectives set out in the GSRP and WCDP would still apply to the site and that the GSRP is government policy.</i>	The Proposal as amended has removed any built form within the South Creek Precinct. It has been prepared to align with the revised zone boundaries under the Mamre Road Precinct and helps to achieve the South Creek objectives set out in the GSRP and WCDP, providing recreational open space and important public connections to the South Creek Precinct.
<p>Extent of Fill:</p> <p><i>The subdivision plan proposes filling the entire PMF area, as well as the majority of the 1% AEP-year flood area within the subject site. This would locate urban development within the South Creek Precinct identified in the Aerotropolis Stage 1 LUIIP as non-urban, recognising its important role as part of the South Creek Precinct (refer Figure 16 on page 92 of the EIS). In addition to extinguishing a large area of potential Parkland, it would effectively sever the South Creek Spine, the central liveability element of the Parkland City, disconnecting the Parkland Spine within the LUIIP area from the Parkland Spine to the north within the Greater Penrith to Eastern Creek (GPEC) Investigation Area (refer figure 17 on page 94 of the EIS).</i></p>	<p>In response to the matters raised, the following response is provided:</p> <ol style="list-style-type: none"> 1. There is no built form development within the South Creek Precinct. 2. The development accords with the precinct boundaries under the draft Mamre Road Precinct Plan, thus it preserves the green spine. 3. Filling will be minor within the 1% AEP flood extent, as it will be only for the purpose of facilitating small sections of the Western Ring Road. 4. A continuous “green spine” is preserved within the south creek precinct. The parkland spine is not only connected, the proposed development will provide public access to this key element which is not currently available. <p>It is considered that the Proposal as amended satisfied all strategic directions and provides a form of development envisaged for the Site.</p>
<i>The extent of fill and potential urban development may significantly reduce the potential to protect and improve the health of waterways; GSRP Objective 25. Sydney Water is currently undertaking investigations examining the requirements to achieve sufficient flow in the waterways including South Creek. The quantum of fill proposed may significantly impact this work and is premature.</i>	The extent of development aligns with the Precinct boundaries under the Mamre Road Precinct Structure Plan the extent of fill has been fully rationalised within the civil engineering report prepared by Costin Roe (refer to Appendix 12). Including extensive WSUD principles and detailed stormwater treatment via trunk bioretention basins, stormwater discharge from the Site is below the requirements within the Penrith City Council DCP achieving a Stream Erosion Index level of 2. Accordingly, the scale and extent of development is

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Table 7: Response Matrix

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Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)	
<p><i>It is important to note that the LUIIP and GPEC growth areas comprise the majority of existing non-built up area within the Western City and have the most potential to deliver the Parkland objectives. This proposal potentially places the Western Parkland City vision, as described in the GSRP as well as the District Plan, at risk of failing to provide the level of liveability for the projected population of 1.5 million of residents by 2056, as well as the 200,000 jobs catalysed by the Western City Airport.</i></p>	<p>appropriate, mitigating impacts on South Creek.</p> <p>In accordance with the release of the Structure Plan for the Mamre Road Precinct June 2020, this comment has been superseded , as the Subject Site has been rezoned by the NSW DPIE under the provisions of SEPP (WSEA) 2009 for both industrial-related and open space land uses, for which the Proposed Development, with respect to the revised Development, would be completely consistent with.</p> <p>The credentials of the Proposed Development which reinforce its compliance with the strategic vision for the locality are:</p> <ul style="list-style-type: none"> ▪ 3,150 jobs (construction and operational) upon completion of the entire Estate, whilst this SSD Application includes provisions for approximately 1,650 jobs (construction and operational). ▪ Provision for dedicated Public Recreation Land RE1 being Lots 14-16 of 7.64 ha. ▪ Provision for future built form amenity RE2 Land, pertaining to Proposed Lot 17 of 1.24 ha. ▪ Provision for Lots 3-5 (Stage 1 Subdivision) of 26.95 ha within the Q100 flood extent. ▪ The new planting of 1,250 trees; 141,250 m² of canopy cover; and new vegetation area comprising 91,700 m². <p>The Proposal therefore demonstrates significant strategic merit in response to the comments from the GSC.</p>
<p>Tree Canopy:</p> <p><i>The proposal envisages the removal of all remnant vegetation including tree canopy outside from the 11-hectare area to be revegetated, all of which is located</i></p>	<p>Not all vegetation is located within the 1% AEP ARI. As mentioned in the revised BDAR prepared by Ecoplaning (2020), only one (1) threatened species (fauna) was identified under the EPBC Act as having more than a 'low' likelihood of currently utilising habitats within the Subject Site. The species</p>

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Table 7: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
<p>Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)</p> <p><i>within the 1% AEP flood zone (which also includes proposed detention basins that it is assumed will exclude any significant canopy within basin areas should they be permitted in the floodplain). This is not consistent with GSRP Objective 27; Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</i></p> <p><i>Notwithstanding the comments above with respect to the extent of fill, the subdivision layout outside the 1% AEP itself could be amended to preserve existing trees to create a superior environment in keeping with the Parkland City objectives, consistent with GSRP Objective 30: Urban tree canopy cover is increased.</i></p>	
	<p>identified was the Grey-headed Flying Fox. During a detailed site inspection of the Site, no Flying Fox camps were identified as being present on the Subject Site and as such, impacts on these species is considered to be negligible.</p> <p>Furthermore, the condition of the Cumberland Plain Woodland – a Critically Endangered Ecological Community (CEEC) – listed under the EPBC Act on the Subject Site, does not meet the condition criteria to be considered a MNES. Consequently, referral to the Commonwealth is not required.</p> <p>Accordingly, the Biodiversity Development Assessment Report (BDAR) prepared by Ecoplaning (2020), identifies, that no “undue biodiversity impacts” were anticipated as a result of the Proposed Development.</p> <p>Any impacts anticipated to remnant vegetation on the Subject Site, for which retention is not possible would be subject to ecosystem credits. A total of 226 ecosystem credits are required to offset the Proposal. In accordance with the Biodiversity Assessment Methodology (BAM) pursuant to the <i>Biodiversity Conservation Act 2016</i> (BC Act), the Site’s potential biodiversity impacts are deemed acceptable.</p> <p>Through the abovementioned offsets, as well as a comprehensive landscape strategy proposed across the Subject Site, the Proposed Development is considered consistent with Objective 27 of <i>A Metropolis of Three Cities</i>.</p> <p>With respect to Objective 30, although tree species are proposed to be removed from the Site, there will be a net positive increase in the overall tree canopy cover proposed across the Subject Site, through deep-soil landscaping provisions.</p>

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Table 7: Response Matrix

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Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)	
	<p>The Masterplan as previously proposed and exhibited, would have impacted on some 11.40 ha of native vegetation. The revised Masterplan by comparison proposes to clear only 9.15 ha. This represents a reduction from approximately 79.1% of native vegetation being cleared to approximately 64.5%.</p> <p>It is therefore apparent that the Proposal improves vegetation retention and maintains the green spine at the western extent of the Site.</p>
<p>Public Domain Framework:</p> <p><i>The street plan should create a permeable and walkable network including public access along the South Creek edge, connected more broadly to the Green Grid, currently being developed as part of the studies noted above. The current plan consists of a number of culs de sac and does not appear to include public access along the creek edge. This is not consistent with GSRP Objectives 31 and 32; Public open space is assessable, protected and enhanced; the Green Grid links parks, open spaces, bushland and walking and cycling paths.</i></p> <p><i>It is not clear at this stage whether the 1% AEP floodplain would be accessible with respect to flood hazard prior to further strategic work being undertaken by Sydney Water.</i></p>	<p>The Proposed Development ensures the provision of public open space and recreational opportunities along the western portion of the Estate, which would ultimately contribute to improve the wellbeing of local residents and workers.</p> <p>A fundamental outcome of the Proposed Development is to provide opportunity for public access to South Creek, which is presently unavailable given the ownership patterns which exist.</p> <p>The Proposed Development now achieves Objectives 27 and 30 of the <i>Greater Sydney Region Plan</i>.</p>
<p>Scenic and Cultural Landscapes:</p> <p><i>GSRP Objective 28: Scenic and cultural landscapes are protected refers to significant areas within the Parkland City including scenic landscapes from the waterways to ridges. While a visual assessment is included that indicates views to immediately adjacent places, there is insufficient broader analysis including topographical analysis of ridges and waterways outside the immediate area to comment on how Objective 28 is addressed.</i></p>	<p>The Site is located on the lowest area of the South Creek Basin and is not protected by any State Heritage provisions. The Site is not part of the scenic hills area, is not protected under any local environmental plan and does not have scenic vistas. Accordingly, the Visual Impact Assessment is an accurate representation of the Proposed Development in line with the relevant guidelines.</p> <p>The VIA (refer to Appendix 11) concludes the Proposed Development will create only minor visual impacts for properties in the immediate vicinity</p>

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Table 7: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Greater Sydney Commission (Greg Woodhams – Executive Director, City Planning Projects)	
<i>The foregoing points reflect the Commission's strategic priorities under the Region Plan and District Plan rather than a comprehensive review of all aspects of the State Significant Development Application.</i>	<p>Accordingly, the visual impact of the proposed earthworks has been considered together with the built form. This will be mitigated with the use of landscaping so that any raised embankments are screened from view.</p> <p>Given the emerging nature of the Precinct for employment uses similar to that proposed, and the extensive landscape and architectural treatment, the visual impacts are considered acceptable.</p>

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Table 8: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Rural Fire Service (Kalpana Varghese – Team Leader Development Assessment & Planning)	
<p><i>The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following advice:</i></p> <ol style="list-style-type: none"> <i>A minimum 50 metre APZ shall be maintained to the south and west of Stage 1 within the Site where the grasslands shall be managed in a minimal fuel condition so there is insufficient fuel available to significantly increase the severity of a bush fire attack. Grass shall be kept cropped short to a nominal height of 100 mm.</i> 	<p>The revised Bushfire Assessment Report outlines the following recommendations, which include:</p> <ol style="list-style-type: none"> Implement a 10 metre (minimum) area of defendable space adjoining the western and southern lots where these lots adjoin grassland / woodland vegetation. Use cladding materials for the external surfaces of the development which are fire retardant materials such as metal sheeting, pre-cast cement panels or masonry. Undertake regular inspections and maintenance of the Managed Lands or curtilage / landscaped areas / hard standing areas within the proposed development, which is to be undertaken by the owner's (or their agents) according to PBP (RFS, 2019). Maintain any retained areas of Managed Lands or curtilage / gardens within the development as an Inner Protection Area (IPA) in accordance with PBP (RFS 2019). Ensure that future landscape plantings within the Site are in accordance with the requirements of Appendix 4 of Planning for Bushfire Protection (RFS 2019). <p>It is considered the Submission item raised has been satisfactorily addressed as a result of both the revised Development, and meeting conducted on the 12th March 2020 and supporting updated Bushfire Assessment Report (refer to Appendix 26), including the recommendations listed above.</p>
<ol style="list-style-type: none"> <i>Landscaping around the buildings shall comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.</i> 	<p>The Development can comply in this respect and will be subject to ongoing management in relation to bushfire protection. It is considered that any matters in this respect can be conditioned accordingly.</p>

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Table 9: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Roads and Maritime Services now Transport for NSW (Pahee Rathana – Senior Land Use Assessment Coordinator – North West Precinct)	
<i>Roads and Maritime has reviewed the Environmental Assessment and recommends the following matters be further examined/addressed prior to the determination of the development application:</i>	The revised Development has removed the Left in Left Out access arrangement.
1. <i>The proposed left in / left out on Mamre Road is not supported and all access must be from the signalised intersection with Bakers Lane.</i>	
2. <i>A connection from the local road to the south must be provided to give access to future development</i>	The revised Development has accounted for access to the southern lots, for which the revised TIA has satisfactorily addressed and considered (refer to Appendix 16).
3. <i>The proposal assumed that Southern Link Road would be extended and the intersection of Bakers Lane/Mamre Road would be closed. However, the current strategic development of Southern Link Road only extends to Mamre Road.</i>	Southern Link Road (SLR) has been strategically informed by a comprehensive and extensive level of consultation undertaken with relevant State Agencies, including TfNSW and NSW DPIE. The alignment proposed under this SSD Application identified within the original EIS prepared by Willowtree Planning (2019), includes the following three (3) potential options: <ul style="list-style-type: none"> 1. <u>Option 1</u>: includes a relatively straight alignment, which provides efficiency in relation to the required amount of bridge structures, as well as avoiding conflicts with existing rural-residential properties. This option also aligns well with the future Western Sydney Freight Line (WSFL) Corridor. 2. <u>Option 2</u>: includes a curved alignment, which would significantly impact upon the Twin Creeks Golf Course and surrounding residential properties located within the Twin Creeks residential estate. This option would require multiple bridge structures to be constructed, as the alignment passes both South Creek and Cosgroves Creek. 3. <u>Option 3</u>: includes a curved alignment, which would cross both the proposed WSFL Corridor and the existing WaterNSW Pipeline Corridor, as well as intersecting an extensive portion of the 1% AEP flood extent.

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Table 8: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
	The alignment proposed within the revised development has been deemed appropriate by TfNSW during extensive consultation.
4. <i>The duplication of Mamre Road is not funded along the frontage of this site or at the intersection with Bakers Lane. Funding is only available for the construction of the Mamre Road upgrade to Erskine Park from the M4 only.</i>	Noted and agreed. Frasers Property and Altis Property Partners have offered to upgrade Mamre Road to 2-lanes in each direction (total 4-lanes) from the southern boundary of the Site to the existing signalised intersection of Mamre Road / Distribution Drive. This is shown in sequence 1b contained in the ASON report in Appendix 16 .
5. <i>Modelling (SIDRA) files for the proposed intersection of Mamre Road and Bakers Lane should be provided. The TIA report that accompanied the development application does not provide enough detail on the performance of the intersection, including queue lengths, degree of saturation, etc.</i>	The updated SIDRA analysis provides comprehensive detail on the performance of the intersection, including queue lengths and degree of saturation. This detail is located in the Traffic Impact Assessment at Appendix 16 .
6. <i>The modelling in the traffic report has included the Mamre Road upgrades which may not be funded and constructed when this development has been completed. The applicant should assess the impact of this proposal based on Mamre Road not being upgraded.</i>	<p>It has been established, that Frasers Property and Altis Property Partners are proposing to bring forward the localised widening of sections on Mamre Road, providing for two (2) lanes in each direction. This is planned to occur between the southern boundary of the Site to the existing signalised intersection of Mamre Road / Distribution Drive. Thus, the modelling conducted accounts for planned upgrades to Mamre Road in conjunction with existing and future provision.</p> <p>These upgrades shown as Sequence 1b can accommodate traffic generation from the entire masterplan and still achieve an acceptable level of service C, confirming no adverse impacts on the wider traffic network.</p>
7. <i>Further modelling has been undertaken for a third lane on Mamre Road which is unlikely to be constructed by 2036.</i>	<p>Ason Group note, that it is understood that any further upgrade plans or commitments on Mamre Road await resolution of further traffic studies undertaken for the broader area.</p> <p>However, the modelling undertaken for the future 2036 base scenario identifies</p>

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Table 8: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
	<p>that there is a need for upgrades to Mamre Road to accommodate background traffic growth even without considering the Development traffic generation. Therefore, some level of upgrade is required irrespective of the Proposal.</p> <p>The adopted upgrades have sought to be consistent with the future plans – which envisage widening up to three (3) lanes in each direction in the longer term, even if those upgrades are not fully funded.</p>
<i>Addressing the abovementioned comments, the proposed road/intersection works along Mamre Road shall be designed and constructed to meet Roads and Maritime requirements and endorsed by a suitably qualified practitioner. The design requirements shall be in accordance with AUSTROADS and Roads and Maritime supplements, Roads and Maritime Traffic Signal Design Manual and other Australian Codes of practice.</i>	The Proposal will be designed to meet the relevant requirements.
<i>The certified copies of the civil and traffic signal design plans shall be submitted to Roads and Maritime for consideration and approval prior to the release of the Construction Certificate by the Principal Certifying Authority and commencement of road works.</i>	All required documentation will be provided prior to the commencement of road works.
<i>The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.</i>	The WAD will be executed as required.
<i>Roads and Maritime fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works.</i>	All required fees will be paid at the appropriate time.
<i>All roads, signalised intersections and driveway cross overs are to be designed to cater for the swept path of B-doubles and semi-trailers.</i>	As confirmed within the Swept Path Analysis prepared by Ason Group in Appendix 16 , all roads, signalised intersections and driveway crossovers have been designed to cater for B-Doubles and semi trailers.

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Table 8: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Transport for NSW Letter, <i>SYD 18/01322/09</i>, 9 April 2020	
Sequence 1A:	Ason Group (2020) have adopted a double-diamond phasing, for which reference should be made to the SIDRA phasing summary, which is located in Appendix A of the revised TIA (refer to Appendix 16).
1. Confirmation is required as to what phasing arrangement is proposed.	
2. Updated drawings should include the swept path of the longest vehicle (26 metre B-Double) entering and exiting the Subject Site, as well as manoeuvrability through the Site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted for review.	Reference should be made to the Sequence 1A plan attached within Appendix B of the revised TIA and swept path analysis is located in Appendix 16 .
Sequence 2:	Refer to below response:
3. TfNSW has some concerns with the proposed u-turn Bay:	
3a. The proximity of the U-turn bay to the Mamre Road intersections means that if a large vehicle undertakes a U-Turn, other vehicles turning right from Mamre Road on the same phase could get stuck within the intersection, as there may not be enough space to clear this movement.	A revised arrangement has been formulated in conjunction with traffic engineers Ason Group and presented in drawing Co13362.01-SK02 . The revised arrangement incorporates a separated turning cul-de-sac, dedicated through lane and dedicated right turn to the separated turning area. Further the travel distance between the right turn lane/turning cul-de-sac and Mamre Road intersection has been increased to improve spatial separation. The proposed modifications are considered to address this concern.
3b. Even if a vehicle isn't undertaking a U-Turn, a large truck would be required to decelerate after turning into the Southern Link Road (SLR) stub in order to weave into Bakers Lane. This can result in similar queueing problems at the Mamre Road intersection, with vehicles unable to clear the phase.	With the dedicated through lane and dedicated right turn lane incorporated into the intersection design for Sequence 2, queuing at the intersection will be mitigated.
3c. As the geometry requires a 'right-left' weave for vehicles to enter Bakers Lane from the SLR stub, vehicles exiting Bakers Lane may not be clear on whether a vehicle travelling west is entering Bakers Lane or undertaking a U-Turn manoeuvre. Noting that whilst a trucks' movements are easy to gauge, a light vehicle may undertake a quick U-Turn without indicating. The vehicles movement could confuse a drive exiting Bakers Lane onto the SLR stub and could result in a collision.	As above.

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Table 8: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
<i>The revised Sequence 2 Plan is attached within Appendix C of the revised TIA located within Appendix 20. This now provides a U-Turn facility further west and in a configuration that allows a safe turn. This arrangement also prevents queuing within the intersection and conflict with vehicles already within the intersection.</i>	The revised Sequence 2 Plan is attached within Appendix C of the revised TIA located within Appendix 16 . This now provides a U-Turn facility further west and in a configuration that allows a safe turn. This arrangement also prevents queuing within the intersection and conflict with vehicles already within the intersection.

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Table 10: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Premier & Cabinet (Adrian Hohenzollern – Senior Team Leader)	
<i>The subject site at 657 – 769 Mamre Road, Kemps Creek is not listed on the State Heritage Register (SHR), nor is it near any SHR items. Whilst it is acknowledged that the historical archaeological assessment (Mamre South State Significant Development Application – Statement of Heritage Impact, prepared by Biosis, dated 20 March 2018) has indicated that there may be potential for archaeological deposits, they are not significant. The recommendation for an unexpected finds procedure is appropriate. No further heritage comments are required. The Department does not need to refer subsequent stages of this proposal, or any modifications, to the Heritage Council of NSW.</i>	An unexpected finds procedure will be adopted by the proponent to deal with any artefacts that are identified during development.
<i>Please note that the Greater Sydney Planning Team within the Climate Change & Sustainability Division may provide separate comment in relation to Aboriginal cultural heritage.</i>	

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Table 11: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Sydney Water (Cassie Loughlin – Manager, Growth Planning)	
<p>Water:</p> <ul style="list-style-type: none"> <i>Drinking water services can be provided in the short term, we are working to deliver a trunk main along Mamre Road by 2024-25.</i> 	<p>Following exhibition of the development, the Proponent has consulted with Sydney water and has received approval of a water and wastewater options report, refer to Appendix 30. This options report confirms adequate potable water supply is available from the Erskine Park Elevated Reservoir and can be connected from trunk infrastructure on Mamre Road.</p>
<ul style="list-style-type: none"> <i>We will be working with RMS to deliver trunk mains in Mamre Road during road upgrade, subject to funding approval based on risk for development timeframes.</i> 	<p>Following exhibition of the development, the proponent has consulted with Sydney water and has received approval of a water and wastewater options report, (refer to Appendix 30). This options report confirms adequate potable water supply is available from the Erskine Park Elevated Reservoir and can be connected from trunk infrastructure on Mamre Road.</p>
<ul style="list-style-type: none"> <i>Developer delivered precinct trunk mains will also be required to service the precinct.</i> 	<p>The proponent understands this obligation, which forms the basis of the agreed options report contained within Appendix 30.</p>
<p>Wastewater:</p> <ul style="list-style-type: none"> <i>Long term wastewater servicing for the proposed development will be provided from Sydney Water’s proposed Upper South Creek Water Recycling Plant planned to be completed by 2025/26.</i> 	<p>Details of this arrangement is provided within the approved options assessment report by Sydney Water located in Appendix 30.</p>
<ul style="list-style-type: none"> <i>Wastewater services to the proposed development may be temporarily provided from the St Marys Water Recycled Plant. The temporary servicing would take up to three years to plan, design and install. This timeframe is based on formal notification to Sydney Water of the expected date of connection. The developer would be responsible for all costs associated with the temporary servicing.</i> 	<p>Details of this arrangement is provided within the approved options assessment report by Sydney Water located in Appendix 30. The Proponent has the option to connect to a low-pressure sewer network in the interim prior to the main trunk wastewater system is built by Sydney Water, or to follow a section 68 pump out arrangement.</p> <p>Both of the wastewater servicing options approved by Sydney Water can be delivered within 12 months.</p>
<ul style="list-style-type: none"> <i>While options for providing wastewater servicing to proposed</i> 	<p>The approved options assessment contained within Appendix 30 includes</p>

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Table 11: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
<i>development in isolation are technically viable, there is opportunity to investigate wastewater servicing options that meets the needs of the wider precinct.</i>	larger pipe sizes and dual lines, meeting the needs of others within the precinct.
Recycled Water: <ul style="list-style-type: none"> <i>Recycled water services are being investigated for the whole of the Western Sydney Aerotropolis Growth Area (WSAGA) including this Precinct.</i> 	The Proponent welcomes recycled water and will work with Sydney Water and all occupiers to facilitate this type of connection in the future.
<ul style="list-style-type: none"> <i>We are seeking information on potential recycled water demands, types of use and will provide further advice later in the year. Consideration should be given to incorporating third pipe reticulation and recycled water plumbing connections during your planning stages.</i> 	Continued correspondence with Sydney Water will be maintained to determine any considerations required to take into account.
Stormwater: <ul style="list-style-type: none"> <i>Sydney Water is collaborating with the Western Sydney Planning Partnership Office, member Councils and agencies on typologies, flood and waterway health models for the whole South Creek Catchment, to inform WSAGA LUIIP 2 and the WSAGA Precinct Plans. Consideration should be given to managing flooding and stormwater runoff quality.</i> 	<p>A revised flood assessment has been completed for a range of probabilistic flood events and has compared the predevelopment flood conditions to the post development. Scenario testing has been completed within the bounds and requirements of the specific criteria set out in <i>Penrith City Council DCP Part C3 Water Management, NSW Floodplain Development Management Manual 2005</i>, and discussions with PCC and NSW DPIE.</p> <p>It is reiterated that the criteria adopted has been agreed with NSW DPIE and the results demonstrate no effect to upstream or downstream properties were to occur during the 1% AEP. The maximum offsite water level change (during the 1% AEP) confirmed for the assessment by the NSW DPIE was to be 0.010-0.020m or less.</p>

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Table 12: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Transport for NSW (Mark Ozinga – Principal Manager, Land Use Planning & Development)	
<p><i>Western Sydney Freight Line (WSFL):</i></p> <p><i>The Environmental Impact Statement (EIS) and Traffic Impact Assessment (TIA) reference and consider the proposed Western Sydney Freight Line (WSFL). The northern boundary of the subject site, facing the WaterNSW Pipeline will integrate a 60 metre wide setback, dedicated to the future construction of the WSFL corridor.</i></p>	<p>The 60 m wide corridor for the future WSFL Corridor has been allowed for in the revised Development and will be maintained in accordance with the Plans issued as part of this SSD Application.</p>
<p><i>Active Transport:</i></p> <ul style="list-style-type: none"> <i>Provide bicycle parking and end of trip facilities for pedestrian and bicycle riders in accordance with Penrith City Council development control plans, standards and guideline documents.</i> 	<p>Bicycle parking has been provided in accordance with Council's DCP requirements with respect to each individual warehouse proposed under the revised Development. This is also outlined and further illustrated within the revised Architectural Plans (refer to Appendix 7).</p>
<ul style="list-style-type: none"> <i>Provide signage/marked walkways/crossings for staff and visitors from car parks to administration/amenity buildings.</i> 	<p>Walkways and crossings to typical office entries from within a typical carpark have been shown on the architectural design guidelines in Appendix 7 and are provided within the architectural drawings (refer to Appendix 7).</p>
<ul style="list-style-type: none"> <i>Incorporate pedestrian and cyclist crossings at every leg of future proposed new and upgraded signalised intersections connecting to the development.</i> 	<p>This detailed design element and will be captured at the Construction Certificate phase in line with TfNSW requirements and traffic signal warrants.</p>
<ul style="list-style-type: none"> <i>Design connected and legible street networks that provide direct, safe and convenient pedestrian, cycle and public transport access.</i> 	<p>The proposed Estate road network, including footpath and street verges has been designed in accordance with Penrith City Council guidelines. In addition, a cycle network is proposed along the length of the Southern Link Road and Western Ring Road as shown on landscape drawing Section AA and DD that connects to the north and south of the Site. Detailed sections are shown on the landscape drawings Section AA-FF (refer to Appendix 10).</p>

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Table 13: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
TransGrid (Skye Shanahan – Property Services Coordinator)	
<i>Please be advised after reviewing the proposal, TransGrid has no objections to the proposed development as it does not affect TransGrid's infrastructure.</i>	Noted.

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<p>Flooding:</p> <p><i>WaterNSW understands the Overland Flow Report prepared by Costin Roe Consulting (2019) analysed a full range of flood events for the site including the Probable Maximum Flood (PMF) level. The Overland Flow Report confirms that the proposed final levels can accommodate the proposed design, for which no adverse impacts to the existing flows would occur. However WaterNSW has serious concerns as to the potential impact of the flood waters on the Pipelines and the foundations with concentrated water flows and expected increased velocities from South Creek due to the development.</i></p>	As confirmed in the Costin Roe Report, the Development does not result in any incremental increase in peak flood levels within the pipeline corridor (refer Appendix 13).
<p><i>WaterNSW requires that post-development flows that enter or are conveyed across the Pipelines corridor must be equal to or less than the pre-development flows for each storm event up to and including 1% AEP event.</i></p>	As confirmed in the Costin Roe Report, the Development does not result in any incremental increase in peak flood levels within the pipeline corridor (refer Appendix 13).
<p><i>WaterNSW understands there will be a potential decrease in flood surface levels adjacent to the development on the eastern and western banks of South Creek, and upstream of the proposed development due to an increase in flood water storage capacity onsite. However, within the WaterNSW corridor directly adjacent to the development, an increase in flood levels is demonstrated in a post development scenario.</i></p>	As confirmed in the Costin Roe Report, the Development does not result in any incremental increase in peak flood levels within the pipeline corridor (refer Appendix 13).
<p><i>There is also potential for floodwaters to extend further up the Pipelines corridor than currently mapped due to the raised level of the development site resulting from earthworks, narrowing the flow path for stormwater. This also has the potential to result in scouring of the Pipelines corridor and destabilisation of the anchors and sills supporting the Pipelines. All development works must be undertaken in a manner that avoids any impact on the Pipelines infrastructure.</i></p>	As confirmed in the Costin Roe Report, the Development does not result in any incremental increase in peak flood levels within the pipeline corridor (refer Appendix 13).
<p><i>WaterNSW notes that for 1% AEP flood level of South Creek, the flood surface</i></p>	The Proposal as amended does not seek consent for built form within the 1%

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<i>height varies in level from RL 35.20m AHD at the upstream southern end of the site to RL 33.60 m AHD at the downstream northern end of the site. Anecdotal reports from WaterNSW staff advise that during a minor rain event in early 2016, the floodwaters from South Creek reached the centre line of the Pipelines (RL 34.24).</i>	AEP flood extent. As confirmed in the Costin Roe Report, the Development does not result in any incremental increase in peak flood levels within the pipeline corridor (refer Appendix 13).
<i>The Overland Flow Report (2019) notes that stormwater management measures have been designed to ensure that post-development stormwater flows will be attenuated to pre-development stormwater flows. These measures include conveyance of surface runoff, management of water quantity (through on-site detention) and water quality (through on-site and estate wide management systems) using Water Sensitive Urban Design principles and current best practice pollution reduction objectives. However, the modelling within Appendix B of the Overland Flow Report (2019) contradicts this and demonstrates an impact on WaterNSW assets.</i>	The revised Development includes provisions for Stormwater Detention to be implemented within the designated bio-retention basin in proposed Lots 11-13; and the implementation of Stormwater Treatments Measures (STMs) across the Site such as filters and pollutant traps, would enable the Site to achieve the relevant pollutant reduction targets in accordance with Penrith City Council's water quality control targets for achieving WSUD.
<i>If the above matters can be resolved with no net flooding or stormwater impact on the Pipelines corridor, WaterNSW offers the following comments and requirements for your consideration of the proposal.</i>	The overland flow report prepared by Costin Roe (Appendix 13) confirms these trunk stormwater detention and quality systems can be built and operated without impact on Water NSW's Assets, given that no built form is proposed within the 1% AEP year flood extent, and adequate overland flow channels have been incorporated into the road design, conveying water across the site and away from the pipeline.
Stormwater Management: <i>WaterNSW requests that during detailed design stage, measures must be developed ensure flooding and associated water quality and quantity risks within the Pipelines corridor are mitigated.</i> <i>Requested conditions:</i> <ul style="list-style-type: none"> Detailed design for the development must consider and demonstrate the requirements of the WaterNSW publication 'Guidelines for development 	The Proponent will include measures in the design of all civil works that ensure flooding, stormwater and overland flows do not impact the pipeline.

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
adjacent to the Upper Canal and Warragamba Pipelines’ https://www.watarnsw.com.au/data/assets/pdf_file/0011/55973/Guidelines-for-development-around-Warragamba-Pipelines-and-Upper-Canal.pdf	
<ul style="list-style-type: none"> Final levels and design of the proposal must not result in an increase in overland flow water into the Pipeline corridor of either quantity, quality or velocity. The development must be designed, operated and maintained to ensure post-development flows do not exceed pre-development flows into and through the Pipelines Corridor. 	The design of the stormwater system is provided within the Costin Roe Civil Engineering Report located in Appendix 12 . The design adopted will not result in an increase in overland flow water into the Pipeline corridor.
<ul style="list-style-type: none"> Stormwater directed to or across the Pipelines corridor is not acceptable, except at approved point of discharge for the development. 	No stormwater is proposed to be directed into the pipelines corridor (refer Costin Roe Report in Appendix 12).
<ul style="list-style-type: none"> Prior to construction commencing, the applicant is to prepare a dilapidation report identifying the condition of all infrastructure within the Pipelines corridor, from Mamre Road to South Creek, with specific attention paid to the Probable Maximum Flood (PMF) level. This report is to be supplied to WaterNSW for review at least 4 weeks prior to works commencing. 	A dilapidation report will be prepared prior to works commencing onsite.
<ul style="list-style-type: none"> WaterNSW shall be consulted should there be any impact on existing drainage structures during the works within or adjacent to the Pipelines corridor. Any impacted drainage structures shall be reinstated and/or restored on completion of works at the proponent's expense, to the satisfaction of WaterNSW. 	The proponent will regularly consult with Water NSW and will immediately notify any issues or impacts that have occurred or may occur.
<p>Dam Dewatering:</p> <p>WaterNSW notes that preliminary dam dewatering works are required. The dewatering methodology should be designed and undertaken to ensure no flows are above the normal levels entering the Pipelines corridor, with specific measures incorporated into the Construction Environmental Management Plan (CEMP).</p>	The proponent will complete a dam de-watering methodology and adequate care will be taken to ensure no flows above normal levels enter the pipelines corridor

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<p><i>Requested conditions:</i></p> <ul style="list-style-type: none"> Water leaving the site during dam dewatering must not exceed pre-development levels. 	
<ul style="list-style-type: none"> Dam dewatering mitigation measures are to be incorporated into the Construction Environmental Management Plan. 	Dam dewatering mitigation measures will be incorporated into the Construction Environmental Management Plan.
<p>Protection of WaterNSW Infrastructure:</p> <p><i>Site preparation and construction can pose particular risks to WaterNSW infrastructure. It is vital WaterNSW is actively involved in the development and assessment of detailed design plans and CEMPs for relevant parts of the development including the estate-wide earthworks, infrastructure and services and construction.</i></p> <p><i>Requested conditions:</i></p> <ul style="list-style-type: none"> WaterNSW shall be consulted on the final Construction Environmental Management Plan (CEMP) for estate-wide earthworks, infrastructure and services eight (8) weeks prior to works commencing, to allow for assessment of design and related works procedures and revisions as required. 	<p>Water NSW will be regularly consulted in respect of works that will be completed in the vicinity of the pipeline corridor. Due to the 60m wide Western Sydney Freight Rail Corridor located between the proposed development and the pipeline there is a minimal risk to Water NSW that any works will impact the pipeline or structure surrounding the pipeline.</p> <p>The proponent will provide a copy of the CEMP to Water NSW prior to approval of the Construction Certificate for review purposes only.</p>
<ul style="list-style-type: none"> The proponent shall implement all practical measures to prevent damage to WaterNSW water supply infrastructure that may result from construction or operation of the project. 	The proponent will use industry best practices and adopt all practical measures to prevent damage to the Pipeline. This will be included in the CEMP at CC stage.
<ul style="list-style-type: none"> The proponent shall repair, or pay all reasonable costs associated with 	Noted and agreed.

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<i>repairing any damaged WaterNSW water supply infrastructure in a timely manner and to the satisfaction of WaterNSW.</i>	
<ul style="list-style-type: none"> ▪ <i>Stockpiles should not be placed in a position where they may interfere or otherwise impede associated WaterNSW drainage infrastructure.</i> 	Stockpiles will be suitably located away from the Pipeline where practical.
<p>Erosion and Sediment Control:</p> <p><i>It is critically important that the bulk earthworks are designed and undertaken in a manner that does not impact on the Pipelines corridor. Effective erosion and sediment control must be installed prior to any earthworks. The controls should be regularly maintained and retained until works have been completed and the ground surface stabilised or ground cover re-established.</i></p> <p><i>Requested condition:</i></p> <ul style="list-style-type: none"> ▪ <i>Erosion and sediment controls are to be designed, installed and maintained in accordance with the Blue Book, Landcom (2004) Managing Urban Stormwater: Soils and Construction.</i> 	<p>The overall strategy for erosion and sediment control for the Development remains consistent with the original submission, however accounting for the adjustment to the overall site area, updated layout and access roads. Further additional erosion and sediment control staging has been included to confirm how progressive site adjustments can be made throughout the earthworks and road construction phases.</p> <p>Compliance with the Blue Book will be achieved.</p>
<p>Security and Fencing:</p> <p><i>In the experience of WaterNSW, development adjacent to the Pipelines corridor has a direct correlation with an increased occurrence of security incidents. These can include trespass, malicious damage, rubbish dumping, arson, assault and threatening behaviour. Both temporary and permanent fencing (depending on the stage of development) is required for any interface with WaterNSW land.</i></p> <p><i>Where batters or retaining walls are to be installed adjacent to the Pipelines corridor (proposed lots 1,2,3,10,11,19, and 20) they should be set back from the boundary, with all footings for retaining walls built entirely within the development site.</i></p>	No works are proposed directly adjacent the pipeline corridor due to the 60 m wide setback associated with the Western Sydney Freight Line. The 60 m setbacks is considered an adequate setback for security purposes.

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<p><i>Requested conditions:</i></p> <ul style="list-style-type: none"> ▪ <i>Appropriate boundary identification (such as temporary construction fencing) shall be installed prior to works commencing and shall be maintained throughout the construction period.</i> 	
<ul style="list-style-type: none"> ▪ <i>A fence 2.1m chain mesh plus 3 strand barbed wire on top, for a total height of 2.4m, is to be installed along the entire length of the boundary with WaterNSW, unless otherwise agreed to by WaterNSW.</i> 	A fence 2.1 m chain mesh plus 3 strand barbed wire on top, for a total height of 2.4 m, will be installed along the entire length of the boundary with WaterNSW, where work is being undertaken.
<ul style="list-style-type: none"> ▪ <i>Any existing rural fencing shall be removed and disposed of at an appropriate waste facility licensed to accept the waste.</i> 	Existing rural fencing shall be removed and disposed of at an appropriate waste facility licensed to accept the waste.
<p>WaterNSW Access:</p> <p><i>Any structure and any related works must be designed, constructed and operated in such a way that does not restrict WaterNSW from operating and maintaining the pipelines. This includes not restricting vehicle or machinery access to or along the existing management roadway within the Pipelines corridor.</i></p> <p><i>Requested condition:</i></p> <ul style="list-style-type: none"> ▪ <i>24 hour all weather access to the WaterNSW Pipelines corridor shall be retained or provided for WaterNSW staff and contractors.</i> 	A 60 m wide setback from the pipeline associated with the Western Sydney Freight Line is proposed along the entire boundary. This is considered adequate not to impede access.
<p>Access Permits:</p> <p><i>For security and safety reasons, there is no public access into the WaterNSW Pipelines corridor at any time. Access consent will be required for the preparation of the dilapidation report, and should be applied for as early as possible.</i></p>	The Proponent will not require any access into the pipeline corridor except for completing the dilapidation survey.

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Table 14: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
WaterNSW (Fiona Smith – Executive Manager – Water & Catchment Protection)	
<p><i>The proponent of any works within the Pipelines corridor, or any of its contractors, may only enter WaterNSW land in accordance with an access consent issued under clause 9 of the WaterNSW Regulation 2013. Information on access permits is available on the WaterNSW website.</i></p> <p><i>Requested condition:</i></p> <ul style="list-style-type: none">▪ <i>Access to the WaterNSW Pipelines corridor is prohibited unless a written access consent has been obtained from WaterNSW.</i>	
<p>Notification of Incidents:</p> <p><i>WaterNSW requires notification of any incident such as a vehicle accident, discovery of any heritage items, spill or fire that affects or could affect the WaterNSW Pipelines corridor. Any such incident should be reported to WaterNSW on the incident Notification Number 1800 061 069 (24 hour service) as a matter of urgency.</i></p> <p><i>Requested condition:</i></p> <ul style="list-style-type: none">▪ <i>All incidents that affect or could affect the WaterNSW Pipelines corridor shall be reported to WaterNSW on the 24 hour Incident Notification Number 1800 061 069 as a matter of urgency.</i>	<p>All incidents that affect or could affect the WaterNSW Pipelines corridor will be reported to WaterNSW as a matter of urgency.</p>

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Table 15: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
NSW Department of Planning, Industry and Environment (DPIE) – Lands, Water and Department of Primary Industries	
<u>DPIE – Water and Natural Resources Access Regulator:</u>	Extension of the 200 mm water main noted in the Service Infrastructure Assessment will provide water for the Proposed Development, including the construction phase. Lead-in service infrastructure will be delivered as a priority to facilitate Proposed Development. Refer to Sydney Water advice, which is included in the Service Infrastructure Assessment prepared by Land Partners (refer to Appendix 14).
<ul style="list-style-type: none"> The proponent needs to identify water take requirements for the construction phase of the project and demonstrate that take of water is appropriately licensed under the Water Management Act 2000. 	Construction demands are a function of the staging of the Proposed Development.
<ul style="list-style-type: none"> Works on waterfront land should be carried out in accordance with the Guidelines for Controlled Activities (2012) https://www.industry.nsw.gov.au/water/licensingtrade/approvals/controlled-activities. Asset protection zones should also be located outside of Vegetation Riparian Zones and areas of riparian offsetting should be identified. 	Only minor works are proposed on waterfront land for stormwater discharge purposes. These works will be carried out in accordance with the Guidelines for Controlled Activities (2012).
<u>DPI – Agriculture:</u>	As noted, within the Agricultural Impact Assessment prepared by GHD (2019), there is the possibility that the subject site could be continued to be used for extensive livestock grazing while the final development plans for the site are being finalised. The main limitations to the continuation of extensive grazing on the subject site is that the property is fragmented across five allotments all under separate ownership and therefore an agreement would need to be reached with the owners of all the allotments to ensure economies of scale. Secondly significant capital investment would be required to replace the fences to ensure they are stock proof and pastures would require renovation in order to improve productivity.
<ul style="list-style-type: none"> While it is acknowledged that this development is within the Western Sydney Employment Area there is little information provided as to why this site should be developed ahead of the planning framework proposed for the Aerotropolis. It could be maintained as productive rural land until an appropriate sequence of development was determined, particularly noting that the Agricultural Impact Statement supporting the proposal notes the rapid decline in the Agricultural industry in Western Sydney over the past decade. 	Additionally, it is noted, that the Subject Site has been rezoned IN1 General Industrial and includes pockets of RE1 Public Recreation and RE2 Private Recreation pursuant to the release of the Mamre Road Precinct Structure Plan

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Table 15: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
	(June 2020) for which amendments have been made to SEPP (WSEA) 2009 with respect to the zoning provisions applicable to the Site.
<p><u>DPI – Fisheries:</u></p> <ul style="list-style-type: none">Additional sediment controls are required along South Creek. Appendix 11 – Overland Flow Report proposes the installation of a single silt fence along the top of the bank of South Creek. Due to the scale of the earthworks at Kemps Creek, and recent increases in sediment input to South Creek from other construction sites, Fisheries recommends that three parallel silt fences be installed to protect South Creek from sediment runoff. This would involve:<ol style="list-style-type: none">One silt fence installed at the top of the bank,A second silt fence parallel and offset 10m from top of bank,A third silt fence parallel and offset 20m from top of bank. <p>During short periods where work is required within 20m of the bank, these offsets may be reduced to 5m each.</p>	<p>It is noted that there is no built form proposed along South Creek. Notwithstanding, the minor works for stormwater discharge will be carried out in accordance with the Guidelines for Controlled Activities (2012).</p> <p>The proposed erosion and sediment control measures are based on the guidelines contained in the Landcom document <i>Managing Urban Stormwater, Soils and Construction – The Blue Book (1998)</i> and Penrith Council specifications. A detailed Erosion and Sediment Control Program will be employed throughout the site. The program shall include measure such as temporary sediment basins, silt fences, cut-off drains for polluted stormwater and diversion channels for clean stormwater run-off.</p>
<ul style="list-style-type: none">Any flows directed to South Creek, including water diversion drains must have erosion and sedimentation controls installed to ensure that sediment is not being transferred to the creek.	As above.

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Table 16: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
The Anglican Schools Corporation c/- DFP Planning (Stephen Earp – Partner)	
Traffic: <i>TASC has engaged Stanbury Traffic Planning to carry out a review of the Traffic Impact Assessment prepared by Ason Group. The findings and comments made by Stanbury Traffic Planning on behalf of TASC are set out in a review letter at Attachment 1. It is requested that as part of the Response to Submissions (RtS) package, the applicant be required to provide a response to each of the items raised in the review letter.</i>	Noted.
Air Quality: <i>The site-specific mitigation measures set out in Table 17 of the Air Quality Impact Assessment prepared by Northstar are supported. It is recommended that any consent for the proposal should include the relevant air quality mitigation measures as part of the Construction Environmental Management Plan, in particular including a requirement to notify surrounding land users (including Mamre Anglican School) if the air quality drops below acceptable levels as a result of the construction works, and what measures are being taken to address and resolve the conditions.</i>	Recommendations and mitigation measures for Air Quality have been integrated within the revised management and mitigation measures located within the RtS Report prepared by Willowtree Planning to be adopted, subject to Development Consent.
Construction Noise: <i>The recommendation of the Noise Impact Assessment by Acoustic Works in regard to construction noise and vibration is supported. It is recommended that the noise management plan prepared prior to the issuing of a Construction Certificate includes specific reference to daytime noise that might impact the operations at Mamre Anglican School.</i>	A Construction Noise and Vibration Management Plan (CNVMP) will be articulated and satisfactorily addressed within the CNVMP to be prepared prior to the issue of the relevant Construction Certificate.

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Table 17: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Stanbury Traffic Planning (Morgan Stanbury – Director)	
1. <i>Section 1.2 of the Traffic Impact Assessment specifies that a Construction Traffic Management Plan (CTMP) for the Proposal is not part of the scope of the assessment, rather stating that it is expected that a CTMP will be prepared prior to the issue of a Construction Certificate. It is generally considered that a development of this scale would necessitate at the very minimum, a preliminary CTMP to be prepared prior to determination. The preliminary CTMP should provide appropriate construction management initiatives which aim to minimise / eliminate potential impacts of construction activities on the safety and efficiency of the nearby educational precinct.</i>	A preliminary Construction Traffic Management Plan has been prepared and provided within Section 7 of the TIA located within Appendix 16 .
2. <i>Section 3.4 of the Traffic Impact Assessment specifies that on-site observations confirm a significant school traffic demand through the intersection of Mamre Road and Bakers Lane, particularly during the PM peak hour. Section 3.5 refers to traffic surveys of the intersection of Mamre Road and Bakers Lane during weekday AM and PM peak periods, which were utilised as the basis for existing and future intersection performance. The specific extent of these surveys are however not specified. Whilst it is expected that the AM peak surveys captured the school start period, it is not clear that the PM peak surveys adequately captured the school finish period (typically 2:30pm – 4:00pm).</i>	<p>Afternoon surveys at the intersection of Mamre Road / Bakers Lane were conducted on Thursday 3 May 2018 (outside of school holidays) during the following road network peak period:</p> <ul style="list-style-type: none"> ▪ 3:00PM – 6:00PM. <p>Accordingly, the afternoon peak surveys adequately captured and considered school traffic.</p>
<i>Similarly, Section 4.2 of the Traffic Impact Assessment refers to future base case scenario 2036 AM and PM peak hour traffic demands obtained from Roads & Maritime Services. The exact hourly periods modelled should be outlined to ensure they adequately capture the school finish period.</i>	<p>The 2036 base traffic profile has been obtained from the NSW RMS (now TfNSW) strategic traffic model and as such, it is expected to readily include the traffic associated with the school.</p> <p>Notwithstanding, the revised modelling (which considers 2026) applies percentage growth rates to the existing traffic on the surrounding road network; therefore, the school traffic has readily been increased. Furthermore, the future modelling scenario adequately includes the peak operating hours of the school.</p>

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Table 17: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Stanbury Traffic Planning (Morgan Stanbury – Director)	
3. <i>Section 3.7 of the Traffic Impact Assessment presents that the junction of Mamre Road and Bakers Lane currently operates with a poor level of service during the PM peak. Whilst an upgrade to the intersection is proposed as part of the Application, Section 5.5 indicates that post development modelling of the junction maintains an unacceptable level of service of 'F' during the PM peak hour.</i>	<p>The revised TIA proposes additional upgrades at Mamre Road / Bakers Lane, which can satisfactorily accommodate the additional traffic from the Site (Sequence 1b), as well as the southern lots. In this instance, reference should be made to Section 5 of the revised TIA located within Appendix 16. As noted in the TIA, the Level of Service (LoS) for Sequence 1A and 1B will be as follows:</p> <ul style="list-style-type: none"> Sequence 1A will operate at an acceptable LoS (LoS D) during AM peak hour and maintain the current LoS F immediately post occupation of 166,225 m2 of GFA. Importantly under the PM scenario the intersection will actually reduce queuing lengths and times as a result of the Sequence 1a works and provides essential safety measures including a pedestrian crossing. This intersection will continue to work satisfactorily by the design life of 2025. Sequence 1b, shown as Figure 3 within the Ason report contained in Appendix 16 allows more extensive roadworks on Mamre Road and will operate at an acceptable LoS of D for the AM period and LoS C and PM periods.
4. <i>Post Potential Master Plan 2036 modelling of the intersection of Mamre Road and Southern Link Road contained within Section 7.4 of the Traffic Impact Assessment indicates operation near capacity during both the AM and PM peak hours.</i>	<p>Ason Group note, that the revised assessment adopt 2026 as the relevant completion year and suitable upgrades to achieve satisfactory performance have been addressed. Accordingly, the revised TIA shows that:</p> <ul style="list-style-type: none"> Considering Sequences 2 & 3, the SLR connection to the intersection of Mamre Road / SLR will operate at an overall Level of Service 'C' with and without the southern lots during the AM and PM peak periods, within the exception for sequence 2 AM peak hour which operates at an acceptable LOS D when considering the southern allotments traffic. <p>Accordingly, this intersection will be able to accommodate the additional traffic</p>

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Table 17: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Stanbury Traffic Planning (Morgan Stanbury – Director)	
<p>5. <i>Further to the above analysis, some concern is held with respect to traffic signal cycle times adopted for some intersections under certain scenarios (presented within Appendix 5 of the Traffic Impact Assessment). Traffic signals governing intersections on State Roads which carry considerable traffic demands such as Mamre Road typically operate with cycle times in excess of 100 seconds. There are however numerous examples where signalised intersections along Mamre Road have been modelled with cycle times less than 100 seconds, which are unlikely to be adopted in reality. The adoption of reduced cycle times can result in the presentation of a more efficient operational performance than that which would prevail in the likely event that longer cycle times are implemented. The following provides a summary of the examples where a traffic signal time of less than 100 seconds have been adopted:</i></p> <ul style="list-style-type: none"> ▪ <i>The junction of Mamre Road and James Erskine Drive has been modelled under existing conditions with a cycle time of 60 and 80 seconds during the AM and PM peak hours, respectively.</i> ▪ <i>The junctions of Mamre Road and Southern Link Road has been modelled under 2036 Base conditions with a cycle time of 75 seconds during the PM peak hour.</i> ▪ <i>The junction of Mamre Road and Southern Link Road have been modelled under future 2036 conditions incorporating the Application with a cycle time of 85 seconds during the PM peak hour.</i> ▪ <i>The junction of Mamre Road and Mamre West Precinct has been modelled under future conditions incorporating the Application with a cycle time of 50 seconds during both AM and PM peak hours.</i> ▪ <i>The junction of Mamre Road and James Erskine Drive has been modelled under future conditions incorporating the Application with a cycle time of</i> 	<p>to / from the Site, as well as the southern lots.</p> <p>The phasing and timing information for the existing signalised intersection has been determined through the number of site inspections during peak periods, as well as detailed review of the video footage at the time of the surveys. More importantly, Ason Group have cross checked the site observations against the NSW RMS signal phasing and timing, for which they have applied the NSW RMS data for the revised modelling. Therefore, a reasonable assumption to adopt a similar signal data for future traffic modelling scenarios as it also provides an opportunity for a like for like comparison between each scenario. For additional clarity the following cycle timing has been adopted as part of the revised TIA for different modelling scenarios:</p>

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Table 17: Response Matrix

Relevant Agency Response to Submissions	Formalised Response			
Stanbury Traffic Planning (Morgan Stanbury – Director)				
<i>60 and 80 seconds during the AM and PM peak hours, respectively.</i>				
<i>The above cycle times, and thus the reported intersection performances, should be confirmed by Roads & Maritime Services as being appropriate.</i>				
Modelling scenario	Intersection	AM Cycle Time	PM Cycle Time	
Existing Baseline	Mamre Rd / Erskine Park Rd (T-Intersection)	80s	100s	
	Mamre Rd / James Erskine Dr (T-Intersection)	60s	80s	
	Mamre Rd / Bakers Lane	130s	130s	
2025 – Sequence 1A	Mamre Rd / Bakers Lane	150s	130s	
2025 – Sequence 1B	Mamre Rd / Erskine Park Rd (T-Intersection)	100s *	80s *	
	Mamre Rd / James Erskine Dr (T-Intersection)	100s *	80s *	
	Mamre Rd / Distribution Drive (T-Intersection)	100s *	80s *	
	Mamre Rd / Bakers Lane	110s	110s	
2026 – Sequence 2	Mamre Rd / Erskine Park Rd	110s *	110s *	
	Mamre Rd / James Erskine Dr	110s *	110s *	
	Mamre Rd / SLR	120s	120s	
2026 – Sequence 3	Mamre Rd / Erskine Park Rd	110s *	110s *	
	Mamre Rd / James Erskine Dr	110s *	110s *	
	Mamre Rd / SLR	120s	120s	
Note: * The network has been assessed using a network cycle time.				

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Table 18: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (Paul Fittler)	
<i>I have a concern that a holistic view is being overlooked, the traffic management report for this application only refers to the impact it alone will create; and the intersection upgrades at a very local area.</i>	The Proposed Development is considered supportable in terms of potential traffic impacts on the local and regional road network, as confirmed by Ason Group within the Traffic Impact Assessment in Appendix 16 . Additionally, the intersection of Mamre Road and Luddenham Road is located approximately 2.9 km north of the Subject Site, for which the Proposed Development is not expected to have a cumulative impact on. Therefore, further consideration is not considered warranted in this respect.
<i>Who is considering the the overall traffic management of the combined current and future applications along Mamre Rd and Luddenham Rd, such as the Science park, Raceway, Airport and continued future developments along both these roads.</i>	
<i>The intersection of Luddenham Rd and Mamre Rd have issues now!, and yet there is no mention of how this key intersection and roads will be upgraded to handle over 300% increase in the next 5 years.</i>	

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Table 19: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (Elizabeth Begg)	
<p><i>The proposal indicates very large areas of roof surfaces that will replace existing grass and trees. Given the increase of the Urban Heat Sink Effect affecting western Sydney and the concern many local councils and residents in western Sydney and the Blue Mountains feel about increasing urban temperatures, I think green roofs are an appropriate inclusion in this very large warehouse development.</i></p> <p><i>Inclusion of rain gardens to capture stormwater and redirect into planted areas should also be included in this proposal. Inclusion of plants as green walls on external walls will also increase green cover and the many benefits plants provide such as pollution reduction, stormwater mitigation, cooling of air temperatures, carbon dioxide sequestration and storage, and provision of a healthier (physically and mentally) environment for those accessing this site and those living nearby.</i></p> <p><i>There is so much 'green infrastructure' development in the developed world and Australia should be part of this movement as we do experience very hot summer temperatures.</i></p> <p><i>I think there should be specific justification as to why these sensible features are not included in the proposed development. There is so much research available to support these strategies, and there will be so much money needed to implement strategies retrospectively as built infrastructure increases in western Sydney.</i></p> <p><i>I applaud the revegetation of the riparian area and encourage inclusion of Water Sensitive Urban Design (WSUD) elements and Green Infrastructure strategies in this large development.</i></p> <p><i>This would provide a much prouder development for our state government to</i></p>	<p>This comment is acknowledged and has been satisfactorily addressed throughout the Architectural, Landscape and Civil Engineering Plans in accordance with Council requirements, relevant Australian Standards and is considered consistent with best industry practice standards and measures for industrial development.</p>

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Table 19: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (Elizabeth Begg)	
<i>present to the people of western Sydney and NSW! I encourage you to please consider my comments and feedback on this proposed development.</i>	

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Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
1. SSD 9522 Results in Disorderly Development There are already significant areas of undeveloped industrial zoned land under the WSEA SEPP which, when developed, will form an orderly development front for warehouse and logistics purposes.	DPIE, PCC, the Property Council of Australia, Urban Development Institute of Australia and Minister for Planning have publicly acknowledged that there is a critical shortage of industrial employment land in western Sydney. This comment is not seen as valid
2. SSD 9522 Results in Development of Unzoned Land The development relies on a legal interpretation of Clause 12 within the WESA SEPP. As such, this interpretation can be construed to result in an unexpected consequence of 'out of sequence' development.	The Proposed Development is now entirely consistent with the zoning of the land pursuant to the release of the Structure Plan for the Mamre Road Precinct, the Subject Site has been rezoned by the NSW DPIE for both industrial-related and open space land uses pursuant to the zoning provisions of SEPP (WSEA) 2009.
3. SSD 9522 Results in a Disjointed Rezoning of Land Whilst the SSDA Land is located within the Broader WSEA it is not itself zoned for industrial purposes. Approval of the proposed development will result in a small patch of industrial development predominantly surrounded by rural lands.	The Proposed Development is now entirely consistent with the zoning of the land pursuant to the release of the Structure Plan for the Mamre Road Precinct, the Subject Site has been rezoned by the NSW DPIE for both industrial-related and open space land uses pursuant to the zoning provisions of SEPP (WSEA) 2009.
4. SSD 9522 Strains Local Services and Infrastructure The proposal will unnecessarily strain and adversely impact the existing road infrastructure utilities, and their capacity to sufficiently service the surrounding area including undeveloped land within the existing WSEA.	Road infrastructure upgrades are planned for the area, with Mamre Road planned for upgrade, the Southern Link Road (SLR) and upgrades to the Northern Road underway. A growing Western Sydney is adequately supported by planned road upgrades, including in the immediate vicinity of the development. The TIA provided by Ason Group confirms the impact of traffic generated by the site will not adversely impact the surrounding network, refer report in Appendix 16.
5. SSD 9522 Does Not Address the Implications of a "Spot" Rezoning The strategic merits of a change in land use from rural to industrial have not been addressed through a Planning Proposal process or a SEPP WSEA Amendment and	As noted above, the Proposed Development is now entirely consistent with the zoning of the land pursuant to the release of the Structure Plan for the Mamre Road Precinct, the Subject Site has been rezoned by the NSW DPIE for both industrial-related and open space land uses pursuant to the zoning provisions of

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Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
as such the broader matters of discontinuous land rezoning have not been thoroughly addressed or resolved by the application. The merits or drawbacks of such a land zoning at this time have not been fully tested.	SEPP (WSEA) 2009.
6. SSD 9522 is in Conflict with the LUIIP The site is located within the bounds of the Aerotropolis LUIIP and is not located within an Initial Precinct. The subject proposal is therefore in conflict with the LUIIP which has the force of a Section 9.1 Direction. This submission details the above concerns and provides recommendations to the DPIE which aim to result in an improved outcome for both the SSDA Land and broader locality.	Stage 2 of the LUIIP was released in November 2019 and confirmed that the Mamre Road Precinct was now an "Initial Precinct". In addition, the Proposed Development is now entirely consistent with the zoning of the land pursuant to the release of the Structure Plan for the Mamre Road Precinct (June 2020), the Subject Site has been rezoned by the NSW DPIE for both industrial-related and open space land uses pursuant to the zoning provisions of SEPP (WSEA) 2009, for which it forms part of the wider WSEA. Therefore, the Proposed Development is considered to be completely consistent with the provisions outlined within SEPP (WSEA) 2009.
7. SSD 9522 Results in Disorderly Development The SSDA Land is proposed to be developed into an industrial warehouse, logistics and industries hub. This is despite the land being 'unzoned' under the WSEA SEPP and zoned RU2 - Rural Landscape under Penrith Local Environmental Plan 2010 (PLEP 2010). For the purposes of the application, the provisions of WSEA SEPP have been invoked as the prevailing Environmental Planning Instrument (EPI) in order to achieve permissibility under Clause 12. However, the site is surrounded by portions of undeveloped industrial zoned land under the WSEA SEPP to the northwest (refer to Figure 1). This existing industrial zoned land is readily available to be lawfully developed under the WSEA SEPP, and if developed would form an orderly development front for warehouse and logistics purposes. Given that there is an abundance of undeveloped industrial zoned land, the proposed	As the Mamre Road Precinct is now a priority precinct within the LUIIP Stage 2 and has since been rezoned to IN1 General Industrial and open space, the Subject Site is considered orderly development. With the ability to connection to existing services at no cost to Government, this precinct is considered the next area to be released for employment generating purposes.

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Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
rezoning of WSEA SEPP land is unorderedly, unnecessary and undesirable as it will not decrease the amount of undeveloped industrial zoned land in the area.	
<p>8. SSD 9522 Results in Development of Unzoned Land</p> <p>Under Clause 12 of WSEA SEPP, development may be carried out on unzoned land only with consent and with the requirement that the consent authority:</p> <ul style="list-style-type: none"> (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land. <p>While consideration has been given on the adjoining IN1 land under the WSEA SEPP, the proposal has not considered the industrial impact on the adjoining E2 and E4 land under the PLEP 2010 (grey area in Figure 1). The objectives and permissible land use of both zones are provided in Table 1.</p> <p>As stated in Table 1, importantly 'Industries' and 'Warehouse or distribution centres' are expressly prohibited in the zone and the objectives specifically seek to protect the natural elements of the land, support ecological restoration and minimise conflict between land uses within adjoining zones.</p> <p>Adequate consideration has not been given to the impact of the proposal on the adjoining E2 – Environmental Conservation and E4 – Environmental Living zoned land and the objectives of these adjoining zones to the west. Furthermore, the Environmental Impact Statement (EIS) does not adequately address clause 12(2)(a-b) of the WSEA SEPP.</p>	<p>Given the subsequent release of the Mamre Road Precinct Structure Plan to when this objection was written, it is considered that there has been a significant shift in the strategic direction for the Site and broader Precinct.</p> <p>The Site (and wider Mamre Road Precinct) has since been rezoned and the Proposed Development is considered to align with the zone objectives.</p> <p>The revised footprint of the Development removes any built form within the South Creek Precinct and therefore eliminates disturbance to South Creek and the vegetation in that area. It also ensures that additional separation is provided to the E4 land to the west and preserves the green spine under the South Creek Precinct.</p> <p>The considerations with respect to impact on adjoining land are able to be balanced accordingly, noting the recent rezoning, future land uses that will exist and extensive reduction in the footprint of the development.</p> <p>The Development is compatible with the context of the locality and will set a desirable precedent for future development similar to that proposed.</p>

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Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
Critical consideration must be given to the compatibility of land uses and the adjoining environmental zone objectives given that the proposed use of the SSDA Land is prohibited under the SEPP.	
9. SSD 9522 Results in a Disjointed Rezoning of Land The SSDA Land, while located within Precinct 11 of the WSEA is not zoned for industrial purposes. Approval of the proposed development will result in an isolated industrial development that is disconnected from the overall WSEA and surrounded by undeveloped rural lands. This will be an undesirable result as aesthetically the development will not accord with the land immediately surrounding it.	The SSD Application is directly adjacent to the recently completed Mamre West Precinct and across the road from the established Erskine Business Park, both of which are WSEA zoned land. The Proposal aligns with the revised zone boundaries and forms part of the broader Mamre Road Precinct, that has been rezoned for employment and open space. The Site will be connected with the Precinct and therefore not disjointed in any respect.
10. SSD 9522 Strains Local Services and Infrastructure The location of the proposal will detrimentally and permanently impact upon the existing services capacities of the surrounding area. This will require the installation of new or intervention of existing infrastructure, which has been built to accommodate the surrounding developments such as Oakdale West Industrial Estate. According to the EIS, services may require adjustment or completely new infrastructure to accommodate the proposed development. Proposals to resolve these fundamental issues are not addressed in SSD-9522.	Reference is made to the responses Sydney Water and Endeavour Energy have provided, that are outlined in the Service Infrastructure Assessment prepared by Land Partners (refer to Appendix 14). These responses confirm that utility infrastructure has adequate capacity to cater for the proposed development, without major strain or services adjustment.
11. SSD 9522 does not Address the Implications of a Spot Rezoning The proposal seeks a change in land use from rural to industrial. Typically, rezoning the land would require a Planning Proposal or an amendment to the EPI. However, the application circumvents these established planning processes and as such has not thoroughly addressed the broader matters of the land rezoning. The strategic merits and disadvantages of such a disjointed and isolated land rezoning has not been fully tested.	It is noted, that the NSW DPIE have rezoned the Subject Site to IN1 General Industrial and includes pockets of RE1 Public Recreation and RE2 Private Recreation, for which this SSD Application is completely consistent with the intended strategic direction earmarked for the Subject Site and wider area located within the Mamre Road Precinct.

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Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
<p>12. SSD 9522 is in Conflict with the LUIIP</p> <p>The WSA LUIIP identifies the majority of the site to be within the South Creek Precinct (refer Figure 3). The site's inclusion within the LUIIP indicates that it has been considered to be serviced by the proposed transport infrastructure set out in the plan. The site's location would be better serviced via the new freight network links being considered under the WSA LUIIP.</p> <p>Stage 1 of the WSA LUIIP proposes land within the South Creek Precinct to be zoned for environmental conservation and non-urban purposes. The South Creek Precinct is described as the 'central green spine of the Aerotropolis' and is planned to create an accessible and connected open space network that will rehabilitate the natural assets such as the waterways and riparian lands.</p> <p>In addition, a Ministerial Direction issued under Section 9.1 of the Environmental Planning and Assessment Act (EP&A Act) has given effect to the WSA LUIIP. Chapter 5.4 of the WSA LUIIP notes that 'out of sequence' proposals will be considered against specific criteria. However, it ultimately concludes that rezonings will not be occurring until the Final Plan is released.</p> <p>The proposal is therefore in conflict with the LUIIP and should await the finalisation of the LUIIP before any rezoning is to take place. This is because approval of the proposal would prejudice the ability to achieve the envisioned revitalisation of the Western Parkland City and obstruct the 'greening' of the South Creek Precinct.</p> <p>At the very least DPIE should await the finalisation of the LUIIP prior to the assessment and determination of the SSD, to avoid conflict with the Ministerial Direction and the overall vision and strategy for the South Creek Precinct.</p>	<p>On 20th November 2019 the DPIE released the Draft Mamre Road Structure Plan, intending to rezone the Precinct to IN1 General Industrial and open space. This was completed as a direct response to the critical industrial land shortage within Western Sydney. Following this the Stage 2 LUIIP (Aerotropolis Plan) was released in December 2019 and provides for the Mamre Road Precinct to be an "initial precinct".</p> <p>Both the Stage 2 LUIIP and Mamre Road Precinct Structure Plan (June 2020) have amended the boundaries of the South Creek precinct, pulling them further west. The revised development is now contained entirely within the Mamre Road Precinct and no works are proposed in the South Creek Precinct.</p> <p>This SSD is now considered completely inline with the strategic planning documents, is not a spot rezoning and does not rely on the LUIIP being finalised before approval is granted.</p>

Response to Submissions – SSD 9522

Proposed Warehouse, Logistics and Industrial Facilities Hub

657-769 Mamre Road, Kemps Creek (Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 & Lot 22 DP 258414)

Table 20: Response Matrix

Relevant Agency Response to Submissions	Formalised Response
Public Submission (BGMG 1 Oakdale West Trust)	
<p>Summary:</p> <p>BGMG objects to SSD-9522 for the following reasons:</p> <ol style="list-style-type: none">1. Lawfully zoned industrial lands located within the WSEA which have not yet been developed are available;2. SSD-9522 does not adequately consider the adjoining environmental land uses to the west;3. The proposal if approved, will create an isolated industrial site disconnected from the broader WSEA;4. The proposal will place pressure on the existing service infrastructure, and require upgrades or new infrastructure to sufficiently service the surrounding area;5. The strategic merits of the proposed “spot” rezoning have not been sufficiently considered as required by due planning process; and6. The SSDA Land is subject to the WSA LUIIP which is still in the process of being finalised. <p>Finally, BGMG has an interest in the matters contained within Annexure 39 of the EIS and note that it has not been included in the public exhibition package.</p> <p>Representatives of BGMG would be happy to meet with the DPIE to discuss the above views or to contribute to any further consultation on this project.</p>	<p>All items are considered to have been satisfactorily addressed in the abovementioned items. Further consideration is not considered warranted in this respect.</p>