Ref: **SSD-25725029**
WTJ21-302

WILLOWTREE PLANNING

RESPONSE TO SUBMISSIONS:
PROPOSED MANUFACTURING FACILITY AND ASSOCIATED WAREHOUSE

657-769 MAMRE ROAD, KEMPS CREEK
LOT 10 APPROVED UNDER SSD 9522

—

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18 August 2022

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PART A PRELIMINARY

1.1 PROJECT OVERVIEW

Ardex is a manufacturer and supplier of products which include renders, screeds, floor levelling and adhesive products, decorative surface finishes, mortars used in repair applications, tile adhesives, grouts, silicone products, waterproofing membranes, primers, bonding agents and additives, sealants, sealers, sound proofing systems, a range of "natural stone" products, and a range of tools used for flooring and wall applications.

In short, the proposal involves:

- A new purpose-built manufacturing facility and associated warehouse for the production and distribution of Ardex products with the following production capacities:
  - Up to approximately 48,000 tonnes per annum (tpa) of powder products; and
  - Up to approximately 25,000 KL per annum of liquid products.
- The operation of the warehouse and distribution facility by Ardex; and
- Torrens Title subdivision to create the subject allotment (proposed Lot 12).

The proposed development is afforded to land at 657-769 Mamre Road, Kemps Creek. The Site forms part of the broader industrial estate (known as The Yards), that was approved under SSD 9522 in December 2020. Under SSD 9522, the proposed allotment is notated as Lot 10. Such land is described throughout this Response to Submissions (RTS) as the 'Subject Site'.

The Subject Site is located within the Penrith Local Government Area (LGA) and is zoned IN1 General Industrial under the provisions of *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). Development for the purpose of warehousing and industry is permissible with consent in the IN1 General Industrial zone under the WSEA SEPP.

The proposed development is classified as SSD under Section 4.36 of the Environmental Planning and Assessment Act 1979 (EP&A Act) because it involves the construction and operation of a "metal, mineral and extractive metal processing" with a Capital Investment Value (CIV) of more than $30 million.

The proposed development would assist in providing new employment opportunities through the provision of a manufacturing facility and adjoining warehouse and logistics land uses to facilitate employment-generating development and economic growth of the Mamre Road Precinct within the Western Sydney Employment Area (WSEA). The proposal will also contribute to greater productivity and a significant increase in jobs for the Western Sydney Aerotropolis (WSA) in the industrial and logistics sector.

The proposed development, for the purposes of a manufacturing facility is considered consistent with the strategic direction of both the Western City District Plan published by the Greater Sydney Commission and the WSA Plan published by the Western Sydney Planning Partnership and the NSW Government. Additionally, the proposed development will further contribute to the growth of jobs in the WSEA; hence, contributing to the Western City District's economic growth.

1.2 APPLICATION PROCESS OVERVIEW

Development consent is being sought for the proposal, as State Significant Development (SSD), under Division 4.1, Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

In accordance with Section 89F of the EP&A Act and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the Environmental Impact Statement (EIS) for the proposal is required to be placed on exhibition for not less than 30 days.

The proposal was exhibited from 19 November 2021 to 16 December 2021, during which a number of submissions were provided to the NSW Department of Planning, Industry and Environment (DPIE), as discussed herein.

Submissions received by NSW DPIE outside the exhibition period have also been addressed in this report.

1.3 PURPOSE OF THIS REPORT

The purpose of this Response to Submissions (RTS) Report is to detail and respond to matters raised in the submissions received for SSD-25725029.

The RTS report has been set out to address each submission matter, and is structured as follows:

PART A	provides an overview of the project, the application process and the RTS Report purpose and structure;
PART B	provides a summary of the submissions received;
PART C	provides detailed responses to each of the issued raised in submissions received;
PART D	provides a revised project description and addresses an additional environmental assessment requirements;
APPENDIX A	provides a summary of the submissions received;
APPENDIX B	provides a revised set of project management and mitigation measures, following the review of submissions and technical responses;
APPENDIX C	provides copies of any supporting information required by the received submissions.

1.4 CHANGES TO THE PROPOSAL AS EXHIBITED

Following the exhibition phase, and upon review of all submissions received, several amendments have been made to the proposal. These amendments include:

- The truck exit driveway has been shifted south to allow the end of the splay to align with the boundary;
- The sprinkler pump room has been repositioned to the eastern side of the tank and both have been shifted to the west behind the 12m building setback;
- The truck entry has been amended to be right hand-in only and the splay for left hand-in deleted;
- The car park aisle has been deleted to provide additional landscaping at the south eastern corner of the car park. The adjacent parking is now access via a blind aisle;
- The dimension from the eastern property boundary to the north eastern corner of the building has been shown which demonstrates compliance with the required 12m building setback;
- A 6m landscape setback has been provided on the eastern side of the Site and the car parking appropriately amended to be at a 30^0 angle with a 3.1m one-way aisle and new driveway access;
- The tank and pump room positions have been swapped;
- A 6m high acoustic wall has been included on the north western boundary;
- The western part of the northern loading includes a solid acoustic wall

PART B SUMMARY OF SUBMISSIONS

2.1 SUBMISSIONS PROCESS

The proposal was exhibited from 19 November 2021 to 16 December 2021, during which a number of submissions were provided to the NSW DPIE.

Clause 82 of the EP&A Regulation permits the Planning Secretary of the NSW DPIE to request that the Applicant to provide a written response in relation to the issues raised within any submissions made during public exhibition. This RTS Report aims to fulfil the request from the Planning Secretary.

Submissions received by NSW DPIE outside the exhibition period have also been addressed in this report.

2.2 SUBMISSIONS RECEIVED

A total of 12 submissions were received during the exhibition period, all of which have been received from government agencies, as summarised below:

- NSW DPIE
- NSW DPIE (Hazards)
- NSW DPIE (Central (Western) Team)
- NSW DPIE (Environment, Energy and Science Group)
- Endeavour Energy
- Environment Protection Authority
- Heritage NSW
- NSW Rural Fire Service
- Penrith City Council
- Sydney Water
- Transport for NSW
- Water NSW
- Western Sydney Airport

Of the 12 submissions, we note the following:

- Two (2) submissions provide support, no comment and/or conditions of consent
- 10 submissions provide comment and request additional information

PART C RESPONSE TO SUBMISSIONS

3.1 RESPONSE TO AGENCY SUBMISSIONS

This section seeks to tabulate all submissions received from government agencies and provide a detailed response to each matter.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
NSW DPIE	General	The Department notes that the EIS provides an overview of the proposed operation of the manufacturing facility. The Department considers that the detail provided within the Air Quality Impact Assessment provides more information regarding how the site is proposed to operate on a daily basis including how materials will arrive to the site, be unloaded and stored. The Department further notes that the Traffic Assessment provides a breakdown of the staff (office and manufacturing) and proposed hours of the operational shifts that is not included in the description of the development within the EIS. The Department requires that the detail discussed above is included in the description of the proposed development.	The Operational Details of the proposed manufacturing facility have been appropriately updated in **Section 4.2** of this RTS.
		The Department notes that a wastewater treatment plant is proposed. The Department notes the EIS does not discuss in detail how the wastewater treatment plant would operate including the volumes of wastewater that would be treated and discharged. The Department considers the detail provided on the architectural plans to be concept only. The Department requires that the details of the construction and operation of the proposed wastewater treatment plant is included in the revised EIS and relevant appendices and the plans to be revised. The Department notes the detail of the proposed water treatment plant within the Noise and Vibration Impact Assessment (NVIA) is not sufficient. The NVIA is to be updated also.	Details of the proposed wastewater treatment plant have been appropriately provided in **Section 4.3** of this RTS. In addition, further details of the proposed water treatment plant have been included in the updated NVIA (**Appendix C6** of this RTS), following consultation with the manufacturer. The key noise source of the pumps for the system are likely to be either centrifugal or submersible pumps for the filtrate and feed pumps. These are substantially quieter, and do not contain the annoying characteristics exhibited by

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			diaphragm pumps which can be an annoying noise source associated with wastewater treatment plants. The water treatment plant will only operate periodically. Based on the anticipated volumes of water to be used within the facility to be treated, the system may only work up to three (3) hours per day. When it does operate it will be for an extended period (ie. not an intermittent noise source). For a conservative assessment, this noise source has been added into the noise modelling assuming that it will operate during the reasonable worst case 15-minute period. The outcome from this determined that the overall predicted noise levels did not change from the previous predictions with the inclusion of the wastewater treatment plant.
		The Department notes that the EIS does not detail the maximum daily and weekly processing capacities of the proposed development. The Response to Submissions (RtS) is to include this detail in the description of the development.	The Project Description provided in the EIS includes daily and weekly maximum processing capacities for both powder and liquid products. Nonetheless, these details have been included in the Project Description provided in **Section 4.1** below of this RTS.
		The Department notes Figure 16 in the EIS is not legible. The RtS must include updated and legible figure.	An updated Figure 16 has been reproduced below as **Figure 7** of this RTS
		The EIS and Civil Report propose indicative finished site levels of +/- 500 mm. Where finished site levels and building heights are unknown, the worst-case scenario should be assessed. The RtS and relevant technical assessments including but not limited to the Architectural Plans, Visual Impact Assessment Report and Civil Report should be revised.	Updated development statistics have been provided within **Table 2** of this RTS and the relevant technical assessments have been updated to include the worst-case scenario having regard to building height.

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SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		The Civil Report indicates that several retaining walls are proposed. These are not discussed / considered in the EIS. The Department requires that this detail is included in the RtS.	Details of the proposed retaining walls, consistent with the details provided in the Civil Report, have been included in Table 24 of the EIS. The amended Civil Report provided in **Appendix C3** of this RTS has been updated to include typical wall details. Low height retaining walls are proposed as shown in the **Appendix C2**. Walls are noted to boundary and locally around garden beds. Walls fronting public domain are less than 1.2m in height and have been setback from the boundary in accordance with the MRP DCP.
		The Civil Report references 'this Mod 1 Application'. It is unclear if this reference is in relation to SSD-9522-Mod 1. Please update the Civil Report as relevant.	The amended Civil Report provided in **Appendix C3** of this RTS has been updated to remove references to 'this Mod 1 Application'.
		The Department notes several figures within the Traffic Assessment (TA) are not legible including Figures 10, 11 and 35. Please update the TA to ensure all figures are legible.	Figures 10 and 11 have been amended within the Ason Group Transport Assessment (TA). The TA does not include a Figure 35. A copy of the revised TA has been included in **Appendix C8** of this RTS.
		The Department notes that the survey plan key includes 'A' a restriction on user H107598. This annotation is not included in the site survey. Please update the survey plan to detail where this restriction applies.	'A' (Restriction on User (H107598)) has been indicated on the submitted Survey Plan and is located on the western side of Lots 22-24 DP258414.
	Contributions and Planning Agreements	The site is subject to the requirements of Clause 29 of SEPP WSEA and must make satisfactory arrangements for the provision of regional transport infrastructure and services. The site is also subject to the draft Aerotropolis Special Infrastructure	A request for satisfactory arrangement to be issued pursuant to Clause 29 of the SEPP WSEA was made on 10 September 2021 as the now executed Voluntary Planning Agreement

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		Contribution (SIC). You are encouraged to consult with the Department's Infrastructure Contributions and Agreements team to discuss the requirements of Clause 29 of SEPP WSEA and the application of the draft Aerotropolis SIC to the development.	(VPA) covers the whole of the land within which the development is located (see **Appendix C34**).
		The Department notes Penrith City Council (Council) repealed its section 7.12 Contributions Plan. Clause 270 of the Environmental Planning and Assessment Regulation 2000 (the Regulation) requires a contribution plan be approved for land zoned IN1 General Industrial under State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) in order for the consent authority to make a determination. A consent authority may dispense with the need for a contribution plan if the Applicant has entered into a planning agreement with the planning authority with respect to the matters that may be the subject of a contributions plan. The Department encourages you to consult with Council regarding a potential planning agreement.	It is noted that exhibition of the Mamre Road Precinct 7.11 Contributions Plan has concluded, and the proposed development has been excluded from the Plan. Appropriate arrangements are currently being undertaken with Council to enter into a VPA on the Site (see **Appendix C26, C27** and **C28**).
	Traffic and Access	<u>SIDRA Analysis</u> The Department notes TfNSW raised concern regarding the Applicant's Traffic Assessment including the SIDRA analysis. The Applicant is required to respond to TfNSW's comments and must confirm whether SSD-10101987 Kemps Creek Data Centre is included in the SIDRA analysis.	The response to TfNSW's comments is outlined below in this table. Furthermore, the modelling undertaken as part of the application includes the potential estate-wide traffic associated with the MSP Ultimate Master Plan (with a GFA of 421,820m^2) and assumed GFA of the Southern Lots (20,000m^2) for the approved Sequences 1A, 2 and 3. It is important to note that the MSP Ultimate Master Plan already includes the GFA associated with the SSD-10101987 Kemps Creek Data Centre and the Subject Site.

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			As such, the traffic modelling undertaken as part of the original submission is considered to be conservative and results in a robust transport assessment.
	Mamre Road Precinct Development Control Plan (MRP DCP)	The Department notes the MRP DCP was adopted on 19 November 2021 and requests that a compliance table be provided demonstrating consistency with the final MRP DCP. The RtS and relevant appendices are also to be updated to provide an assessment against the MRP DCP.	An updated DCP table which considers the final MRP DCP has been provided in **Appendix C19** of this RTS.
		The Department notes that the proposal incorporates tower elements ranging from approximately 22 m to 38 m in height. The Department notes that the MRP DCP states that should the nature of the business require that part of the building to exceed the 20 m building height control, the Applicant must demonstrate that the taller element will not create unacceptable solar, wind and visual impacts to surrounding sensitive users or impacts on the environment and open space lands or the public domain. The Department requires further justification that the operational nature of the proposal requires the proposed 22 m and 38 m tower elements.	A Visual Impact Assessment has been submitted which adequately demonstrates that the proposed development will not result in any unreasonable visual impacts on the surrounding sensitive users and surrounding land. Additional shadow diagrams have been provided in **Appendix C7** of this RTS which demonstrate that the proposed development will not result in any unreasonable solar access impacts. The proposed towers will not result in any wind impacts to the surrounding area. Given the proximity of the proposed development to any sensitive receivers, it is considered that the height of the tower elements is inconsequential having regard to wind impacts. In addition, it is noted that the application was referred to the Western Sydney Airport who raised no objection to the proposed development having regard to the wind impacts of the tower elements on the operations of the airport. Justification for the operational need of the tower elements has been provided within Section 3.3 of the EIS with details

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			of the internal operations of both towers provided in the Confidential Internal Plans submitted as part of the EIS.
	Urban Design and Visual Impacts	The Visual Impact Assessment (VIA) is to be revised to detail the worst-case scenario including maximum proposed finished site levels and the resultant maximum proposed building height.	With regards to the production and use of photomontages for visual impacts assessment the following is stated in the methodology within Section 2.0 of the VIA: *'Although these [photomontages] do not claim to exactly replicate what would be seen by the human eye, they provide a useful "tool" in analysing potential visual impacts from receptor locations.'* All photomontages within Geoscapes' reports are produced to try and accurately represent the proposed development within images. However, due to the nature of the process there will always be a small amount of error which is unavoidable. This can be attributed to several aspects including camera lens matching of the baseline photograph within the 3D model and the use of photographic reference points to position the development in the horizontal and vertical planes. Therefore, an error of +/- 500 mm to the perceived pad level and resultant building height within the presented images is already possible. This is most applicable to viewpoint locations at distance to the proposal, Viewpoint 9 is the closest but this is still over 350m away. All photomontages (with the exception of extend 'f' figures within the appendix) in the report are intended to be printed and viewed at A3. In the case of Viewpoint 9 a difference of +/- 500mm in the pad level and resultant building height would appear to be approximately 0.25mm on the page.

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			Therefore, it is believed that in this case the request would result in an imperceivable change in the view from any of the locations within the VIA.
		The VIA relies on vegetation plantings to screen the proposal. Please confirm on a plan which landscaping is approved under SSD-9522, which is proposed as part of this development and what landscaping is outside of the subject site.	The vegetation and screening shown within the photomontages is described within Sections 2.8 & 2.9 of the VIA with a tabulated breakdown including other approved or future developments. All proposed landscape design has been incorporated for each development listed in the VIA and adjusted to suit the relevant timeframe of each image. This was achieved by referring to landscape documentation produced by Habit8. Landscape drawings are included in Section 7.0 of the VIA; however, all other plans were sourced from and available in their respective applications (SSD-9522 MOD 1 and SSD-10101987).
	Noise and Vibration	As discussed above, the MRP DCP was adopted on 19 November 2021. The Department requests that the NVIA is updated to address the final MRP DCP.	The NVIA (**Appendix C6** of this RTS) has been updated to reflect the MRP DCP.
		The Department notes that Appendix B1 of the NVIA detailing the locality map, sensitive receiver type identification and operational assessment representative receiver locations is not provided. The Department also notes that Appendix E (Sections E.1 and E.2) detailing the predicted operational noise contours is not provided. The Applicant is required to update the NVIA to include Appendices B1 and E.	The NVIA (**Appendix C6** of this RTS) has been updated to include Appendices B1 and E.
		The Department notes the NVIA considers impacts associated with the construction and operational phases of the development and the cumulative impacts. As discussed under the general comments above, the NVIA does not consider the proposed wastewater treatment plant in sufficient detail. The Department requires the Applicant to update the NVIA to include	The NVIA (**Appendix C6** of this RTS) has been updated to include the wastewater treatment plant modelling and predictions.

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		the proposed operational details of the wastewater treatment plan.	
		The Department notes Section 2.2 of the NVIA which states that the noise measurements and observations of the typical proposed operational activities were undertaken by Renzo Tonin and Associates at the existing Ardex manufacturing facility at Seven Hills, NSW. The NVIA uses measurements derived from the Seven Hills facility provide representative noise levels of a range of activities that will take place within the proposed development. The Department notes at Section 5.2.1.4 Manufacturing Operations, the NVIA refers to noise levels occupational noise surveys undertaken by Ardex at a similar facility in Queensland. The Department requires the NVIA to be revised to refer to the Seven Hills project.	As the Ardex Seven Hills facility does not have the same configuration of liquids and powder towers to those proposed in the new facility, confirmation of the typical noise levels that would occur within parts of these towers were based upon the reference occupational noise surveys undertaken by Ardex at a facility in Queensland with similar tower to help validate the assumed and modelled internal noise levels. This reference assisted in confirming the adoption of suitable representative levels measured at the Ardex Seven Hills facility. Details for the modelling assumptions (ie. spectrums) were then taken from the attended noise survey at the Ardex at Seven Hills, NSW facility, based upon measurements undertaken near similar operating equipment. This reference to the occupational noise survey has been maintained in the NVIA, and the reference survey added to the reference list.
		The Department notes Section 5.2.1.6 Key Building Services and Mechanical Plant of the NVIA details the known building services and mechanical plant for the proposed development. The Department notes that the wastewater treatment plant is not included within the assumed mechanical plant noise sources within Table 5-7. The Department requires the NVIA to be revised to include the wastewater treatment plant.	The NVIA (**Appendix C6** of this RTS) has been updated to include the wastewater treatment plant modelling and predictions.
	Hazards	The Department notes the Applicant has not demonstrated that the quantities of dangerous goods to be stored at the proposed development are below the threshold screening quantities in Applying SEPP 33, DoP, 2011 (Applying SEPP 33). The Department requires the Applicant to submit a preliminary risk screening in	The proposed development will not exceed SEPP 33 thresholds and therefore, no preliminary risk screening or further assessment is required to be undertaken.

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		accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33.	
	Bushfire	The Department notes the Bushfire Assessment does not include bush fire specific construction recommendations. Consideration should be given to increased Asset Protection Zones and construction standards given the proposed storage of flammable and combustible materials in a bushfire prone area.	The estate has been approved (SSD-9522) and construction has commenced with bulk earthworks extending from Mamre Road to the eastern side of the Site at the time of the EIS preparation. The bulk earthworks have continued since November 2021 and will entirely surround the Site within weeks of the date of this report. The earthworks and civil construction will remove all surrounding hazards such that the Site will not be within 50m of a grassland hazard or within 100m of a woodland hazard, resulting in a BAL-LOW rating for the development. There will be insufficient bushfire threat to warrant consideration of construction measures for the warehouse or storage of flammable materials.
	Air Quality	The Department requires the Air Quality Impact Assessment (AQIA) to be revised to include a map identifying the sensitive receptors used in the assessment. Details of the property addresses are also required.	Figure 7 provided in the AQIA submitted with the EIS (ref 21.1137.FR1V3) provides a uniform grid map of the modelled receptors. As the exact location of sensitive receptors at off-site locations was unknown at the time of the assessment, a conservative approach has been adopted which provides predicted impacts at off-site locations on a uniform grid. For the purpose of the assessment, all of the individual receptor points shown on Figure 7 were considered as 'sensitive receptors' within the assessment. As the exact locations of these are unknown, no property addresses are available.
		The Department notes the AQIA considers cumulative air quality impacts. The Department requires the Applicant to confirm whether the Kemps Creek Data Centre (SSD-1010198) is included in the AQIA. The AQIA is to be updated as required.	Section 4.4 of the AQIA provides specific discussion of the Kemps Creek Data Centre (SSD-1010198).

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			As stated in Section 4.4 of the AQIA: An EIS is currently being prepared for SSD 10101987 (Kemps Creek Data Centre), which is located immediately to the south of the Subject Site, and within the Kemps Creek Warehouse, Logistics and Industrial Facilities Hub. No detailed AQIA to support that SSD is available on the NSW Government Major Projects website at the time of writing, and no specific commentary can be provided regarding the potential for cumulative impacts with the proposal. However, in broad terms, emissions of air pollutants associated with the operation of a data centre development are likely to be sporadic, and related to the requirement for emergency power generation, and in this specific case, diesel fueled power generation. As indicated in the scoping report, it is noted that the generators are for standby emergency backup power only and would be used only when required; thereby, the potential air quality impacts associated with the operational phase would be considerably low. Emissions of nitrogen dioxide (NO_2) are likely to be the limiting factor for a data centre development, rather than impacts associated with particulate matter, and the potential for cumulative impacts to occur with the proposal is low, given that emissions of NO_2 from the proposal would be limited to vehicles. Based on this, no further update of the AQIA is required.

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		The Department notes the AQIA recommends an Air Quality Management Plan be prepared for the proposal without the detailed analysis to support this position. The Department requests further analysis in the assessment of air quality impacts.	It is assumed this comment refers to the recommendation for a Construction Air Quality Management Plan to be implemented and adhered during construction of the development as outlined in Section 2.3.1 of the AQIA. As outlined in this section of the report, construction of all roads and buildings has previously been approved as part of SSD 9522. Development of a Construction Air Quality Management Plan (CAQMP) was recommended based on a construction dust risk assessment which was performed as part of this SSD 9522 submission. Detailed analysis, including the risk assessment approach and outcomes have been undertaken as part of this, with a range of management and mitigation measures identified as a result, with detail of these measures to be included within the recommended CAQMP. Based on the above and construction risk assessment provided within the previously approved SSD submission for construction of the roads and buildings, further analysis is not considered to be required.
NSW DPIE (Hazards)	-	The State Environmental Planning Policy No. 33 Report (SEPP 33 Report) presents the quantities of Dangerous Goods (DGs) in Table 3-1 and undertakes a preliminary risk screening in section 3.3. We make the following comments on the preliminary risk screening. a. The Department highlights that there were inconsistencies in separation distances used for preliminary risk screening of flammable liquids in the SEPP 33 Report. On page 6 of the SEPP 33 Report, describes 9 metres separation for risk screening of	The Dangerous Goods Report (**Appendix C4** of this RTS) has been corrected such that the assessment of flammable liquids has been conducted using a separation distance of 12m. Please note that in the review process, the quantity of

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SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		flammables. In Figure 3-1 of the SEPP 33 Report, the smallest distance is 12 metres to site boundary and in Figure 3-4, 16 meters separation is applied for preliminary risk screening. As such the Department is unclear on validity of the preliminary risk screening of flammable liquids given the smallest separation from the warehouse to thesite boundary is 12 metres.;	Class 3 DGs to be stored has been reduced. The original DG storage quantities were based on Ardex acquiring a business which required the storage of a range of DGs similar to the DGs stored, handled and processed by Ardex. This business venture is no longer being pursued and, hence, the quantities of DGs have been reduced to those listed in the updated SEPP 33 study.
		b. From Table 3-1 of the SEPP 33 Report the DG Class 8 are listed as two (2) packing groups. Packing Group II (13,302kg) and Packing Group III (21,297kg). As per "Applying SEPP33", page 16, where a DG class of differing packing groups are "kept on site in the same general location" then the most hazardous packing group is applied to total class storage. As such the DG Class 8 material should be totalised as Packing group II (34,599 kg) and would exceed the threshold quantities in "Applying SEPP 33"; and	The Dangerous Goods Report (**Appendix C4** of this RTS) has been updated such that PG II and PG III Class 8 substances are assessed together. Note that in the review process, the DG quantities to be stored at the facility have been reduced, therefore the SEPP 33 thresholds are not exceeded.
		c. The Department seeks clarification on whether any of the Class 9 or other hazardous materials are defined as a combustible liquid C1 (as classified by AS 1940) and stored at the proposed development. We request the Applicant provide any quantity of combustible liquid C1 to be stored at the proposed development. As per "Applying SEPP33", page 16, where combustible liquids C1 are kept within a store with flammable liquids they are treated as DG Class 3 PGIII and must be added to the flammable liquids' quantity when undertaking the preliminary risk screening.	A review of the SDS of the Class 9 DGs indicates that no combustible liquids (C1) will be stored.
		Given the above, the Applicant has not demonstrated that the quantities of DGs to be stored at the proposed development are below the threshold screening quantities in "Applying SEPP 33". As such, the Applicant must undertake a preliminary risk	As per the above, the proposed development will not exceed SEPP 33 thresholds and therefore, no preliminary risk

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		screening in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33 (DoP, 2011), given points (a) to (c) above. The Applicant, as per the SEARs, should provide a layout, clearly indicating the location of the dangerous goods to be stored for the proposed development. Should the risk screening indicate that the proposed development is "potentially hazardous" a Preliminary Hazard Analysis (PHA) must be prepared in accordance with Hazardous Industry Planning Advisory Paper No. 6 – Guidelines for Hazard Analysis (DoP, 2011) and Multi-Level Risk Assessment (DoP, 2011).	screening or further assessment is required to be undertaken.
		The proposed development will incorporate an office space. The Department highlights that these offices would be classified as an on-site protected place by Australian Standards for the handling of DGs. The Department seeks information on separation of the warehousing areas (containing DGs) to the offices, noting the requirements of Australian Standards for storage and handling DGs. Furthermore, in section 3.2.12 of the EIS, future batching and packaging of flammable liquids is described. As such, the Department seeks information regarding the application of AS 1940 Appendix L regarding separation of the liquid processing area to the offices (on-site protected place) and other areas.	DGs will be stored in the Class 3 Store, in the Raw Materials (RM) warehouse and in the Finished Goods (FG) warehouse. The required separation distances are as follows: • Class 3 DG Store: 10m separation is required as per Table 4.1 of AS 1940–2017. • FG/RM Warehouse: As only manufactured products in retail-size packages are stored in this area, it has been classified as a retail distribution centre (RDC) under AS/NZS 3833:2008. RDCs do not have specified separation distances to protected places. However, as per Clause 3.2.5(e) of the standard, the walls of the warehouse adjacent to offices shall be constructed of fire walls with an FRL of 60/60/60. As shown in **Figure 8** below, these separation distances have been met.

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NSW DPIE (Central (Western) Team)	-	The development should comply with the State Environmental Planning Policy (Western Sydney Employment Area) 2009.	Compliance with State Environmental Planning Policy (Western Sydney Employment Area) 2009 has been demonstrated in Section 4.3.10 of the EIS.
		The Mamre Road Precinct Development Control Plan 2021 (DCP) commenced on 19 November 2021 and applies to the subject site. The development should comply with the DCP.	Assessment of the proposed development against the provisions of the adopted Mamre Road Precinct Development Control Plan 2021 has been undertaken in **Appendix C19** of this RTS.
		Suitable arrangements for local and state infrastructure contributions must be made for the development.	It is noted that exhibition of the Mamre Road Precinct 7.11 Contributions Plan has concluded, and the proposed development has been excluded from the Plan. Appropriate arrangements are currently being undertaken with Council to enter into a VPA on the Site.
NSW DPIE (Environment, Energy and Science Group)	Biodiversity	Regarding biodiversity, EES received a request from DPIE Planning and Assessment Group (PAG) on 6 October 2021 to waive the requirement for a biodiversity development assessment report (BDAR) to be submitted with the State Significant Development Application. On 25 October 2021, EES determined that the application does not need to be accompanied by a BDAR and issued its determination to DPIE PAG on 26 October 2021.	Noted – no action required.
	Waterway Health	The development consent for SSD-9522 includes Advisory Note AN2: *AN2. Future development applications will be subject to the Mamre Road Precinct Development Control Plan or its equivalent.* Furthermore, the SEARs key issues for the development issued by DPIE PAG on 3 September 2021 include: *Soil and Water - Modelling undertaken in accordance with the MUSIC modelling toolkit and stormwater quality and flow*	The Subject Site falls with the Yards Industrial Estate which has been approved (SSD-9522) with an estate wide *Stormwater Management Strategy* which provisions for stormwater management of all development lots (including Ardex). These systems are now currently being constructed based on the approval. Reference to Section 7.4 of the SSD-9522 estate "Water Cycle Management Strategy" by Costin Roe (ref: Co13362.00-07k.rpt) & subsequent mods which discusses, assesses, and provides demonstration of acceptable stream health outcomes for discharge from the

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		targets, a flow duration curve spreadsheet and MUSIC model file. EES notes that this modelling has not been undertaken and therefore the EIS has not demonstrated that this development does not impact waterway health or that it complies with the waterway health controls in the Mamre Road Precinct Development Control Plan. Note that the toolkit and targets were development to achieve waterway health outcomes.	estate, consistent with best practice and the site-specific DCP. Given the estate stormwater system, which includes the proposed development, has been approved and is currently being constructed, the new EES targets are not considered applicable to the development. It is noted that the current level of development in the estate achieves the MARV of 2.0ML/Ha/Yr. A MARV greater than the noted value (based on anticipated development take up) would not be breached until 4-5yrs in the future. The gap between the requested new waterway targets proposed by EES/DPIE and the approved estate management system can be bridged via the precinct wetland solution proposed by Sydney Water as the Waterway Manager for South Creek. The precinct system is expected to be resolved within the timeframe noted.
Endeavour Energy	Network Capacity/ Connection	Endeavour Energy has noted Appendix 25 'Service Infrastructure Assessment' appears to refer to the provision of electricity supply to Kemps Creek Warehouse, Logistics and Industrial Facilities Hub but does not appear to further address in detail whether electricity services are available and adequate for the development. Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant prior to finalising plans to in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the	Connect Infrastructure has been engaged to undertake the necessary engagement with Endeavour Energy for the whole of the estate in which the proposed development exists. Connect Infrastructure have lodged a number of Connect of Load applications with Endeavour Energy for development within the estate. Endeavour Energy have responded with Supply offers for (Copies of which have been included in **Appendix C16** of this RTS):

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		need to later seek modification of an approved development application. As such it is unclear as to how the other reports provided with the EIS have taken into consideration the electricity infrastructure required to facilitate the proposed development. From Appendix 3 'Architectural Plans' no apparent provision has been made for a padmount substation on the site. As previously advised the applicant will need to complete the connection of load process for the provision of electricity supply to the proposed development. Endeavour Energy's Customer Network Solutions Branch are responsible for managing the conditions of supply with the proponent and their Accredited Service Provider (ASP) and can be contacted via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666. From the below updated site plan from Endeavour Energy's G/Net master facility model there has been no apparent extension of augmentation of the electricity infrastructure to the Kemps Creek Warehouse, Logistics and Industrial Facilities Hub. The EIS indicates 'A consultation letter was sent to Endeavour Energy on 7 September 2021. No response has been received to date' (the EIS being dated 9 November 2021). If this is still the case, the applicant should follow-up this matter with Endeavour Energy's Customer Network Solutions Branch.	• UIL5999 • UIL6003 • UIL6004 • UIL6118 In each instance Endeavour Energy have noted that supply is dependent on the construction of a high voltage feeder under UIS0849, which is to be constructed along Bakers Lane from the South Erskine Park Zone Substation scheduled for delivery in late 2022 or early 2023. Connect Infrastructure have advised that the electrical designs associated with UIS0849 are currently with Endeavour Energy for design approvals. Following approval an accredited Level 1 ASP can be engaged to install the required infrastructure. Essentially this high voltage feeder is critical for the supply of the estate in which the proposed development is to be constructed. Endeavour Energy noted in their response to the Department that no provision had been made on the concept architectural plans for provision of any padmount substations to service the Site. Once development consent has been issued for the proposed development, which may require amendments to the architectural plans and other supporting designs based on consent conditions, decisions can be made by the electrical designer regarding the placement of any required padmount substations.

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			Endeavour Energy note that subject to comments regarding network capacity and connection they have no objection to the application. Therefore, the main issue to support the operation of the proposed development is the construction and commissioning of the high voltage feeder to be provided under UIS0849 and the installation of a padmount substation in an appropriate location on the Site. The process of delivering the high voltage feeder is underway with lodgement of design documents with Endeavour Energy by the design consultant. The installation of a padmount substation will be delivered in accordance with Endeavor Energy standard asset creation process undertaken as part of the for Connection of Load requirements.
Environment Protection Authority	Matters to be addressed prior to determination	**a. Environment Protection License** The proposed development may require an EPL due to exceeding the relevant threshold under Schedule 1 of the POEO Act, specifically Clause 8, which states the following: *Chemical Production –* *Activity: the commercial production of [**adhesives or sealants**].* *Criteria: capacity to produce more than 5,000 tonnes [of adhesives or sealants] per year.* The applicant has indicated a production capacity of 25,000 KL per annum of liquid products (where 'liquid products' is taken to mean adhesives or sealants). It is not clear from the information provided whether the entire production capacity for liquid products will comprise of adhesives or sealants, or other liquid products.	The proposed development will commence chemical production with a maximum annual capacity of less than 5,000t, and as such, an EPL will not be required. A breakdown of the Ardex Australia liquid production (2021 actual and forecast) is attached (**Appendix C32**). Should the future production capacity exceed 5,000t, a modification to the application will be sought when appropriate.

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		The EPA recommends that: ▪ the applicant review Schedule 1 of the POEO Act to determine whether an EPL is required for the proposed activity, and to apply to the EPA for an EPL if required.	
		b. Pollution Incident Response Management Plan The EPA highlights the requirement for the holder of an EPL to prepare, test and implement a Pollution Incident Response Management Plan (PIRMP) under Section 153A of the POEO Act. If an EPL is not required, the applicant still needs to ensure an adequate risk assessment is conducted which addresses each foreseeable environmental pollution risk, the likelihood of a pollution incident occurring and the prevention measures that will be put in place to mitigate that risk to the environment. For example, the applicant could consider conducting a risk assessment for the hoisting of 1,000 kg bags of raw materials into silo's, and what actions would be taken to mitigate dust emissions should the bag rupture, or how substances will be prevented from leaving the facility should they enter the on-site stormwater network. The EPA recommends that the applicant implement a PIRMP, or equivalent, before commencing operations. For more information on what is typically expected in a PIRMP, please review the EPA Guidelines on Pollution Incident Response Management Plans, which can be accessed via the following link: https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/licensing/pirmp/20p2147-guideline-pollution-incident-response-management-plans.pdf?la=en&hash=67C2CB615210B036C85996A3659E46DB8D83734B	As above, an EPL will not be required.

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	Matters to be addressed with conditions	**a. Air Quality** The Air Quality Impact Assessment (AQIA) included under Appendix 7 of the EIS provides a reasonable appraisal of air emissions likely to be generated during the construction phase (i.e. demolition of existing structures, bulk earthworks, and construction activities). Whilst the AQIA has addressed some of the recommended SEARS, there are some deficiencies in the assessment, including the following:	
		▪ Odour emissions likely to be generated during the mixing of chemicals/solvents have not adequately been addressed. Gaseous pollutants and odour from liquid manufacturing have been identified as potential emissions affecting air quality, however this has not been explored further.	As outlined in Section 2.2.2 of the AQIA, none of the chemicals proposed for use in liquids manufacturing have been identified as being particularly odorous. Nonetheless, the volumes of chemicals stored on the Site would not necessitate external storage, therefore potential air quality issues associated with odour would be contained. Additionally, the proposed recommended operational condition put forward by the EPA for the Site which stipulates the applicant must not cause or permit the emission of any offensive odour from the premises would ensure odour impacts do not extend beyond the Site boundary. Based on the above, further assessment of potential odour impacts affecting air quality is not considered to be required.
		▪ Background concentrations of Total Suspended Particulates (TSP) has been estimated due to the lack of available representative data from the nearest weather stations. The report concludes that there are no additional impacts at the nearest sensitive receptors off-site, located two kilometres from the subject site but	As previously identified, the nearest sensitive receptors subject to assessment are presented in Figure 7 of the AQIA. The assessment has therefore appropriately considered the impact of TSP at all off-site locations.

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		does not consider the impact of TSP on neighbouring businesses within the industrial precinct. ▪ The cumulative impacts on sensitive receivers from operations occurring across the broader industrial precinct cannot be adequately assessed due to the potential industrial operations being largely unknown. ▪ The AQIA conservatively estimates the particulate emissions (the primary source of emissions for this proposal) from the powder and liquid manufacturing operations, however it is not clear whether parts of the loading and filling operations are conducted entirely within the warehouse (e.g. the transferring of 1000 kg bags of powdered raw materials into small silos using a hoist) or whether any raw materials are stored outside the warehouse. ▪ Whilst some representative data could have been sourced from similar facilities owned and operated by Ardex, the EPA does not consider that the above reporting omissions are significant enough to preclude the development from proceeding, provided that the appropriate operational controls are implemented and maintained in accordance with the AQIA.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent. In accordance with the Plan of Management submitted with the EIS, raw products will be stored within the silos or within the mixing tanks (depending on the product) as part of the manufacturing process, which are all contained within the warehouse. These processes would all be controlled in accordance with the emission control techniques outlined in Section 2.2.3 of the AQIA. In addition, all loading and filling operations (such as transfer of raw materials into small silos) would be conducted entirely indoors within the warehouse. As described in the AQIA: "A list of chemicals to be used in liquids manufacturing has been provided by the Applicant. None of those chemicals has been identified as being particularly odorous. All chemicals are stored in line with the Applicant's Hazardous Area Verification Dossier: "Raw material flammable liquids and corrosive substances are stored in dedicated DG cabinets within the manufacturing area. All DG cabinets are compliant with the relevant sections of the applicable standard (AS1940 for flammable liquids and AS3780 for corrosive substances). Procedures are used for the transfer and loading of

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			flammable liquids to mixers. Spill kits are also located adjacent to the flammable liquids handling areas to commence immediate spill clean up in the event of an accidental release". Given the lack of odour associated with liquid materials being received, stored and handled at the Site, routine monitoring of odour is not performed, and no data was therefore available.
		The EPA recommends the following conditions: ▪ The applicant must take all reasonable steps to minimise dust generation during construction activities. ▪ The applicant must not cause or permit the emission of any offensive odour from the premises. ▪ The applicant must implement the reasonable and feasible operational control measures described under points 2.2.3 of the AQIA. ▪ The applicant must maintain and operate environmentally critical infrastructure in a proper and efficient manner, including all dust collectors and filters, in accordance with point 7.1 of the AQIA. ▪ The applicant must not undertake any loading or filling activities unless environmentally critical infrastructure, such as dust collectors and filters, are functioning appropriately in accordance with manufacturer's specifications and performance guarantees. ▪ The applicant must undertake post-commissioning air quality monitoring targeting TSP, PM10 and PM2.5 within 12-months of commencing operations.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.
		b. Noise The Noise and Vibration Impact Assessment (NVIA) included under Appendix 22 of the EIS adequately addresses the relevant	

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		SEARs for the project. The EPA has reviewed the NVIA and notes that the noise assessment criteria for existing operational and construction noise has been derived from noise reports from other recently approved State Significant Development's within the industrial estate and by estimating the potential noise impact from operations using the various noise sources from the other Ardex facilities as a baseline. While several sources of noise impact during the construction and the operational phase have been identified, the EPA acknowledges that noise management level exceedances, whether they originate from individual or cumulative sources, can be reasonably and feasibly mitigated. The EPA generally agrees that a noise compliance assessment should be conducted once operations commence to verify that noise emissions are consistent with the NVIA and that the mitigation measures are effective. The EPA recommends the following conditions: The applicant must comply with the hours of operations specified under point 1.3.4 of the NVIA and ensure that only the activities described in Table 5-3 of the NVIA occur within the prescribed time-frames.	As noted in the NVIA Section 1.3.4, the proposed hours of operation is to be 24 hours, 7 days per week. The description of external noise generating activities in the NVIA Table 5-3 describes the "typical activities" and "typical timeframes". This table is not meant to be an exhaustive list of all activities that would occur onsite or detail the only times that various activities would operate. The assessment aimed to demonstrate that the proposal could achieve the project noise trigger levels during the

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			reasonable worst case noise emissions during each of the NPfI assessment periods. The Site would be required to operate within the project noise trigger levels at all times, as per the other points noted by EPA, which are time dependent. This condition would place unnecessary restrictions and limitations on the Site for it to operate in accordance with the established project noise trigger levels.
		The applicant must ensure that operational noise does not exceed the project noise trigger levels at each receiver location provided in Table 3-14 of the NVIA.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.
		The applicant must implement the noise mitigation and management measures under point 4.5.3.2 of the NVIA during construction activities.	Noted. As per the NVIA Section 4.5.3.2, these should be considered and implemented where feasible and reasonable, where there is potential for the noise management levels presented in the NVIA Section 3.2 to be exceeded by the construction works either individually or cumulatively.
		The applicant must develop an Operational Noise Management Plan incorporating the noise mitigation and management measures under points 5.3.2 and 5.5.4 of the NVIA during operation.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.
		The applicant must undertake post-commissioning noise compliance monitoring within 12-months of commencing operations.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.

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		c. Stormwater Management The EPA has reviewed the stormwater management procedures documented within the Civil Engineering Report (Appendix 12 of the EIS). The EPA notes that during construction a Sediment and Erosion Control Plan will be followed to protect the receiving drainage systems and water from sediment laden runoff. The site-specific strategy has been incorporated within the wider strategy for the Yards Industrial Estate. Identified measures will include sediment basins, diversion drains, batter control and site construction entries. The EPA understands that an estate-level stormwater treatment system will be incorporated and will consist of a primary treatment unit, or Gross Pollutant Trap (GPT), followed by tertiary treatment using bio-retention filtration to mitigate stormwater pollutants generated broadly across the industrial precinct. However, there are no specific measures to manage water quality or quantity. Whilst it is expected that only rain water will enter the site stormwater catchment, the EPA advises that the facility should be designed so that any spills of liquid or powdered chemicals are contained by adequate bunding and not allowed to enter the stormwater system. Consideration should also be given to installing additional stormwater isolation measures to stop contaminants leaving the site in the event of a pollution incident, subsequently compromising the down-stream primary and tertiary treatment systems of the precinct.	Bunding for containment of dangerous goods has been allowed for in the building and management processes in place for loading and unloading of dangerous good within the building. No additional external containment measures are required or proposed.

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		The EPA recommends the following conditions: ▪ The applicant must comply with section 120 of the Protection of the Environment Operations Act 1997. ▪ The applicant must store all chemicals, fuels and oils used on the premises in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards.	
		d. Contaminated Land The EPA has reviewed the Supplementary Site Suitability Assessment letter under Appendix 17 of the EIS, prepared in accordance with State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55). The supporting contamination investigation reports referred to on page 2 of the letter have not been reviewed as they were not included in the EIS submission. The letter indicates that the site is suitable for the proposed commercial/industrial development based on the contamination investigation reports. The EPA recommends that as a condition of consent that DPIE require the applicant to formally notify the EPA in accordance with the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (CLM Act), if and where any contamination is identified during the development that is considered significant enough to warrant regulation under the CLM Act.	Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.
Heritage NSW	-	Heritage NSW has review Appendix 21 - Letter of Advice Addendum for Warehouse and Office Facility - 657-769 Mamre Road, Kemps Creek, NSW, Biosis, dated 5November 2021. Heritage NSW has no additional comments or recommendations	Noted – no action required.

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		in relation to Aboriginal cultural heritage and the proposed development proceeding.	
NSW Rural Fire Service	-	The submitted bush fire report has not recommended any bush fire specific construction. However, construction requirements for bush fire protection will need to be considered on a case-by-case basis under section 8.3.1 of *Planning for Bush Fire Protection 2019*. There is a level of reliance on the building construction to protect and prevent the ignition of flammable and combustible materials. In this regard, the Applicant must be clearly demonstrated whether the construction standard can withstand a potential bush fire attack. Furthermore, increased bush fire protection measures should be considered, such as increased Asset Protection Zones and construction standards to commensurate the risk associated with the storage of flammable and combustible materials in a bush fire prone area.	The estate has been approved (SSD-9522) and construction has commenced with bulk earthworks extending from Mamre Road to the eastern side of the Site at the time of the EIS preparation. The bulk earthworks have continued since November 2021 and will entirely surround the Site within weeks of the date of this report. The earthworks and civil construction will remove all surrounding hazards such that the development site will not be within 50m of a grassland hazard or within 100m of a woodland hazard, resulting in a BAL-LOW rating for the development. There will be insufficient bushfire threat to warrant consideration of construction measures for the warehouse or storage of flammable materials.
Penrith City Council	Planning Considerations	**a. Development Contributions** As of 27 October 2021, Council's 7.12 City-wide Contributions Plan no longer applies development in the Mamre Road Precinct. Council has development the Mamre Road Precinct 7.11 Contributions Plan which will apply to development in the Precinct. This Contributions Plan is yet to be adopted by Council and is being re-exhibited between 9 December 2021 and 27 January 2022. Prior to the adoption of the 7.11 Plan, a Voluntary Planning Agreement (VPA) may be entered and in such a case, the applicant is advised to contact Penrith City Council to begin any negotiations.	It is noted that exhibition of the Mamre Road Precinct 7.11 Contributions Plan has concluded, and the proposed development has been excluded from the Plan. Appropriate arrangements are currently being undertaken with Council to enter into a VPA on the Site.

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		d. Mamre Road Precinct Development Control Plan (DCP) The Mamre Road Precinct Development Control Plan (DCP) was adopted on 19 November 2021 and applies to the subject development application. The proposal is a greenfield development and the State DCP is newly adopted. It is expected that the Department will require a high level of compliance with the DCP. The EIS does not address the adopted Mamre Road Precinct DCP, noting that amendments have been made to the Draft DCP prior to adoption. The EIS should be addended to address the adopted DCP. - *Staff and Communal Areas* The provision and design of staff communal areas is to be in accordance with Section 4.2.4 of the DCP. End of trip facilities and high-quality outdoor staff rest/lunch areas are to be provided. The proposed outdoor areas for the office and for the manufacturing use appear limited in size for the number of staff and limited detail is provided in relation to the design (seating, shade, protection from elements, landscaping). Refer 4.2.4 of the DCP. The location and design of the 'bike rack' is poor. Bike storage should be covered, secure and close to the entry point to the office to encourage its use. High quality internal amenities rooms are to be provided.	Assessment of the proposed development against the provisions of the adopted Mamre Road Precinct Development Control Plan 2021 has been undertaken in **Appendix C19** of this RTS. Compliance with Section 4.2.4 has been demonstrated in the Mamre Road DCP table provided in (**Appendix C19** of this RTS). End of trip facilities, measuring 170m^2 in area, have been provided internally. The Architectural Plans (**Appendix C1** of this RTS) have been revised to show an improved location closer to the office, secure enclosure with a gate and noted to have CCTV surveillance for security and to conform to AS 2890/3-2015.

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			High quality internal rooms are provided throughout the proposed development.
		- Design – General The additional carpark circulation driveway which links the southern carpark with the eastern carpark (parallel with the splay to the corner) is unnecessary and can be deleted to enable additional landscape screening feature at the corner.	The carpark circulation driveway in question is a kerb rather than a driveway and does not link the southern and eastern carparks. Any additional landscaping provided in this area would result in the loss of planters and vegetation elsewhere through the carpark.
		A greater number of canopy trees are to be provided within the car parking hardstand including in areas such as the carpark area at the south-eastern corner and carpark along the eastern elevation. These areas do not provide compliant levels of canopy tree planting as required by the DCP.	Additional canopy trees have been provided in the south-eastern corner of the carpark. The proposed development achieves a total canopy cover of 50% on the Estate and 10.25% on the Subject Site which complies with the MRP DCP.
		A wide area of blister planting (1.5m minimum) is to be provided between the heavy vehicle entry and the end of aisle of the staff parking along the southern elevation. This is to provide shade and a visual buffer to the truck entry, will also screen the plant machinery and silos and provide increased amenity to the adjacent outdoor area.	All landscape blisters provided have a width of 1.5m. It is noted that the area between the heavy vehicle entry and the end of aisle is not provided as a landscape blister. Any increase to the width of this area would result in a reduction to the width of the blisters provided elsewhere on the Site to a non-compliant width.
		All landscaped blisters containing canopy trees are to be a minimum of 1.5m in width as per the DCP requirement.	All landscape blisters provided have a width of 1.5m.
		All car parking provided in excess of the rates expressed within the DCP are to contribute to calculable gross floor area in accordance with 4.6.1 (3) of the DCP.	The proposed development generates a demand of 163 car parking spaces pursuant to the MRP DCP. A total of 163 spaces are provided and as such, no excess parking is required to be included in the gross floor area calculations.

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		Separated and safe pedestrian access is to be provided from the street frontages to the development in convenient locations.	Given the nature of the proposed development and character of the surrounding industrial area, it is not considered that the Site will be readily accessed by pedestrians with sufficient parking to ensure all visitors can park within and access the Site.
		The office entry landscape statement planting is supported. Mass planting at the northern end of the east elevation is also supported. This area must not be converted to parking in the future.	Noted – this may be included as a condition of consent if required.
		- *Roads and Setbacks* The DCP requires building setbacks to be 12m. The proposal is for a minimum of 11m which is not supported.	The development as proposed maintains a minimum setback of 12m and this has been clearly identified on the amended Site Plan provided in **Appendix C1** of this RTS.
		A minimum of 6m landscaping is to be provided to the street frontages.	In accordance with the MRP DCP, a 6m landscape setback has been provided along the eastern frontage and a 3.75m landscape setback has been provided along the southern frontage. It is noted that confirmation of these setbacks as acceptable has been provided by DPIE in correspondence on 4 February 2022 (**Appendix C13**).
		- *Signage and Estate Entry*	All proposed signage has been designed to be in keeping with the philosophy of Ardex in promoting sustainable measures and initiatives. The signage is of a form and scale that is commensurate to the proposed development and is

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		Signage and Estate Entrances are to be in accordance with Section 4.2.8 of the DCP. The mega-graphics are considered brand advertising and not business identification signage and are not supported. The Ardex signage located on the eastern elevation of the powder silo and on the southern elevation of the powder silo tower are excessive in scale (10m wide x 6.2m high and 6m wide x 3.75m high respectively) and are each elevated above the maximum heigh limit applying built form within the Mamre Road Precinct. The signs are inappropriate and contrary to the aims of SEPP 64 at 3(1)(a) (i) and (ii) and are not supported. The illuminated upper-level signs are not supported as they are considered contrary to matters under Schedule 1 of the Policy including in relation to 1, 2, 3, 4 and 7. Signage proposed is inconsistent with the DCP controls and objectives at 4.2.8 including controls at (1), (3) and (5) which restricts the area of signage and states that signage is to be no higher than 15m above finished ground level. - *Sustainability* Solar panels and battery storage is to be provided for the development. Section 4.2.5 of the DCP also requires that 'Developments with a construction cost of $1 million or more are to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system (now part of the National Australian Built Environment Rating System (NABERS))'. This requirement is to be satisfied.	generally consistent in form, scale and height with the signage theme approved as part of SSD 9522 MOD 1. It is noted that no illuminated signage is proposed. As discussed in Section 4.3.11 of the EIS, the proposed signage satisfies the aims and objectives of *State Environment Planning Policy No.64 – Advertising and Signage* and will not result in any unreasonable impacts on the surrounding area. As such, it is considered that the signage is contextually appropriate and worthy of support. The development is committed in delivering leadership in sustainable design. As such, the development is committed to a 6 Star Green Star rating with the Green Building Council of Australia that addresses operational greenhouse gas emissions through efficient LED lighting design, mechanical air conditioning systems and an extensive solar array to enable on-site renewable energy generation. In addition to reducing greenhouse gas emissions through operation, the development will implement material selection that reduces the embodied carbon, though selection of responsibly sourced building materials.

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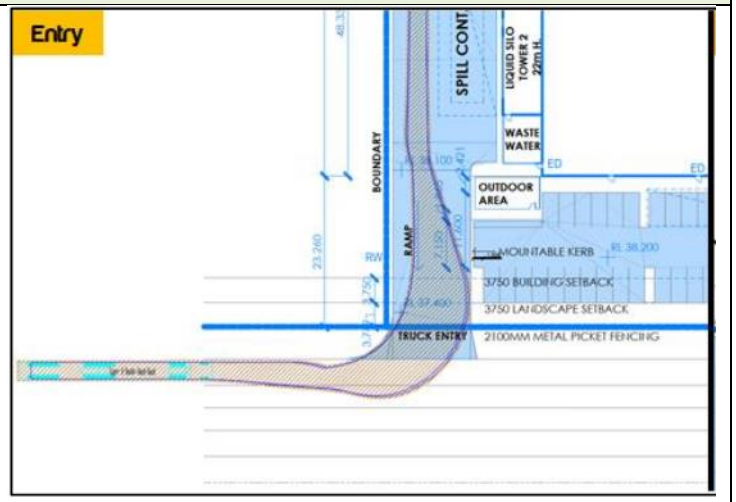
		The Department is to be satisfied that the applicant's Environmentally Sustainable Design (ESD) report provides details as to the measures which will be implemented as a result of the development and what outcomes will be achieved by such measures.	
	Development Engineering Considerations	**a. Development Engineering Traffic Matters** The widths of the vehicle driveways, crossovers and laybacks for heavy vehicles within the public verge areas as shown on the architectural plans, differ to the engineering plans. Turn path diagrams provided in the Transport Assessment report by Ason Group dated 05.11.2021 show a Super B-Double Quad-Quad heavy vehicle entering and exiting the site by encroaching over the frontage of the adjoining lot within the verge area, which is not supported.	The external roads are designed for the 30m Super B-double as per SSD 9522 (Condition A6). Further the design has been tested for the 36.5m PBS Level 3 & 4 vehicle as required of the MRP DCP. It is emphasised that the largest size truck is expected to be a 26.0m B-Double truck based on the tenant's advice, however, the assessment has been based on a 30.0m Super B-Double truck which is deemed conservative. Furthermore, the 30.0m Super B-double truck does not enter and exit the Site by encroaching over the frontage of the adjoining lot. Rather, the vehicle enters and exits over the proposed vehicular crossovers that have been shown on the plans, as shown in **Figures 1** and **2** below.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			 **Figure 1 Truck Entry Swept Path** (Source: Ason Group, 2022)

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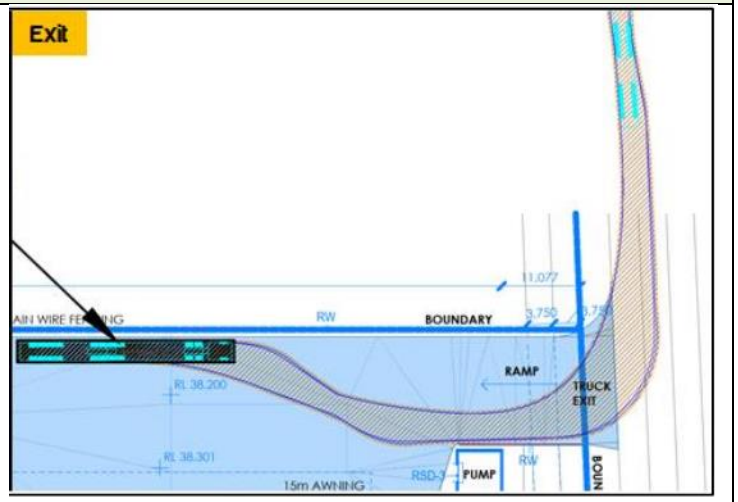
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		Vehicular driveways and crossovers are to be wholly contained within the development frontage so as not impact upon any future adjoining development. Revised turn path diagrams are to be provided demonstrating compliance for the following: ▪ Site access for 30m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for a 36.5m PBS Level 3 Type A vehicles Widths of the verge and road pavement lanes of the adjoining Public Access Roads 1 and 3 shall comply with the engineering plans submitted for the SSD-9522 MOD2 application. Full details are to be provided.	 **Figure 2 Truck Exit Swept Path** (Source: Ason Group, 2022) All vehicular driveways and crossovers have been amended to be within the development frontage. The entry and exit vehicular driveways have been splayed in order to accommodate the vehicular movements of the 30.0m Super B-double truck and 36.2m A-double truck as well. It is emphasised that the largest size truck is expected to be a 26.0m B-Double truck, however, the assessment has been based on a 30.0m Super B-Double truck which is deemed conservative. Furthermore, the swept path assessment

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		Any driveway crossover shall be at a minimum of 1m clearance from any public utility service lid, power / light pole or stormwater kerb inlet pit and lintel. The driveway shall also be located a minimum of 1.5m from any street tree. Utility services may be required to be relocated to accommodate the crossover.	showcasing a 36.2m A-double entering and exiting the Site is attached within **Appendix C8** of this RTS, in line with TfNSW's requirements. External roads are designed for the 30m super B-Double as per the SSD 9522 MOD approval (Condition A6). Further, the design has been tested for the 36.5m PBS Level 3&4 vehicle as required of the MRP DCP. External roads and verges are confirmed to be consistent with the engineering plans submitted for the SSD 9522 MOD2 application which is currently being assessed by DPIE and associated agencies. The subject applicant, including any swept path, or other assessments have utilised the noted designs submitted for the SSD-9522 MOD2. Noted – no action required – it is proposed this be dealt with as part of an appropriately worded condition of consent.
	Environmental Management Considerations	**a. Air Pollution & Odour Generation** An Air Quality and Odour Impact Assessment prepared by Northstar Air Quality (dated 5 November 2021, ref 21.1137.FR1V3) has been provided. The Assessment recommends that a Construction Dust Management Plan and a Construction Air Quality Management Plan be adopted and incorporated throughout the demolition and construction phase of the proposed development. These recommendations are supported.	Noted.
		b. Noise Impact A Noise & Vibration Impact Assessment prepared by Renzo Tonnin & Associates (dated 8 November 2021, ref TM312-01F05) has been provided which satisfactorily addresses the potential for	Noted.

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		construction noise and vibration, and noise associated with the proposed operational activities of the development. The proposed mitigation measures and recommendations in the assessment are to be undertaken and adhered to during all relevant stages of development.	
		c. Hazardous Development The application includes a SEPP 33 Assessment prepared by Riskcon Engineering (dated 21 September 2021, ref RCE-21117). The Assessment determines that a Preliminary Hazard Analysis (PHA) is not required as the threshold quantities for the dangerous goods associated with the proposed development to be stored and transported are not exceeded. The Department is to be satisfied that thresholds will not be exceeded.	As discussed above, the proposed development will not exceed SEPP 33 thresholds and therefore, no preliminary risk screening or further assessment is required to be undertaken.
	Traffic Considerations	The applicant proposes for 30-metre-long super B-Doubles to access the site however, Council understands is that the surrounding roads are only designed to cater for 26 metre long B-Doubles. Therefore, the use of super B-Doubles or any other heavy vehicle larger than a 26 metre B-Doubleis not supported.	External roads are designed for the 30m super B-Double as per the SSD 9522 MOD approval (Condition A6). Further, the design has been tested for the 36.5m PBS Level 3&4 vehicle as required of the MRP DCP.
		Any gates to the site should be located so that the largest vehicle is contained within the boundary of the site when the gate is closed.	Noted - it is proposed this be dealt with as part of an appropriately worded condition of consent.
		Although it is noted that consent SSD-9522 requires 1% of parking spaces to be provided with Electric Vehicle Charging Stations (EVCS), in order to future proof the development, Council recommends the adoption of a rate of 10% of car parking space to be provided with EVCS. The charging stations are to be designed to accommodate the requirement of commercially available public vehicles and their required connector types (currently known as Type 1 and Type 2 connectors).	The original SSD-9522 consent requires 1% of parking spaces to be provided with Electric Vehicle Charging Stations (EVCS). As such, 2 spaces for EVCS have been provided within the Site. Council's requirements for a minimum of 10% (16 spaces) for EVCS is deemed onerous when compared to the SSD 9522 consent, which has been previously approved by DPIE, TfNSW and Council.

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		Additional car parking spaces are to be designed to as to be readily retrofitted as EVCS parking spaces. The installed EVCS car parking spaces are to be signposted and marked as for the use of electric vehicles only and are to be located as close as possible to the building accesses after accessible parking space priority. EVCS are to be free of charge to staff and visitors.	
		Complying numbers of secure, all weather bicycle parking, end of journey facilities, change rooms, showers, lockers are to be provided at convenient locations at each warehouse development in accordance with Council Development Control Plan (DCP) C10 Section 10.7, AS 2890.3 bicycle Parking Facilities and Planning Guidelines for Walking and Cycling (NSW Government 2004)	Refer to Section 5.5 of the Ason Group TA which provides the breakdown for bicycle numbers and End of Trip (EoT) facilities as per the requirements of the Planning Guidelines for Walking and Cycling (NSW Government 2004), in accordance with the following relevant guidelines: ▪ Penrith City Council Development Control Plan (DCP) 2014; and ▪ AS2890.3:2015 – Parking Facilities – Bicycle Parking (AS2890.3:2015). Furthermore, the proposed development complies with the bicycle requirements and EoT facilities set out within the Planning Guidelines for Walking and Cycling (NSW Government 2004).
		Accessible pedestrian paths of travel at least 1.5 mete wide are to be provided from the car park to all offices and staff facilities of the building. Accessible parking is to be provided with accessible paths of travel to the facility in accordance with AS 2890.6.	Accessible pedestrian paths of travel of at least 1.5m have been provided from the car park to all the offices and staff facilities within the building. The accessible parking spaces comply with the requirements set out in AS2890.6:2009. The above can also be certified via a condition of consent at the Construction Certification stage.
		Appropriate signage, visible from the public road and on-site shall be installed to reinforce designated vehicle circulation and to	Noted - it is proposed this be dealt with as part of an appropriately worded condition of consent.

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		direct staff / delivery vehicle drivers / service vehicle drivers / visitors to on-site parking, delivery and service areas.	
		The required sight lines around the driveway entrances and exits are not to be compromised by street trees, landscaping or fencing. Sight distance requirements at driveways are to be in accordance with AS 2890.2 Figure 3.3 and Figure 3.4.	Sight lines around the driveway entrances and exits comply with the requirements set out in AS2890.1:2004 and AS2890.2:2018.
	Waterway Considerations	Regarding the proposed stormwater management strategy, the following matters are raised for the Department's consideration: - The Ardex site falls within 'The Yards' Industrial Estate which was approved with an estate wide Stormwater Management Strategy under SSD 9522. A review of the Civil Engineering report identifies gaps between the stormwater strategy approved as part of SSD 9522 and the water quality and flow management targets included in the newly finalised Mamre Road Precinct DCP. As such, the proposed the stormwater management approach does not comply with Section 2.4 (Integrated Water Cycle Management) of the Mamre Road Precinct DCP. It is also noted that in order to comply with the DCP, the stormwater strategy relies on the possible future regional approach that is yet to be approved and finalised. - The proposed approach to stormwater management is generally consistent with that which is approved under SSD 9522. However, clarification is required on the need for the development to comply with the water quality and flow management controls in the Section 2.4 of Mamre Road Precinct	The development of the Estate has been provisioned for stormwater management in the systems currently being constructed and assessed as meeting acceptable discharge and water quality requirements. No additional measures are proposed for the proposed development.

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		DCP, as it is noted that the approved strategy for the estate does not. As proposed any compliance with the water quality and flow management targets for the development will rely on the proposed precinct-wide approach to stormwater management which includes the use of regional basins which is yet to be established. As such, there is no certainty the development as proposed will comply with the DCP in terms of water management. Due to the uncertainty and lack of detail with respect to the proposed regional solution, Council is of the view that the development proposal should be supported by a Stormwater Strategy that demonstrates how the development will be able to comply with the DCP in the absence of a regional system.	
	Landscape Considerations	The 3.750m front setback is less than the usual minimum of 4m, and less than that which is provided by the Mamre Road DCP. There is a lack of detail in relation to the planting design in the front setback, with only indicative species provided for the whole site. The density of canopy in the setback is supported. The generic species list is too broad and more detail is required for assessment, particularly of tree species. A dominance of tall and broad spreading canopy trees is required in the front setbacks. Smaller spreading canopy trees are suitable for shading the carpark pavements. There is no detail relevant for tree planting in the carpark – an engineered tree pit is required to ensure optimal planting	In accordance with the MRP DCP, a 6m landscape setback has been provided along the eastern frontage and a 3.75m landscape setback has been provided along the southern frontage. It is noted that confirmation of these setbacks as acceptable has been provided by DPIE in correspondence on 4 February 2022 (**Appendix C13** of this RTS). Comprehensive tree planting details and schedules have been provided in the Landscape Plan included in **Appendix C5** of this RTS including sections and details of the carpark plantings.

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		conditions and healthy specimens in the long term e.g., Structural soil, Stratavault system or equivalent.	
Sydney Water	Drinking Water	The proposed development is currently located within the Cecil Park Reduced Water Supply Zone (WSZ) and is part of Prospect South Delivery System. **Cecil Park WSZs are currently supplied with rural drinking water infrastructure and do not have capacity to service developments within Mamre Road precinct prior to delivery of major system amplifications.** Sydney Water are currently delivering the following trunk drinking water infrastructure to increase supply to the area – Rising Main (DN900) and pump WP0433 and 60ML reservoir at Liverpool ▪ DN1200/DN1050 from Cecil Park reservoir up to Western Rd, with offtakes at Range Rd and Western Rd connecting existing mains in Elizabeth Drive. ▪ This work is in delivery and proposed to be operation in 2022/23. Additional amplification works are also required to service the Mamre Road precinct: ▪ DN300 lead-in main from Erskine Park Elevated WSZ – developer delivered by c 2021/22. ▪ DN300 lead-in extension from Cecil Park Remainder zone – developer delivered by c 2021/22.	Sydney Water note the required amplification works that are required to serve the Estate in which the proposed development is located - those works are amplifications of DN300 water mains from the Erskine Park Water Supply Zone (WSZ) and the Cecil Park Remainder Zone. In each case Sydney Water advise that these facilities will be delivered by 2021/2022. There is no reason to doubt that stated delivery timeframe which will provide potable water reticulation to the proposed development.
	Recycled Water	Recycled water for non-drinking water uses will be provided in the Mamre Road Precinct. The Integrated Water Servicing Options analysis is currently underway. It will determine the extent to which recycled stormwater is integrated with recycled	As above.

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		wastewater. Sydney Water is currently preparing a Development Servicing Plan (DSP) for the Mamre Road Precinct. This will include Developer Charges for the provision of recycled water services to the Precinct. Figure 1 highlights the draft recycled water scheme plan for the Mamre Road Precinct. It is subject to change depending on the outcome of the Integrated Water Servicing options analysis. Sydney Water will confirm the requirement for recycled water connections on finalisation of the scheme plan for the Precinct. It is likely that the requirements will be a combination of the following: ▪ Each lot in the subdivision must have a frontage to a recycled water main that is the right size and can be used for connection of the lot to the recycled water main; and ▪ The proponent must construct a recycled water main extension to serve the lots appropriately. The extension must comply with the standards for Dual Water Reticulation Systems.	
	Wastewater	The Mamre Road Precinct does not have wastewater servicing available. This development is located predominantly within the proposed wastewater pumping station SP1222 catchment and partially within proposed SP1221 catchment. The pumping stations will be required to transfer flows to St Marys wastewater network for interim servicing to c 2025/2026 and after this time it is intended for the pumping stations to transfer flows south to the proposed Upper South Creek Advanced Water Recycling Centre. This is due to capacity constraints in the St Marys wastewater network:	Sydney Water acknowledge that an Interim Operation Procedure (IOP) for a wastewater solution to service the Estate in which the proposed development is located has been established. The IOP is part of a commercial agreement between the developers of the Estate and Sydney Water and Sydney Water note that the IOP facility is to be available by Q2 2022.

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		▪ Sydney Water are currently in concept design phase for the pumping stations, carriers and associated work. Concept design will include environmental approvals, geotechnical investigations, survey, etc. ▪ The delivery date for servicing the western catchment is currently planned for the second half of 2024 and subject to funding approval. As noted in Appendix 25 – Service Infrastructure investment, an interim wastewater service (interim operating procedure – IOP) has been established and will be delivered under commercial agreement between the developers of the Hub (Altis-Frasers) and Sydney Water. The construction and commissioning of the IOP is under CN 186899. The IOP is expected to be available in Q2 2022.	
	Stormwater	If Sydney Water is nominated as the trunk drainage manager in Mamre Road Precinct then Sydney Water will confirm the requirements for trunk drainage services which you will need to deliver before the Certificate can be issued. This may include trunk drainage channels as well as stormwater treatment and storages to facilitate precinct wide stormwater harvesting integrated with recycled wastewater. The method of connection to stormwater services are also subject to change dependent on the Integrated Water Servicing Options analysis. Evidence may also be required by Sydney Water to demonstrate how the development has met the current waterway health and flood management requirements as specified in the Development Control Plan (DCP).	The developers have engaged a Water Service Coordinator who has lodged a number of applications with Sydney Water and Sydney Water has responded noting the facilities required service the Estate including the proposed development. Copies of the Sydney Water responses are enclosed within **Appendix C17** of this RTS.
Transport for NSW	Modelling	<u>Comment</u> Section 6.1 – TfNSW raises concerns to the DPIE with regard to the adopted daily trip generation rate. The adopted trip generation rate for this development of 2.64 vehicles per day per 100m2 of GFA is considered very low. The following Peak rates are included in the assessment:	The approved SSD-9522 and approved Modification 1 (MOD 1) applications include the following peak and daily traffic generation rates for the assessment: ▪ AM Rate: 0.247 trips per 100m^2 of GFA;

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		▪ AM Rate 0.247 trips per 100m2 of GFA. ▪ PM Rate 0.182 trips per 100m2 of GFA. The various land-use changes within the Western Sydney Employment Area (WSEA) has meant that the current adopted daily trip generation rate is 2.91 per 100sqm GFA, which is a higher than what has been used to assess this development. In addition it should be noted that the PM trip rate of 0.182 trips per 100m2 of GFA and considerably lower than the than the agreed WSEA rate of 0.24 trips per 100m2 of GFA. This trip generation rate has been used to consider all developments within the Mamre Road Precinct. If an assessment is not completed based on the current adopted figure then there might be unknown adverse impacts on the network in future in the PM peak. <u>Recommendation</u> The daily and AM & PM Peak trip rates used for this report are to be updated to be consistent with the agreed WSEA daily trip generation rate of 2.91 per 100sqm GFA and the AM 0.23 & PM 0.24 peak trips per 100m2 of GFA.	▪ PM Rate: 0.182 trips per 100m^2 of GFA; and ▪ Daily Rate: 2.64 trips per 100m^2 of GFA. These rates were applied to the indicative 'ultimate built-form' with the following GGFAs at the respective sequences: ▪ Approved Sequence 1A: 421,820m^2 of GFA with 20,000m^2 Southern Lots' GFA ▪ Sequences 2 and 3: 421,820m^2 of GFA with 20,000m^2 Southern Lots' GFA No changes to the above rates have been made for the subject development. As these rates have already been approved in subsequent applications, it is noted that TfNSW's rates are considered conservative. Furthermore, Ason Group has referenced the surveyed rates for vehicle trips during adjacent road AM and PM peak periods for the following three (3) industrial sites: ▪ Site 1: Erskine Park Industrial Estate, Erskine Park; ▪ Site 3: Wonderland Business Park, Eastern Creek; and ▪ Site 4: Riverwood Business Park, Riverwood.

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			These Sydney sites all exhibit similar attributes to those proposed for this SSD, including land-use and size of development. The approved Mamre West Precinct – known as First Estate – TIA adopted the trip generation rates surveyed for Site 1 (Erskine Park Industrial Estate) which was entirely reasonable given that the First Estate lies directly opposite the Erskine Park Industrial Estate. The rates surveyed at the Erskine Park Industrial Estate (and applied to the MWP) are: ▪ AM Rate 0.134 trip per 100m^2 of GFA; and ▪ PM Rate 0.139 trip per 100m^2 of GFA. While it would be equally appropriate to apply these same rates to the MSP assessment, for the purposes of a worst-case assessment, this SSD has adopted rates which reflect the average rate of the three (3) Sydney industrial sites. Accordingly, the results of the assessments presented in the subject development are more conservative than what was undertaken for First Estate. This conservative approach provides flexibility for later developments to reflect minor changes that may occur over the life of the MSP. Therefore, it is considered that the TfNSW suggested MRP trip generation rates are even more conservative than the

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			above rates and exceed the surveyed trip generation rates. Therefore, the above rates are more suitable for the purpose of this assessment. Notwithstanding, with the adoption of the 0.247 trip rate during the AM peak hour, the resulting traffic generation of 1,091 veh/hr is greater than the traffic generation for the MRP suggested rate of 0.23 and 0.24 veh/hr. Therefore, traffic modelling done with these rates already suggests a level of conservativeness that is beyond the suggested MRP rates. Hence, Ason Group has justified that additional SIDRA modelling is not required. 1- Surveys of Similar Sites The Mamre Road Precinct Study included reference surveys for six (6) industrial sites with generally similar functionality to the MSP. Surveys were conducted in 2020 for the first 5 sites and in 2018 for the sixth site. The surveys found the road network peak hours and an average trip generation rate of: ▪ AM Peak: 0.18 trips per 100m^2 GFA; ▪ PM Peak: 0.16 trips per 100m^2 GFA; and ▪ Daily: 2.43 trips per 100m^2 GFA. Further to this, studies conducted for the 579 Mamre Road & 14A Distribution Drive, Orchard Hills found the following trip generation for the Mamre West Precinct Stage 1 (also known as First Estate Precinct). These surveyed rates are less than those established in the Mamre Road Precinct Study and highlight

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			the suitability of the APPROVED Kemps Creek SSD-9522 rates also adopted for this Ardex SSD. ▪ 2020 survey – AM Peak: 0.15 trips per 100m^2 GFA; and – PM Peak: 0.11 trips per 100m^2 GFA. ▪ 2021 survey – AM Peak: 0.14 trips per 100m^2 GFA; and – PM Peak: 0.15 trips per 100m^2 GFA. Accordingly, the above evidence of similar sites suggests that the adopted APPROVED trip rates for the Kemps Creek SSD-9522 is deemed acceptable and as such the Ardex SSD traffic generation review is supportable. The above surveys confirm that similar large-format industrial development traffic generation rates are lower than TfNSW recommended rates as well as the adopted rates for the current SSD-25725029 application. We again emphasise that the APPROVED SSD-9522 already included traffic from Lot 10 (Ardex) and no additional assessment is therefore deemed relevant. 2- Revised MSP Masterplan GFA Since original approval of SSD-9522 on 21/12/2020, the Project Team have updated the Master Plan through several Modifications (the latest approval being MOD 2). As such we have now attached the revised and latest Master Plan in Appendix A of **Appendix C10**. According to the latest Master Plan, the overall GFA of the Kemps Creek Estate has reduced

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			from the original 421,820m^2 assessed under SSD-9522 to a sum of 344,281m^2. This means that the overall GFA has reduced by 77,539m^2. We have therefore, undertaken a review of the traffic generation analysis based on the approved SSD-9522 masterplan GFA and the revised Master Plan with 344,281m^1 GFA. Currently, the traffic modelling approved as part of the original SSD-9522submission forms the following approved vehicular trip threshold for the entire estate (based on 421,820m^2): ▪ AM Peak Hour = 1,042veh/hr, ▪ PM Peak Hour = 768veh/hr, and ▪ Daily = 11,136veh/day The revised Master Plan no longer seek 421,820m^2. Refer Appendix A of **Appendix C10** which suggests the overall GFA for Estate is 278,927m^2 plus a sum of 65,354m^2 for the Data Centre (subject to SSD-10101987) totalling 344,281m^2. The table below provides a comparison between the approved traffic generation threshold (under SSD-9522) and the estimated traffic generation based on TfNSW recommended rates for the overall estate under revised Master Plan.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS

SUBMITTER	MATTERS RAISED	COMMENTS / REQUESTS	FORMAL RESPONSE

Comparison between Approved SSD-9522 Masterplan and Ultimate Masterplan Traffic Generation

Scenario	GFA (m2)	AM	PM	Daily
Revised Masterplan	344,281	792 (@ 0.23 trips per 100m^2)	826 (@ 0.24 trips per 100m^2)	10,019 (@ 2.91 trips per 100m^2)
Approved SSD-9522 Masterplan (APPROVED THRESHOLD)	421,820	1,042	768	11,136
Difference	(-)77,539	(-)250	+59	(-)1,117

Figure 3 Comparison between Approved SSD-9522 Masterplan and Ultimate Masterplan Traffic Generation (Source: Ason Group, 2022)

When compared with the traffic generation of the revised Master Plan following application of TfNSW recommended rates, it is evident that 250 and 1,117 less vehicular trips are generated from the revised Master Plan during the AM peak hour and daily respectively, due to reduced overall GFA. Therefore, the traffic generation under the revised Master Plan scenario falls below the approved traffic generation threshold during AM peak and daily periods.

Further, only a moderate increase of 59 vehicular trips is generated during the PM peak hour when applying TfNSW recommended rates to the revised GFA. This means a moderate increase on PM peak hour from what has already been approved which is not expected to

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			have any material traffic impact on approved Sequences 1A and 1B. Hence, the theoretical total traffic generation for the estate is considered comparable between both scenarios due to decreased GFA. Therefore, the adoption of TfNSW rates is not deemed necessary for the proposed Lot 10. Hence this SSD- 25725029 for Ardex is supportable. 3- Trip-Based Assessment As mentioned above, the revised Master Plan with a total of 344,281m^2 GFA includes a large tenancy with 65,354m^2 for the proposed Kemps Creek Data Centre (SSD- 10101987). This means that ~19% of the overall revised GFA does not really generate any material vehicular traffic. This is a nature of such developments and according to the ARUP report, 10 August 2021 (available on Major Project website) for SSD-10101987, the proposal for the Data Centre is likely to generate an operational traffic volume in the order of 50veh/hr and 10veh/hr during AM and PM peak hours and 258 trips per day. This is a clear indication that the additional 59veh/hr in PM peak hour, as discussed above can be offset by reduced traffic associated with the Data Centre. Once more confirming that the assessment approved under SSD-9522 is conservative and does not require any additional modelling for this Ardex SSD.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			4- Tenant-Specific Information Most importantly, it is recognised that many of the warehouses within the estate are already planned to have immediate tenants, hence, the actual traffic generation of such lots is known and has been found to generate much less traffic than the approved traffic generation based on approved rates. A summary of the actual traffic generation of each Lot with an immediate tenant is shown below in bold while Lots that are speculative have been applied with approved rates.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS

SUBMITTER	MATTERS RAISED	COMMENTS / REQUESTS	FORMAL RESPONSE

Actual Traffic Generation Based on Tenant Information and Approved Rates Applied to the revised Master Plan

Lot	Tenant	GFA (m^2)[1]	AM	PM	Daily
Lot 1	Speculative	3,657	9	7	97
Lot 2	**Symbion**	**29,220**	**60**	**39**	**357**
Lot 3	Speculative	10,651	26	20	281
Lot 4	Speculative	26,621	66	50	703
Lot 5	TTI	74,109	183	140	1,956
Lot 6a	Speculative	9,360	23	17	247
Lot 6b	**CSC**	**8,570**	**20**	**20**	**90**
Lot 7	N/A	N/A	N/A	N/A	N/A
Lot 8	Speculative	14,935	37	28	394
Lot 9	Speculative	16,743	42	31	442
Lot 10	N/A	N/A	N/A	N/A	N/A
Lot 11a	Speculative	10,225	25	19	270
Lot 11b	**Probiotec**	17,085	**4**	**4**	**324**
Lot 12	**Ardex**	27,285	**44**	**5**	**350**
Lot 13	**Cargoline**	**30,466**	**20**	**24**	**126**
Stage 1 Subdivided Lot 2	**Data Centre**	**65,354**[2]	**50**	**10**	**258**
TOTAL (actual)			609	415	5,895
TOTAL (approved)			1,042	768	11,136
Difference (actual – approved)			-433	-353	-5,241

Notes: 1) GFAs are based on the revised Master Plan.
2) GFA based on traffic report prepared by Arup.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			Figure 4 Actual Traffic Generation Based on Tenant Information and Approved Rates Applies to the Revised Master Plan (Source: Ason Group, 2022) Above table confirms that the actual anticipated traffic generation of the estate is much lower than the approved threshold and provides for an additional 433, 353 and 5,241 vehicular trips during AM, PM peak hours and daily, as contingency. This provides additional offset for the estate traffic generation, readily satisfying all traffic modelling with increased contingency and without a need to undertake any more modelling with higher trip rates. In summary – the application of TfNSW rates for the proposed development is not required and as such the Ardex SSD and assessments undertaken for the proposal included in our original TA is deemed sufficient and acceptable.
		<u>Comment</u> Section 6.1 – Figures 12, 13 and 14 demonstrate that there is no increase in traffic volume in and out of the site for 2026, 2031 and 2036. <u>Recommendation</u> It is recommended that clarification is provided to understand why the volumes do not increase.	Notably, the abovementioned trip generation rates were applied to the indicative 'ultimate built-form' of 421,820m^2 of GFA along with 20,000m^2 Southern Lots' GFA for 2025. In order to account for conservativeness within the modelling, it was assumed that the construction of the Kemps Creek Estate would be completed by 2025 and hence the final 'ultimate built-form' has already been modelled as part of the approved Sequence 1A for 2025. However, it is important to note that the proposal might not be fully delivered by 2025 (but at a later year).

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			Therefore, in order to provide the most conservative modelling solution, it is assumed that the 'ultimate built-form' will be completed by 2025 with the GFAs being in line with both the SSD-9522 and SSD-9522 MOD 1 approvals. Furthermore, as stated within the Ason Group TA, the operational traffic volumes for the proposed development will be much lower than what has been modelled as part of the modelling scenarios. Therefore, the most conservative, 'worst-case' assessment has already been modelled for the respective scenarios.
		<u>Comment</u> Appendix A & B show SIDRA outputs in a custom table which are difficult to interpret and are missing critical information for review. <u>Recommendation</u> It is recommended that the SIDRA referred to in the TIA be provided for review (including the Base models). This should include SIDRA output and raw SIDRA (.sip) files. This will enable our modelling and traffic teams to undertake a detailed review of the model to ensure that the inputs are accurate and supported. Further comments can be provided following the review of the models which may require the assessment to be updated.	It is noted that the SIDRA output and electronic SIDRA (.sip) files have been provided to TfNSW for review during the original submission. However, for reference purposes, the SIDRA output results are reattached in this submission as well and are referenced within **Appendix C8** of this RTS.
		<u>Comment</u> Section 6.7 - future SLR /Bakers Lane/NS Road 01 - It should be noted that the layout of this intersection is not supported by TfNSW. TfNSW has provided preliminary guidance on the 3 November to the applicant and DPIE regarding the layout and modelling of this intersection (Attachment B). This guidance was	Consultation regarding the design of this intersection in appreciation of Lots 1-4 (to the north of Bakers Lane) has been undertaken with TfNSW as part of a separate Modification application.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		given to the applicant based on the following condition (B18) for SSD 9522 (Masterplan): **Internal Road Network and Southern Link Road** B18. Prior to the commencement of any construction (excluding bulk earthworks) on lots 1-4 north of Bakers Lane, the Applicant must prepare a concept design demonstrating how the internal road network can provide access to lots 1- 4 and link to the future Southern Link Road. The design must be prepared in consultation with TfNSW and to the satisfaction of the Planning Secretary. Note: The concept design must address access arrangements to lots 1-4 both with and without the future Southern Link Road, including ensuring any access points are an appropriate distance from signalised intersections. As TfNSW does not support the intersection design the modelling inputs for the 2036 year model are not supported. <u>Recommendation</u> In order to provide accurate assumptions for 2036 model, it is recommended that the applicant continue to develop the intersection design relating to SSD 9522 Condition B18 in consultation with TfNSW.	It is noted that the amended design advice from TfNSW (sent on 3 Nov 2021) for the future SLR / Bakers Lane / NS Road 01 was provided to Ason Group after the intersection layout had already been modelled and analysed in SIDRA as part of the original submission. In this regard and as part of the consultation with TfNSW for a separate SSD 9522 Modification (MOD 3), the design of the intersection layout was amended as shown in the **Figure 9** of this RTS below. As TfNSW requested that the design for this intersection be amended, the SIDRA layout was amended as well. Notably, the phasing (double diamond), cycle time (140 seconds) and traffic volumes have not changed from the initial intersection layout design shown within the proposed Lot 10 SSDA TA. A summary of the SLR / Bakers Lane / NS Road 01 SIDRA results (for the SSDA TA layout) is shown below:

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS

SUBMITTER	MATTERS RAISED	COMMENTS / REQUESTS	FORMAL RESPONSE

Previous SIDRA Results of SLR / Bakers Lane / NS Road 01 (Lot 10 original SSD TA (Refer to SK1 on Page 5 for Layout Configuration))

AM Peak Hour				
Direction	Queue (m)	Delay (sec)	DoS	Overall LoS
South	63	57.9	0.46	C
East	65	22.1	0.46	
North	23	52.0	0.13	
West	152	27.8	0.48	
PM Peak Hour				
South	97	53.6	0.45	C
East	137	25.4	0.44	
North	47	60.0	0.34	
West	87	31.8	0.32	

Figure 5 Previous SIDRA Results (Source: Ason Group, 2022)

As noted above, the revised SIDRA modelling results indicate that the signalised intersections operate at LoS "C" or better in both the AM and PM peak hours.

A summary of the SLR / Bakers Lane / NS Road 01 SIDRA results (for the amended layout as part of MOD 3 submission) are shown below:

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS

SUBMITTER	MATTERS RAISED	COMMENTS / REQUESTS	FORMAL RESPONSE

Amended SIDRA Results of SLR / Bakers Lane / NS Road 01 – MOD 3 Submission (Refer to SK2 on Page 5 for Layout Configuration)

AM Peak Hour				
Direction	Queue (m)	Delay (sec)	DoS	Overall LoS
South	64	55	0.51	B
East	58	23	0.44	
North	5	26	0.05	
West	154	27	0.49	
PM Peak Hour				
South	100	45	0.52	C
East	157	24	0.51	
North	11	23	0.10	
West	100	33	0.37	

Figure 6 Amended SIDRA Results (Source: Ason Group, 2022)

Therefore, it is noted that the results from the previous and amended SIDRA layouts are almost similar and that the intersections operates at a satisfactory LoS for both layouts.

To conclude, it is considered that even with the amended intersection layout, the intersection operates at a satisfactory LoS and DoS, inclusive of the traffic volumes from the masterplan (which includes the volumes from the proposed Lot 10).

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			Hence, the amended intersection provides updated traffic results and satisfies the commentary raised by TfNSW.
		Comment Section 6.7 - future SLR /Bakers Lane/NS Road 01 – the report states 'the Site's truck exit point has been located approximately 150 metres from the stop line of the southern approach for the potential signalised intersection which confirms that the queue back from the signal will not impact the access point.' It is not clear where this access is in relation to the signals as there is no plan provided. Recommendation A plan should be provided or referenced indicating where the intersection in relation to the site truck exit point.	As shown in **Figure 10** of this RTS, the proposed Site's eastern access point is located approximately 156m away from the southern approach of the potential signalised intersection. Furthermore, the queue for the southern approach for the SLR / Bakers Lane / NS Road 01 amended layout is 64m during the AM peak hour and 100m during the PM peak hour. The queue to the left and right turns (even when based on a conservative assessment) do not extend to the truck exit point (from the Site) and will be contained within the proposed signalised intersection pockets. In summary, based on SIDRA results the queue back from the signal will not impact the truck exit point and the proposed egress location is satisfactory.
	Swept Path	Comment Appendix D – Swept Path Analysis and Design Commentary – The swept path plans are provided for 26m A-Double. According to the Mamre Road Precinct DCP Road design item (20), it should be tested for 36m PBS Level 3 type A vehicles. Recommendation It is requested that Swept path plans be provided showing the test vehicle of a 36m PBS Level 3 type A vehicle.	It is emphasised that the largest size truck expected for Lot 10 based on the operational information provided by the immediate tenant will be a 26.0m B-Double truck. However, the assessment has been based on a 30.0m Super B-Double truck which is deemed conservative.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
			Regardless, the swept path assessment showcasing a 36.2m A-double entering and exiting the Site is attached within **Appendix C8** of this RTS, in line with TfNSW's requirements. Based on the swept path analysis now attached, the proposed layout including the proposed access crossovers can accommodate 36.2m A-double trucks with no issues.
	Preliminary Construction Traffic Management Plan (PCTMP)	Comment Predicted haulage routes are not provided. It is noted that the report states the route is 'in line with the overarching CTMP prepared previously by Ason Group.' However this attachment is not provided. Recommendation It is recommended that the haulage routes are provided as the CTMP is further developed.	The overarching CTMP prepared previously by Ason Group has been included within the original SSD-9522 submission and has been reviewed and approved by TfNSW. For clarity, construction of the proposed development will be undertaken via the TfNSW approved existing Left in / Left out access along Mamre Road, until such time that the Sequence 1A signalised intersection has been delivered. In summary, it is proposed this be dealt with as part of an appropriately worded condition of consent.
	Green Travel Plan	Comment It is noted that the applicant includes the following references: "Detailed discussion regarding future bus routes would be a scope for the broader estate and should be undertaken in consultation with TfNSW. Furthermore, a preliminary Green Travel Plan (GTP) has been prepared and is submitted as part of this application. This document is subject to TfNSW's review and will require further liaison from TfNSW as it contains information regarding the planning infrastructure for the future public transport provision." and "A preliminary Green Travel Plan (GTP)	A Green Travel Plan (GTP) has already been prepared by Ason Group and is provided within **Appendix C15** of this RTS.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		has been prepared and is submitted as part of this application." However, it appears that there has been no Travel Plan or related TDM documentation submitted to the Portal or provided to date as part of the application. <u>Recommendation</u> TfNSW request that the applicant provide the aforementioned documentation for consideration, prior to our making an assessment of the application.	
	-	Further, we have the following comments relating to the TIA: **Public Transport** - We note and support the commentary regarding the provision of improvements for public transport (PT) at an early stage in the development to achieve a culture of PT use. **Cycling** - There is some high level commentary on encouraging cycling and this should also be covered in the GTP. **Walking** - The TA is almost silent on walking. It is recognised that this is an industrial facility, and therefore walking will not necessarily be a favoured mode in terms of safety or convenience, however it is essential in order to access other modes of transport and should be addressed in the GTP **General TDM commentary** –In order to encourage mode share change, the following should also be considered: ▪ TfNSW recommends that the applicant promotes the use of sustainable transport initiatives such as car-pooling or car sharing for their employees to reduce the use of cars on the site. Shuttles to site could also be considered for key origins to the centre. ▪ TfNSW recommends that a Travel Plan be created for this site once the public transport and active network around the site has been improved.	It is noted that the GTP prepared by Ason Group addresses the following existing and proposed characteristics around the Site: ▪ Public transport provision; ▪ Cycling provision; and ▪ Walking provision. Furthermore, a Travel Access Guide (TAG) and action strategies addressing the changes to mode share are also addressed within the GTP. The applicant can work with TfNSW to finalise the GTP but that can also be considered as a condition of consent to be delivered prior to the Occupation Certificate for the proposed Lot 10. In summary, A detailed GTP (if necessary) can be requested as a condition of consent for Lot 10 which can readily be provided prior to the Occupation Certificate stage of the project.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		▪ TfNSW has developed a Travel Plan Toolkit to assist in the development of a Travel Plan, available here.	
Water NSW	-	WaterNSW has assessed the proposal as having a low potential risk to our land, assets and infrastructure and has no specific comment to make. The EIS has demonstrated that the estate stormwater management strategy will be utilised for this development.	Noted – no action required.
Western Sydney Airport	State Environmental Planning Policy (Western Sydney	WSA notes that Clause 5(3) of the Aerotropolis SEPP confirms that Part 3 Development-Controls – Airport Safeguards applies to land that surrounds the Land Application Map and land within the Western Sydney Aerotropolis, and therefore the Aerotropolis SEPP applies to the site.	Noted – no action required.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
	Aerotropolis) 2020 (Aerotropolis SEPP)	Whilst the Environmental Impact Statement (EIS) states that the site is not subject to the Aerotropolis SEPP. WSA notes an assessment of the provisions of the Aerotropolis SEPP has been undertaken.	
	Wildlife Attraction	The site is located within the 8km wildlife buffer for WSI and WSA acknowledges the proposed land use is not a use that requires a risk assessment under Clause 21 of the Aerotropolis SEPP. However, the Landscape Plans include species that are known to attract birds and flying foxes, in particular the proposed Eucalypts, Angophoras and Figs. WSA therefore requests the proposed species be reviewed and reference made to Appendix B of the Draft Phase 2 Western Sydney Aerotropolis Development Control Plan for alternate species. The EIS also states that any stormwater basins on the site are to be provided with netting to manage wildlife attraction. However, the submitted plans do not show any stormwater basins on the site of the proposed facility. WSA seeks clarification if stormwater basins are proposed. In relation to waste management, organic waste will be generated by employees and visitors to the site. Therefore, to minimise wildlife attraction, WSA recommends a condition of approval be imposed requiring all external waste areas be enclosed and waste bins for the use of organic waste are to be designed and installed with fixed lids.	Noted – it is proposed this be dealt with as part of an appropriately worded condition of consent.
	Airspace Operations	In accordance with Clause 24 of the Aerotropolis SEPP, consent must not be provided for any development, including construction activities associated with that development, that extends into the Obstacle Limitation Surface (OLS) for WSI, unless	Noted – it is proposed this be dealt with as part of an appropriately worded condition of consent.

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
		the consent of the relevant Commonwealth authority has been provided. The Aviation Impact Assessment confirms that the maximum building height is 38m with any cranes used on the site extending to a maximum of 10metres above the buildings. The existing ground elevation is approximately 42.4m with the OLS elevation being 230.5m. Accordingly, based on the information provided, the buildings and construction activities will not extend into the OLS. However, it should be noted that the Airports Act 1996 covers any intrusions into prescribed airspace, which could include: ▪ constructing permanent structures, such as buildings, into the protected airspace; ▪ temporary structures such as cranes protruding into the protected airspace; or ▪ activities causing non-structural intrusions into the protected airspace such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particulate matter. If it is likely that any of the above components would result in a further impact on protected airspace, then approval will need to be obtained under in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996. We would require this as a condition on any future consent in relation to this application. The proposed development should be conditioned to ensure that any intrusions into prescribed airspace obtain the required approvals under the Airports (Protection of Airspace) Regulations 1996.	

TABLE 1: RESPONSE TO AGENCY SUBMISSIONS			
SUBMITTER	**MATTERS RAISED**	**COMMENTS / REQUESTS**	**FORMAL RESPONSE**
Fire and Rescue NSW	-	FRNSW note that the Department of Planning Industry and Environment (DPIE) require the Applicant to submit a preliminary risk screening in accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development and Applying SEPP 33. DPIE notes that the Applicant has not demonstrated that the quantities of dangerous goods to be stored at the proposed development are below the threshold screening quantities in Applying SEPP 33.	Please note that the SEPP 33 report has been updated. In the design review process, the quantity of DGs to be stored have been reduced. The original DG storage quantities were based on Ardex acquiring a business which required the storage of a range of DGs similar to the DGs stored, handled and processed by Ardex. This business venture is no longer being pursued, and hence, the quantities of DGs have been reduced to those listed in the updated SEPP33 study (Report Rev(1), dated 9th Feb 2022). The updated report shows the quantities of DGs to be stored are below the SEPP 33 thresholds. Please refer to **Appendix C33**.
		Given the size and complexity of the proposed facility, and to ensure first responders have information readily available to render safe any incident, FRNSW make the following recommendations: 1. That a comprehensive ERP is developed for the site in accordance with HIPAP No.1. 2. That an Emergency Services Information Package (ESIP) be prepared in accordance with FRNSW fire safety guideline – Emergency services information package and tactical fire plans.	Although the site does not trigger SEPP33, based on the quantities of Schedule 11 Hazardous Chemicals (Work Health and Safety Regulation 2017), the facility will be classified as a "Manifest Site". Based on this, the following documents will be prepared in accordance with thew requirements of Chapter 7 of the WHS Regulation 2017: - Dangerous Goods Risk Assessment; - Dangerous Goods Register; - Dangerous Goods Manifest (Schedule 12 of the WHS Regulation 2017); - Emergency Response Plan (HIPAP 1) and an ESIP; and - Placard Schedule (Schedule 13 of the WHS Regulation 2017). The ERP will be submitted "on-line" to FRNSW via the website. Please refer to **Appendix C33**.

Figure 7 **Operation Process Flow** (Source: Ardex, 2021)

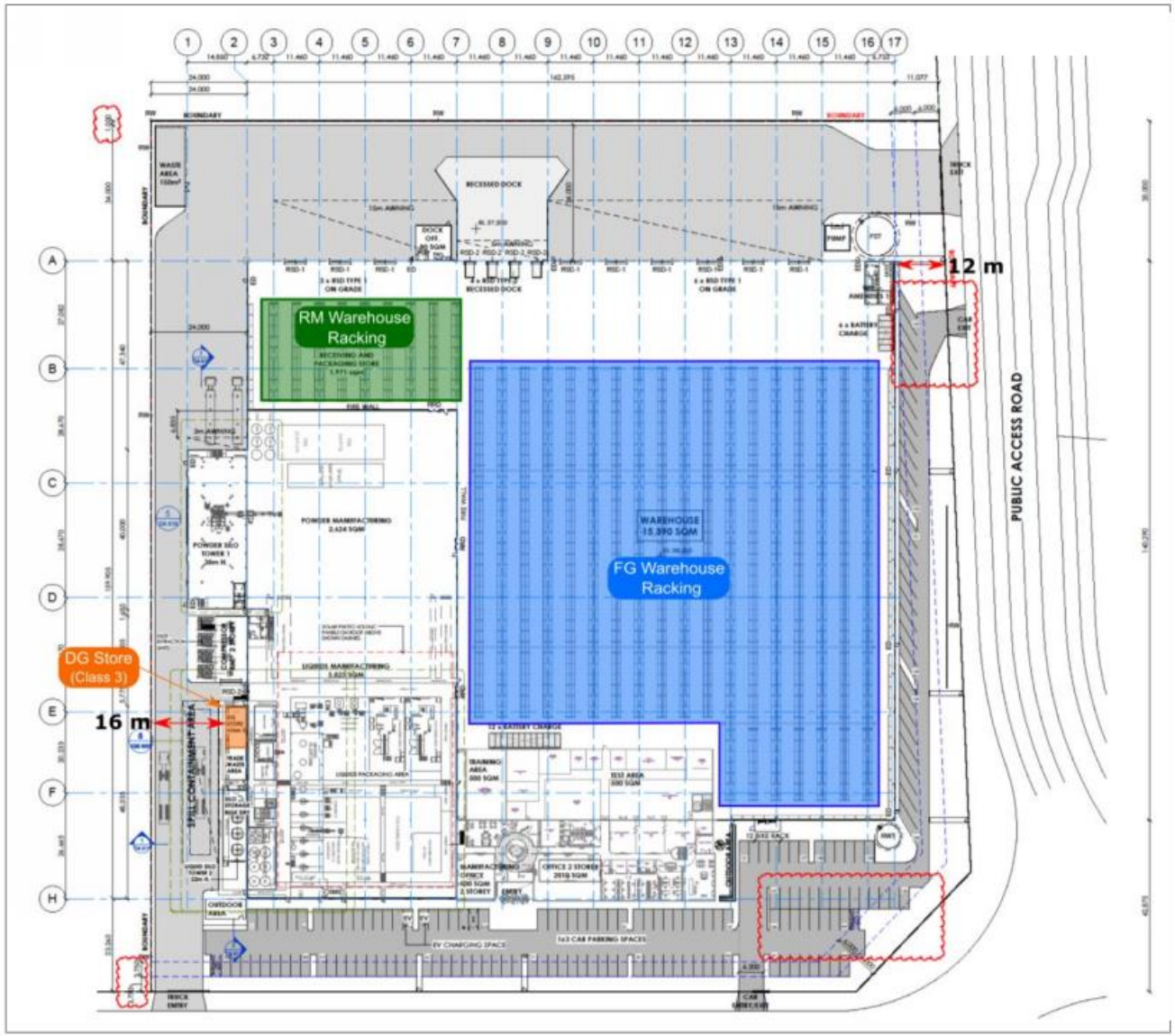

Figure 8 **Dangerous Goods Separation Distances** (Source: Northstar, 2022)

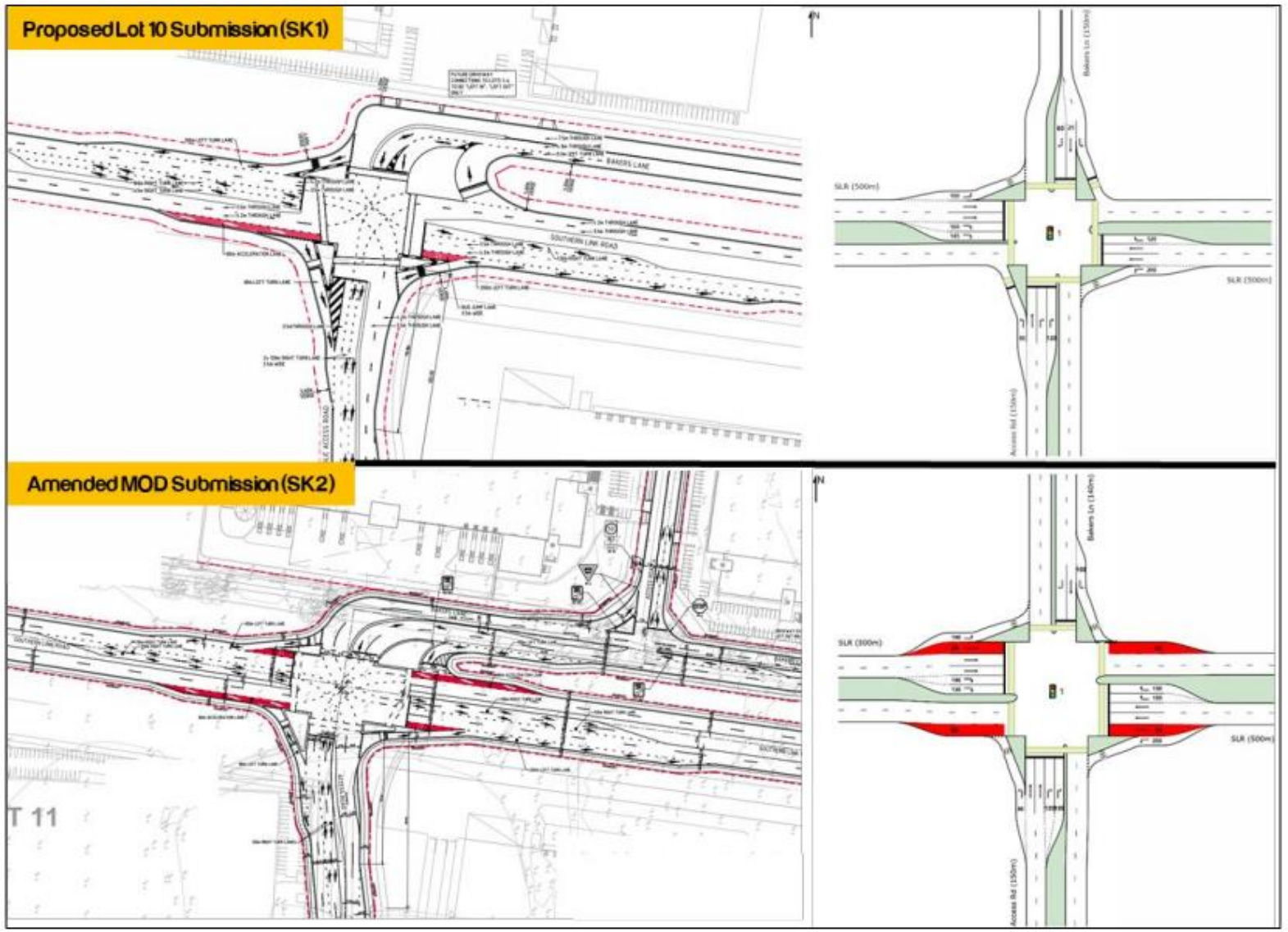

Figure 9 **Amended Intersection Layout** (Source: Ason Group, 2022)

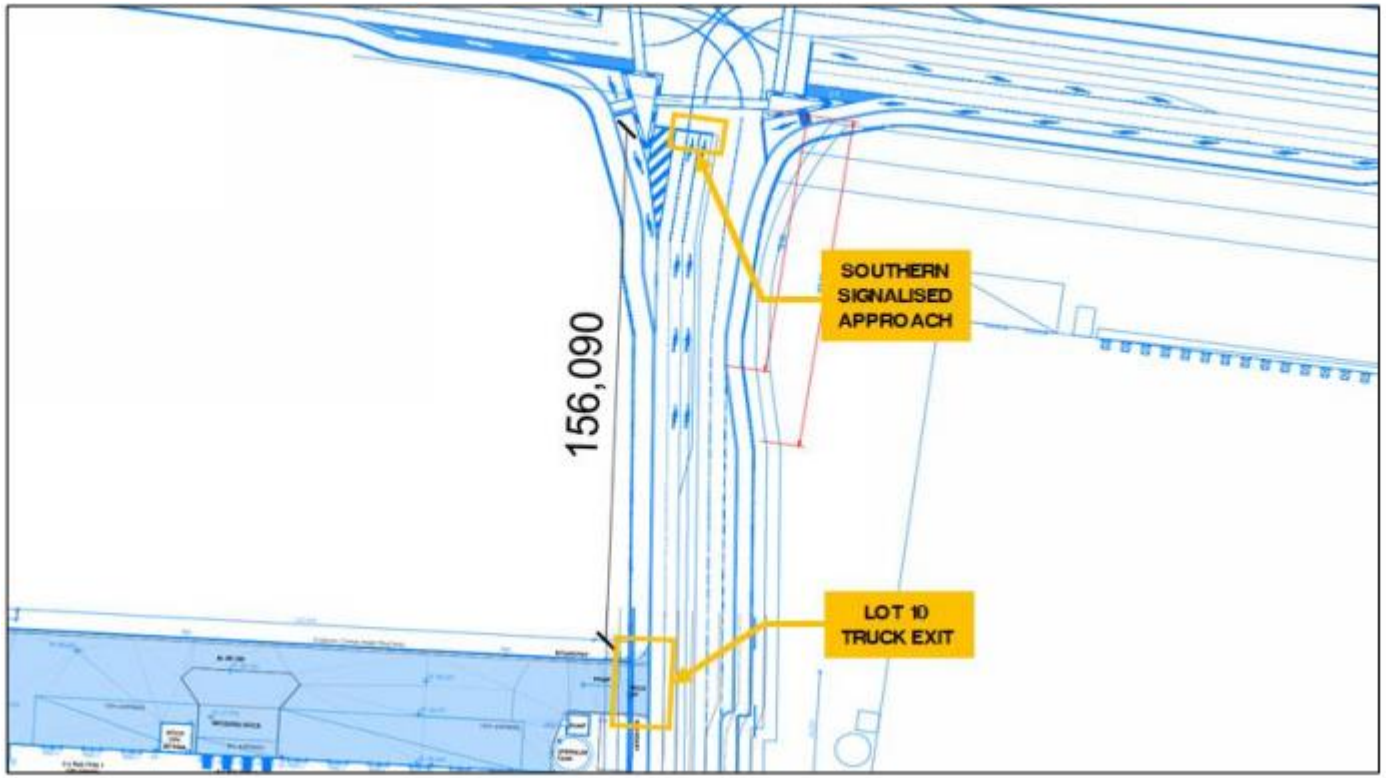

Figure 10 **Southern Signalised Intersection** (Source: Ason Group, 2022)

3.2 RESPONSE TO PUBLIC AND OTHER STAKEHOLDER SUBMISSIONS

No public submissions were received for the project.

PART D SUMMARY OF CHANGES

In reviewing the submissions received from various agencies, some amendments to the project are proposed. However, it is noted that most matters required further clarification, rather than design changes for the project. Items for clarification and their related responses are provided within **Table 1** of this RTS Report.

The following subsections outline the project amendments and any necessary environmental assessment and/or commentary.

4.1 PROJECT DESCRIPTION

Development Consent under this proposal is sought for:

- Minor earthworks involving cut and fill works, site preparation works and the establishment of a building pad;
- Infrastructure comprising civil works and augmentation of utilities servicing;
- Construction, internal fit out and operation of a manufacturing facility and warehouse (27,470m^2), comprising:
    - Manufacturing areas and associated warehouse (24,970m^2)
    - Ancillary office areas (2,500m^2)
    - 163 car parking spaces and 12 bicycle spaces
    - Powder silo tower
    - Liquid silo tower
    - Associated business identification signage
    - Site Landscaping (4,348m^2)
    - 13 loading docks
    - Three (3) vehicle crossovers
- Production capacity up to approximately 48,000 tonnes per annum (tpa) of powder products, resulting in an indicative weekly maximum of 932.0 tonnes and daily maximum of 131.5 tonnes;
- Production capacity up to approximately 25,000 KL per annum of liquid products, resulting in an indicative weekly maximum of 480.7 KL and daily maximum of 68.5 KL;
- Storage of dangerous goods, comprising:
    - Class 2.1 – LPG
    - Class 3 – Flammable Liquid
    - Clause 4.1 – Flammable Solids
    - Clause 5.1 – Oxidising Substances
    - Clause 6.1 – Sub-risk Toxic Substances
    - Class 8 – Corrosive Substances
- Hours of operation being on a 24 hours per day, 7 days per week, basis; and
- Torrens Title subdivision to create the subject allotment (proposed Lot 12) measuring approximately 4.3ha.

TABLE 2: PROPOSED DEVELOPMENT PARTICULARS

Project Element	Development Particular
Site Area	15.8ha. The area which will contain the proposal is 4.3ha which will subdivided under this application.
General	The proposed development is considered SSD, pursuant to Schedule 1, Part 9 of SRD SEPP.
Primary Land Use	Industry/Warehousing
Total GFA	27,470m^2

TABLE 2: PROPOSED DEVELOPMENT PARTICULARS	
Project Element	**Development Particular**
Floor Space Ratio	0.67:1
Building Height	Warehouse component: 14.2m Tower elements: 22.5m and 38.5m
Landscaping	4,348m^2
Earthworks	Earthworks components are proposed as follows: ▪ 6,900m^3 of cut ▪ 16,570m^3 of fill
Car parking	163 spaces
Bicycle Spaces	12 spaces
Infrastructure and Services	All required infrastructure and services will be provided from Mamre Road and the approved internal road network, including potable water, wastewater, electricity, gas and telecommunications.
CIV	$71,844,673.00 (incl. GST)
Construction Jobs	Approximately 300 direct construction jobs
Operational Jobs	Approximately 140 ongoing jobs

4.2 OPERATIONS

In addition to the Operational Details of the proposed development included in Section 3.2.12 and 3.2.13 of the EIS, the following supplementary information is provided:

4.2.1 Staff

The maximum anticipated employee numbers on the Subject Site at any one time is expected to be approximately 140 staff spread across the manufacturing, warehousing, office and test/training areas. Of the 140 staff provided on the Site, approximately 75 office staff will be employed with 45 warehouse staff attending the Site during the Morning Shift (detailed below) and 20 warehouse staff attending the Afternoon Shift.

4.2.2 Hours of Operation

The proposed development is expected to operate 24 hours a day, 7 days a week. This is required to ensure adequate product supply to the market. The following operational shifts are proposed:

- Office Shift – 8:30 AM to 5:00 PM
- Warehouse Morning Shift – 6:00 AM to 2:30 PM
- Warehouse Afternoon Shift – 2:30 PM to 11:00 PM

4.2.3 Site Deliveries and Truck Movements

Vehicle movements throughout the Subject Site will be managed by an internal traffic management plan. Vehicles (including trucks and tankers) will visit the Subject Site to deliver raw materials, provide maintenance to the manufacturing operation and to pick up finished goods.

The operational heavy vehicle types are described as follows:

- 8.8m MRVs
  - 10 daily incoming trips and 10 daily outgoing trips
  - 1 incoming trip and 1 outgoing trip in AM Peak Hour
  - 1 incoming trip in the PM Peak Hour

- 20.0 m AVs
  - 15 daily incoming trips and 10 daily outgoing trips
  - 1 incoming trip and 1 outgoing trip in AM Peak Hour
  - 1 incoming trip and 1 outgoing trip in the PM Peak Hour

- 26.0 m B-double trucks
  - 10 daily incoming trips and 15 daily outgoing trips
  - 1 incoming trip and 1 outgoing trip in AM Peak Hour
  - 1 incoming trip and 1 outgoing trip in the PM Peak Hour

Bulk materials will be unloaded on the western side of the facility and transported into the Powder Tower Silos (50t to 100t capacity). These materials will be transferred from supply tankers directly into storage silos via pressurised and sealed pipework.

Powered raw materials that are supplied in 1,000 kg bags will be transferred by hoist into smaller silos (2t – 6t). Minor quantities of other powdered raw material (20 kg – 25 kg bags) will be manually added using a purpose-built loading station, equipped with dust extraction to ensure internal dust levels are maintained below occupational health limits.

4.3 WASTEWATER TREATMENT PLANT

The wastewater treatment plant will be designed to allow for the recycling of water through the manufacturing process and any water discharge to sewer to be cleaned to meet Sydney Water consent to discharge requirements. The plant will be located in the western side of the building (external to the main shed) and in between the liquids silo and the compressor room (as shown in the amended Architectural Plans provided in **Appendix C1** of this RTS).

The proposed treatment process from Baldwin Industrial Systems is the same used at the existing Ardex Seven Hills facility for the last 22 years. It will use a larger treatment unit and have the addition of an extra solids settling step in the process prior to treatment.

Current average treated water discharge volume at Ardex's Seven Hills factory is less than 5kL per day. Based on expected business growth over the next 10 years, this is expected to increase up to 10kL per day. The current consent to discharge industrial trade wastewater with Sydney Water (consent number: 9596; property number 4288917) allows the following rate of discharge from the wastewater system:

(a) Instantaneous maximum rate of pumped discharge 0.500L/s
(b) Maximum daily discharge 20.000kL
(c) Average daily discharge 10.000kL

4.3.1 Process Description – Overview

The wastewater treatment process is depicted below in **Figure 11**.

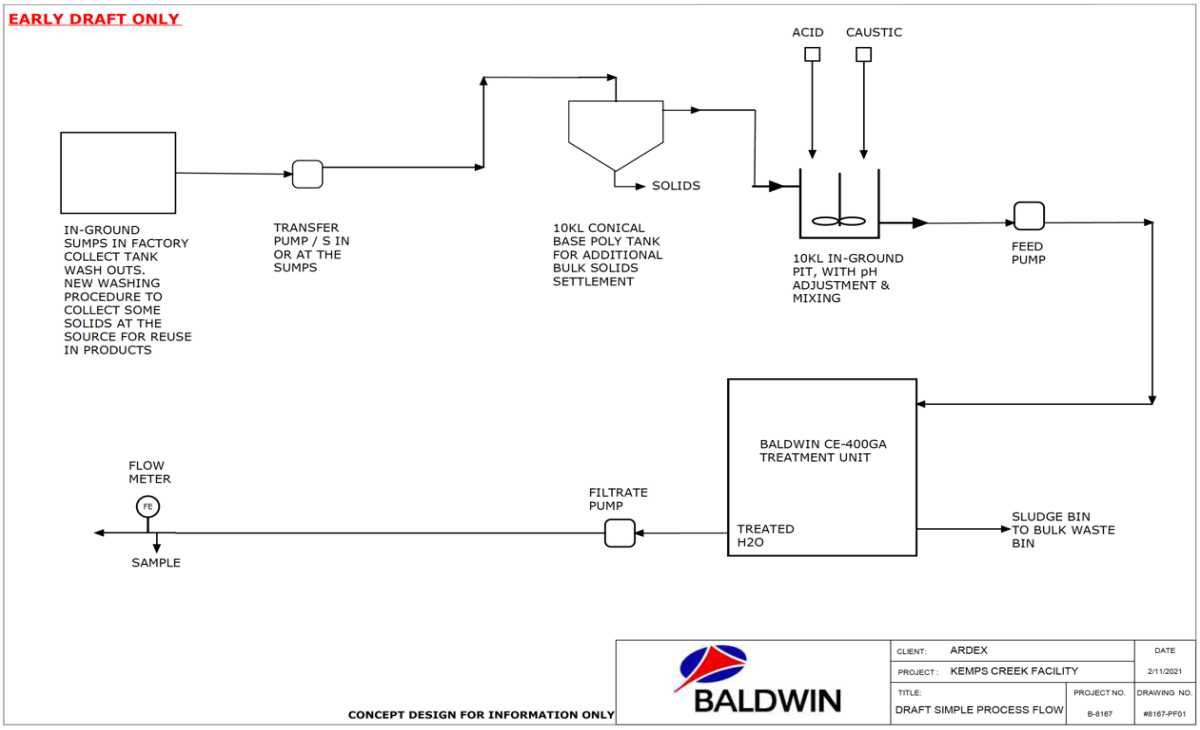

Figure 11 **Wastewater Treatment Process** (Source: Baldwin, 2022)

An overview of the process is as follows:

1. Water from sources within the production plant transferred into a 10 KL conical poly holding tank (tank only allowed for in the budgets below) to settle bulk solids (although at least some of the solids are expected to be removed at source for re-use within products, due to improved wash / cleaning processes).
2. Water would overflow from the conical settling tank to an in-ground 10 KL holding pit.
3. The water in the holding pit to be agitated by a mixer (included), supported on a custom stand (included), and will be pH adjusted.
4. Level control in holding pit – when water reaches high level and the pH is within range, the Baldwin CE-400GA unit would start treating. The unit would cease treating when low level in the holding pit was reached. Process is a continuous batch process.
5. Baldwin RM-10 CE-400 (4,000 L/hr) unit is PLC controlled.
6. Once low level reached unit waits in stand-by.
7. Mixer (included) would operate as required to keep solids in suspension.
8. Treated water pumped to sewer from the filtrate tank on the skid.

4.3.2 Process Description – Detailed

Further details of the wastewater treatment plant include:

- The conical tank is to assist in settling solids that have not been removed within the sumps in the factory and address any maintainability and operability issue identified at the existing Seven Hills facility.
- The in-ground pit is for dirty water quality balancing, to ease the treatment process by making the water stream more consistent.

- The mixer in the in-ground pit is performing multiple tasks – homogenising the water, keeping suspended solids in the solution and ensuring pH adjustment is efficient.
- The pH adjustment (if required) will be achieved with Hydrochloric Acid (32%) and Sodium Hydroxide (50%). Expectation is that pH adjustment will only be required when certain products are manufactured. pH adjustment happens automatically as required, via the automatic dosing pumps, based a pH probe in the in-ground pit providing information to the treatment system PLC. The pH is adjusted to a suitable level so that the water can be successfully treated and subsequently result in pH that is within the trade waste admission limits.
- Water level within the in-ground pit is automatically monitored and is used to operate the In-ground pit mixer and pH adjustment equipment. Water is not able to be transferred to the Baldwin CE-400GA treatment unit, until the water in the pit is within the set pH range, and the pit is at high level.
- Once these two (2) conditions are met, and hence the PLC can activate the system feed pump to transfer water to the CE-400GA unit, water is transferred to the reaction tank of the CE-400GA.
- The treatment process involves a sequence of mix and rest periods (programmed at commissioning), along with the addition of the Baldwin RM-10 (201) bentonite clay powder.
- The quantity of clay powder added to the water to achieve successful treatment, to trade waste admission limits, depends on the quality of the water from the factory (amount of contaminants in the water). As with any process producing wastewater, the water quality will be variable depending on activities within the factory.
- An example addition rate for Ardex style wastewater may be 5 kg of clay per 1,000 litres of water to be treated. The addition rate is set during commissioning, and the trained Ardex operators have the ability to adjust the dosage rate as water quality changes.
- The treatment unit operates automatically on a continuous batch basis. This means that when there is water to treat that is within the required pH range and level within the in-ground pit, the system will begin treating.
- Operators will normally check the unit once or twice per day, depending on the volume of water to be treated. The unit will automatically alarm when the clay hopper reaches low level, or the filter material reaches low level. The sludge bin is manually emptied by the operator with a forklift, and the treatment unit can be set at commissioning to automatically stop treatment should a set number of treatment cycles have been completed and the bin has not been emptied.
- At the completion of the mix, rest cycle in the reaction tank of the CE-400GA, the treated water is filtered through the disposal filter material and can then be pumped to the trade waste point by the filtrate pump, through an electromagnetic flow meter.

4.3.3 Construction Materials

The main unit is fabricated from 304 Stainless Steel. The skid it is mounted on is hot dip galvanised mild steel. The sludge bin associated with the unit is hot dip galvanised mild steel. The access platform shown at the rear of the unit is aluminium and is not normally supplied with the yellow bull noses shown in the example photos below, as they were a mine site specific requirement

The control panel for the treatment unit has an IP66 FRP (Fibre Reinforced Plastic enclosure as standard (not the large stainless one that is shown in the example photos of the mine site unit). It requires a 415V, 3 phase, 50 Hz power supply. The system is PLC controlled, via an Allen Bradley PLC.

The system feed pump (dirty water) and filtrate (treated water) pump are both usually single stage, horizontal, end suction centrifugal pumps. They have painted cast iron casings and internals suitable for the required duty. Depending on the actual installation and customer requirements some systems utilise submersible pumps to perform one or both of these duties.

The mixer in the in-ground pit is construction from stainless steel shaft and impeller, with motor just above the in-ground pit. The conical based tank is roto-moulded from Polyethylene. The stand for the tank is galvanised mild steel.

4.3.4 Motors

The centrifugal pumps, similar to those shown in **Figures 12** to **14** below, the motors are 415V, 3 phase, 50 Hz. If submersible pumps are then power may be single phase.

The Dosing pumps are small 240V, 50Hz, single phase electromagnetic diaphragm metering pumps. The in-ground pit mixed has a motor, 415V, 3 phase, 50Hz.

All Motors on the CE-400GA – are 415V, 3 phase, 50Hz. The motors are as follows:

- Reaction tank mixer
- Clay hopper auger
- Bucket Elevator
- Bandfilter

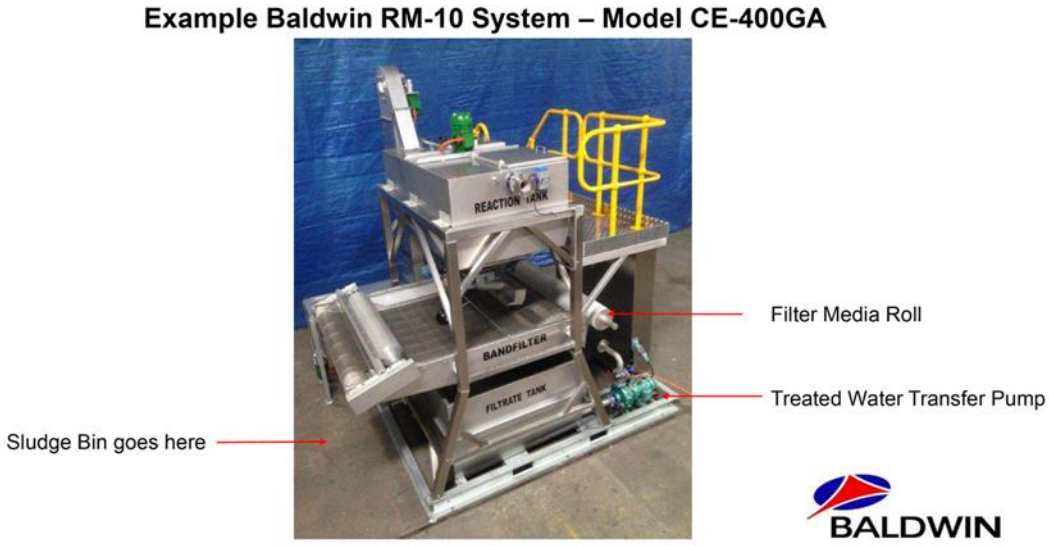

Figure 12 **Baldwin RM-10 System** (Source: Baldwin, 2022)

Figure 13 **Baldwin RM-10 System** (Source: Baldwin, 2022)

Figure 14 **Baldwin RM-10 System** (Source: Baldwin, 2022)

PART E PROJECT JUSTIFICATION

5.1 JUSTIFICATION

The proposed development is justified on environmental, social and economic grounds and is compatible with the locality in which it is proposed. The proposed development would enhance the Subject Site from an otherwise vacant landholding to a productive employment generating facility.

This RTS Report seeks to provide an updated justification and evaluation, as required, for the proposal as a whole

5.1.1 Supports State, Regional and Local Planning Objectives

The proposed development is consistent with the objectives, provisions and vision contained within *A Metropolis of Three Cities – Greater Sydney Region Plan*; the *Western City District Plan*; and the *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). The proposal would contribute to employment generation in an area already earmarked for employment through both State and Regional planning policies.

In response to the operational needs of Ardex at a regional and national scale, it has been determined that the proposed purpose-built facility is required to support the growth of the business and increasing demand for their products.

The proposal would provide Australian produced products to support the local construction industry. The proposed new Ardex facility will be an integrated manufacturing and warehouse facility, consolidating three (3) sites (which have outdated and labor intensive plant and equipment) into one (1), utilising the latest technology in production equipment from Europe to produce finished goods in Australia at the lowest and most efficient cost. In particular, the use of the innovative tower elements utilises the force of gravity in the production cycle to improve quality, productivity, process reliability and energy efficiency.

The proposed development, for the purposes of a manufacturing facility and associated warehouse is considered consistent with the strategic direction of both the *Western City District Plan*, published by the Greater Sydney Commission, and the WSA Plan, published by the Western Sydney Planning Partnership and the NSW Government. Additionally, the proposed development will further contribute to the growth of jobs in the WSEA; hence, contributing to the Western City District's economic growth.

Furthermore, the proposed development could support the growth of the existing sectors in the Western City District, such as logistics and freight, whilst promoting industry diversification; and would attract investment opportunities, ultimately fostering the growth of the wider Mamre Road area within the WSA as the economic catalyst of the Western Parkland City.

5.1.2 Demonstrates an Appropriate Use of a Permissible Development

The proposed development would retain and contribute to the growth of new industry for the immediate locale and the wider region. The proposed development would be a highly appropriate and compatible (given its contiguousness to other existing industrial in the area) response to the strategic goals and objectives of the whole region as set out in *A Metropolis of Three Cities – Greater Sydney Region Plan* and the *Western City District Plan*. These documents all envisage employment-generating land uses at this location.

The Subject Site is located within an establishing industrial area and is zoned IN1 General Industrial under WSEA SEPP. The proposed development will facilitate the use of the Subject Site for industry, which is consistent with the zoning and the surrounding context. The Subject Site, within an industrial area and proximity to major arterial roads, serves as being ideal for manufacturing and distribution purposes.

Accordingly, the Subject Site is considered to be suitable for the proposed development and is consistent with the aims and objectives of the IN1 General Industrial zone, in that it seeks to facilitate future employment generating development that responds to the characteristics of the land and is compatible with surrounding land uses.

The Subject Site is suitable for the size and scale of the development proposed and represents a quality outcome for otherwise unutilised industrial land.

In summary, the Subject Site is highly-suited to accommodate the intended new development based on the following factors:

- WSEA SEPP allows for the proposed development as a permissible use;
- The Site is readily accessible via the regional road network;
- The proposed development is compatible with surrounding development and local context;
- The proposed development causes minimal impact on the environment;
- The Site will complement functions of the wider Mamre Road area; and
- The proposed built form is designed to mitigate any impacts on surrounding properties.

5.1.3 Minimises Environmental Impacts

Specialist consultants have assessed the potential impacts of the proposed development, determining that it could be undertaken with minimal environmental impacts. The commissioned reports have collectively concluded that no significant risk to the locality would result from the proposed development. Where impacts have been identified, these fully-developed strategies are set out in detail for mitigation. These measures have been revisited and updated where necessary, as addressed within **Appendix B** of this RTS Report.

5.1.4 Creates Compatibility with Surrounding Development

The proposed development is compatible with existing land uses on adjacent lands, all of which provide very similar employment-generating functions. All are within the immediate vicinity of the proposed development. Detailed investigations undertaken, as part of this application, conclude that no significant environmental cumulative impacts, would occur from the proposed facility.

5.1.5 Delivers Ecologically Sustainable Development

The principles of ESD as outlined in Clause 7(4) of the EP&A Regulation have been carefully considered in the formulation of this proposal and are addressed as follows:

5.1.5.1 Precautionary Principle

After careful assessment by both the project team and specialist consultants, it is concluded that no unmanageable threat or irreversible damage to the environment, would result from the proposed development.

5.1.5.2 Inter-generational Equity

The project team and specialist consultants have examined the overall effects of the proposed development, on both the natural environment and the existing built environment within the vicinity of the Subject Site.

This detailed assessment has concluded that no unreasonable use of resources, affectation of environmental processes or prevention of the use of land for future generations would occur from the proposed development. The proposed development would improve the status of the Subject Site and contribute to the economies of the region through both substantial investment and new employment, thereby improving the inter-generational equity.

5.1.5.3 Improved Valuation, Pricing and Incentive Mechanisms

The proposal would provide Australian produced products to support the local construction industry. The proposed new Ardex facility will be an integrated manufacturing and warehouse facility, consolidating three (3) sites (which have outdated and labor intensive plant and equipment) into one (1), utilising the latest technology in production equipment from Europe to produce finished goods in Australia at the lowest and most efficient cost. In particular, the use of the innovative tower elements utilises the force of gravity in the production cycle to improve quality, productivity, process reliability and energy efficiency. There are significant advantages in using the vertical plant as opposed to the horizontal plant, including:

- More energy efficient – the horizontal plant uses more than double the electricity for the same production output when compared to the vertical plant. This results in significant reductions in carbon emissions, and a significantly reduced load on local electrical transmission infrastructure;
- Reduced noise & dust emissions – the improved design of the vertical plant results in reduced noise & dust emissions from the powder plant line;
- The vertical plant also requires less cleaning and less maintenance than the horizontal plant, and overall is considered the superior plant option; and
- Reduced manufacturing footprint.

The proposal also offers a total investment (including infrastructure and land) value of $71,844,673.00 (including GST).

5.1.5.4 Environmental Management

The proposed development implements significant and elaborate measures that avoid, contain and address any possible air-quality, noise, waste and pollution impacts, through avoidance, better design and management. This is exemplified through the following measures., which would be implemented throughout both the construction and operational phases of the proposed development:

- acoustic reduction;
- air emissions mitigation;
- waste management control practices;
- erosion-and-sediment control; and
- management of DGs.

5.2 CONCLUSION

Based on the findings of the original EIS and further matters considered as part of this RTS, it is concluded that the proposed development is consistent with the Objects of the EP&A Act, under Section 1.3, particularly the notion of promoting the orderly and economic development of the land.

The proposed development is considered a quality outcome for an otherwise vacant industrial Site, which forms part of the WSEA. Additionally, in the promotion of employment-generating opportunities throughout the construction and operational phases, the proposed development further delivers on the rationale of full economic utilisation and proper and orderly development of the land for its intended purpose namely industrial and employment uses.

The proposed development is suitable from both a local and regional context and is considered orderly and appropriate, based on social, cultural, economic and environmental matters.

Based on the specialist studies and extensive investigations carried out for the proposed development, the following conclusions are made:

1. **Strategic and Statutory Context** – The proposal aligns with the strategic planning framework, namely *A Metropolis of Three Cities* and the *Western City District Plan*. Consistency is achieved through the provision of employment, activation of vacant industrial land and implementation of sustainable development measures that contribute to create a new and leading-edge form of development.

   In terms of the statutory context, the proposal is entirely consistent with the Objects of the EP&A Act. The appropriateness of the proposed development is also demonstrated through compliance with the WSEA SEPP in that it achieves the employment generating outcomes envisaged for the Subject Site with minimal impact on surrounding land uses.

2. **Suitability of the Site** – The Subject Site is highly suitable for the proposed development, being within a newly zoned industrial precinct. It also presents a suitable platform for development in that it is flat, is located within close proximity of key road infrastructure and has limited environmental constraints.

3. **Community and Stakeholder Engagement** – This EIS and supporting reports have been prepared in accordance with the matters prescribed by the SEARs. A comprehensive level of community and stakeholder engagement has been undertaken for the proposed development.

4. **Traffic and Transport** – Sufficient access and parking arrangements are provided as part of the proposed development, ensuring that there would be no undue impact on the surrounding road network.

5. **Soils and Water** – Water reuse and rainwater harvesting has been considered for the proposed development. The stormwater design of the proposed manufacturing facility is in accordance with Council's detention, water quality and flooding requirements as well as engineering best practice principles, hence it can be ensured that there will be minimal impact on the existing environment as a result of the proposed development.

6. **Urban Design and Visual** – As clearly demonstrated in the submitted Architectural Plans and Visual Impact Analysis the proposed development provides a suitable urban design outcome that reflects the existing locality.

7. **Air Quality and Odour** – Based upon the assumptions presented in the Air Quality and Odour Risk Assessment and the implementation of the recommended mitigation methods, the Site is assessed as being capable to not give rise to significant air quality and odour impacts during the construction and operational phases associated with the proposal.

8. **Noise and Vibration** – The acoustic assessment carried out by Renzo Tonin has quantified construction and operational noise emissions from the proposed development and has assessed noise at the nearest sensitive receivers. Based on the assumptions and inputs the

assessment, it has been established that operation of the Site is capable of complying with relevant EPA and Council noise emission requirements.

9. **Infrastructure Requirements** – The proposed development seeks to ensure that future planned infrastructure can be accommodated to support the growth of the area and beyond.

10. **Aboriginal Cultural Heritage** – The proposed development will not result in any additional impacts to Aboriginal Cultural Heritage.

11. **Biodiversity** – A BDAR wavier has been approved.

12. **Social Impact** - There are long term, positive social and economic impacts resulting from the project, through the provision of employment and business opportunity in the immediate and broader Western Sydney community. It is considered on balance that the project is worthy of support with respect to social and economic impacts.

13. **Ecologically Sustainable Development** – The proposed development will aim to achieve a 6-star Green Star Rating by applying ESD principles.

14. **Waste Management** – A Waste Management Plan has been provided, which considers construction and operational waste measures to be undertaken for the proposed development. All buildings have considered the provision for waste management areas to ensure the effective management and disposal of waste can occur.

15. **Bush Fire**– Bush fire risk is considered low. In addition, the new warehouse/industrial facility will provide compliance with the relevant PBP 2019 requirements.

16. **Hazards and Risk** – The storage of DGs has been analysed, and it is concluded that the risks at the Site boundary are not considered to exceed the acceptable risk criteria; hence, the facility would only be classified as potentially hazardous and would be permitted within the current land zoning for the Site.

17. **Greenhouse Gas and Energy Efficiency** – Appropriate measures have been adopted which will minimise energy use and maximise energy efficiency for the proposed development.

18. **Airport Safeguarding** – The proposed development will not result in any impacts to the ongoing and future operations of the Western Sydney Airport.

19. **Planning agreement / Development contributions** – Satisfactory arrangements have been made to the provision of regional infrastructure and will be made to the necessary local infrastructure where required.

Based on the findings of this EIS, it is concluded that the proposed development would support the continued and targeted employment generation in the Western Sydney Region. The proposal would contribute to the retention and growth of industries, across both NSW and Australia. The proposed development is therefore considered suitable from both a local and regional context and is considered orderly and appropriate, based on social, cultural, economic and environmental matters.

Given the above reasons and the satisfaction of both of the Objects of the EP&A Act and the aims of WSEA SEPP, it is recommended that the proposed development, for the purposes of a warehouse/industrial facility, be supported subject to relevant and reasonable conditions.

APPENDIX A
SUBMISSIONS REGISTER

SSD 25725029 – SUBMISSIONS REGISTER			
Group	**Name**	**Matters**	**Addressed**
Public authorities	NSW DPIE	General	Refer to **Section 4.1** to **Section 4.3** and **Appendix C2**, **C3**, **C6** and **C8** of this RTS.
		Contributions and Planning and Agreements	Refer to **Table 1** of this RTS Report.
		Traffic and Access	Refer to **Table 1** of this RTS Report.
		Mamre Road Precinct Development Control Plan (MRP DCP)	Refer to **Appendix C7** and **C19** of this RTS.
		Urban Design and Visual Impacts	Refer to **Table 1** of this RTS Report.
		Noise and Vibration	Refer to **Appendix C6** of this RTS.
		Hazards	Refer to **Table 1** of this RTS Report.
		Bushfire	Refer to **Table 1** of this RTS Report.
		Air Quality	Refer to **Table 1** of this RTS Report.
	NSW DPIE (Hazards)	-	Refer to **Appendix C4** of this RTS.
	NSW DPIE (Central (Western)Team)	-	Refer to **Appendix C19** of this RTS.
	NSW DPIE (Environment Energy and Science Group)	Biodiversity	Refer to **Table 1** of this RTS.
		Waterway Health	Refer to **Table 1** of this RTS Report.
	Endeavour Energy	Network Capacity/Connection	Refer to **Appendix C16** of this RTS.
	Environment Protection Authority	Matters to be addressed prior to determination	Refer to **Table 1** of this RTS.
		Matters to be addressed with conditions	Refer to **Table 1** of this RTS.
	Heritage NSW	-	N/A – no action required for SSDA.
	NSW Rural Fire Service	-	Refer to **Table 1** of this RTS Report.
	Sydney Water	Drinking Water	Refer to **Table 1** of this RTS Report.
		Recycled Water	Refer to **Table 1** of this RTS Report.
		Wastewater	Refer to **Table 1** of this RTS Report.
		Stormwater	Refer to **Appendix C17** of this RTS.
	Transport for NSW	Modelling	Refer to **Appendix C8** of this RTS.

SSD 25725029 – SUBMISSIONS REGISTER			
Group	**Name**	**Matters**	**Addressed**
		Swept Path	Refer to **Appendix C8** of this RTS.
		Preliminary Construction Traffic Management Plan (PCTMOP)	Refer to **Table 1** of this RTS.
		Green Travel Plan	Refer to **Appendix 15** of this RTS.
	Water NSW	-	N/A – no action required for SSDA.
	Western Sydney Airport	State Environmental Planning Policy (Western Sydney Aerotropolis) 2020 (Aerotropolis SEPP)	N/A – no action required for SSDA.
		Wildlife Attraction	Refer to **Table 1** of this RTS.
		Airspace Operations	Refer to **Table 1** of this RTS.
Councils	Penrith City Council	Planning Considerations	Refer to **Table 1** and **Appendix C1, C13** and **C19** of this RTS.
		Development Engineering Considerations	Refer to **Appendix C8** of this RTS.
		Environmental Management Considerations	Refer to **Table 1** of this RTS.
		Traffic Considerations	Refer to **Table 1** of this RTS
		Waterway Considerations	Refer to **Table 1** of this RTS.
		Landscape Considerations	Refer to **Appendix C15** and **C13** of this RTS.
Stakeholder Groups	N/A	N/A	N/A
Individuals	N/A	N/A	N/A

APPENDIX B
UPDATED MITIGATION MEASURES

PLANNED MANAGEMENT AND MITIGATION MEASURES FOR THE PROPOSED DEVELOPMENT

By:	Altis Frasers JV Pty Ltd
In relation to:	State Significant Development Application (SSD-25725029) For proposed Manufacturing/Industrial Facility
Site:	657-769 Mamre Road, Kemps Creek Proposed Lot 10, Approved Under SSD 9522

Altis/Frasers plan to undertake the construction and operation of the proposed warehouse/industrial facility, in accordance with the following subsections.

Below prescribes some of the terms and abbreviations used in this statement, including:

Altis	Altis Frasers JV Pty Ltd
Approval	The Minister's approval of the project
BCA	Building Code of Australia
Council	Penrith City Council
DPIE	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	*Environmental Planning and Assessment Act 1979*
NCC	National Construction Code
Project	The proposed development as described in **PART C** of the EIS
Secretary	Secretary-General of the Department (or delegate)
Subject site	Land to which the project application applies
WorkCover	NSW WorkCover

ADMINISTRATIVE COMMITMENTS

Commitment to Minimise Harm to the Environment

1. Altis will commit to implement all reasonable and feasible measures, to prevent and/or minimise any harm to the environment, that may result from the construction or operation of the proposed development.

Terms of Approval

2. Altis will carry out the project generally in accordance with the:

   (a) Environmental Impact Statement;
   (b) Drawings;
   (c) Management and Mitigation Measures;
   (d) Any Conditions of Approval; and
   (e) Any relevant Conditions of Approval of SSD 9522.

Occupation Certificate

3. Altis will ensure that Occupation Certificates are obtained prior to the occupation of the facilities.

1. If there is any inconsistency between the above, the Conditions of Approval shall prevail to the extent of the inconsistency.

2. Altis will ensure compliance with any reasonable requirement(s) of the Secretary of the DPIE arising from the assessment of:

   (a) Any reports, plans, programs, strategies or correspondence that are submitted in relation to this Approval; and
   (b) The implementation of any recommended actions or measures contained in reports, plans, programs, strategies or correspondence submitted by the Project Team as part of the application for Approval.

Structural Adequacy

3. Altis will ensure that all new buildings and structures on the Site are constructed in accordance with the relevant requirements of the NCC.

Operation of Plant and Equipment

4. Altis will ensure that all plant and equipment used on-site, is maintained and operated in proper and efficient manner, and in accordance with relevant Australian Standards.

Construction Environmental Management Plan

5. Prior to the commencement of construction, Altis will prepare a Construction Environmental Management Plan (CEMP) that addresses the following:

   (a) Air Quality;
   (b) Noise and Vibration;
   (c) Waste Classification;
   (d) Erosion and Sediment Control;
   (e) Construction Traffic;
   (f) Materials Management Plan; and
   (g) Community Consultation and Complaints Handling.

Monitoring of State of Roadways

6. Altis will monitor the state of roadways leading to and from the Subject Site, during construction, and will take all necessary steps to clean up any adversely impacted road pavements as directed by Council.

Waste Receipts

7. Altis will ensure that a permanent record of receipts, for the removal of both liquid and solid waste from the Subject Site, be kept and maintained up to date at all times. Such records would be made available to authorised person upon request.

Complaints Handling

8. Altis will prepare an Operational Complaints Handling Protocol for the development, prior to the commencement of operations.

Environmental Representative

9. Prior to the commencement of works Altis will appoint an Environmental Representative to be approved by the Planning Secretary.

SPECIFIC ENVIRONMENTAL COMMITMENTS

Air

10. Prior to the commencement of construction, Altis will prepare a CEMP that addresses a range of management and mitigation measures relating to air quality and emissions.

Noise

11. During the construction phase, Altis will ensure that all recommendations of the Construction Noise and Vibration Management Plan are adopted and implemented.

Traffic and Transport

13. Altis will ensure that a Construction Traffic Management Plan is prepared and submitted to DPIE. This plan will:

    (a) be submitted to the Secretary for approval prior to the commencement of construction;
    (b) describe the traffic volumes and movements to occur during construction;
    (c) detail proposed measures to minimise the impact of construction traffic on the surrounding network, including driver behaviour and vehicle maintenance; and,
    (d) detail the procedures to be implemented in the event of a complaint from the public regarding construction traffic.

14. The Construction Traffic Management Plan will be implemented throughout the construction cycle.

Waste Management

16. During construction, Altis will implement the measures contained within the prepared Waste Management Plan (**Appendix 28** of the EIS). These are to be incorporated into the CEMP to be issued prior to commencement of construction.

17. Altis will ensure that all waste generated on-site during construction and operation is classified in accordance with the *Waste Classification Guidelines: Part 1 Classifying Waste* and disposed of at facility that may lawfully accept the waste.

Dangerous Goods

18. Altis will ensure the following documentation is prepared in accordance with the WHS Regulation 2017:

    - A DGs Register, indicating the type of chemical, any notations that may be required from the risk assessment and the Safety Data Sheet for the chemical.
    - A Placard Schedule.
    - A Manifest.
    - A DG Risk Assessment of the storage and handling areas.
    - An Emergency Response Plan (ERP) and Emergency Services Information Package (ESIP).
    - A Hazardous Area Classification (HAC) and Hazardous Area Verification Dossier (HAVD).

Bushfire

19. Altis will ensure that the Site is to be maintained to achieve the performance requirement of an Inner Protection Area (IPA) as described by Appendix A4.1.1 of PBP. The following landscaping specifications have been designed to achieve the IPA at this Site:

    (a) Trees:
    i. Trees at maturity should not touch or overhang the building; and

ii. Tree crowns should not provide a connected canopy between the identified hazard and the building when at maturity.

(b) Shrubs:
i. Ensure gaps in the vegetation, such as between garden beds, to prevent the spread of fire towards the building; and
ii. Clumps of shrubs should be separated from glazing and doors by a distance of at least twice the height of the vegetation.

(c) Groundcover
i. Grass should be kept mown (as a guide grass should be kept to no more than 100mm in height);
ii. Leaves and vegetation debris should be regularly removed; and
iii. Organic mulch is not to be used within 1 m of a building.

20. Fire hydrants will be installed to comply with AS 2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419).

21. Gas services will be installed and maintained in accordance with AS/NZS 1596- 2014 The storage and handling of LP gas.

22. Hazardous or combustible materials are not to be stored externally

Ecologically Sustainable Development

23. Altis will implement the measures contained within the prepared Ecologically Sustainable Development Report (**Appendix 16** of the EIS).

Contaminated Land

24. Altis will notify the Environment Protection Authority in accordance with the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997 (CLM Act), if and where any contamination is identified during the development that is considered significant enough to warrant regulation under the CLM Act.

BCA/Access Assessment

25. Altis will implement the measures contained within the prepared BCA Assessment Report (**Appendix 9** of the EIS).

Fire Engineering Assessment

26. Altis will implement the measures contained within the prepared Fire Safety Strategy Report (**Appendix 18** of the EIS).

POST SUBMISSION REQUIREMENTS			
REQUIREMENT	**TIMING**	**REFERENCE SOURCE**	**COMPLIANCE CONFIRMATION**
Environmental Representative	Prior to the commencement of works	N/A	Engaged by Applicant and approved by the Planning Secretary.
Construction Environmental Management Plan addressing:	Prior to the issue of a Construction Certificate	N/A	Consultant to certify in accordance with the relevant appendices. PCA to confirm certification reflects nominated obligations. ER to sign off.
• Air Quality		**Appendix 7** of the EIS	
• Noise and Vibration		**Appendix 22** of the EIS	
• Waste Classification		**Appendix 29** of the EIS	
• Erosion and Sediment Control		**Appendix 5** of the EIS	
• Construction Traffic		**Appendix 27** of the EIS	
• Materials Management Plan		**Appendix 29** of the EIS	
• Community Consultation and Complaints Handling		**Appendix 13**of the EIS	
BCA/Access Assessment	Prior to the issue of a Construction Certificate	**Appendix 9** of the EIS	Consultant to certify in accordance with the relevant appendix. PCA to confirm certification reflects nominated obligations. ER to sign off.
Fire Engineering Assessment	Prior to the issue of a Construction Certificate	**Appendix 18** of the EIS	Consultant to certify in accordance with the relevant appendix. PCA to confirm certification reflects nominated obligations.

POST SUBMISSION REQUIREMENTS			
REQUIREMENT	**TIMING**	**REFERENCE SOURCE**	**COMPLIANCE CONFIRMATION**
			ER to sign off.
Unexpected Finds Protocol and Imported Fill Protocol	During works	**Appendix 19** of the EIS	Consultant to certify in accordance with the relevant appendix. PCA to confirm certification reflects nominated obligations. ER to sign off.
Dangerous Goods Register	Prior to the issue of an Occupation Certificate	**Appendix 14** of the EIS	Consultant to certify in accordance with the relevant appendix. PCA to confirm certification reflects nominated obligations. ER to sign off.
Operational Complaints Handling Protocol	Prior to the issue of an Occupation Certificate	**Appendix 13** of the EIS	Consultant to certify in accordance with the relevant appendix. PCA to confirm certification reflects nominated obligations. ER to sign off.
Environmental Protection License	Prior to adhesive or sealant production capacity exceeding 5,000t per year	N/A	Applicant to prepare application for Environmental Protection License