

Submissions and Amendment Report

SSD 37558583 – Lot 1 Bringelly Road Business Hub Warehouse Facility
Response to Submissions

**'Gura Bulga'**

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.

By using the green and blue colours to represent NSW, this painting unites the contrasting landscapes. The use of green symbolises tranquillity and health. The colour cyan, a greenish-blue, sparks feelings of calmness and reminds us of the importance of nature, while various shades of blue hues denote emotions of new beginnings and growth. The use of emerald green in this image speaks of place as a fluid moving topography of rhythmical connection, echoed by densely layered patterning and symbolic shapes which project the hypnotic vibrations of the earth, waterways and skies.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We acknowledge the Gadigal people, of the Eora Nation, the Traditional Custodians of the land where this document was prepared, and all peoples and nations from lands affected.

We pay our respects to their Elders past, present and emerging.

Contact

Christopher Curtis
Associate Director

ccurtis@ethosurban.com

This document has been prepared by:

Renee Stavroulakis

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This document has been reviewed by:

Christopher Curtis

1 August 2022

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Executive Summary

Purpose of this Report

This Response to Submissions (Submissions Report) is submitted to the NSW Department of Planning and Environment (DPE) as part of State Significant Development (SSD) 37558583, which relates to the construction and operation of a light industrial building, being a warehouse and distribution facility on Lot 1 of the Bringelly Road Business Hub.

The Development Application and all supporting documentation was publicly exhibited between Tuesday 31 May 2022 and Thursday 30 June 2022 during which time submissions were received from members of the public, public agencies, and organisations. This Submissions Report provides a response to the issues raised in these submissions and provides additional assessment and information.

Overview of the Project

The DA seeks approval for the construction of a new warehouse and distribution facility and associated landscaping at Lot 1 of the Bringelly Road Business Hub. The application as amended seeks approval for the following development:

- Site preparatory works, including:
 - Clearing of all existing vegetation;
 - Bulk earthworks including 'cut and fill' to create a flat development platform for the proposed building, and topsoiling, grassing and site stabilisation works.
- Construction of a new warehouse building comprising:
 - A warehouse facility of 4,695m² in area; and
 - Ancillary office floor space of 775m² in area.
- Car and truck parking spaces with access from separate entry and exit points to Skyline Crescent;
- Proposed car parking and loading areas for:
 - 41 car spaces;
 - 5 truck spaces; and
 - 1 fire crew work space.
- An outdoor staff amenities area;
- Landscaping works across a total area of 4,664m²; and
- Augmentation of services and utilities as required.

Overview of Submissions

A total of nine (9) submissions were received during the public exhibition period.

This included submissions received from the following government agencies and authorities:

- NSW Department of Planning, Industry and Environment (DPIE);
- Transport for NSW;
- Liverpool City Council;
- Sydney Water;
- NSW Rural Fire Services;
- JEMENA;
- WaterNSW.

Two (2) submissions were also received from the general public. The main issues identified were related to public transport.

Proposed Amendments to the Proposal

Following public exhibition of the Development Application, there have been minor design amendments to the proposal. This design development is minor and remains consistent with the design intent and scope of the exhibited project.

The proposed amendments to the proposal include:

- End of trip facility and bike storage areas identified (further detail on these areas will be provided upon confirmation of tenant and addressed in the Green Travel Plan).
- Reduction of office space on ground floor.
- Increase of warehouse floor area to reflect reduction in office space on ground floor.
- Addition of extra staircase to ensure fire exits are maintained in accordance with the BCA and relevant Australian Standards.
- Warehouse floor amenities have rotated.
- Maintenance gap between the rear of the building and retaining wall has increased from 500mm to 800mm resulting in a shift of the south-eastern walls of the building.
- Building footprint has been extended further to the east to accommodate the change to the maintenance gap.
- Substation has been relocated.
- Retaining wall near sprinkler tank has been brought in to ensure a 3m clearance from gas main.
- Awning width has reduced from 15m to 10m.

Additional Environmental Assessment

The proposed amendments to the design do not result in any new or additional environmental impacts associated with the proposed development, and in some instances directly respond to the feedback received during the public exhibition of the proposed modification.

Conclusion and Justification

The potential environmental, social, and economic impacts, both direct and cumulative, have been identified and assessed as part of both the original Environmental Impact Statement and also as part of this Submissions Report. No significant adverse environmental, social or economic impacts have been identified by the proposed modifications in preparing the Submissions Report.

Any potential impacts identified during the public exhibition of the Development Application have been addressed through design refinements and with additional assessment as set out in this Submissions Report. Any residual impacts will be mitigated through the implementation of measures for the construction and operational phases of the proposal.

The potential impacts of the development are acceptable and are able to be managed, as outlined within the safeguards and mitigation measures contained within the Development Application and its appended technical reports, and this Submissions Report.

1.0 Introduction

1.1 Overview

An Environmental Impact Statement (EIS) was submitted to the Department of Planning and Environment (DPE) pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in support of a State Significant Development Application (SSDA) for the development of the land Lot 1, Bringelly Road Business Hub (the Site) for the purposes of a warehouse and distribution facility.

The Development Application was placed on public exhibition between Tuesday 31 May 2022 and Thursday 30 June 2022. The submissions received during the exhibition of the Modification Application form the subject of this Submissions Report.

This response identifies and provides an assessment for each of the matters raised in the submissions received during the public exhibition period. It should be read in conjunction with the Development Application and all supporting information. This response has been prepared in accordance with Section 37 of the *Environmental Planning and Assessment Regulations 2021* (EP&A Regulation), as well as the *State Significant Development Guidelines Appendix C: Preparing a Submissions Report Guideline*.

1.2 Purposes of the Report

The purposes of this Submissions Report is to respond to submissions raised by community, organisations and government stakeholders during the exhibition of the Development Application. This Submissions Report has been prepared to satisfy the provisions of Section 4.39(e) of the EP&A Act. Each of the submissions received has been collated, analysed and the relevant issues have been addressed.

This Submissions Report also provides a description of the design amendments made to the proposed development pursuant to Clause 37 of the EP&A Regulation, which have been undertaken following further design development, to address submissions received, and to reduce the overall environmental impact of the proposal. In addition to this amendment description, this Submissions Report provides further environmental assessment to accommodate the changes to the proposal and serves as an addendum to the technical specialist reporting provided within the Development Application.

1.3 Background to the Development

1.3.1 Overview of the Proposal as Lodged

The proposal, as lodged, sought approval for the following development:

- Site preparatory works, including:
 - Clearing of all existing vegetation;
 - Bulk earthworks including 'cut and fill' to create a flat development platform for the proposed building, and topsoiling, grassing and site stabilisation works.
- Construction of a new warehouse building comprising:
 - A warehouse facility of 4,470m² in area; and
 - Ancillary office floor space of 1,000m² in area.
- Car and truck parking spaces with access from separate entry and exit points to Skyline Crescent;
- Proposed car parking and loading areas for:
 - 41 car spaces;
 - 5 truck spaces; and
 - 1 fire crew work space.
- An outdoor staff amenities area;
- Landscaping works across a total area of 4,664m²; and
- Augmentation of services and utilities as required.

1.4 Consultation with Key Stakeholders

Extensive consultation was undertaken during the preparation, public exhibition and assessment of the Concept Approval (SSD 6324). Although the Development Application is generally in accordance with the fundamental components of the Concept Approval, the project team have corresponded with the community and the relevant authorities prior to the submission of the Development Application, including:

- Western Sydney Parklands Trust;
- Western Parkland City Authority;
- Liverpool City Council;
- Sydney Water;
- Rural Fire Service;
- Jemena;
- Transport for NSW; and
- Immediate Neighbours of the Site and Adjacent.

1.5 Actions Taken Following Exhibition

Following public exhibition of the Development Application, the Proponent, and the consultant team:

- The project team has undertaken the preparation of updated design and further engaged with subconsultants to respond to this correspondence.
- The proposed design has been amended to respond to feedback and rationalise elements of the proposal in line with comments received during exhibition.
- Updated plans have been prepared by SBA Architects, with modifications to the design identified.
- This Response to Submissions Report has been prepared.

2.0 Analysis of Submissions

As detailed above, following public exhibition, 9 submissions were received. Each submission is summarised in **Table 1** below and each comment is also set out and responded to in full in **Section 3.0** of this Submissions Report.

2.1 Categorisation of Issues

The issues raised in the Request for Information is summarised in **Table 1**.

Table 1 *Issue categorisation by submission*

Agency	Issues
DPE	• Traffic and transport • Urban design • Noise • Construction timeframe • Assets
TfNSW	• Traffic and transport
Liverpool City Council	• Economic development • Planning considerations such as strategic context, landform, CPTED and active transport • Urban design such as site design, visual impacts, landscape design, building design and occupant amenity • Land contamination • Noise • Hazardous materials • Regulated system • Sewage, stormwater and waste management • Traffic and transport
Sydney Water	• Water and wastewater servicing • Critical assets
NSW Rural Fire Services	• Asset Protection Zones • Construction standards • Property access • Water and utility services
Jemena	• Safety and impacts on or from the Jemena gas pipelines

3.0 Response to Submissions

The following tables include a response to the full test of submissions provided by or on behalf of public authorities/agencies as well as public submissions. The full text of each submission is provided in the left-hand column, accompanied by the corresponding response in the right-hand column. It is emphasised that the responses provided in this table have been authorised with the technical consultant team.

3.1 Department of Planning and Environment

Table 2 DPE Request for Further Information

Comment	Response
Traffic and Transport	
Please provide details on the amount of bicycle parking proposed, noting it should be in accordance with the consent for Bringelly Road Business Hub (SSD-6324) (BRBH).	The Liverpool DCP provides a rate of 1 bicycle space per 10 car spaces provided onsite. Given the proposal involves 41 car spaces, an allowance to accommodate 4 bicycle spaces (or 2 racks) in a secured area within the car park for staff members has been recommended. This is reflected in the updated Architectural Plans, referred to in Appendix A .
Please provide details on the expected ratio of traffic generation between light and heavy vehicles.	The RMS Guide (TDT2013/04a) reveals an average proportion of 17% commercial vehicles (usually trucks) and the remainder light vehicles (83%) which include cars, cycle and/or motorcycles.
Urban Design	
The proposal includes vast, blank, unarticulated elevations to Bringelly Road and the entrance to the BRBH (east and south elevation). The Site Design Guidelines (JBA Urban Planning Consultants, June 2015) require developments in the BRBH to articulate large elevations and ensure prominent elevations are of significant design merit. While it is acknowledged some colour variation is apparent on these elevations, the Department does not consider this to be an acceptable response to the BRBH Site Design Guidelines. Design alternatives that minimise the visual impacts including improved façade articulation, design and finishes, as well as integrating the proposed sprinkler tank, should be explored and implemented into the proposal.	The Site Design Guidelines state that “ <i>Large elevations should be articulated by structural variations and/or a blend of external finishes</i> ”. The proposed development responds to the design guidelines through the provision of a blend of external finishes as illustrated in the below extract from the Architectural Plans (refer to Appendix A). Further, it is noted that the proposed southern elevation, being the elevation which presents towards Bringelly Road, sits higher than the site and offers a screening opportunity to reduce the bulk and scale of the built form. Therefore, the proposal produces a building form of significant architectural design and merit.

Comment	Response
It is acknowledged that significant retaining walls are proposed as part of the development. The engineering plans showing these may reach more than 3 m in height. The Department is concerned that retaining walls of this height may cause visual impacts. Further details are required to determine how these walls will impact on the visual amenity of the site, including the inclusion of these walls on elevation plans, multiple section plans and montages to demonstrate the visual impact of these retaining walls from within the subject site and from neighbouring sites.	The cut and fill strategy creates a lower pad compared to levels of Bringelly Road and Skyline Crescent. This reduces the scale of the warehouse perceived from these roads, thus minimising its impacts across the broader landscape. Therefore, the retaining walls will not be visually dominant in the surrounding areas. Refer to Appendix B for section plans/montages demonstrating the visual impact of the retaining walls. The Engineering Plans at Appendix E have been updated to reflect the amended design of the built form.
Noise	
Please provide assessment on the development's impact of road traffic noise, as requested by Liverpool City Council.	Operational vehicle movements are included in Section 4.2.4 of the Noise Impact Assessment (NIA), concluding that impacts from the project would be negligible given the high existing volumes on surrounding roads, with reference to the RNP criteria for a >2.0dB increase (criteria presented in Section 3.3 in the NIA). Construction traffic has not been specifically assessed on the basis that volumes would be less than the operational traffic volumes (around 60 heavy vehicles and 250 light vehicles per day).
Construction Timeframe	
Please provide details on the expected timeframe for construction.	The construction program is anticipated to take approximately 9 months from early works to building completion.
Assets	
Please demonstrate the location of the Sydney Water asset on plans, as detailed in its submission.	Refer to Appendix A , which details Sydney Water assets as constructed under CN169610PW. This main has been noted on the Architectural plans and referenced as a DN600.

3.2 Transport for NSW

Table 3 TfNSW Request for Further Information

Comment	Response
Traffic and Transport	
Section 7.7 of the preliminary CTMP notes that vehicle access will be located at Skyline Crescent consistent with the proposed access. TfNSW advises that construction access is to be limited to the cul-de-sac with no interference to the Skyline Crescent approach leg to the traffic signals at Bringelly Road.	ESR agrees that as part of the CTMP, access will be via the cul-de-sac located at the end Skyline Crescent.
TfNSW acknowledges that a Green Travel Plan (GTP) and Travel Access Guide (TAG) will be prepared and request the applicant to include the following: a. Be prepared by a suitably qualified transport or traffic consultant in consultation with TfNSW.	Noted. To be addressed in the Green Travel Plan prepared by the future tenant.

Comment	Response
b. Include objectives and modes share targets to reduce car use and increase public and active transport (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP.. c. Include specific tools and actions to help achieve the objectives and mode share targets. d. Include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP. e. Include consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets. f. Include a detailed Implementation Plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs. g. Include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.	
TfNSW has previously acquired a strip of land (known as Lot 11 DP1222985 & Lot 142 DP846961) for road along the Bringelly Road frontage of the subject property, as shown by blue colour on the attached Aerial – “X”. The subject property is affected by a Road Widening Order under Section 25 of the Roads Act, 1993 as published in Government Gazette No. 105 of 20 August 1965; Folio 2660 as shown by pink colour on the attached Aerial – “X” and DP 225207.	ESR has received written confirmation from TfNSW that the Bringelly Road Widening Order will be revoked. The process is progressing with TfNSW, with ESR currently working with MU Group to close out and receive final sign off on the Bringelly Road Widening Order extinguishment. Refer correspondence in Appendix C .
TfNSW has no objections to the proposed development on property grounds provided any new buildings or structures (including signage), together with any improvements integral to the future use of the site, are erected clear of the land reserved for road widening (unlimited in height or depth).	Noted. The design does not provide any buildings in this area.
TfNSW does not have any objection to the proposed pylon signs provided this structure is temporary and can easily be removed in the future when the land required for road is required by TfNSW. The area required for road should be identified on any plan of development.	Noted.

3.3 Liverpool City Council

Table 4 *Liverpool City Council Request for Further Information*

Comment	Response
Economic Development	
Council is interested to discuss any future workforce requirements with a future tenant at the site, such as training needs and potential recruitment of local workforce.	Once a tenant is secured, ESR is happy to facilitate a meeting with Liverpool City Council to assist in understanding workforce requirements.

Comment	Response
Planning Considerations – Strategic Context, Landform, CPTED and Active Transport	
It is recommended that the proposed Finished Floor Level (FFL) for the development and any areas of parking are reconsidered to minimise the required cut & fill and retaining wall construction as part of the proposal.	The site's levels are dictated by the concept plan approval, SSD-6324 for the broader Bringelly Road Business Hub. The concept plan approval set levels across the site, including the construction of Skyline Crescent. Given the proposed use, there are strict requirements on the grading of driveways for trucks to enter and exit the site. Further, the concept approval always envisioned a cut and fill strategy across the site, which this DA has adopted and refined due to the detailed design considerations undertaken for the site. Therefore, it is understood that the finished floor levels are a product of the past approvals on site and do not warrant a review.
A pedestrian only access from Stuart Road via Skyline Crescent is recommended to provide pedestrian link to the site.	This development application does not propose access to Stuart Road or any works. The request by Council is considered a matter for the overall Concept Approval, SSD 6324, and falls within the Western Sydney Parklands Trust jurisdiction, as they have authority over the broader context of this area.
Consider introducing a shared path along Stuart Road to connect Bringelly Road, the site and the gateway to the Western Sydney Parklands to provide future opportunities for active transport to the site.	
In alignment with providing for ecologically sustainable development, improving social (public health) outcomes, and providing opportunities for take-up of active transport, End of Trip (EoT) facilities including secure bicycle storage and locker / shower facilities, are to be provided for workers and visitors in alignment with the Liverpool DCP 2008.	End of trip facilities (EOT) and bicycle storage locations have been identified on the updated Architectural Plans at Appendix A . Specifications for the EOT will be confirmed based off future tenant requirements and upon receipt of the Green Travel Plan prior to the commencement of construction.
Urban Design – Site Design, Visual Impacts, Landscape Design, Building Design and Occupant Amenity	
The applicant is to amend the design of the development (architectural plans, urban design report, and landscape design) to protect the views to the scenic hills landscape and promote the visually aesthetic character of the site and surrounds.	The proposed warehouse forms part of the broader Bringelly Road Business Hub, comprising built form controls as part of the concept approval under SSD-6324. A Visual Impact Assessment has been prepared for this development application. In the assessment of the proposed warehouse, it was not found to create significant visual impacts compared to the established warehouse and light industrial facilities within the Bringelly Road Business Hub. Further, the cut and fill strategy creates a lower pad compared to levels of Bringelly Road. This reduces the scale of the warehouse perceived from this view corridor, thus minimising its impact across the broader landscape.
Consider providing public art / mural on the blank walls along Bringelly Road, Stuart Road and Skyline Crescent. Engage a local artist to develop an artwork for the façade and seek an approval from Council's Public Arts Officer, prior to the execution of the artwork. Explore modulation within the building façade (with integrated vegetation / green walls) to provide relief within the proposed built form and integrate the development with the landscape.	Given Council's request for the warehouse to blend into the landscape, it is ESR's view a mural is not appropriate for this proposed development.
The verge adjacent to Bringelly Road and Stuart Road is considered suitable for additional tree planting as part of the development. Provide an updated landscape plan that indicates large canopy tree plantings outside the southern and western lot boundaries.	The request for street trees for the areas listed and illustrated below in screenshots from Google Streetview is questionable due to the following: Street trees do not fit in with the context. Bringelly Road and Stuart Street consist of open style rural landscapes.

Comment

Response

- b. The RMS and Western Sydney Parklands have not installed street trees in their properties.
- c. It would not be synergetic to the existing landscape character to add rows of trees.



Consider additional offsets between the building and the retaining wall to provide access for maintenance and to safeguard the building. Provide detailed cross sections along Bringelly Road and Stuart Road (including the proposed building, retaining wall and landscaping) to illustrate the various interface treatments being proposed as part of the development.

The building design has been updated to include an additional 300mm offset between the retaining wall and building. This has been reviewed and deemed safe for maintenance by a fire engineer and BCA consultant. Long sections showing the 800mm gap have been prepared for the proposed development and can be viewed at **Appendix A**.

Integrate the proposed sprinkler tank within the building or relocate the tank to a more discreet location within the site. The sprinkler tank must not detract from visual amenity.

The proposed sprinkler tank needs to be accessible by fire services if an emergency event were to occur. The location of the fire tank is the only accessible area which does not compromise truck movements on the hardstand.

To ensure the sprinkler tank does not detract from the visual amenity, the tank will be the same Colorbond material as the warehouse building. This creates a blending of

Comment	Response
	structures between the warehouse and sprinkler tank. Based on this, it is considered the sprinkler tank will not be intrusive and detract from public amenity.
Incorporate passive temperature regulation devices within the design for the warehouse and provide details of insulation and any non-heat absorbent cladding being proposed for the warehouse, to ensure thermal comfort for the building occupants.	The proposed development will be constructed as per BCA and Australian Standard construction requirement. These set criteria pertain to passive regulation requirements.
Additional trees are provided as part of the car parking layout (i.e., after every 5th car parking bay at 12m) to provide natural shade within the car park.	Noted. The landscape plans incorporate tree planting every 5 spaces, located to the north-west of the car parks to provide natural shade during the hottest part of the day. The additional trees are not located in car park islands as the landscape setback is a much better environment for resilient growth. This can be viewed at Appendix B .
The landscape plan should indicate permeable paving for the proposed car parking bays to soften the extents of hard paved surface. Consider a strip of permeable paving within the northern frontage (e.g., for areas that are free from the turning paths of the vehicles) to reduce amount of asphalt being proposed. This will assist in reducing urban heat.	The majority of the site is permeable planting or turf area due to topography. The common standard in most Western Sydney DCP's is 15% permeability. This site has more than 30% permeable area and therefore, there is no need for permeable paving.
An alternative tree species is selected to replace the proposed Magnolia and Tristaniopsis species.	The Magnolia and Tristaniopsis species have been removed from the landscape plans with alternate species proposed in Appendix B .
Include a set of translucent panels and or PV solar panels within the roof to allow natural light to enter the warehouse area, and to increase energy self-sufficiency.	ESR's design brief has an allowance for 10% of the roof to be translucent sheeting and a 100kw solar system. However, the delivery of these details will be confirmed once a tenant is secured. Further, ESR will be seeking a Green Star 4-star rating for the building, as required by the Western Sydney Parklands Trust.
The height of the palisade fence be changed to 1.8m high (in-line with the recommendations of Liverpool DCP) and the proposed colour for the fence needs to be 'Black Midnight Sky'.	The palisade fencing has been reduced to 2.1m, as per the ESR design brief and future tenant requirements. This is consistent with the palisade fencing delivered throughout the Bringelly Road Business Hub.
Limit the number of Pylon Signs being proposed as part of the development. Consider removing one of the Pylon signs proposed along Bringelly Road.	The approval for pylon signs does not form part of this consent. They were approved by Council under DA-952/2020.
Provide an adequately sized outdoor amenity space for the occupants of the proposed development.	The outdoor amenity space is depicted on the site plan to the north of the office. This area has an extended grassed outdoor area that is depicted on the landscape plans as shown in the extract below and in Appendix B . The total outdoor area proposed equates to approximately 114m ² which is considered sufficient.

Comment	Response
	
Land Contamination	
It should be properly considered whether the land is contaminated in accordance with Clause 4.6(1) of State Environmental Planning Policy (Resilience and Hazards) 2021. If the land is contaminated, it is to be investigated whether the land is suitable in its contaminated state or it will require remediation for the proposed development. If remediation is required, the land be remediated before it is used for the purpose of the proposed development.	ESR has undertaken testing on the site, submitting a Contamination Report prepared by Douglas Partners and provided at Appendix R of the original SSD package. Contamination levels were found to be suitable for the intended warehouse and distribution centre use. During construction, if levels exceed the thresholds identified under the <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>, an unexpected find protocol will be implemented and appropriate authorities will be notified.
Noise	
The applicant should detail opportunities to reduce the construction and operational noise at the source and explain the significance of residual noise impacts. The applicant to demonstrate that the selected mitigation measures are appropriate as part of the acoustic assessment.	The recommended mitigation and management measures are included in Section 6 of the Noise Impact Assessment (NIA). Construction noise impacts have been recommended to be managed using best practice standard mitigation and management measures. The NIA lists examples measures which may be appropriate to apply from the Roads and Maritime (now Transport for NSW) Construction Noise and Vibration Guideline. These measures are reproduced in Appendix E of the NIA. Operational mitigation measures, including source control, are discussed in Section 6.2 of the NIA. Given there is one receiver with notable exceedance of the operational noise goals, it is concluded the at-property may be feasible and reasonable to offer to this receiver.
The Acoustic Assessment report to assess potential road traffic noise impacts during construction and operation in accordance with the NSW Road Noise Policy prepared by the Department of Environment, Climate Change and Water NSW (DECCW NSW) dated March 2011.	Operational vehicle movements are included in Section 4.2.4 of the NIA and it is concluded that impacts from the project would be negligible given the high existing volumes on surrounding roads, with reference to the RNP criteria for a >2.0dB increase (criteria presented in Section 3.3 in the NIA).

Comment	Response
	Construction traffic has not been specifically assessed on that basis that volumes would be less than the operational traffic volumes (around 60 heavy vehicles and 250 light vehicles per day).
Hazardous Materials	
The applicant to confirm if any dangerous goods will be stored at the proposed warehouse and distribution facility. A preliminary screening procedure and /or Preliminary Hazard Analysis for the facility be prepared in this regard if needed.	A preliminary screening procedure and/or Preliminary Hazard Analysis is not required as no Dangerous Goods are proposed to be stored/used within the site. Should a future tenant seek to store these items, separate approvals as required will be sought.
Regulated System	
The proposal to confirm whether regulated systems such as cooling water systems will be installed as part of the development in accordance with the Public Health Act 2010, Public Health Regulation 2012 and AS 3666.	Cooling water systems will not be installed on this development.
Sewage Management	
The applicant must confirm the wastewater connection method for the proposed development (i.e. gravity / pump-to-sewer) to determine if additional requirements apply under Section 68 of the Local Government Act 1993.	The wastewater connection is proposed to be gravity fed to the existing sewer line within Skyline Crescent. No augmentation of the existing sewer line has been identified.
Waste Management	
The garbage/waste storage areas are required to be clearly identified on the site plans and be located within the proposed building.	The waste area has been identified in the Architectural Plans at Appendix A . Due to the type of bin collection system (4.5m ³ front lift), locating waste storage within the building is not safe or convenient. If bins were located within the building, they would need to be moved outside for collection. Therefore, the proposed location identified on the plans is deemed the most appropriate location as it enables waste collection and operation of the warehouse to occur simultaneously without disruption.
The designated garbage/waste storage areas must comply with the following requirements: - The rooms shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor; - Provided with a hose cock for hosing the garbage bin bay and a sewer drainage point in or adjacent to the bin storage area. The drainage point should have a fine grade drain cover sufficient to prevent coarse pollutants from entering the sewer. If the hose cock is located inside the bin storage bay, it is not to protrude into the space indicated for the placement of bins; - The room shall have a floor waste facility which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and - The room must include a tight-fitting, self-closing door and mechanical ventilation.	The proposed waste storage system (4.5m ³ front lift), cannot comply with the proposed requirements, as it cannot be located within the building or enclosed in a structure. Similar waste storage systems have been approved for other developments within the Bringelly Road Business Hub.
As Council doesn't provide any commercial waste services, engage a private waste contractor to transport any residual waste from the facility to a processor for either recycling or disposal.	Section 6.8 of the Waste Report confirms that 'Waste collection will be undertaken by a private contractor'.
Stormwater Management	

Comment	Response
A DRAINS model be developed for stormwater drainage analysis for pre/post development scenarios and submitted with results for Council's review.	The DRAINS model is provided in this Response to Submissions. Refer to Appendix D with updated engineering plans at Appendix E .
Traffic and Transport	
Vehicular access is not permitted between Skyline Crescent and Stuart Road.	Access to Stuart Road is not proposed as part of this development.
Detailed design plans for the access driveways and car park including swept path analysis, line markings and sign posting in accordance with Council's Development Control Plan (DCP) and AS2890 is to be submitted to Principal Certifying Authority (PCA) for approval. Any structure adjacent to the driveway exit (e.g. Letterbox) shall not be greater than 1.2m in height, to allow sight distance for motorists exiting the property.	Noted.
An Operational Traffic Management Plan Management (OPTM) is to be prepared to prohibit the use of Stuart Road, to minimise traffic impact on the adjoining residential properties.	Access to Stuart Road is not proposed as part of this development.
A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council's Traffic and Transport section for approval prior to the issue of a Construction Certificate.	Noted.
<u>Prior to commencement of works</u>	
The developer shall seek road occupancy, road opening permits, and work zone approval from Council if required prior to undertaking any works within public road reserve. The application forms are available on Council's website or can be requested from the Council's Customer Services.	Noted.
Prior to commencement of any work, a Traffic Control Plan including details for pedestrian and cyclist access management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Transport for NSW publication "Traffic Control at Worksites" and certified by an appropriately accredited Traffic Controller, and submitted to Council and the PCA for approval.	This can form part of the CTMP.
Traffic control measures shall be implemented during the construction phase of the development in accordance with the certified plan. A copy of the plan shall be available on site at all times. <i>Note: A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council.</i>	Noted.
<u>During construction</u>	
The endorsed CTMP is to be implemented during the construction.	Noted.
All works within the road reserve area to be at the applicant's cost and all signage is to be in accordance with the TfNSW Traffic Control at Worksites Manual and TfNSW Delineation Guideline. Applications must be made to Council's Traffic and Transport section for any road closures. The applicant is to include a Traffic Control Plan, prepared by a suitably qualified person, which is to include the date and times of closures and any other relevant information.	Noted.

Comment	Response
<u>Prior to Issue of the Occupation Certificate</u>	
Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall ensure that all works associated with Section 138 of the Roads Act approval or Section 68 of the Local Government Act approval have been inspected and signed off by Council.	Noted.
All roadworks, signposting and street lighting are to be completed to Liverpool City Council requirements, at no expense to Council or Transport for NSW.	Noted.
Council's on-street assets such as footpath should be protected at all times. Any damages should be rectified to Council satisfaction.	Noted.
<u>During operation</u>	
A total of 41 off-street carparking spaces including one (1) disable carparking space are to be retained. All the signage and line marking are to be maintained to Council satisfaction.	Noted.
All parking areas shown on the approved plans must be used solely for the intended purpose.	Noted.
All loading and unloading must take place from the designated loading dock. Goods and/or waste or extraneous material must not be stored in the vehicular manoeuvring and parking areas. Those areas must be kept clear at all times for the free movement of vehicles.	Noted.
All the measures and travel restrictions in the approved Operational Traffic Management Plan (OTMP) shall be implemented at all times.	Noted.

3.4 Sydney Water

Table 5 *Sydney Water Request for Information*

Comment	Response
Water Servicing	
- Potable water servicing should be available via a 200mm CICAL watermain (laid in 1954) in Stuart Road. - A 150mm watermain is in Skyline Crescent and adjustments may be required. Further details will be provided when the development is referred to Sydney Water at the Section 73 stage.	ESR will connect to the existing watermain in Skyline Crescent. ESR will engage with Sydney Water via the Section 73 process during the delivery of the development.
Wastewater Servicing	
- Wastewater servicing should be available via a 225mm PP wastewater main (laid in 2020) on Skyline Crescent. - Amplifications, adjustments, and/or minor extensions may be required.	ESR will connect to the existing sewer line within Skyline Crescent. A connection point has been allocated near the entrance of the proposed development. During the delivery

Comment	Response
	of the wastewater infrastructure, if any amplification or adjustments are required, ESR will consult with Sydney Water via the Sydney Water approval channels.
Critical Assets	
- A 600mm SCL trunk watermain traverses the north of the site and an associated stop valve is in the proposed truck carparking area. - The 600mm trunk watermain is a critical asset which feeds Carnes Hill Remainder Zone from Carnes Hill Reservoir. - Please ensure the proposed development zone of influence does not include the 600mm trunk water main in Skyline Crescent and the development site. If the development zone of influence includes this main, an Out of Scope Building Planning Approval may be required.	The 600mm watermain is denoted on the architectural plans as referenced in Appendix A . The main is located only within the north-west corner of the proposed car parking. The construction of the car park will not affect this critical asset. A condition can be implemented to require consultation with Sydney Water during the construction.

3.5 NSW Rural Fire Service

Table 6 *NSW Rural Fire Service Request for Information*

Comment	Response
Asset Protection Zones	
From the commencement of building works and in perpetuity, the entire property must be managed as an inner protection area in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019: - tree canopy cover should be less than 15% at maturity; - trees at maturity should not touch or overhang the building; - lower limbs should be removed up to a height of 2m above the ground; - tree canopies should be separated by 2 to 5m; - preference should be given to smooth-barked and evergreen trees. - create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings should be provided; - shrubs should not be located under trees; - shrubs should not form more than 10% ground cover; and - clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation. - grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and leaves and vegetation debris should be removed. Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated: - A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; - Planting is limited in the immediate vicinity of the building;	Noted. Landscape plans have been updated to ensure it meets the requirements of <i>Planning for Bushfire Protection 2019</i> (refer to Appendix B).

Comment	Response
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); - Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings; - Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies; - Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; - Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter); - Avoid climbing species to walls and pergolas; - Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building; - Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and - Low flammability vegetation species are used.	
Construction Standards	
The building must comply with the construction recommendations as set out in the bush fire report prepared by Blackash Bushfire Consulting, project ref. Lot 1 Bringelly Road Business Hub, ver. 1.2, dated 11 May 2022.	Noted. To form part of Condition of Consent wording.
Property Access	
Property access roads must comply with the following requirements of Table 7.4a of <i>Planning for Bush Fire Protection 2019</i>: - property access roads are two-wheel drive, all-weather roads; - the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating. - there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available; - minimum 4m carriageway width; - a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches; - property access must provide a suitable turning area in accordance with Appendix 3; - curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress; - the minimum distance between inner and outer curves is 6m; - the cross fall is not more than 10 degrees; and maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads.	Noted. To form part of Condition of Consent wording.
Water and Utility Services	

Comment	Response
The provision of water, electricity and gas must comply with Table 7.4a of Planning for Bush Fire Protection 2019.	Noted. To form part of Condition of Consent wording.

3.6 Jemena

Table 7 Jemena Request for Information

Comment	Response
Safety and impacts on or from the Jemena gas pipelines	
Jemena does not object to the development application, subject to the following condition: Jemena requires that there is no threats to the integrity of the Jemena assets during this construction and operation of the development. Any construction activity, excavation, vehicle crossings, planting of trees within 3m of the Primary Main is prohibited.	The retaining wall and landscape plans have been amended to ensure the construction and operation of the development does not affect the Jemena pipeline within the site. Refer to Appendix A and B for further information. Correspondence received during the preparation of this RTS confirming the setback has been provided at Appendix G.

3.7 WaterNSW

Table 8 WaterNSW Request for Information

Comment	Response
WaterNSW does not have any comments or particular requirements.	Noted.

3.8 Public Submissions

Table 9 Response to Public Submissions

Comment	Response
Sadleir, NSW	
I support the project because it provides a great opportunity for more students of Islamic faith to learn and grow in both an academic and nurturing environment. This project will also provide teachers and staff members with more jobs which will hopefully help many individuals looking for jobs.	This submission of support seems to be related to another project.
Greenacre, NSW	
There needs to be a freight and passenger rail connection to the site.	Connection of freight and rail to the site is out of the applicant's control.

4.0 Proposed Amendments

Following submissions received and to address matters, there are proposed amendments to the proposal. These include (and are shown in the amended Architectural Plans at **Appendix A**):

- End of trip facility and bike storage areas identified (further detail on these areas will be provided upon confirmation of tenant and addressed in the Green Travel Plan).
- Reduction of office space on ground floor.
- Increase of warehouse floor area to reflect reduction in office space on ground floor.
- Addition of extra staircase to ensure fire exits are maintained in accordance with the BCA and relevant Australian Standards.
- Warehouse floor amenities have rotated.
- Maintenance gap between the rear of the building and retaining wall has increased from 500mm to 800mm resulting in a shift of the south-eastern walls of the building.
- Building footprint has been extended further to the east to accommodate the change to the maintenance gap.
- Substation has been relocated.
- Retaining wall near sprinkler tank has been brought in to ensure a 3m clearance from gas main.
- Awning width has reduced from 15m to 10m.

These changes have been made to reflect design development and comments made, in particular comments received from Liverpool Council and DPE.

5.0 Further Environmental Assessment

5.1 Built Form

The main changes, as described above, relate largely to the built form of the proposal that would be visible from the public domain and external areas of the site and broader Bringelly Road Business Hub.

As a result, further assessment of built form has been carried out, in particular to respond to the DPE comment relating to urban design and elevations.

In response, the landscape design has been further developed to provide further screening of the proposed building from Bringelly Road (refer **Figure 1**).

Furthermore, a number of additional sections have been prepared to highlight the substantial level difference from the Bringelly Road corridor to the subject site, with tree planting indicated to ensure screening is provided, and also to create visual interest through creating a foreground of foliage, before the background of the built form elevations (which utilise multiple colours for visual interest) becomes apparent. This is shown further in **Figure 2** through **5**. Importantly, the built form will be nearly hidden by the proposed landscaping which is supported through the existing separation of levels of Bringelly Road and the site. This is particularly noticeable in **Figure 5** which highlights the clear visual separation from the two locations. This design response through landscaping to respond to the level changes and the use of colours on the built form façade, is considered to satisfy the requirements of Section 2.3 Control 8 of the Design Guidelines for the Bringelly Road Business Hub.

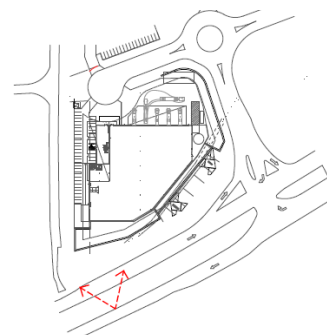


Figure 1 3d montage view from Bringelly Road

Source: Habit8

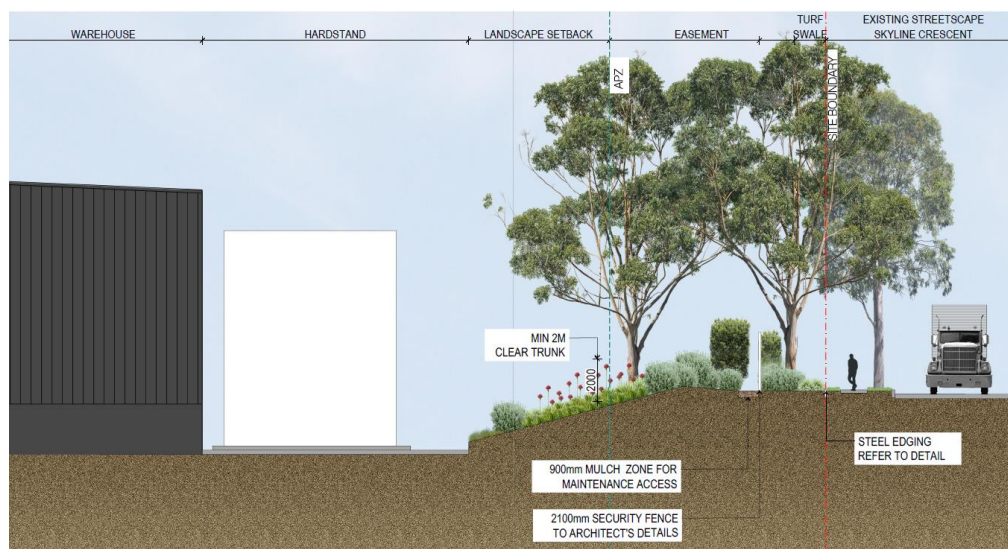


Figure 2 Section AA along Skyline Crescent

Source: Habit8

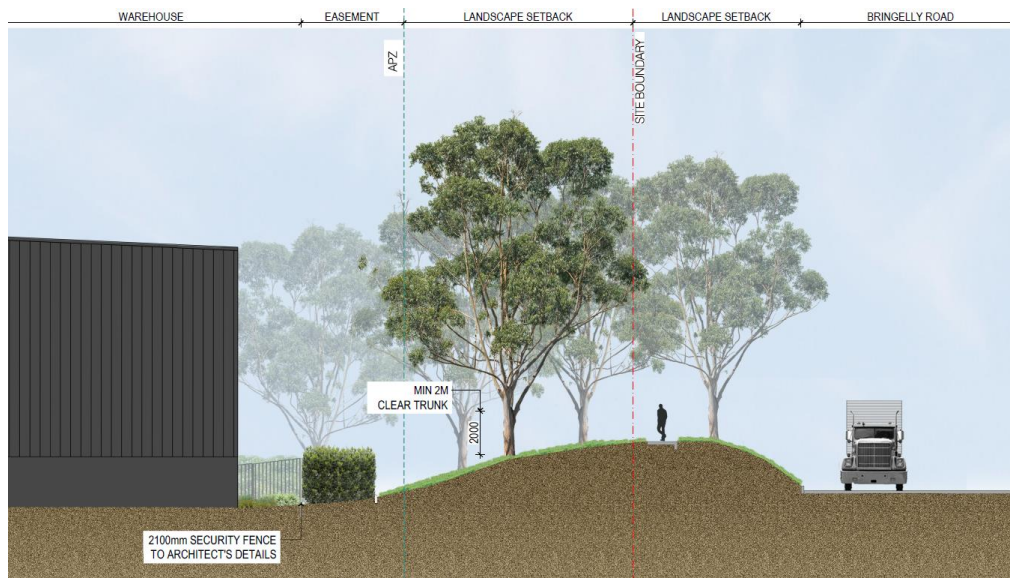


Figure 3 Section BB along Bringelly Road

Source: Habit8

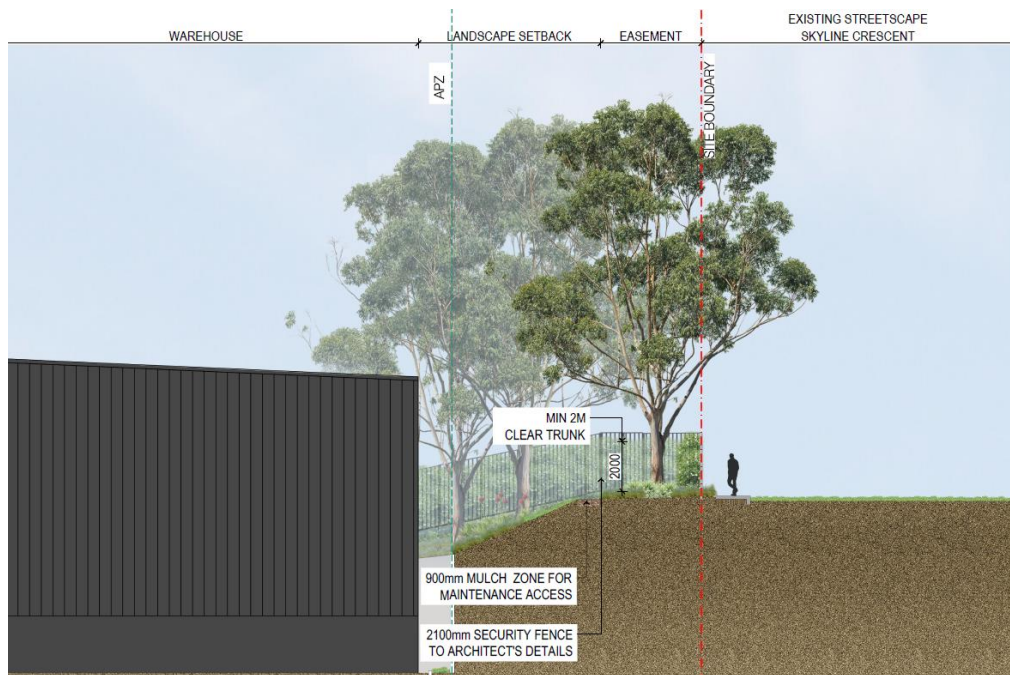


Figure 4 Section CC along Bringelly Road

Source: Habit8

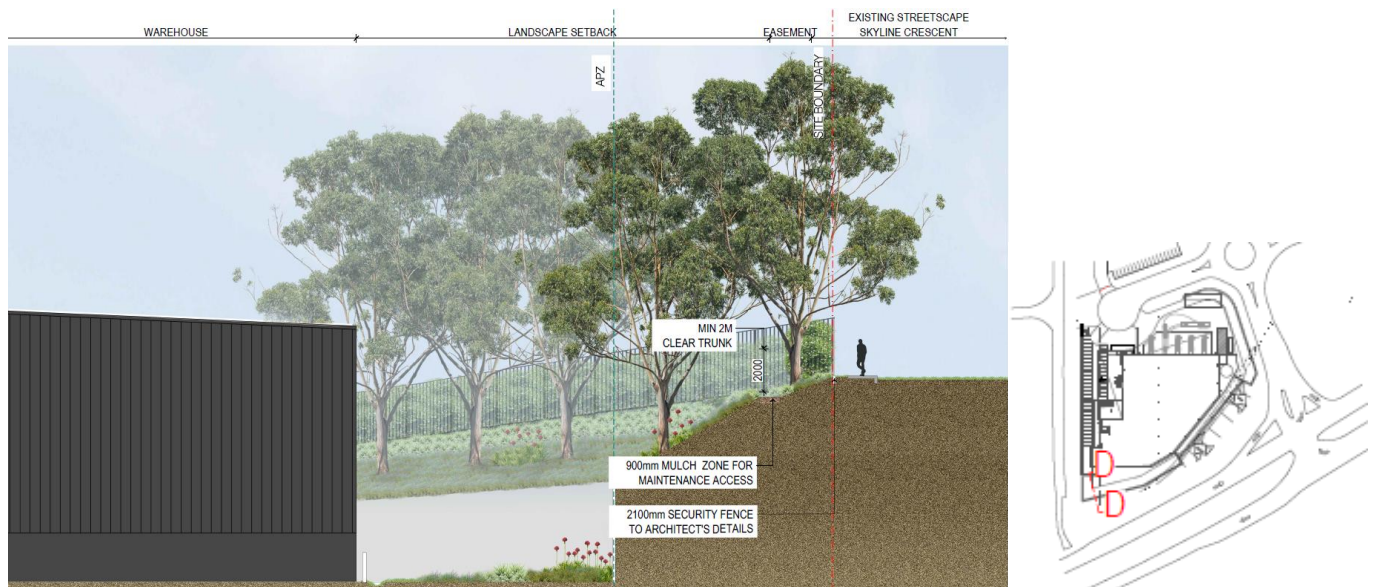


Figure 5 Section DD along Bringelly Road

Source: Habit8

5.2 Other matters

There are no other environmental assessment matters that are considered to require further assessment as a result of the amendments to the proposal.

6.0 Conclusion

This Submissions Report has been prepared by Ethos Urban on behalf of ESR in relation to the Request for Additional Information dated 1 July 2022 issued by the Department of Planning and Environment on the proposed State Significant Development Application seeking approval for the development of a warehouse and distribution facility in the Bringelly Road Business Hub.

In line with the Development Application, no residual adverse environmental, social, or economic impacts have been identified as a result of the proposed amendments outlined below:

- End of trip facility and bike storage areas identified (further detail on these areas will be provided upon confirmation of tenant and addressed in the Green Travel Plan).
- Reduction of office space on ground floor.
- Increase of warehouse floor area to reflect reduction in office space on ground floor.
- Addition of extra staircase to ensure fire exits are maintained in accordance with the BCA and relevant Australian Standards.
- Warehouse floor amenities have rotated.
- Maintenance gap between the rear of the building and retaining wall has increased from 500mm to 800mm resulting in a shift of the south-eastern walls of the building.
- Building footprint has been extended further to the east to accommodate the change to the maintenance gap.
- Substation has been relocated.
- Retaining wall near sprinkler tank has been brought in to ensure a 3m clearance from gas main.
- Awning width has reduced from 15m to 10m.

We trust that the responses provided above will enable DPE to finalise their assessment of the SSDA. Given the environmental planning merits (and the ability to suitably manage and mitigate any potential impacts) and significant public benefits proposed, it is considered the application is supportable as proposed.