

Our reference: P-591319-T6C6  
Contact: Jake Bentley  
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Attn: Bruce Zhang  
Email: [bruce.zhang@planning.nsw.gov.au](mailto:bruce.zhang@planning.nsw.gov.au)

Dear Bruce Zhang,

**Council Response to Amendment Report - SSD-17552047 – The Edge Estate at 155–217 Aldington Road, Kemps Creek, NSW, 2178**

Thank you for providing Penrith City Council with the opportunity to comment on the abovementioned Amendment Report.

Council has reviewed the information referred for comment and provides the following advice for the Department's consideration in relation to this matter.

**1. Planning Considerations**

a) Earthworks and Associated Interfaces

- Section 4.4 of the Mamre Road DCP provides provisions relating to managing level transitions between lots and not at public domain interfaces and having ground levels no higher than 1m when adjacent to the public domain. If this cannot be achieved, then tiered retaining walls are to be provided with a maximum tier height of 2m and overall cumulative maximum height of 6m with suitable landscaping between each tier. Additionally, retaining walls are to be setback 2m within the property to allow for suitable landscaping.
- Future lot 14 has identified a bench level of RL 57 with the adjoining Aldington Road having a road level of RL 53.4. In this regard, the lot is some 3.6m above the adjoining road with no detail of interface treatment provided. Noting the smaller lot size and narrower width to the north to accommodate the transmission easement this interface to a distributor road shall be closely considered by DPE in terms of the visual outcome.

- The remaining lots fronting Aldington Road (beyond lot 14) are treated with basins between the warehouse and/or bench level and Aldington Road. A review of the adjacent road level, basin level and bench level indicate that basins are significantly lower than both the road and bench levels. As the road increases in height to the north, the road level transitions in and out of being higher or lower than the adjoining lot bench level. As such, it is crucial that significant landscaping can be provided without compromising the basins but also to create an effective screening.
- The southern segment of proposed Road 2 generally aligns with levels for adjacent lots to the west (Lots 9-11) however, Lots 12 and 13 are significantly above the road level. The Civil Plans indicate that batters are proposed, and this is assumed to be an interim measure until warehouses are proposed in the future. The DCP provisions specified above relating to retaining and public domain interface shall be considered to ensure future development can comply and provide satisfactory interfaces.
- The Civil Plans show differing bench levels for lot 2 (RL 67 on general arrangement plan and RL 65.7 on the remainder). This conflict shall be addressed as retaining walls between lot 1 and 2 as well as interface with adjacent Road 2 will be impacted by the actual proposed level.
- Warehouses 3-8 incorporate undercroft parking to respond to road levels and requirement for flat building pads. As such, warehouses are elevated above the road level resulting in lack of ability for landscaping to provide effective screening.
- It is understood that a combination of retaining walls and batter is proposed to address level differences between road levels and elevated floor levels/associated loading docks. In this regard, effective landscaping to screen these areas is critical considering their elevated nature.
- In addition to the above, warehouses 6 and 8 have been provided with 5m setbacks (taken to be secondary street frontage setbacks) fronting Road 1. The setback classification appears to be inaccurate as parking and office areas front this road which would appear more suited to a primary street frontage and hence a larger setback. Considering the above and that

warehouses/manoeuvring areas are elevated the larger (required setback) would create increased landscape opportunity.

- The plans have not detailed the depth of trunk drainage proposed to the south of lot 2. Without the specification of these levels the interface to Road 01 and interface with Warehouse 2 cannot be understood as to whether retaining extent complies with applicable provisions noting frontage to the public domain and at a prominent corner.
- The proposal package included proposed works to Aldington Road including road levels. These levels shall be considered against neighbouring SSD sites to the west and east of Aldington Road to ensure levels do not set up undesirable road interfaces noting level differences. For example, the Aldington Road level at the northern boundary of the Edge Estate is RL 80m and the adjoining pad level at the DEXUS site is RL 85m.

b) Other Matters

- Figure 17 of the Mamre Road DCP includes indicative access points to the dedicated freight corridor which traverses the land immediately to the west of the estate. The indicative access points do not correspond with the proposed levels. For example, Lot 9 is nominated as having an indicative access point to the freight corridor. However, Lot 9 is elevated above the freight corridor prohibiting access. Additionally, Lot 2 is nominated as having access which sits at RL 65.7, then slightly further north the Mirvac development has access at RL 57 how will this level change be accommodated.
- The Acoustic Report identifies large acoustic barriers are required to the southern and south-western boundaries of the estate, which will be atop retaining walls (maximum 6.5m in height). Noting the cumulative visual impact of these walls and unknown nature of their interim duration consideration should be given to any potential mitigation opportunities.
- The Mamre Road Precinct Structure Plan includes a riparian buffer at the south-eastern boundary of the estate and an environmental conservation area abutting the northern boundary of the estate. It is noted that a 4.25m retaining wall is proposed at the south-eastern boundary so it is unclear how the riparian buffer is being

provided. Similarly, the northern boundary is treated with a 11.5m high retaining wall therefore, it is unclear how the environmental conservation and transition into this area will be provided.

- The Site Plan for Warehouse 1 states parking amounts are insufficient.
- The Subdivision Plan shows lot 14 being accessible via proposed Road 2 via an access handle to the south of lot 13. The Department should investigate how truck and regular vehicle movement conflicts will be addressed via this arrangement.

## 2. Development Engineering Considerations

Council's Development Engineering Department have reviewed the proposal and have raised the following considerations:

### a) Roads:

- Aldington Road and Abbots Road are currently unsuitable for the heavy vehicle traffic demand proposed via the State Significant Development. As such, the roads are required to be upgraded as per provisions with the Mamre Road DCP. In this regard, the Department shall consider a mechanism to be in place that ensures the roads are suitably upgraded prior to the operation of the proposal and subsequent use of these roads.
- The provided engineering plans have included turning paths demonstrating that the proposed road network can cater for a Performance Based Standards (PBS) Level 2 Type B vehicle and that the proposed roundabout can cater for a 36.5m PBS Level 3 Type A vehicle. The Mamre Road Precinct DCP Requires that the entire road network can cater for a 36.5m PBS Level 3 Type A vehicle. Noting this, the cul-de-sac heads at the ends of Roads 02 & 03 as well as the proposed signalised intersection with Aldington Road are also required to be tested for the 36.5m PBS Level 3 Type A design vehicle.
- The roadworks layout plan shows an abrupt halt to the kerbside lane of Road 02 on the approach/exit to the roundabout in both directions. A smooth taper in the road pavement should be provided transitioning Road 02 from two-lanes (through lane and kerbside lane) to a single lane at entry to/exit from the roundabout.

- The sag vertical curve at the intersection of Roads 02 & 03 (MC03 longitudinal section) does not appear to comply with clause 8.6.4 of Austroads Guide to Road Design Part 3: Geometric Design. Where the topography of the site permits, it should be sought to increase the length of this sag vertical curve.
- It is recommended that engineering plans are provided as part of this application that demonstrate compliant construction access to/from the site from Aldington Road in the interim scenario (prior to the upgrade of Aldington Road) should consent for this development be granted prior to completion of the Aldington Road upgrade. Construction access/egress should be tested for the largest construction vehicle proposed to access the site during construction.

b) Internal Vehicular Access

- The Swept Path Analysis plans have nominated 30m PBS Level 2 Type B vehicle as the largest vehicle type to access Lots 1 to 8.
- Lots 5 & 8 propose site access over the existing TransGrid easement. Explicit owner's consent for this access (and the associated works) should be provided prior to determination of the application. The ongoing consultation between the applicant and TransGrid is noted.
- Lots 5 & 8 are proposed to make use of a common driveway. An easement for access will be required to burden Lot 5 in benefit of Lot 8.
- The heavy vehicle access to Lot 3 is to be of sufficient width to facilitate the access manoeuvre of the 30m PBS Level 2 Type B vehicle. Swept paths provided within the Transport Management & Accessibility Plan indicate that additional width is required for this access.
- The interim and ultimate design arrangement of the light vehicle carpark for Lot 1 associated with the location of temporary turning head for Road 02 is noted. Conditions of consent permitting completion of the Lot 1 carpark on the extension of Road 02 north are recommended.

- Access, parking, manoeuvring and loading facilities shall be in accordance with AS2890 and Performance Based Standards An introduction for road managers (National Heavy Vehicle Register, May 2019) to accommodate vehicle types outlined in Table 12 of the DCP.

c) Stormwater

- Penrith City Council will not accept the dedication of any estate water quantity or water quality basins. Any estate drainage basins are to be maintained in perpetuity by the estate.
- Correspondence should be sought from Sydney Water confirming their acceptance of variations to the adopted Mamre Road Precinct Stormwater Scheme Plan. The application proposes a series of detention basins connected via culverts, to suit TransGrid's requirements for works within their easement. This is inconsistent with the provision of naturalised trunk drainage channels under the scheme. Sydney Water's in-principle support for this arrangement is noted within the amendment report. This matter should be resolved prior to determination of the application.
- Similarly, correspondence should be sought from Sydney Water confirming their acceptance of the minor relocation of the western trunk drainage channel. There is merit in the proposed relocation of this channel adjacent to Road 01 for ease of future maintenance.
- Basin C is proposed with a spillway directing emergency overflow towards Road 01. This emergency overflow shall be assessed and designed to ensure safe velocity depth products are achieved for any overflows passing over Road 01.

d) Local Overland Flow Flooding

- The provided Flood Impact Assessment appears to have been prepared based on a now superseded engineering design for the estate, where 6 basins were proposed. Basin F in the superseded design has now been replaced by the western trunk drainage channel and Basins B & C have been combined into one basin (Basin B) as part of the latest engineering design. The Flood Impact

Assessment should be amended for consistency with the latest engineering design.

- The Flood Impact Assessment should nominate the required finished floor levels for each proposed warehouse development on proposed lots 1 to 8 (based on flood levels set by this assessment in the post-development scenario) in accordance with Mamre Road Precinct DCP Section 2.5 Control 7 (500mm freeboard to 1% AEP flood level impacting each warehouse location).

e) Earthworks

- The proposed cut batter on the Dexu site to the north of the proposed development indicates in future that a retaining wall with height up to 11.5m will be provided at this boundary. The future extension of Road 02 through the Dexu site needs to be considered as part of this design, noting that retaining wall heights adjoining the public domain are required to comply with Mamre Road Precinct DCP Section 4.4 Clause 7 (maximum retaining wall height adjoining the public domain of 6m, with tiers no greater than 2m in height). Further consideration should also be given to the impact that a tiered retaining wall adjoining Road 02 will have on the developable land space of the Dexu site.
- Details should be provided as part of this application demonstrating how lots within the estate which have an identified access point will be serviced by the proposed dedicated freight corridor (Figure 17 Mamre Road Precinct DCP), noting the difference in level between this corridor and the adjoining estate lots (lots are filled with significant retaining wall heights adjoining the corridor).

### 3. Traffic Engineering Considerations

Council's Traffic Engineering Department have reviewed the proposal and have raised the following considerations:

- a) It is recommended that the traffic generation associated with the proposal be calculated based on Transport for NSW trip rates and not on surveyed rates.

- b) It is recommended that the provision of car parking spaces for the amended development comply with Table 12 of Mamre Road Precinct Development Control Plan.
- c) It is recommended that when designing the cul-de-sac, the applicant should take into consideration the largest vehicle using the turning area.

#### 4. Environmental Health Considerations

Council's Environmental Health Department have reviewed the proposal and have raised the following considerations:

a) Biodiversity

- In respect to responding to the mitigation measures in the Cumberland Plain Conservation Plan the development has not been designed to try and retain large trees and incorporate them into the development to demonstrate this mitigation measure has been incorporated. The CPCP mitigation measures asks for 'Retain large trees (including dead trees but excluding noxious weeds) ( $\geq 50\text{cm DBH}$ ) during precinct planning where possible and avoid impacts to soil within the dripline of these trees during construction.'
- As per the objectives of the Mamre Road DCP under Section 4.2.2 Building Setbacks and Section 4.2.3 Landscaping (Point 1 and 5) the development should be designed to retain existing trees where possible. Retaining existing trees can assist with achieving required canopy targets and can reduce costs in landscaping and maintenance of planting more trees. It is recommended that the development could be designed to try and retain the existing trees which could form part of the landscaping of the site.
- It is acknowledged that the Landscape Plan covers the Trunk drainage and basins. It is recommended that a Vegetation Management Plan is prepared for these areas as the Landscape Plan does not provide details or provide an ongoing plan for the management of these areas to control weeds in these areas and ensure the revegetated areas are managed to ensure they do not become dominated by exotic vegetation in perpetuity.



- If the application is to be approved the following consent conditions should include:
  - o Requirement for a qualified and experienced wildlife Ecologist to undertake measures outlined in Section 6 of the Biodiversity Impact Assessment prepared by Ecolique dated 22 September 2023 prior to clearing of trees and supervise clearing of the trees approved to be removed present on the site. Evidence that these measures have been undertaken will be required to be submitted to the consent authority prior to the issue of an Occupation Certificate.
  - o Actions outlined in the Dam Decommissioning Management Plan is to be undertaken prior to earthworks commencing on site. Evidence that the decommissioning of dams has been undertaken in accordance with the Management Plan is to be prepared to the Department to demonstrate compliance prior to works commencing.
  - o A Vegetation Management Plan should be prepared for the Trunk drainage and Basins.

Should you wish to discuss this matter further, please contact Jake Bentley on (02) 4732 8087.

Yours sincerely,



**Sandra Fagan**  
Principal Planner