



Our reference: P-358914-D1J5
Contact: Gavin Cherry
Telephone: (02) 4732 8567

5 September 2022

Department of Planning, Industry and Environment
Attn: Rebecka Groth

Email: rebecka.groth@dpie.nsw.gov.au

Dear Rebecka,

**ARDEX Warehouse and Manufacturing Facility - Response to Submissions
- SSD-25725029 - 657-769 Mamre Road, Kemps Creek**

Thank you for providing Penrith City Council with the opportunity to comment on the Response to Submissions documents related to State Significant Development (SSD).

1. Planning Considerations

- (a) Pedestrian safety - It is recommended that the Department (DPE) ensure that any cumulative pedestrian safety impacts resulting from the number of driveway cross overs proposed to be adjacent to each other are appropriately addressed.

It is noted that the heavy vehicle driveways are proposed to be adjacent to those proposed in sites to the immediate north and immediate west. This arrangement will limit the ability for street tree planting and does not provide for safe pedestrian crossing. Refer also to comments below related to the need for plans to correlate and in relation to swept paths clashing with amended landscape and architectural layouts.

Car parking – It is noted that the number of car parking spaces exceeds the minimum requirements of the DCP (DPE is to review calculation methodology) and thus, encroachments into landscaped areas are to be minimised. The form of the building is bulky and exceeds the maximum height for the precinct and building and landscaping setback requirements of the MRP DCP are misinterpreted by the applicant (see point (b) below).

Landscaped areas and in particular areas for canopy trees, are to be maximised and are not to be impacted by hard stands and services.

- (b) Landscaping – All building setbacks and landscape setbacks are to comply with the requirements of the Mamre Road Precinct DCP (MRP DCP). The DCP stipulates that building setbacks may include car parking areas, if it is demonstrated that the location of car parking *is set behind a landscaped setback being 6m in depth* (p.55 MRP DCP).
- (c) Tree planting and canopy - It is essential that the canopy tree plan form part of the stamped approved documentation and that such plan demonstrates that a minimum of 10% canopy will be achieved for the proposal.

Street tree planting is not to be included in calculable canopy. Calculable tree canopy area is to have regard to required sight lines and utility locations.

It is recommended that a condition of consent is included (should consent be granted) which requires that the applicant provide evidence to the Certifying Authority, confirming that trees which were included in canopy calculations, are installed and are thriving, prior to the issue of any Occupation Certificate for the development and that dead, dying or damaged trees are replaced like-for like.

Island planter beds within the car park are to be staggered to optimise shading. The applicant is to be encouraged to provide for larger island planter bed which would accommodate a cluster of trees to assist with moderating bulk and scale and improving streetscape presentation.

The proposal does not comply with the requirement of the MRP DCP to provide 1.5m wide island planter beds at 10 car space centers as planter beds adjacent to car spaces 61 and 71 (see below at Figure 1 and 2) are proposed to be hardstand pedestrian entry ways.

It is recommended that the car parking layout be amended to ensure compliance and that island tree planters are not used for pedestrian entryways.

The row spanning space 107 to 120 is to be amended to comply with the DCP and a 1.5m wide island planter bed is to be introduced (see relevant areas in Figures 1-4 below).

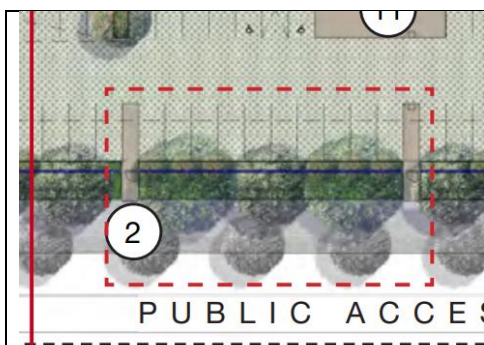


Figure 1: Landscape plan

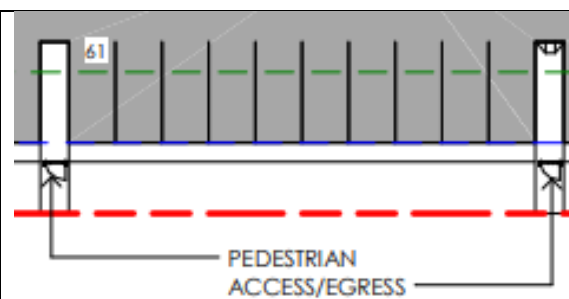


Figure 2: Architectural plan

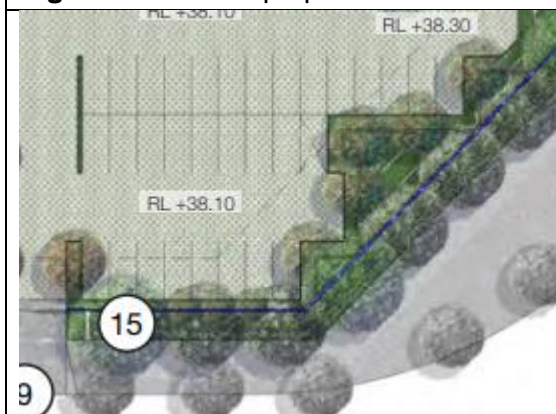


Figure 3: Landscape plan – southern car park

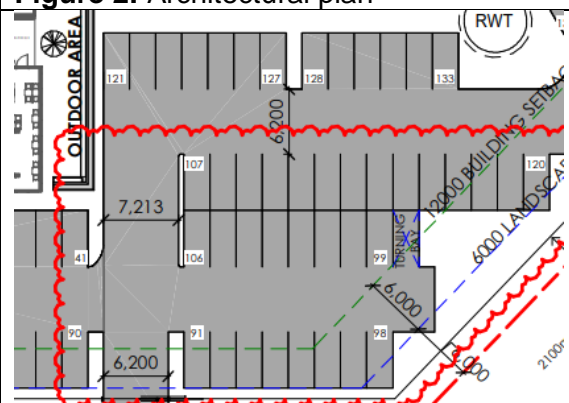


Figure 4: Architectural plan – southern car park

- (d) Landscaping, setbacks and RtS matters - It is not considered that the applicant has sufficiently addressed the concerns raised by DPE in the RtS which relate to the requested improvements to landscaping to the street frontages and reduction in hardstand required.

Car parking is excessive based on Council's calculations utilizing the MRP DCP rates), and the development is of an impactful scale (bulk and height) such that landscaping must be of high quality, sufficient in density and setbacks increased. The requested 1.5m wide buffer landscape strip between the southern heavy vehicle entry and the staff and visitor parking area is only partly provided. This is to be provided along the full length of the interface, for the reasoning outlined by DPE in the RFI.

The building setback to the southern frontage does not comply with the MRP DCP as it contains car parking. The email from DPE states that a 3.75m setback can be provided, which is correct, although the requisite building setback must then not include car parking as per control at 4.2.2 *Building Setbacks*, (4) of MRP DCP.

It is recommended that DPE request amended plans indicating compliance. Non-compliance with the setback controls will set an undesirable precedent and will result in a fragmented streetscape presentation.

All car parking spaces which encroach into the landscaped setback are to be deleted i.e., spaces 120 and 97, 98 and the related aisle turning head is to be reduced. Car space one is to be deleted to allow for deciduous canopy tree and/or shrub planting adjacent to the staff/visitor outdoor area (noting the southern orientation).

The first 5 car parking spaces which are located opposite the driveway marked '9' (eastern frontage), on the amended landscape plans are to be deleted, as these result in poor planting outcomes along the street frontage – noting the limited width of the setback at the area marked '2', on the amended landscape plans.

Generally, tree planting and landscape setbacks are to be increased and maximised noting the proposal includes silos at 38m and 22m in height, and the excessive car parking proposed. Tree species and mature heights and canopy spreads are to be noted on the landscaped set and the design of the site is to ensure that the planting can be delivered and will be sustainable to maturity.

It is raised that the RtS document includes a misinterpretation of both the building setback and landscape setback controls of the MRP DCP.

It remains unclear from a review of the landscape plans, which tree species will be planted where. This is to be clarified to ensure tree species and their locations are appropriate.

- (e) Charge stations - The number of EV charging stations is to be increased to 10% of all spaces.
- (f) Mega graphics – Council does not support the 'mega graphics' as these are brand advertising and are excessive.

- (g) Design matters – The quality of the design of the office and cladding treatment to the warehouse and silos are to be elevated noting the requirement of the DCP for a world-class precinct with high quality materials, articulation and cladding incorporated.
- (h) Clarification required - It is unclear what the dashed line is indicating (see Figure 5 below). If this is an awning or pit/service area below, it is to be reduced so as not to impact on the tree plantings either side – or tree planting pits increased to ensure canopy/planting is sustainable.

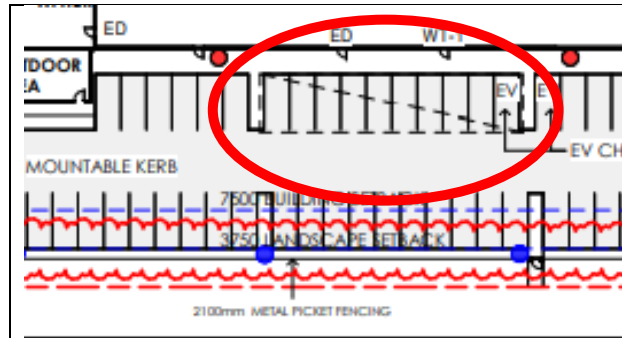


Figure 5: Architectural plan – Unclear what dashed line indicates – possible impact on landscaping to be clarified/addressed.

- (i) DPE is to ensure that the civil plans are amended to reflect the landscaping and architectural plans (in particular, the staff car parking/landscape layouts).
- (j) 7.11 Development Contributions - It is noted that the RtS includes details of a letter of offer to Penrith City Council to enter into a Voluntary Planning Agreement (VPA) in relation to contributions. Prior to the determination of the application (should consent be granted), it is recommended that DPE contact Council and confirm that the VPA has been executed.
- (k) Retaining walls - It is recommended that DPE review the location and TOW heights of all retaining walls to ensure that impacts to landscaping are negligible and that the proposed landscaping and in particular trees, is sustainable to maturity.
- (l) Pad-mounted substations – It is not considered sufficient to state that the location of pad mounted substations will be noted post consent. Architectural and landscape plans must not indicate locations of a minimum of 2 x pad mounted substations to ensure that landscaping will not be poorly impacted by the locations and to ensure that canopy tree targets are met and the development and be sufficiently screened. It is recommended that car parking be reduced to accommodate the locations.
- (m) Utilities – It is uncertain from the RtS if potable water will be available at the time of occupation. DPE is to be satisfied of utilities availability prior to determination of the application as per the requirements of the SEPP I&E.

- (n) Sustainability - The applicant's ESD Report is to identify the measures which will be implemented and installed, and these are to be nominated on plans, and are to be over and above minimal/usual initiatives.
- (o) Swept paths – Swept path diagrams are not consistent with the proposed amended landscaping and amended architectural layouts as is demonstrated by the RtS document (refer p.39 & 40).

2. Waterways Considerations

In regards, to the proposed stormwater management strategy, I make the following comments for your consideration.

The Ardex site falls within the Yards Industrial Estate which was approved with an estate wide Stormwater Management Strategy approved as part of SSD9522.

As has been raised by Penrith City Council previously, 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 Mamre Road Precinct DCP 2021.

Having regard to the above, the proposed the stormwater management approach for the development does not comply with Section 2.4 (Integrated Water Cycle Management) of the Mamre Road Precinct DCP.

It is noted that the proposed approach to stormwater management, including the treatment and commitments to water conservation / reuse is generally consistent to what was previously approved as part of SSD 9522. Clarification is required on the need for the development to comply with the water quality controls in Section 2.4 of Mamre Road Precinct DCP.

It is recommended that all new development applications within The Yards Estate achieve compliance with the applicable DCP which is the Mamre Road Precinct DCP. With respect to this, an advisory note was included in the previously approved SSD 9522 consent that indicates that future development applications will be subject to the Mamre Road DCP.

3. Development Engineering Considerations

Any driveway crossover shall be at a minimum of 1m clearance from any public utility service lid, light pole or stormwater kerb inlet pit and lintel.

The driveways shall also be located a minimum of 1.5m from any street tree and their locations are to allow for safe pedestrian movements.

All services are to be located underground.

4. Traffic Considerations

The application proposes four driveways for the site, two accessing the collector road along the eastern boundary of the site and two off the lower order local industrial road along the southern boundary of the site.



The number of driveways should be minimised and located on the local industrial road to reduce the potential impact on the higher order roads.

The traffic report shows that the Mamre Road / Erskine Park Road intersection fails with an AM peak LOS F in 2036 and Mamre Road / Bakers Lane is nearing capacity with LOS D in the PM peak. Upgrades are required to the failing Mamre Road / Erskine Park Road intersection to increase its capacity.

Should you require any further information regarding the comments, please contact me on (02) 4732 8125.

Regards,

Kathryn Saunders
Principal Planner