



Our reference: P-603321-COL3
Contact: Sandra Fagan
Telephone: (02) 4732 7992

18 January 2024

Attn: Bruce Zhang

Email: bruce.zhang@planning.nsw.gov.au

Dear Bruce Zhang,

Council Response to EIS Report - SSD-60513208 – Stage 4 – Warehouse 8 – Aspect Industrial Estate at 804–882 Mamre Road, Kemps Creek, NSW, 2178.

Thank you for providing Penrith City Council with the opportunity to comment on the abovementioned modification report.

Council staff have reviewed the information referred for comment and provides the following advice for the Department's consideration.

To avoid duplication of comments, this letter should be read in conjunction with Council's response to MOD 6 for SSD-10448 for the Aspect Industrial Estate.

1. Planning Considerations

- a) DPHI should be satisfied that the Proponent has demonstrated both consistency with the SSDA-10448 (as modified), and compliance with the relevant conditions of the modified approval, particularly regarding acoustic compliance/noise verification, capacity of Mamre Road (both current and cumulatively), and stormwater management.
- b) Specific consideration should be given to the following conditions of Modified SSDA-10448:
 - o A4 (consistency),
 - o A4A, A4B, and A9E (stormwater management strategy and compliance as per MOD 4)
 - o A10 and A11 (staging),
 - o A14 (infrastructure review / road capacity),
 - o A16 (cumulative noise), and
 - o 'Part B Conditions for Future Development Applications' – Conditions B1 to B20.

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city

- c) DPHI should also consider how the information will be addressed in the circumstance where the proponent may not know the specific future tenant of the two warehouses, as this is relevant for traffic generation and noise emissions. It is acknowledged that the EIS states that the proposed tenants for warehouse 8 will be the Volkswagen group. However, it is unclear who the tenants for warehouse 8B will be.
- d) The stormwater management for warehouse 8 has been designed on the basis that the MOD 4 application to SSDA-10448 would be approved as submitted by the Proponent. However, DPHI have determined the MOD 4 application by granting of consent with new (additional) conditions relating to stormwater compliance. DPHI should ensure that this current application for warehouse 8 (and the accompanying MOD 6 application) conform with the current SSD-10448 approval (MOD 4).
- e) DPHI should consider if any additional vegetation is required (in other areas) to compensate for the proposed increase in hardstand area on the southern side of the building and the new truck driveway. DPHI could consider whether the six proposed car parking spaces above the DCP minimum parking rate should be converted to additional landscaping instead of parking.
- f) Given the much smaller tenancy for proposed warehouse 8B, DPHI should consider if the space and configuration of that warehouse would permit a reasonable future warehouse and distribution use. It is acknowledged that the EIS states that warehouse 8B may be used for the future expansion of Volkswagen, but in the interim, the configuration of proposed warehouse 8B should be adequate to be used for the relevant purposes in the interim or if future expansion is not progressed. In the same manner, DPHI should be satisfied that the potential increase in intensity of use (from one warehouse to two warehouses) is acceptable in terms of vehicle movements and noise emissions.
- g) DPHI should ensure that the proposed ancillary use of warehouse 8A (for the purpose of a workshop and training area associated with the car parts to be stored within the warehouse) is either permitted and/or clearly remain an incidental use. The proposed floor plan for warehouse 8A shows an area for the workshop/training space that appears to occupy about one-quarter of the warehouse footprint.

- h) DPHI should consider whether there are any additional proposed retaining walls fronting roads, given that the proposal includes raising the pad level of warehouse 8 by approximately 0.57 metres. Any retaining walls should be set back from road frontages and designed in accordance with the DCP (with tiers when required and planter boxes for vegetation). The EIS refers to retaining walls along the northern boundary of Lot 8, adjacent to access road 1.
- i) DPHI should consider conditions that require further assessment and endorsement of any future exhaust vents that are required for the warehouse use (as referenced on page 78 of the EIS) particularly given that the number and height of such vents is not known at this time.

2. Development Engineering Considerations

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

a) Stormwater

- a. On-lot gross pollutant traps (GPTs) have been proposed which will be maintained privately by owner/s. It is recommended that the plans be updated to include maintenance details, including access to GPTs.
- b. It is recommended that the detailed design of the stormwater drainage system demonstrate compliance with Penrith City Council's '*Stormwater Drainage Specification for Building Developments*', and include detailed design drawings of the stormwater pipes, pits, GPTs, rainwater tanks, and other relevant infrastructure.

b) Earthworks and Retaining Walls

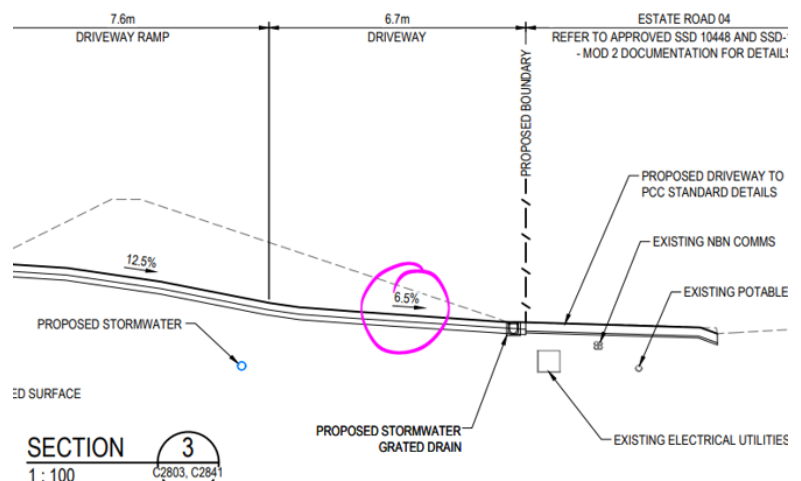
- a. It is recommended that the retaining wall/s, including the proposed landscape sandstone walls, be at least 2m set back from any public land/road reserve, in accordance with Mamre Road DCP. The plans should be updated to reflect this.

c) Traffic

- a. The vehicular accesses must be in accordance with the relevant Australian Standards (AS 2890) and Penrith City Council's

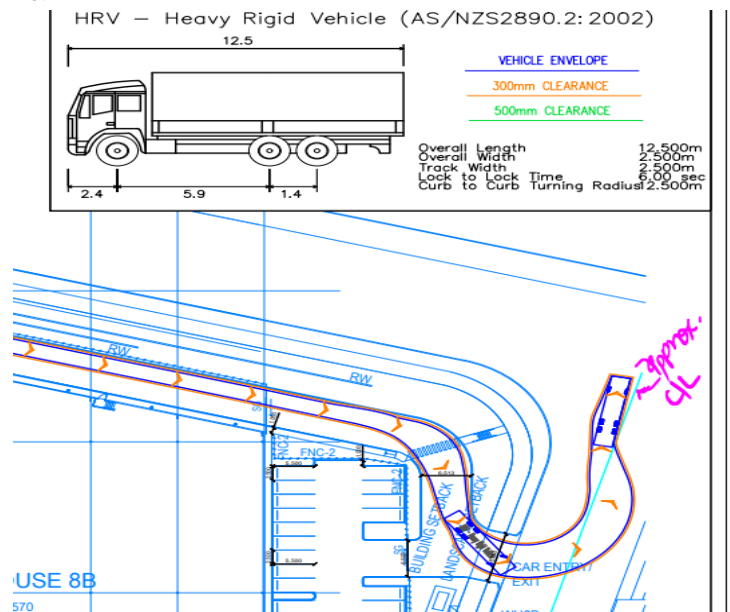
'Engineering Construction Specifications for Civil Works'. The detailed design must consider but not be limited to:

- i. the vehicular access must be located a minimum of 6m from the tangent point (TP) of the curve return and must be reflected on the detailed plan.
- ii. the accesses must provide sufficient clearance from any infrastructure such as kerb/pram ramp, stormwater side entry pit, and any street trees. All infrastructure must be shown on the plans with their separation from the proposed accesses/laybacks.
- iii. at least the first 6m of access driveway into the car park must have no more than a 1 in 20 (5%) grade in accordance with AS 2890.1. Although the relocated access will service user class 4, the Dwg. No 2810- Section 3 by AT&L indicates higher than 5% grade for the first 6m of the access driveway (as shown on the snippet below) which should be amended to comply with AS 2890.1.



- iv. accesses must achieve sufficient sight distances in accordance with the relevant Australian Standards AS 2890 and must be shown on the plans.
- b. The swept paths for various types of vehicles using heavy vehicle accesses for tenancy 8A, 8B, and the proposed relocated vehicular access for consolidated carpark are included in the transport statement by Ason Group. Based on these swept paths, the following comments are provided for consideration:

- i. the swept paths indicate that the new heavy vehicle access for tenancy 8B is only suitable for up to 20m articulated vehicles (AVs).
- ii. the swept paths indicate heavy rigid vehicles (HRVs) encroach the centreline of Road 4 while exiting Lot 8 using the relocated access from the carpark. This is not acceptable. Subject to satisfactory swept path diagrams, this vehicular access may only be suitable for B85, B99 and SRVs.



- c. Based on the above points (i and ii), it is not clear how the accesses will be managed and regulated to ensure entry/exit (use) by vehicles no bigger than those mentioned above.

3. Traffic Engineering Considerations

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

- d) As per section 4.6.1 (8) of the Mamre Road Precinct DCP, parking areas should incorporate dedicated parking bays for electric vehicle charging. As the DCP doesn't provide guidance on the number of bays, it is recommended that 2 electric vehicle charging bays be provided.
- e) It is recommended that 36 bicycle parking spaces be provided for Warehouse 8A, and 4 bicycle parking spaces be provided for Warehouse 8B.

- f) 30m A-double (i.e. 30m Performance Based Standards (PBS) Level 2 Type B vehicle) has been adopted as the design vehicle for site access and circulation. 20m Articulated Vehicles are generally adopted for parking in loading docks, with smaller vehicles to be used as required. The proposed use of 30m PBS Level 2 Type B vehicles on local roads will require approval from the National Heavy Vehicle Regulator and Council's Asset Management Department.

4. Waterways Considerations

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

- a) DPHI should ensure that the final approach to a stormwater management strategy is informed by the determination of the MOD 4 application, and conditions.
- b) It is proposed that stormwater treatment for the site will include 2 on-lot GPT's and rainwater tanks to provide water for non-potable demands. It is noted the concept engineering plans include a reference to the GPTs. Additional detail should be shown on the plans, such as access arrangements. The engineering plans must be prepared in accordance with the Technical Guidelines and Sydney Water Technical Design Guidelines.
- c) Reference is made to the use of interim on-lot rainwater tanks and the report indicates general compliance with the DCP which requires that a minimum of 80% non-potable demands are serviced by harvested rainwater through allotment rainwater tanks. Details of how the proposed stormwater management systems will connect to Sydney Water's regional stormwater system once available (including how any interim measures will be decommissioned) is required.
- d) Operation and Maintenance Manuals will need to be provided for all on-lot stormwater treatment infrastructure, noting that they will need to be maintained by the site owner in perpetuity. It is recommended that positive covenants and restrictions of use are applied to ensure they are maintained in perpetuity. Conditions should be applied accordingly.
- e) No passively irrigated street trees have been provided. It is understood that the regional scheme has some reliance on them, and as such, passively irrigated trees may need to be installed (subject to Council

accepting a suitable design) unless another arrangement is agreed. Clarification on this aspect is sought.

5. Waste Considerations

Council's Waste and Resource Recovery Department have reviewed the proposal and have raised the following considerations:

- b) The quarantine area in the south western corner of Site W8A is on the boundary of another site. Given this is nominated as a faulty EV battery dousing station, DPHI should consider locating the quarantine area to provide a buffer to the southern site and a buffer from fencing to allow access to all 4 sides of the quarantine station for emergency service access (Reference Appendix Q Waste Management Plan, within Appendix D of the Plan). DPHI should also consult with NSW Fire regarding the location of the EV battery dousing station.
- c) Additionally, all waste infrastructure requires:
 - o Floors of enclosed waste rooms to be waterproofed, non-slip and sealed in accordance with the Building Code of Australia to permit the use of wash facilities and graded to a central drainage point connected to the sewer, enabling all waste to be contained and safely disposed of.
 - o Provision of an adequate supply of water through a centralised mixing valve and hose cock.
 - o Provision of adequate lighting and natural/mechanical ventilation in accordance with the Building Code of Australia.
- d) For further specific waste operational and infrastructure information refer to the ['Industrial, commercial and mixed-use waste management guideline'](#) document.

Should you wish to discuss this matter further, you may contact me on (02) 4732 7992.

Yours sincerely,



Sandra Fagan,
Principal Planner

Penrith City Council
PO Box 60, Penrith
NSW 2751 Australia
T 4732 7777
F 4732 7958
penrith.city