

Pamela Morales
Department of Planning, Housing and Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Sent via portal

**Re: Request for Council's Advice on SSD-64409468 – Western Sydney Airport
Business Park**

Dear Pamela,

Liverpool City Council was invited to provide comments on the Planning Secretary's Environmental Impact Statement for the above.

Attachment A of this letter provides detailed comments on the proposal.

Should you require further information or clarification, please feel free to be in contact.

Yours sincerely,



Tony Hadchiti
Austral Delivery Manager

Attachment A – Detailed comments

1. Strategic Planning

Site Description:

The EIS supporting the proposal identifies the proposed development site as Lots 3 to 7 in DP 1240511 on land known as 140 Adams Road Luddenham (Lots 3 and 4); 2420 The Northern Road Luddenham (Lots 5 and 6); and 2422 to 2430 The Northern Road Luddenham (Lot 7).

It is noted that the application proposed earthworks and road works on the adjoining southern lot identified as:

Lot 30 DP 1251450 and known as 180 Adams Road

As such the SSDA must be amended to include this land within the description of the application. Following this, the proponent is to demonstrate the stage at which negotiations are with for the relevant land acquisition authorities (Sydney Water and Liverpool City Council) to acquire the LRA mapped land on the proposed development site.

Council will require all vegetation retention and preservation, landscaping and revegetation works to be carried out within land mapped ENZ as part of this proposal. Sufficient plans and supporting documents are to be provided demonstrating how this is to be proposed must be provided for Council consideration prior to any determination of the proposal.

All infrastructure works identified in the SEPP ENZ Zone that are required under the Western Sydney Aerotropolis Precinct Plan, 4 September 2024 (WSAPP) including but not limited to sports field provision and cycle paths through open space are to be provided within the land identified as 180 Adams Road.

Additional infrastructure provision requirements will be discussed in commentary below relating to the WSAPP.

Council will also require the proposal to include the design and construction of the Anton Road extension to Elizabeth Drive on the eastern boundary of the site to service the proposal. As only parts of this road corridor are located on the subject site, description of the development must also be extended to the adjoining impacted lots identified as:

Lot 106 in DP 846962 and known as 230 Adams Road; and

Lot 9 in DP 1240511 and known as 2650 Elizabeth Drive.

If the Adams Road extension is not included as part of this development Council will not support the proposal.

Statutory Requirements

State Environmental Planning Policy (Precincts – Western Parkland City) 2021

The proposal has been considered in relation to “Chapter 4 Western Sydney Aerotropolis,” of the SEPP. In this regard, the design of the proposal and the supporting information submitted does not demonstrate compliance with the following aims of the SEPP:

4.1 Aims of Chapter

- (a) to facilitate development in the Western Sydney Aerotropolis in accordance with the objectives and principles of the Western Sydney Aerotropolis Plan,*
- (b) to promote sustainable, orderly and transformational development in the Western Sydney Aerotropolis,*
- (e) to recognise the physical and cultural connection of the local Aboriginal community to the land and to incorporate local Aboriginal knowledge, culture and tradition into development,*
- (g) to protect, maintain and enhance, and to minimise the impact of development on, trees and vegetation, soil quality and the health of waterways and to contribute to the conservation of biodiversity,*
- (h) to recognise and protect the ecological and cultural value of Wianamatta–South Creek.*

In this regard, the site is does not meet the requirements of the WSAPP in that it;

does not identify or provide an orderly provision of required infrastructure (including but not limited to road access and active public transport access connecting to WSAPP compliance roads and active transport) to service the development;

is not a sustainable development in terms of the stormwater and earthworks design proposed;

does not provide sufficient information in relation to connection to country requirements;

does not minimise impacts on trees, vegetation, soil quality, waterway health and biodiversity and does not protect the ecological and cultural value of Cosgroves Creek.

The application proposes significant earthworks (fill and associated battering) within land mapped ENZ and land set aside for acquisition under the SEPP LRA mapping for both stormwater infrastructure and local open space and drainage along proposed collector road 2, collector road 3 and the roundabout between collector road 2 and 3 (See “Roadworks Master Plan Sheet 2, Drawing No: CO15092.00-SSDA502, Revision C, dated 17.07.24, Prepared by Costin Roe Consulting Pty Ltd). The relevant section for Collector road 2 (Section 9 in plan titled Bulk Earthworks Sections Sheet 6, Drawing No: CO15092.00-SSDA355, Revision A, Dated 17.07.24, prepared by Costin Roe Consulting Pty Ltd) show a fill height of 6.197m and the corresponding road section (Section 2 under plan titled Typical Sections – Sheet 1, Drawing No: CO15092.00-SSDA461, Revision B, Dated 17.07.24, prepared by Costin Roe Consulting) with a minimum 1(H) to 4(V) batter. This will require a batter with a width of 24.788m measured from Collector road 2 into Stormwater Infrastructure, Local Open Space and Drainage and ENV Zoned land. This outcome is not supported. All roads and associated works must be outside ENV Zoned land and land identified as Local Open Space and Drainage under the SEPP LRA mapping. Sydney Water should be consulted in relation to proposed batters within stormwater infrastructure land. Additionally, all proposed batters adjacent to Local Open Space and Drainage mapped land must be at a gradient that allows equitable pedestrian access from the road to the Local Open Space. The proposed gradient of 1:4 is too steep for this function.

Additional comment in relation to the WSAPP is provided below.

4.12 Zone objectives and Land Use Table

Agribusiness Zone

1 Objectives of zone

- *To encourage diversity in agribusiness, including related supply chain industries and food production and processing that are appropriate for the area.*
- *To encourage sustainable and high technology agribusiness, including agricultural produce industries.*
- *To enable sustainable agritourism.*
- *To encourage development that is consistent with the character of Luddenham village.*
- *To maintain the rural landscape character and biodiversity of the area.*

Demonstration that the proposal satisfies the objectives of the zone is difficult as no uses have been specified. While the proposed built form may be capable of satisfying the zone objectives, this will be a matter of the future assessment of first and subsequent uses. It is requested that should the proposal progress to determination that a condition specify that any first use or any subsequent change of use is required to lodge a development application with Liverpool City Council.

Environment and Recreation Zone

1 Objectives of zone

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To protect the ecological, scenic and recreation values of waterways, including Wianamatta–South Creek and its tributaries.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and conserve the environment, including threatened and other species of native fauna and flora and their habitats, areas of high biodiversity significance and ecological communities.*

The EIS has not provided any substantive commentary demonstrating that the proposal is satisfying the objectives of the ENZ Zone. An Arboricultural Assessment Report has not been provided that identifies significant trees for retention and a Vegetation Management Plan has not been provided for Council review.

The WSAPP identified riparian area road crossing has been provided, however approximately 5m of fill and associated battering is proposed for this crossing resulting this road and associated batters having a width of 58.52 metres. This exceeds that allowable collector road crossing width of 26.6m for a typical collector road in the Agribusiness Zone specified in accordance with the WSAPP and DCP. This design has resulted in the removal of riparian vegetation mapped “existing native vegetation” on the [*High Biodiversity Value Areas Map*](#) and has resulted in the fill and diversion of the southern Strahler Order 3 tributary to Cosgroves Creek.

This outcome is not identified in the “Western Sydney Airport Business Park – Riparian Assessment” prepared by Eco Logical, Project No: 24SYD7568, Version 1, Dated 24 July 2024 as the mapping used is not consistent with the Civil Engineering plans, see comparison below:

Riparian Assessment Mapping with Council scaled distance notation in yellow text:

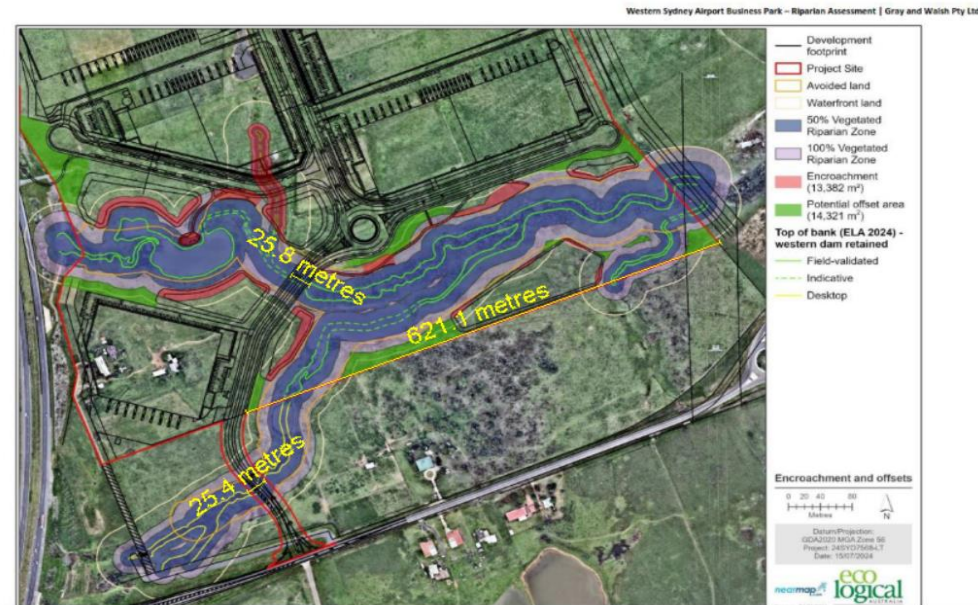
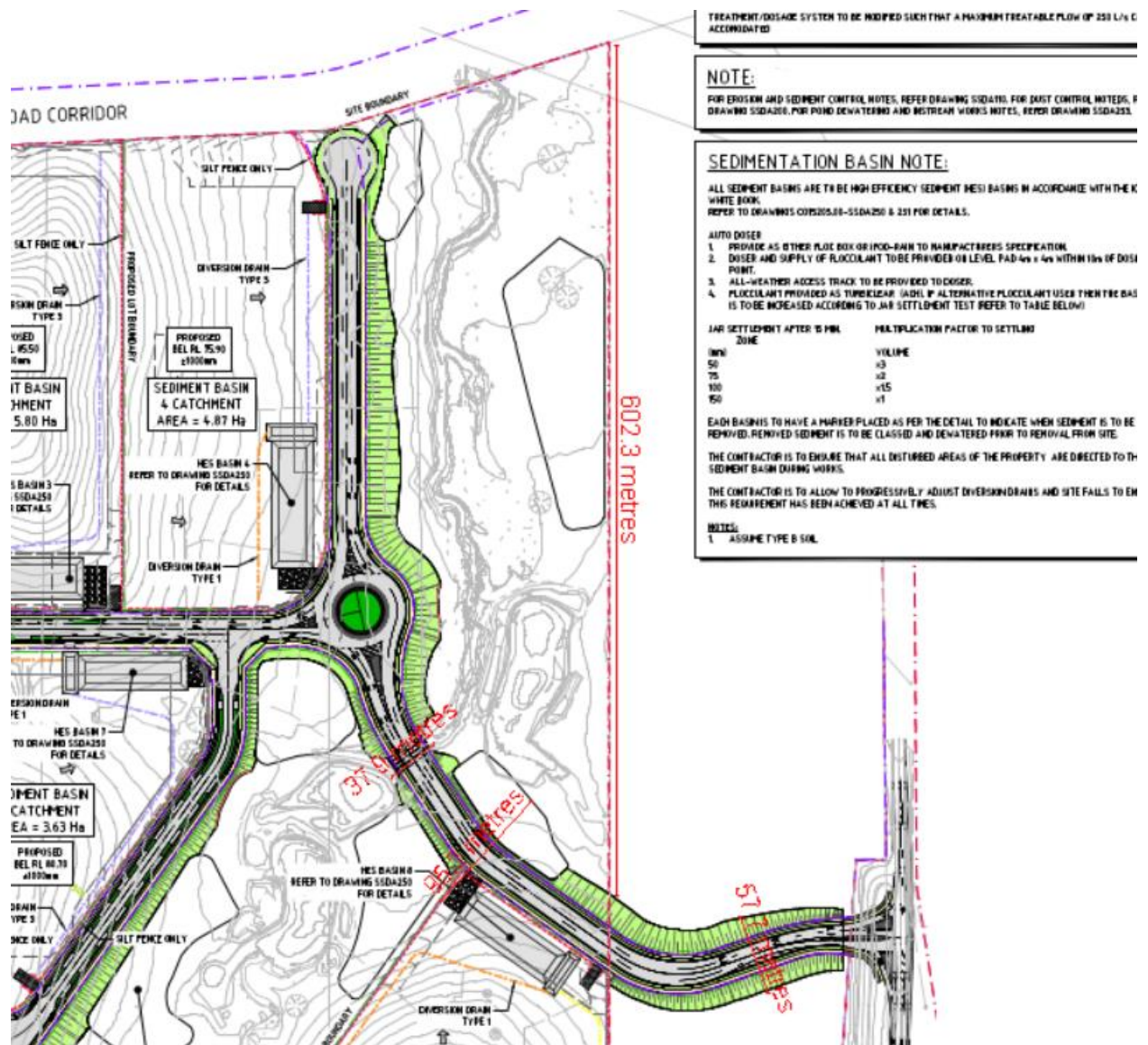


Figure 5: Development encroachments on the riparian corridor and potential areas for offsetting

The above map is not consistent with the civil design of the proposal shown on the “Erosion & Sediment Control Plan Stage 1,” Drawing No CO15092.00-SDA201, Issue A, dated 17.07.2024 (see excerpt below) in terms of either location or design. The above image is located approximately 18.8m to the west of where the Civil Plans identify the road works to take place. Additionally, the above image appears to show both waterway crossings to be bridged with a width roughly equating to the WSAPP and DCP road reserve width requirements for a collector road. The civil plans below show road works, associated batters and drainage works to encroach significantly into the riparian corridor, ENZ Zoned land and land mapped High Biodiversity Value under the SEPP.

Excerpt from Erosion & Sediment Control Plan Stage 1,” Drawing No CO15092.00-SDA201, Issue A, dated 17.07.2024 with Council notated scaled dimensions provided in red text:



The proposed civil plans are not supported and will require amendment. It is recommended that both the Cosgroves Creek road crossing and the southern tributary road crossing are provided by way of bridges. These bridges should be of a sufficient span and dimensions to permit pedestrian and active transport access along the line of the waterway in accordance with “Figure 9 Active Transport Network” of the WSAPP.

Part 4.3 – Development Controls Aircraft Safeguards

It is recommended that the proposal, including the “Western Sydney Airport Business Park Aviation Impact Assessment,” Reference: 04, dated 8 August 2024, prepared by Arup Pty Ltd is referred to WSA Co for assessment in relation to the relevant sections under this Part.

4.24 Flood planning

This section of the SEPP will apply to any land that is at or below the flood planning level. and is subject to comments raised by Council's Flood Planning Engineers, provided elsewhere in this referral.

4.25 Preservation of trees and vegetation in Environment and Recreation Zone and Cumberland Plain and

4.25A Clearing of native vegetation

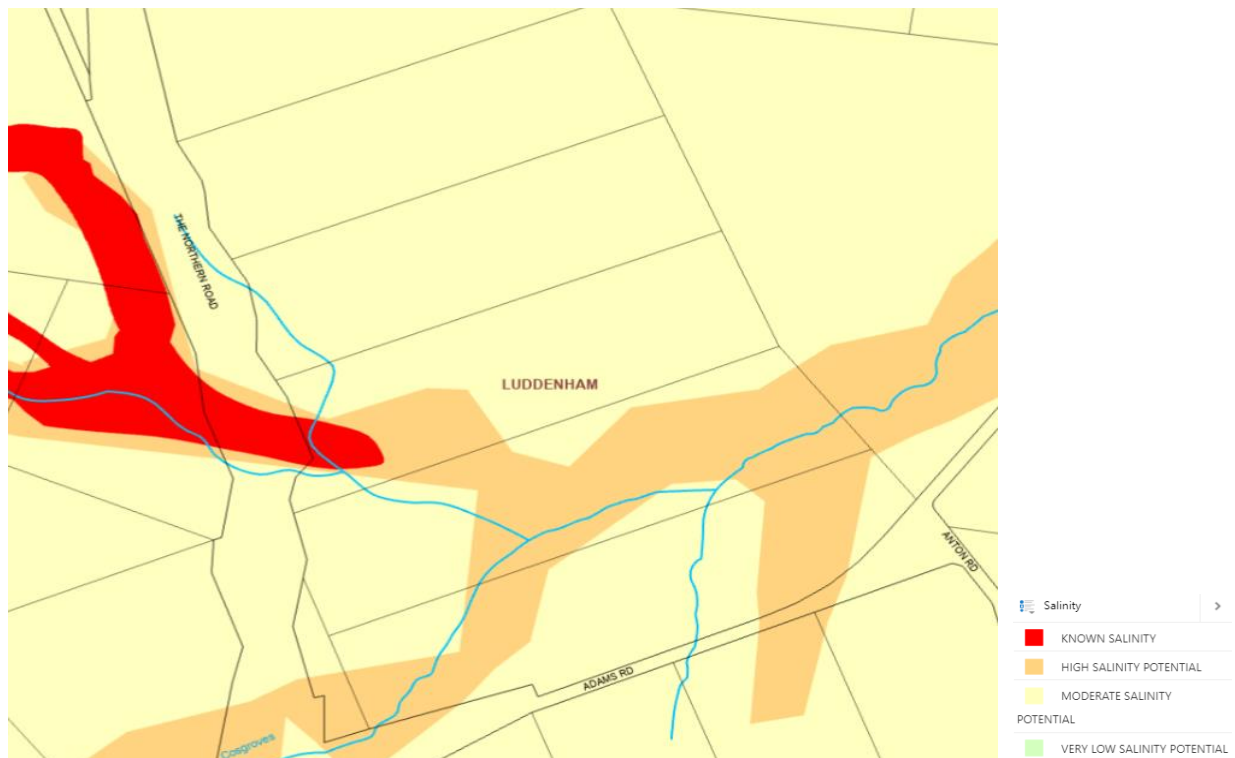
As discussed above, the proposal does not demonstrate compliance with these clauses of the SEPP as significant earthworks associated with road works are proposed within land mapped existing native vegetation under the High Biodiversity Value Areas Map and native vegetation is proposed to be removed.

Council recommends that extensive batters and fill are avoided, and that riparian land is spanned by appropriately designed bridges. This is a reasonable alternative to vegetation removal that will minimize any impacts on existing vegetation and the ENZ Zone.

In addition to this, Council recommends that all vegetation mapped as existing native vegetation under the High Biodiversity Value Areas Map is retained and enhanced throughout the entirety of land Zoned ENZ in accordance with this section of the SEPP.

Additionally, the removal of vegetation and earthworks within the ENZ is not supported on the basis of the high likelihood of salinity in these areas see:

Salinity Map of the Site



The “Report on Preliminary Salinity Investigation and Management Plan,” Project 221907.01, dated August 2023, prepared by Douglas Partners has not provided sufficient information in this regard. This report is preliminary, and it is requested that a “Detailed Salinity Investigation “ and Salinity Management Plan are provided to Council for review prior to determination of the proposal. This plan must provide a suitable frequency of test pits/bore hole sample locations in order to provide a complete analysis of the salinity and sodicity affectation of the site. It is further recommended that salinity is addressed in accordance with:

1. Salinity management guidelines and codes of practise (or updates thereto) for land development (not limited to):

a. Western Sydney Salinity Code of Practice (Western Sydney Regional Organisation of Councils, 2003).

b. Western Sydney Hydrogeological Landscapes: May 2011 (First Edition) data package.

c. Relevant Australian Standards, including AS 2159, AS 2870, AS 3600, AS 3700 and AS 2870; and

d. Local Government salinity initiative documents, including:

i. Site Investigations for Urban Salinity;

ii. Land Use Planning and Urban Salinity;

iii. Building in a Saline Environment; and

iv. Roads and Salinity.

2. Where soil sampling is required to be undertaken as part of salinity investigations, provide the following details:

a. Location of investigation soil samples and bores on plan;

b. Electrical conductivity (EC) and texture profiling down the soil profile;

c. Density of sampling;

d. Use of electromagnetic (EM) survey; and

e. Preliminary block layout to allow for development plans to address salinity issues

Council will require soil sampling for the Detailed Salinity Investigation to progress along the full distance of the Anton Road extension from the intersection of Anton Road/Adams Road to the future proposed intersection of Anton Road/Elizabeth Drive. Detailed investigation and sampling are to be undertaken within areas mapped “Known Salinity” and “High Salinity Potential” and along the extent of all roads proposed to be dedicated to Council.

This information is required under this Clause of the SEPP as insufficient test sampling and information has been provided to demonstrate if the proposal and the proposed removal of vegetation within the ENZ zone will result in an increase of salinity.

4.27 Transport corridors

As noted above, Council will require the proponent to include the full extent of the Anton Road extension between Adams Road and Elizabeth Drive as part of this proposal. As these works will

impact on the Elizabeth Drive upgrade, concurrence from TfNSW is required under this Clause of the SEPP.

4.28B Aboriginal cultural guidelines

The proponent has not submitted a report addressing “Recognise Country Guidelines for development in the Aerotropolis November 2022.” This must be provided prior to any determination of the proposal.

Part 4.5 Design Excellence

The proposal is subject to consideration by a Design Review Panel. Council requests that the DRP comments are provided to Council.

4.49 Public utility infrastructure

The “Western Sydney Airport Business Park – Infrastructure Delivery, Management & Staging Plan,” Ref: SY076145.000, Dated July 2024, prepared by Land Partners Surveyors and Planners (Infrastructure Servicing Report) has not satisfactorily demonstrated how appropriate infrastructure is being provided to the site as follows:

- (a) the supply of water,
- (b) the supply of electricity,
- (c) the disposal and management of sewage.

In addition to (a), (b) and (c) above the proposal must also demonstrate that necessary road access is provided to the site in accordance with the WSAPP.

Water supply - The Infrastructure Servicing Report notes that there is currently no potable water supply for the site. No certainty in relation to the timing of provision of potable water has been provided in relation to the proposal.

Electricity Supply – The Infrastructure Servicing Report specifies the electricity supply required for the proposal, however this is not currently in place. No certainty in relation to the timing of provision electricity supply has been provided in relation to the proposal.

Wastewater - The Infrastructure Servicing Report notes that there is currently no wastewater/sewer connection to the site. The Sydney Water advice included in Appendix A also provides no certainty in relation to the provision and timing of sewer connection to the site. The Sydney Water advice includes the following statement:

Trunk pipes and pump stations within Cosgrove Creek catchment are currently in concept design and assets are scheduled to be delivered by 2026/27, subject to funding approval and future delivery contractor schedule.

This comment does not provide certainty. Additionally Council requests that any lead in works for sewer infrastructure from the site to the Cosgroves Creek collector must be referred to Council for comment to ensure that these works do not impact on Council’s local open space and sports field.

Council does not support interim operating procedures for wastewater treatment and disposal. Council recommends that determination is not issued until a reticulated, piped Sydney Water sewerage connection to the site is available.

Roads – The application does not propose to provide the following:

- Anton Road extension to Elizabeth Drive
- Adams Road upgrade to The Northern Road

This is not in accordance with Clause “4.39 Development must be consistent with precinct plan” of the SEPP which requires the proposal to be consistent with the precinct plan. The proposal does not provide sufficient road connections in accordance with the WSAPP to service the development.

From the above, the proposal does not demonstrate compliance with Clause 4.49 of the SEPP. Council recommends that no determination for approval is issued until such time as the proponent can demonstrate full compliance with the SEPP.

4.50 Relevant acquisition authority

As indicated above, the description of the proposal must be extended to include all lots on which work for this proposal is required. The proponent is to liaise with both Council and Sydney Water in relation to the required acquisition of services that will be necessary to service the development proposal.

Western Sydney Aerotropolis Precinct Plan (4 September 2024)

The WSAPP is granted statutory weight under Clause 4.39 of the SEPP. This Clause also identifies how the WSAPP may be varied. Council is unlikely to support variations to the Precinct Plan unless any environmental planning grounds used to justify the variation can demonstrate how a better planning outcome is being achieved in relation to the strategic planning framework and overall vision for the Western Sydney Aerotropolis.

All relevant heads of consideration under the WSAPP must be addressed within the EIS and supporting information. By way of high level comment Council notes:

Development Sequencing

The site is located within a “first priority area” for infrastructure servicing under the WSAPP, see Figure 2: Development Sequencing.

While the site is identified as being within a priority area for servicing, the EIS and supporting information must indicate how the site is to be appropriately serviced under the relevant Clause 4.49 of the SEPP. Commentary in this regard is provided in the SEPP assessment above.

Land Use and Structure Plan

The site is impacted by open space/stormwater land and land identified as Environment and Recreation, see Figure 3: Land Use and Structure Plan.

This land is also mapped under the Land Reservation Acquisition layer of the SEPP for acquisition by Sydney Water (stormwater infrastructure) and Liverpool Council (Local Open Space and Drainage). These multiple functions of the land are to be managed by the proposal in accordance with Section 4.1 of the WSAPP which requires that a “blue-green framework is delivered as development occurs that:

- a. Provides access to open space that meets the needs of workers and residents, students and visitors.
- b. Preserves significant natural features including watercourses and remnant vegetation.
- c. Accommodates infrastructure required to manage the flooding and water quality impacts of development.
- d. Respects and enhances Aboriginal cultural heritage and archaeology and maximises opportunities to connect with Country.

Other requirements relating to subdivision patterns and building design are also required to be addressed within the supporting documentation. As indicated in previous commentary, the proposal does not comply with the SEPP or WSAPP in this regard. Council recommends that the plans and supporting information are amended significantly in order to demonstrate compliance with this section of the WSAPP.

Heritage and Cultural Landscapes

The site is mapped as being impacted by moderate and high aboriginal sensitivity and local heritage.

The EIS must demonstrate how the proposal will satisfy the objectives of 4.3 of the WSAPP to:

- Facilitate the conservation of Aboriginal heritage items and areas of cultural heritage significance in accordance with the requirements of the National Parks and Wildlife Act 1974.
- Protect areas of high cultural sensitivity. RCO3 Ensure development is designed to care for and connect to Country

Specific Heritage comment is provided elsewhere in this response.

Blue Green Infrastructure Framework

In addition to commentary provided above in relation to the Land Use Structure Plan, the mapped riparian areas have multiple, conflicting, land uses identified.

Issues relating to development within the riparian area, stream removal, overland flow path (meant to be provided as a naturalised channel and maintained by Sydney Water) removal, earthworks, vegetation removal and lack of pedestrian and active transport access to blue-green infrastructure is discussed elsewhere in this correspondence. Council recommends that the plans

and supporting information are amended significantly in order to demonstrate compliance with this section of the WSAPP.

Total Water Cycle management

As identified above, the land set aside for water cycle management has multiple identified land uses that must be managed as part of the proposed development.

The plans and supporting information has not demonstrated how the proposal will:

- Protect, maintain and/or restore waterways, riparian corridors, water bodies and other water dependent ecosystems.
- Provide a landscape-led approach to integrated stormwater management and water sensitive urban design.
- Establish a network of multifunctional stormwater assets that support stormwater management and contribute to broader objectives for waterway health, biodiversity, urban greening and cooling, recreation and amenity.

As noted above, the civil plans provide identify significant earthworks and vegetation removal within the riparian area and ENZ Zone. This is not supported. Council recommends that the plans and supporting information are amended significantly in order to demonstrate compliance with this section of the WSAPP.

Additionally the application proposes to remove an overland flow path draining in excess of 15 hectares. See image below:



This catchment and overland flow path trigger the regional stormwater requirements under the 3.2.1 Benchmark Solution 1.b. of the DCP and should be designed as a naturalised channel to Sydney Water Specifications. This naturalised channel will also be maintained by Sydney Water in accordance with 2.3.3 of the DCP. Council recommends that this is provided as a riparian street.

Protecting Existing Native vegetation and Protected Areas under the Cumberland Plain Conservation Plan

The proposal has not included sufficient consideration as to how existing ecology within “CPCP – to be avoided for biodiversity purposes” is to be retained protected. As discussed above, the Civil Plans show that significant areas of vegetation in CPCP mapped areas are proposed for removal.

On this basis, the proposal does not satisfy the relevant objectives of the zone in this regard including:

- Protect, restore and maintain vegetated riparian zones adjacent to creeks and other water bodies in accordance with the Water Management Act and related Guidelines.
- Manage impacts of development on waterways to achieve and maintain established waterway health targets.
- Enable people to have safe contact with water in the landscape for recreation and access to urban cooling.

Council recommends that the plans and supporting information are amended significantly in order to demonstrate compliance with this section of the WSAPP.

Transport network

An indicative local bus network is proposed to traverse the site. TfNSW should provide commentary in relation to the proposed road layout, design and function.

Council requests that the development address all relevant heads of consideration under 4.6 of the WSAPP and provides supporting information as set out in point 10, below, relating to the movement network. As discussed above, the proposal does not comply with the required provision of WSAPP compliant roads, pedestrian footpaths, active transport and cycle paths that are necessary to service the site and connect the site to the WSAPP compliant regional network. Council does not support the proposal in its current form as it fails to provide WSAPP compliant roads and active transport links to adjacent nearby WSAPP compliant regional networks. Council recommends that the plans and supporting information are amended significantly in order to demonstrate compliance with this section of the WSAPP.

Active Transport Network

Cycle paths on collector roads and cycle paths in public open space generally align on site with Strahler order watercourses.

There is significant opportunity to provide an active transport route through the site along riparian watercourses and streets that are to be improved to retain water in the landscape, provide canopy planting and provide good amenity to pedestrians and cyclists. The proposed Civil Plans show

that cycle paths through open space across the site are severed as a result of earth works and road works. Council recommends that the plans are amended, as discussed under the SEPP assessment above, to provide bridges over riparian areas in a design that will allow pedestrian/active transport paths through the ENV/riparian area/local open space in accordance with this section of the WSAPP.

Street Hierarchy

The road arrangement within the Civil Plans does not appear to be in accordance with the identified street hierarchy within the WSAPP.

Roads identified as Park Edge Streets should be provided in accordance with the locations shown in the WSAPP, which shows all sides of the public domain being bordered by Park Edge streets (or other roads) and development is to be oriented towards the street and provide for surveillance of the public domain.

Centres Hierarchy

The site is adjacent to a proposed mapped future local centre. The EIS does not identify how the proposal will satisfy the objectives of the WSAPP in relation to this local centre. This is especially important in ensuring that the development is designed so that the Local Centre is an area of high amenity linked to public transport. Council recommends that the plans and supporting information are amended in order to demonstrate compliance with this section of the WSAPP.

Height of Buildings

The proposal does not demonstrate compliance with the height requirements of the WSAPP. As a result of the significant earthworks proposed, the following warehouses exceed the maximum permitted 24m height limit under this section of the WSAPP:

Warehouse 2 – height 26.78m

Warehouse 4 – height 26.4m

Warehouse 6 – height 29.1m

Warehouse 7 – height 24.4m

Council recommends that the plans and supporting information are amended in order to demonstrate compliance with this section of the WSAPP.

Design Excellence

The proposal is required to exhibit design excellence in accordance with both 5.6 of the WSAPP and relevant requirements under Part 4.5 of SEPP (Precincts – Western Parkland City) 2021. Council requests that DRP comments are provided for Council review.

Conclusion

Strategic planning does not support the proposal in its current form and requests that the plans and supporting information are amended to demonstrate compliance with the SEPP and WSAPP.

2. Urban Design

The State Significant Development application for the proposed development at 140 Adams Road, Luddenham NSW 2745, has been assessed from an Urban Design and Public Domain perspective with consideration to nine design principles. These are; Context, Built Form and Scale, Density, Sustainability, Landscape, Amenity, Safety, Housing Diversity & Social Interaction and Aesthetics. The comments have been categorised under these nine headings below:

1. Context

- 1.1. The project was presented to the SDRP earlier this year. CDPD requests a copy of the applicant's response to the SDRP, including how the design has changed in response to the recommendations.
- 1.2. The project is of a significant size and role in the Aerotropolis and one of the first in the Agribusiness precinct, setting a precedent and model for other developments in the area. Therefore, it is critical the proposal responds to the WSA Precinct Plan prescribed vision for the Agribusiness precinct. CDPD is concerned that without a tenant prescribed in the application the built form has not been designed to accommodate the various unique Agribusiness types of uses such as integrated logistics, air freight, integrated intensive production, food innovation, fresh product and value-added food – pharmaceuticals. **CDPD requests clarity and further detail on how the proposed development is beyond standard warehousing and responds to the vision of the Agribusiness, including being capable of accommodating the various types of Agribusiness uses.**
- 1.3. CDPD commends the Connecting with Country approach, including Walk on Country early on, working with the local community and arising initiatives. CDPD notes an Aboriginal Design Principles Report, however **a completed Recognise Country template should be provided**. This is a requirement, and also provides ease of review by Council. There are many promising initiatives arising from the process, however clarity is sought as to what the commitments for the project are as part of this SSD, and/or when these will be confirmed and how they will be reviewed by DPE and Council.
- 1.4. **CDPD requests a DCP compliance table is provided, demonstrating how the proposal addresses the WSA DCP**, including deep soil, canopy targets, WSUD strategies, staff communal open space requirements, shade to pedestrian streets, etc.
- 1.5. The WSA Precinct Plan and WSA DCP is accompanied by supporting technical studies, including the 'Aerotropolis Urban Design Framework' (UDF), and while the WSA Precinct Plan and DCP have precedence, the technical studies may be utilised to inform the interpretation of the planning controls under the WSAP and DCP.

The UDF contains a significant amount of valuable information on the Key Principles, Structure and Vision of the Agribusiness Precinct, and it is recommended it is referred to, especially for a project that is required to achieve design excellence. **CDPD encourages the applicant refer to the UDF, and demonstrate how the Key Principles have been considered, in particular indicative built forms, sustainability initiatives such as the roofscape as a resource, and views including cultural views, street to creeks, and the presence of the Blue Mountains.**

The UDF has more detailed information on Agribusiness Hubs that can be referred to for the variety in Agribusiness tenants.

- 1.6. CDPD appreciates the View Impact Analysis provided. There are important cultural views and vistas throughout the Aerotropolis, and CDPD seeks clarity on whether the Local Aboriginal Community were involved in determining views, and if not then this is recommended, preservation of key cultural views should form part of the process of designing and shaping the built form.

2. Built Form + Scale

- 2.1. The building footprints and built forms are overly sized, resulting in significant impact to Country, landscape, soil and large retaining walls. It is unclear how these forms were arrived at. The WSA Development Control Plan (DCP) 3.3.1 PO1 states 'building form that responds to the topography of the site, with lower elements to the street, riparian corridors'. Development in the Aerotropolis is envisioned to be Country-led and Landscape-led. In addition, the Building masses are much bigger than those anticipated in the UDF page 49. **CDPD requests massing studies demonstrating how the proposed built form was determined and responds to its surrounding context, landscape and Country.**
- 2.2. CDPD notes the development is highly visible, and has particularly sensitive frontages to the Northern Road across from Luddenham Village, and also the frontage to the riparian corridor and future Neighbourhood Centre. **CDPD requests clarity of how this has been considered in the design.**
- 2.3. CDPD requests clarity as to how the building heights have been measured to be within the DCP 24m height limit.

3. Density

- 3.1. The architectural drawings A00102-A00105 illustrate how the proposal ties in with several diagrams in the WSA Precinct Plan, however does not include an overlay of the road network. **A drawing should be provided demonstrating how the road networks and types are consistent with the Precinct Plan.** In the current state it appears that there are roads missing, and if this is the case then this is not supported and these should be reinstated. The roads throughout the Aerotropolis play a key role in vehicular circulation, and also providing tree canopy, building separation and active transport connections. The Precinct Plan illustrates two Park Edge Streets on either side of the riparian corridor, these should be included in revised drawings.
- 3.2. The WSA DCP states that lots fronting a public road with a setback containing off street parking areas should have building setback of 13m. **The plans show only 12m to the central Collector Road and should be updated.**
- 3.3. CDPD notes the site is to be subdivided, therefore building and landscape setbacks would be required between the lots. The applicant is requested to provide revised drawings demonstrating how setbacks between lots are being provided.

4. Sustainability

- 4.1. The Liverpool LGA and Aerotropolis undergoing significant development is at risk of severe Urban Heat Island Effect. There are significant expanses of hard surfaces throughout the development contributing the UHIE and excessive water run off. **CDPD recommends the use of permeable pavers throughout the car park, and incorporation of canopy structures to provide shade.** One medium tree should be provided for every 5 car spaces in accordance with DCP 2.4.4 P06.
- 4.2. In line with the WSA Precinct Plan, trees and vegetation should be retained where possible, particularly in areas of High Biodiversity Value. It is unclear from the drawings what is being removed or retained, and whether this has been considered in the master plan. **CDPD requests further clarity, and notes an Arborist Report should be provided.**
- 4.3. The civil drawings illustrate shared path and pedestrian path widths wider than the WSA DCP street sections. **CDPD seeks clarity and for this inconsistency to be resolved. The DCP sections should be adhered to.**
- 4.4. The Site includes the Riparian Zone which forms part of the broader network of blue and green infrastructure throughout the Aerotropolis, and from an active transport perspective provides connected recreational and landscaped spaces and urban cooling. The current landscape design is well considered, however **CDPD encourages greater consideration of pedestrian and cycle paths and connectivity along the corridor to adjacent sites and recreational spaces.** The Precinct Plan illustrated 'cycle paths through open space' throughout areas of the riparian corridor on this site. **CDPD recommends the landscape drawings are revised to incorporate these cycle paths.**

5. Landscape

- 5.1. Canopy cover has a critical role in ameliorating the Urban Heat Island Effect and Water Sensitive Urban Design outcomes in the Aerotropolis, and the ongoing development is significantly impact existing canopy cover. The riparian corridor is an opportunity to greatly contribute to canopy cover. **CDPD recommends canopy cover be increased from 40% to 50-60% throughout the riparian corridor.**
- 5.2. The Landscape drawing notes 25% canopy for the lots, however it is unclear from the drawing what site area was used to calculate this. **Clarity on how canopy cover is calculated is requested.**
- 5.3. The Bushfire zone, Bushfire report has several requirements that could compromise the provision of adequate canopy, including a note that canopy should be less than 15%. **CDPD requests confirmation that the 25% canopy cover for the lots will be met.** The area is undergoing significant redevelopment and clearing, and the landscape design and approach to bushfire requirements are encouraged to take into consideration the future removal of this threat, in order to achieve canopy targets. Note the 'Macarthur Bush Fire Risk Management Plan' is in the process of being updated and will impact bushfire requirements.
- 5.4. CDPD requests a Public Domain Plan is provided as part of the SSDA submission demonstrating how the development interfaces with the public domain, and the works to be delivered as part of this project, beyond the site boundary to the road. Drawings and annotations should include:

- Existing and proposed pedestrian footpaths and shared paths
- Proposed street trees at 200L pot size and pit details
- Driveway and laybacks including proposed finishes and gradients
- Detailed treatments for the safe intersection of footpaths & driveways
- Existing / proposed kerb and gutter embellishment
- Landscaping, turf and retaining wall materials and heights
- Furniture, fixtures, lighting location and specifications
- All of the above to Council Specifications, and in line with other relevant agency guidelines such as TfNSW and RMS.

5.5. CDPD requests a fencing diagram provided illustrating, fencing extent throughout the whole of site, rather than per building. Chainwire fencing is discouraged.

6. Safety

- The design intent of the main as an activated boulevard is supported, however all truck entry and exit along this road creating safety concerns. **CDPD requests Access and circulation diagrams are provided demonstrating how pedestrians, cyclists and vehicles access and circulate throughout the site, and conflicts are managed.** The diagram should inform the location of pedestrian footpaths, crossings, pram ramps, safe pathways separate from vehicles etc.

7. Amenity

- 7.1. There is a significant number of staff that will be working on the site. **CDPD encourages amenities for staff be provided throughout the estate, such as food and beverage, grocer, gym or other facilities.**

8. Housing Diversity and Social Inclusion

8.1. NIL

9. Aesthetics

- 9.1. CDPD is supportive of the design approach and materiality to the office design. However the offices are a minimal portion of the built form compared to the significant sized warehouses, therefore applying well considered facades to the offices alone is not adequate to achieve a good design outcome for the estate. The warehouse façade has large expanses of monotone colour bond panelling. **CDPD recommends enhancements to the façade design, such as incorporation of patterns, artwork, material variety and articulation.**
- 9.2. Art strategy and references are indicated however it is not clear which elements and where they will be delivered. The development has significant blank walls that are highly visible, and **CDPD seeks clarity of where art will be delivered to understand it's role in the overall façade strategy.**

- 9.3. Streetscape elevations should be provided illustrating how the whole development presents to the street, scale, how differentiation and variation across the buildings will be achieved and include adjacent existing and potential development for context.

3. Heritage

Built Heritage

While the site is not listed as a local heritage item under the SEPP, the applicant's heritage impact statement has identified Hughes Farm as a place of potential local heritage significance that is remarkably intact.

As this is a greenfield development with an opportunity for flexibility and movement in the design, it is recommended that the elements of moderate heritage significance within the Hughes farm be retained and incorporated into a landscape plan and potential café to service the site.

Retaining the elements of moderate significance to be incorporated into a café would provide a unique offering that would benefit the site's users and people visiting the area to understand its history.

Retaining this small site area would also facilitate a heritage interpretation space that is welcoming to the community.

A heritage interpretation strategy should be prepared for the site.

Aboriginal Cultural Heritage

No objections were raised to the submission of the Aboriginal Cultural Heritage Assessment. The applicant is to follow the recommendations of the report.

Connecting with Country

Due to the site's size, the applicant must undergo a process of connecting with the country. At the same time, it appears that an Aboriginal Design Report has been developed and prepared. It does not seem consistent with the Recognise Country Guidelines prepared for the Aerotropolis.

Further, the applicant has not submitted the recognised country response template or detailed research on cultural values.

The applicant should ensure that the connecting with the country process is followed and documented appropriately as outlined by the guidelines for Aerotropolis and applicable to SSD applications.

4. Public Art




The assessed proposal involves the construction of an industrial business park for agribusiness purposes, comprising eight industrial sites. Each site contains an industrial warehouse with ancillary office space. The industrial sites are connected by an internal road network with primary access from Adams Road. The Site is located within the Liverpool Local Government Area (LGA), where the boundary adjoins the Penrith LGA to the north.

In line with the Aerotropolis DCP 2.19 Public Art is required for the site and should be identified across relevant plans and strategies.

The WSABP Public Art Strategy identifies what public artwork types and services 500 Voices can deliver, however, does not address details pertaining to scope, materiality or location of public art in context of the Western Sydney Airport Business Park.

Appendix C identifies the provision for public art on a façade of “Type 2” and “Type 3” Offices. Council does not support these as the only location for the implementation of public art and instead recommends that public art is used to address warehouse bulk facades. Due to the riparian corridor, shared path and neighbouring Regional Park particular attention should be paid to the;

- Eastern façade of Warehouse 4
- South Eastern Façade of Warehouse 7; and
- North west and north East Facades of Warehouse 8.

	 Existing locations for public art public art.
	 Priority recommended public art locations

In addition, due to the vast vehicular audiences associated with the gateway intersection of Elizabeth and Northern roads Council recommends that public art is used to address the blank facades of warehouse 5 on the North western and Southwestern walls. This will provide visual amenity for transit audiences, support wayfinding and improve the experience of the public domain for the Luddenham residents and primary school.

The WSAB – EIS identifies the need for a *Sense of arrival*, by implementing large scale public art across the bulk facades of warehouses 4, 5, 7 and 8 this will be achieved. The EIS notes that Aboriginal Design Principles will;

- *Celebrate Culture*
- *Provide cultural facilities and movement corridors*
- *Design buildings to reflect cultural history; and*
- *Implement indigenous-focused art.*

Council commends the appointment of 500 Voices. Council advocates that across the site collaborations are undertaken with First Nations artists who have or are residing in the Liverpool LGA. This strengthens connections to site and further ensures endemic narratives. Collaborating with Local First Nations residents also supports the State Cultural Policy and Councils commitment to building local creative industries.

Council notes the Urban design Report identifies public art in the *Built Form Design, Landscape & Public Art* heading, however, provides no further reference. Council recommends this is amended to ensure consistency and that required DCP objectives are met. Council further notes that *Landscape & Public Art* identifies an *Indigenous artwork strategy*, however there is no clarity or contextualisation for delivery or scope.

Employing public art to respond to requirements associated with Connecting to Country does not provide a Country led first approach and Council notes that consultation, engagement and collaboration with Local First Nations residents, organisations and traditional knowledge holders is critical.

5. Flooding

- The proposed development site is located within the Western Sydney Aerotropolis (WSA) Precinct. Therefore, it must meet the stormwater, water-sensitive urban design, integrated water, and flood management objectives and targets outlined in Sections 2.3 and 2.5.1 of the WSA Development Control Plan (DCP) 2022.
- Interim Onsite Detention (OSD) and water quality basins are proposed within the land allocated for future stormwater infrastructure. Since Sydney Water serves as the Regional Stormwater Authority for the Western Sydney Aerotropolis Precinct and will establish a regional water quality basin network, the proposed interim basins must be supported by Sydney Water.
- The development proposes to fill and completely remove a natural watercourse, a tributary to Cosgroves Creek, with a contributing catchment area greater than 15 hectares. According to the DCP, this watercourse should be maintained as a naturalized trunk drainage path. Therefore, the proposed development does not meet Performance Outcome PO1, 2.3.1 (Waterway Health and Riparian Corridors) of the WSA DCP 2022. The removal of this watercourse must be supported by both Sydney Water and the Department of Planning and Environment-Water.
- The WSA DCP 2022 prohibits the construction of buildings and hard surfaces within the riparian corridor. However, a section of the footpath encroaches into the inner 50% vegetated riparian zone (Reference: Project No. 24SYD7568, Western Sydney Airport Business Park - Riparian Assessment, Version No. 1, dated: 24 July 2024). Therefore, the proposed development does not meet Performance Outcome PO4, 2.3.1 (Waterway Health and Riparian Corridors) of the DCP. The footpath should be relocated outside the riparian corridor or replaced with acceptable materials.
- Gross pollutant traps (GPTs) must be provided at the stormwater outlets leaving the proposed development site. The GPTs must be CDS (Continuous Deflection Separation) units and located outside the carriageway, providing maintenance access from a public road.
- A Flood Impact and Risk Assessment (FIRA) conducted by Costin Roe Consulting assessed the impacts of the proposed development (Reference: Project No. Co15092.00, Flood Impact Risk Assessment (FIRA) – Western Sydney Airport Business Park – 2422-2430 The Northern Road Luddenham, Revision: B, dated: 18 July 2024). The development involves filling a natural watercourse and constructing two culverts on the collector road, resulting in a loss of flood storage. However, the FIRA report does not indicate how this loss will be compensated. To meet Performance Outcome PO8, 2.5.1

(Flood Management) of the DCP, compensatory excavation must be provided to ensure no loss of flood storage volume for all flood events. The FIRA must include cut and fill volume calculations, and plans and sections of earthworks required for flood compensatory excavation.

- A blockage assessment of the proposed culverts using hydraulic modelling must be undertaken following the recommendations of Australian Rainfall and Runoff (ARR) 2019, Version 4.2. The proposed connector road must remain flood-free during the 1% Annual Exceedance Probability (AEP) event, considering the blockage scenario of the culverts. The FIRA report needs to include details of the blockage assessment.
- A revised assessment for climate change scenarios and their impacts should be conducted, following the recommendations of Australian Rainfall and Runoff 2019, Version 4.2. The revised FIRA report needs to include details of the climate change assessment.
- Some civil drawing sheets include incorrect road names. Additionally, the road names in the architectural drawings are not consistent with those in the civil drawings. Road names must be correctly referenced in all sets of drawings. When a basin or OSD is referred to by name in a drawing, it must be correctly marked with its name in the plan.

6. Community Planning

Community Planning has reviewed the State Significant Development Application (SSD1-12/2023) for the Western Sydney Airport Business Park (WSABP) at the Northern Road, Luddenham, NSW 2745.

We have reviewed the following documents:

- (i) EIS (pjep, October 2024)
- (ii) SIA (pjep, August 2024)
- (iii) Architectural Plan (Architectural Plan, Issue A, 21.06.24)

The EIS states, '*The site is zoned for employment and environment/recreation under the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (Western Parkland City SEPP) and is subject to the Western Sydney Aerotropolis Precinct Plan 2023 (WSA Precinct Plan) under the SEPP*'.

The proposal involves the development of the entire WSABP. Key components of the proposed development include:

- *construction and operation of 8 warehouse and distribution facilities with ancillary offices for as-yet unidentified end-users, with a total building area of approximately 279,676m².*
- *restoration and enhancement of the Cosgroves Creek riparian corridor, to provide approximately 14.3 hectares of environmental, cultural and recreation open space; and*
- *ancillary development including construction of estate roads and associated intersections, car parking, infrastructure provision and landscaping.*

*The development has a capital investment value of approximately \$392 million (exc. GST) and would generate over **2,100 jobs** once operational’.*

Our review and comments are given below:

Comments:

- **Provision of facilities for the workers & visitors:** The SIA states, ‘Key objectives for the development of the Western Sydney Airport Business Park are to: - facilitate the development of major national and intermodal integrated Logistics Hub Airfreight Interface (ILHAI) for the airport; - attract major national and international agribusiness operators to position their businesses within the Western Sydney Aerotropolis; - create a flexible and **staff-focused working environment** that can adapt to the changing demands of tenants and occupiers; - deliver a wide range of environmental and cultural sustainability initiatives based on landscape-led and connecting with country principles’.

The proposal didn’t provide any information on the facilities for the workers and visitors. To achieve the key objectives of the *WSABP*, we recommend reviewing the **potential** of developing a local centre/commercial centre as a part of the business park.

The proposed local centre will be a central urban amenity hub with light commercial and retail offering. It would include services for a 24/7 agri-business park and high-quality breakout space for the workers. i.e. food & drink premises, fresh food groceries, small supermarket, bank/ATM booth, beauty & health care, pharmacy, post office & couriers, indoor & outdoor recreation gym, gas/fuel refill & EV recharge point, information and conference/function centre to arrange industry related development sessions etc. An outdoor multipurpose sport court within the open space close to the local centre would serve the future workers of the site as well as the visitors of the cultural and recreation precinct. We also request that these facilities are clearly marked in the architectural plan to ensure & secure for the community.

For example, the Ingham Property Group (IPG) at 475 Badgerys Creek Road, Badgerys Creek NSW 2555 has included a local centre (MP-1/2022).

- **CPTED & PoM:** Once operational, the proposal will be activated 24/7 by agribusiness activities. The principles of CPTED should be adopted in the design and operational management plans. Adequate lighting and supervisions (active & passive) should be ensured in all public areas. Security patrolling, Control room for 24/7 safety reporting and central access control at after-hours should also be in consideration.

The site should be adequately accessible by public transport. Staff bus could be in consideration until a sustainable public and active transport networks are established.

- **Social Impacts:** The SIA has considered the potential social impacts of the development. It states, ‘formerly rural areas have been rezoned to Agribusiness and Enterprise, to support development of land around the new airport... The region is also experiencing change with the construction of infrastructure upgrades including The Northern Rd and the M12 Motorway.’

Noise impacts associated with the operation of the estate on surrounding residents has been considered as a **medium** negative impact. Construction-related amenity and traffic impacts would impact adversely on the traditional rural characteristics of the neighbourhood. Significant employment and related benefits for the surrounding community has been considered as major positive impact.

The SIA has mentioned the cumulative social impacts on the area from the combined activities of multiple projects and land uses over a broader area around the proposed development. The significant changes to the landscape associated with the development of the Western Sydney Aerotropolis and long-term impacts on the community lifestyle is inevitable.

7. Environmental Health

The Project is State Significant Development, and the Minister is the consent authority for the proposed development. The Application was supported by the following documentation of interest to the Environmental Health Section:

- Western Sydney Airport Business Park Environmental Impact Statement prepared by PJEP Environmental Planning Pty Ltd dated 22nd October 2024 (trim ref: 371656.2024);
- Western Sydney Airport Business Park Appendix A- SEARs and Stakeholder Consultation Secretary's Environmental Assessment Requirements (trim ref: 371580.2024);
- Report on Preliminary Site Investigation (Contamination) Western Sydney Airport Business Park 2420 The Northern Road, Luddenham NSW Prepared for Lancaster Corporation Pty Ltd, Project 221907.01, Document No, R.001.Rev0 prepared by Douglas Partners Pty Ltd dated 18th September 2024 (trim ref: 371615.2024); and
- Noise and Vibration Impact Assessment Western Sydney Airport Business Park Luddenham NSW 2745, Reference: 24046.1.1.R1R1 WSA Business Park - NVIA 20240814, Revision 1 prepared by VMS Australia Pty Ltd dated 14th August 2024 (trim ref: 371639.2024)

The purpose of this memorandum is to review the abovementioned documentation to assess the suitability of the proposed development.

Report on Preliminary Site Investigation (Contamination) Western Sydney Airport Business Park 2420 The Northern Road, Luddenham NSW Prepared for Lancaster Corporation Pty Ltd, Project 221907.01, Document No, R.001.Rev0 prepared by Douglas Partners Pty Ltd dated 18th September 2024 (trim ref: 371615.2024)

Douglas Partners Pty Ltd was engaged to undertake a Stage 1 Preliminary Site Investigation of the subject premises. Although the address of the premises referenced within the Preliminary Site Investigation is 2420 The Northern Road, Luddenham NSW, it is noted that the site boundary for the investigation included in Figure 1 of the report comprises Lots 3, 4, 5, 6 and 7 DP 1240511 and Part Lot 2 DP 519034.

The overall objective of the investigation was to determine the suitability of the site for the proposed development with consideration for the historical and current use of the land. The scope of work included a desktop review of documentation including but not limited to: topographical, geological and hydrogeological records; acid sulfate soils; historical aerial photographs; land titles records for Lots 3 to 7 DP. 1240511; NSW EPA records held under Sections 58 and 60 of the

Contaminated Land Management Act 1997, Section 308 of the *Protection of the Environment Operations Act 1997*, planning certificates for the land and NSW EPA PFAS investigation sites. It appears that the SafeWork NSW stored chemical information database was not consulted as part of the desktop review. The Preliminary Site Investigation also included a site walkover; evaluation of potential areas of environmental concern and an assessment of the contamination status of the site.

It should be noted that the report included a Conceptual Site Model. Guidelines approved by the NSW EPA under Section 105 of the *Contaminated Land Management Act 1997* include the *National Environment Protection (Assessment of Site Contamination) Measure 1999 (April 2013)* (ASC NEPM). Schedule B2 of the ASC NEPM explains that the development of a CSM 'is an essential part of all site assessments and provides the framework for identifying how the site became contaminated and how potential receptors may be exposed to contamination either in the present or future'.

Twenty-four Areas of Environment Concern (AEC) were identified during the site investigation. With consideration for the site history, contaminants of potential concern identified by the consultant included: heavy metals; total recoverable hydrocarbons and BTEX; PAHs; phenols; creosotes; OCPs; OPPs; PCBs; asbestos; coliforms and nutrients. A preliminary sampling program was incorporated into the investigation.

Douglas Partners Pty Ltd concluded that based on the results of their investigation, it is considered that the site can be suitable for the proposed development subject to the following recommendations:

- A more detailed investigation of the site is considered required to confirm the contamination status and any requirements for remediation for the proposed development for the AECs listed in Table 4, and Table G3, Appendix G, and shown on Drawing 4 Appendix A. The additional investigation should be undertaken in advance of the issue of a construction certificate for subdivision or bulk earthworks which could impact on any identified AEC. Should the detailed site investigation recommend a remediation action plan (RAPP) be prepared for any of the AEC, then the implementation of the RAP and an associated validation report is required prior to the issue of construction certificate for the impacted area.
- Based on the findings of this PSI, potential groundwater contamination is not considered to be significant, unless soil contamination is found within the AEC. If significant contamination is identified, then a groundwater investigation may be required.
- Stockpiled soils must not be removed from site until they have been subject to a waste classification assessment, or re-used on site without an initial assessment of suitability for re-use. An Unexpected Finds Protocol should be implemented setting out the standard procedures for inspecting and managing any unexpected, potential contamination issues encountered during development works. It is understood that implementation of an appropriate Unexpected Finds Protocol is part of the contractual requirements for earthworks and excavation at the site.

Consequently, additional intrusive investigations are required at the site to provide the consent authority with sufficient information to address Clause 4.6(1) of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Clauses 2.100 and 2.120 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* are not applicable as the proposed development is not for residential accommodation, a place of public worship, a hospital, educational establishment or centre-based childcare facility that are likely to be adversely affected by rail or road noise. However, the Department must consider whether the proposed development may be a traffic generating development as defined in Column 1 of the Table to Schedule 3 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*.

Noise and Vibration Impact Assessment Western Sydney Airport Business Park Luddenham NSW 2745, Reference: 24046.1.1.R1R1 WSA Business Park - NVIA 20240814, Revision 1 prepared by VMS Australia Pty Ltd dated 14th August 2024 (trim ref: 371639.2024)

VMS Australia Pty Ltd was engaged to undertake a noise and vibration assessment for the proposed development. According to the consultant, the assessment was undertaken with consideration for the Secretary's Environmental Assessment Requirements issued 29th November 2023, Department of Environment and Climate Change Interim Construction Noise Guideline (2009), NSW EPA's Noise Policy for Industry (2017), Department of Environment, Climate Change and Water NSW Road Noise Policy (2011) and NSW Department of Environment and Conservation NSW document titled '*Assessing Vibration: a technical guideline*' dated February 2006.

It is noted that Revision 1 of the acoustic assessment considered comments from a peer review conducted by Renzo Tonin and Associates dated 15th July 2024. The nearest sensitive receivers were identified in Table 5 of the report. According to the consultant, WSABP obtained legal advice from King & Wood Mallesons (dated 29 May 2024) indicating that residential receivers within the Agribusiness precinct should be classified as 'Industrial Premises' receiver type. In addition to the above and with reference to the latest Interim Luddenham Village from DPHI, (Appendix C), existing receivers within the proposed Luddenham Village boundary (i.e. R2, R3 and R6) are treated as 'Urban Residential' receiver type.

Proposed operational hours for the facility are 24 hours, 7 days per week. Background noise measurements were undertaken between 3rd April 2024 and 17th April 2024. The project noise trigger levels were determined as the more stringent of the intrusive and amenity criteria. Industrial receivers were assessed in accordance with the amenity criteria. Consideration was also given to sleep disturbance and potential road traffic noise impacts and vibration.

Based upon their assessment, VMS Australia Pty Ltd predicted that noise emissions from proposed construction activities would comply with the Project's Noise Affected and Highly Noise Affected NMLs at all Project-related noise-sensitive receivers. In addition, the consultant anticipated that operational noise levels at all noise-sensitive receivers would be below the daytime, evening and night-time Project Noise Trigger Levels. The predicted noise levels for the maximum noise event at all noise-sensitive residential receivers were also predicted to be below the night-time maximum noise event screening criteria and therefore unlikely to result in sleep disturbance at the nearest residential receivers. Furthermore, the acoustic consultant confirmed that additional traffic on existing roads generated by the land use development would not increase the total traffic noise level by more than 2 dB above the 'no build option'.

VMS Australia Pty Ltd broadly recommended potential mitigation measures for consideration. It is requested that specific mitigation measures are recommended for incorporation into the design and construction of the premises to ensure that the proposed development is capable of being operated in an environmentally satisfactory manner. Although not specifically recommended by

VMS Australia Pty Ltd, a more detailed assessment will be required of mechanical plant prior to issue of the Construction Certificate.

Air Quality and Odour

According to the Environmental Impact Statement, the main sources of air emissions associated with the Project relate to dust emissions during construction works and emissions from vehicles and plant during operations. It is requested that the proposed development incorporates Construction and Operational Environmental Management Plans that meet the requirements outlined below.

State Environmental Planning Policy (Resilience and Hazards) 2021

According to the Environmental Impact Statement, the WSABP facilities would be used for the storage and distribution of general consumer products. Whilst the facilities may store minor amounts of dangerous goods (e.g. LPG and batteries for forklifts, cleaning chemicals and goods for clients), any such storage is not expected to exceed the screening thresholds in the Department of Planning, Housing and Infrastructure's Hazardous and Offensive Development – Applying SEPP 33 guidelines.

RECOMMENDATION

To mitigate potential risks to human health and the environment, it is requested that the Department takes the following matters raised by Council's Environmental Health Section into consideration when assessing the State Significant Development:

Report on Preliminary Site Investigation (Contamination) Western Sydney Airport Business Park 2420 The Northern Road, Luddenham NSW Prepared for Lancaster Corporation Pty Ltd, Project 221907.01, Document No, R.001.Rev0 prepared by Douglas Partners Pty Ltd dated 18th September 2024

The Planning Secretary's Environmental Assessment Requirements for Application Number SSD-64409468, Western Sydney Airport Business Park issued 29th November 2023 required a site contamination assessment in accordance with the Managing Land Contamination Planning Guidelines: SEPP 55 – Remediation of Land (DUAP, 1998), including characterisation of the nature and extent of any contamination on the site and surrounding area.

The State Significant Development Application was supported by a Report on Preliminary Site Investigation (Contamination) Western Sydney Airport Business Park 2420 The Northern Road, Luddenham NSW Prepared for Lancaster Corporation Pty Ltd, Project 221907.01, Document No, R.001.Rev0 prepared by Douglas Partners Pty Ltd dated 18th September 2024. The objective of a preliminary site investigation is to assess whether contamination has the potential to exist on the site and whether further investigation is needed. Douglas Partners Pty Ltd concluded that additional intrusive investigations are required at the site to determine the contamination status of the land and its suitability for the proposed development.

The objective of the Preliminary Site Investigation does not include characterisation of the nature and extent of any contamination of the site and surrounding area and does therefore not fulfil the Secretary's Environmental Assessment Requirements. Furthermore, the Preliminary Site

Investigation does not provide the consent authority with sufficient information to address Clause 4.6(1) of *State Environmental Planning Policy (Resilience and Hazards) 2021*.

It is the proponent's responsibility to investigate the site and provide the planning authority with the information it needs to carry out its planning functions under Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021*. It is requested that the Applicant engages a suitably qualified environmental consultant to undertake the Stage 2 Detailed Site Investigation as recommended by Douglas Partners Pty Ltd to determine whether the land is contaminated, is suitable in its contaminated state or can be made suitable subject to site remediation. These investigations shall consider the areas of environmental concern identified in the preliminary investigation of the land and give regard to the potential effects of any contaminants on public health, the environment and building structures and meet the sampling density outlined in the NSW Environment Protection Authority's Sampling design part 1- application Contaminated Land Guidelines (2022).

If the intrusive investigations indicate that the site poses unacceptable risks to human health or the environment, a Remedial Action Plan (RAP) shall be prepared or reviewed and certified by a suitably qualified environmental consultant in accordance with applicable guidelines made or approved by the NSW EPA under the Contaminated Land Management Act 1997. In these circumstances, the Remedial Action Plan shall be referred to the consent authority for review.

Contaminated site reports shall be prepared or reviewed and certified by a suitably qualified environmental consultant who is certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme.

Noise and Vibration Impact Assessment Western Sydney Airport Business Park Luddenham NSW 2745, Reference: 24046.1.1.R1R1 WSA Business Park - NVIA 20240814, Revision 1 prepared by VMS Australia Pty Ltd dated 14th August 2024

VMS Australia Pty Ltd explained that WSABP obtained legal advice from King & Wood Mallesons (dated 29 May 2024) indicating that residential receivers within the Agribusiness precinct should be classified as 'Industrial Premises' receiver type. The NSW Department of Planning, Industry and Environment published a Guideline titled 'Existing Use Rights and previously Permissible Land Uses' dated October 2021 which explains that land within the Aerotropolis will gradually transition from mostly rural to urban uses under the land use zones contained in *State Environmental Planning Policy (Precincts – Western Parkland City) 2021*.

The Guideline explains that existing use rights provide certain protections to landowners from changes to planning laws that apply to their land. For example, they allow people to continue to live in their homes or operate their businesses as they did before the change, until they decide they no longer wish to do so. The NSW EPA's Noise Policy for Industry (2017) defines a residence as 'a lawful and permanent structure erected in a land-use zone that permits residential use (or for which existing use rights under the EP&A Act apply) where a person/s permanently reside and is not, nor associated with, a commercial undertaking such as caretakers' quarters, hotel, motel, transient holiday accommodation or caravan park'.

The NSW EPA advised Council's Environmental Health Section that the Department of Planning, Industry & Environment previously explained that residential land-uses affected by noise from proposed developments within the Western Sydney Aerotropolis should be afforded rural zoning for noise assessment purposes. As such, reasonable and feasible mitigation needs to be designed with reference to project noise trigger levels derived using the rural amenity noise level

for residential receivers, irrespective of the changing land use. Based upon this advice, it is believed that project noise trigger levels for residential receivers within the Agribusiness precinct must be revised to account for a rural residential receiver category with reference to Table 2.3 in the Noise Policy for Industry (2017).

VMS Australia Pty Ltd also broadly recommended potential mitigation measures for consideration by the consent authority. Part 3.7 of the Western Sydney Aerotropolis Development Control Plan 2022 stipulates that the acoustic report should outline the proposed noise amelioration strategies and management methods. The Western Sydney Aerotropolis Development Control Plan 2022 also states that building design is to incorporate noise amelioration features. More specifically, roof elements are to control potential breakout noise, having regard to surrounding topography and boundary fences are to incorporate noise amelioration features and control breakout noise having regard to developments adjoining rural-residential areas.

It is requested that specific mitigation measures are recommended for incorporation into the design and construction of the premises to ensure that the proposed development is capable of being operated in an environmentally satisfactory manner. Although not specifically recommended by VMS Australia Pty Ltd, a more detailed assessment will be required of mechanical plant prior to issue of the Construction Certificate.

Construction and Operational Environmental Management Plans

Construction and Operational Environmental Management Plans (CEMP and OEMP) shall be prepared for the proposed facility and be submitted to the consent authority for review. The Plans shall be written by a suitably qualified and experienced environmental consultant and address means by which the commitment in the Environmental Impact Statement and other environmental assessment reports will be fully implemented.

Controlled Activity

The Department shall consider whether the proposed development must comply with requirements imposed by the *Water Management Act 2000*.

Water Quality

A soil and water management plan is required for the Project's construction phase.

Food Safety

If the premises will be used to store food for sale, the Application shall be supported by detailed floor and section plans demonstrating compliance with the Food Act 2003, Australia New Zealand Food Standards Code and Australian Standard (AS) 4674-2004 Design, Construction and Fit-Out of Food Premises.

Regulated Systems

The Applicant shall confirm whether regulated systems such as cooling water systems will be installed at the premises in accordance with the *Public Health Act 2010*, *Public Health Regulation 2022* and AS 3666.

Sewage Management

The Applicant is required to demonstrate that the development can be connected to a reticulated/ interim reticulated sewerage service. According to the Environmental Impact Statement, WSABP Management proposes to negotiate an Interim Operating Procedure/Plan (IOP) with Sydney Water, essentially providing a pump-out system for wastewater from the site in the interim period.

Due to infrastructure constraints in the Growth Centre, Applicants are seeking approval to utilise IOPs to manage wastewater disposal in unsewered areas. It is the responsibility of the Department to assess wastewater servicing matters for the Growth Centre given that inadequate infrastructure is available to support increasing development in the area. The Department must therefore consider the likely impacts of the proposal and the suitability of the site for the development in accordance with Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Waste Management

The Environmental Impact Statement explains that the Waste Management Plan includes provisions to ensure that all waste bins are in enclosed areas and provided with fixed lids to minimise the potential to attract wildlife that may pose a hazard to aircraft. Department must consider imposing the following construction requirements for the waste storage areas to ensure that they can be maintained in a hygienic condition with minimal impact to human health and the environment:

- a) The rooms shall be fully enclosed and provided with a concrete floor, and with concrete or cement rendered walls coved to the floor;
- b) Provided with a hose cock for hosing the garbage bin bay and a sewerage 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;
- c) The room shall have a floor waste which is to consist of a removable basket within a fixed basket arrestor and is to comply with Sydney Water requirements; and
- d) The room must include a tight-fitting, self-closing door and mechanical ventilation.

Site Regulation

The Environmental Health Section wishes to highlight the following key points regarding the proposed development:

- The Department will have primary responsibility for assessing compliance with conditions of consent in relation to environmental emissions (i.e. noise, air, water, land) during the construction and operational phases of the project; and
- Comprehensive compliance monitoring initiatives that incorporate both qualitative and quantitative measures must be incorporated in the proposed development. It is strongly believed that data collected using quantitative methods for the duration of construction and operational phases of the Project would assist with determining compliance and encourage environmental best practice.

8. Engineering

Thank you for the opportunity to comment on the planning proposal SSD1-12/2023. I have reviewed the proposal from the following:

Company	Job No./Reference No.	Title	Revision /Issue	Date
Costin Roe Consulting	CO15092.00	Civil Engineering Report Incorporating Water Cycle Management Strategy	C	24 July 2024
Costin Roe Consulting	CO15092.00-SSDA100 to 511	Civil Engineering Plans (Part A) – Appendix H	Multiple revisions	17 July 2024
Costin Roe Consulting	CO15092.00-SSDA512 to 759	Civil Engineering Plans (Part B) – Appendix H	Multiple revisions	17 July 2024

I have no objection to the proposed application but will require a ***deferred commencement condition to provide permanent On-Site Stormwater Detention to all proposed lots created with the development since Sydney Water has reneged on providing the water quantity and water quality infrastructure for the Aerotropolis precinct.***

Please add the following general conditions to the development consent:

1. All roadworks, drainage works and dedications, required to effect the consented development shall be undertaken at no cost to Liverpool City Council.

Prior to the issue of a Subdivision Works Certificate

2. All retaining walls shall be of masonry construction and must be wholly within the property boundary, including footings and agricultural drainage lines. Construction of retaining walls or associated drainage works along common boundaries shall not compromise the structural integrity of any existing structures.

Where a retaining wall exceeds 600mm in height, the wall shall be designed by a practicing structural engineer and a construction certificate must be obtained prior to commencement of works on the retaining wall.

3. Prior to the issue of a Construction Certificate for building or subdivision works the Certifying Authority shall ensure that a S138 Roads Act application, including the payment of application and inspection fees, has been lodged with Liverpool City Council (being the Roads Authority under the Roads Act), for provision of intersection works in Adams Road.

Note: Where Liverpool City Council is the Certifying Authority for the development the Roads Act approval for the above works may be issued concurrently with the Subdivision Works Certificate.

Engineering plans are to be prepared in accordance with the development consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, Austroad Guidelines and best engineering practice.

4. Prior to the issue of a Construction Certificate for subdivision works the Certifying Authority shall ensure that engineering plans are generally consistent with the amended changes incorporating OSD and Water Quality devices and the stamped approved concept plan/s prepared by Costin Roe Consulting, reference number CO15092.00, revision D, dated 17.07.2024 and that all subdivision works have been designed in accordance with conditions of this consent, Liverpool City Council's Design Guidelines and Construction Specification for Civil Works, any Roads Act approval issued, Austroad Guidelines and best engineering practice.

The subdivision works may include but are not limited to the following:

- Public and private roads
- Stormwater drainage including water quantity and quality treatment measures
- Interallotment drainage
- Private access driveways
- Sediment and erosion control measures
- Overland flow paths
- Flood control measures
- Traffic facilities including roundabouts, intersection treatments, car parks, bus stops, cycleways, pathways etc.
- Earthworks
- Bridges, culverts, retaining walls and other structures
- Landscaping and embellishment works
- All works required for conversion of the proposed sediment basin to a bio retention function
- All works required for the decommissioning temporary OSD systems including pipe removal, basin filling and works to existing pit structures if required

The Subdivision Works Certificate must be supported by engineering plans, calculations, specifications and any certification relied upon.

5. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure that the proposed roads have been designed in accordance with Liverpool City Council's Design Guidelines and Construction Specification for Civil Works and the following criteria: add table

Road No.	Road Reserve Width	Carriageway Width	Verge	Footpath (1.5m minimum unless noted otherwise)	ESA
Road No.1 (Collector Road)	25.6m	15.4m	4.6m (RHS) 5.6m (LHS)	2.1m 3.1m	1 x 10 ⁷

Road No.2 (Collector Road)	25.6m	15.4m	4.6m (RHS) 5.6m (LHS)	2.1m 3.1m	1 x 10 ⁷
Road No.3 (Collector Road)	25.6m	8.9m with 3.7m Parking lanes	4.6m (RHS) 5.6m (LHS)	2.1m 3.1m	1 x 10 ⁷
Local Road	24.0m	13.0	4.0m (RHS) 5.0m (LHS)	2.1m 3.1m	1 x 10 ⁷

6. Prior to the Commencement of Works a dilapidation report of all infrastructure fronting the development on Adams Road is to be submitted to Liverpool City Council. The report is to include, but not limited to, the road pavement, kerb and gutter, footpath, services and street trees and is to extend 50m either side of the development.

Prior to Commencement of Works

7. Prior to commencement of works sediment and erosion control measures shall be installed in accordance with the approved Construction Certificate and to ensure compliance with the Protection of the Environment Operations Act 1997 and Landcom's publication "Managing Urban Stormwater – Soils and Construction (2004)" – also known as "The Blue Book".

The erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.

8. Prior to commencement of works a Traffic Control Plan including details for pedestrian management, shall be prepared in accordance with AS1742.3 "Traffic Control Devices for Works on Roads" and the Roads and Traffic Authority's publication "Traffic Control at Worksites" and certified by an appropriately accredited Roads and Traffic Authority Traffic Controller.

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.

Note:

- A copy of the Traffic Control Plan shall accompany the Notice of Commencement to Liverpool City Council

9. Work on the subdivision shall not commence until:

- a Subdivision Works Certificate (if required) has been issued,
- a Principal Certifying Authority has been appointed for the project, and
- any other matters prescribed in the development consent for the subdivision and the Environmental Planning and Assessment Act and Regulation have been complied with.

A Notice of Commencement is to be submitted to Liverpool City Council two (2) days prior to commencement of engineering works or clearing associated with the subdivision.

Requirements during Construction

10. Erosion and sediment control measures shall remain in place and be maintained until all disturbed areas have been rehabilitated and stabilised.
11. Street lighting is to be provided for all new and existing streets within the proposed subdivision to Liverpool City Council's standards.

The developer shall submit a Public Lighting Design Brief to Council for approval for the provision of street lighting on all new public roads dedicated to Council. A street lighting design plan must be prepared by an accredited service provider for approval prior to construction. All street lighting must comply with the electricity service provider Street Lighting Policy and illumination requirements and Council's Street Lighting policy.

All cost associated with the installation of street lighting shall be borne by the developer.

12. All earthworks shall be undertaken in accordance with AS 3798 and Liverpool City Council's Design Guidelines and Construction Specification for Civil Works.

The level of testing shall be determined by the Geotechnical Testing Authority/ Superintendent in consultation with the Principal Certifying Authority

Prior to the issue of a Subdivision Certificate

13. Prior to the issue of a Subdivision Certificate, the Principal Certifying Authority shall ensure that all subdivision works required by this consent have been satisfactorily completed or that suitable arrangements have been made with Liverpool City Council for any outstanding works.
14. Prior to the issue of a Subdivision Certificate the Principal Certifying Authority shall ensure that the:

- (i) On-site detention system/s
- (ii) Stormwater pre-treatment system/s

- Have been satisfactorily completed in accordance with the approved Construction Certificate and the requirements of this consent.
- Have met the design intent with regard to any construction variations to the approved design.
- Any remedial works required to been undertaken have been satisfactorily completed.

Details of the approved and constructed system/s shall be provided as part of the Works-As-Executed drawings.

15. Prior to the issue of a Subdivision Certificate a restriction as to user and positive covenant relating to the:
 - (i) On-site detention system/s
 - (ii) Stormwater pre-treatment system/s

Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Liverpool City Council's standard wording as detailed in Liverpool City Council's Design and Construction Guidelines and Construction Specification for Civil Works.

16. Prior to the issue of a Subdivision Certificate any damage to Council infrastructure not identified in the dilapidation report, as a result of the development shall be rectified at no cost to Liverpool City Council.

Any rectification works within Adams Road will require a Roads Act application. The application is to be submitted and approved by Liverpool City Council prior to such works commencing.

17. Prior to the issue of a Subdivision Certificate, the installation of regulatory / advisory linemarking and signage, plans are to be completed. Signage and Linemarking plans shall be lodged with Liverpool City Council and approved by the Local Traffic Committee.

Notes: Allow eight (8) weeks for approval by the Local Traffic Committee

18. Prior to the issue of a Subdivision Certificate, the installation of regulatory / advisory linemarking and signage, plans are to be completed. Signage and Linemarking plans shall be lodged with Liverpool City Council and approved by the Local Traffic Committee.

Notes: Allow eight (8) weeks for approval by the Local Traffic Committee

19. Prior to the issue of a Subdivision Certificate the following compliance documentation shall be submitted to the Principal Certifying Authority. A copy of the following documentation shall be provided to Council where Council is not the Principal Certifying Authority: *Nominate*

- a) Work as Executed (WAE) drawings of all civil works. The WAE drawings shall be marked in red on copies of the stamped Construction Certificate drawings signed, certified and dated by a registered surveyor or the design engineer. The Work as Executed drawings shall be prepared in accordance with Council's Design Guidelines. Electronic copies of the WAE shall be provided in DWG format and PDF format to Council along with two hard copies of the WAE plans.
- b) A collation of attribute data is to be provided for all civil works. The data shall be completed in accordance with Council's 'WAE Submission Standard' and the excel template 'Inclusion of Attribute Data'. This standard and excel template can be obtained by contacting Council's Asset Planning & Management Department on 1300 36 2170
- c) The WAE drawings shall clearly indicate the 1% Annual Exceedance Probability flood lines (local and mainstream flooding).
- d) The WAE drawings shall be accompanied by plans indicating the depth of fill for the entire development site. The plans must show, by various shadings or cross hatchings, the depth of any fill within 0.3m depth ranges.
- e) CCTV footage in DVD format to Council's requirements and a report in "SEWRAT" format for all drainage within future public roads and public land. Inspections are to be carried out in accordance with the Conduit Inspection Reporting Code of Australia WSA 05-2006. Any damage that is identified is to be rectified in consultation with Liverpool City Council.

- f) Surveyor's Certificate certifying that all pipes and services are located wholly within the property or within appropriate easements and that no services encroach boundaries.
- g) Documentation for all road pavement materials used demonstrating compliance with Council Design Guidelines and Construction Specification.
- h) A Geotechnical Report certifying that all earthworks and road formation have been completed in accordance with AS3798 and Council's Design Guidelines and Construction specifications. The report shall include:
 - Compaction reports for road pavement construction
 - Compaction reports for bulk earthworks and lot regrading.
 - Soil classification for all residential lots
 - Statement of Compliance

Structural Engineer's construction certification of all structures

- 20. The applicant shall pay the standard fee for purpose of subdivision certificate administration of plan checking and release.
- 21. The final plan of subdivision must be supported by an 88B instrument to the approval of Council. The 88B instrument shall properly reflect the requirements of the conditions of development consent, the plans forming part of the consent, and Councils standards, codes and policy's. Part 2 of the 88B instrument shall contain a provision that any easements, right of ways or covenants shall not be extinguished or altered without the written consent of Council.
- 22. The following restriction as to user must be placed over proposed **Warehouses Numbered 1 to 8**. Details shall be submitted with the application for a Subdivision Certificate.
 - (a) No CC shall be issued for a warehouse/building on the lot burdened until on site drainage detention (including water quality) has been designed in accordance with Council's On-Site Detention Policy and Construction Specification.
 - (b) No OC for a warehouse/building shall be issued until the designed on-site detention system has been constructed on the subject lot and a licensed Surveyor prepares a "Work As Executed" plan and is certified as complying with the approved detention design by an appropriate accredited professional engineer

23. Service Providers

- a) Written evidence of suitable arrangements with Sydney Water (Section 73 Compliance Certificate) for the supply of water and sewerage services to the development is to be submitted to the PCA prior to the issue of a Subdivision Certificate.

Council will not issue a Subdivision Certificate unless the method of sewerage disposal is by gravity reticulation mains to either Sydney Water branch and trunk sewers or Sydney Water point of treatment.

- b) Notification of arrangement for the development from Endeavour Energy shall be submitted to Council.

- c) Compliance Certificate for the development from an approved local telecommunications carrier shall be submitted to Council.

24. A maintenance bond in the form of a bank Guarantee or cash bond (\$TBA), shall be lodged with Council prior to the issue of a Subdivision Certificate. The bond shall cover maintenance and any damage to roads, drainage lines, public reserves or other council property or works required as a result of work not in accordance with Council's standards, and /or development consent conditions. The bond will be held by Council for a minimum period of 12 months from the date of Council acceptance of final works.

Advisory

25. Before any excavation work starts, contractors and others should phone "Dial Before You Dig" service to access plans/information for underground pipes and cables. www.1100.com.au
26. The Liverpool City Council Local Government Area soils and ground water may be subject to varying levels of Salinity. Whilst Council may require applicants to obtain Salinity Reports relating to some developments, no assessment may be made by Council in that regard. Soil and ground water salinity levels can change over time due to varying factors. It is recommended that all applicants make their own independent enquiries as to the appropriate protection against the current and future potential effect of salinity to ensure the ongoing structural integrity of any work undertaken. Liverpool City Council will not accept any liability for damage occurring to any construction of any type affected by soil and ground water salinity.
27. The cost of any necessary adjustments to utility mains and services shall be borne by the applicant.
28. Care shall be taken by the applicant and the applicant's agents to prevent any damage to adjoining properties. The applicant or applicant's agents may be liable to pay compensation to any adjoining owner if, due to construction works, damage is caused to such an adjoining property.

9. Traffic & Transport

Traffic impact assessment of the proposal has been carried out in accordance with TfNSW Guide to Traffic Generating Developments, with reference to the Western Sydney Aerotropolis precinct DCP and AS 2890.

The critical traffic issues assessed includes:

- Adequacy of the off-street parking provisions;
- Suitability of vehicular access arrangements;
- Internal circulation and servicing arrangements; and
- Traffic impact of the proposed development including review of existing traffic conditions adjacent to the proposed development site.

Traffic Generation and Impact

Trip generation rate

1) It is noted that GtTGD peak hour trip rate is 0.5 trips per 100 m². The TIA report adopts a trip generation rate of 0.26 vehicular trips per 100 m². Due to lack of public transport service to the subject site, it is recommended that 0.5 trips per 100 m² is to be used to estimate vehicular trips generated from the subject developments. Based on this generation rate, the subject developments will generate approximately 1,400 vehicles per hour during AM and PM peak hours.

Intersection modelling and road network assessment

2) Traffic counts in 2018 were used for the traffic impact assessment report. The survey data is out of date. New traffic survey is to be conducted for intersection and road network impact analysis.

3) It is noted that the TIA report doesn't assess traffic impacts of the subject developments on the surrounding intersections such as The Northern Road/Adams Road and the new signalised intersection of Elizabeth Drive/Luddenham Road/the future precinct access road.

As strategic modelling is not adequate tool to assess intersection performance, consultation is required with TfNSW and Council on the additional intersections to be modelled in order to assess the traffic impacts of the developments on the intersections.

The additional intersections include (but not being limited):

- The Northern Road/Adams Road intersection
- The new signalised intersection of Elizabeth Drive/Luddenham Road/the future precinct access road
- Anton Road/Adams Road intersection
- The proposed internal collector road intersections

The proposed signalised intersection of Adams Road should be modelled in conjunction with the traffic signals at The Northern Road by SIDRA network modelling. TfNSW is to be consulted for traffic modelling requirements.

Cumulative traffic impact assessment

3) Cumulative traffic impact assessment is to be carried out for the subject development and other planned developments within the proximity of the subject site such as the planned Western Sydney Airport fuel farm and resource recovery facility at No. 205 Adams Road.

Access Plan

The Northern Road access

4) The construction and the early work access will be via The Northern Road. As The Northern Road is a classified road, TfNSW concurrence is required for the proposed interim access off The Northern Road.

The Adams Road access

5) It is noted that the proposed access intersection is located on Adams Road. The intersection is initially proposed to be unsignalised but will be upgraded to signal controlled. The modelling results summary (Table 25) indicates that the proposed access road intersection on Adams Road will operate at LoS F and is required to be signalised. This new traffic signal is not identified on the aerotropolis precinct plan. TfNSW approval is required for the proposed TCS at this location.

6) The proposed access road is via the adjacent land. Confirmation is required whether this road will be designed and constructed in accordance with the DCP and dedicated as a public road.

Travel routes to/from the subject site

7) As part of the Elizabeth Drive upgrade, TfNSW is to restrict the intersection of Elizabeth Drive/Adams Road to left in only. Alternative travel routes should be identified to/from the subject site, particularly after the Elizabeth Drive upgrade. Traffic impact assessment is to be carried out for interim and ultimate road network access scenarios.

Car parking assessment

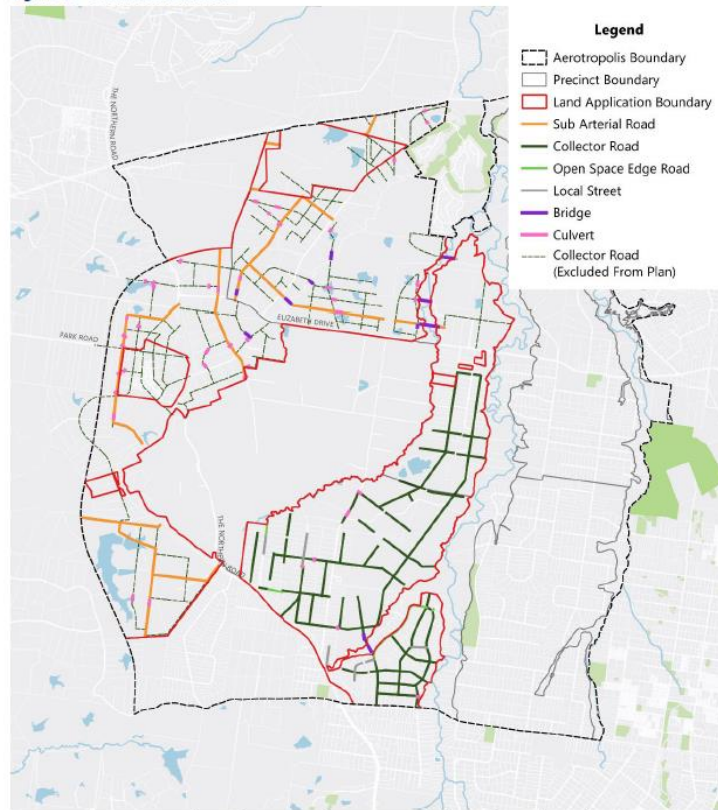
8) Required = 1,304 parking spaces @ 1 space per 300 m² of GFA warehouse + 1 space per 40 m² of GFA ancillary offices. Proposed parking provision is 1,391 spaces. Hence, parking provision complies with the aerotropolis DCP.

9) The development is to include and identify adequate long time on-site or/on street truck parking spaces.

Staging infrastructure provision

10) The subject site is affected by the proposed collector road as per 7.12 Council's aerotropolis precinct contribution plan. Confirmation is required with Council for design requirements of this proposed collector road and associated the road reserve.

Figure 12 - Roads Infrastructure

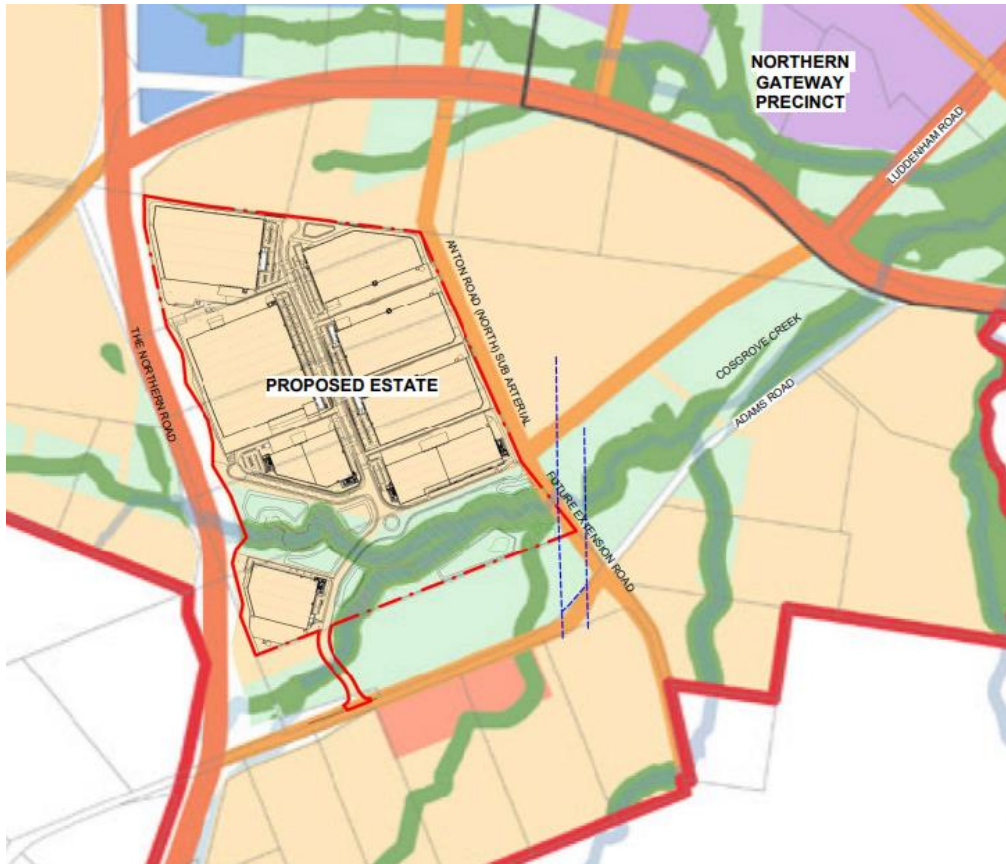


Western Sydney Aerotropolis Section 7.12 Development Contributions Plan Background Report

- 11) The subject site is affected by the planned sub-arterial road including the Anton Road extension and Luddenham Road. Road reservation is to be identified along these roads. The DPHI is to confirm the funding and delivery mechanism for these

sub-arterial

roads.



12) The proposed local road network is to be designed in accordance with the aerotropolis precinct plan and Council's DCP.

Construction traffic management plan

13) The provision of a construction traffic management plan for all demolition / construction activities, detailing vehicle routes, number of trucks, hours of operation, access arrangements and traffic control measures.

In conclusion, an updated transport impact assessment which address the above matters is to be submitted to Council and TfNSW for review.

10. Contributions

The adopted City of Liverpool S7.12 Aerotropolis Contributions Plan levies as calculated by the percentage of the cost of development (4.6%). As per the Environmental Impact Statement (EIS) dated October 2024, the development has a capital investment value (CIV) of approximately \$392 Million (exc. GST).

Based on this, the development would currently have a S7.12 Contributions Payable of **\$18,032,000**. Note that this figure is the amount calculated at the time of writing of this referral; this figure would also be indexed based on what the Producer Price Index (PPI) would be at the time of payment. The Contributions Team would need to be informed for an updated figure once Conditions of Consent are being sought after.

11. Natural Environment

Thank you for the opportunity to comment on the planning proposal SSD1-12/2023, Western Sydney Airport Business Park at The Northern Road Luddenham. I have reviewed the proposal including the Environmental Impact Statement and pertinent appended technical reports and note the following biodiversity related matters:

- The submitted Biodiversity Development Assessment Report (Eco Logical Australia, 22 October 2024) appears to be a draft version, as noted on page i, and is not intended to be a finalised document submitted to the consent authority. A finalised BDAR should be prepared and appended to the Environmental Impact Statement.