



Our reference: P-802538-M6M6
Contact: Robert Walker
Telephone: 4732 7409

19 December 2024

Department of Planning, Housing and Infrastructure

Attention: David Schwebel

Email: david.schwebel@planning.nsw.gov.au

Dear Sir,

**Council Response to Environmental Impact Statement – SSD-70316465 –
Burra Park Warehousing and Logistics Estate at 1953-2109 Elizabeth Drive,
Badgerys Creek**

Thank you for providing Penrith City Council the opportunity to comment on the subject Environmental Impact Statement.

Council Officers have reviewed the information referred for comment on 13 November 2024 and provide the following advice for the Department's consideration.

1. Planning Considerations

- a) The overall layout provides considerable and multiple departures from the 'road network' to be established for the area, as shown within Part 4.6.2 of the Western Sydney Aerotropolis Precinct Plan 2024.

Council does not support the variations proposed at the edges of the overall site, as such does not provide for connection with the 'street hierarchy' shown on adjacent properties, may adversely impact upon the ability for adjacent land to be developed in a suitable manner and may compromise development potential of other properties. Furthermore, the proposed inconsistencies are not supported by alternate road alignments (i.e. an alternate road network) across adjacent properties, which would follow on from such.

Given the extent of the inconsistencies, it is considered that such does not satisfy the provisions of Section 4.39 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 and should be foreshadowed by an amendment to the Precinct Plan.

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

- b) The failure to deliver 'park edge streets' compromises important features of key public domain components of the overall area.
- c) It remains unclear whether it is appropriate and orderly development, for a Concept Plan, comprising of many warehouse footprints and locations, to be endorsed at this initial stage of the overall development. It is noted that a 'concept' proposing 'super-lots' specifically might be more appropriate at this time.
- d) As previously requested, any such proposal should be accompanied by plan overlays showing how the overall development sits in relation to relevant 'maps' under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (including in relation to zoning, land acquisition, and areas indicated for 'Stormwater Infrastructure' and 'Local Open Space and Drainage') and the Western Sydney Aerotropolis Precinct Plan 2024.
- e) It is unclear what has informed the overall proposed / finished site levels. The Department will need to carefully consider such, as well as the resulting interface outcomes and whether the overall earthworks, suitably respond to and build on the natural topography of the site.
- f) Concern is raised regarding the considerable level changes / earthworks associated with the proposed building pads (finished ground levels) at Lots 5.5, 4.4, 2.8, 1.1B, 1.3, 1.8A and 1.7.
- g) It is considered that the landscaped setback areas to be provided adjacent to the M12 Motorway, are inadequate, and would not enhance the visual quality of the overall development or achieve a high quality urban design and landscape outcome.

The Department will need to carefully consider the associated inconsistencies with the Western Sydney Aerotropolis Precinct Plan 2024, noting the relationship of the site with a future major Motorway interchange.

- h) It is expected that the Department carefully consider the heritage attributes of the adjacent 'McGarvie Smith Farm,' which is a listed Heritage Item and the relationship of the proposed development with such.
- i) It is expected that any proposal seeking Development Consent for the use of respective premises, would be supported by comprehensive

operational details (including associated Operational Management Plans).

2. City Planning Considerations

- a) The Penrith Aerotropolis Development Contributions Plan 2023 applies to development upon the subject site.
- b) The following comments previously provided to the Department of Planning, Housing and Infrastructure for consideration, on the 15 May 2024, are still relevant:
 - i. The draft Penrith Aerotropolis Development Contributions Plan 2023 applies to the subject site. The development would be subject to the proposed 5.6% s.712 levy rate, which is currently subject to Ministerial approval.
 - ii. The road alignment differs from what is identified within the draft Contributions Plan, particularly the sub-arterial road north of Elizabeth Drive (refer to Figure 12 Roads Infrastructure in the Background Report). Further discussions will be required to determine whether the roads will serve the same purpose once road modelling has been completed and provided to Council.
 - iii. It is noted that Council officers met with Urbis and HBB on 25 January 2024. At this meeting, the proponent queried the possibility of entering into a works-in-kind agreement, noting the proposed variations to the road alignment. Further discussion with Council will be required, noting the comments made in point b) above.
 - iv. If acquisition of land for the proposed roads is required, the Memorandum, proponent will need to address section 4.3 of the draft Contributions Plan regarding infrastructure staging and priorities.
 - v. To assist Council further, we request the proponent overlay their proposed plan with Figure 12 Roads Infrastructure in the Background Report of the draft Contributions Plan as it is difficult to determine the precise differences in the road alignment as this has not been clearly specified.
- c) The accompanying Infrastructure Staging and Delivery Plan indicates that there is a 'Sub-arterial Road' identified by the Western Sydney

Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, located on the site. The Infrastructure Staging and Delivery Plan suggests that consultation between the Applicant and Transport for NSW, has identified that the associated 'Sub-arterial Road' may not be suitable due its proximity to Elizabeth Drive.

- d) It is unclear whether the proposed 'Collector Road' adjoining the site in lieu of the 'Sub-arterial Road,' would satisfy the provisions of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024.
- e) The site is also identified as containing 'Local Open Space' pursuant to State Environmental Planning Policy (Precincts – Western Parkland City) 2021 and the Penrith Aerotropolis Development Contributions Plan 2023. Cost rates for embellishment of Open Space, are included within Table 18 of the Penrith Aerotropolis Contributions Plan Background Report.
- f) Council is open to further consultation and negotiations with the Applicant regarding the potential to enter into a Voluntary Planning Agreement. However, it is imperative that the below matters are considered and addressed in any forthcoming Letter of Offer, before Council would consider entering formal negotiations:
 - i. Evidence of feedback from Transport for NSW as to why the 'Sub-arterial Road' (and the associated bridges and culverts) as identified in the Western Sydney Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, are not suitable for the site, and also in relation to the proposed location for a 'Collector Road'.
 - ii. It must be demonstrated that any proposed amendments to the street network and hierarchy, as identified by the Western Sydney Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, will have no impact on adjoining landowners. Furthermore, such must demonstrate consistency with the 'Infrastructure Delivery' objectives of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024.
 - iii. While a succinct letter is appreciated, it is requested that the letter provide information to capture 'what is being offered and sought' (i.e. are credits being sought to offset Development Contribution obligations).

- iv. Consideration to the embellishment cost rates for 'Open Space,' which are outlined within the Penrith Aerotropolis Contributions Plan Background Report.
- v. Timing and thresholds for the staging of delivery for all essential infrastructure, as identified in the Penrith Infrastructure Plan of the Penrith Aerotropolis Contributions Plan 2023.
- vi. The offer should tie all deliverables (land dedication, works and monetary payment) to a stage / process of the development (i.e. prior to release of any Occupation Certificate / Subdivision Certificate) and include an ultimate 'sunset date.'
- vii. As required by the Penrith Developer Infrastructure Agreements Policy, any such offer is to detail what securities are proposed to be provided in the event of a breach of the agreement by the Developer.
- viii. As required under Penrith Developer Infrastructure Agreements Policy, any such offer is to detail whether the agreement is proposed to partly or wholly exclude the application of monetary Development Contributions.
- ix. In any Planning Agreement that seeks to deliver infrastructure where there are risks to Council around non-delivery of works / dedication, delay of works, maintenance, etc., the offer must identify which party will bear these risks, as required by the Penrith Developer Infrastructure Agreements Policy.

3. Development Engineering Considerations

- a) The application provides inconsistent information regarding the staging of subdivision works. The Civil Engineering Report (in Figure 6) shows a staging plan which differs from other documentation, in particular, within relation to the timing for the delivery of estate infrastructure and the extent of the 'Stage 1 works'.
- b) The Staging Plan indicates that the staged construction of Lots 1.1, 1.2 and 3.1, occurs with only a partial construction of 'Estate Road 3'. In addition, there are multiple temporary end-of-road arrangements proposed throughout the subdivision. Any temporary end-of-road arrangements should be constructed with a temporary turning facility.

- c) The Staging Plan does not specify the timing for the delivery of the interim and final intersection with Elizabeth Drive, the delivery of the western connection to Luddenham Road, nor the delivery of the underpass under the M12 Motorway and road connection to the north. The party responsible for the delivery of this infrastructure should be clearly specified and conditioned as part of any Development Consent which may be granted.
- d) It is considered that the upgrade of the Elizabeth Drive intersection should occur with the 'Stage 1 works' and such should be appropriately conditioned as part of any Development Consent which may be granted. Furthermore, consideration should be given to upgrading Elizabeth Drive to four lanes for the full property frontage, and how works tie into existing and new road infrastructure.
- e) Any variation to the road layout shown in the Western Sydney Aerotropolis Precinct Plan 2024, should receive specific endorsement from Transport for NSW.
- f) The application proposes a future connection to the west of the development site with Luddenham Road, via a 'Collector Road' that crossing Cosgrove Creek. While the design of this road has not been provided, it is considered that such, with associated culvert crossing of Cosgrove Creek, should form part of the overall development (and be included as part of the subject application). Furthermore, appropriate mechanisms should be in place to ensure the construction of any such road.
- g) It is noted that Council is currently assessing a Development Application (No. DA24/0881), for a property on the opposite side of Cosgrove Creek (at 812-844 Luddenham Road). The associated proposal involves earthworks for future subdivision and appears to have based site levels upon the street hierarchy detailed in the Western Sydney Aerotropolis Precinct Plan 2024. Furthermore, the subject proposal does not appear to have considered the provision of a signalised intersection with Luddenham Road. It is imperative that consultation be undertaken between the Applicant and the Owner of the property on the opposite side of Cosgrove Creek (at 812-844 Luddenham Road), to ensure development of the broader area is consistent and ties in together.
- h) The application proposes a future connection, to the north of the development site, under the M12 Motorway. While the design of the road and underpass have not been incorporated into the subject application. it is considered that such should.

- i) The application proposes variations to the Water Cycle Management Plan, shown in the Western Sydney Aerotropolis Precinct Plan 2024. The application indicates that consultation has occurred with Sydney Water, however it is expected that associated specific endorsement be provided in this regard.
- j) It should be noted that no stormwater management infrastructure is to be dedicated to Council. Maintenance of all interim, and final water quantity and quality infrastructure, is the responsibility of the Developer, property owners and Sydney Water, as appropriate. Any associated Development Consent which may be granted should ensure the timing of infrastructure delivery and maintenance responsibilities.
- k) It is noted that on-lot stormwater detention basins are proposed for stormwater quantity management. It is expected that appropriate notations are applied on title, for future landowners to be aware of stormwater detention requirements.
- l) It is noted that the 'Stage 1 works' on Lots 1.1, 1.2 and 3.1, propose on-lot stormwater detention basins in accordance with the estate stormwater management strategy. It is expected that any such Development Consent which may be granted, include conditions of positive covenants and restrictions as to use, for the maintenance of stormwater infrastructure on private land in perpetuity.
- m) Swept path diagrams for the development of Lots 1.1, 1.2 and 3.1, have not been provided for review. It is expected that careful consideration be given to overall vehicle circulation and manoeuvring matters, having regard to applicable provisions (including of Part 3.2 of the Western Sydney Aerotropolis Development Control Plan 2024).
- n) The Civil Engineering Plans show a design level difference of 7.7m between proposed Lot 2.8 and the adjoining property to the east. Concern is raised regarding potential impacts on future possible road designs and the developability of the adjoining lands.
- o) It is expected that the Applicant provide concept design drawings (i.e. road design with long sections and a balanced cut / fill plan) for the land to the east, demonstrating that a satisfactory built form / subdivision and road network can be delivered.

4. Traffic Considerations

- a) It is understood that in the interim phase Elizabeth Drive is not to be upgraded and will continue to be a two-lane road, to the east and to the west of proposed 'Estate Road 1'. Council's Traffic Engineers do not support the proposed development with the current layout of Elizabeth Drive (i.e. with one travel lane in each direction) and it is requested that the section of Elizabeth Drive where the development is proposed be upgraded to a four-lane road, in consultation with Transport for NSW.
- b) Safety concerns associated with the operation of the development in the interim phase, should be addressed in consultation with Transport for NSW, as there is no proposal to widen and signalise Elizabeth Drive in the interim phase.
- c) To facilitate the movement of heavy vehicles, the road network is to be designed for 30m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for 36.5m PBS Level 3 Type A Vehicles.
- d) Signalisation of Elizabeth Drive and 'Estate Road 1' will require approval from Transport for NSW.
- e) Plans should be provided demonstrating how all vehicles likely to be required during construction activities, can be accommodated on site to avoid queuing on Elizabeth Drive.
- f) It is recommended that a Construction Traffic Management Plan be provided for review by Transport for NSW and that any issues identified be addressed by the Applicant.
- g) It is unclear how it has been estimated that 440 heavy vehicles per day, are expected to arrive and leave the site during construction. It is expected that clarification be provided how the daily heavy vehicle movements have been estimated.
- h) Adequate provision should be made for parking on site during construction works.
- i) An 'intersection performance analysis' should be carried out in consultation with Transport for NSW, to assess cumulative traffic impacts of the proposed development and other planned developments within the area.

- j) Provision of access arrangements to the site from Elizabeth Drive, must take into consideration proposed road widening / road upgrades.
- k) Traffic modelling submitted for base model development, calibration, and validation, for traffic conditions in 2024 and future 2034 conditions, should be submitted for review by Transport for NSW.
- l) It is expected that a 'Green Travel Plan' be provided in support of the proposal, outlining more sustainable forms of transport as opposed to personal vehicle use for the life of the development, once public and active transport improvements are made in the area.

5. Environmental Considerations

- a) A Fill Management Protocol should be established to manage the required importation of non-contaminated material (i.e., VENM, ENM or a suitable material under a Resource Recovery Order/Exemption).
- b) A copy of the Remediation Action Plan referenced within the Detailed Site Investigation Report, should be provided for consideration.
- c) While the proposal includes the provision of gross pollutants traps, naturalised trunk drainage and a series of stormwater management basins, and the connection of the proposed buildings to Sydney Water's drainage network, it is noted that no MUSIC modelling has been made available.
- d) It is expected that controls are met in terms of compliance with the stormwater and waterway health targets (for both the construction and operational stages), and that the design of temporary stormwater infrastructure is in accordance with the Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets.
- e) The application indicates that gross pollutants traps and other stormwater treatment infrastructure has been prepared in consultation with Sydney Water. It is expected that any associated Development Consent which may be granted require detailed designs to be approved by Sydney Water prior to the commencement of any works. It is also noted that no stormwater treatment infrastructure should be dedicated to Council and that the maintenance of the on lot gross pollutant traps and associated infrastructure will be the responsibility of the developer / property, and it is expected that any associated Development Consent which may be granted confirm this.

- f) It is understood that 'passively irrigated street trees' are to be provided. It is expected that any associated Development Consent which may be granted include a condition requiring detailed design plans with 'passively irrigated street trees' being submitted to Council for review and approval (in the case the roads will be dedicated to Council) prior to the commencement of works.
- g) It is expected that any associated Development Consent which may be granted include conditions which ensure that all temporary infrastructure is maintained until regional stormwater infrastructure is available. Furthermore, sufficient undeveloped land will also be required to be provided, to ensure that future development on the site achieves compliance with the Integrated Water Cycle Management provisions of the Western Sydney Aerotropolis Development Control Plan 2024 and in accordance with the Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022).
- h) It is expected that any associated Development Consent which may be granted include conditions which ensure that adequate land is reserved for the treatment and management of stormwater during the initial stages of the development (i.e. the irrigation of undeveloped land), in the case the ultimate stormwater infrastructure not being available for connection.
- i) It is expected that any associated Development Consent which may be granted include conditions which ensure that all stormwater infrastructure, including gross pollutant traps, irrigation systems, ponds, wetland and bioretention systems etc., remains under the ownership, control, and care of the registered proprietor of the lots, or until they are dedicated to Sydney Water for ongoing operation and maintenance. It is suggested that positive covenants and restrictions of use should also be in place, to ensure that all privately owned systems will be maintained in perpetuity. Conditions may also need to be imposed to manage the transition and decommissioning of the infrastructure, once connection to the regional infrastructure is available.
- j) With respect to waterways, it is noted that mapped waterways are located on the site. Any associated works will need to be undertaken in accordance with Water Management Act and the Department of Climate Change, Energy, the Environment and Water requirements.

- k) In relation to the trunk drainage, it is noted that naturalised channels are to be provided, and it is important that such is designed in accordance with Sydney Water requirements and technical guidelines.
- l) High efficiency sediment basins are to be provided for the construction phase to meet the Integrated Water Cycle Management provisions of the Western Sydney Aerotropolis Development Control Plan 2024.

6. Biodiversity Considerations

- a) Some of the vegetation within the 'Excluded Land' that is subject to the assessment in the accompanying Biodiversity Development Assessment Report, appears to have been incorrectly mapped as Planted Vegetation. These areas are shown on the following images, providing a comparison between January 2014 and 23 November 2024.



This area referred to is circled in yellow on the following map, which was provided in the Biodiversity Development Assessment Report.



- b) Although the larger mature trees around the dwelling appear to have been planted, the area to the west are smaller trees and vegetation that has naturally regenerated. NearMap Aerial imagery shows the area generally cleared between 2009 and 2012. Regeneration can be seen in later imagery, such as imagery dated January 2014.

- c) The supporting Serious and Irreversible Impact Assessment does not factor in that the surrounding land is comprised of 'Certified Land' or land that has been developed, which greatly reduces the amount of Cumberland Plain Woodland that would be retained following the proposed development.
- d) The proposed removal of 0.84ha contributes to the overall and cumulative loss of Cumberland Plain Woodland within the local occurrence, locality and Penrith Local Government Area, and it is considered that the proposed development will contribute to the risk of Cumberland Plain Woodland becoming extinct because:
 - i. It will cause a further decline of the ecological community that is currently observed, estimated or inferred or reasonably suspected to be in a rapid rate of decline by reducing the distribution and habitat quality and increasing fragmentation of Cumberland Plain Woodland.
 - ii. It will further reduce the ecological community that is currently observed, estimated, inferred or reasonably suspected to have a very small population size.
- e) The proposed development will contribute significantly to the risk of Cumberland Plain Woodland becoming extinct, as it will cause a further decline to the distribution and quality of Cumberland Plain Woodland, defined as 'in a sufficiently great or important way as to be worthy of attention.'
- f) In the absence of thresholds and further supporting documentation the Department will need to consider the risk of local extinction, considering precautionary principle and cumulative impacts, including anticipated land use changes that will increase future risk to the ecological integrity and loss of Cumberland Plain Woodland in the Penrith Local Government Area.
- g) Based on the proposed development footprint, it is considered that the proposed development will result in a Serious and Irreversible Impact on Cumberland Plain Woodland.
- h) It is recommended that the Department considers additional measures to ensure that any offsets required in relation to the loss of Cumberland Plain Woodland within the development site be met within the Penrith Local Government Area. Other measures such as undertaking a translocation program for the threatened flora species should also be

undertaken. Furthermore in this regard, it is expected that the accompanying Biodiversity Development Assessment Report be amended to reassess these areas of vegetation, to ensure that the impacts are being adequately assessed.

- i) It is expected that any associated Development Consent which may be granted include conditions responding to the mitigation measures identified in Tables 26 and 27 of the accompanying Biodiversity Development Assessment Report.
- j) The site provides large potential grazing land for Kangaroos. As the site is bounded by development to the north and east, busy road to the south and riparian land to the north, it is expected that the Biodiversity Management Plan, and the Flora and Fauna Management Plan, be updated to provide a section on how to manage any existing Kangaroos and mobs of Kangaroos that may be present on site, to ensure that Kangaroos do not become isolated or harmed during the construction process. Furthermore, safety of motorists also needs to be considered. It is recommended that consultation with adjoining landowners should be undertaken to ensure that sufficient land is available to have Kangaroos herded on their land. Further consideration may be needed to ensure there is sufficient grazing land available following development.
- k) As there are so many like developments occurring in the broader area, it is expected that the Dam Dewatering Plan identify potential relocation sites. The program of works may need to be amended to ensure there is adequate time to travel to relocation sites. Furthermore, all dam dewatering works should not be undertaken at the same time and there should be adequate personnel available to ensure that aquatic fauna are not held for long periods of time.
- l) It is expected that weed cover targets lower than what is identified within (Table 8) of the supporting Vegetation Management Plan, be provided for all years of the maintenance period, as allowing a high weed cover will allow for weeds to set seed and outcompete native species.

Furthermore, in relation to the Vegetation Management Plan, there appears to be a formatting issue Sections 4.1.2, 4.1.3, 4.1.4 and 4.1.5 (as the dot points end suddenly).

7. Landscape Considerations

- a) The failure to provide the perimeter 'park edge streets' in the overall road network is not supported. This road type is a consistent treatment along

the M12 Motorway, Cosgroves Creek and other significant edges. If not delivered in this first estate, a precedent will be set and negatively impact passive surveillance and visual amenity of developments that currently back onto these corridors.

- b) The open space offerings are more aligned to a residential precinct than an industrial / enterprise and such is not supported. The basis for the offerings proposed has not been demonstrated. The Western Sydney Aerotropolis Open Space Needs Study 2021 does not articulate recreational needs, and the area has not been accounted for in the applicable planning provisions. Context of open space offerings in the region should also be demonstrated and an open space strategy provided, including associated amenities and infrastructure, connectivity etc.
- c) The Neighbourhood Centre does not appear to function as a 'heart', and it should be supported by pedestrian connections and amenity (i.e. outdoor eating, parking, etc.). The function, purpose and users of the Neighbourhood Centre should be clarified.
- d) Site contours and landform have not been addressed. The landscape masterplan should demonstrate coordination with civil designs and proposed earthworks. This information would support whether view corridors can be achieved.
- e) Undercroft parking is supported if levels permit to reduce the extent of hardstand and heat.
- f) Developments should address the higher order roads where possible (i.e. Lots 5.1 and 5.2 back onto the Collector Road which reduces visual amenity).
- g) Perimeter roads (M12 Motorway and Elizabeth Drive) do not have sufficiently wide landscaped buffers to adequately screen built forms, to reduce their bulk and scale. The landscaped setback should be 10m for a well-developed multi layered and biodiverse buffer, consisting of 2 rows of large and medium canopy trees (appropriately spaced for the restrictions), large shrubs to 5m tall and medium shrubs. Groundcovers are not supported. An effective dense screen to 5m is required.
- h) Lot 5.6 is located at a major Motorway intersection and should address the corner and integrate with that road's design, rather than back onto it.

- i) Developments fronting the riparian corridors should have activated edges for passive surveillance to that open space.
- j) Strategies and plans for fencing and public domain lighting have not been provided.
- k) Street tree spacings should be relevant to the canopy spread of each street tree species, so canopies are touching, to maximise shade and microclimate.
- l) Underground and above-ground road infrastructure and drainage is to be coordinated with planting design.
- m) Sections (i.e. SSD-043 and SSD-044) indicate oversized trees for the width of planting area in the verge. Medium trees can be sustained in the verge and large trees are required in the front setback, contributing to the scale of the street (especially width) and built forms behind the setback.
- n) Sections also indicate shared user paths on both sides of streets, which conflicts with other documentation.
- o) It is expected that a Street Tree Masterplan for the entire estate (including specifically nominated species and a plant schedule) be developed and provided for Council's endorsement.
- p) The extent of areas to be owned, managed and / or maintained, by Penrith City Council is unclear. As is, which open spaces are local, district and regional categories.
- q) Many tree species selected do not have large canopies. It is unclear why Eucalypts (and similar) species are excluded from plant schedules, as they can add to biodiversity, visual interest and context, providing better shade.
- r) Pedestrian and cycle network is not fully supported, as there appears to be an oversupply of shared paths with potential for shared use of maintenance tracks. Key destinations are not understood, as such informs the circulation network design.
- s) Maintenance access tracks are to be provided for the riparian corridors.

- t) Shared user path connections to the M12 Motorway have not been identified.
- u) Wayfinding should be addressed with signage at entry points to the estate.
- v) Street and park furniture in the public domain is to be supplied by Council's contract with Astra
(https://www.penrithcity.nsw.gov.au/images/News/pcc_standard_suit_e.pdf).
- w) The proposed hardscape, play space and other materials are not accepted by Council. Council is investigating specifications for open space and the Applicant will be required to liaise with Council to determine final materials and treatments.
- x) The overall layout provides limited canopy diversity of species across all masterplan areas.
- y) It is noted that not all species provided within the 'Preferred Species List' of the Western Sydney Aerotropolis Development Control Plan 2024, are suited to the Burrah Park site conditions (soils, etc).
- z) It is considered that the cultural precedent imagery does not align with the design.
- aa) The public art offering is reduced to sculptures in 2 roundabouts, badged as wayfinding elements. This is not considered respectful or appropriate. Locations accessible by people are considered more appropriate.
- bb) A public art strategy has not been provided for the masterplan area.
- cc) It is unclear where associated estate entry signage is to be located.
- dd) The supporting Visual Impact Assessment indicates (in Part 6.2) that 15-25m high planting is to be provided within the Elizabeth Drive setback area to mitigate views to built forms, however the accompanying Landscape Plans do not deliver such.
- ee) Due to the limited planting palette, the planting design does little to differentiate between warehouses resulting in homogenous character. There is opportunity for feature trees and planting areas to assist with wayfinding.

- ff) Given that the street trees will be medium in size, due to the limited planting widths, large trees should be sustained in setbacks to all frontages, including the local road, to assist in reducing the bulk and scale of built forms.
- gg) Warehouses 1 and 2 have secondary amenity areas adjacent to truck loading areas, which is considered to be unsatisfactory. Additional features separating visual access to this activity may improve amenity (i.e. screens, walls and screen planting). Canopy plantings for shade to the north-west and west should be included.
- hh) Additional shade trees could be added to the main amenity spaces of Warehouses 1 and 2.
- ii) A shade structure or similar is suggested for the rooftop amenity area of Warehouse 3, to encourage more use of areas not undercover.
- jj) Any areas with non-permeable pavements will require engineered tree pits (such as Stratavault systems or similar).

Should you wish to discuss this matter further, please contact me on 4732 7409.

Yours sincerely,



Robert Walker
Acting Principal Planner