

Mr Michael Wiseman
Development Director
The Trustee for Fife Kemps Creek Trust
Level 12, 89 York Street
SYDNEY NSW 2000

28/04/2021

Dear Mr Wiseman

200 Aldington Road Industrial Estate (SSD-10479)
Request for additional information

I refer to the Response to Submissions (RtS) report submitted for the 200 Aldington Road Industrial Estate (SSD-10479). The Department is requesting that you provide additional information.

You are requested to respond to all issues raised by public authorities in their review of the RtS. These are available on the Department's website at <https://www.planningportal.nsw.gov.au/major-projects/project/37961>. Please note that the Department is still awaiting advice from some agencies and any further advice will be forwarded to you once received.

In addition, you are requested to address the matters identified by the Department in **Attachment 1**. As discussed, **Attachment 2** also provides comments on the Noise and Vibration Impact Assessment and indicates areas where improvement is required. Further comments may also be provided following review of the outstanding agency advice.

Please provide the information or notify us that the information will not be provided, by 16 July 2021. If you cannot meet this deadline, please propose and commit to an alternative timeframe for providing this information.

If you have any questions, please contact David Schwebel on 9274 6400 or david.schwebel@planning.nsw.gov.au.

Yours sincerely,



Chris Ritchie
Director
Industry Assessments

Attachment 1

Mamre Road Precinct

1. As previously discussed, where possible both the Concept Plan and Stage 1 development should be designed to comply with the draft Mamre Road Precinct Development Control Plan (MRP DCP). Concern is raised with the variations proposed, the implications for development on adjoining land and setting an undesirable precedent across the Precinct. The Concept Plan should be consistent with the draft road network, demonstrate how landscaping and setback controls are being achieved and comply with stormwater requirements identified within the MRP DCP. Where aspects of the development deviate from the MRP DCP, strong justification for this should be provided.
2. The Department does not support parts of the development within the RE2 zone, including the basin on Lot D and part warehouse and car park on Lot G, as they do not meet the objectives of the zone identified in clause 11 of *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. It is considered that approval of prohibited development in the RE2 zone and development within the 1 in 100 flood area would set an undesirable precedent across the Precinct. Where possible, further consideration should be given to designing the development so these elements are not located in the RE2 zone.

Traffic and Access

3. As you are aware, traffic modelling within the Mamre Road Precinct is still being undertaken. Please make any required updates to plans and assessments once the precinct-wide traffic modelling is finalised.
4. The concept design plan should be amended to comply with the DCP road network established within Figure 14 of the draft MRP DCP. Variations to the road network will only be considered where control 3.4.1(2) is met. Should the application seek to vary the draft DCP road network, the development should be supported with:
 - a. a revised road network clearly showing the road in relation to lot boundaries and several spot levels to consider the impact on all adjoining and surrounding lots.
 - b. evidence of agreement from adjoining and surrounding landowners.
 - c. a traffic and transport assessment for the revised road network, including assessment of traffic safety.

The Department notes the properties impacted by the currently proposed road network are:

- 105-124 Aldington Road, Kemps Creek (Lot 32 DP 258949)
- 74-88 Aldington Road, Kemps Creek (Lot 42 DP 708347)
- 54-72 Aldington Road, Kemps Creek (Lot 43 DP 708347)
- 99-111 Aldington Road, Kemps Creek (Lot 37 DP 258949)
- 53 Aldington Road, Kemps Creek (Lot 38 DP 708347)
- 25-51 Aldington Road, Kemps Creek (Lot 39 DP 708347)
- 1-23 Aldington Road, Kemps Creek (Lot 40 DP 708347)
- 113-127 Aldington Road, Kemps Creek (Lot 36 DP 258949)
- 19-105 Capitol Hill Drive, Mount Vernon (Lot 1672 DP 855001)
- 183-197 Aldington Road, Kemps Creek (Lot 27 DP 255560)
- 199 Aldington Road, Kemps Creek (Lot 26 DP 255560)
- 169-181 Aldington Road, Kemps Creek (Lot 28 DP 255560)

Consideration should be given to any other properties potentially impacted by proposed additional road variations.

5. The Department reiterates its previous comment that Stage 1 development should include construction of an access road between Lots K and O to the site's eastern boundary to comply with the draft MRP DCP. Please update documentation to reflect this.

6. Please clarify how the potential extension of the road through Lot G to the eastern boundary would impact on the proposed riparian zone and ground levels at the site boundary.
7. Please clarify where access will be provided to Lot D from either Lot C or Lot G.

Visual Impact and Landscaping

8. The Department notes that additional viewpoints have been added to the Visual Impact Assessment (VIA). However, Viewpoints 2-4 provide little view of the site itself, rather focusing on Aldington Road and the land on the opposite side of the road. Please update the VIA to provide an assessment looking directly towards the site from these points.
9. The Department reiterates its previous request for an assessment of the potential visual and overshadowing impacts of the proposed development (including retaining walls) on the adjoining property to the south (230-242 Aldington Road) and the approved place of worship development on that site.
10. Please include updated landscape plans that incorporate changes to the proposed development layout in the Supplementary RtS and respond to potential visual impacts.

Land Use Conflict Risk Assessment

11. Please include in the Supplementary RtS a land use conflict risk assessment, as requested by DPI Agriculture, in accordance with the 'Land Use Conflict Risk Assessment Guide' (Department of Trade and Investment, 2011).

Aboriginal Cultural Heritage Assessment Report

12. Please submit a finalised ACHAR with all necessary consultation completed.

Bushfire Management

13. The location of defendable space within the RE2 and E2 zones on the site conflicts with Section 2.2.3 of the MRP DCP, which requires Asset Protection Zones to be located wholly within the IN1 zone.

Bulk Earthworks

14. Please clarify whether the locations of some proposed retaining walls will need to be amended in line with the proposed retaining wall design outlined in Section 6.4.3 of the RtS report.

Integrated Water Cycle Management

15. The concept plan should be amended to demonstrate compliance with Section 2.6 of the MRP DCP. Additional technical information demonstrating compliance with Section 2.6 should also be submitted.

Attachment 2 – Noise and Vibration Impact Assessment (NVIA)

Operational noise modelling

The approach utilised in the NVIA to predict road traffic noise does not take into account the effects of change in heavy vehicle composition on noise as it assumes all heavy vehicles are acoustically similar irrespective of their axle configuration and acceleration characteristics.

That is, 2-axle rigid trucks are assumed to emit the same amount of noise as longer and heavier vehicles. A list of road traffic noise prediction models of varying complexity is given in Appendix B4 of the NSW Road Noise Policy (RNP). The use of a model or a combination of models, or any other procedure, must be justified according to the circumstances of the development.

The road freight transport strategy in NSW is targeted at expanding the Performance Based Standard (PBS) freight network into metropolitan areas. As such, the environmental impacts associated with PBS 2B vehicles need to be better understood. PBS 2B heavy vehicles require a longer distance to accelerate, thus generating noise for a longer duration compared to light vehicles and standard trucks. For accurate environmental noise impact assessments, a component of a road traffic noise prediction model must include the evaluation of acceleration characteristics and associated noise emissions of PBS 2B vehicles.

The Department notes that of the models listed in the RNP, Nord 2000 and FHWATNM can most accurately predict the variation in heavy vehicle noise. However, these models would need to be further adapted to accurately model PBS 2B vehicles with a maximum length of 30 m and higher load capacity than semi-trailers and 26 m B-double. Guidance for acceleration characteristics can be sought from Austroads' Guide to Road Design Part 3 – Geometric Design (AGRD03-16) and research report on Modelling for High Productivity Vehicles in Metropolitan Areas (AP-R558-18).

The NVIA should also be revised to incorporate each distinct outdoor operation corresponding to forklift operations as well as heavy vehicles idling, passing by, accelerating and reversing (including the contribution of energy-average noise emission associated with non-tonal reversing alarms). This would involve changes to modelled sound power levels for onsite vehicle movements and source path footprint. In addition, the representative duration of noise emission for each distinct operation should also be amended accordingly. The operational noise modelling should consider 'worst-case' emission scenarios.

The Department requires all operational modelling assumptions be clearly identified and justified in an amended NVIA, including an updated source emission inventory that delineates steady and non-steady noise generating activities and a visual illustration that maps the location of modelled sources. The NVIA should adhere to the reporting requirements for steady and non-steady sounds specified in the Australian Standard AS 1055:2018 Acoustics – Description and Measurement of Environmental Noise.

Sleep disturbance assessment

The NVIA dismissed exceedances of the sleep disturbance screening criterion at residential receivers by referring to the declarative statement made in the RNP (2011) that maximum internal noise levels of 50-55 dBA are unlikely to awaken people. The threshold for sleep disturbance has been known for over a decade to be lower than maximum indoor noise levels of 50 to 55 dB(A). Important new studies and World Health Organization (WHO) guidelines have become available since then, together with new insights into sleep disturbance. New information has made more precise assessment of exposure-response relationship. It is prudent that the NVIA provide a detailed maximum noise level event assessment and consider the current scientific literature regarding the

impact of maximum noise level events at night in line with the advice provided in the Noise Policy for Industry (NPfI). The detailed assessment should consider all feasible and reasonable noise mitigation measures with a goal of achieving the trigger levels identified in the NPfI.

The maximum noise level assessment reported in the NVIA only considered L_{Amax} sound power level of 105 dB(A) for heavy vehicle movements. Noise sources such as sounding of horns, reversing alarm, impact noise from loading/unloading activities, air brake and engine compression brake should be considered in the amended NVIA.

Modifying corrections for annoying noise characteristics

Quantitative evidence should be provided to support the exclusion of modifying corrections for annoying noise characteristics identified in the NPfI and relevant Australian Standards, including low-frequency content, tonality, impulsivity and intermittency. Noting that environmental noise of a lower level, and with no intrusive characteristics such as tones and impulses, can often be more acceptable over a longer period of the day than noise at a high level and/or with intrusive characteristics.

Given the NVIA reported exceedances of sleep disturbance screening criterion at the worst case residential receiver location and the predicted temporal variation in noise is above 5 dB within a 15-minute assessment period, the Department considers the application of a +5 dB modifying correction for intermittent noise to be warranted unless otherwise justified. The Department's recommendation is supported by ISO 1996-1:2016 on description, measurement and assessment of environmental noise which considers motor vehicle noise under conditions of small traffic volume to be intermittent. Furthermore, Guidelines for Community Noise from the WHO reiterated the need to account for the intermittent character of noise when setting night-time noise limits in terms of energy-average noise levels. The WHO notes that the intermittency of a time-varying sound can be determined by quantifying the number of noise events as well as examining the difference between the maximum sound level and background sound level.

Consideration of prevailing meteorological conditions

The NVIA has not been undertaken in accordance with the NPfI as the prevailing meteorological conditions in the locality were not assessed. The Department notes that the NVIA for SSD-10448, which is also in the Mamre Road Precinct, evaluated operational noise under noise-enhancing meteorological conditions following a detailed analysis of the relevant wind and atmospheric stability class data.

Cumulative noise impact assessment

The Department notes that a key requirement of the SEARs is that the NVIA must address cumulative impacts of other existing and proposed developments. For noise associated with the operation of the development, the NVIA should consider the provisions given in Section 2.4 (Amenity noise levels and project amenity noise levels) and Section 2.8 (Noise management precincts) of the NPfI. For site related traffic operating on public roads, the NVIA should undertake the assessment in accordance with the RNP and address the change in road function across the immediate and surrounding road network as well as any transitions between road categories when setting noise criteria. For road traffic noise assessment, further guidance can be found in Roads and Maritime's Noise Criteria Guideline.

Potentially noise-affected sensitive receivers

The NVIA has only identified noise-sensitive receivers that are immediately adjacent to the proposed development. Permanence of existing receivers within the land zoned IN1 should be discussed in the NVIA in the context of the Mamre Road Precinct. Additionally, noise impacts at noise-sensitive receivers along Mamre Road, in Mount Vernon and receivers that are immediately south of the

Warragamba pipeline should be evaluated to inform the cumulative impact assessment required by the SEARs and the noise management precinct approach outlined in the NPfl.