



Our reference: ECM: 9643741
Contact: Gavin Cherry
Telephone: (02) 4732 8125

13 July 2021

Department of Planning, Industry and Environment
Attn: Bianca Thornton

Email: bianca.thornton@planning.nsw.gov.au

Dear Sir/Madam,

Review of Response to Submissions – SSD-9522 Mod-1 – Kemps Creek Warehouse and Logistics Hub at 657 Mamre Road Kemps Creek

I refer to the Department's request to provide comments in relation to the proponent's Response to Submissions for the subject development proposal.

Thank you for providing Council with the opportunity to comment. The following comments are provided for the Department's consideration in relation to this matter.

1. Planning and Setback Considerations

The applicant has outlined that the SSD Notice of Determination includes a condition that allows for reduced 3.75m landscape setbacks even though the plans proposed greater landscape setbacks and were considered by Council on this basis.

While the resulting landscape outcome is not supported for reasons previously outlined, the capability provided by the consent has been verified and as such the landscape setback matters previously raised are no longer pursued as part of this response.

2. Engineering & Traffic Considerations

Access to Lot 1, 4 & 11

The application has removed the sheltered right turn bay with the four breaks in the median that permitted right turn access for Lots 1, 4 & 11. Alternative access for these lots, such as a roundabout at the internal 'T' intersection further to the south, should be considered. The applicant has advised that ongoing consultation is being undertaken with Transport for NSW in accordance with condition B18 that will ameliorate Council's concerns however this will need to be demonstrated.

Cul-de-sac Arrangement with Access Road 2

It is acknowledged that the road reserve for Access Road 2 has been widened to 26.4m to allow for a 0.8m wide central median. The detailed engineering plans



should make allowance for pedestrians to cross the at the intersection, with the median widened to 2m at the intersection to accommodate pedestrians.

3. Landscape Considerations

The response from the applicant, which largely seeks to defer detailed landscape design to later stages, is accepted and reasonable provided that detailed landscape design plans are prepared and are submitted to Council for comment prior to being approved by the consent authority. The detailed landscape plans when prepared should ensure the following:-

- Landscape design recommendations outlined within Council's previous submission are addressed;
- The detailed plans should establish canopy percentage targets and demonstrate how the targets have been reached
- Each proposed tree is to be identified by species and pot size, both of which must be fit for purpose and appropriate for the site conditions to ensure tree health and growth to maturity
- With respect to changes in levels, the drawing package should include cross sections with spot levels and sufficient information to communicate heights and gradients and how screening, visual impact, scale, access and maintenance have been addressed in the design.

The above landscape design recommendations should be included as a condition of consent or a restriction on title to ensure that it is captured and addressed at later stages of the broader development.

Should you require any further information regarding the comments, please do not hesitate to contact me on (02) 4732 8567.

Yours Sincerely,

Gavin Cherry
Development Assessment Coordinator

12 July 2021

Our Reference: SYD18/01322/51

Departments Reference: SSD 9522 MOD 1

Bianca Thornton
Industry Assessments
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms Thornton,

SECTION 4.55 (2) MODIFICATION TO PROPOSED WAREHOUSE & LOGISTICS HUB - 657-769 MAMRE ROAD - KEMPS CREEK - SSD 9522-MOD 1

Reference is made to the Department's referral dated 3 June 2021 with regard to the abovementioned State Significant Development Application (SSDA), which was referred to Transport for NSW (TfNSW) Services for comments.

TfNSW notes that the modification seeks consent to modify the existing SSD 9522 Development consent to enable the following:

- Sequence 1A and 1B definitions changed to sequence 1A modified and 1B
- Condition B3 & B10 updated to sequence 1A modified
- Stage 1 Subdivision Plan:
 - Amendment to Lot 1;
 - Increase in the size of the easements;
 - Construction of a slip lane to facilitate access into Lot 5;
 - Amendment to the internal access road, which was approved as a 30.7 m wide access road to Lots 5-8, for which will be amended to 24 m wide to Lots 5, 6 & 8.
- Stage 2 Subdivision Plan:
 - Amendment to Lot 5, 6, 8 & 10;
 - Removal of Lot 7;
 - Amendment to the site area of the Public Access Roads;
 - Amendment to the site area of the Southern Link Road.
- Masterplan:
 - Increase in overall GFA across the Site from 162,355 m² to 186,123 m²;
 - Increase in overall car parking from 744 spaces to 772 spaces;
 - Decrease in the site area of the public access roads from 58,490 m² to 55,381 m²;
 - Reduction in the length of the cul-de-sac traversing to the north.

TfNSW has reviewed the submitted documentation and provides the following comments to the Department:

Sequence 1A Modified

1. Comment

TfNSW has reviewed the Sequence 1A Modified plans and provides detailed comments in **Attachment A – Sequence 1A Modified design review**

2. Comment

As per ID 1 in the attached design review (Attachment A) the cross section on Mamre Road either side of the intersection (ignoring at the tie ins) does not match the cross section adopted for the section between the M4 Motorway to James Erskine Drive and James Erskine Drive to Kerrs Road. This ultimately will result in a complete rebuild of the lanes and surrounding infrastructure (ie. Footpaths etc) when the road is upgraded.

The proposed design raises constructability issues for the future upgrade and would result in major disruption to the road users for an extended period of time. TfNSW suggests that further refinement to the plans are considered to bring them in line with TfNSW ultimate Mamre Road upgrade and Southern Link Road (SLR) plans. This could be (but not limited to) in the form of constructing the northbound lanes (along this developments frontage) to the ultimate location (including underground services, footpaths, shoulders etc) to reduce the total works required for the ultimate Mamre Road upgrade and reduce the impact to the road users.

Recommendation

TfNSW recommends further refinement of the proposed modified plans which take into account elements of TfNSW Mamre Road ultimate upgrade design. TfNSW is supportive of attending a meeting with the applicants to discuss possible design refinements to ensure the best outcomes for road users.

3. Comment

In addition to the surveyed utilities shown, the design should consider the proposed utilities within the study area.

Recommendation

It is recommended that the design considers the proposed utilities in the area.

Accesses from NS Rd 1 to service Lot 5

4. Comment

As previously stated, TfNSW is in general not supportive of any access to the NS Rd 1. However, TfNSW notes that the proposed slip lane for Lot 5 (from end of taper) at the NS Road is proposed to be 100 metres south of the future SLR signals, this is considered an acceptable distance.

The access to the slip lane pre signals is located on the departure of the bend, which is not considered an ideal location. However as Bakers Lane and the NS Rd1 are local roads, this is matter for Council to consider if the risk raised by TfNSW are satisfied.

5. Comment

TfNSW notes that the light vehicle access from NS Rd 1 to service Lot 5 (southwest corner) is intended to be an egress point only which will cater for emergency vehicles access to satisfy BCA requirements. Clarification is required to understand how this access will be restricted to egress only should ingress for emergency vehicles be provided. TfNSW has concerns that the egress only with the inclusion of emergency vehicle ingress raises compliance issues and could be used as an access for light vehicles. In this regard, TfNSW would not support multiple connections to the NS Rd1. It is suggested that the access points are consolidated to ensure safety and compliance.

Recommendation

It is therefore recommended that the access points for Lot 5 are consolidated to ensure safety and compliance. Alternatively should this be a BCA requirement, that the emergency access is gated to restrict all general light vehicle traffic.

If you have any further questions, Ms Laura van Putten would be pleased to take your call on (02) 8849 2480 or please email development.sydney@rms.nsw.gov.au. I hope this has been of assistance.

Yours sincerely



Pahee Rathan

A/Senior Manager Land Use Assessment

Attachment A – Sequence 1A Modified design review

[illegible]

Bianca Thornton

From: UrbanGrowth <UrbanGrowth@sydneywater.com.au>
Sent: Tuesday, 6 July 2021 9:46 AM
To: Bianca Thornton
Subject: Re Sydney Water - Response to Submissions for SSD-9522-Mod-1

Good morning,

Thank you for notifying Sydney Water of the RtS for SSD-9522-Mod-1.

Sydney Water would like to inform you we have no objections to the responses made to our latest submission and we will continue to work with the developer under CN 185016 and any future cases.

We are happy for this SSD Modification to proceed and acknowledge the fact that the data centre is being approved under a separate SSDA and hence doesn't impact the approval of this SSD Modification. However, as previously iterated, Sydney Water needs to understand the holistic servicing requirements of the ultimate development proposed on site to properly plan for the delivery of services within the area. The provision of updated job yields generated from this proposal and its impact on water/wastewater demands is of importance to us given the complexity and evolving nature of servicing arrangements in the area, adjacent high water demands and the potential alterations this may have to existing agreed servicing arrangements for the site. We would greatly appreciate this information be communicated to Sydney Water under the relevant account manager/directly to the UrbanGrowth mailbox when known.

Kind Regards,

Nicholas Geroulas

Growth Intelligence

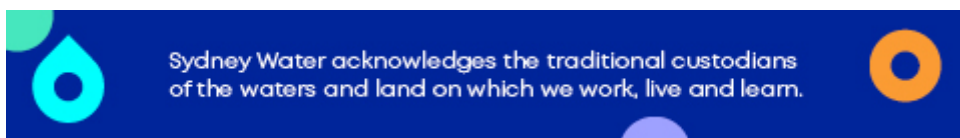
City Growth and Development | Business Development Group

Sydney Water, 1 Smith Street, Parramatta NSW 2150



I support flexible work and I am sending this email at my convenience.

I do not expect you to respond or reply outside of your usual hours.



12 July 2021

Contact: *Justine Clarke*

Telephone: *0457 535 955*

Our ref: *D2021/80158*

Bianca Thornton
Industry Assessments
Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
PARRAMATTA NSW 2150

Dear Ms Thornton

**Response to Submissions – Kemps Creek Industrial Estate MOD 1 (SSD-9522) –
Modification of the site layout to accommodate changes to Lots 5-8**

Thank you for your Major Project Portal referral dated 30 June 2021, inviting WaterNSW to provide comments on the Response to Submissions (RTS) for SSD-9522 MOD 1.

WaterNSW has reviewed the Response to Submissions report and associated documentation and provides the following comment:

- WaterNSW did not receive any consultation requests from the proponent for this MOD. As per the RTS report, correspondence was sent to Mr Malcolm Hughes, who has not worked at our organisation for a number of years. To avoid lost communication, WaterNSW reminds the proponent that all consultation documentation should be sent through our specific environmental assessments email inbox, as directed at the bottom of each response made.

WaterNSW is satisfied that the existing approval for SSD-9522 includes consent conditions to mitigate any identified impact on the Warragamba Pipelines Corridor and has no further comment to make regarding MOD 1.

WaterNSW requests the Department and proponent continue to consult with us on proposals that have the potential to impact on WaterNSW land, assets and infrastructure. All correspondence must be sent using the email address Environmental.Assessments@watarnsw.com.au.

If you have any questions regarding this letter, please contact Justine Clarke at justine.clarke@watarnsw.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Alison Kniha", with a long horizontal stroke extending to the right.

ALISON KNIHA
Catchment Protection Planning Manager



DOC21/541855-2

Ms Bianca Thornton
Environmental Assessment Officer
Department of Planning, Industry and Environment
Locked Bag 5022
PARRAMATTA NSW 2124

Email: bianca.thornton@planning.nsw.gov.au.

6 July 2021

No Comment to Planning Advice Request

Dear Ms Thornton

I am writing in reply to your invitation to provide comments on the Response to Submissions for Modification Application (SSD 9522 - MOD 1) - Changes to Lot 5, proposed for Kemps Creek Warehouse, Logistics and Industrial Facilities Hub, located at 657-769 Mamre Road, Kemps Creek.

Based on the information provided, the proposed development does not appear to require an environment protection licence under the *Protection of the Environment Operations Act 1997* (POEO Act). Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities and other activities for which the EPA is the appropriate regulatory authority.

In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required.

Penrith City Council should be consulted as the appropriate regulatory authority under the POEO Act in relation to this proposal.

If you have any questions about this request, please contact Environment Line on 131 555 and quote the above reference number.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Beaman', with a long horizontal line extending to the right.

STEVE BEAMAN PSM
Executive Director Regulatory Operations
Environment Protection Authority

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(from outside NSW)

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