

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

15/11/2021

Dear Mr Wiseman

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

I refer to the supplementary Response to Submissions (RTS) report submitted for the 200 Aldington Road Industrial Estate (SSD-10479).

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 Fire and Rescue NSW and NSW Rural Fire Service and any further advice will be forwarded to you once received.

The Department has also identified a number of matters that you are requested to address, as outlined in **Attachment 1**. In particular:

- Further consideration is required of the performance of the Mamre Road/Abbotts Road intersection including the extent of upgrades required and the cumulative impacts of the development and other approved or proposed developments utilising the intersection, in consultation with Transport for NSW.
- The development must comply with the waterway health controls established within the draft Mamre Road Precinct Development Control Plan (MRP DCP), to be applied on an on-lot basis or estate basis. While detailed technical assessment of compliance with waterway health requirements will be undertaken by EES, it is noted that the concept development application does not demonstrate compliance with the controls for the precinct. The concept development application must demonstrate compliance with the waterway health controls.
- Greater consistency should be achieved with the draft MRP DCP, including road widths and retaining wall design. Should the DCP be finalised in the meantime, consideration of any updated controls should be provided.
- Provide evidence that the application appropriately addresses section 270 of the Environmental Planning and Assessment Regulation 2000 and that Council is satisfied with regard to the provision of local infrastructure contributions and the delivery of infrastructure supporting the development.

Please provide the information, or notify us that the information will not be provided, by 28 February 2022. If you cannot meet this deadline, please provide and commit to an alternative timeframe for providing this information.

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

Yours sincerely,

A handwritten signature in blue ink, reading "W Hodgkinson". The signature is fluid and cursive, with the first name "W" being a large, stylized initial.

William Hodgkinson
Team Leader
Industry Assessments

Attached: Department's comments on supplementary RTS

Attachment 1

Local Infrastructure Contributions

- In addition to the Department's letter dated 5 October 2021, requesting confirmation satisfactory arrangements have been made in accordance with Section 29 of State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP), please provide evidence that the subject application satisfies Section 270 of the Environmental Planning and Assessment Regulation 2000.

Traffic and Access

- The Department notes that the interim 2026 modelling is based on 75% of the traffic associated with the LOG sites. Provide detailed justification for this approach and why traffic generated by other developments (approved or proposed) within the Precinct were not considered.
- The Department notes the outstanding concerns raised by Council in relation to the design and upgrade of Aldington Road and Abbots Road to service the development. The design and delivery of these road upgrades are to be resolved in consultation with Council.
- The Department also notes the issues raised by Transport for NSW (TfNSW) with regard to the design and performance of the Mamre Road/Abbots Road intersection in their letter dated 25 October 2021. Please provide a response to these matters and undertake further consultation with TfNSW to ensure the proposed upgrades and modelling undertaken is to their satisfaction.

Stormwater Management

- The Department notes the advice provided by the Environment, Energy and Science Group that a regional approach has not been confirmed as viable option to meet stormwater management and quality targets. As requested previously, please demonstrate that the Concept proposal can achieve the controls in Section 2.6 of the draft Mamre Road Precinct Development Control Plan (MRP DCP), including the scenario where a regional solution will not be available.
- Provide consideration of the trunk drainage infrastructure controls in section 2.6.1 of the draft MRP DCP and the stormwater management issues raised by Council in its letter dated 19 October 2021.
- Please clarify where the proposed temporary swale on the site's northern boundary (identified in Figure 5 of the RTS report) will drain to.

Earthworks and Retaining Walls

- The development proposes significant earthworks across the site and does not achieve balanced cut and fill. It must be ensured that earthworks meet the requirements of clause 33H of the WSEA SEPP. The development should seek to deliver balanced cut and fill and minimise retaining walls where possible. Retaining walls addressing the public domain must be stepped and have a maximum height of 6 m. The Department also notes the concerns raised by Council with regard to the design of retaining walls within the site and requests a response is provided to the matters.

- The Department continues to have concerns with the proposed fill retaining walls along the southern boundary of the site, including the height, design and adequacy of landscaping treatment to reduce visual and bulk impacts to the adjoining property. The draft MRP DCP requires retaining walls over 3.0m high be tiered.
- Please clarify the likely heights of any retaining walls required along the northern boundary of Lots A, B and C once the northern boundary road is constructed and confirm that the required setbacks and landscaping can be achieved.
- The Department notes the inclusion of the 'open space edge road' in the Concept and Stage 1 plans and proposed retaining walls between the road and RE2 zoned land. Consideration is to be given to the provisions of Section 4.4.1 and Control 23 in Section 3.4.1 of the draft MRP DCP with regard to levels and design of retaining walls adjoining the public domain.
- The Department notes there is a portion of earthworks proposed within the RE2 zone on Lot D, as shown on the Estate Masterplan. Please provide consideration of the permissibility of these works in the RE2 zone with regard to the zone objectives and land use table in Section 11 of WSEA SEPP.

Internal Road Construction

- The Department notes that construction is proposed to commence on the northern part of the site, which results in the need for the 'Interim Access Road' to Aldington Road, as detailed in the RTS report. Please clarify the timing of construction of the remaining internal roads proposed as part of Stage 1 (i.e. prior to the issue of an occupation certificate for the Warehouse on Lot F).

Please also provide additional justification for retaining the temporary road until the northern boundary road is constructed, rather than removing the road once the southern intersection with Aldington Road is completed and provide evidence of discussion with Council on this issue.

- Provide evidence of consultation with landowner directly to the east with regard to the proposed road connections to their site (as mentioned in Section 7.2 of the RTS report).
- The Department notes that the proposed roads have been designed with widths based on the 'expected' final MRP DCP. Unless the DCP is finalised in the meantime, the development should be designed to be compliant with the draft MRP DCP.

Landscaping

- The Department notes that updated landscape plans have been provided for the Concept proposal, but the Stage 1 plans submitted with the EIS have not been updated. Please update and provide Stage 1 landscape plans as required.
- Provide a response to the landscaping and street tree issues raised by Council in its letter dated 19 October 2021 and update landscape plans accordingly.
- Please clarify whether adequate solar access will be achieved for the proposed landscaping along the southern boundary where it adjoins retaining walls of up to 7.5m above the ground level.

- Please clarify how landscaping between the proposed retaining walls and the external property boundaries will be accessed and maintained.

Visual Impact

- The shadow diagrams in Figure 8 of the RTS report are not included in Appendix A, as suggested in Section 7.3 of the RTS report.
- Provide consideration of the visual impact on the public domain from the 9m high noise walls fronting Aldington Road proposed as mitigation measures in the revised Noise and Vibration Impact Assessment (NVIA).

Noise

- The cumulative impact assessment, as requested in the SEARs and Department's letter dated 28 April 2021, required an assessment of the cumulative impacts of other existing and proposed developments within the vicinity of the site. It does not appear that the revised NVIA has considered other existing or proposed developments surrounding the site. The reference to the Warragamba pipeline in the Department's comments related to the consideration of receivers within the area between the site and the pipeline, rather than noise impacts from the pipeline itself, as considered in Section 8 of the NVIA. For further guidance on assessing cumulative impacts, please refer to the Cumulative Impact Assessment Guidelines for State Significant Projects (DPIE, July 2021).
- The Department notes the predicted noise criteria exceedances in Table 17 of the revised NVIA. Please provide further consideration of potential mitigation measures that would ensure the development meets the identified criteria.

Flooding

- Please provide further justification that the identified local impacts on flood levels and velocities will not have detrimental impacts on other properties or the environment in accordance with clause 33I of WSEA SEPP.
- Section 6.3 of the RTS report advises that the basin on Lot D has been relocated outside of the 1:100 flood level. However, Figure 3 of the updated Flood Assessment shows parts of the basin within this area. Please clarify.

Sydney Water

- Provide a response to the submission from Sydney Water dated 10 March 2021.

Other MRP DCP compliance

- The Department notes that the car parking provision for the overall Concept proposal exceeds the DCP requirement, however the parking spaces provided for Warehouse W5 does not fully comply with the parking rates.

The proposed pylon signs are to be consistent with Control 2 in Section 4.2.7 of the draft MRP DCP.