

16 June 2022

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Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street  
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**Re: Luddenham Advanced Resource Recovery Centre -- Response to Request for Additional Information (RFI – 11032022)**

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Dear Sally,

## 1 Introduction

This letter provides responses to the Department of Planning and Environment (DPE)'s request for additional information (RFI) in relation to the Luddenham Advanced Resource Recovery Centre (ARRC project) (dated 11 March 2022) (DPE ref RFI 11032022). This letter also provides responses to additional DPE requests posted on the major projects' portal under RFI 11032022 as well as matters raised by Liverpool City Council (Council) in relation to the ARRC's consistency with the finalised Western Sydney Aerotropolis Precinct Plan (Precinct Plan).

Notwithstanding the detailed responses below, it is noted that the applicants have obtained legal advice regarding the application of the now repealed State Environmental Planning Policy Western Sydney Aerotropolis (Aerotropolis SEPP) and State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (which replaced the Aerotropolis SEPP) to the SSD application for the ARRC project. This advice also covered the application of policy documents and guidelines relating to the Aerotropolis SEPP and Precincts – Western Parkland City SEPP to the ARRC. The legal advice noted that the ARRC project must be determined by the consent authority:

- as if the transfer of cl 4.51 of the Aerotropolis SEPP into the Precincts – Western Parkland City SEPP had not occurred (ie in a manner consistent with the requirements of clause 1.4 of the Precincts – Western Parkland City SEPP and section 30A of the NSW Interpretation Act 1987);
- as if the Aerotropolis SEPP had not commenced by virtue of clause 53 Savings and transitional provisions of the Aerotropolis SEPP:

*(1) A development application for development on land to which this Policy applies that was lodged and not finally determined before the commencement of this Policy is to be determined as if this Policy had not commenced."*

- as though the Aerotropolis SEPP was still a draft Environmental Planning Instrument (EPI); and
- assessed under Part 4 of the *NSW Environmental Planning and Assessment Act 1979* (EP&A Act) in a manner that does not take into account policy documents and guidelines related to the Aerotropolis SEPP and/or Precincts – Western Parkland City SEPP which did not exist immediately prior to the commencement of the Aerotropolis SEPP.

This advice further noted that the statutory scheme makes consideration of policy documents (such as those drafted and finalised following the commencement of an EPI) extraneous to the proper exercise of the consent authority's discretion to assess and determine an application under Part 4 of the EP&A Act. This advice further noted giving weight to policy documents outside what the statutory scheme permits as part

of an assessment under Part 4 of the EP&A Act would risk any subsequent decision falling into jurisdictional error.

## 2 Precinct Plan

DPE has requested information regarding the future amenity impacts associated with the additional traffic movements along Adams Road, the future strategic planning objectives for the area and clarification of how the objectives and requirements for 'Access and Movement Framework' identified in Section 3.3 of the *Draft Aerotropolis Precinct Plan (2020)* (draft Precinct Plan) have been addressed in EMM Consulting Pty Limited (EMM)'s assessment of consistency of the project against the Western Sydney Aerotropolis planning framework.

DPE requested that the project be assessed against the following objectives and requirements of the draft Precinct Plan:

- Section 2.4.2 Agribusiness Precinct:
  - Support connectivity and staging throughout the Precinct, such that the Precinct can support temporary uses and develop over time in a manner that minimises the potential for isolated parts of the Precinct.
- Section 3.3.4 Freight:
  - Position freight and logistics operations to have easy access to the 2056 Greater Sydney strategic freight network vision as outlined in the Greater Sydney Services and Infrastructure Plan.
  - Locate freight and logistics operations to access the broader freight and road network, and to minimise noise and other amenity impacts on sensitive land uses such as residential developments (both existing and planned).
  - Freight and logistics operations are positioned in locations where 24-hour operations are suitable with minimal risk of significant amenity and/or environmental impacts to sensitive land uses.
- Section 3.3.5 Road Network:
  - Ensure traffic generated by the development does not interfere with the sense of place.
- Section 3.3.6 Travel Demand Management:
  - Traffic generated by development should not interfere with place and amenity outcomes of the surrounding precinct.
  - Development does not compromise the orderly provision and staging of the transport network.
  - Development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network

Since DPE's issue of the RFI, the Aerotropolis Planning Package has been finalised. This includes amendments to the State Environmental Planning Policy (SEPP) (Precincts – Western Parkland City) 2021 (that supersedes the Aerotropolis SEPP) and finalisation of the Western Sydney Aerotropolis Precinct Plan (Precinct Plan). There have been substantial revisions of the objectives and requirements presented in the draft Precinct Plan. As a result, the above objectives and requirements are not included in the finalised Precinct Plan. Although in some instances the intent of the draft objectives has been captured in the final Precinct Plan objectives and requirements.

Accordingly, this response has included a review of the final Precinct Plan and an identification of relevant objectives and requirements including those relating to connectivity and staging, freight, road network and travel demand management (ie to correspond with the above draft objectives and requirements).

The finalised objectives and requirements of the Precinct Plan relevant to the ARRC are presented in Table 2.1 alongside the ARRC’s consistency with these objectives and requirements.

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

Final Precinct Plan objective	ARRC consistency with final objective
<i>Section 2.1 Precinct Plan objectives</i>	
01 ‘Start with Country’ by promoting access to Country and designing the Aerotropolis through a process that includes Aboriginal people.	<p>Consultation with the local Aboriginal community was carried out as part of the Aboriginal cultural heritage assessment (ACHA) which informed the EIS.</p> <p>The ACHA identified the distribution of the artefacts identified during the test excavation program were ‘sparse’ and ‘random’ and therefore suggests the area was occupied occasionally with nearby creeks providing more reliable water sources than the ARRC site. Artefacts identified will be kept at the Gandangara Local Aboriginal Land Council Keeping Place.</p>
03 – Integrate development and the delivery of infrastructure to maintain a supply of developable land that maximises the efficiency of infrastructure investment.	<p>While the ARRC is located within a second-priority area, the applicants are committed to providing the infrastructure upgrades and installations required to enable the development to proceed and will not rely on public infrastructure investment. This includes:</p> <ul style="list-style-type: none"> <li>• Road upgrades including the interim upgrade to the Elizabeth Road/Adams Road intersection and pavement upgrades on Adams Road between the site access and the Anton Road/Adams Road intersection;</li> <li>• Upgrade of electricity supply for the ARRC;</li> <li>• Installation of fire protection system for the ARRC;</li> <li>• Installation of a temporary wastewater treatment system (following Council approval of a Section 68 <i>Local Government Act 1993</i> approval) in the event the ARRC is scheduled to become operational prior to the commissioning of Sydney Water’s proposed Upper South Creek Advanced Water Recycling Centre. The ARRC will be connected to mains sewer when it is available.</li> </ul>
04 – Protect Airport operations, including 24-hour operations, and protect future communities from aircraft noise	<p>The ARRC is considered compatible with the long-term growth and development of the WSA as the ARRC because it:</p> <ul style="list-style-type: none"> <li>• does not represent a noise sensitive land-use;</li> <li>• does not impact adversely on the operation of the WSA as demonstrated by the Aeronautical Impact Assessment (Landrum and Brown 2020), Wildlife Hazard Assessment (EMM 2022) and Response to RFI Letter (EMM 2022 dated 7 April 2022); and</li> <li>• provides inert waste recovery services to the WSA and nearby critical transport infrastructure projects (such as the M12, Sydney Metro) required to support the WSA.</li> </ul>

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

<b>Final Precinct Plan objective</b>	<b>ARRC consistency with final objective</b>
05– Facilitate quality and innovative development to provide for a variety of employment uses that grow and diversify the economy of the Western Parkland City.	<p>The ARRC will be an early generator of employment in the Aerotropolis. During operation, it will provide locally 70 local direct jobs and a further 108 indirect jobs.</p> <p>Using principles of the circular economy, the ARRC in collaboration with NSW Circular seeks to explore research opportunities to divert construction and demolition waste from fill to create building products to support the sustainable development of the Aerotropolis using advanced manufacturing processes. A formal letter from NSW Circular acknowledging this collaboration was contained in Appendix B of the Response to Request for Information Report (EMM 2021a).</p>
06 – Enable land use to evolve in line with changing economic drivers, and facilitate development that will contribute to building the Western Parkland City.	<p>The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p> <p>The ARRC development will not preclude the development of the surrounding area in line with changing economic drivers.</p>
07 – Implement a landscape-led approach to designing the Aerotropolis, utilising the blue-green grid and natural topography of the Aerotropolis as the defining elements.	<p>The ARRC surrounds will be landscaped in accordance with the Landscape Concept Design provided as Appendix T of the EIS (EMM 2020).</p> <p>The ARRC has been designed to avoid impacting the landscape values of the riparian corridor of Oaky Creek.</p>
09 – Plan for a transport network that facilitates movement of freight and people, and prioritises active and sustainable transport modes to improve community health and minimise the impacts of development and economic activity on climate change.	<p>Cognisant of the changing traffic environment due to the development of the WSA and broader Aerotropolis, the applicants have consulted closely with TfNSW and Council throughout the EIS, Response to Submissions and current assessment phases of the project to confirm assessment requirements, including future background traffic volumes to incorporate in the traffic assessment.</p> <p>TfNSW’s Sydney Traffic Forecasting Model (STFM) is a strategic model owned and maintained by TfNSW. It considers all future residential and employment growth for vehicles in various parts of Sydney and its associated traffic generation. The model is an essential tool for the transport modellers to estimate traffic in future years.</p> <p>As instructed by TfNSW, the Traffic Impact Assessment (TIA) and Addendum Traffic Impact Assessment (Addendum TIA) consider the existing road network and TfNSW’s STFM.</p> <p>The Addendum TIA demonstrated that the existing road network can accommodate future background traffic volumes and ARRC development traffic. It is reasonable to assume that the significant road upgrades across the Aerotropolis will further increase the capacity of the road network.</p> <p>Accordingly, while this objective is not directly relevant to the ARRC, development traffic associated with the ARRC would not preclude or hinder the realisation of this objective.</p>
012 – Manage water in the landscape to facilitate urban cooling, improve waterway health and biodiversity and promote sustainable water use.	<p>The ARRC has been designed to avoid impacts to receiving waterways with the storage, processing and handling of waste material proposed within a fully enclosed warehouse and the containment, treatment and reuse of water that has potentially come into contact with waste material (which would only occur within the warehouse as no material will be handled or stored outside). As noted above, the ARRC will include its own WTP.</p> <p>There will be no material change or degradation of the water quality of Oaky Creek due to discharges and therefore the broader Wianamatta–South Creek catchment.</p>

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

<b>Final Precinct Plan objective</b>	<b>ARRC consistency with final objective</b>
015 – Facilitate the establishment of circular economy industries to reduce waste, leverage synergies between industries and circulate resources within and beyond the industrial supply and materials chains of the Aerotropolis.	The ARRC will become part of the Aerotropolis’ circular economy, recycling waste materials that would otherwise be sent to landfill, extending the benefits provided by existing landfills for current and future generations. The recycled materials will largely be reused in construction projects in the Aerotropolis that will benefit current and future generations. The substitution of recycled materials for new materials also reduces the impacts from the production of the new materials and retains resources for the use of future generations.
<i>Section 2.6 Agribusiness Objectives and Requirements</i>	
01 – Enable fresh and value-added food production with access to local and global markets, and support Australia’s value-added agribusiness export industries	The design of the ARRC as a fully enclosed warehouse is in keeping with the value-added food production and logistics warehouses that are envisaged for the Agribusiness Precinct and will not preclude the use of the remaining subject property or surrounding land parcels for commercial/industrial agribusiness land use.  There will be extensive development within the Agribusiness Precinct over the coming decades to deliver this objective. The ARRC will be a vital local service for these construction projects.
02 – Enable agricultural value-added industries and related freight and logistics facilities with access to the Outer Sydney Orbital and air-side access to the Western Sydney Airport.	The Addendum TIA determined that peak ARRC development traffic would represent up to 4.77% of the local daily traffic on Adams Road (south) and up to 1.6% and 0.8% of the daily traffic on Elizabeth Drive and The Northern Road respectively (EMM 2021b).  This is considered marginal in the context of the developing Aerotropolis and as such the ARRC will not preclude the development of agricultural value-added industries and related freight and logistics facilities or adversely impact these industries access to the Outer Sydney Orbital and air-side access to the Western Sydney Airport.
03 – Encourage education opportunities related to agriculture and agribusiness.	The ARRC will not preclude the development of opportunities for employment, or education and tourism in relation to high technology agriculture in the Agribusiness Precinct.
04 – Preserve and enhance significant landscaped vistas within and from the Precinct towards the Blue Mountains and along Cosgroves Creek.	The EIS did not identify any listed scenic or significant vistas near the ARRC site.  The ARRC has been designed to avoid the landscape values of the riparian corridor of Oaky Creek.
05 – Promote the role of water as a resource for agricultural production and its contribution to a healthy urban and natural environment.	The ARRC has been designed to minimise impacts to receiving waterways with the storage, processing and handling of waste material proposed within a fully enclosed warehouse and the containment, treatment and reuse of water that has potentially come into contact with waste material (which would only occur within the warehouse as no material will be handled or stored outside).  This will prevent any material change or degradation of the water quality of Oaky Creek due to discharges and therefore the broader Wianamatta–South Creek catchment.

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

Final Precinct Plan objective	ARRC consistency with final objective
<i>Section 3.2 Development Sequencing Objectives and relevant requirements</i>	
DS01 – To ensure that development proceeds in an orderly and efficient sequence, aligned with the efficient delivery of infrastructure.	<p>The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p> <p>While the ARRC is located within a second-priority area, the applicants are committed to providing the infrastructure upgrades and installations required to enable the development to proceed and will not rely on public infrastructure investment.</p>
DS02 – To enable the rate of development to keep pace with demand for jobs, housing and services within the Aerotropolis.	<p>The ARRC will be an early generator of employment in the Aerotropolis. During operation it will provide locally 70 local direct jobs and a further 108 indirect jobs.</p> <p>The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p>
<p>DS03 – To align the sequencing of development within the Aerotropolis with the following criteria:</p> <ol style="list-style-type: none"> <li>a) Efficient infrastructure utility investment extending from existing infrastructure;</li> <li>b) Focus on and around Metro stations to support investment in public transport;</li> <li>c) Proximity to, and the timing of delivery of the M12, The Northern Road and Elizabeth Drive upgrades;</li> <li>d) Access to the Western Sydney Airport for freight and passengers;</li> <li>e) Implementation of Western Sydney City Deal commitments;</li> <li>f) Job creation potential and demand for land for new development; and</li> <li>g) Government priority areas within the Aerotropolis Core.</li> </ol>	<p>The ARRC is considered consistent with this objective as it will:</p> <ul style="list-style-type: none"> <li>• not require any public infrastructure investment, while including road upgrades to Adams Road (between the site access and Anton Road) and the Elizabeth Road/Adams Road intersection that will benefit other developments and road users;</li> <li>• will provide waste recovery and recycled product services to support the construction of transport infrastructure projects such as the Metro, M12, Elizabeth Drive upgrades;</li> <li>• will not adversely impact on freight and passenger access to WSA; and</li> <li>• will support relevant Western Sydney City Deal commitments such as job creation and provision of resource recovery services to support the development of the Western Parkland City and Aerotropolis.</li> </ul>
DS2 – Development is not to compromise the efficient and orderly provision and staging of the transport network, utilities and servicing.	<p>The Addendum TIA demonstrated that peak ARRC development traffic can be accommodated on the existing road network.</p> <p>As outlined above the ARRC will not require public investment to deliver the required utilities and services to the site.</p> <p>Accordingly, construction and operation of the ARRC will not compromise the efficient and orderly provision and staging of the transport network, utilities and servicing.</p>
DS3 – Early development must prioritise locations well supported by high levels of public and active transport accessibility.	<p>The nature of the ARRC development as a resource recovery centre means that high levels of public and active transport are not as imperative as the site will primarily be accessed for the delivery of waste and dispatching recycled product.</p> <p>Notwithstanding, in the medium to long term when public and active transport infrastructure is delivered for second-priority areas, ARRC employees would be able to easily access the ARRC from identified bus routes and active transport routes identified in the Precinct Plan.</p>

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

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DS4 – Development does not result in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies.	<p>The subject property, within which the ARRC site is located, is bordered to the east and south by the WSA. The property is owned in its entirety by CFT No 13 Pty Ltd, a member of Coombes Property Group, who intend to retain long-term ownership of the property and to develop the remaining areas of the subject property to support agribusiness land uses.</p> <p>As outlined above, the applicants have committed to make the infrastructure upgrades and installations required to enable the development to proceed.</p> <p>Accordingly, due to the geographic location of the ARRC site and the ownership of the subject property, the ARRC development will not result in in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies.</p>
DS5 – The road network proposed as part of development applications is to be consistent with the Street Hierarchy Map at Figure 9, or temporary arrangements must be made with agreement of the relevant Roads Authority.	<p>The Precinct Plan shows a collector road along the northern and western boundary of the subject property including along the existing internal site access road. A local road is also shown transecting the subject property to the south of the ARRC site.</p> <p>It is noted that the Precinct Plan outlines in SH3 (refer below) that the layout and location of Local Streets and Collector Streets on Figure 10 of the Precinct Plan are indicative.</p> <p>As outlined above, the subject property is owned by intended to be developed and retained in long-term ownership by CFT No 13 Pty Ltd. A concept master plan for the subject property was contained as Figure 4.3 of the Submissions Report (EMM 2021c). The internal site access road will be a privately owned and maintained access road providing access to the ARRC and future site developments.</p> <p>The site access entrance from Adams Road will be designed to meet Council’s requirements with work required on Adams Road to upgrade the site access to allow egress by B-double heavy vehicles to be carried out under a Section 138 approval.</p>
DS6 – Locations with good access to the Western Sydney Airport for freight and passengers are to be prioritised.	While in a second-priority area, the ARRC is centrally located to support development in first-priority areas.
<i>Section 3.3 Out of Sequence Development</i>	
OSO1 – To enable development that does not yet have access to essential infrastructure to proceed where an applicant proposes to deliver essential infrastructure.	As outlined above, the applicants have committed to provide the necessary road upgrades and utilities to allow the ARRC development to proceed.
OSO2 – To avoid additional and inefficient costs to government and utilities providers arising from development that does not align with the planned delivery of infrastructure.	Refer to response to OSO1 above.
OSO3 – To ensure that out of sequence development does not unduly impact the orderly and efficient development of other land.	Refer to response to OSO1, DS01 and DS03.
OS1 – Where a development application proposes development that does not meet the Requirements of Section 3.1 [Infrastructure delivery], the applicant is required to demonstrate, to the satisfaction of the consent authority, that arrangements have been made for all essential services and infrastructure to be provided when required and at no additional cost to government (including the relevant Council and the NSW Government) and utilities authorities.	<p>Appendix S of the EIS outlines the servicing strategy for the development.</p> <p>TfNSW has endorsed the applicants’ concept design of the interim upgrade to the Elizabeth Drive/Adams Road intersection.</p> <p>The applicants have upgraded the northern section of Adams Road between the site access and Elizabeth Drive in agreement with Council and under a Section 138 approval.</p> <p>The applicants are liaising with Council regarding upgrades to the site access entrance and Adams Road between the site access and</p>

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

Final Precinct Plan objective	ARRC consistency with final objective
<p>OS2 – Applicants for development under Requirement OS1 must provide, as part of the development application, confirmation from utilities providers including Sydney Water and infrastructure delivery agencies including the relevant Council and Transport for NSW that:</p> <ul style="list-style-type: none"> <li>• planned servicing and infrastructure provision will be in place to support development; and</li> <li>• the development is capable of connecting to and integrating with existing or planned services and infrastructure.</li> </ul>	<p>Anton Road but no fundamental obstacles to these upgrades are foreseen.</p> <p>Endeavour Energy has made a supply offer and provided a Design Brief for the required power supply to the development. The necessary authority approvals will be sought during the detailed design phase.</p> <p>As noted in O3, the applicants will upgrade the electricity supply for the ARRC and will installation a temporary wastewater treatment system in the event the ARRC is scheduled to become operational prior to the commissioning of Sydney Water’s proposed Upper South Creek Advanced Water Recycling Centre. The ARRC will be connected to mains sewer when it is available.</p> <p>It is considered that the approval for the ARRC (if granted) may be conditioned to ensure the applicants deliver all required infrastructure, utilities and services prior to the commencement of operations.</p>
<p>OS3 – Applicants for development under Requirement OS1 must demonstrate, to the satisfaction of the consent authority, that out of sequence development does not unreasonably impact on the ability of adjoining or nearby land owners to develop their land in accordance with the Precinct Plan, or result in unreasonable impacts on the environment of adjoining land.</p>	<p>The ARRC will not impact on the ability of adjoining land owners to develop their land in accordance with the Precinct Plan or result in unreasonable impacts on the environment of adjoining land.</p> <p>Refer also to response to DS4.</p>
<p><i>Section 4.1 Proposed Land Use and Structure Plan</i></p>	
<p>LUO1 – 4.1 A mix of land uses are proposed that:</p> <ul style="list-style-type: none"> <li>• Deliver employment diversity</li> <li>• Leverage off the locational advantages of proximity to the Western Sydney Airport</li> <li>• Grow and diversify the Greater Sydney and Western Parkland City economies •</li> <li>• Support workers and residents through diverse housing, community, social and recreational uses</li> <li>• Support the needs of visitors reflective of the Aerotropolis’ role as an international gateway</li> <li>• Respect and safeguard operations of the Western Sydney Airport</li> </ul>	<p>The ARRC project will directly support employment diversity, and growth and diversification of the Greater Sydney and Western Parkland City economies and has been designed to respect and safeguard operations of the Western Sydney Airport. The ARRC will also indirectly support the realisation of the remaining objectives through the provision of local waste recycling services and recycled product for use in local construction projects.</p>



**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

<b>Final Precinct Plan objective</b>	<b>ARRC consistency with final objective</b>
<p>LU02 – A blue-green framework is delivered as development occurs that:</p> <ul style="list-style-type: none"> <li>• Provides access to open space that meets the needs of workers and residents, students and visitors</li> <li>• Preserves significant natural features including watercourses and remnant vegetation</li> <li>• Accommodates infrastructure required to manage the flooding and water quality impacts of development</li> <li>• Respects and enhances Aboriginal cultural heritage and archaeology and maximises opportunities to connect with Country</li> </ul>	<p>The ARRC has been designed to avoid impacts on the Oaky Creek riparian corridor. The ARRC also accommodates infrastructure (ie sediment basin and water treatment plant to manage potential water quality impacts.</p> <p>Consultation with the local Aboriginal community was carried out as part of the Aboriginal cultural heritage assessment (ACHA) which informed the EIS.</p> <p>The ACHA identified the distribution of the artefacts identified during the test excavation program were ‘sparse’ and ‘random’ and therefore suggests the area was occupied occasionally with nearby creeks providing more reliable water sources than the ARRC site. Artefacts identified will be kept at the Gandangara Local Aboriginal Land Council Keeping Place.</p>
<p>LU03 – Subdivision and civil works design and creates the urban structure and:</p> <ul style="list-style-type: none"> <li>• Reflects the Land Use Plan (Figure 3), Transport Network Plan (Figure 7) and BlueGreen Infrastructure Framework (Figure 5)</li> <li>• Creates a network of accessible, connected, efficient and sustainable neighbourhoods</li> <li>• Optimises active transport and public transport connectivity, and the efficient movement of goods and delivery of services</li> <li>• Responds to topography and natural systems including movement of water through the landscape</li> <li>• Includes space for greening the urban environment, including canopy cover and green, pervious landscape to manage water flows, water quality and local climate conditions</li> </ul>	<p>No subdivision is proposed as part of the project. The subject property, within which the ARRC site is located, is bordered to the east and south by the WSA. The property is owned in its entirety by CFT No 13 Pty Ltd, a member of Coombes Property Group, who intend to retain long-term ownership of the property and to develop the remaining areas of the subject property to support agribusiness land uses.</p> <p>The ARRC has been designed to minimise impact on natural systems with the retention of the Oaky Creek riparian corridor.</p>
<p>LU4– Buildings are situated and designed to:</p> <ul style="list-style-type: none"> <li>• Contribute positively to the planned character of the place</li> <li>• Concentrate worker and resident population density in locations that have good access to transport, services and amenity</li> <li>• Reflect airport safeguarding requirements, accessibility for workers, and the functional requirements of businesses</li> <li>• Respond to topography</li> <li>• Integrate with and enhance the public domain</li> <li>• Respond to natural features including retained vegetation and waterways</li> <li>• Respect heritage items and culturally significant places</li> <li>• Are energy efficient, comfortable and minimise consumption of resources and materials</li> <li>• Contribute to appropriately managing water in the landscape</li> </ul>	<p>The ARRC warehouse has been architecturally designed and is consistent with the bulk and scale of the Agribusiness warehouses envisaged for this area of the Agribusiness precinct (WSPP 2020).</p> <p>The ARRC warehouse will contribute positively to the planned character of the place, is well positioned to access key transport corridors, retains key biodiversity and nature watercourses on the subject property and has been designed to energy efficient.</p>

*Section 4.6.2 Street hierarchy and typology*

**Table 2.1 Consistency with relevant objectives of Aerotropolis Precinct Plan**

<b>Final Precinct Plan objective</b>	<b>ARRC consistency with final objective</b>
SH01 – Establish a hierarchy of streets that supports the development of the Aerotropolis and provides streets for safe and efficient movement of freight and people, and that is connected to other parts of Greater Sydney and NSW.	<p>Refer to response to DS5.</p> <p>The upgrades to Adams Road described in the response to OS1 will enhance the efficient movement of freight for surrounding developments.</p> <p>The ARRC project does not include the development of any streets or roads that would be transferred to Council ownership. The internal site access road is a private road that will be developed and maintained in the long term by the subject property owner.</p>
SH02 – Create streets that are attractive, green, sustainable, safe, functional, adaptable and integrated with topography and the natural environment.	<p>While the ARRC site access will not be a public road (refer response to DS5 above), it will be designed with appropriate landscaping in accordance with the Liverpool City Council Development Control Plan (Liverpool DCP), Western Sydney Aerotropolis DCPs, Landscape Design Guidelines dated May 2020 in Appendix B (of Avisure 2020) and the Landscape Concept Design provided as Appendix T of the EIS (EMM 2020).</p>
<p>SH3 – The layout and location of Local Streets and Collector Streets on Figure 10 [of the Precinct Plan] is indicative. Where a development application proposes a variation to the Local Street or Collector Street, the applicant must demonstrate that in addition to the requirements in SH2, that the variation:</p> <ol style="list-style-type: none"> <li>Achieves a permeable street network;</li> <li>Encourages walking and cycling and minimises travel distances;</li> <li>Maximises connectivity to community facilities, open space and centres;</li> <li>Takes into account topography and the flow of water in the landscape;</li> <li>Will not detrimentally impact on access to adjoining properties or result in isolation of properties; and</li> <li>Will not impede the orderly development of adjoining properties.</li> </ol>	<p>Refer to responses to DS4, DS5 and SH01.</p>
<i>Section 4.7 Sustainability and resilience</i>	
SR01 – Development is to support the transitioning to a net zero or net positive outcome over the medium to long term. This will be measured around performance regarding waste management, water management and carbon consumption benchmarks that are provided in the DCP or other relevant legislation.	<p>The ARRC will directly contribute to the realisation of this objective through providing essential resource recovery and waste management services to the Aerotropolis.</p> <p>The ARRC will also use leading technology for processing operations. This will include the use of electricity-driven plant, where it is available, which generally has lower noise (and fume) emissions compared to diesel plant.</p> <p>The ARRC will include a water treatment plant to allow its reuse of water within the ARRC warehouse.</p>
SR03 – Green infrastructure is effectively used through the provision of water treatment and retention, urban cooling, ecosystem services and amenity and integrated into built, landscaped and natural environments.	<p>Refer to responses to SH01 and SR01.</p>
SR04 – Buildings, infrastructure and public domain elements maximise the recycling and reuse of materials.	<p>Refer to response to SR01.</p>
SR05 – Facilitate the design, construction and operation of environmentally sustainable buildings and precincts, including energy efficiency, renewable energy, efficient resource and energy use and reduced emissions and waste.	<p>Refer to response to SR01.</p>

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SR06 – Effectively uses waste as a resource through its collection, transport and recycling in a manner that is safe, efficient, cost effective and does provide a positive impact on liveability and the environment.	Refer to response to SR01. The ARRC is strategically located to provide recycling services to meet the projected demand associated with future development activities within the Aerotropolis and surrounding areas.
SR07 – Measures to mitigate urban heat island effects are integrated in the design of the built form and public domain, for example the use of light-coloured roofs.	The detailed design of the ARRC will be in accordance with the Aerotropolis DCPs cognisant of performance outcomes to mitigate urban heat.
SR08 – Planning is to provide sustainable and resilient approaches to development and is to incorporate circular economic principles found in the NSW Circular Economy Policy Statement.	Refer to responses to O5 and O15.

### 3 Road upgrade contingency plan

DPE has requested that given the uncertainty around the timing of future road upgrades, a contingency plan be developed detailing how heavy vehicles will access the site in the event that Elizabeth Drive upgrade works to be carried out by Transport for NSW, precede the pavement upgrades to be carried out by Council and Western Sydney Airport on Adams Road between The Northern Road and Anton Road.

To clarify, while DPE note in the RFI that the project relies on third parties to carry out infrastructure upgrades to allow the ARRC to proceed, this is not the case. As outlined in Section 2.4.1 of the Response to RFI Report (EMM 2021a), a contingency traffic distribution scenario was modelled to address WSA’s concern regarding the potential scenario where the southern portion of Adams Road is not upgraded prior to the start of ARRC operations. The contingency traffic distribution scenario modelled using SIDRA assumed that all ARRC traffic would access the site via the Elizabeth Drive/Adams Road intersection. The SIDRA results showed that the project will not significantly impact on the performance or capacity of the Elizabeth Drive/Adams Road intersection or the Elizabeth Drive/Luddenham Road intersection in the scenario where all ARRC traffic accesses the project via Elizabeth Drive.

Recent consultation with Council transport planners and engineers on the 12 April 2022 has confirmed the road upgrades on Adams Road south of the Adams Road/Anton Road intersection are currently in progress as part of the overall upgrade to the Adams Road/Anton Road intersection required to facilitate heavy vehicle access to the WSA fuel farm. Council advised that these road works are expected to have a construction phase of around 6 months.

A scenario where the final upgrade to Elizabeth Drive/Adams Road intersection by TfNSW would prevent the assumed left-turn in only movement into Adams Road from Elizabeth Drive prior to further upgrades to the road network is conceivable. However, this scenario is unlikely as the sensitivity analysis carried out at the request of TfNSW (refer EMM letter dated 16 July 2021 in response to RFI 20967277) found that restricting all turn movements, except left into Adams Road at Elizabeth Drive/Adams Road intersection, would result in significant strain at the Northern Road/Adams Road intersection due to the redirected traffic. A LOS F was predicted for this intersection as a result in the change in baseline traffic flow, regardless of whether the ARRC proceeds. This indicates that, regardless of the ARRC, further road network upgrades would be required (such as construction of the proposed subarterial road connecting Elizabeth Drive to the Anton Road/Adams Road intersection depicted in the Precinct Plan) prior to construction the final Elizabeth Drive/Adams Road intersection.

## 4 DPE Additional RFI

Additional information requested by DPE subsequent to the initial response to RFI is summarised in Table 4.1 alongside the applicants' responses.

**Table 4.1 Responses to additional matters raised by DPE**

Matter	Response
<p>The Response need(s) to include an indicative timeline for Adams Road upgrades to inform/establish any contingency plans required for heavy vehicle access.</p>	<p>Consultation with Council has indicated that the Adams Road upgrades between The Northern Road and Adams Road/Anton Road intersection, including the upgrade of the Adams Road/Anton Road intersection, are underway with Adams Road currently closed between The Northern Road and Anton Road. Council indicated that these construction works are expected to last indicatively 6 months. Accordingly, Adams Road between The Northern Road and Adams Road will be upgraded to accommodate B Double vehicles and will have the load limit lifted prior to the commencement of construction of the ARRC (should the project be approved).</p>
<p>It is unclear how the Response has addressed the precinct objectives for 'development sequencing' and 'out of sequence development' when (1) existing load limit restriction is required to be lifted along Adams Road and (2) the anticipated function of Adams Road (north of Anton Road) is 'collector' and not intended as a primary, secondary nor tertiary freight route. The Response need to address strategies that ensure the proposed enabling development does not unduly impact the orderly and efficient development of other land.</p>	<p>As outlined above, the project is consistent with the objectives of 'out of sequence development'</p> <p>While the ARRC is located within a second-priority area, the applicants are committed to providing the infrastructure upgrades and installations required to enable the development to proceed and will not rely on public infrastructure investment. The applicants have committed to undertake any road upgrades required to facilitate heavy vehicle access to the site such as the interim upgrade to Elizabeth Drive/Adams Road intersection as well as the Adams Road south pavement upgrade to facilitate the existing Adams Road load limit to be lifted.</p> <p>It should be noted the applicants have previously upgraded the northern portion of Adams Road to enable reactivation of quarrying on the subject property. These pavement upgrades are currently benefiting Council and WSA with construction vehicles currently accessing the road works on Adams Road via Elizabeth Drive and Adams Road north while Adams Road south is closed.</p> <p>The traffic movements associated with the ARRC do not represent 'freight' but rather essential waste recovery services. The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p> <p>Having only a marginal impact on the road network at peak operations, the ARRC will not adversely impact on freight and passenger access to WSA.</p>
<p>In relation to the final upgrade of Elizabeth Drive and Adams Road intersection, the Response referred to the sensitivity analysis provided to the Department on 16 July 2021. The final upgrade scenario needs to consider the 100% Elizabeth Drive West upgrade design as identified in Council's advice letter dated 18 January 2022 where Council noted the intersection of Elizabeth Drive and Adams Road will be restricted to left in only for light vehicles.</p>	<p>Recent consultation with TfNSW has clarified that the final upgrade to the Elizabeth Drive/Adams Road intersection will accommodate a B-double left turn into Adams Road from Elizabeth Drive. This has subsequently been discussed with Council. From these discussions, the applicants understand that Council are supportive of permitting heavy vehicles to access Adams Road via this left turn in movement from Elizabeth Drive and therefore no longer require assessment of this additional traffic scenario.</p>
<p>In addition, potential impacts on the future configuration of Adams Road and Anton Road intersection (inclusive of the new sub-arterial road as shown in Figure 10 of the Precinct Plan) also need to be evaluated.</p>	<p>Cognisant of the developing Aerotropolis and uncertainties surrounding the future road network, the applicants consulted closely with Council and TfNSW regarding the approach to the traffic impact assessment (TIA) prior to commencing the traffic</p>

**Table 4.1 Responses to additional matters raised by DPE**

Matter	Response
	<p>assessment for the project in 2020. TfNSW directed the applicants to carry out the traffic assessment on the existing road network using future traffic volume data provided by TfNSW. This approach was supported by Council.</p> <p>The applicants have subsequently gone above and beyond the traffic and transport related SEARs, with reiterations of the proposed transport strategy in response to feedback from TfNSW and Council and updated analysis at the request of TfNSW to account for an update to TfNSW’s traffic forecast model (STFM).</p> <p>The Addendum TIA determined that peak ARRC development traffic could be accommodated within the existing road network with ARRC development traffic representing up to 4.77% of the local daily traffic on Adams Road (south) and up to 1.6% and 0.8% of the daily traffic on Elizabeth Drive and The Northern Road respectively.</p> <p>TfNSW has confirmed in writing, that TfNSW is satisfied with the information provided. Council and the applicants have also reached general agreement on all matters raised by Council with Council not raising concerns regarding the future Anton Road/Adams Road intersection.</p> <p>Accordingly, it is not considered reasonable for DPE to continue to seek additional piecemeal assessments as development of the future Aerotropolis road network progresses. This is due to the marginal impact the ARRC will have on the existing road network and the reasonable assumption that future upgrades to the Aerotropolis Road network will increase the capacity of the road network.</p>

## 5 Additional matters raised by DPE and Council

Additional matters raised by DPE with reference to Council’s general comments regarding the ARRC project’s consistency with the finalised Precinct Plan as well as matters raised by Council in these general comments are outlined in Table 5.1 alongside the applicants’ responses.

**Table 5.1 Responses to additional matters raised by DPE and Council**

Matter	Response
<p><b>DPE</b></p> <p>In relation to requirement OS3 under Out of Sequence Development, the response should be holistic and have regard to the effects outlined in Section 4 of the RTA Guide to Traffic Generating Development (namely, impact on traffic efficiency, amenity, safety and road pavement life). The response also need to have regard to:</p> <ul style="list-style-type: none"> <li>the local centre (including a childcare centre) to be located just west of Anton Road - according to the draft and final precinct plans, the location of a local centre is located in areas of high amenity and adjacent to outdoor open space</li> <li>the existing Workers Hubertus Country Club (Lot 2, DP 623799, 205 Adams Road, Luddenham, identified as “Area 3” on the Additional Permitted</li> </ul>	<p>Holistically and in the context of the legal advice outlined in Section 1, while the ARRC project is located in a Second Priority area according the Precinct Plan, the environmental assessment carried out to date and the responses provided herein this letter response demonstrate that approval and subsequent construction and operation of the ARRC project will not impact on the orderly and efficient development of other land within the Agribusiness Precinct and broader Aerotropolis. Objective OS01 is to enable development to proceed in priority areas 2 and 3 where the applicant proposes to deliver essential infrastructure.</p> <p>As reiterated throughout this response, the applicants have/and or are in the process of arranging all essential services and infrastructure to the project at no additional cost to local or state government or utility authorities and accordingly the approval for the ARRC (if granted) may be conditioned to ensure the applicants deliver all required infrastructure, utilities and services prior to the commencement of operations.</p>

**Table 5.1 Responses to additional matters raised by DPE and Council**

Matter	Response
<p>Uses Map of the SEPP) - as stated in the Agribusiness Precinct Urban Design and Landscape Report (see link here), the Hubertus country club will be maintained to support the local community and future development within the precinct.</p>	<p>It is noted the Addendum TIA (EMM 2021b) was carried out in accordance with the RTA Guide to Traffic Generating Development and assesses the project in accordance with Section 4 in terms of impacts on traffic efficiency, including level of service of intersections and road capacity, potential impacts on road safety and public transport/pedestrians. The Addendum TIA also outlined road upgrades that would be required to accommodate the development. The Addendum TIA determined that peak ARRC development traffic would represent up to 4.77% of the local daily traffic on Adams Road (south) and up to 1.6% and 0.8% of the daily traffic on Elizabeth Drive and The Northern Road respectively (EMM 2021b). As noted in Section 2 above, this is considered marginal in the context of the developing Aerotropolis and as such the ARRC will not preclude the development of agricultural value-added industries and related freight and logistics facilities or adversely impact these industries access to the Outer Sydney Orbital and air-side access to the Western Sydney Airport.</p> <p>The Addendum Noise and Vibration Impact Assessment (NVIA) (EMM 2020e) assessed road traffic noise/amenity associated with ARRC traffic. The road traffic noise assessment in the Addendum NVIA demonstrated that the &lt;2 dB criteria or baseline road traffic noise levels are satisfied for all road segments assessed as a result of traffic from the project. It is also noted that any childcare facility located in this local centre will need to be carefully designed to mitigate potential impact of aircraft noise on the childcare centre. It is also noted that there is no DA application for a childcare facility and it would therefore be highly unusual to assess the impacts on possible future developments.</p> <p>Similarly, the ARRC project is not considered to adversely impact on the viability/amenity of the Hubertus Country Club. It is noted that consultation with this business was carried out during preparation of the EIS including phone and email correspondence and a face to face meeting with the Event Manager on the 11 June 2020. The Event Manager expressed that the Club owners would view the project favourably as would support business at the Hubertus Club.</p>
<b>Council</b>	
<p><u>Out of sequence development</u></p> <p>Council considers that insufficient infrastructure is currently available to the site to permit the use in accordance with Section 3 of the Precinct Plan. In this regard, the site has not demonstrated that gravity connection to the Sydney Water sewer is available or will be available when required. The proponent notes that Sydney Water currently envisage the provision of sewer by 2025 with the proposal to provide temporary onsite treatment until sewer connection is available. This is not in accordance with the following section of the Precinct Plan;</p> <p><i>“3.3 OS1 - Where a development application proposes development that does not meet the Requirements of Section 3.1, the applicant is required to demonstrate, to the satisfaction of the consent authority, that arrangements have been made for all essential services and infrastructure to be provided when required and at no additional cost to government (including the relevant Council and the NSW Government) and utilities authorities.”</i></p> <p>The lack of sewer utility connection is also contrary to Clause 4.49 of SEPP (Precincts – Western Parkland City) 2021.</p>	<p>As demonstrated in Appendix S of the EIS which outlines the servicing strategy for the development, and in the response to OS1 in Table 2.1 above, the applicants have/and or are in the process of arranging all essential services and infrastructure to the project at no additional cost to local or state government or utility authorities. Rather proposed road upgrades as part of the project will provide benefits to the broader area.</p> <p>TfNSW has endorsed the applicants’ concept design of the interim upgrade to the Elizabeth Drive/Adams Road intersection.</p> <p>The applicants have upgraded the northern section of Adams Road between the site access and Elizabeth Drive in agreement with Council and under a Section 138 approval.</p> <p>The applicants are liaising with Council regarding upgrades to the site access entrance and Adams Road between the site access and Anton Road but no fundamental obstacles to these upgrades are foreseen.</p> <p>Endeavour Energy has made a supply offer and provided a Design Brief for the required power supply to the development. The necessary authority approvals will be sought during the detailed design phase.</p> <p>As noted in O3, the applicants will upgrade the electricity supply for the ARRC and will installation a temporary wastewater treatment system in the event the ARRC is scheduled to become operational prior to the commissioning of Sydney Water’s proposed Upper South Creek Advanced Water Recycling Centre. The ARRC will be connected to mains sewer when it is available.</p>

**Table 5.1 Responses to additional matters raised by DPE and Council**

Matter	Response
	<p>It is considered that the approval for the ARRC (if granted) may be conditioned to ensure the applicants deliver all required infrastructure, utilities and services prior to the commencement of operations thereby achieving consistency with Section 4.49 of the Precincts – Western Parkland City SEPP</p>
<p>The proposal is not consistent with the vision for the Agribusiness precinct under Chapter 2.6 of the Precinct Plan in terms of the following:</p>	<p>The ARRC project is permitted pursuant to Section 4.51 of the Precincts – Western Parkland City SEPP.</p>
<ul style="list-style-type: none"> <li>a) The use is not a permitted use in the zone</li> <li>b) The use is not compatible with identified uses for the zone of integrated logistics, air freight, integrated intensive production, food innovation, fresh product and value-added food – pharmaceuticals</li> <li>c) The proposal seeks extensive earthworks (both cut and fill) that is not in accordance with the vision to build on the existing topography and natural features.</li> <li>d) From (c) above, the proposal fails to connect to country and does not respond to the existing topography and riparian areas on the site</li> <li>e) Insufficient response in relation to the rehabilitation of the riparian area has been provided.</li> <li>f) The proposal does not provide opportunities for employment within high technology agriculture</li> <li>g) The proposal does not provide opportunities for education and tourism in relation to high technology agriculture and associated uses</li> </ul>	<p>Approval of the ARRC project will not preclude the realisation of the Agribusiness Vision. The ARRC is located in the north-eastern corner of the Agribusiness precinct, approximately 350 m from the Enterprise zone and immediately adjacent to the WSA. The location and design of the ARRC as a fully enclosed warehouse, keeping with the value-added food production and logistics warehouses that are envisaged for the Agribusiness Precinct, will not preclude the use of the remaining Agribusiness for commercial/industrial agribusiness land use.</p> <p>There will be extensive development within the Agribusiness Precinct over the coming decades to deliver the vision of the Agribusiness vision objective. The ARRC will be a vital local service for these construction projects and be an early generator of employment.</p> <p>The proposed built form is consistent with the size and scale envisaged in the Precinct Plan and that the proposed ARRC project has been positioned within the land to minimise cut and fill, which is consistent with the approach other similar scaled developments will have to follow when developing in the Agribusiness Precinct.</p> <p>The ARRC has been designed to avoid impact on the Oaky Creek riparian corridor which has previously been rehabilitated under the existing SSD consent for the quarry operation on the subject property. The quarry consent provides for the ongoing maintenance of this riparian corridor.</p> <p>Using principles of the circular economy, the ARRC in collaboration with NSW Circular seeks to explore research opportunities to divert construction and demolition waste from fill to create building products to support the sustainable development of the Aerotropolis and support Agribusiness and associated uses through advanced manufacturing processes. A formal letter from NSW Circular acknowledging this collaboration was contained in Appendix B of the Response to Request for Information Report (EMM 2021a).</p> <p>The ARRC will not preclude the development of opportunities for employment, or education and tourism in relation to high technology agriculture in the Agribusiness Precinct.</p>
<p>Council notes that the RFI response does not address the Agribusiness Precinct plan objectives outlined in Section 2.6 of the Precinct Plan (01-05).</p>	<p>Section 2 of this response above, identifies the ARRC project’s consistency with these objectives. While the ARRC project is generally consistent with these objectives, in instances where the ARRC is not directly consistent, it is noted that approval of the ARRC project will not preclude the realisation of these objectives within the Agribusiness Precinct.</p>

**Table 5.1 Responses to additional matters raised by DPE and Council**

Matter	Response
<p><u>Infrastructure and Development Staging</u></p> <p>I1 Prior to granting development consent, the consent authority must be satisfied that essential services and infrastructure are available or will be available when required for the development. Essential services and infrastructure is road access, water supply, sewer, electricity and stormwater infrastructure.</p> <p>I5 Shared utility trenches are to be used and located generally in accordance with the utilities allocations in the Western Sydney Street Design Guideline and relevant cross-sections in the DCP to minimise the impacts of utilities allocations on landscaping and street tree planting.</p> <p>With reference to the above Precinct Plan objectives Council notes the site does not have gravity connection to Sydney Water sewer infrastructure. Council does not support interim measures in this regard and would require gravity connection to sewer and that the application must demonstrate how road provision is to comply with the Western Sydney Street Design Guideline (and the DCP when this is finalised).</p>	<p>As noted above, it is considered that the approval for the ARRC (if granted) may be conditioned to ensure the applicants deliver all required infrastructure, utilities and services prior to the commencement of operations. Secondary approvals/permits (such as Section138 approval) will ensure any required infrastructure meets the relevant specifications.</p>
<p><u>Development sequencing</u></p> <p>Council notes that the RFI response does not address the Development Sequencing objectives and requirements outlined in Section 3.2 of the Precinct Plan (DS01 and DS1-DS5).</p>	<p>Section 2 of this response above, identifies the ARRC project’s consistency with these objectives and requirements.</p> <p>The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p> <p>While the ARRC is located within a second-priority area, the applicants are committed to providing the infrastructure upgrades and installations required to enable the development to proceed and will not rely on public infrastructure investment.</p> <p>While in a second-priority area, the ARRC is centrally located to support development in first-priority areas.</p> <p>The ARRC will be an early generator of employment in the Aerotropolis. During operation it will provide locally 70 local direct jobs and a further 108 indirect jobs.</p> <p>The ARRC is considered an enabling development that will facilitate the transformation of the Aerotropolis through the provision of sustainable building materials and resource recovery services.</p>
<p><u>Out of sequence development</u></p> <p>Council notes that the RFI response does not address the Out of Sequence development objectives and requirements outlined in Section 3.3 of the Precinct Plan (OS01-OS01 and OS1-OS3).</p>	<p>Section 2 of this response above identifies the ARRC project’s consistency with these objectives and requirements.</p> <p>The ARRC will not impact on the ability of adjoining land owners to develop their land in accordance with the Precinct Plan or result in unreasonable impacts on the environment of adjoining land.</p> <p>The subject property, within which the ARRC site is located, is bordered to the east and south by the WSA. The property is owned in its entirety by CFT No 13 Pty Ltd, a member of Coombes Property Group, who intend to retain long-term ownership of the property and to develop the remaining areas of the subject property to support agribusiness land uses.</p> <p>As outlined above, the applicants have committed to make the infrastructure upgrades and installations required to enable the development to proceed.</p> <p>Accordingly, due to the geographic location of the ARRC site and the ownership of the subject property, the ARRC development will not result in isolated areas requiring out of sequence servicing by transport networks, utilities and services, or at additional cost to government or utility agencies.</p>



**Table 5.1 Responses to additional matters raised by DPE and Council**

<b>Matter</b>	<b>Response</b>
<p><u>Urban structure</u></p> <p>4.1 Proposed Land Use and Structure Plan The map showing proposed land uses, as required by the Aerotropolis SEPP, is at Figure 3. The Proposed Land Use Plan provides the overall layout of development, areas of open space and environmental value, transport and stormwater infrastructure for the land to which this Plan applies. Council notes that the Land Use and Structure Plan should be addressed.</p>	<p>The ARRC project is considered generally consistent with the Land Use and Structure Plan shown in Figure 3 of the Precinct Plan. Consideration of these objectives have been added to Table 2.1 in Section 2 above.</p>
<p><u>Subdivision and block structure</u></p> <p>A sustainable walkable precinct structure requires subdivision patterns and block sizes that facilitate active transport. The subdivision pattern has to facilitate efficient public and active transport routes between destinations. A ‘finer grain’ block pattern is required in areas of high pedestrian activity in particular areas close to mass transit hubs, such as centres, and high-density employment and mixed-use areas. Larger block patterns are required in the Enterprise and Agribusiness Zone to accommodate larger format employment generating and industrial uses.</p> <p>The proponent is to demonstrate how the proposal will enable the requirement of this section of the precinct plan to be satisfied. It is recognised that subdivision is not proposed as part of the current application, however the layout of the development must consider future subdivision requirements.</p>	<p>As noted throughout this response, the ARRC project does not include subdivision. CPG intend to retain long-term ownership of the property and to develop the remaining areas of the subject property to support agribusiness land uses. A concept design of the final layout of the subject property is contained in Figure 4.3 of the Submissions Report noting future applications on the subject property will demonstrate consistency with the objectives and requirements of Section 4.2 of the Precinct Plan.</p>
<p><u>Aboriginal Culture and Heritage – Recognising Country</u></p> <p>Recognising Country embodies design principles that reinforce connections to Country that identifies Country and culture as part of the building environment, creating places that will deliver long term sustainability. The design is to be amended and is to respond to country by demonstrating that the proposal has considered the existing topography, landscape and riparian areas.</p> <p>Starting with Country is not limited to an archaeological search for artifacts</p>	<p>Consultation with 19 different Aboriginal stakeholder groups was carried out as part of the Aboriginal cultural heritage assessment (ACHA) which informed the EIS with seven of these groups attending the site visit and archaeological survey..</p> <p>The ARRC project has been designed to minimise impact on the riparian areas of Oaky Creek and the surrounding environment.</p> <p>In accordance with NSW Heritage guidelines, the ACHA not only focused on identify Aboriginal sites as Council suggests, but identifying the intangible Aboriginal cultural values that may be affected by the ARRC project.</p> <p>The ACHA (EMM 2021d) identified that Aboriginal heritage management is based on the principle of intergenerational equity, which has the intention to ensure present generations consider future generations when making management decisions. This principle is possibly the most relevant part of the notion of ecologically sustainable development (ESD) when considering Aboriginal cultural heritage management.</p> <p>The local archaeological resource will remain in that the riparian corridor along Oaky Creek and the registered AHIMS site will be avoided by the project. Artefacts within the project area were retrieved during the test excavation and will be recorded in the AHIMS database. Consultation with RAPs in conjunction with their review of the ACHA, indicated RAP support for the project to retain the artefacts at the GLALC Keeping Place.</p>

**Table 5.1 Responses to additional matters raised by DPE and Council**

Matter	Response
<p><u>Blue-Green Infrastructure Framework</u> Council notes that this chapter (ie Section 4.5) of the Precinct Plan must be addressed by the applicants.</p>	<p>This RFI response reiterates that the ARRC project will retain the Oaky Creek riparian corridor and has been designed to minimise impacts to Oaky Creek with no discharge (with the exception of treated stormwater) proposed, thereby contributing to the realisation of the objectives under Section 4.5 of the Precinct Plan. No further consideration of this Section of the Plan is considered warranted as many of these objectives relate to the broader strategic planning of the Aerotropolis, concept master plans or subdivision proposals rather than discrete applications. The objectives and requirements relating to discrete applications have previously been addressed (albeit indirectly) through the environment and assessment process and relevant technical assessments.</p> <p>With regard to stormwater assets, the applicants are currently consulting with Sydney Water and WSPP on this matter. CPG are committed to collaborating with Sydney Water for the installation of any required stormwater infrastructure within the ENZ zone and outside the ARRC project footprint.</p>
<p><u>Movement Framework</u> Council notes that this chapter (ie Section 4.6) of the Precinct Plan must be addressed by the applicants.</p>	<p>Relevant objectives and requirements from this Section of the Precinct Plan are addressed in Section 2 above (ie Section 4.6.2 Street hierarchy and typology).</p>
<p><u>Sustainability and resilience</u> Council notes that this chapter (ie Section 4.7) of the Precinct Plan must be addressed by the applicants.</p>	<p>Relevant objectives and requirements from this Section of the Precinct Plan are addressed in Section 2 above. It is also noted the EIS assessed the ARRC project against the principles of ESD (refer Section 8.9 of the EIS EMM 2020).</p>
<p><u>Land use and Built Form</u> Council notes that the relevant sections of this chapter (ie Chapter 5) of the Precinct Plan must be addressed by the applicants.</p>	<p>Most of the objectives and requirements under Chapter 5 of the Precinct Plan are not relevant to the ARRC but more relevant to strategic and concept master planning for the broader Aerotropolis.</p> <p>The ARRC is not located in a local centre, which is considered appropriate considering the role and intent of local centres outlined in the Precinct Plan, noting however the proximity of the ARRC will support the development of the proposed local centre on Adams Road south of the Anton Road/Adams Road through the provision of local waste and recycling services and recycled product for use in construction projects in this centre.</p> <p>The ARRC meets the height objectives and requirements outlined in Section 5.2 of the Precinct Plan.</p> <p>There are no floor space ratio controls relevant to the subject property.</p> <p>The ARRC project is also generally consistent with the employment densities outlined in Section 5.4 of the plan (both for General Industrial and Large Logistics).</p>

## 6 Closing

We trust that the revised responses meet DPE's information requirements as applicable since the release of the Precinct Plan in the context of the legal advice outlined in Section 1.

Yours sincerely



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