4 September 2020 WTJ18-209

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NSW Department of Planning, Industry & Environment
4 Parramatta Square
12 Darcy Street
Parramatta NSW 2150

RE: STATE SIGNIFICANT DEVELOPMENT APPLICATION (SSD 9522) FOR PROPOSED WAREHOUSE, LOGISTICS AND INDUSTRIAL FACILITIES HUB

PROPERTY AT: 657-769 MAMRE ROAD, KEMPS CREEK (LOT 34 DP 1118173, LOT X DP 421633, LOT 1 DP 1018318, LOT Y DP 421633 & LOT 22 DP 258414)

Dear Will,

Reference is made to the subject State Significant Development (SSD) Application – **SSD 9522** – that was exhibited by the NSW Department of Planning, Industry & Environment (DPIE) on 7 June 2019 to 8 July 2019 for a proposed Warehouse, Logistics and Industrial Facilities Hub at the identified Subject Site – 657-769 Mamre Road, Kemps Creek (Lot 34 DP 1118173, Lot X DP 421633, Lot 1 DP 1018318, Lot Y DP 421633 & Lot 22 DP 258414).

Following a review of the NSW DPIE's request for the Response to Submissions (RTS), dated 1 September 2020, the matters raised have been taken into consideration and are accurately addressed in the response matrix that is attached to this letter. It is considered, that this information now provides NSW DPIE with all the necessary facts and relevant particulars related to the Proposed Development subject to this SSD Application; thereby, enabling the assessment to be finalised and the Proposal determined.

We look forward to the NSW DPIE's feedback on the information provided and look forward to progressing with the assessment of this SSD Application.

Should you wish to discuss further, please contact the undersigned.

Yours Faithfully,

Andrew Cowan
Director
Willowtree Planning Pty Ltd
ACN 146 035 707

Enclosed:

- **Appendix 1 – Email Correspondence for the Road Network**
- **Appendix 2 – Masterplan**
- **Appendix 3 – Stage 1 Subdivision Plan**
- **Appendix 4 – Stage 2 Subdivision Plan**
- **Appendix 5 – Swept Paths Analysis**
- **Appendix 6 – Land Zoning Overlay Plan**
- **Appendix 7 – Landscape Plans**
- **Appendix 8 – Civil Engineering Letter of Support**
- **Appendix 9 – Ecoplanning Letter of Support**
- **Appendix 10 – BDAR Shapefiles**
- **Appendix 11 – Flora and Fauna List**

Table 1: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
NSW Department of Planning, Industry & Environment (William Hodgkinson – Team Leader – Industry Assessments)		
Internal Road Network		
1.	*The north-south road must be designed to cater for a 30.7m road width as identified in the email to the Applicant dated 28 July 2020. A response from a suitably qualified traffic consultant should be provided identifying that the parameters set out in the email dated 28 July 2020 can be achieved on site to create a safe and efficient road design. The submitted traffic assessment does not appear to address each of the points raised in the email.*	As the Precinct wide traffic modelling has not been completed, it is agreed to adopt 30.7 m road widths for the purposes of the approval, noting once the road widths are finalised following the Precinct wide traffic modelling a Section 4.55(1A) Modification Application could be undertaken. The Applicant's traffic engineer (Ason Group) has compiled a satisfactory response with respect to the parameters in the NSW DPIE email dated 28 July 2020 demonstrating a safe and efficient road design has been achieved and can be conditioned accordingly. Reference should be made to **Appendix 1** of this Submission. Revised plans for approval include the Masterplan, Subdivision Plans and associated swept paths (refer to **Appendix 2-5** of this Submission).
2.	*Basins should be setback a minimum 20m to enable a future open space road on IN1 land to be delivered.*	The revised Masterplan issued with the RtS package accurately reflects the 20 m setback as demonstrated in **Appendix 2**.
3.	*The location of the north south road connecting to the property to the south must consider the potential for that property to be developed in the future. The current road location should be moved east to facilitate the future development unless otherwise justified.*	The attached layout (refer to **Appendix 6**) demonstrates that a functional industrial-related development can be developed and accessed on the land between the north-south road and the western boundary of the IN1 zoned land without moving the road location further east. Consideration has been given with respect to the PDCP 2014 and draft SSD 9522 DCP 2020 concerning road widths and functional layout of the Site.
Southern Boundary Interface		
4.	*Clause 33H(3)(d) of the State Environmental Planning Policy (Western Sydney Employment Area) 2009 (WSEA SEPP) identifies the need to consider the effect of the proposed development on the existing and likely amenity of adjoining properties.*	Subclause 33H(3)(d) is in relation to existing and likely amenity impacts on adjoining properties as a result of earthworks. This was considered in the previous iteration of Submissions issued. Notwithstanding, the earthworks (cut and fill) requirements of the Site are considered to be required to facilitate suitable levels across the Site which adhere to flooding requirements to allow

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		for future built form and for the site to drain as discussed in the submitted Civil Engineering Report. It is considered that all surrounding sites subject to future Applications will be required to undertake earthworks to the exact (if not very similar) and precise levels, for which the Subject Site has proposed. Accordingly, Clause 33H(3)(d) of SEPP (WSEA) 2009 is considered to have been satisfactorily addressed as part of the Proposal. Further, adequate landscaping has been provided within estate design to effectively screen retaining walls and warehouse buildings as demonstrated in the Visual Impact Assessment provided by Geoscapes.
5.	*The southern boundary adjoins industrial and an RE1 public recreation zone. A retaining wall up to 3.2m is proposed along the southern boundary of the development, which would compromise the amenity of the RE1 land.* *Consideration should be given to reducing the height of the retaining wall where possible, setting the retaining wall back from the property boundary to allow for landscaping and tree canopy and stepping the retaining wall with sufficient deep soil zones for landscaping.*	The height of filling is required to facilitate stormwater drainage, detention and water quality; however, to reduce impacts to the south a 3m landscape screening approach has been implemented in front of the retaining walls which will allow for mature trees and vegetation to screen the retaining wall. A further 2 m has been provided at the top of the wall to screen the building toward the south. This is consistent with the submitted Civil Engineering Drawings submitted as part of the RtS submission. Reference to Section C-C on the revised Landscape Plans detailed in **Appendix 7** of this Submission illustrates where Habit8 has updated Section C-C demonstrating adequate screening of the 3 m retaining walls along the southern boundary of the Site.
6.	*The Applicant could consider a batter and multi-benched retaining system within a 5m 'flex zone'. The flex zone would treat the interface according to the topographical falls on the site (rather than a fixed, one approach retainer across the extensive southern border). A multi-benched retaining system which sets back the additional height away from the property boundary into*	As detailed above and provided in **Appendix 7**, a multi benched retaining system has been designed and allowed for in the civil plans. This item is now considered closed out. Sections 1-6 of Civil Engineering Drawings provided in the last iteration accurately demonstrate the benched retaining system proposed.

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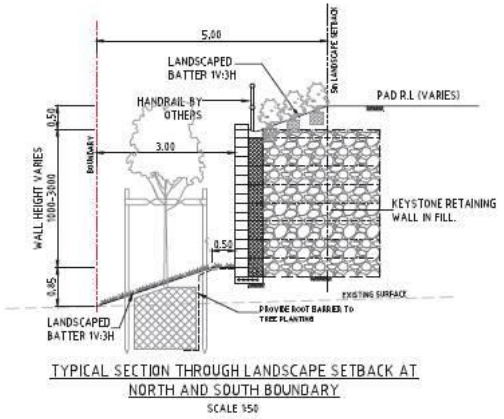
	the flex zone could be used where a retaining wall of greater than 1m is required. This approach would allow shadows to be minimised to RE1 and any paths to the south of the development, the preservation of deep soil planting and flexibility to be built into the scheme. Further, the development hardstand would be responsive to the topography. A sketch is provided for discussion (below).	The civil engineering (previously provided) and landscape plans (refer to **Appendix 7** of this Submission) demonstrate the Proponents have included provisions for a tiered screening approach as demonstrated below.  TYPICAL SECTION THROUGH LANDSCAPE SETBACK AT NORTH AND SOUTH BOUNDARY SCALE 1:50
7.	*It is requested the fence line in the Landscape Plan Section C-C (Appendix 10) be set back into the site, rather than locating it against the property line.*	Habit8 drawing set in **Appendix 7** of this Submission has been updated in Section C-C as requested.
8.	*The setbacks identified in the engineering drawings (Appendix 12) which allow for a 5m landscaping zone are supported as it would allow for a flex zone where the 5-6m setback would be relative to the height of any retaining wall. It is noted the engineering solution described in the Civil Engineering Report (Appendix 12) presents a tall retaining wall 3m in height. However, the setback shown here is supported.*	Noted and agreed. Reference to Section C-C on the revised Landscape Plans detailed in **Appendix 7** of this Submission illustrates where Habit8 has updated Section C-C demonstrating adequate screening of the 3 m retaining walls along the southern boundary of the Site.
Construction:		
9.	*Construction timing and cumulative impacts – The RtS indicates the development would consist of a two-staged subdivision, construction, fit-out*	In accordance with the varied subdivision, construction and operational stages of the Proposed Development, the below mentioned items contain indicative

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	and operation of eight warehouses for ten tenancies. However, further clarification is requested on the order, duration of the sequences, overall duration and the resulting cumulative impacts. For example, clarification is sought on whether the intersection upgrade works will be undertaken at the same time as the bulk earthworks, civil works or the construction of the warehouse buildings. It is noted that Section 2.2 of the Construction Noise and Vibration Management Plan (Appendix 20) states that earthworks are expected to occur over 20 weeks and the overall period of works is estimated to be 24 months, however this is not included in the RtS report's description of the development.	timeframes, for which the Proposed Development would be undertaken. Given the flexibility required for various stages, specific plans have not been prepared. The anticipated timeframes include: ▪ Stage 1 Subdivision – expected 3 months following Development Consent. ▪ Bulk earthworks – expected 12-18 months depending on staging. Progressively and concurrently with internal estate civil works. Starts 4-12 weeks after approval. ▪ Sequence 1A road works – expected 6 months. Starts 12 months after approval. ▪ Sequence 1B road works – expected 6 months but not concurrently. Completion of Sequence 1A is required first prior to continuing with Sequence 1B. ▪ Internal Estate Civil Works – expected 12-18 months depending on staging. Progressively and concurrently with internal bulk earthworks. ▪ Warehouse building construction – expected 9-12 months per building (overall completion over 36 months). ▪ Stage 2 Subdivision – progressively over 36 months based on a building by building basis.
10.	*Appendix 16 Traffic Impact Assessment (TIA) – Related to the previous item, further information is requested on the predicted construction traffic volumes. Clarification is requested on whether the TIA considers the cumulative construction traffic associated with bulk earthworks, civil works, the interim Mamre Road/Bakers Lane intersection upgrade and warehouse building construction and the impact on the safety and efficiency of Mamre Road and Bakers Lane. Furthermore, the following assumption in the TIA does not appear to consider that the intersection upgrade will not be undertaken prior to commencement of construction:*	It is noted, that the Construction Traffic Management Plan (CTMP) considers all construction traffic anticipated to be generated as a result of the Proposed Development, which is noted to be separate to the operational traffic as a result of building completion as confirmed within the TIA prepared by Ason Group. Additionally, the existing access arrangements can satisfactorily facilitate appropriate access and traffic generation as a result of the construction phase of the Proposal, for which the Sequence 1A intersection works would not be required for this part of the Proposal.

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	Importantly, the construction traffic volumes are expected to be lower than the volumes anticipated for the SSDA once it becomes operational. Therefore, recognising that the key intersection is anticipated to perform satisfactorily once the Proposal is completed, it can be assumed that the intersection would satisfactorily accommodate the lower volumes of construction traffic.	Accordingly, it is considered that this item can be appropriately managed as a Condition of Consent by virtue of the CTMP to be approved by TfNSW and implemented for the Proposed Development as a post-approval requirement.
11.	*Appendix 18 Air Quality Impact Assessment (AQIA) – Section 2.3.1 states construction would involve 'demolition of existing structures, bulk earthworks (cut and fill), building and construction of new roads, pavements, services and hardstand, and construction of buildings, fit-out and commissioning.' Confirmation is sought on whether the AQIA includes the potential impacts associated with the Mamre Road/Bakers Lane intersection works.*	This can be appropriately managed under the Construction Environmental Management Plan (CEMP) to be implemented for the construction phase of the Proposed Development. The AQIA included an assessment of the construction phase of the Proposal, for which all feasible and reasonable planned management and mitigation measures would be implemented accordingly to satisfactorily manage the air quality across the Site.
	Appendix 20 Construction Noise and Vibration Management Plan – The description of the proposal in Section 2.2 should include road construction and interim intersection works.	Noted and agreed. The Construction Noise and Vibration Management Plan (CNVMP) can be amended and conditioned accordingly to include the road construction and interim intersection works as part of the finalised CNVMP prior to the issue of the relevant Construction Certificate.
General:		
12.	*Appendix 19 Noise Impact Assessment (NIA) – Section 11.2 shows a 3m noise wall. The noise wall should also be shown on the landscape plans and civil plans.*	The Landscape Plans prepared by Habit8 in **Appendix 7** of this Submission have been updated in Section C-C as requested. The noise wall is an acoustic requirement and not part of a Civil Engineering detail, for which it has not been included as part of the Submission response.
13.	*Appendix 11 Visual Impact Assessment (VIA) – VP 7 and VP 9 do not demonstrate the visual impact of the large retaining walls along the western and southern boundaries of the site, which appear to range from 3.8 to 5.6 m high. Further assessment of the visual impact of these retaining walls is required.*	It is noted that all potential visual impacts have been previously considered within the Landscape and Visual Impact Assessment prepared by Geoscapes whereby the Proposal would result in minor visual impacts. There are generally no retaining walls proposed along the western boundaries (other than small walls within the biobasin structures) – noting only batters have been proposed along the western boundary and not a retaining wall, as demonstrated within the Civil Engineering Drawings prepared by Costin Roe Consulting.

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		With respect to Viewpoint 9, to reduce potential visual impacts towards the southern interface, a 3 m landscape screening approach is proposed to be implemented in front of the retaining walls which will allow for mature trees and vegetation to screen the retaining wall. A further 2 m landscaping setback has been designated at the top of the retaining wall to screen the buildings proposed toward the south. Further consideration with respect to potential visual impacts concerning Viewpoints 7 and 9 are not considered to be required. Reference to Section C-C on the revised Landscape Plans detailed in **Appendix 7** of this Submission illustrates where Habit8 has updated Section C-C demonstrating adequate screening of the 3 m retaining walls along the southern boundary of the Site.
14.	*Site Specific Development Control Plan (DCP) – Clarify whether it is intended for the site specific DCP to apply to the areas of the site that are not subject to warehouse building development under this application. If this is the case, specify the mechanism to be relied upon for this to occur.*	The proposed SSD 9522 Development Control Plan 2020 would apply to the portion of the Site zoned IN1 General Industrial pursuant to the provisions of SEPP (WSEA) 2009. The RE1 Public Recreation and RE2 Private Recreation zoned land would be subject to the development controls pertaining to the future Mamre Road Precinct DCP currently being drafted by the NSW DPIE. Further consideration is not considered to be required in this respect.
15.	*Subdivision – Justification is required for the proposed subdivision of the recreation lots and the lots to remain undeveloped adjacent to South Creek.*	As previously documented, there is no built form proposed on the portion of the Site zoned RE1 Public Recreation and RE2 Private Recreation. Accordingly, these proposed allotments have been sequentially proposed to reflect the zoning arrangement and boundaries of both the RE1 and RE2 zones respectively. The Proponent's would be amenable to a Condition of Consent to amalgamate the western portion of the Site to just one (1) allotment should this be required – for which, a revised Subdivision Plan would form a post-approval requirement.

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16.	*Subdivision plans – It is requested that all easements and/or restrictions or public positive covenants required for the both the Stage 1 and Stage 2 subdivision are indicated on the subdivision plans.*	It is considered that this can be conditioned accordingly, prior to the issue of the relevant Subdivision Certificates.

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
Plan of Subdivision – RE1 & RE2 Zoned Land		
17.	*The amended proposal seeks the subdivision of the RE1 zoned land to separate it from the RE2 zoned land. This is of concern as the intended form and function of the RE1 zoned land separate from the RE2 zoned land is not yet known. The proposal sets up for severance of a connected open space corridor by virtue of separate lot creation. While the creation of Lot 14 in isolation is likely necessary due to the existing severance of the crown road and LRS registration requirements, it is recommended that Lot 15, 16 and 17 be amalgamated into a single allotment until such time as more detailed master planning is progressed for this part of the site, to better understand the intended ownership, embellishment and use of the entire open space corridor. It is noted that this could be addresses as a condition of consent.*	Noted and agreed.
18.	*Council has also previously requested detail from DPIE on what use is intended for the RE2 zoned land, as well as how connectivity between the public recreation lands to the north and south would be preserved. It is requested that any future use on the RE2 zoned land maintain north south public connectivity.*	Future land uses would be subject to a separate Development Application, for which development permitted with consent in accordance with the provisions of the RE2 Private Recreation zone under SEPP (WSEA) 2009 would be applied.
Freight Corridor Alignment		
19.	*The proposed plan of subdivision identifies a possible freight corridor alignment to the immediate north of the site, with a nil boundary setback proposed from the car parking an manoeuvring areas to the identified corridor.* *It was understood that the rail corridor was expected to be between 60-80m in width, which would suggest that the identified corridor width and resulting spatial arrangement adjoining the indicated corridor may not be sufficient. Any future or planned adjustments in the corridor alignment will have implications on the spatial arrangement of the development and parking car arrangements on Proposed Lot 1 and 2. It is recommended that the corridor alignment and associated corridor width be confirmed and agreed to by the relevant stakeholders.*	Prior consultation has been undertaken with both the NSW DPIE and TfNSW to confirm the width of the Western Sydney Freight Line Corridor. Further consideration with respect to this Submission item is not considered to be required as the revised Masterplan reflects the outcomes of all consultation undertaken to date. Further TfNSW has not raised any objections to the Masterplan proposed

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Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
Subdivision Master Plan – Section A-A Road Indications		
20.	*The amended Subdivision Master Plan provides a Section A-A which implies that a road reservation is intended between the bio-basin lot and RE1 zoned land. The plan of subdivision however does not identify a road in this location and the verge widths as indicated in the Section Drawing are of concern. Section A-A on this plan should be deleted from the Subdivision Master Plan as it is assumed to be in error.*	Noted and agreed. Section A-A has been removed to rectify any inconsistency caused in the previous iteration (refer to **Appendix 3** & **4**).
Water Quality and Quantity Management Matters		
21.	*The proposed amended Stage 2 plan of subdivision now proposes Lot 11, Lot 12 and Lot 13 as separate lots for bio-basins which are outside the RE1 zoned land. Council supports the retention of private infrastructure within the development (and not within RE1 zoned land) as Council has not accepted any suggestion for dedication of private water management infrastructure. In conflict with the plans however, the amended Civil Design report still makes numerous references to Council taking on asset ownership and management through dedication which should be rectified.*	It is noted, that the basins in their current configuration will be owned by the Proponent and not by Council. Further consideration is not considered to be warranted in this respect.
22.	*It must also be noted that the development site is located within the Mamre Road Precinct Structure Plan. The NSW DPIE's 'Mamre Road Precinct Finalisation Report' dated June 2020, Section 4.1.2.4 Drainage Land states:* *"As part of precinct planning, Sydney Water are working on a Water Cycle Management Report that will inform the preparation of the precinct wide DCP. This has included a review of the drainage land and analysis of required regional drainage areas. It has been concluded that no land will be zoned SP2 Drainage. Land will however, be identified within the precinct wide DCP for drainage purposes. This will enable greater flexibility in the delivery of drainage requirement throughout the precinct, including by individual developments, without placing the burden of delivery and funding on Council. A draft DCP will be exhibited in the second half of 2020, for*	Noted.

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	comment. This approach is similar to the drainage approach undertaken within the Erskine Park DCP."	
23.	*The Civil Engineering Report by Costin Roe Consulting, reference 13362.00, revision D, dated 3 August 2020 (section 6.1) states that the proposed development sites will not require any lot specific treatment systems due to the estate wide management systems proposed. It recommended that all water quality and water quantity treatment be undertaken upon individual lots rather than the proposed two estate basins as proposed, given the financial burdens that are placed upon the intended owner of the basins through the future maintenance and upkeep of such basins. If estate basins are to be incorporated / retained as proposed, the Civil Design Report will need to outline how the basin infrastructure is to be managed and maintained in perpetuity. The management and maintenance obligations associated with these basins requires clarification as a community title subdivision would ensure the infrastructure could be contained in a community association allotment. If the proposal is maintained as a torrens title subdivision, easements, restrictions and positive covenants would need to be registered that address legal rights to drain into the lots and include security of management and maintenance obligations in perpetuity on the burdened lots.*	The proposed basins will be managed through Community Title, for which a separate operations and maintenance plan will be provided as part of the post-approval documentation, subject to Development Consent being granted. Additionally, the Civil Engineering Report and Drawings issued as part of the RtS included a maintenance schedule in Section 8.5 (Table 8.5). Further consideration is not considered to be warranted in this respect.
24.	*In addition to the question of management and maintenance, the following points are also raised for consideration in the further assessment of the application if the basin arrangement as proposed is retained:-* ▪ *The Water Reuse commitments only include a 100kL tank on each lot plus a commitment to meet non potable by 80%. There are opportunities to increase this through passive irrigation of street trees and landscaping which could be addressed through conditions of consent.*	A MUSIC Model was submitted that demonstrates non-potable water reuse will be adopted on-site to satisfy landscaping irrigation requirements, for which the rainwater tanks will be sized accordingly. Private rainwater tanks and supply connections to public street trees poses public liability issues and is not supported. Tree retention pits have been proposed by Council for the Precinct to ensure street trees are adequately watered. Further consideration is not considered to be warranted in this respect.

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Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
25.	▪ *As proposed in the Civil Engineering Report, the stormwater treatment will be managed with the use of 2 large precinct style bioretention systems, with a filter area sized at 4,900m^2 and 1,500m^2. Each basin will be pre-treated with a CDS gross pollutant trap (GPT), located upstream of each of the stormwater management basins. There is potential benefit to provide additional treatment on the proposed lots as well as the two communal basins which is understood to be a provision within the Precinct Plan. This could also be addressed through conditions of consent.*	Additional Stormwater Treatment Measures (STMs) are not considered to be warranted as compliance is achieved with Council's targeted stormwater management outcomes with respect to the WSUD Strategy proposed across the Site under this SSD Application. Further consideration is not considered to be warranted in this respect.
26.	▪ *The proposed bioretention basin will also have capacity for OSD as no on-lot OSD is proposed. In larger storm events, the basins will be designed to store stormwater at depths up to 1.2m above the filter media. While this is an improvement on the earlier versions of the strategy, Council's Waterways Team has raised concern with design approach and have suggested that the systems should be reconfigured to ensure that maximum extended depths are minimized so that plantings as part of the biofiltration are not inundated / submerged.*	Any damage to basin vegetation resulting from temporary storage of water will be reinstated at the developers cost in accordance with the operations and maintenance schedule identified within the Civil Engineering Report and Drawings issued as part of the RtS. Further consideration is not considered to be warranted in this respect.
	▪ *There are also concerns raised with the ability to physically access and maintain the basins. It is however appreciated that these aspects could potentially be addressed through a detailed water quality management and maintenance plan. If this was conditioned, it is requested that engagement with Council's Environmental Management – Waterways Team be included within the condition that requires engagement prior to finalization and approval of any management plan.*	It is anticipated that this item can be conditioned accordingly to allow for the future engagement with Council's Environmental Management – Waterways Team prior to the finalisation and approval of any management plan.
27.	▪ *The proposed methodology for the construction of the bioretention systems is to utilise a protective layer of geofabric until the development is finalized. In this regard, it is suggested that the*	Noted and agreed.

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Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	bioretention systems be kept as sediment basins until a minimum of 90% the catchment they serve is developed. This is recommended to be addressed through conditions of consent and restrictions on title. This approach has been imposed by Council on a number of other subdivision developments where the bio-filtration intent of the basins should not be enacted until the erosion and sedimentation functions are close to completion.	
Wastewater Management:		
28.	*The preferred servicing strategy for wastewater by both Altis/Frasers and Sydney Water is a reticulation gravity network to a single temporary pump out point with connection to sewer main to future Upper South Creek Wastewater Recycling Plant (pump out point would be removed). The approval and operation of this system would be under consent from Sydney Water and comments from Sydney Water on this aspect should be secured prior to determination.*	All wastewater management pertaining to the Proposal has been previously addressed with the NSW DPIE and Sydney Water for which Sydney Water's conditions have been agreed to as per **Table 9** outlined below. Further consideration is not considered to be warranted in this respect.
Biodiversity Matters:		
29.	*The proposal is understood to seek the retention of riparian vegetation via an onsite Stewardship Agreement. Should this aspect not be supported, an alternate mechanism to protect this vegetation in perpetuity must be established.* *The Environmental Construction Management Plan should also include the following:-* ▪ *Ensure appropriate timing of pre-clearance and dam de-watering protocols to allow for the timely execution of these actions.* ▪ *In the interests of preparedness, the plan should include prior notification and involvement of qualified wildlife carer organisations such as WIRES.*	Noted and agreed.

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Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	▪ *The Ecologists plan for managing affected protected fauna.* ▪ *Soft felling of hollow bearing trees is encouraged-this should be progressed as a standard requirement.* ▪ *Consideration of the re-use of materials associated with vegetation clearing.* ▪ *Inclusion of notifications and adaptive management, should any threatened species be identified during works.*	
Strategic Planning Considerations:		
30.	*i) Infrastructure Contributions and Infrastructure Delivery* *Local infrastructure contributions should be a requirement for a development of this scale. While it is understood that discussions have occurred between the Department and applicant around a potential VPA or works in kind agreement, discussions with Council on local infrastructure contributions do not appear to have occurred at this stage. It is therefore requested that the Department ensure that a mechanism for local infrastructure contribution collection is in place and addressed in conditions of any consent, prior to determination of the application.* *It is also requested that the Department engage with Council's City Planning – Contributions Team to advise of the planned local infrastructure arrangements and contribution planning mechanisms prior to determination of the application. Without adequate understanding of the contributions and infrastructure framework to be established for this precinct, there may be additional matters which need to be funded and delivered by Council which may not have not been addressed in the VPA or WIK negotiations to date.* *DPIE has also indicated in the past, that Council is to assume responsibility for local open space, which includes some of the RE1 space on this site (refer to page 6 of the Mamre Road Precinct Finalisation Report which suggests*	It is noted, that Council have a Section 7.12 Contribution Plan that applies over the area, which will apply to the Estate proposed under this SSD Application with respect to local infrastructure contributions. Notwithstanding, additional local infrastructure contributions are not considered to be warranted due to the Proponents facilitating the future road and stormwater management systems for the Estate, including the ongoing maintenance schedules associated with these built outcomes. Furthermore, a VPA has been prepared which considers the regional road infrastructure upgrades required to be undertaken as a result of the Proposed Development.

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Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	this). What is unclear from the documentation submitted is whether district open space delivery on this site is being planned for as part of the ultimate subdivision scenario. It is requested that this be confirmed as part of the assessment of this application.	
31.	*ii) Implications of Draft Development Control Plan* *The Draft Mamre Road DCP is expected to be released for consultation imminently and it will be important to consider that the development and exhibition of the precinct wide DCP may affect the current proposal (re layout, setbacks, envelope controls, etc). If the draft DCP is on exhibition or has been exhibited prior to the determination of the application, it is requested that the Department ensure that this proposal is assessed fully against the draft policy for consistency. There is also concern that if the proposal is approved ahead of the Draft DCP being made available, then the objectives and deliverables identified in the Draft DCP will not be able to be realised, which will undermine the ability to secure those outcomes within the remainder of the Precinct.*	Given the nature of the Proposed Development it has been previously agreed that the Site will be subject to a site-specific DCP, for which the SSD 9522 DCP 2020 has been drafted and considered as part of this SSD Application pertaining to the IN1 General Industrial zoned land on the Subject Site. The draft Mamre Road DCP will apply to the RE1 and RE2 zoned land once it has come into effect.
32.	*iii) Road Design and Access* *The Department is requested to confirm that the proposed road network, and road typologies aligns with the work that DPIE is doing in regards to traffic network for the Mamre Road DCP. If the network / typologies do not align with the work being undertaken by DPIE, then the proposal needs to be amended to comply.* *It must also be confirmed that connectivity would be maintained across the crown reserve between Lots 14 and 15, once this area is made publicly accessible.* *Further, noting that Mamre Road is likely to be used for public transport*	All comments provided by the NSW DPIE (Melissa Rassack) email on 28 July 2020 have been considered as part of the Proposed Development and have been responded to in the letter by Ason Group dated 4 September 2020. (appendix xxxx) The crown road reserve has since been gazetted for which the gazettal documentation was issued as part of the previous RtS package ameliorating this concern in accordance with the Masterplan proposed for the Site. Public transport connectivity is not required directly from east-west within the Subject Site. Public transport routes will be determined in the future and utilised where deemed appropriate for the Proposed Development.

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	connectivity, consideration should be given to providing pedestrian connectivity with provision for passive surveillance between the southern east-west public access road and Mamre Road (i.e. in the area of Lots 8 / 9).	
33.	*iv) Other Matters* *The following additional design matters are raised for consideration by the Department in the finalisation of the assessment:-* ▪ *Lot 4 should include measures to provide passive surveillance over the adjacent open space (Lot 14), consistent with the Principles of the Western Sydney Aerotropolis Plan regarding development facing creeks / high quality open space.*	For contextual consideration, passive surveillance is defined as being about providing the opportunity for occasional sightlines and views to the street and local neighbourhood from within the lot. Defined property boundaries and visitor access routes around the lot's exterior through the use of landscaping materials, plantings and sensor lighting. Accordingly, proposed Lot 14 already has sight lines to the access road and through the freight rail corridor. Additionally, the site layout of the building on proposed Lot 4 has been appropriately articulated to allow for passive surveillance which ties in as one of the overarching principles of Crime Prevention Through Environmental Design (CPTED). Further consideration is not considered to be required in this respect.
34.	▪ *The lots to the west of the 1:100 year flood line will be dependent on the final use outcome of the Environment and Recreation zone under the Draft Western Sydney Aerotropolis State Environmental Planning Policy.*	Noted.
35.	▪ *A service facility is shown on the site under the structure plan. It may not be relevant as part of this application, but it should be ensured that delivery of such a facility is not precluded by this application.*	This is not required for this SSD Application. Bulk earthworks are requested only. Further consideration is not considered to be required in this respect.
36.	▪ *Given the status of a number of other State Significant Development Applications currently, there should be consideration as to how this application would interrelate with others in the precinct, and how they would all tie in together. Key aspects that require a cumulative consideration are:-* o *Construction and Operational Traffic Management;*	The Proposal can exist wholly on its own without cumulatively impacting on adjoining future developments. Further consideration is not required with respect to cumulative impacts of this Proposal and future proposal's running concurrently to this.

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	○ *Water Cycle Management and Earthworks; and* ○ *Visual Impact*	
Traffic Management and Parking Design Considerations:		
37.	*As vehicular access to Mamre Road will be limited to the locations as per the Mamre Road Precinct Plan, the main internal north-south road will act as a local collector type road for the future industrial development of adjoining lands to the south. The north-south road being 'Access Road 1', 'Access Road 3' and 'Access Road 2' proposes two 'T' intersections requiring heavy vehicles to make left and right hand turns at uncontrolled intersections which is not best traffic engineering practise for a road performing a collector type function. It is Council's recommendation that the internal north-south road be a main direct link road through the precinct to the adjoining lands to the south without any 'T' intersections.*	All comments provided by the NSW DPIE (Melissa Rassack) email on 28 July 2020 have been considered as part of the Proposed Development and have been responsed to in the letter by Ason Group dated 4th September 2020 (appendix xxx). No further assessment is required
38.	*Consideration is also requested to be given to the provision of dedicated Electric Vehicle Charging Stations for at least 1% of car parking spaces and the provision for at least a further 4% of car parking spaces to be converted to Electric Vehicle Charging Stations as required in the future. This could be addressed as conditions of consent if this recommendation was supported.*	The Proponent's are amenable including provisions for 1% of the car parking spaces to be for electric vehicle charging stations, with future developments to consider potential provisions pertaining to electric vehicle charging stations. This can be managed through a condition of consent
39.	*The following conditions are also recommended to be included in any notice of determination issued:* ▪ *All vehicles are to enter and leave in a forward direction.* ▪ *Prior to the issue of any Construction Certificate, the certifying Authority shall ensure that the plans include dimensions of driveways, ramps, aisles, parking spaces, accessible parking, bicycle parking, internal and external footpaths, service vehicle manoeuvring, loading areas compliant with AS 2890, AS1428, Penrith City Council Development Control Plan 2014 (Section C10) and*	Noted and agreed.

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	Council's specifications. ▪ *Prior to the issue of any Construction Certificate the Certifying Authority shall ensure that plans include provision of at least a 1.5m wide concrete footpath from the footpath in the road frontage to the buildings principal point of entries.* ▪ *Prior to the issue of any Occupation Certificate, the Certifying Authority shall ensure that appropriate signage, visible from the public road and on-site is installed to reinforce designated vehicle circulation and to direct staff / delivery vehicle drivers / service vehicle drivers / bicyclists / accessible parking / visitors to on-site parking, delivery and service areas.* ▪ *Prior to the issue of any Construction Certificate, the Certifying Authority shall ensure that the plans include compliant sight lines and sight distances at the driveways in accordance with AS 2890.1, Figure 3.2 and Figure 3.3 and AS 2890.2 Figure 3.3 and 3.4.* ▪ *All car spaces, manoeuvring areas and loading areas are to be sealed / line marked and dedicated for the parking, manoeuvring and loading of vehicles only and not to be used for storage of products / waste materials etc.* ▪ *Prior to the issue of an Occupation Certificate, accessible parking is to be provided with accessible paths of travel to the buildings in accordance with AS 2890.6, to the satisfaction of the Certifying Authority.* ▪ *Prior to the issue of any Construction Certificate, the Certifying*	

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	Authority shall ensue that the plans include complying numbers of secure, all weather bicycle parking, end of journey facilities, change rooms, showers, lockers are to be provided at convenient locations in accordance with Council Development Control Plan C10 Section 10.7, AS 2890.3 Bicycle Facilities and Planning Guidelines for Walking and Cycling (NSW Government 2004).	
Flooding and Fill Impact Considerations		
40.	*The Mamre Road Precinct Finalisation Report' dated June 2020, Section 4.1.4 Flooding states:* *"Infrastructure NSW (INSW) is leading the South Creek Sector Review, which is a key recommendation of the 2018 State Infrastructure Strategy. The PMF is one of the considerations of the review. The outcomes of the review will inform the future DCP controls for the precinct. In addition to the above, a new flooding clause has been inserted into the WSEA SEPP, which requires a consent authority to consider of the cumulative impact of development including cut and fill. This is consistent with the Western City District Plan. Consideration of flood levels other than 1 in 100 year level are required by the Flood Plain Development Manual. It is best practice to consider the impact of greater flood events".* *The Overland Flow Report by Costin Roe Consulting, reference 13362.00, revision C, dated 3 August 2020 has adopted Penrith City Council's DCP to ensure no adverse impacts occur to upstream or downstream properties during the 1% AEP flood event. The development site has been located clear of the 1% AEP South Creek flood extents and as such, no concerns are raised in this regard.* *The development site however is proposed to be filled above the probable maximum flood (PMF) event for South Creek. The resulting fill platform is*	The Overland Flow Report prepared by Costin Roe Consulting satisfactorily considers the pre and post-development scenarios as a result of the Proposed Development, for which the development footprint is entirely outside the 1% AEP Flood Extent. The impact of the PMF event has also been extensively discussed in this report, including provision of satisfactory evacuation measures. Further consideration with respect to cumulative impacts is not considered to be required as all cumulative impacts have been previously addressed.

Table 2: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Penrith City Council (Gavin Cherry – Development Assessment Coordinator)		
	likely to result in adverse impacts to flood behaviour, for any flood event above the 1% AEP flood event. The cumulative impact of developments within the South Creek Floodplain, which involves filling up to the PMF, has not been addressed in the amended application and is a key consideration that needs to be found to be satisfactory, if the proposal is to be supportable.	

Table 3: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Environment, Energy and Science Group (Susan Harrison – Senior Team Leader Planning)		
Aboriginal Cultural Heritage (ACH)		
41.	*Please note from 1 July 2020 ACH regulation, including advice regarding SSIs and SSDs, is now managed by Heritage NSW. The new contact for the ACH regulation team is heritagemailbox@environment.nsw.gov.au.*	Noted. Refer to **Table 10** outlined below.
Biodiversity		
42.	*EES was not provided with updated shapefiles nor access to the calculator file in BOAMS, so EES comments are based purely on the new BDAR and RtS table. EES has been unable to verify that the inconsistencies between the data in the BDAR, the shapefiles and the calculator have been rectified. EES is also unable to determine if the data has been entered correctly into the calculator. It should be noted that Table 25 of the BAM (Appendix 10), for example, clearly states that the shapefiles and spatial data are required to be provided.* *Based on the above EES addresses the response to the comments made previously:* ▪ *The BDAR now appears to be assessing the proposal.* ▪ *The assessment of SAII is now correct.* ▪ *Flora surveys were conducted in accordance with OEH guidelines from 2016. That report has been replaced by guidelines issued in April 2020 after most of the surveys for this proposal were conducted, so EES is unable to determine if they were in accordance with that document. The apparent 50m+ distance between survey traverses shown in Fig. 4.1 would make it difficult to detect the less visible species. As most of the site is exotic pasture, this is only problematic in the mapped native vegetation within the subject land. It is noted, however, that there is a low likelihood of the presence of any of the identified candidate flora species.*	Ecoplanning have provided shapefiles (refer to **Appendix 9-11** of this Submission). Ecoplanning confirm that the Shapefiles were not previously able to be uploaded to BOAMs, as the tool does not accept the 'zip' file format. The BAM-C and BOAMs case have since been submitted through the tool: ▪ BOAMS case number: 00010965 ▪ BAM ID Calculator ID: 00010965/BAAS17012/18/00010966 With respect to items 1-3 in the adjoining column EES Group's comments are noted. Furthermore, Ecoplanning note, that the targeted flora surveys followed the published guidelines at the time the surveys were undertaken. As confirmed, the April 2020 Guidelines were released following the Submission of this SSD Application, thus the survey could not adhere to such Guidelines. Notwithstanding, Ecoplanning have reviewed the updated survey guidelines, for which the vegetation within the Subject Site is not considered suitable habitat under Section 3.3 of the 2020 Guidelines. Consequently, the methodology and intensity of the survey is considered to be adequate.

43.	*The only critical matter is the identification of PCTs as misidentification of PCT 849 as PCT 835 will result in both lower credit requirements and lower credit prices. The tabulated data in Appendix C of the BDAR is difficult to review as it is not in excel format, as required by the BAM.*	The tabulated data provided in Appendix C of the BDAR has been provided in **Appendix 9-11** of this Submission, which it has been updated with the BOAMs for consistency and completeness of this Submission. Further consideration is not considered to be warranted in this respect.
Flooding		
44.	*The report addresses flooding for the proposed development and its immediate adjacent areas, as a result, the impact of the development on flooding appears negligible for all flood events up to the PMF events. Appendix B shows the model outputs maps for developed condition, which shows that filling in the site is almost up to the PMF.*	Noted.
45.	*It should be noted that the planning proposal is in part of the South Creek Catchment and the whole catchment is subject to future development. The cumulative impacts due to changes in land use patterns and associated infrastructure within South Creek catchment should be considered. The development boundary proposed to be outside the 1% AEP, however the 1% AEP extent is not a static fixed line in nature, it is likely to be altered overtime due to the cumulative development within the South Creek catchment. Therefore, adopting a 1% AEP extent, which is a non-static line, as the boundary of the development will not ensure the precinct is not impacted by the 1% AEP. The South Creek Flood projects currently being undertaken under Stage 2 of South Creek Sector Review are considering the ultimate development scenario and associated developed flood behaviour which should guide decision on the next phase of planning for this State significant development (SSD 9522).*	The Overland Flow Report prepared by Costin Roe Consulting satisfactorily considers the pre and post-development scenarios as a result of the Proposed Development, for which the development footprint is entirely outside the 1% AEP Flood Extent. Further consideration with respect to cumulative impacts is not considered to be required as all cumulative impacts have been previously addressed.

Table 4: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Endeavour Energy (Cornelis Duba – Development Application Specialist)		
Network Capacity / Connection		
46.	*Endeavour Energy's Asset Planning and Performance Branch has reviewed the Planning Report and Service Infrastructure Assessment and provided the following advice:* *This application for connection of load for the ALTIS development is being dealt with under urban industrial subdivision UIS0849. A Method of Supply (MOS) has been for the first 11,000 volt / 11 kilovolt (kV) using part overhead and part underground from Mamre Zone Substation (ZS) (located at 8 John Morphett Place Erskine Park) to provide initial supply of up to 3.0 megavolt amperes (MVA) capacity.* *Endeavour Energy have previously advised ALTIS that they will need a new 22,000 volt / 22 kV feeder from South Erskine Park ZS (located in the Oakdale Industrial Development Area) when it is available from late October 2022. This 22 kV feeder will need to cross-feeder tie into the Mirvac 22 kV feeder on the opposite side of Mamre Road in a suitable location to be determined by Endeavour Energy.* *The first 11 kV feeder into UIS0849 being installed from Mamre ZS will be retained to permanently supply only up to 3.0 MVA in the northern triangle portion above the Sydney Water Pipelines but will also cross-zone tie into the new 22 kV ALTIS feeder via a 3 MVA 11 / 22 kV auto-transformer at a suitable location to be determined by Endeavour Energy subject to ensuring no more than 3 MVA can be supplied from the auto-transformer in either direction. An easement will be required to accommodate this auto-transformer where it is required, some padmount substation / warehouse locations may be requested as double width / twin transformer padmount substation easements to allow for future establishment of the auto-transformer once the best location for this is determined.* *The planned 132,000 volt / 132 kV Aerotropolis feeder from South Erskine Park ZS to Bringelly ZS (located at 30 Greendale Road Bringelly), is proposed to follow the*	Noted and agreed.

Table 4: Response Matrix

No.	Relevant Agency Response to Submissions	Formalised Response
Endeavour Energy (Cornelis Duba – Development Application Specialist)		
	Bakers Lane road reserve in likely overhead construction and continues to Luddenham Road, Adams Road and The Northern Road.	
Bushfire		
47.	*Endeavour Energy has noted that the Bushfire Assessment Report indicates that the 'Council's Bushfire Prone Land Map shows that the site is classified as bushfire prone land with Category 2 vegetation located within the site'. Whilst the reports provides an assessment of the site having regards to NSW Rural Fire Service 'Planning for Bush Fire Protection 2019' (PBP) it does not appear to electricity services.* *Although industrial uses are not covered by Chapters 5 to 7 PBP, the aim and objectives of PBP still need to be considered and a suitable package of bush fire protection measures should be proposed commensurate with the assessed level of risk to the development. PBP provides the following advice regarding electricity services:* **5.3.3 Services – Water, electricity and gas** **Intent of measures**: *to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.* **Table 5.3c** Performance criteria and acceptable solutions for water, electricity and gas services for residential and rural residential subdivisions. **PERFORMANCE CRITERIA** / **ACCEPTABLE SOLUTIONS** The intent may be achieved where: ELECTRICITY SERVICES › location of electricity services limits the possibility of ignition of surrounding bush land or the fabric of buildings. › where practicable, electrical transmission lines are underground; › where overhead, electrical transmission lines are proposed as follows: › lines are installed with short pole spacing of 30m, unless crossing gullies, gorges or riparian areas; and › no part of a tree is closer to a power line than the distance set out in ISSC3 *Guideline for Managing Vegetation Near Power Lines*.	Noted and agreed.

Table 4: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Endeavour Energy (Cornelis Duba – Development Application Specialist)		
	The following extract of Endeavour Energy's Company Policy 9.1.1 Bushfire Risk Management: **9.1.1 BUSHFIRE RISK MANAGEMENT** **1.0 POLICY STATEMENT** The company is committed to the application of prudent asset management strategies to reduce the risk of bushfires caused by network assets and aerial consumer mains to as low as reasonably practicable (ALARP) level. The company is also committed to mitigating, the associated risk to network assets and customer supply reliability during times of bushfire whilst achieving practical safety, reliability, quality of supply, efficient investment and environmental outcomes. The company is committed to compliance with relevant acts, regulations and codes. *Accordingly, the electricity network required to service the proposed development must be fit for purpose and meet the technical specifications, design, construction and commissioning standards based on Endeavour Energy's risk assessment associated with the implementation and use of the network connection / infrastructure for a bushfire prone site. In assessing bushfire risk, Endeavour Energy has traditionally focused on the likelihood of its network starting a bushfire, which is a function of the condition of the network. Risk control has focus on reducing the likelihood of fire ignition by implementing good design and maintenance practices. However the potential impact of a bushfire on its electricity infrastructure and the safety risks associated with the loss of electricity supply are also considered.*	

Table 5: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Western Sydney Planning Partnership (Kye Sanderson – Senior Planner, Aerotropolis)		
48.	*The Western Sydney Planning Partnership does not have any further specific comment in the RtS Report.*	Noted and agreed.
49.	*It is recommended that you ensure that airport safeguarding provisions as contained in the Western Sydney Employment Area SEPP are complied with (linked below) https://www.legislation.nsw.gov.au/#/view/EPI/2009/413/part6/cl33f*	Noted and agreed.

Table 6: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Fire and Rescue NSW (Brendan M. Hurley – Fire Safety)		
50.	*FRNSW reaffirm previous correspondence dated 21st of June, 2019 which requests the following:* ▪ *That each proposed warehouse building of the subject development is served by required fire systems that are independent of one another.*	Noted and agreed.
51.	▪ *That the certifying authority be required to make specific assessment and determination as to the applicability of Clauses E1.10 and E2.3 of Volume One of the relevant National Construction Code when considering future applications for construction certificates pertaining to fit out of the subject warehouses by prospective warehouse tenants.*	Noted and agreed.
52.	▪ *Where the future applicability of either Clause E1.10 or E2.3 of Volume One of the relevant National Construction Code is affirmed, that the certifier be required to seek FRNSW concurrence of any additional provisions that are proposed to be implemented to satisfy the requirements of either Clause E1.10 or E2.3.*	Noted and agreed.
53.	▪ *Road widths and turning circles, bends and roundabouts, are provided compliant with FRNSW policy No. 4 – Guidelines for Emergency Vehicle Access (link provided). http://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/vehicle_access.pdf*	Noted and agreed.
54.	▪ *Pursuant to Clause 142 of the Local Government (General) Regulation 2005 (the Regulation), and to ensure that a ready supply of water is available to first responders for the purpose of extinguishing fires, that the development's water supply main incorporates fire hydrants installed in accordance with the requirements of the Regulation.*	Noted and agreed.

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
55.	*1. The intersection of Bakers Lane and Mamre Road in the sequence 1A & 1B is not consistent with the ultimate TfNSW design for the intersection of Southern Link Road (SLR) and Mamre Road. The preliminary information provided for review by Altis/Fraser in March 2020 by Costin Roe Consulting provided the following intersection sequences:* *a. Sequence 1A has alignment with current Bakers Lane alignment.* *b. Sequence 1B has alignment matching current Bakers Lane alignment but widened to be consistent with the Mamre Road upgrade width and wide medians.* *c. Sequence 2 has the alignment with proposed SLR and Mamre Road alignment.* *d. Sequence 3 appears to be ultimate design with SLR continuing west through the development.* *Recent designs for Sequence 1A & 1B provided by MUGroup on behalf of Fraser Property Group indicate that there is a departure from the abovementioned alignment of the wider medians required to be consistent with the Mamre Road upgrade. TfNSW provided further comments in letter dated 22 July 2020 see Attachment A – TfNSW letter on this matter indicating concerns with the proposed changes for the applicant to consider. TfNSW is currently assessing further updated documentation in response to this letter from the applicant.* *<u>Recommendation</u>* *The signal designs being presented in the development application should be consistent with plans being discussed with TfNSW to ensure that the approved development application design meets TfNSW requirements. It is recommended that further refinement and clarification of the abovementioned sequences are undertaken to ensure that the concept plans meet TfNSW*	The concept designs prepared by Costin Roe Consulting adopted the anticipated chronological sequence of design/construction/operation based on the ultimate RMS (now TfNSW) Mamre Road road corridor. This is to demonstrate that each sequence of roadworks is feasible and can be integrated with and into the Applicant's proposed Estate road access arrangements and configuration. The strategic design prepared by MU Group is noted to be the commencement of the detailed design work with respect to Sequence 1A and 1B. Whilst undertaking the design it became apparent that TfNSW has not completed their acquisition of the Mamre Road road corridor, specifically for the Mamre Road road frontage at the property on the South Eastern corner of the Mamre Road/Bakers Lane intersection (Lot 1 DP 1018318 being 706-752 Mamre Road). Accordingly, the strategic design was modified to be based on the existing road corridor. This has caused the need for the median between the north and south bound carriageways to be altered. The strategic design by MU Group is a safe and efficient design, being compliant with the relevant standards, based on the available and existing Mamre Road road corridor. Therefore, this SSD Application can be approved noting that a safe design can be achieved for the intersection of Mamre Road/Bakers Lane until and if the Southern Link Road is constructed and either Sequence 2 or 3 roadworks proceed.

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
	requirements for a safe and efficient intersection.	
56.	*2. Furthermore the response to submissions makes reference to the design sequence plans and swept path analysis (inclusive of intersections) being included in Appendix 16. However there is no concept plans showing the designs commented on in point 2. Therefore it is difficult to determine whether the SIDRA modelling and designs are consistent.* *<u>Recommendation</u>* *TfNSW request the latest concept plans for all sequences outlined in Appendix 16, inclusive of the swept path analysis.*	Several Swept Paths Analyses were provided in the Civil Engineering Report and Drawings prepared by Costin Roe Consulting and within the Traffic Impact Assessment prepared by Ason Group, as part of the previous iteration of submissions issued. These were provided to specifically demonstrate acceptable configuration with respect to the Proposal. The swept paths that match the relevant sequences are shown in Figure 4.4-4.6. Attached are all sequences (1A/1B/2/3) with swept paths for all movements demonstrating this is achievable (refer to **Appendix 5**). This will now allow relevant conditions of consent to be provided as part of the SSD Application Instrument of Approval.
Strategic Design Relationship with TfNSW Future Plans		
57.	*1. It is noted that the MU Group Strategic Road Design for Mamre Road / Southern Link Road (SLR) differs from all other designs and is a departure from previous correspondence provided to assess this application. The following comments are provided for Altis/Frasers to consider:* *a. The design does not cater for the upgrade design ie wide medians and alignment with future SLR. This is a departure from preliminary design for the development which had alignment of Mamre Road at what appeared to be consistent with the TfNSW Mamre Road Upgrade design.*	As noted above, the concept designs prepared by Costin Roe Consulting adopted the anticipated chronological sequence of design/construction/operation based on the ultimate RMS (now TfNSW) Mamre Road road corridor. This is to demonstrate that each sequence of roadworks is feasible and can be integrated with and into the Applicant's proposed Estate road access arrangements and configuration. The strategic design prepared by MU Group is noted to be the commencement of the detailed design work with respect to Sequence 1A and 1B. Whilst undertaking the design it became apparent that TfNSW has not completed their acquisition of the Mamre Road road corridor, specifically for the Mamre Road road frontage at the property on the South Eastern corner of the Mamre Road/Bakers Lane intersection (Lot 1 DP 1018318 being 706-752 Mamre Road). Accordingly, the strategic design was modified to be based on the existing road corridor. This has caused the need for the median between the north and south bound carriageways to be altered. The

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
		strategic design by MU Group is a safe and efficient design, being compliant with the relevant standards, based on the available and existing Mamre Road road corridor. Therefore, this SSD Application can be approved noting that a safe design can be achieved for the intersection of Mamre Road/Bakers Lane until and if the Southern Link Road is constructed and either Sequence 2 or 3 roadworks proceed.
58.	*b. From the drawings from MU Group, the boundaries, especially the detailed boundary around the intersection at Bakers Lane is not consistent with the overall strategic vision design for Mamre Road and SLR. It should be noted that the boundaries previously sent were consistent with the DPIE boundaries in the Mamre Road Precinct for road reservation. It is recommended that Altis/Frasers and their designers should review the drawings and at a minimum match the road reservation boundaries.*	As above.
59.	*c. If the design presented by MU Group is constructed for Mamre Road, then the draft VPA contribution/credit will need to be re-reviewed. The calculations TfNSW provided to DPIE are based on Altis/Frasers incorporating our strategic design with wide median for future widening to 6 lane when required in the distant future. If MU Group's design is considered in its current form, the TfNSW will have to do significant rework on Mamre Road so that it is consistent with the TfNSW future overall plans. At worst case scenario, the schedule of contributions amount in the proposed VPA will need to be reviewed downwards significantly.*	This work can be completed in accordance with the schedule of infrastructure contributions associated with the VPA; however, it is noted that the Strategic Design submitted was based on the current Mamre Road road corridor. This will not prevent or delay relevant Conditions of Consent to be provided as part of the Instrument of Approval pertaining to this SSD Application.
60.	*d. The intersection which consist of Bakers Lane and Mamre Road in the design by MU Group is not consistent with the ultimate TfNSW design for the intersection SLR and Mamre Road. The preliminary information*	As noted above, the concept designs prepared by Costin Roe Consulting adopted the anticipated chronological sequence of design/construction/operation based on the ultimate RMS (now TfNSW)

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
	provided for review by Altis/Fraser in March 2020 by Costin Roe Consulting provided the following intersection sequences: *i. Sequence 1A has alignment with current Bakers Lane alignment.* *ii. Sequence 1B has alignment matching current Bakers Lane but widened to match the Mamre Road upgrade width and wide medians.* *iii. Sequence 2 has the alignment with proposed SLR and Mamre Road alignment.* *iv. Sequence 3 appears to be ultimate design with SLR continuing west through the development.* *The design by MU Group appears to be a departure from Preliminary design from Costin Roe Consulting. The new design raises questions such as, will this design only cater for Sequence 1A? Will additional design for Sequence 1B and Sequence 2 be also available for review by TfNSW?*	Mamre Road road corridor. This is to demonstrate that each sequence of roadworks is feasible and can be integrated with and into the Applicant's proposed Estate road access arrangements and configuration. The strategic design prepared by MU Group is noted to be the commencement of the detailed design work with respect to Sequence 1A and 1B. Whilst undertaking the design it became apparent that TfNSW has not completed their acquisition of the Mamre Road road corridor, specifically for the Mamre Road road frontage at the property on the South Eastern corner of the Mamre Road/Bakers Lane intersection (Lot 1 DP 1018318 being 706-752 Mamre Road). Accordingly, the strategic design has to be modified to be based on the existing road corridor. This has caused the need for the median between the north and south bound carriageways to be altered. The strategic design by MU Group is a safe and efficient design, being compliant with the relevant standards, based on the available and existing Mamre Road road corridor. Sequence 2 designs need not be presented any further under this Submission, as Sequence 2 is based on the Southern Link Road passing through Lot 1 DP1018318 being 706-752 Mamre Road, which will necessitate the relevant TfNSW acquisitions from this parcel and is a completely different design than the Sequence 1A/1B designs. Therefore, this SSD Application can be approved noting that a safe design can be achieved for the intersection of Mamre Road/Bakers Lane until and if the Southern Link Road is constructed and either Sequence 2 or 3 roadworks proceed.
61.	*2. It is unclear how the new design will cater for access to the WaterNSW Pipeline. In addition the design should ensure that protection of the pipeline is maintained. It is recommended that the proponent consults with*	The Proponent's have ensured ongoing consultation has and is continuing to be managed with WaterNSW with respect to the relevant conditional requirements provided as part of this iteration of Submissions (refer to

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
	WaterNSW to ensure that safe access is able to be achieved within the new proposed design.	**Table 9** below), including their approval of the detailed design to satisfy their requirements. This will not prevent or delay relevant conditions of consent to be provided as part of the Instrument of Approval under this SSD Application.
62.	*3. The design should take into account the Western Sydney Freight Line (WSFL). TfNSW can provide further advice on the WSFL upon request.*	This is being undertaken and will not prevent or delay relevant conditions of consent to be provided as part of the Instrument of Approval under this SSD Application.
Strategic Design – Preliminary Comments		
63.	*4. Raised medians with signal posts are required on Mamre Road, due to the wide 5 lane approaches.*	This can be included as a condition of consent to be provided as part of the SSD Application Instrument of Approval.
64.	*5. Raised medians should be considered on Bakers Lane to provide separation from heavy vehicle turning movements.*	This can be included as a condition of consent to be provided as part of the SSD Application Instrument of Approval.
65.	*6. T1 turn lines are incorrectly located and are not required for single turns.*	This can be included as a condition of consent to be provided as part of the SSD Application Instrument of Approval.
66.	*7. Swept paths for the 26 metre B-Double design vehicle per report are to be provided.*	This can be included as a condition of consent to be provided as part of the SSD Application Instrument of Approval.
Additional Modelling Comments		
67.	*8. The modelling for southbound vehicles turning right into Bakers Lane shows a maximum queue length of 216.5 metres, however the design shows a right turn bay of 200 metres. There is a safety risk with vehicles queuing in the right turn bay overflowing into the through lane if there is insufficient storage length. It is recommended that the design is updated to ensure that the maximum queue lengths can be accommodated in the design.*	As above.
Comments on the Construction Traffic Management Plan – Ason Group 2/7/2020		
68.	*1. The Construction Access 1A for the development is via Bakers Lane. In Construction Access 1B, access into the development is via a temporary access road south of Bakers Lane whilst the intersection of Bakers Lane is*	As above.

Table 7: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Transport for NSW (Pahee Rathan – Senior Land Use Assessment Coordinator)		
	reconstructed. Having an alternate temporary access south of an existing intersection is not ideal and preference is all traffic access should be maintained at Construction Access 1A.	
69.	*2. Construction Access 1B is maintained during Stage 2 of the development at the same time the intersection of Mamre Road and Bakers Lane is operational. It is recommended Construction Access 1B should be decommissioned/closed when intersection of Mamre Road and Bakers Lane is operational. Construction Access 1B is not supported during Stage 2 works.*	As above.
70.	*3. The proposed Construction Access 3 north of intersection of Mamre Road and Bakers Lane for Stage 3 is not supported when access is possible via internal road network and an operational intersection of Mamre Road and Bakers Lane.*	As above.
71.	*4. In the Construction Traffic Management Plan (CTMP), there is no indication of the turnaround location for construction traffic originating from the north. This will need to be identified as part of the assessment of the development.*	As above.

Table 8: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Sydney Water (Kristine Leitch – Growth Intelligence Manager)		
Potable Water		
72.	▪ *Limited potable water services are available in the area.*	Noted and agreed.
73.	▪ *A developer-led potable supply is being investigated to bring water from the north down Mamre Road to the Site.*	Noted and agreed.
74.	▪ *Furthermore, Sydney Water is investigating a trunk main from the south along Mamre Road, anticipated by 2023-24. We will be working with TfNSW-RMS to deliver trunk mains in Mamre Road during road upgrades, subject to funding approval.*	Noted and agreed.
75.	▪ *Developer delivered precinct trunk mains will also be required to service the precinct.*	Noted and agreed.
Wastewater		
76.	▪ *Long-term wastewater servicing for the proposed development will be provided from Sydney Water's proposed Upper South Creek Advanced Water Recycling Centre planned to be completed by 2025-26.*	Noted and agreed.
77.	▪ *Wastewater services to the proposed development may be initially staged to enable wastewater servicing from the St Marys Water Recycling Plant. This servicing should take up to two to three years to plan, design and install. This timeframe is based on formal notification to Sydney Water of the expected date of connection.*	Noted and agreed.
78.	▪ *The developer would be responsible for all costs associated with the temporary servicing.*	Noted and agreed.
79.	▪ *While options for providing wastewater servicing to the proposed development in isolation are technically viable, there is opportunity to investigate wastewater servicing options that meet the needs of the wider precinct.*	Noted and agreed.
Recycled Water		
80.	▪ *Recycled water services are being investigated for the whole of the Western Sydney Aerotropolis Growth Area (WSAGA) including within*	Noted and agreed.

Table 8: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
	this Precinct.	
81.	▪ *We are seeking information on potential recycled water demands, types of use and will provide further advice later in the year. Consideration should be given to incorporating third pipe reticulation and recycled water plumbing connections during your planning stages.*	Noted and agreed.
Stormwater		
82.	▪ *Sydney Water is collaborating with the Western Sydney Planning Partnership Office, members of Council and agencies on typologies, flood and waterway health models for the whole South Creek catchment. Consideration should be given to managing flooding and stormwater runoff quality.*	Noted and agreed.
Sydney Water Servicing		
83.	*A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.* *The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.* *Applications must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au – Plumbing, building and developing – developing – land development or telephone 13 20 92.*	Noted and agreed.
Building Plan Approval		
84.	*The approved plans must be submitted to the Sydney Water Tap in™ online services to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and / or easement, and if further requirements need to be met.*	Noted and agreed.

Table 8: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Trade Wastewater Requirements		
85.	*If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.* *The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au*	Noted and agreed.
86.	*A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.*	Noted and agreed.
87.	*If the property development is for Industrial operations, the wastewater may discharge into a sewerage area that is subject to wastewater reuse. Find out from Business Customer Services if this is applicable to your development.*	Noted and agreed.
Backflow Prevention Requirements		
88.	*Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.* *All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.* *Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.*	Noted and agreed.

Table 8: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
	Before you install a backflow prevention device: 1. *Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.* 2. *Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.* *For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: http://www.sydneywater.com.au/Plumbing/BackflowPrevention/*	
Water Efficiency Recommendations		
89.	*Water is our most precious resource and every customer can play a role in its conservation. By working together with Sydney Water, business customers are able to reduce their water consumption. This will help your business save money, improve productivity and protect the environment.* *Some water efficiency measures that can be easily implemented in your business are:* ▪ *Install water efficiency fixtures to help increase your water efficiency, refer to WELS (Water Efficiency Labelling and Standards (WELS) Scheme, http://www.waterrating.gov.au/* ▪ *Consider installing rainwater tanks to capture rainwater runoff, and reusing it, where cost effective. Refer to http://www.sydneywater.com.au/Water4Life/InYourBusiness/RWTCalculator.cfm* ▪ *Install water-monitoring devices on your meter to identify water usage patterns and leaks.*	Noted and agreed.

Table 8: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
	▪ *Develop a water efficiency plan for your business.* *It is cheaper to install water efficiency appliances while you are developing than retrofitting them later.*	
Contingency Plan Recommendations		
90.	*Under Sydney Water's customer contract Sydney Water aims to provide Business Customers with a continuous supply of clean water at a minimum pressure of 15meters head at the main tap. This is equivalent to 146.8kpa or 21.29psi to meet reasonable business usage needs.* *Sometimes Sydney Water may need to interrupt, postpone or limit the supply of water services to your property for maintenance or other reasons. These interruptions can be planned or unplanned.* *Water supply is critical to some businesses and Sydney Water will treat vulnerable customers, such as hospitals, as a high priority.* *Have you thought about a contingency plan for your business? Your Business Customer Representative will help you to develop a plan that is tailored to your business and minimises productivity losses in the event of a water service disruption.*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
Flooding		
91.	*WaterNSW notes that additional modelling and assessment has been undertaken to address flooding and overland flow concerns.*	Noted and agreed.
Stormwater Management		
92.	*WaterNSW requests that during the detailed design stage, measures must be developed ensure flooding and associated water quality and quantity risks within the Pipelines corridor are mitigated.* *Requested conditions:* ▪ *Detailed design for the development must consider and demonstrate the requirements of the WaterNSW publication 'Guidelines for development adjacent to the Upper Canal and Warragamba Pipelines' https://www.waternsw.com.au/ data/assets/pdf file/0011/55973/Guidelines-for-development-around-Warragamba-Pipelines-and-Upper-Canal.pdf*	Noted and agreed.
93.	▪ *Final levels and design of the proposal must not result in an increase in overland flow of water into the Pipelines corridor of either quantity or velocity, or a decrease in quality. The development must be designed, operated and maintained to ensure post-development flows do not exceed pre-development flows into and through the Pipelines Corridor.*	Noted and agreed.
94.	▪ *Stormwater directed to or across the Pipelines corridor is not acceptable, except at approved points of discharge for the development.*	Noted and agreed.
95.	▪ *Prior to construction commencing, the applicant is to prepare a dilapidation report identifying the condition of all infrastructure within the Pipelines corridor, from Mamre Road to South Creek, with specific attention paid to the Probable Maximum Flood (PMF)*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	level. This report is to be supplied to WaterNSW for review at least four (4) weeks prior to works commencing.	
96.	▪ *WaterNSW must be consulted should there be any impact on existing drainage structures during the works within or adjacent to the Pipelines corridor. Any impacted drainage structures must be reinstated and/or restored on completion of works at the applicant's expense, to the satisfaction of WaterNSW.*	Noted and agreed.
Dam Dewatering		
97.	*WaterNSW notes that preliminary dam dewatering works are required. The dewatering methodology should be designed and undertaken to ensure no flows are above the normal levels entering the Pipelines corridor, with specific measures incorporated into the Construction Environmental Management Plan (CEMP).* *Requested conditions:* ▪ *Water leaving the site during dam dewatering must not exceed pre-development levels.* ▪ *Dam dewatering mitigation measures are to be incorporated into the Construction Environmental Management Plan.*	Noted and agreed.
Protection of WaterNSW Infrastructure		
98.	*Site preparation and construction can pose particular risks to WaterNSW infrastructure. It is vital that WaterNSW is actively involved in the development and assessment of detailed design plans and CEMPs for relevant parts of the development including the estate-wide earthworks, infrastructure and services and construction.* *Construction Environmental Management Plan (CEMP)*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	The CEMP should consider the potential impacts to the Warragamba Pipelines corridor and include adequate mitigation measures to eliminate any risk. This includes recognising the Pipelines corridor as a critical area, with regards to Vibration Dose Values for Intermittent Vibration, and incorporating appropriate controls into the CEMP, where required.	
99.	*Water Supply options* *WaterNSW understands that the preferred water supply option for the Mamre Road Precinct is the extension and amplification of the existing Sydney Water mains from Erskine Park. The preferred extension and amplification will require the construction of a DN300 main, which provides Sydney Water with additional capacity to service other sites. WaterNSW is in preliminary discussions with Sydney Water regarding this preferred alignment and upgrade, as the new main will cross the Warragamba Pipelines corridor.*	Noted and agreed.
100.	*Utilities* *WaterNSW has concerns for the servicing of new developments that require new assets to cross the Pipelines corridor. The clearance between the road and pipelines underneath in this location is shallow compared with other road crossings, and it has not been confirmed that all services can be accommodated within the existing design.*	Noted and agreed. The design and construction methodology will be design in accordance with ongoing consultation throughout the construction phase of the Proposed Development.
101.	*Dangerous goods* *Due to the proximity of the development to state critical water supply infrastructure, WaterNSW expects notification of any combustible dangerous goods with the potential of explosion that could impact on the Pipelines corridor.*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	It is requested that future warehouse tenants on Lots 1, 2 ,3 & 4 must not exceed the storage threshold levels for dangerous good listed in "Applying SEPP 33". If exceedance of the proposed quantities (as per Appendix 15) is sought, a Preliminary Hazard Analysis would be required. Applicants are required to seek approval from WaterNSW, in relation to the risk of explosion. *Requested condition:* ▪ *Where exceedance of dangerous goods limits are sought by future tenants on lots 1 through 4, WaterNSW request the Preliminary Hazard Analysis is provided for review, to WaterNSW's satisfaction.*	
102.	*Mamre Road widening* *Additional conditions have been added below to cater for the upgrade of Mamre Road, to WaterNSW's satisfaction.* *Requested conditions:* ▪ *Prior to finalising the Construction Environmental Management Plan (CEMP), the applicant must consult with WaterNSW. The plan must include detailed procedures for managing the environmental impacts of construction, including stormwater, erosion and sediment controls, vibration, dust, and traffic management.*	Noted and agreed.
103.	▪ *WaterNSW must be provided with a copy of the final Construction Environmental Management Plan (CEMP) for estate-wide earthworks, infrastructure and services prior to works commencing, to allow for assessment of design and related works procedures and revisions as required.*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
104.	▪ *The applicant must implement all practical measures to prevent damage to WaterNSW water supply infrastructure that may result from construction or operation of the project.*	Noted and agreed.
105.	▪ *The applicant must repair, or pay all reasonable costs associated with repairing any damaged WaterNSW water supply infrastructure in a timely manner and to the satisfaction of WaterNSW.*	Noted and agreed.
106.	▪ *Stockpiles should not be placed in a position where they may interfere or otherwise impede associated WaterNSW drainage infrastructure.*	Noted and agreed.
107.	▪ *The applicant must develop a schedule for consultation with and approval by WaterNSW for the construction and widening of Mamre Road and associated utilities, over the Pipelines corridor.*	Noted and agreed.
108.	▪ *Evidence must be provided to the satisfaction of the Planning Secretary, demonstrating the design of the Mamre Road Upgrade crossing the Warragamba Pipelines corridor has been agreed with WaterNSW.*	Noted and agreed.
Erosion and Sediment Control		
109.	*It is critically important that the bulk earthworks are designed and undertaken in a manner that does not impact on the Pipelines corridor. Effective erosion and sediment control must be installed prior to any earthworks. The controls should be regularly maintained and retained until works have been completed and the ground surface stabilised or ground cover re-established.* *Requested condition:* ▪ *Erosion and sediment controls are to be designed, installed and maintained in accordance with the Blue Book, Landcom (2004) Managing Urban Stormwater: Soils and Construction.*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
Security and Fencing		
110.	*In the experience of WaterNSW, development adjacent to the Pipelines corridor has a direct correlation with an increased occurrence of security incidents. Both temporary and permanent fencing (depending on the stage of development) is required for any interface with WaterNSW land.* *Notwithstanding the proposed development is set back from the boundary, any infrastructure including footings for retaining walls must be built entirely within the development site.* *Requested conditions:* ▪ *Appropriate boundary identification (such as temporary construction fencing) must be installed prior to works commencing and must be maintained throughout the construction period.* ▪ *A fence 2.1m chain mesh plus 3 strand barbed wire on top, for a total height of 2.4m, is to be installed along the entire length of the boundary with WaterNSW, unless otherwise agreed to by WaterNSW.*	Noted and agreed.
Access Permits		
111.	*For security and safety reasons, there is no public access into the WaterNSW Pipelines corridor at any time. A written access consent will be required for the preparation of the dilapidation report and should be applied for as early as possible.* *The proponent of any works within the Pipelines corridor, or any of its contractors, may only enter WaterNSW land in accordance with an access consent issued under clause 9 of the WaterNSW Regulation 2013. Information on access permits is available on the WaterNSW website.*	Noted and agreed.

Table 10: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
Heritage NSW (Sam Higgs – Senior Team Leader – Aboriginal Cultural Heritage Regulation – North)		
112.	*1. Lot X DP 421633 within the project area should be re-surveyed after vegetation removal* *HNSW has reviewed the supplied information with respect to the effective ground surface visibility during the archaeological survey undertaken within Lot X DP 421633 by Biosis in January 2019. The ACHAR notes the visibility within this area was generally <10% due to thick vegetation obscuring the ground surface. As a result, the identification of any additional Aboriginal objects present within this portion of the project area is likely to have been hampered by the limited ground surface visibility.* *HNSW recommends that re-survey with the Registered Aboriginal Parties (RAPs) should occur within those areas of Lot X, DP 421633 recorded as having very limited ground surface visibility, following surface removal of vegetation.* *HNSW recommends that a consent condition is created that requires the archaeological re-survey with the RAPs, following survey removal of vegetation, in order to adequately identify and assess the impacts of the proposal on the potential Aboriginal cultural heritage within Lot X DP421633 of the project area* *Any Aboriginal objects or sites identified during the re-survey will need to be managed in accordance with the protocols for newly identified sites in the Aboriginal Cultural Heritage Management Plan (ACHMP), as per comment 2 below.*	Noted and agreed.
113.	*2. An ACHMP must be prepared and implemented for the project* *An ACHMP must be developed for the project in consultation with the RAPs and HNSW, to manage and mitigate extant Aboriginal sites and*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	objects located with the project area. *The ACHMP must be completed and approved prior to any ground surface disturbance works being undertaken.* *HNSW recommends that a consent condition is created that requires an ACHMP be prepared in consultation with the RAPs and HNSW prior to ground disturbing works being undertaken for the project.*	
114.	*3. Aboriginal sites to be impacted by the proposed development must be mitigated* *It is understood from the impact assessment completed as part of the Aboriginal cultural heritage assessment, AHIMS registered Aboriginal sites #45-5-5184 (MSP-01), #45-5-5188 (MSP-02), #45-5-5189 (MSP-03) and newly identified Aboriginal sites MSP-07 and MSP-08 located within the proposed project area will be subject to full impact by project construction works. The ACHAR recommends the sites be subject to salvage through a program of surface collection and archaeological excavation, to be undertaken as conditions of consent under the SSD approval.* *HNSW concurs with the recommendations of impact mitigation for AHIMS sites #45-5-5184 (MSP-01), #45-5-5188 (MSP-02), #45-5-5189 (MSP-03) and newly identified Aboriginal sites MSP-07 and MSP-08, as outlined in the ACHAR.* *HNSW recommends the salvage program be undertaken as a program of impact mitigation procedures integrated into the ACHMP, to be prepared for the project.* *Should any Aboriginal objects be salvaged, then an Aboriginal Site Impact*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	Recording Form (ASIRF) must be completed and submitted, for inclusion on the AHIMS database.	
115.	*4. No impacts to Aboriginal site MSP-11 should occur* *The ACHAR identifies that newly identified Aboriginal site MSP-11 located within the project, currently lies outside of the proposed development footprint and will not be subject to proposed development impacts. The ACHAR recommends the erection of temporary fencing during development works to avoid potential impacts to the site.* *HNSW is not satisfied with the recommendation of temporary fencing to prevent unintended impacts occurring during development works as the ACHAR does not provide an adequate level of detail of the proposed fencing mitigative procedure to ensure appropriate implementation.* *HNSW recommends that a clearly defined strategy for mitigating impacts during development works be prepared for Aboriginal site MSP-11 in consultation with the RAPs. The strategy should be integrated into the ACHMP, to be developed for the project. The ACHMP should also provide detailed procedures regarding the long-term management of Aboriginal site MSP-11 to ensure the sites protection into the future.*	Noted and agreed.
116.	*5. AHIMS site cards for registered Aboriginal sites #45-5-5187 (MSP-01), #45-5-5188 (MSP-02), #45-5-5189 (MSP-03) must be updated* *HNSW understands that three AHIMS registered sites; #45-5-5187 (MSP-01), #45-5-5188 (MSP-02) and #45-5-5189 (MSP-03), were subject to a test excavation program under the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010). The AHIMS database must be updated to reflect the current site status of Aboriginal sites located within the project area, to show which sites have*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	been subject to impacts from test excavation. *In accordance with recommendation 6 in the ACHAR (July 2020), ASIRFs for all impacted sites, must be submitted for inclusion on the AHIMS database. The ASIRFs must be completed by a suitably qualified archaeologist and show the total count of the artefacts identified at each site.*	
117.	*6. All newly identified Aboriginal cultural heritage sites must be registered on AHIMS* *HNSW understands that as a result of test excavations under the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010) completed for the project, an additional seven Aboriginal sites were identified within the project area, including MSP-05, MSP-06, MSP-07, MSP-08, MSP-09, MSP-10 and MSP-11.* *In accordance with recommendation 7 in the ACHAR, HNSW recommends that AHIMS site cards be prepared for all newly identified Aboriginal sites located within the project area and submitted to AHIMS for registration on the database.*	Noted and agreed.
118.	*7. AHIMS site cards for Aboriginal sites incorrectly registered within the project area should be corrected* *The ACHAR documents that three AHIMS registered sites #45-5-3028 (EPTA 3), #45-5—3032 (EPTA 10) and #45-5-3033 (EPTS 11) originally recorded by Navin Officer in 2005 during subsurface testing at Lenora Lane, Erskine Park and registered on the AHIMS database as located within the project area, were assessed by Biosis, as "incorrectly georeferenced at the time of the recording" (ACHAR 2020 Appendix 22: 31). Biosis claim they could not identify any evidence of test excavations at the locations provided on the AHIMS site cards, leading the consultants*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
	to argue that as a result of errors during the original recording, these three sites occur outside of the Kemps Creek SSD project area. The ACHAR recommends no further archaeological work is required for these sites. *HNSW recommends that the AHIMS Registrar be advised of the potential site information errors so as to initiate a process of verification and if required, correction of the AHIMS database information. This will assist with the maintenance of accurate and current AHIMS records, which support and reflect the findings of the Aboriginal cultural heritage assessment completed for the project area.*	
119.	*8. Temporary storage of Aboriginal objects must be determined* *A temporary storage location must be determined in consultation with the RAPs in order that a temporary keeping place can be used to analyse, and catalogue Aboriginal objects recovered during the salvage program, pending any agreement reached about their long-term management.* *HNSW recommends that a care agreement be prepared for the project and integrated into the ACHMP.*	Noted and agreed.
120.	*9. Long term management of Aboriginal objects must be determined* *HNSW understands that consultation with the RAPs regarding the long-term management of salvaged Aboriginal Objects from within the project area is ongoing.* *HNSW recommends the arrangements regarding the long-term care and control of Aboriginal objects be finalised in consultation with the RAPs and the management procedure integrated into the ACHMP, to be prepared for the project.*	Noted and agreed.

Table 9: Response Matrix		
No.	**Relevant Agency Response to Submissions**	**Formalised Response**
WaterNSW (Clay Preshaw – Manager Catchment Protection)		
121.	*10. Unexpected finds protocols should be included in the ACHMP* *The ACHAR recommends that stop work procedures be implemented, should unexpected finds including Aboriginal objects and/or human remains, be encountered during development works.* *HNSW recommends that an unexpected finds protocols for managing and mitigating any such newly identified Aboriginal objects and human remains should be prepared and implemented for the project. The unexpected finds protocols should be developed as a condition of consent for the project in consultation with the RAPs.*	Noted and agreed.

Appendix 1
Email Correspondence for the Road Network

Appendix 2
Masterplan

Appendix 3
Stage 1 Subdivision Plan

Appendix 4
Stage 2 Subdivision Plan

Appendix 5
Swept Paths Analysis

Appendix 6
Land Zoning Overlay Plan

Appendix 7
Landscape Plans

Appendix 8
Civil Engineering Letter of Support

Appendix 9
Ecoplanning Letter of Support

Appendix 10
BDAR Shaepfiles

Appendix 11
Flora and Fauna List