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5 November 2020

David Schwebel

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Dear Mr Schwebel,

**Response to Request of SEARs for SSD-10272349 - GPT Industrial Estate at 784-786 Mamre Road Kemps Creek**

I refer to notification of the above request for SEAR's received on 22 October 2020. Thank you for providing Council with the opportunity to comment on the proposed development.

The following comments stem from a review of the documentation submitted and are provided for consideration in the preparation of an Environmental Impact Statement:

**Planning Considerations**

The request for SEAR's on this site is premature. Although the land re-zoning for the Mamre Road Precinct has occurred under State Environmental Planning Policy (Western Sydney Employment Area) 2009, the Department's accompanying Draft Mamre Road Precinct DCP, has not been placed on public exhibition and details related to infrastructure provision and Precinct contributions have not yet been finalised.

In the absence of a site specific DCP and without a contributions plan being in place, Council and the relevant State agencies will not be able to undertake an assessment of the proposal, provide detailed feedback or concurrence on the proposed development as it cannot be certain that the proposed concept masterplan aligns with what is expected to be delivered for this site and/or the broader precinct.

An application should not be prepared and lodged ahead of the Mamre Road Precinct Wide DCP exhibition, as it cannot be determined whether the proposed development will be in conflict or undermine what is planned for, or expected to be delivered, for this site and the broader precinct.

Further, given the surrounding road and infrastructure network has not been determined it is unclear whether the proposed road network design, setbacks and landscaping align with future DCP. It is noted that the Final Mamre Road Structure Plan contained within the Finalisation Report for the Mamre Road



Precinct dated June 2020 indicates possible/potential freight and road access through the subject site. This has not been addressed in the current proposal.

In the event an application progresses despite the above advice the following additional planning related considerations shall be addressed:

- Any application brought forward shall address the proposed isolation of the existing rural residential development to which the subject site wraps around. A more holistic approach to site planning for the precinct should be undertaken to ensure that the precinct is developed in an orderly way with consideration of the impacts of the development on existing rural residential development. Given the minimum lot sizes are not known, it is unclear whether site isolation principles would apply to this arrangement.
- In relation to the reliance on Clause 33A of the SEPP (WSEA) 2009. The application does not only need to demonstrate that the development is not inconsistent with the objectives of both zones but also that the carrying out of the development is desirable due to compatible land use planning, infrastructure capacity and other planning principles relating to the efficient and timely development of land. Again, in the absence of a DCP it is unclear how this will be demonstrated for the proposed development in isolation of what is expected to be delivered for the precinct.
- The site's topography is undulating and the proposed large and level warehouse building pads will need to be considered in the context of broader drainage requirements and integration with adjoining land which are also likely to be developed for employment land uses. The development must avoid large expanses and/or high retaining walls/batters.

### **Environmental Considerations**

The following potential environmental impacts have been addressed and will be included in the future Environmental Impact Statement and are supported:

- Air Quality & Odour Impacts Assessment
- Waste Management Plan
- Unexpected Finds Protocol
- Noise and Vibration Impact Assessment.
- SEPP 33, hazardous development. No dangerous goods are proposed within the Estate including the proposed Warehouse 3. It is recommended that this is conditioned should consent be granted.
- Stormwater Management Plan
- Erosion and sediment control plan

Additional items recommended to be considered within the EIS:

- It is noted that a Contamination Investigation Report will be provided with the EIS. However, the applicant should note the following: a search of Council records shows that Lot 60 was subject to an investigation into unauthorised

earthworks with unauthorised importation of fill material. The nature of the fill material is unknown and Council at this stage is not certain that the site is suitable for the proposed use. It is noted that a *Targeted Environmental Investigation* report has already been conducted and states that the *land is appropriate for industrial use*. It is strongly recommended that the Targeted Environmental Investigation report already completed is provided with the EIS for review and approval.

- Warehouse 3 is proposed to operate 24 hours a day, 7 days per week for *warehouse or distribution uses and other manufacturing industries pursuant to Part 11 of Schedule 1 of State Environmental Planning Policy (State and Regional Development)*. The proposed use is general in nature. The manufacturing industries specified by Part 11 of Schedule 1 of SEPP State and Regional Development lists specific industries including:
  - laboratory, research or development facilities,
  - medical products manufacturing,
  - printing or publishing,
  - textile, clothing, footwear or leather manufacturing,
  - furniture manufacturing,
  - machinery or equipment manufacturing,
  - the vehicle, defence or aerospace industry,
  - vessel or boat building and repair facilities (not including marinas).

Each industry listed has individual-specific, potential pollution impacts including air emissions, waste including contaminated waste water, and noise which, would require specific pollution control devices to mitigate the potential for pollution to occur. The specific proposed use for Warehouse 3 should be identified at the planning phase and supported with the relevant associated environmental, technical reports. Should the applicant not specifically state the proposed use and support the application with the relevant technical reports for the proposed use, it is recommended that Warehouse 3 is conditioned for warehouse and distribution use only, should consent be granted.

## Development Engineering Considerations

### Stormwater Management Plan

The Stormwater Management Plan report shall address the following items:

- Stormwater drainage for the site must be in accordance with the following:
  - Council's Development Control Plan,
  - *Stormwater Drainage Specification for Building Developments* policy, and
  - *Water Sensitive Urban Design Policy and Technical Guidelines*.
- A stormwater concept plan, accompanied by a supporting report and calculations, shall be submitted with the application.
- The application shall demonstrate that downstream stormwater systems have adequate capacity to accommodate stormwater flows generated from the development. This may require the provision of on-site detention to



reduce stormwater flows or upgrade of stormwater infrastructure to increase capacity.

- Any on-site detention system must be within common property and accessible from the street.
- A water sensitive urban design strategy prepared by a suitably qualified person is to be provided for the site. The strategy shall address water conservation, water quality, water quantity, and operation and maintenance.
- The application shall include MUSIC modelling (\*.sqz file) demonstrating compliance with Council's adopted *Water Sensitive Urban Design Policy* and *Technical Guidelines*.
- On lot treatment is to be provided to meet all water quality and water quantity targets. Full details are to be submitted with the application. Penrith City Council will not maintain any estate basins nor accept the dedication of any land for the provision of estate basins.

#### Flood Impact Assessment

The Flood Impact Assessment report submitted with the application shall address the following items:

- The site is categorised as being flood affected by local overland flow flooding.
- The application must demonstrate that the development proposal is consistent with Council's Development Control Plan for Flood Liable Land.
- Overland flows shall be managed safely through the site and not diverted onto adjoining properties. The development shall not have any adverse impact upon adjoining properties through the damming, concentration or diversion of overland flows.
- All habitable floor levels shall be a minimum of 0.5m above the 1% AEP water surface level.
- Further information regarding Council's Flood Studies is available from Council's website at the following address:  
<https://www.penrithcity.nsw.gov.au/services/other-services/floodplain-management>

#### Traffic Report

The Traffic Report submitted with the application shall address the following:

- A Stage 2 Road Safety Audit is to be submitted with the application.

#### Civil Plans and Report

The civil plans shall address the following requirements:

- No retaining walls or filling is permitted for this development which will impede, divert or concentrate stormwater runoff passing through the site.
- Earthworks and retaining walls must comply with Council's Development Control Plan.



- The application is to be supported by a geotechnical report prepared by a suitably qualified person for the site and shall address, but not be limited to ground water movement, salinity, contamination.

#### Subdivision Works

- The application is to be accompanied by a subdivision concept plan.

#### **Traffic Considerations**

- This development will need to complying with DCP which yet this has not been finalised and Council do not know its contents including road networks layouts, road cross sections and development parking rates.
- Council require adjusted road cross sections including verge widths in the draft Mamre Precinct DCP.
- Council consider that the Mamre Precinct Masterplan and DCP should be designed to accommodate B-triple trucks yet the documents to date do not.
- Council consider if the undesirable design for only B-double trucks is accepted then there should be an 88B restriction on all lot title limiting access to vehicle no longer than B-double trucks.
- Council consider that there should be no driveway access along Mamre Road or along major internal precinct link roads yet this SSD has driveway access and a temporary road access here.

Council's comments in relation to the subject SEAR's request are predicated by our requirements for the broader Mamre Road Precinct. Once these matters have been finalised the following comments will apply to any new application.

- The development shall be supported by a Traffic Impact Assessment of the proposed development, road and footway network, heavy vehicle and light vehicle access, complying number of heavy vehicle parking, loading and manoeuvring areas and complying numbers of light vehicle staff and visitor parking spaces including compliance with Australian Standards, Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines and Council's Development Control Plans (DCPs) including DCP C10 and/or Mamre Precinct Masterplan, traffic modelling and DCP if applicable.
- The Traffic Impact Assessment shall include the proposed development driveway accesses for heavy vehicles and visitor / staff car parks, sight distance compliances at intersections and driveways, arrangements for waste collection vehicles, emergency / fire service vehicles and other service vehicles, accessible parking and at least 1.8 metre wide accessible pedestrian access from the road frontages and the car park to the office buildings, at least 1.5m wide accessible pedestrian access to other buildings and car parking, car parking and bicycle provision numbers and bicycle facilities, electric vehicle charging station provisions and manoeuvring swept turn paths. This should include compliances with Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines, AS 2890 including parts 1, 2 & 6, AS 1158, NSW Government Walking and Cycling Guidelines and

Council's Development Control Plans and/or Mamre Precinct Masterplan, traffic modelling and DCP if applicable.

The Traffic Impact Assessment, plans and documentation shall include dimensioned plans of the proposed road and footpath networks, accessible paths of travel, driveways, access aisles, loading and vehicle swept path manoeuvring areas and parking spaces and sight distance requirements at intersections and driveways including compliance with Austroads Guidelines, TfNSW (RMS) Technical Directions / Guidelines, AS 2890 including parts 1, 2 & 6, AS 1158, NSW Government Walking and Cycling Guidelines, Council's Development Control Plans.

- Council do not support any direct driveway access to Mamre Road. As such, Council does not support the proposed driveway from warehouse 5 to Mamre Road or the proposed temporary access road to Mamre Road.
- Heavy vehicle access from the public road shall be desirably be physically separated from vehicle access to the car parking areas for safety reasons. Any car vehicular access to the carparking areas that are in conflict with heavy vehicle movements should be removed or addressed in the Traffic Impact Report.
- Plans shall include dimensions of driveways, ramps, aisles, parking spaces, accessible parking, bicycle parking, accessible parking and at least 1.8 metre wide accessible pedestrian access from the road frontage and the car park to the office buildings, at least 1.5m wide accessible pedestrian access to other buildings and car parking, services vehicle manoeuvring and loading areas complying with AS 2890, AS 1428, Council Development Control Plan (DCP) C10, other Council guidelines and Mamre Precinct Development Control Plans if applicable.
- A minimum of two Electric Vehicle Charging Stations (EVCS) are to be provided within the car parking areas of each warehouse development. The charging stations are to be designed to accommodate the requirement of commercially available public vehicles and their required connector types (currently known as Type 1 and Type 2 connectors). A minimum of three additional car parking spaces are to be designed to as to be readily retrofitted as EVCS parking spaces. The installed EVCS car parking spaces are to be signposted and marked as for the use of electric vehicles only and are to be located as close as possible to the building accesses after accessible parking space priority. EVCS are to be free of charge to staff and visitors.
- Complying numbers of secure, all weather bicycle parking, end of journey facilities, change rooms, showers, lockers are to be provided at convenient locations at each warehouse development in accordance with Council Development Control Plan (DCP) C10 Section 10.7, AS 2890.3 Bicycle Parking Facilities and Planning Guidelines for Walking and Cycling (NSW Government 2004).





- Accessible parking is to be provided with accessible paths of travel to the facility in accordance with AS 2890.6.
- All vehicle are to enter and leave in a forward direction.
- Appropriate signage, visible from the public road and on-site shall to be installed to reinforce designated vehicle circulation and to direct staff / delivery vehicle drivers / service vehicle drivers / visitors to on-site parking, delivery and service areas.
- The required sight lines around the driveway entrances and exits are not to be compromised by street trees, landscaping or fencing.
- Sight distance requirements at driveways are to be in accordance with AS 2890.2 Figure 3.3 and Figure 3.4.

### **Waterway Considerations**

A Stormwater Management Strategy will need to be prepared by a suitably qualified professional in support of the development. The strategy shall outline how Water Sensitive Urban Design is being incorporated into the design of the development as well as outline how the receiving waters and environment will be safeguarded from the proposed works. The strategy should address the entire site.

This should include details in to proposed sedimentation and erosion controls as well as to the management of stormwater more generally including, as to how increased volumes, peak flows and pollutants in the increased runoff that is likely to increase as a result of the development, will be managed.

The Water and Soil Management Strategy needs to demonstrate and outline how both surface and groundwater resources as well as dependent ecosystems will be safeguarded for both the construction stages and for the operational stages of the development. The strategy should also outline what is proposed in relation to the dams located on the site.

In developing the strategy, consideration Council's WSUD Policy, WSEA SEPP and the livability and water management principles, that have been identified in the Western City District Plan including the planning priority to *protect and improve the health and enjoyment of the District's waterways* should be considered.

In relation to the management of the riparian corridors and dams located on the site, the following comments are provided:

- With regards to the riparian corridors, any changes to existing drainage lines and streams on the site will need to be in accordance with the requirements of the NSW Natural Resources Assess Regulator. However, a focus on the



retention of existing drainage lines including any dams is preferred. Further to this, a vegetation management plan which meets the Department's guidelines should be prepared which provides detailed guidance on the management requirements for these areas.

- Any impacts to existing creeks should be minimised and where possible the preference should be to retain the natural creek lines and dams as well as restore them to the standards recommended by the Natural Resources Assess Regulator.

Should you wish to discuss any matters further and allow for further dialogue as requested between officers, please do not hesitate to contact me on 4732 7705.

Yours sincerely,

**Kate Smith**  
**Acting Development Assessment Coordinator**