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URBIS

ASPECT INDUSTRIAL ESTATE

Response to Submissions
SSD-10448

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1. INTRODUCTION

This 'Response to Submissions' Report (**RtS**) has been prepared by Urbis Pty Ltd (**Urbis**) on behalf of Mirvac Projects Pty Ltd (**Mirvac**) to address the matters raised by government agencies, the public and community organisation groups during the public exhibition of the proposed Aspect Industrial Estate (**AIE**) State Significant Development (**SSD**) Development Application (**DA**).

The Department of Planning, Industry and Environment (**DPIE**) issued a letter to the applicant on 22 December 2020 requesting a response to the comments raised during the public exhibition period for the concept and Stage 1 SSD DA (**SSD-10448**). This RtS provides a consolidated response to the submissions received during the exhibition period for SSD-10448.

1.1. OVERVIEW

The application was on exhibition from 18 November 2020 to 15 December 2020. During this period, submissions were received from NSW government agencies, local council and other key public authorities. The submissions received from public agencies and authorities include:

- Department of Planning, Industry and Environment – WSEA and Greater Penrith to Eastern Creek (GPEC)
- Department of Planning, Industry and Environment – Water
- Department of Planning, Industry and Environment – Energy, Environment and Sciences
- Endeavour Energy
- Sydney Water
- NSW Rural Fire Service
- Crown Lands
- Environment Protection Authority
- Department of Primary Industries – Agriculture
- Department of Primary Industries – Fisheries
- WaterNSW
- Transport for New South Wales
- Fire Rescue NSW
- Penrith City Council
- Western Sydney Planning Partnership
- Western Sydney Airport

In addition, two submissions were received from neighbouring properties and one from the broader community. The key matters raised in the agency and public submissions include:

- Consistency with the draft Mamre Road Precinct (**MRP**) Development Control Plan (**DCP**);
- Provision of road access to neighbouring lots as per the MRP Road Network Map;
- Support for the proposed realigned creek corridor;
- Commentary on contribution and planning agreements to support infrastructure delivery within the estate;
- View impacts to neighbouring residents;
- Water quality and WSUD target and alignment with draft MRP DCP controls.

The RtS provides an in-depth and holistic response to the above key matters and all other matters raised by the public authorities and community submissions. Specific design changes are also proposed to the

development in response to the submissions received. Revised specialist documentation to support the revised scheme is provided in support of the RtS and includes:

- Revised SSD DA Concept Architectural Plan prepared by SBA Architects (**Appendix A**)
- Revised SSD DA Estate Staging Plan prepared by SBA Architects (**Appendix B-1**)
- Signage Plans prepared by SBA Architects (**Appendix B-2**)
- Fire Protection Plan prepared by SBA Architects (**Appendix B-3**)
- Zoning Plan prepared by SBA Architects (**Appendix B-4**)
- Stage 1 and Masterplan Landscape Plans prepared by Site Image (**Appendix B-5**)
- Landscape Section by Site Section (**Appendix B-6**)
- Revised SSD DA Civil Plans prepared by AT&L (**Appendix C**)
- Revised SSD DA Subdivision Plan prepared by LTS (**Appendix D**)
- Revised Acoustic Report prepared by SLR (**Appendix E**)
- Supplementary AGV Connection Plan prepared by Mirvac (**Appendix F**)
- Revised Biodiversity Assessment Report prepared by Ecological Australia (**Appendix G**)
- Supplementary Flora and Fauna Management Plan prepared by Ecological Australia (**Appendix H**)
- Updated Riparian Lands Assessment prepared by Ecological Australia (**Appendix I**)
- Updated Vegetation Management Plan prepared by Ecological Australia (**Appendix J**)
- Updated Landscape and Visual Analysis prepared by Clouston Associates (**Appendix K**)
- Updated Waste Management Plan prepared by MRA Consulting Group (**Appendix L**)
- Supplementary Traffic and Transport Memo prepared by Ason Group (**Appendix M**)
- Supplementary Green Travel Plan prepared by Ason Group (**Appendix N**)
- Water Cycle Management and Flooding Risk Memo prepared by Cardno (**Appendix O-1**)
- Updated Flood Impact Assessment (**Appendix O-2**)
- Updated Flood Risk Assessment (**Appendix O-3**)
- Supplementary Wildlife Hazard Memo prepared by Avisure (**Appendix P**)
- Supplementary Civil Engineering Memo prepared by AT&L (**Appendix Q**)
- Interim Waterway Health Discussion Paper prepared by E2DesignLab (**Appendix R**)
- Sydney Water Correspondence (**Appendix S**)
- NRAR Correspondence (**Appendix Y**)
- Updated Site-Specific Development Control Plan (**Appendix U**)
- Aboriginal Artefact reburial Methodology prepared by Artefact (**Appendix V**)
- Maximum Harvestable Right Calculator from Sydney Water (**Appendix W**)
- Indicative Utility Plan prepared by Mirvac(**Appendix X**)
- Filterra supporting information from Ocean Protect (**Appendix Y**)

1.2. CONCLUSION

The content contained in this RtS and previously submitted EIS on the 9 November 2020, demonstrates that both the concept plan and Stage 1 development proposal provide a unique opportunity for a high quality

industrial estate that responds to industrial lands shortfall in Greater Sydney, meets the objectives of the Western Parkland City, and is a compatible use for future operations at the Western Sydney Airport.

The proposed design amendments provide a suitable considered response to address the issues raised by the DPIE, government agencies, the public and community groups including The GPT Group and Altis Property Partners. The proposed design refinements include:

- **Amendment to the road reservations for Access Road 1** to increase the road reservation to the south, as a response to align with the proposed Aspect Industrial Estate site specific DCP which is consistent with the draft MRP DCP;
- **Refinement of the Stage 1 Architectural Plan and Staging Plan** to ensure adjacent properties north and south of the site have interim access to Mamre Road;
- **Refinement of warehouse building footprints** which respond to updates to the road network and landscape/setback requirements set out in the proposed Aspect Industrial Estate site specific DCP;
- **Relocation of APZs outside of the proposed creek corridor;** and
- **Meeting waterway health and Water Sensitive Urban Design objectives and controls** as set out in the proposed Aspect Industrial Estate DCP.

Overall, the proposal as sought to be amended by this RtS is in the public interest and should be approved by the NSW DPIE, subject to conditions of consent.

2. SUBMISSIONS RECEIVED AND RESULTANT ACTIONS

2.1. SUMMARY OF SUBMISSIONS RECEIVED

The SSD DA was on public exhibition from 18 November 2020 – 15 December 2020. During this exhibition period, 19 submissions were received for the SSD DA (SSD-10448). All submissions were managed by the DPIE, including registration and uploading submission onto the DPIE 'Major Projects' website under the respective *Aspect Industrial Estate* project portal.

A further breakdown of the submissions by respondent type and their position is provided in the table below.

Table 1 SSD DA Submissions Received by Respondent Type

Submitter	Position	Number of Submissions
Public Authorities and NSW Government Agencies		
DPIE – Central (Western)	Comment	1
DPIE – Energy, Environment and Sciences	Comment	1
DPIE – Water and the Natural Resources Access Regulator (NRAR)	Comment	1
Environment Protection Authority	Comment	1
Crown Lands	Comment	1
Water NSW	Comment	1
Department of Primary Industries (DPI) – Agriculture	Comment	1
DPI – Fisheries	Comment	1
TfNSW – Roads and Maritime Services division	Comment	2
Penrith City Council	Comment	1
Heritage NSW	Comment	1
NSW Rural Fire Service	Comment	1
Endeavour Energy	Comment	1
Western Sydney Airport	Comment	1
Sydney Water	Comment	1
Western Sydney Planning Partnership	Comment	1
SUBTOTAL		17
Altis Property Partners	Comment	1
The GPT Group	Objects	1

Submitter	Position	Number of Submissions
General public	Comment	1
SUBTOTAL		3
TOTAL NUMBER OF SUBMISSIONS		20

The applicant's response to the submission received for the SSD DA is provided in the following sections of this RtS. This RtS is supported by additional design and technical documentation provided in **Appendix A** through to **Appendix X**.

2.2. ACTIONS COMPLETED FOLLOWING EXHIBITION

Since the public exhibition of the SSD DA, the proponent has consulted with government agencies as follows:

- Meeting with the DPIE Industrial Assessments team on 1 February 2021 to discuss the key matters required to be addressed in response to submissions and the supporting assessment and design analysis required to be demonstrated.
- Email issued to the DPIE from NRAR on 12 February 2021 raise no objection to the realigned creek corridor.
- Meeting with DPIE Central Western team, Energy Environment and Services and Sydney Water on 11 February 2021 to discuss the key matters raised in the Mamre Road Precinct Landowner Group's (LOG) submission on the draft MRP DCP. It was agreed from this meeting for the LOG to prepare a submission on the proposed water cycle management controls with the aim to find a compromised solution which enables delivery of industrial uses and meets the water quality targets set within the draft MRP DCP.
- Meeting with the DPIE Industrial Assessments on 22 February 2021 to discuss outstanding matters associated with office setbacks, water cycle management and access to the broader road network.
- Discussions with adjoining landowners GPT and Altis regarding access to their sites via the AIE internal road network, and coordination of road and creek corridor design and alignment. Correspondence was received from GPT confirming concurrence with the proposed creek realignment location and staging requirements and in relation to GPT's proposed road alignments and levels. The RtS documentation is consistent with this correspondence.

3. AMENDMENTS TO THE PROPOSED DEVELOPMENT

In response to the submissions received and consultation with the DPIE, the following design amendments are proposed to the development.

3.1. REDESIGN OF INTERNAL ROAD NETWORK

In response to concerns about access to surrounding properties and compliance with the draft MRP DCP, the internal road network has been amended to reflect the following changes:

- The internal road network has been updated to reflect the road reservation requirements outlined in the site specific Aspect Industrial Estate DCP which is consistent with the draft MRP DCP (refer to **Figure 1** below);
- The staging of the AIE development has been updated to enable the delivery of internal roadways as part of the Stage 1 works, providing access to northern/eastern and southern properties, including The GPT Group and Altis Property Partners land. The Stage 1 plans (as shown in **Figure 2** below) have been amended as follows:
 - The internal road network complies with the draft MRP DCP Transport Network Plan;
 - Access Road 1 has been extended to the eastern edge of the estate to a proposed roundabout;
 - Access Road 3 South has been included in the Stage 1 plans. It extends south from Access Road 1 and enables access to properties south of the site. A temporary right of carriageway is proposed to enable access in the interim until final levels and plans are known for Altis' development to the south;
 - A temporary right of carriageway is proposed to the north. This temporary right of carriageway is an interim measure, prior to Access Road No.3 North final road design and delivery to coordinate with design and site levels on the GPT site for their half of the roadway and final watercourse location. Once the design is confirmed, Mirvac will initiate a modification to the Concept Plan and Stage 1 Plan to deliver the northern access leg of Access Road 3 in line with draft MRP DCP.

Key benefits of change

- Achieves consistency with the draft MRP DCP; and
- Does not preclude future delivery of adjacent development sites.

Figure 1 Concept Masterplan



Picture 1 Concept Masterplan - Exhibited

Source: SBA Architects



Picture 2 Concept Masterplan - Proposed

Source: SBA Architects

Figure 2 Stage 1 Plans



Picture 3 Stage 1 Plan - Exhibited

Source: SBA Architects



Picture 4 Stage 1 Plan - Proposed

Source: SBA Architects

3.2. REFINEMENT OF LOTS AND BUILDINGS

The Concept Plan and Stage 1 Plan has been amended to align with the draft MRP DCP controls including road reservation requirements, building setbacks (noting a slight variation is sought for the office component), landscape setbacks, and parking requirements. As a result, the proposed site area and GFA has been updated across the AIE development. The proposed changes are outlined in **Table 2** below.

Table 2 Changes to Site Area and GFA

Exhibited Site Area	Proposed Site Area	Change	Exhibited GFA	Proposed GFA	Change
Warehouse 1 (Concept and Stage 1)					
58,156m ²	58,156m ²	No change	Warehouse: 34,970m ² Office: 1,630m ² Café: 122m ²	Warehouse: 34,970m ² Office: 1,630m ² Café: 122m ²	No change
Warehouse 2 (Concept)					
41,945m ²	41,501m ²	Reduction of 444m ²	Warehouse: 24,895m ² Office: 1,700m ²	Warehouse: 24,475m ² Office: 1,700m ²	Reduction 420m ² of Warehouse GFA No change to Office GFA
Warehouse 3 (Concept and Stage 1)					
42,882m ²	42,811m ²	Reduction of 71m ²	Warehouse: 20,735m ² Office: 800m ²	Warehouse: 20,735m ² Office: 800m ²	No change
Warehouse 4 (Concept)					
41,044m ²	40,864m ²	Reduction of 180m ²	Warehouse: 18,235m ² Office: 850m ²	Warehouse: 18,085m ² Office: 850m ²	Reduction of 150m ² of Warehouse GFA. No change to Office GFA
Warehouse 5 (Concept)					
28,392m ²	28,224m ²	Reduction of 168m ²	Warehouse: 12,150m ² Office: 750m ²	Warehouse: 12,050m ² Office: 750m ²	Reduction of 100m ² of Warehouse GFA.

Exhibited Site Area	Proposed Site Area	Change	Exhibited GFA	Proposed GFA	Change
					No change to Office GFA
Warehouse 6 (Concept)					
37,843m ²	37,563m ²	Reduction of 280m ²	Warehouse: 22,740m ² Office: 850m ²	Warehouse: 22,490m ² Office: 850m ²	Reduction of 250m ² of Warehouse GFA. No change to Office GFA
Warehouse 7 (Concept)					
37,847m ²	37,636m ²	Reduction of 211m ²	Warehouse: 21,610m ² Office: 850m ²	Warehouse: 21,450m ² Office: 850m ²	Reduction of 160m ² of Warehouse GFA. No change to Office GFA
Warehouse 8 (Concept)					
50,786m ²	49,979m ²	Reduction of 807m ²	Warehouse: 28,520m ² Office: 1,500m ²	Warehouse: 27,915m ² Office: 1,500m ²	Reduction of 605m ² of Warehouse GFA. No reduction to Office GFA
Warehouse 9 (Concept)					
35,571m ²	35,289m ²	Reduction in 282m ²	Warehouse: 17,720m ² Office: 850m ²	Warehouse: 17,355m ² Office: 850m ²	Reduction in 365m ² of Warehouse GFA. No reduction to Office GFA
Warehouse 10 (Concept)					
33,421m ²	33,366m ²	Reduction in 55m ²	Warehouse: 17,525m ² Office: 850m ²	Warehouse: 17,450m ² Office: 850m ²	Reduction in 75m ² of Warehouse GFA No reduction to Office GFA

Exhibited Site Area	Proposed Site Area	Change	Exhibited GFA	Proposed GFA	Change
Warehouse 11 (Concept)					
38,649m ²	38,815m ²	Increase in 166m ²	Warehouse: 20,340m ² Office: 850m ²	Warehouse: 20,340m ² Office: 850m ²	No change

Key benefits of change

The refinements have resulted in a consistent development scheme in line with the draft MRP DCP.

3.3. RELOCATION OF APZ BOUNDARIES

The exhibited architectural plans included an asset protection zone (APZ) boundary within the proposed riparian corridor. The architectural plans have been updated to align with the draft MRP DCP which states:

Section 2.2.3 Biodiversity Conservation and Management

Asset protection zones for bushfire protection purposes are to be located wholly within land zoned for IN1 General Industrial.

The amended plans show the APZ along the perimeter of the proposed riparian corridor consistent with the objectives and controls within the draft MRP DCP.

Key benefits of change

The refinements have resulted in a consistent fire protection scheme in line with the proposed Aspect Industrial Estate DCP, which is consistent with the draft MRP DCP.

Figure 3 Fire Protection Plan



Picture 5 Fire Protection Plan - Exhibited

Source: SBA Architecture



Picture 6 Fire Protection Plan - Proposed

Source: SBA Architecture

3.4. STORMWATER MANAGEMENT FOR STAGE 1 DEVELOPMENT

The Stage 1 and Concept Masterplan complies with the site specific AIE DCP controls for waterway health which is consistent with the objectives of the interim NSW Government waterway health objectives for South Creek as supported within discussion paper provided within Appendix R.

The AIE Stage 1 documentation and modelling has been reviewed to confirm compliance with either waterway health options 1 or 2 below.

1. Adopting the volumetric reduction target as set out on the Mamre Road Precinct Draft DCP
2. Best matching the natural streamflow frequency curve as set out in discussion paper at **Appendix R**.

For Stage 1 to comply with the volumetric reductions, the OSD basin along Mamre Road would be deepened to incorporate retention and subsequent re-use to meet the volumetric reduction targets.

Compliance with AIE DCP waterway health controls to satisfaction of DPEI will be demonstrated prior to issue of construction Certificate. This would include updated MUSIC modelling and updated design documentation.

4. RESPONSE TO DPIE PRELIMINARY ASSESSMENT

The DPIE wrote to the applicant on 22 December 2020 requesting a response to the submission and matters raised during the exhibition period for SSD-10448. The comments provided by the DPIE required further clarification on the following key matters:

- Consistency with the draft Mamre Road Development Control Plan;
- Traffic, Access and Parking;
- Riparian Corridor and Flooding;
- Contribution and Planning Agreements;
- Earthworks;
- Visual Impacts; and
- Noise and Vibration.

A consolidated response to the matters raised by the DPIE for SSD-10448 is provided in **Sections 4.1 – 4.8** below.

4.1. CONSISTENCY WITH THE DRAFT MAMRE ROAD PRECINCT DEVELOPMENT CONTROL PLAN

Please provide a detailed assessment of the development against the Mamre Road Precinct Development Control Plan, including justification for any departures from any planning controls.

The Mamre Road Precinct Development Control Plan (**MRP DCP**) was exhibited by the DPIE from 10 November 2020 to 17 December 2020. Once finalised, the MRP DCP will apply to the broader Mamre Road Precinct excluding those sites which have an endorsed site specific DCP. The MRP DCP has not been adopted at the time of writing this RTS report, as such a site specific DCP has been prepared to guide future development within the Aspect Industrial Estate. The proposal is consistent with the Aspect Industrial Estate DCP (**Appendix U**) and generally in accordance with the MRP DCP. The following table assesses the proposed development's compliance against the relevant controls contained within the draft MRP DCP.

Table 3 Draft MRP DCP Compliance Table

Provision	Compliance
2.1 Mamre Road Structure Plan	
All development applications are to be generally in accordance with the Precinct Structure Plan, the water cycle management and local road network strategy for the Precinct.	<p>Yes.</p> <p>The proposed AIE development aligns with the structure plan except for the realigned creek corridor. NRAR has been consulted with regarding the creek realignment, and it has been demonstrated that the realignment will provide an improved biodiversity outcome for the precinct.</p> <p>The road hierarchy and alignment within AIE conforms to the broader Mamre Road Precinct road network strategy.</p>

Provision	Compliance
2.2 Biodiversity	
Development is to be sited, designed and managed to avoid or mitigate potential adverse impacts on natural areas and habitat.	<p>Yes.</p> <p>The realigned creek corridor provides additional habitat for flora and fauna.</p> <p>A weed eradication and management plan has been provided, and is contained within Appendix H.</p>
2.2.3 Biodiversity Conservation and Management	
<p>Development applications are to contain a Landscape Plan showing the location, extent and area of any existing native vegetation on the development site.</p> <p>Asset protection zones for bushfire protection purposes are to be located wholly within land zoned for IN1 General Industrial.</p> <p>Stormwater and road infrastructure, including pipelines and detention basins, are not to be located within land zoned E2 Environmental Conservation.</p>	<p>Yes.</p> <p>The APZ boundaries have been amended to be located wholly within the IN1 General Industrial zone. The updated Fire Protection Plan can be viewed within Appendix B-3.</p> <p>The proposed DCP control preventing stormwater and road infrastructure from being located within the E2 Environmental Conservation zone is inconsistent with the WSEA SEPP. The proposed AIE development aligns with the WSEA SEPP.</p> <p>The creek line through the site is proposed to be realigned to the site's northern boundary. It is intended that a zoning adjustment will then occur to realign the current E2 Conservation Zone with the intended creek corridor.</p> <p>As such, works are proposed across the current E2 zoned land for purposes that support the industrial redevelopment of the remainder of the Estate. Permissibility pathway for these uses is detailed in the EIS and is available via clause 32 of SEPP WSEA.</p> <p>The stormwater and road infrastructure proposed is not proposed to be located within the future E2 Conservation Zone corridor, consistent with the directive. Overall, the realigned corridor and site design response meets the objectives of biodiversity and its management.</p>
2.4 Aboriginal Heritage	
Any development application that is within or adjacent to land that contains a known cultural heritage site must consider and comply with the requirements of the NPW Act.	<p>Yes.</p> <p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared to inform investigations associated with Aboriginal artefacts</p>

Provision	Compliance
<p>An Aboriginal Heritage Impact Permit (AHIP) issued under Part 6 of the NPW Act is required for any works which directly affect these sites.</p>	<p>contained within the site. As part of the ACHAR process, a 28-day statutory consultation has occurred with local Registered Aboriginal Parties (RAP) with the ACHAR finalised following receipt of RAP comments.</p> <p>Under Clause 4.41(1)(d) of the EP&A Act, an Aboriginal Heritage Impact Permit (AHIP) under Section 90 of the <i>National Parks and Wildlife Act 1974</i> is not required for State Significant development that is authorised by a development consent.</p> <p>In addition to the above ACHAR, an Aboriginal Artefact Reburial Methodology has been prepared for the site, has undertaken a 28-day statutory consultation period with local RAPs, and is included within Appendix V.</p>
2.5 Riparian Land	
<p>There should be no modifications to a natural (or historic) waterbody in its dimension, depth or bank height unless the approval of Natural Resources and Assessment Regulator (NRAR) is obtained, including the enhancement of the ecological outcomes of the watercourse, hydrological benefits and ensure the long-term geomorphic stability of the watercourse.</p>	<p>Yes.</p> <p>NRAR confirmed acceptance of the proposed realignment of the creek to DPIE via email on 12 February 2021. The email response to the DPIE is included within Appendix T.</p>
2.6.1 Integrated Water Cycle Management	
<p>Development must demonstrate how the proposed site design and water sensitive urban design measures contribute to the interim NSW Government stormwater catchment flow objectives for Wianamatta-South Creek Catchment.</p> <p>Any stormwater harvesting approaches will need to be consistent with a regional wastewater approach and the precinct water balance.</p> <p>All proposed industrial buildings are required to install a rainwater tank on the site for re-use of water for irrigation, industrial processes, toilet flushing, evaporative cooling or for other non-drinking purposes through a separated reticulated water supply system.</p>	<p>No.</p> <p>However, the Stage 1 and Concept Masterplan complies with the site specific AIE DCP controls for waterway health which is consistent with the objectives of the interim NSW Government waterway health objectives for South Creek as supported within discussion paper provided within Appendix R.</p>

Provision	Compliance
<p>Industrial development must supply at least 80% of their non-potable demand using non-potable sources including rainwater and recycled water.</p> <p>Applicants should target 35% pervious surfaces within lots and streets to ensure adequate management of stormwater runoff and contribute to mean annual runoff volume and water quality targets.</p>	
2.6.2 Stormwater Quality	
<p>All development proposals must include a Water Management Strategy. The Water Management Strategy must include a WSUD strategy detailing the proposed stormwater flow and quality control measures and how these measures will be implemented as part of the development including ongoing management and maintenance responsibilities.</p>	<p>Yes.</p> <p>The Stage 1 development can meet the proposed Water Quality targets set out within the draft MRP DCP.</p> <p>Following review of the water quality targets and finalisation of the MRP DCP the remaining estate will be updated to align with the final MRP DCP objectives and controls.</p>
2.7 Flood Prone Land	
<p>A Comprehensive Flood Impact Risk Assessment is to be submitted with any DA on land identified as fully or partially flood affected.</p> <p>Development consent will not be granted to filling of floodways and/or critical flood storage areas in the 1% AEP flood.</p>	<p>Yes.</p> <p>A comprehensive flood impact risk assessment has been prepared and submitted as part of the EIS. No development is proposed within the 1% AEP flood event.</p>
2.8 Bushfire Prone Land	
<p>Development on land within 250m of land zoned RU2, E2, and E4 that is not identified as 'bushfire prone land' on the Bushfire Prone Land Map must consider ways to minimise the risk of ember attack, particularly with regard to road design, building materials and landscape design.</p>	<p>Yes.</p> <p>Appropriate APZ boundaries have been amended to ensure appropriate boundaries between the native vegetation within the proposed riparian corridor and developable areas (refer to Fire Protection Plan at Appendix B-3.) This APZ boundaries is consistent with <i>Planning for Bushfire Protection 2018</i>. In addition, the materials have been chosen to limit flammability risk to the proposed warehouses.</p>
2.9 Salinity	
<p>A detailed salinity analysis and Salinity Management Plan will be necessary if an initial</p>	<p>Yes.</p> <p>A Salinity Analysis has been submitted as part of the EIS.</p>

Provision	Compliance
investigation shows the site is saline or affected by salinity.	
2.10 Contaminated Land	
All DAs shall be accompanied by a Stage 1 Preliminary Site Investigation prepared in accordance with <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> and the <i>Contaminated Land Management Act 1995</i> .	Yes. A Preliminary Site Investigation and a Detailed Site Investigation has been prepared and forms part of the EIS.
2.11 Aviation Safeguarding	
An Aviation Safeguarding Assessment is to be submitted.	Yes. An Aeronautical Impact Assessment has been prepared and forms part of the EIS.
2.14 Utility Services	
<p>The developer shall liaise with relevant service providers to ensure adequate arrangements have been made to service the development. This includes water and sewer, electricity, gas (where required) and telecommunications.</p> <p>The developer shall submit sufficient evidence at subdivision stage to demonstrate the satisfactory arrangements have been made to ensure the delivery and construction utilities and services connections.</p> <p>All utilities are to be accommodated in the road reserve. The design of roads will need to take this into consideration. Applicants will be required to deliver water and sewer services upgrades (in accordance with current Sydney Water procurement guidelines) required to meet the anticipated demands for future industrial users.</p>	<p>Yes.</p> <p>The proposed development will deliver stormwater infrastructure, trunk service connections and utility infrastructure.</p> <p>As part of the EIS, consultation was undertaken with a range of service providers including Endeavour Energy, Sydney Water and Transport for NSW to ensure that satisfactory arrangements are in place.</p> <p>Currently, potable water, electricity and communications services are available within AIE. Options for non-potable water, sewer and gas are being investigated in consultation with the relevant service provider.</p> <p>Utility connections will be made to the lot from the estate utility connections in the road reserve.</p> <p>A Utility Plan is included within Appendix X along with correspondence from Sydney Water within Appendix S.</p>
3.1 Subdivision	
<p>Lots fronting biodiversity areas and corridors are required to have on-site drainage controls that prevent nutrient and erosion impacts on bushland.</p> <p>Lot design should maximise the conservation of natural features, including important fauna habitats,</p>	<p>Yes.</p> <p>Lots have been arranged to respond to the existing conditions on the site. This includes consideration of existing flora and fauna and biodiversity areas. The proposed scheme provides a better outcomes</p>

Provision	Compliance
<p>rare or threatened plant habitats, and designated biodiversity areas.</p> <p>Lots adjoining or containing watercourses are required to maintain or establish native vegetation riparian corridors. Perimeter roads should be provided for bushfire control and to improve outlook and amenity but this should be balanced with the need to minimise impacts on vegetation.</p> <p>Land zoned E2 Environmental Conservation must not be subdivided unless the consent authority is satisfied appropriate arrangements have been made for revegetation and rehabilitation of the land in accordance with a Vegetation Management Plan, including arrangements for ongoing monitoring and management.</p> <p>Minimum allotment size:</p> <ul style="list-style-type: none"> • IN1 – 1,000m² • E2 – Single continuous lot <p>Minimum frontage:</p> <ul style="list-style-type: none"> • IN1 – 40m excluding cul-de-sacs) and 35m minimum lot width at building line (for lots >5,000m²) • IN1 – 60m (for lot >10,000m²) 	<p>as it improves habitat through the relocation of the riparian corridor and proposed landscaping.</p> <p>The realigned creek corridor is not proposed to be subdivided from the developable areas. This provides that Mirvac as the long term owner of the Estate will be responsible for care and maintenance of this corridor as detailed in the Vegetation Management Plan (Appendix J).</p> <p>The proposed IN1 allotments are all greater than 1,000m² and the realigned E2 land will be contained within one allotment.</p> <p>The proposed IN1 allotments will have a minimum lot width at building line of greater than 60m.</p>
3.2 Views and Visual Impacts	
<p>Subdivision and building design should relate to the scale of adjoining rural residential buildings and consider the use of height transitions and building setbacks.</p> <p>Site design is to combine mounding and vegetation screening to soften the visual impact of the industrial use, particularly on adjoining rural residential uses.</p> <p>Site design should promote visual connections with waterways, conservation areas and open space.</p> <p>Enable visual connection to provide passive surveillance of the open space and public domain.</p> <p>Avoid barriers, such as fencing and walls, between environmental conservation, open space areas, and industrial uses.</p>	<p>Yes.</p> <p>A Visual Impact Assessment (VIA) has been updated (refer to Appendix K) to assess the potential impacts of the proposed AIE on surrounding public and private receivers. The VIA concluded that the areas with the greatest potential for visual impact are located along Mamre Road to the west. However, adequate mitigation measures are proposed to reduce these impacts by filtering views to the proposed development. Proposed mitigation measures for the western interface include:</p> <p>Introduction of a 20m landscape buffer along Mamre Road;</p> <p>Extensive planting with a mix of low, medium and high-level plants;</p>

Provision	Compliance
<p>Creeks and waterways should be integrated as key features of the building and landscape design.</p> <p>Landscape design and plant selection should provide continuity with the existing natural vegetation.</p> <p>Lots adjoining Mamre Road should be designed in a manner that promotes high quality landscape character, including vistas.</p> <p>In general, buildings should not be sited on ridgelines with lower building heights around ridgelines.</p>	<p>Retention of existing vegetation, where possible;</p> <p>Implementation of a landscape maintenance and management regimes to ensure the planning successfully establishes and thrives;</p> <p>Orientation of active faces of warehouses away from the western façade; and</p> <p>Selection of colours for the buildings which complement the existing landscape colours.</p> <p>This provides a comprehensive suite of measures to effectively mitigate the impact of the proposed development on adjacent occupiers. In addition, the surrounding lands, including most of the receivers themselves, are zoned IN1 General Industrial. As this precinct evolves, surrounding lands will likely encompass similar built forms to the proposed development which will minimise the overall impact of the proposed development.</p>
3.4 Transport Network	
<p>The Mamre Road Precinct should be developed generally in accordance with the road network map identified in Figure 14.</p> <p>Access points shall be located to optimise safety, traffic flow and landscape opportunity. All parking shall be provided either on site or in centralised off-road locations.</p> <p>Upgrading of Mamre Road shall be undertaken to accommodate increases in traffic generated by this development.</p> <p>No direct vehicle access to Mamre Road or Southern Link Road or distributor roads are permitted.</p> <p>All intersections within the internal road network shall incorporate traffic facilities which promote safe and efficient pedestrian, cyclist and traffic movement.</p> <p>The internal road pattern is to facilitate 'through-roads' with cul-de-sac to be avoided unless dictated by topography or other constraints.</p> <p>The internal road network intersections to be provided at the following minimum intervals:</p>	<p>Yes.</p> <p>The internal estate road network for Roads No. 1 and 2 have been designed in accordance with the MRP DCP Road Network Map.</p> <p>Construction, operation and dedication of a new signalised intersection to Mamre Road in the proposed location is consistent with the proposed Mamre Road Strategic Design Upgrade and the MRP DCP Road Network Map. The proposed integration will contribute to optimal traffic movement and pedestrian safety.</p> <p>A Supplementary Traffic and Transport Memo has been prepared and is included at Appendix M.</p> <p>The proposed development has been designed in order to ensure access to and from the site will be compatible with the delivery and operation of an integrated freight network.</p> <p>The proposal is compliant with the minimum interval requirements as outlined in the MRP DCP.</p>

Provision	Compliance
<p>Local to local industrial street: 40m-60m;</p> <p>Local to collector/distributor street: 100m – 200m;</p> <p>Collector/distributor to sub-arterial road: 400m – 500m.</p> <p>Full details of the volume, frequency and type of vehicle movements shall be submitted with the development applications.</p> <p>Proposed industrial roads must comply with the road configurations in Table 9.</p> <p>A Transport Management and Accessibility Plan (TMAP) is to be prepared for all significant developments. The TMAP is to address the objectives and controls in this section.</p> <p>Development applications for major development proposal should be accompanied by an appropriate Traffic and Transport Report.</p> <p>Development is to enable the future delivery of an integrated freight network by preserving a dedicated freight corridor as shown in Figure 16.</p>	
4.1 Site Analysis	
<p>All development applications are to be accompanied by a Site Analysis Plan.</p>	<p>Yes.</p> <p>A Site Analysis Plan has been submitted and forms part of the EIS package.</p>
4.2.1 Building Height	
<p>Buildings should not exceed a maximum height of 16m from the existing ground level within 250m of a rural-residential zone. For all other sites, a maximum building height of 20m from existing ground level is permitted.</p> <p>Building height should respond to the natural landscape and scale of existing adjoining development, incorporating lower elements towards the street, pedestrian paths, adjoining rural-residential areas, and areas of environmental value, such as riparian corridors and ridgelines.</p> <p>A Visual Impact Assessment is to be submitted with development applications.</p> <p>On sloping sites, the building or buildings should be designed where possible, so as to “step” physically</p>	<p>Yes.</p> <p>The Concept Masterplan and Stage 1 development, Buildings on Lot 1 and Lot 3, have a maximum height of 13.7m.</p> <p>A Visual Impact Assessment has been submitted as part of this Response to Submissions. The height of the buildings has considered the surrounding topography.</p>

Provision	Compliance
up or down the site to avoid visual impact on ridges.	
4.2.2 Building Setbacks	
<p>Building setbacks are to be in accordance with the standards outlined below.</p> <p>Lots fronting designated roads (Mamre Road and Sothern Link Road) – 20m</p> <p>Lots fronting key access roads – 12m</p> <p>Lots fronting all other roads – 7.5m</p> <p>Secondary road frontages (corner lots) – 5m</p> <p>Rear and side boundaries – 5m</p>	<p>No.</p> <p>The site specific DCP proposes the following setbacks:</p> <p>Lots fronting designated roads (Mamre Road) – 20m</p> <p>Lots fronting key access roads (Access Road 1 and Access Road 3) – 7.5m</p> <p>Lots fronting all other roads (Local Estate Roads) – 5m</p> <p>Secondary road frontages (corner lots) – 5m</p> <p>Rear and side boundaries – 5m</p> <p>The proposed design provides that the warehouse buildings north of Access Road 1 are setback 12m with the smaller office components setback 7.5m to better relate to the streets, public domain and pedestrian experience.</p> <p>Providing for variation in the building setbacks for the smaller scale office spaces will ensure that the building form is not a single wall extent.</p>
4.2.3 Landscaping	
<p>Landscaped area is to be provided generally in accordance with the requirements set out below.</p> <p>Lots fronting designated roads (Mamre Road and potential Southern Link Road) – 10m landscape setback to the road frontage</p> <p>Lots fronting key access roads (distributor and collector roads) – 6m or average 50% of setback along the road frontage.</p> <p>Lots fronting all other roads (local estate roads) – Average of 50% of setback along the road frontage</p> <p>Rear boundary – 2.5m from the rear boundary</p> <p>Side boundary – no minimum</p> <p>Lots adjoining land zoned E2 Environmental Conservation, RE1 Public Recreation, and RE2 Public Recreation (unless otherwise specified)</p>	<p>No.</p> <p>The majority of warehouses are consistent with the proposed landscape setbacks with the draft MRP DCP.</p> <p>The only inconsistency is the rear building setbacks between Warehouses 7 and 8. This inconsistency is considered a minor variance due to building configuration. Additional landscaping has been accommodated within the side setback, for which the draft MRP DCP requires no minimum. The variation for Warehouses 7 and 8 is consistent with the objectives of the MRP DCP which include enhancing the presentation of buildings, reducing energy consumption and contributing to the overall character of the locality.</p>

Provision	Compliance
elsewhere in the DCP) - 5m landscape setback from the edge of the E2.	
Landscape design should contribute to canopy cover target of 40%.	Yes. The proposed AIE development contributes to the Western Parkland City's tree canopy target of 40% by providing 60,421m ² of tree canopy cover within the road reserve and landscaped setbacks. Tree canopy cover has been maximised with 11% of the total site area site area provided. Providing additional canopy coverage is impractical for an industrial estate.
Minimum of 15% of the site area is to be pervious. Achieved via either landscaping or the use of permeable paving materials.	Yes. The proposed AIE concept masterplan provides for approximately 21% pervious area.
Tree planting in the form of island planter beds should be provided at a rate of one planter bed per 10 car spaces within car parks to reduce the heat effect and soften the hard surfaces.	Yes. Tree planting to carpark area is proposed at a rate of 1 island planter bed per 6.7 car spaces or 1.49 island planter beds per 10 spaces.
4.2.4 Building Design	
Development with a construction cost of \$1 million or more is to demonstrate a commitment to achieving no less than 4 stars under Green Star or 4.5 stars under the Australian Building Greenhouse Rating system (now part of the National Australian Built Environment Rating System (NABERS)), where appropriate.	Yes. The ESD initiatives are proposed to achieve an environmental outcome equivalent to a 5 Star Green Star (Design and As Built tool) standard.
An access report is required where disabled access is a requirement of the <i>Disabilities Discrimination Act 1992</i> .	Yes. A BCA Compliance Report has been submitted and forms part of the EIS package.
Buildings should be oriented so that loading, servicing and areas of car parking greater than 20 spaces are accommodated to the rear or the side of the site. Only visitor carparking (under 20 spaces) is permitted at the front of the site.	
Facades along the main street frontage(s) must provide a minimum of 30% glazing to strengthen passive surveillance and streetscape character.	Yes. The office and entry spaces to the proposed warehouses adopt the 30% glazing requirement to contribute to passive surveillance and streetscape character.

Provision	Compliance
The colour and material palette should utilise muted tones of the natural landscape and avoid incompatible bright bold colours and textures. The consent authority will have regard to the use of materials in assessing the development.	Yes. A coordinated palette of materials and colours has been adopted to maintain visual interest and harmony with the surrounding natural landscape.
Elevations fronting the street or public reserves or those that are visible from public areas and adjoining rural-residential areas must present a building form of significant architectural and design merit. The construction of large, blank wall surfaces is not permitted in visually sensitive locations.	Yes. A variety of materials and patterns are adopted along street frontages to encourage visual interest.
The use of large, uninterrupted areas of metal cladding or untreated concrete surfaces for wall construction is not supported. Applicants shall vary materials or finishes for external walls to provide attractive streetscapes and quality building designs. The use of a single construction material shall be limited to 50% of a wall surface area.	Yes. The proposed warehouse developments use a variety of materials including: Non-combustible cladding Concrete panels.
Courtyards and screen walls should be in the same material as the building facades.	Yes.
Particular care should also be taken in: Designing roof elements; and Locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations.	Yes.
Any office and administration component is to be located to the main frontage of the building and be designed as an integral part of the overall building, rather than a 'tack on' addition.	Yes. All office components are located at the front of each industrial building.
The entry, design and layout of the main office or administration component is to consider the principles of Universal Design and incorporate, if possible: A level or graded path from the car park area to the entrance; A level entry (no steps); An accessible toilet; Easy access doors and corridors;	Yes. All entry, design and layout adhere to Universal Design components.

Provision	Compliance
Accessible placement of switches, power points and window controls.	
4.2.5 Design of Storage Areas	
<p>External storage of goods must be avoided, wherever possible. Where the nature of the activity or the materials means that internal storage is impractical, all external storage areas must be located behind the front building setback. In addition, when assessing development applications involving external storage of goods, the following will be taken into consideration:</p> <p>The proposed height and on-site arrangement of stored goods;</p> <p>The visual impact of the storage area and how this proposed to be minimised (orientation, screening with landscaping and/or solid fencing, etc.);</p> <p>Access arrangements; and</p> <p>Safety issues.</p> <p>For sites with multiple frontages, either to roads or other public spaces, the location and orientation of external storage areas shall minimise visual impact from all potential viewpoints.</p> <p>Rainwater tanks are not to be visually intrusive from the main street frontage or other public areas.</p>	<p>Yes</p> <p>The design of storage areas is proposed to be internal within the Warehouse buildings. No visual impact will result from storage areas.</p>
4.2.6 Storage, transportation and processing of chemical substances	
<p>A Chemical Use and Storage Report is to be submitted with any Development Application which involves the storage, transportation and/or processing of chemical substances, except in the following circumstances:</p> <p>The use of chemicals is for routine cleaning and the chemicals to be used are of household or hospital grade.</p> <p>The total quantity of chemicals to be routinely used or stored on the site does not exceed 100 litres.</p> <p>The chemicals to be used or stored are not of sufficient acidity, alkalinity or strength to cause significant harm on skin contact, or to the environment if a spill were to occur.</p>	<p>Yes.</p> <p>There are no chemical substances proposed to be stored on-site.</p>

Provision	Compliance
The application outlines the methods proposed to be used to minimise the potential for spills.	
4.2.7 Signage and Estate Entrance Walls	
<p>All advertising is required to be:</p> <p>Constructed of high quality, durable materials;</p> <p>Considered in conjunction with the design and construction of buildings;</p> <p>Restricted generally to one sign identifying the name of the occupants and/or products manufactured or produced on the site; and</p> <p>Contained wholly within the site.</p> <p>The dimensions of free-standing pylon signage must not exceed 10m in height from finished ground level and 2m width. No signage is permitted in the bottom 2m of the structure.</p> <p>Building identification signage should have a maximum advertising area of up to 0.5 square metres for every metre of linear street frontage.</p>	<p>Yes.</p> <p>Signage plans are submitted with the EIS for the proposed estate-wide signage.</p> <p>An additional signage plan for temporary real estate signage is submitted as part of this Response to Submissions.</p> <p>Full compliance against SEPP 64 is achieved.</p>
4.2.8 Lighting	
Lighting details shall be provided as part of any relevant development application.	<p>Yes.</p> <p>Lighting detail is provided with the Energy Efficiency Report submitted with the EIS package.</p>
4.2.10 Ecologically Sustainable Development	
Development applications should demonstrate Ecological Sustainable Design (ESD) measures have been incorporated into the design.	<p>Yes.</p> <p>An Energy Efficiency Report is submitted with the EIS package to guide how ESD measures should be incorporated into the design.</p>
4.3 Amenity	
Any machinery or activity considered to produce noise emission from a premise shall be adequately sound-proofed so that noise emissions are in accordance with the provisions of the <i>Protection of the Environment Operations Act 1997</i> .	<p>Yes.</p> <p>A Noise and Vibrations Impact Assessment was submitted with the EIS package and considers any noise producing machinery or activities, and provides mitigation measures.</p>
Where it is considered likely that a development may cause an adverse impact on nearby rural or residential areas, an acoustic report from a qualified acoustical engineer will be required to be	<p>Yes.</p> <p>Noise and Vibration Impact Assessment is submitted and contained within the EIS package.</p>

Provision	Compliance
submitted for consideration with the development application. The acoustic report will need to demonstrate that the proposed development will not create any adverse impact.	
All development shall comply with the requirements of relevant Australian Standards and State Government policies and guidelines relating to noise.	Yes.
An acoustic report shall be required for developments that are likely to generate high noise levels and for development within 500m of residential areas and other sensitive noise receivers, including seniors housing, places of public worship and educational establishments. The acoustic design report should refer to the relevant Australian Standards and State Government policies and guidelines relating to noise.	Yes.
4.4.1 Earth Works and Retaining Walls	
A Geotechnical Report is to be submitted with development applications proposing earthworks that change the levels of a site.	Yes. A Geotechnical Report has been submitted and forms part of the EIS.
Excavation and fill in excess of 1.0 metre may be permitted to allow for the establishment of a level construction pad providing the excavations are adequately retained and drained in accordance with engineering requirements.	Yes Excavations are adequately retained and drained in accordance with engineering requirements. Refer to updated Civil Plans at Appendix C .
Finished ground levels adjacent to the public domain or public road dedication be no greater than 1.0m above the finished road level (or public domain level).	No. Given the topography constraints throughout the Mamre Road Precinct, this proposed control is not feasible. All vehicular grades and sightlines are compliant with the relevant guidelines.
Where a level difference must exceed 1.0m and adjoins the public domain or public road dedication, the resulting landscape setback must be increased to accommodate tiered retaining walls.	N/A No retaining walls fronting public roads or public domains are proposed as part of the Stage 1 development.
Cut or fill retaining walls up to 3.0m in height are to be setback 2.0m into the property boundary and the setback is to be suitably landscaped.	Yes. The proposed development's retaining walls are compliant.

Provision	Compliance
Fill retaining walls exceeding 3.0m in height, are to be provided with a 1.5m deep soil zone setback and landscaping from the property boundary, with the retaining wall stepped and a deep soil zone is to be provided between each tier. A maximum height of 3.0m for each retaining wall element is permitted.	N/A No retaining walls fronting public roads or public domains are proposed as part of the proposed development.
4.4.2 Erosion and Sediment Control	
All applications for subdivision and development which involve site disturbance must be accompanied by an Erosion and Sediment Control Plan (ESCP).	Yes. The Civil set contains an Erosion and Sediment Control Plan. This forms part of the EIS package.
4.5 Utilities	
<p>Council shall require as conditions of any development consent that arrangements satisfactory to:</p> <p>Sydney Water will be made for the provision of water and sewerage services;</p> <p>Endeavour Energy have been made for the supply of electricity.</p> <p>Arrangements satisfactory to the relevant telecommunications authority will be made for the provision of telecommunications services; and</p> <p>Council have been made for the drainage of the land.</p> <p>A Utilities Plan is to be submitted with all subdivision and new building development applications.</p>	<p>Yes.</p> <p>Essential infrastructure will be delivered on site and connected to the regional network as per Agencies and Authority standards with satisfactory arrangements in place.</p> <p>Correspondence with Sydney Water is included at Appendix S.</p> <p>A Utilities Plan is included in the RtS at Appendix X.</p>
4.5.2 Council engineering works and construction standards	
<p>All engineering works shall be undertaken in accordance with the provisions of Council's standards, as amended:</p> <p>Stormwater drainage specification for building developments;</p> <p>Council's water sensitive urban design (WSUD) technical guidelines;</p> <p>Engineering design specifications for civil works; and</p>	<p>Yes.</p> <p>The proposed development aligns with Council's standards including stormwater, WSUD, and engineering guidelines.</p>

Provision	Compliance
Engineering construction specifics for civil works.	
4.6 Waste Minimisation and Management	
<p>Applicants are to submit a Waste Management Plan when lodging a development application for:</p> <p>Demolition or construction of buildings.</p> <p>Change of use of buildings.</p> <p>Subdivision of land and/or buildings.</p> <p>Alterations to 50% or more of the existing gross floor area of buildings, or additions to buildings resulting in a 50% increase (or more) to the existing gross floor area.</p>	<p>Yes.</p> <p>A Waste Management Plan has been submitted and forms part of the EIS package.</p>
4.7 Access and Parking	
<p>Provisions of Parking Spaces: Parking Requirements:</p> <p>Warehouses or distribution centres – 1 space per 300m² of gross floor area or 1 space per 4 employees, whichever is the greater.</p> <p>Ancillary office space – 1 space per 40m² of gross floor area.</p> <p>Accessible parking – accessible car spaces should be in accordance with the access to premises standards, Building Code of Australia and AS2890.</p>	<p>Yes.</p> <p>The proposed AIE development has adopted the rates contained in the MRP DCP. For Stage 1, the proposed development contains the following:</p> <p>Warehouse 1: 232 spaces</p> <p>Warehouse 2: 89 spaces</p>
Design of Parking and Manoeuvring Areas	<p>Yes.</p> <p>Adequate hardstand area for loading and manoeuvring with separate car parks is provided and detailed in the Traffic and Transport Assessment.</p>
Bicycle parking, facilities and storage	<p>Yes.</p> <p>Bicycle parking, facilities and storage will be allocated once tenant requirements are confirmed and number of employees are known.</p>
<p>Access and driveways</p> <p>The road access to the site should provide for safe entry and exit. All vehicles must enter/exit the site in a forward direction.</p>	<p>Yes.</p> <p>The proposed AIE development ensures safe entry and exit to and from the industrial estate, and from each warehouse. The driveway locations have taken into consideration the future traffic volumes of the surrounding network. This is detailed in the</p>

Provision	Compliance
The design of the development driveway should take into consideration the traffic volumes of the surrounding road network.	Traffic and Transport Assessment contained in the EIS package.
4.7.4 Site Access and Servicing	
<p>Development that fronts Mamre Road, the Potential Southern Link Road, or a classified road, shall ensure that:</p> <p>The allotment of land was created in accordance with a subdivision approved pursuant to this DCP; and</p> <p>Access to the allotment is in accordance with the access arrangements approved with the subdivision.</p>	<p>Yes.</p> <p>The proposed site access from the signalised intersection at Mamre Road has been designed in line with the Mamre Road DCP and Mamre Road Strategic Design Upgrade.</p>
Full details of the volume, frequency and type of vehicle movements shall be submitted with the development application.	<p>Yes.</p> <p>The full details of volume, frequency and vehicle movements is contained in the Traffic and Transport Assessment.</p>
In general, turning circles will be required to be provided to accommodate the largest type of truck which could reasonably be expected to service the site. All developments must be designed and operated so that a standard truck may complete a 3-point or semi- circular turn on the site without interfering with parked vehicles, buildings, landscaping or outdoor storage and work areas. Large scale developments shall be designed to accommodate 26m B-double (PBS Level 2 Type B).	<p>Yes.</p> <p>Swept path diagrams form part of the Traffic and Transport Assessment and are included in the EIS package.</p>
Adequate space is to be provided within the site for the loading, unloading and fuelling (if applicable) of vehicles. These areas shall be screened from the road.	Yes.
<p>Where the nature of the industrial development will attract clients/visitors to the site, the following elements shall be included in the car park design:</p> <p>The internal (vehicular) circulation network is to be free of disruption to circulating traffic and ensure pedestrian safety;</p> <p>The car park should, where possible, be designed with wheel stop kerbs only, rather than a barrier</p>	Yes.

Provision	Compliance
<p>kerb between parking areas and pedestrian pathways;</p> <p>The movement of pedestrians throughout the car park is clearly delineated by all users of the car park and minimises conflict with vehicles; and</p> <p>Where parking spaces are to be provided for people with disabilities, these spaces are to be:</p> <p>Suitably located near entrances to the building, lifts and access ramps (if required);</p> <p>Provided in accordance with AS1428.1 Design for Access and Mobility; and</p> <p>Supplemented by the installation of appropriate tactile pavement treatments where required.</p>	

Please update the Aspect Industrial Estate DCP to ensure its consistency with the draft MRP DCP.

The Aspect Industrial Estate Development Control Plan (**AIE DCP**) has been updated to reflect the objectives and planning controls contained in the MRP DCP.

The proposed AIE site specific DCP is therefore broadly consistent with the provisions in the Draft MRP DCP. However some minor adjustments have been made in the AIE DCP to reflect specific site design. Key variations between the MRP DCP and AIE DCP include:

- Building setbacks to Collector Roads – proposed at 7.5m rather than 12m to allow for location of office buildings forward of the warehouse building line. This provides for more interesting built form relationships with the public domain and pedestrian scale and will result in variation to what would otherwise result in a continuous hard edge building setback.
- Tree canopy coverage – proposed at 11% rather than 40%. Tree canopy cover has been maximised within the road reserve and landscape setbacks, providing additional canopy coverage is impractical for an industrial use.
- Pervious area – proposed at 21% rather than 35% (as required by Section 2.6.1 Stormwater Management of the MRP DCP) and 15% (as required by Section 4.2.3 Landscaping of the MRP DCP).
- Water Cycle Management – The site specific DCP has been amended to align with the recommendations included within the discussion paper at **Appendix R**. It is noted that the controls within the site specific DCP are consistent with the Waterway Health objectives within the Draft MRP DCP.

The AIE Site specific DCP allows for three options to achieve waterway health objectives.

3. Adopting the volumetric reduction target as set out on the Mamre Road Precinct Draft DCP
 4. Best matching the natural streamflow frequency curve as set out in discussion paper at Appendix R.
 5. Any alternative suitable waterway health controls as deemed contextually appropriate from the relevant waterway health authority.
- Landscape setbacks – a minor variation to the MRP DCP landscape setback provision requiring a 2.5m landscaped rear setback is included within the AIE DCP to allow flexibility when building configuration is irregular.
 - Access to collector roads – Whilst the MRP DCP states no vehicular access is to be provided to collector roads, a variation to this is proposed to allow car access, truck access will continue to be restricted to lower order estate roads.

- Materiality – The MRP DCP requires the use of a single construction material be limited to 50% of a wall surface area. This is highly prescriptive and has been revised within the AIE DCP to a requirement for a variety of materials and treatments to be provided along main street frontages.
- Facades to incorporate 30% glazing – this is proposed to only apply to warehouse entries and commercial spaces ensuring development results in appropriate passive surveillance and streetscape character.
- Finished ground levels adjacent to the public domain or public road dedication – the MRDCP states that these levels should be no greater than 1.0m above the finished road level (or public domain level). Given the topography constraints throughout the Mamre Road Precinct, this proposed control is not feasible and the maximum 1m has been removed and replaced with a requirement for all vehicular grades and sightlines to be compliant with the relevant guidelines.

4.2. TRAFFIC, ACCESS AND PARKING

The DPIE notes proposed Access Road 1 is identified as a higher order road in the draft MRP DCP as it provides a key controlled access location to Mamre Road for the development and future developments to the north, east and south of the site. The draft MRP DCP identified a required road width of 30.6m at the Mamre Road/Access Road 1 intersection with a potential mid-block width reduction to 26.4m, subject to design and Council agreement. The road is also ‘accessed denied’ meaning car park access and loading dock access should not be provided to/from this road.

The development does not achieve the nominated width and includes direct access from warehouses 1 (Stage 1 development) and 8 (Concept Proposal). A detailed justification is required for these departures.

The design of Access Road 1 has been updated to be consistent with the draft MRP DCP. The width at the proposed intersection with Mamre Road will be subject to the approved intersection design. This update is reflected in the Concept Masterplan, which is shown at **Figure 4** below. The road is widened to the south to conform to the DCP requirements, affecting the future development lots for Warehouses 8 and 9. The updates to the Concept Masterplan do not affect the Stage 1 design for Warehouses 1 and 3.

Figure 4 Updated Concept Masterplan



Source: SBA Architects

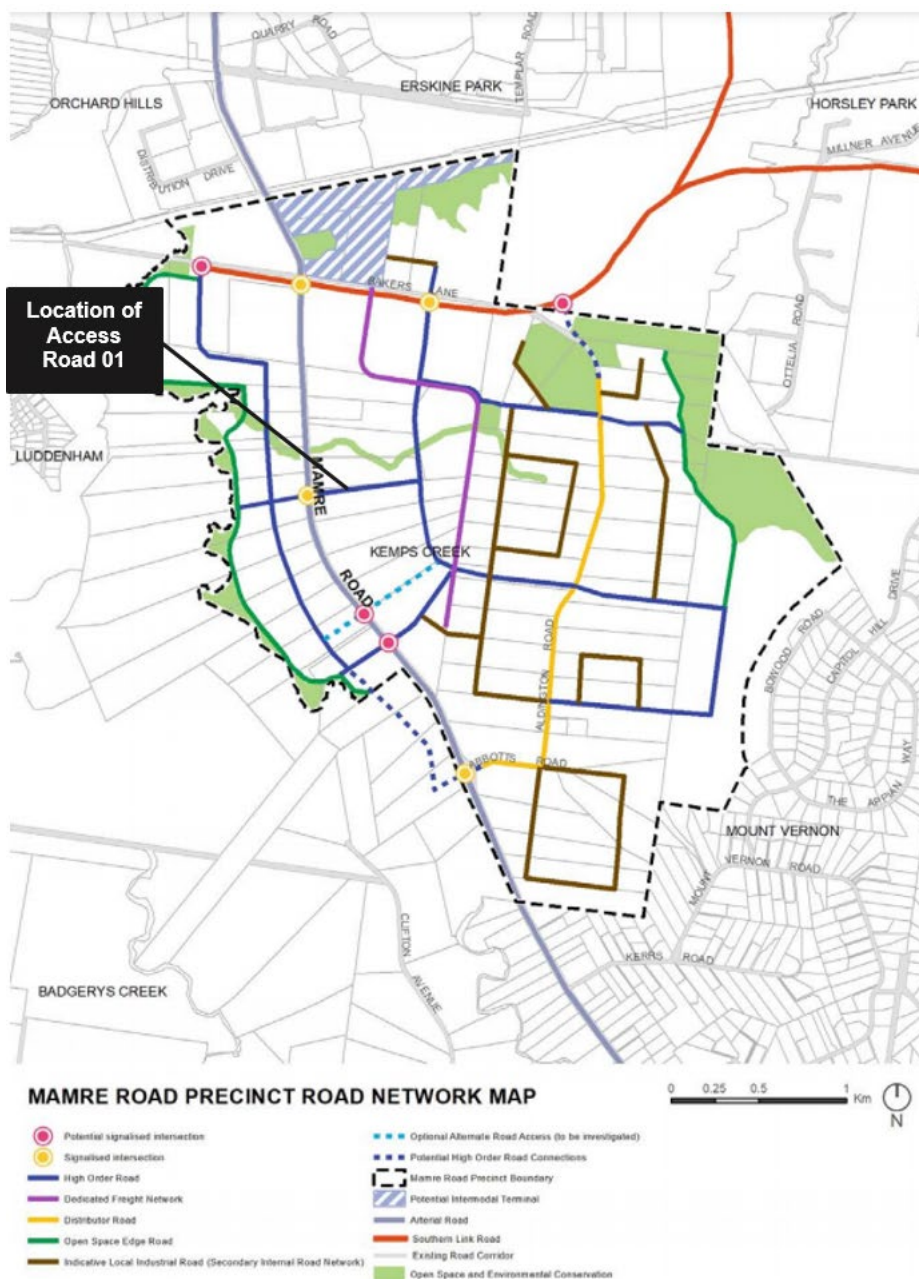
In relation to the direct warehouse access, Section 3.4.1 of the draft MRP DCP, Control 6 states the following:

No direct vehicle access to Mamre Road, Southern Link Road or Distributor Roads are permitted.

Access Road 1 is defined as a High Order Road under the MRP DCP (refer to **Figure 5**). Due to this classification, it is not subject to this restriction. As a result, the current access arrangement to and from warehouses on Access Road 1 is consistent with the draft MRP DCP.

Car access is proposed to be retained to warehouse lots from Access Road 1. Heavy Vehicle access to warehouse lots will be provided from the secondary access roads (Access Road 2, 3 and 4).

Figure 5 MRP DCP – Road Network Map



Source: Department of Planning Industry and Environment

The draft MRP DCP requires Access Road 1 and Access Road 3 (as part of a north-south collector road) provide access to the adjoining sites to the north, east and south. The development must consider the access requirements (including the timing of providing access) for these adjoining sites to enable the orderly development of Mamre Road Precinct.

Access Road 1 terminates as a cul-de-sac at its eastern end under the Stage 1 development, with no connection provided to neighbouring properties. Further justification for this approach is required, in the context of the concerns raised above.

The estate layout has incorporated and designed the road network within the estate to enable future road connections north and south of the site. This is shown on the Concept Plan (**Figure 4** above), which shows a future right of access easement to the north and a temporary turning head to the south.

Following a review of the submissions received during exhibition, it is noted comments were raised in relation to the staging and timing of this access. The Stage 1 Plans have been updated (refer to **Figure 2** above) to include the following:

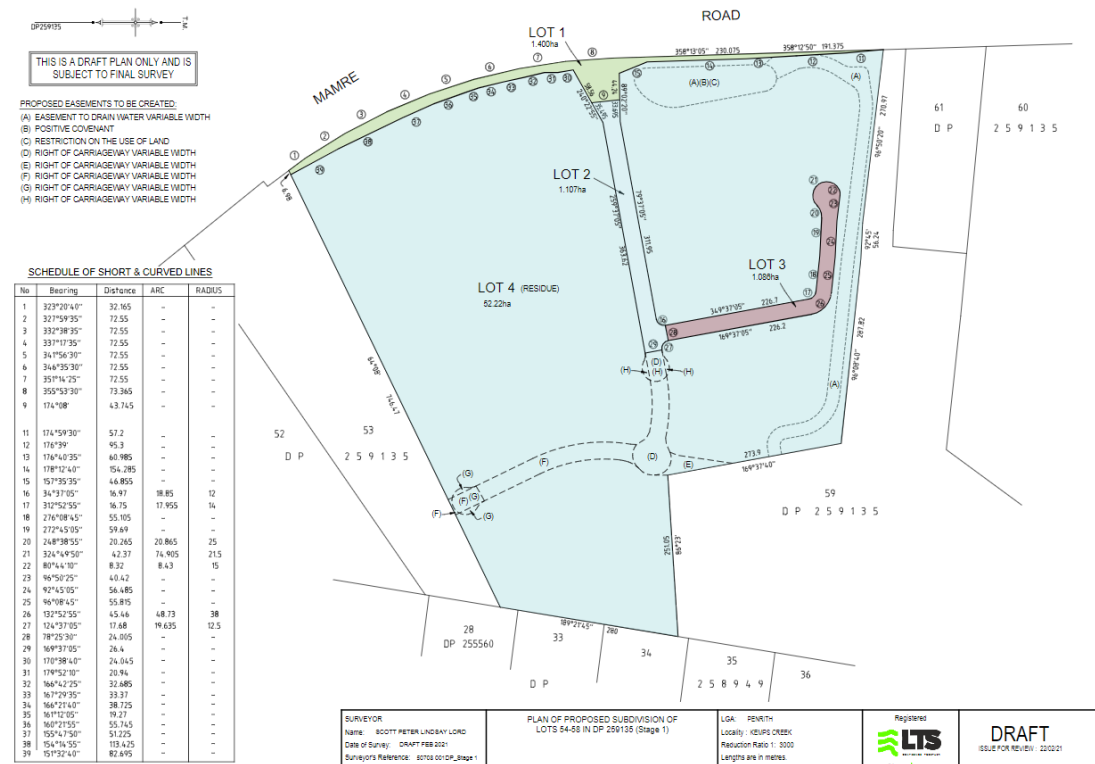
- extend Access Road 1 to AIE's eastern boundary and construct roundabout. A right of way to be provided benefiting GPT to ensure access is available to their site via AIE Estate Road 1 prior to construction of Access Road 3 north;
- provide temporary access to the north;
- deliver Access Road 3 south which facilitates future connection to the south. Provide right of way benefiting Altis to ensure access is available to their site via AIE Access Road 1 and Access Road 3.

A Right of Way is to be provided across Access Road 1 and 3 and across the temporary access points onto adjacent lots prior to completion of the Estate Road network to ensure access is available to adjoining lots during construction phase. This is documented in the proposed subdivision plan (refer to **Figure 6** below).

Stage 1 Phase 1 road works will be completed prior to issuance of first Occupation Certificate for warehouse 1 and 3.

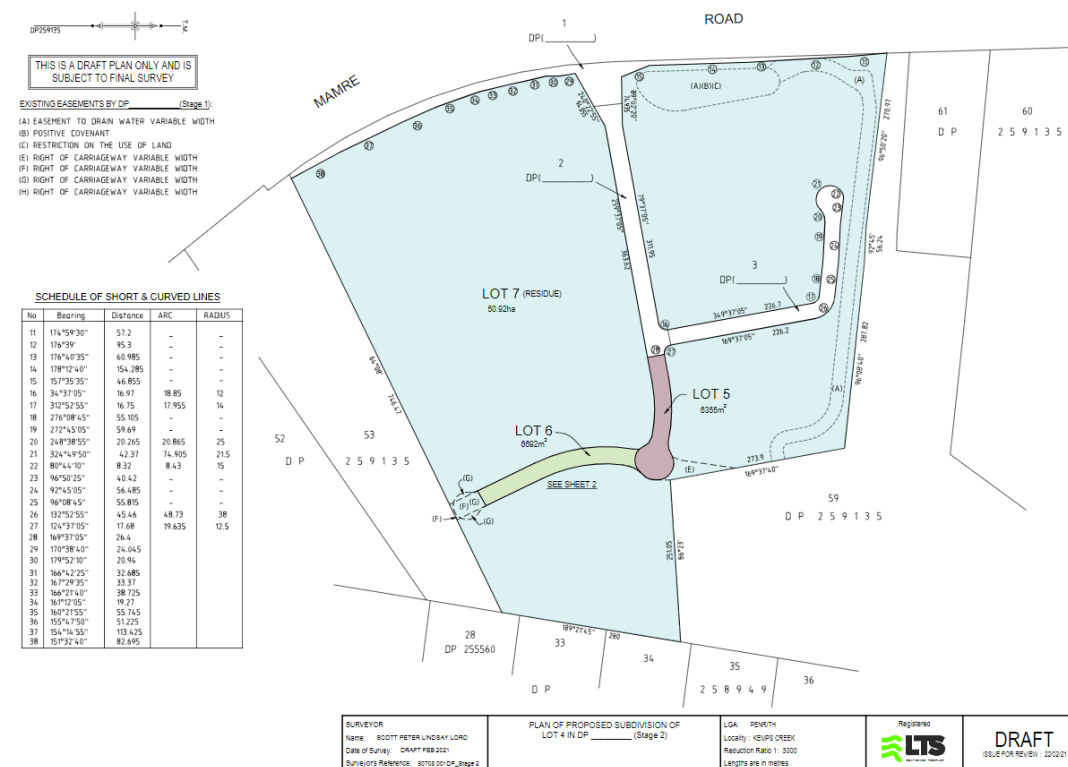
The Stage 1 Phase 2 road works will be completed prior to issuance of first Occupation Certificate for any warehouse which connects to it, therefore ensuring timely provision of access to adjacent landholdings.

Figure 6 Subdivision Plan



Picture 7 Subdivision Stage 1 Phase 1

Source: LTS



Picture 8 Subdivision Stage 1 Phase 2

Source: LTS

Further detail on the design and delivery of the northern connection is proposed to be addressed via a future modification to the proposed development. In order to refine and finalise the design, the following are required:

- finalisation of precinct-wide road modelling detailing the roundabout design and treatment;
- confirmation of final alignment of the creek within the adjacent landowner's property, so to resolve connection points and riparian corridor location and any road design that may traverse the riparian corridor;
- confirmation from adjacent landowners of final levels of earthworks at their property boundary;
- the proposed northern connection road must be built 50:50 between Mirvac and the adjoining landowner. This road cannot be delivered until broader design of both industrial estates is resolved and approved via the DPIE;
- the requirement for a fair and reasonable cost appointment to be established via the Section 7.11 Contribution Plan; and
- resolution of the potential future dedicated freight network.

Mirvac continues to consult with the GPT Group on the above approach. The temporary access right of way enables early works to progress on the adjacent site. This approach has also been outlined and discussed with the Industrial Assessment team. It is recommended the outstanding matters listed above be noted as a condition of consent requiring "a modification to be lodged to enable coordinated design and delivery of Access Road 3 north once the GPT Group receives approval and the road network design is further refined".

The DPIE notes the Stage 1 development includes an interim arrangement for the Mamre Road/ Access Road 1 intersection to accommodate the currently anticipated 2026 background traffic flows and traffic from the Stage 1 development. Please clarify whether any further upgrades to the intersection are required to accommodate additional traffic beyond the anticipated 2026 background growth, the Stage 1 development, future development on the site and surrounding sites, and the authority who will undertake the required upgrades.

The proposed intersection has been designed based on the 2026 horizon year. The assumptions for this modelling include the Stage 1 development and a nominal allowance for background growth within the broader precinct.

Additional upgrades will be required to facilitate the future year growth and build out of Mamre Road Precinct. These upgrades are being identified as part of the precinct-wide traffic and transport analysis currently being undertaken by Ason Group in conjunction with DPIE and TfNSW.

Once the modelling is complete and the contribution framework is finalised, Mirvac will work with TfNSW and Penrith City Council on any future upgrades required via future applications across the AIE Concept Plan Area.

The DPIE concurs with TfNSW that the Traffic Assessment should include an assessment of the Concept Proposal (11 warehouses) under the ultimate scenario (2036) which also considers traffic generated by development on surrounding sites.

An analysis of the Mamre Road Precinct, including the Concept Plan is currently being undertaken for the 2036 horizon year by Ason Group in conjunction with DPIE and TfNSW.

As a result of the outcomes of this analysis, the Concept Masterplan will be modified to reflect the ultimate road network and any requirements associated with the function of the broader road network.

The DPIE notes Section 7.1 of the Traffic Assessment states the proposed trip rates have been agreed by TfNSW. The DPIE is currently undertaking traffic modelling for the precinct in consultation with TfNSW and the landowner group. Please provide evidence of TfNSW agreement in the RtS. Should the consultation result in any changes to traffic modelling and trip generation rate, the Traffic Assessment must be updated to the agreed trip generation rate and include an amended traffic assessment.

TfNSW provided an agreement and direction to adopt the trip generation rates used for AIE Traffic and Transport Study. This direction was provided by email from Steven Konstas dated 2 September 2020 (refer to **Appendix M**) and states the following:

As advised by TfNSW, please find attached below the trip generation characteristics to be adopted for General Warehousing for Mamre Road Precinct.

Please ensure that these trip generation rates are used as part of the modelling work to test the initial road network option(s) proposed by the Landowner Group and the Agency.

These rates whilst adopted for the analysis are subject to change.

The exhibition of the proposed AIE development did not raise any concerns in relation to the trip generation rates adopted. Therefore, these rates are sufficient to inform the proposed development and associated traffic and transport infrastructure.

Section 7.3 of the Traffic and Transport Assessment assigns a 200,000m² to “adjacent landholdings” for the purpose of calculating traffic generated from those sites. Please provide further details on which landholdings are being referred to and how this GFA figure has been calculated.

The 200,000m² is a nominal area adopted to reflect possible future development in the short term. This may include developments to the north or south with future access to Access Road 1 in the draft MRP DCP.

Please provide a breakdown of car parking spaces for Warehouse 1 and the café in the RtS.

The café is required to provide at least 12 car parking spaces on the basis of the draft AIE DCP. The car park directly next to the proposed café currently provides a total of 26 spaces. At least 12 spaces within this car park will be assigned to the café.

In relation to the broader Warehouse 1, a total of 158 spaces is required based on the draft AIE DCP rates. However, a total of 233 spaces is provided across the entire Warehouse 1 proposed development.

Please provide a Transport Management and Accessibility Plan (TMAP) required by Control 1 of Section 3.4.2 of the draft MRP DCP.

A Transport Management and Accessibility Plan has been prepared to support this development application as per the draft MRP DCP requirements (refer **Appendix M**).

Please clarify how access to and from the dedicated freight corridor will be achieved from lots 4 and 5 as required by Control 7 of Section 3.4.3 of the draft MRP DCP.

The design of the freight network and its operational function has not been finalised by TfNSW. As such, it is not possible to provide a detailed response on how access to and from the dedicated freight corridor will be achieved from Lots 4 and 5. The AIE Concept Plan has provided a 10m reservation for the potential future dedicated freight network, which aligns with the objectives and controls outlined in the draft MRP DCP. This reservation is sufficient for the purpose of the Concept Plan and Stage 1 development. Any further details on the dedicated freight network will be refined through future applications across the AIE site.

4.3. RIPARIAN CORRIDOR AND FLOODING

The development includes realignment of the existing riparian corridor. The DPIE requests the applicant to continue to consult with NRAR and provide evidence of its support for the realignment, including identifying the most appropriate location for the realigned corridor to exit the site at the eastern property boundary.

Should NRAR support the realignment, please provide written evidence from the neighbouring property owner to the east of their acceptance of the proposed location of the realignment corridor at the shared property boundary.

Mirvac issued an email to NRAR seeking confirmation to support the proposed realigned creek corridor on 10 February 2021. Following this email, the NRAR responded to the DPIE on 12 February 2021 confirming their acceptance of the realigned riparian corridors. This email response was issued from the DPIE to Mirvac and a copy of this email is included at **Appendix T**.

Please clarify if a bridge is required for Access Road 3 to cross the realigned riparian corridor. Please consult with NRAR, the Environment, Energy and Science Group of the DPIE, and neighbouring landowner to reach an agreed bridge design.

No watercourse crossing is proposed under the Stage 1 development. The delivery of Access Road 3 north and the final riparian crossing location is subject to coordination with approvals on adjoining land. Any

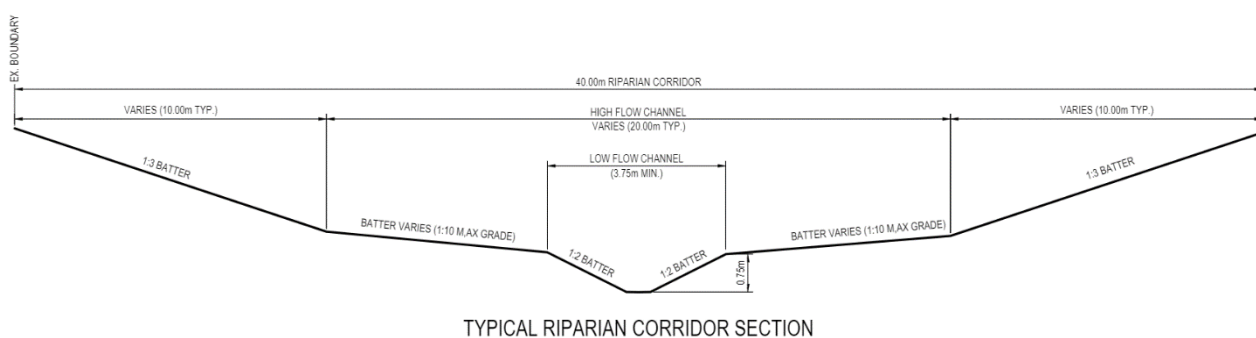
riparian crossing will be located within the identified Access Road 3 road reserve and would form part of a subsequent development application post approval on neighbouring land. The road crossing would be designed in accordance with the Office of Water's *Guidelines for Watercourse Crossing on Waterfront Land* (NSW Office of Water, 2012).

The DPIE notes the width of the proposed creek channel is inconsistent between documents. The Riparian Assessment Report states the channel would be 4.75m wide, whereas Sections 1 and 2 in the Civil Drawing (No: 18-596-C1010) show the low-flow channel would be 5.6m and 5.7m wide respectively. Furthermore, the typical riparian corridor section in Civil Drawing (No: 18-596-C1006) shows a 3.75m wide low-flow channel within a 20m wide high flow channel. Please clarify the width of the channel.

The low flow channel width varies due to the existing topography at the boundary and the proposed development. The riparian corridor section on Civil Drawing 18-596-C1006 has been updated (refer to **Appendix C**). The typical low flow channel width is 3.75m. However, the channel width varies between 3.75m and 5.7m.

The updated Civil Plans for the riparian corridor have been provided to Ecological Australia to update the Riparian Assessment Report. This report and associated Vegetation Management Plan (VMP) have been updated to reflect the levels and alignment of the proposed creek channel. These are included at **Appendix I** and **Appendix J**.

Figure 7 Typical Riparian Cross Section



Source: AT&L

Figure 3 of the Vegetation Management Plan (VMP) shows both low-flow and high-flow channels are proposed for the realigned creek. However, this is not indicated on all documents. Please clarify if both low-flow and high-flow channels are proposed.

The Vegetated Management Plan allows for both high and low flow channels through the proposed riparian corridor. This is documented at **Appendix J**. All associated plans with the riparian corridor have been updated to reflect the channel requirements.

The DPIE notes Civil Drawings show an Upstream Diversion Channel is proposed. Please clarify the need for the Channel, how the Channel will impact on water quality of the realigned creek, and what is the fate of the channel once the North-South Collector Road and Access Road 3 are built.

The channel is required to provide diversions for the 'greenfield' flows of the upstream catchment. The channel is temporary in nature and will become redundant once Access Road 3 is constructed. When this occurs, the channel will be filled and replaced with a pit and pipe network within the road and an overland flow path (to suit the 1% AEP runoff) within the road reserve. Given its temporary nature, the channel will be lined with geo-fabric. The channel is required to meet water quality targets to and from the AIE development.

The DPIE notes the Flood Impact Assessment does not include an assessment of the Concept Proposal when all 11 warehouses are constructed during all ARI events and the PMF event. The Flood Impact Assessment must be updated to include the assessment.

The amended Concept masterplan has been assessed and the results of the assessment have been incorporated into an amended Flood Impact Assessment. The revised Flood Impact Assessment concludes:

"Under both Stage 1 Conditions and Final Masterplan Conditions, flood level difference plots disclose negligible adverse impacts on flood level downstream of Mamre Road in the 2 yr ARI, 5 yr ARI, 100 yr ARI,

200 yr ARI and 500 yr ARI events. In a PMF greater decreases in the flood levels are experienced downstream of Mamre Road.

Under both Stage 1 Conditions and Final Masterplan Conditions, flood velocity difference plots disclose negligible adverse impacts of Stage 1 development on flood velocities downstream of Mamre Road in the 2 yr ARI, 5 yr ARI, 100 yr ARI, 200 yr ARI and 500 yr ARI events. In a PMF modest increases in the flood velocities are experienced downstream of Mamre Road.”

For further information related to flood impacts associated with the proposed development, refer to Appendix O-1, O-2 and O-3.

4.4. CONTRIBUTION AND PLANNING AGREEMENTS

The site is subject to the requirements of Clause 29 of the WSEA SEPP and must make satisfactory arrangements for the provision of regional transport infrastructure and services. The site is also subject to the draft Aerotropolis Special Infrastructure Contribution (SIC) on public exhibition until 26 February 2021. Please consult with the Department’s Infrastructure Contributions and Agreements team to discuss the requirements of Clause 29 of the WSEA SEPP and the application of the draft SIC to the development.

Mirvac has entered into conversations with DPIE’s Infrastructure Contributions and Agreements team in respect to satisfying Clause 29 WSEA SEPP. Given the Aerotropolis SIC is on exhibition, Mirvac intends to use the SIC as a foundation for satisfactory arrangement discussion related to the SIC.

It is intended that a VPA to satisfy Clause 29 will be executed prior to determination of this application.

4.5. EARTHWORKS

Please clarify how earthworks will be carried out in a coordinated manner, particularly in the eastern portion of the site considering level differences between the site and adjoining properties to ensure level transitions can be provided at the realigned creek and future north-south road.

Civil drawings have been updated to include additional sections along the eastern portion of the site indicating the site’s proposed levels and their relationship with adjoining properties. The Stage 1 earthworks is not dependent on determining the final level difference between the site and adjoining properties.

4.6. VISUAL IMPACTS

The Landscape Visual Impact Assessment (LVIA) states the potential visual impacts at viewpoint 14 would be high, but without photomontages of the development at this viewpoint, it is unclear how this conclusion is reached. Please clarify.

Viewpoint 14 is adjacent to the neighbouring private dwelling along the southern site boundary and has been chosen to represent the view from this dwelling. It is noted that the landowner is an institutional developer and is currently preparing a Development Application for the land (IN1 - General Industrial) which will include warehousing on the site. A long section (**Figure 8**) has been prepared to support the risk rating associated with Viewpoint 14 illustrating the landscaping treatment proposed to soften this visual impact.

Figure 8 Viewpoint 14



Picture 9 Viewpoint 14 - Section Location



Picture 10 Viewpoint 14 - Boundary Section

Source: Cloustons

The LVIA includes visual impact assessment for both Concept Proposal and the Stage 1 development. However, the LVIA only includes a risk rating for the Stage 1 development. Please provide a risk rating for the Concept Proposal.

The Landscape and Visual Impact Assessment has been updated to provide an assessment against the Concept Masterplan (refer to **Appendix K**). The updated risk rating is as follows:

Figure 9 Overall Impact Rating for Concept Plan

VIEWPOINT LOCATIONS	RECEPTOR SENSITIVITY	MAGNITUDE					IMPACT RATING
		DISTANCE	QUANTITY OF VEP ¹	PERIOD OF VEP ¹	SCALE OF CHANGE	OVERALL MAGNITUDE RATING	
1. Mamre Road (approx. 915)	L	M	H	L	H	M	MODERATE
2. Driveway of 885 Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
3. Driveway of 859 Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
4. Driveway of 845 Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
5. Driveway of 833B Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
6. Driveway of 819 Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
7. Driveway of 805 Mamre Road	L	H	H	L	H	H	MODERATE
8. Driveway of 783 Mamre Road	M	H	H	M	H	H	HIGH/MODERATE
9. Driveway of 757-769 Mamre Road	M	M	L	L	L	L	MODERATE/LOW
10. Driveway of 1 Bakers Lane	M	M	L	L	L	L	MODERATE/LOW
11. Driveway of Little Smarties Early Learning Centre / Mamre Anglican School	L	M	N	N	N	N	NEGLIGIBLE
12. Entrance to Emmaus Catholic College and Trinity School	L	M	N	N	N	N	NEGLIGIBLE
13. 183-197 Aldington Road	L	L	N	N	N	N	NEGLIGIBLE
14. Driveway of 864 Mamre Road	H	H	H	H	H	H	HIGH
15. Entrance to Driveway of 784 Mamre Road	L	H	H	M	H	H	MODERATE
16. Driveway of 784 Mamre Road	L	H	H	M	H	H	MODERATE
17. Agricultural Field (784 Mamre Road)	L	H	H	M	H	H	MODERATE

Source: Clouston Associates

Based on the assessment of the Concept Masterplan, the mitigation measures have been updated. They are outlined in **Section 7.3** below.

4.7. NOISE AND VIBRATION

Section 6.1.1 of the Noise and Vibration Impact Assessment states vehicle movements were provided by Mirvac, taken from the Traffic Impact Assessment for the site prepared by Ason Group (Ref: 1029r023, dated 29 May 2020). This is not the latest version of the Traffic Impact Assessment report. The Noise and Vibration Impact Assessment must be updated to ensure daily vehicle movements are consistent between the Noise and Vibration Impact Assessment and Traffic Impact Assessment.

The current Traffic and Transport Assessment (Ref 1029r02v7, dated 16 October 2020) has been reviewed and the Noise and Vibration Impact Assessment has been updated (refer to **Appendix E**). As a result of the update, the peak 1-hour vehicle movements for AIE increase from 555 to 602 between the previous version and the current version of the Traffic and Transport Assessment. This is an increase of around 8% vehicles which results in a negligible increase of less than 0.5dB to the overall LAeq noise level at the most-affected receivers. The change in vehicle volumes does not affect L_{max} noise levels. Based on this assessment, the changes result in minimal environmental impact.

4.8. OTHER ISSUES

Please clarify the area of Lot 1. The EIS states the lot area is 58,106m², while the Concept Masterplan show the lot area is 58,156m².

The Concept Masterplan has been updated to reflect the Stage 1 Plans and the EIS. The site area for Lot 1 is 58,106m².

The Quantity Surveyor report states the estimated capital investment value (CIV) of Stage 1 works is \$99,990,064 and Building 1 works (including Stage 1 Site Preparation and Estate Infrastructure) is \$79,200,635. Please confirm the total CIV for Building 1 and Stage 1 works.

The total CIV for Building 1 and Stage 1 works is \$99,990,064.

Please clarify how many employees would be required for construction and operation of the Stage 1 development respectively.

The following employees would be required for the construction and operation of the Stage 1 development.

- Stage 1 Operational Jobs: 387
- Stage 1 Construction Jobs: 129
- Stage 1 Total Jobs: 516

Please clarify the construction timeframe for the Stage 1 development including any proposed staging.

Construction timeframe for Stage 1 development is anticipated to be between 12 and 24 months. A revised SSD DA Subdivision Plan is provided in **Appendix D** to demonstrate the staging of the development.

See **Section 4.2** for further information on development staging.

Please clarify the total area of Mamre Road reserve along the western site boundary.

The total Mamre Road reserve area is 14,004m². This area is shown on the updated concept plan.

5. RESPONSE TO PUBLIC AUTHORITIES AND NSW GOVERNMENT AGENCIES

Submissions were received from NSW government agencies and other public authorities during the public exhibition period for SSD-10448. Agency submissions were received from the following public authorities:

- Department of Planning, Industry and Environment – Central (Western)
- Department of Planning, Industry and Environment – Water
- Department of Planning, Industry and Environment – Energy, Environment and Sciences
- Endeavour Energy
- Sydney Water
- NSW Rural Fire Service
- Crown Lands
- Environment Protection Authority
- Heritage NSW
- Department of Primary Industries – Agriculture
- Department of Primary Industries - Fisheries
- WaterNSW
- Transport for New South Wales
- Fire Rescue NSW
- Penrith City Council
- Western Sydney Planning Partnership
- Western Sydney Airport

A response to matters raised by government agencies and other public authorities in relation to the SSD-10448 is provided in **Table 4** below.

Table 4 Response to Public Authority Submissions – SSD-10448

Comment	Response
Environment Protection Authority	
The Environment Protection Authority (EPA) has no comments to provide on this project. The EPA does not require any follow-up consultation and Penrith City Council should be consulted as the appropriate regulatory authority for the <i>Protection of the Environment Operations Act 1997</i> in relation to the proposal.	Noted.
DPIE – Crown Lands	
The DPIE Crown Lands has no comment.	Noted.
DPIE – Central (Western)	

Comment	Response
The site-specific DCP should be amended to be consistent with the draft MRP DCP.	The AIE DCP has been updated to align, for the most part, with the MRP DCP. The updated DCP is included at Appendix U . Where the AIE DCP departs from the MRP DCP this is for minor matters only as set out in Section 4.1 .
An assessment against the draft DCP should be undertaken, and the application revised where necessary to address the draft DCP. This includes road network widths, access to adjoining properties, interface, building location and design, including the E2 interface, consideration and application of landscaping and water sensitive urban design requirements and trunk drainage infrastructure.	An assessment of the DCP is included in this RtS. Refer to Section 4.1 for the assessment.
It is noted that ongoing consultation with NRAR and DPIE Resilient Planning team should be undertaken regarding the proposed relocation of the E2 zone.	Consultation has occurred with the NRAR and DPIE. The NRAR supports the realigned riparian corridor. Refer to Section 4.3 for further detail on this consultation.
DPIE - EES	
EES makes no further comments in relation to biodiversity.	Noted.
The consultant needs to revisit the flood impact assessment to provide sound information for the developed scenario. The developed scenario maps should be updated to present the ultimate developed scenario.	<p>The Concept Masterplan has been assessed and the results of the assessment have been incorporated into an updated Flood Impact Assessment (refer to Appendix O-2).</p> <p>The updated report confirms that under both Stage 1 Conditions and Final Masterplan Conditions, flood level difference plots disclose negligible adverse impacts on flood level downstream of Mamre Road in all ARI events. In a PMF greater decreases in the flood levels are experienced downstream of Mamre Road.</p> <p>Under both Stage 1 Conditions and Final Masterplan Conditions, flood velocity difference plots disclose negligible adverse impacts of Stage 1 development on flood velocities downstream of Mamre Road in all ARI events. In a PMF modest increases in the flood velocities are experienced downstream of Mamre Road.</p>
It is not clear why the consultant undertook multiple scenarios and comparisons for a simply local overland flow study instead of using the properly	Hydrological modelling of the South Creek catchment was undertaken in 2015 at the catchment scale using XP-RAFTS. The

Comment	Response
<p>verified existing up-to-date hydrological flood model.</p>	<p>hydrological model assembled by Worley Parsons in 2015 was based on ARR1987 IFD1.</p> <p>More recently the 2020 Wianamatta (South) Creek Catchment Flood Study updated the 2015 assessments. The hydrological assessments were described, in part, as follows:</p> <p><i>The XP-RAFTS hydrologic model that was applied as part of the 2015 Flood Study has also been updated. The results of simulations undertaken using the updated XP-RAFTS model indicate that peak flows for the 1% AEP 36 hour critical duration event are similar to those determined as part of the modelling completed for the 2015 Flood Study. Peak flows along South Creek are generally within 2% of the corresponding flows determined in 2015, with a maximum change of up to 8% near the downstream boundary at Richmond Road. Changes along tributaries have greater variability with a maximum change of up to 15% (refer Figure 4.9).</i></p> <p>Assessments of the sensitivity of 100 yr ARI peak runoff to storm burst rainfall losses were therefore undertaken for 2 hour, 9 hour and 36 hour storm bursts (under ARR1987 IFD and temporal patterns).</p> <p>At the time the flooding assessments were commissioned, Mirvac received, in part, the following advice from Sydney Water:</p> <p><i>Until the transition to ARR2019 is completed, we'd recommend that flood impact assessments consider both ARR1987 and ARR2019 hydrology.</i></p> <p>Consequently, an additional assessment was undertaken using ARR2019 IFD and burst losses.</p>
<p>The Flood Risk Assessment report refers to the updated Flood Prone Land Package as approved and being in action. It should be noted that the package was on public exhibition as draft for consultation and it has not been finalised. The current planning circular, guideline, LEP flood clauses and planning direction under section 9.1 of the EP&A Act remain relevant.</p>	<p>Noted. Flood Impact Assessment has been updated to reflect draft and finalised policy and legislation.</p>

Comment	Response
The Flood Impact Assessment report needs to adequately describe the Stage 1 development and the ultimate developed conditions including the proposed development, earthworks, and proposed drainage system.	The descriptions of the Stage 1 development and Concept masterplan have been amended. (refer to Appendix O-2).
The developed scenario maps present local overland flow for Stage 1 which comprises of two industrial lots on the northern part of the site. However, from a flow management perspective, an overland flow study should consider the ultimate developed scenario of the site instead of considering each progressive development independently.	The descriptions of the Stage 1 development and Concept masterplan have been amended. (refer to Appendix O-2).
All maps for developed conditions should properly depict the layout of the development, layout of proposed constructed channels and the location of the proposed detention basin.	The descriptions of the Stage 1 development and Concept masterplan have been amended. (refer to Appendix O-2).
Stormwater quality targets will be updated to reflect Integrated Water Cycle Management objectives and controls as exhibited in the draft Aerotropolis Precinct Plan.	Noted. The site specific AIE DCP has adopted the proposed average annual pollutant reduction load targets.
DPIE - Water	
A site water balance should be provided. The proponent should provide detail of the proposed water source during construction and operation and any existing water access licences to be used or obtained under the <i>Water Management Act 2000</i> .	Please refer to site water balance provided as part of the RTS prepared using water MUSIC modelling software.
Water extracted from the dam which is located on a mapped 2 nd order watercourse (minor stream) for reuse on site during construction is not exempt from requiring a Water Access Licence. The water that may be extracted and used from construction is obtained from dams which size is over maximum harvestable rights for the property it is located within and would be used for purposes other than stock and domestic purposes. The land ownership for the proposal area is different for each lot so harvestable rights is calculated for each individual lot rather than the entire proposal area. The dams do not fall under excluded works in Schedule 1 of the <i>Water Management (General) Regulation 2018</i> , other than potentially those used for on-site dirty water detention. Therefore the proponent should provide detail of any water access licence	<p>Whilst noting the dam located on the currently mapped 2nd order watercourse crosses several lot ownerships titles. Mirvac Projects Pty Ltd will be the owner of these sites prior to commencement of construction. Therefore, we proposed the maximum harvestable rights should be calculated over the entire proposal area.</p> <p>Assuming the above:</p> <ul style="list-style-type: none"> - Site Area = 55.8213ha - Max Harvestable Rights = 4.4657ML. <p>Our analysis of the existing dam volumes indicates the quantity is less than the above maximum</p>

Comment	Response
<p>exemptions and excluded work that may apply under the <i>Water Management (General) Regulation 2018</i> for the dam water re-use on site.</p>	<p>Harvestable water rights for the Aspect Industrial Estate. Therefore, we propose that a Water Access License is not required.</p> <p>Refer Appendix W for Maximum Harvestable Water calculation for the AIE prepared using the WaterNSW Maximum Harvestable Right Calculator.</p> <p>As noted throughout this RTS, NRAR has provided support for the proposed realignment of the watercourse to the Northern boundary of the AIE site. This includes decommissioning of the abovementioned dam.</p>
<p>As perched groundwater is likely to be intercepted with an estimated take of less than 3ML/year predicted, an exemption is available under Clause 7 of Schedule 4 of the <i>Water Management (General) Regulation</i>. To exercise this exemption certain requirements must be met to ensure that less than 3ML of water is taken. To qualify for the exemption, refer to clause 21(6) of the <i>Water Management (General) Regulation 2018</i> which includes the requirements to:</p> <ul style="list-style-type: none"> ▪ record the water take within 24 hours in the approved form and manner; ▪ provide the water take records to the Minister by no later than 28 July for the year ending 1 July during which the water was taken (e.g. included in the annual report); ▪ keep the water take records for a period of five years. 	<p>We note exemption is available under Clause 7 of Schedule 4 of the <i>Water Management (General) Regulation</i>.</p> <p>The EIS included a groundwater management plan within Appendix X which outlined the monitoring and reporting.</p> <p>The groundwater management plan will be updated as part of the Construction Environmental Management Plan (CEMP) to include the requirements under Clause 21(6) of the <i>Water Management (General) Regulation 2018</i> including:</p> <ul style="list-style-type: none"> a) record water taken for which the exemption is claimed, and b) make the record not later than 24 hours after water is taken, and c) make the record in an approved form and manners, and d) give the record to the Minister in an approved from and manner - <ul style="list-style-type: none"> i) not later than 28 days after the end of the water year in which the water was taken, or

Comment	Response
	<p>ii) if the Minister directs the person in writing to give the record to the Minister on an earlier date, by that date.</p>
DPI - Agriculture	
<p>The EIS does not include a Land Use and Conflict Risk Assessment (LUCRA) and does not adequately consider the potential impacts of the proposed development on surrounding agricultural land uses.</p> <p>DPI – Agriculture requests that the proponent provide a LUCRA which details the type of agricultural land uses in the vicinity of the proposed development, the potential impacts that the proposed development may have on these agricultural businesses and the measures proposed to mitigate these impacts.</p>	<p>A LUCRA has been prepared and is detailed in Section 5.1 below.</p>
DPI - Fisheries	
<p>DPI – Fisheries has reviewed the proposal in light of the provisions makes the following comments:</p> <ul style="list-style-type: none"> There are no records of threatened species within the South Creek catchment area that this development proposes works. Habitat is also unsuitable for appropriate threatened species. There is no Key Fish Habitat (KFH) in the development site. The nearest mapped KFH is South Creek approximately 1.4km downstream. DPI – Fisheries supports the maximising of riparian zones and the extended 5-year Vegetation Management Plan as proposed. Any water discharged from the development will flow into Ropes Creek (West) or Kemps Creek (East – which is identified as KFH) and must meet the relevant ANZECC guidelines for water quality. DPI – Fisheries requires further clarification why the realigned creekline is required to be classified as an ‘artificial waterbody’. This means future works may be exempt from the <i>Fisheries Management Act 1994</i>. 	<p>Noted.</p> <p>Stormwater treatment rates within the Penrith City Council’s Water Sensitive Urban Design (WSUD) Guidelines have been adopted for water quality targets for this development. This incorporates capture of suspended solids, gross pollutants, phosphorus and nitrogen within the stormwater. Due to the proposal’s compliance with Council’s WSUD guidelines on removing pollutants from the stormwater, it is deemed that the proposed development is compliant with the ANZECC guidelines.</p> <p>The realigned creek would be considered a 2nd order stream. Under the policy and guidelines for fish habitat conservation management, 2nd order streams are not considered key fish habitat. Therefore, future works to this watercourse would not require a Part 7 permit for works within the waterway even if it was not considered an artificial waterbody. Dry creeks can still provide habitat for aquatic fauna during times of low or high flows.</p>
WaterNSW	


Comment	Response
WaterNSW has assessed the proposal as having a low potential risk to our land, assets and infrastructure and has no specific comment to make.	Noted.
TfNSW - Roads	
The applicant is to revise the AIE DCP to include the Objectives and Controls within Section 3.4.4 – Public Transport, Pedestrian and Cycle Network of the MRP DCP.	The site-specific DCP has adopted the proposed controls in Section 3.4.4 in the draft MRP DCP. Refer to Appendix U for further information.
The applicant to provide a Green Travel Plan (GTP) that demonstrates the measures to be implemented to encourage employees of the development to make sustainable travel choices, including walking, cycling, public transport and car sharing.	A Green Travel Plan has been prepared. It is included at Appendix N .
<p>TfNSW requested the following to be addressed/provided for further assessment prior to determination of the application.</p> <ul style="list-style-type: none"> An assessment of the traffic modelling should consider the scenarios of year 2026, 2031, 2036 and the year until the facility cease operation. The SIDRA models the signalised intersection using varying cycle times. In order to determine the worst case scenario expected from this development, TfNSW would use 140 seconds as the cycle time for full development scenario. TfNSW requests further detail on how the 6 scenarios were selected. The right turn bay on Mamre Road South Approach for several scenarios appears to not be adequate to store the predicted queue length. Section 7.4 – Further detail is requested to be provided to clarify how arrival and departure distribution has been adopted. Section 7.7 – A traffic signal warrant assessment is required to be submitted as outlined in Section 2 of the <i>RMS Traffic Signal Design Manual</i> to confirm when the traffic signal at the intersection will be warranted. 	<p>An analysis of the overall Precinct, including AIE, is currently being undertaken for the 2036 horizon year by Ason Group in conjunction with the DPIE and TfNSW.</p> <p>This assessment will analyse the horizon years of 2036 and 2041 at TfNSW request. If any results require the Concept Masterplan or Stage 1 development to be updated, this will be addressed via a modification.</p> <p>The SIDRA modelling undertaken as part of the submission used Optimal Cycle time to establish the average delay within the network. The reported intersection performance varied cycle times between 120 – 140 seconds.</p> <p>This is consistent with the requirements of the RMS Guide, noting that 120 seconds is considered as the near maximum cycle time for two and three phase intersections as proposed and 140 seconds for near maximum for more complex phasing designs.</p> <p>Notwithstanding, the revised modelling outputs have been updated and are provided as an appendix to the Traffic and Transport Memo (refer to Appendix M).</p> <p>The report assesses three vehicle distribution options for the Stage 1 and Concept Masterplan including:</p>

Comment	Response
<ul style="list-style-type: none"> ▪ Section 7.8, Figure 18 – It is required that pedestrian crossing are provided on all legs and the modelling is to be updated to reflect this. ▪ Section 7.8.3 – It is recommended that the applicant propose mitigation measures to bring LOS to acceptable level or better. ▪ Appendix F_3 – The swept paths for vehicles egressing Lot 3 on estate road 02 appears to encroach over the centreline of the road in order to achieve the turn. Consideration should be given to widening the driveway access to allow for adequate turn paths to be achieved. ▪ The design vehicle for the access to the site should be assessed with a 30m PBS 2B vehicle, in addition to the 26m B-Double. ▪ Appendix B (Preliminary CTMP) – All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping. A construction zone will no be permitted on Mamre Road. 	<ul style="list-style-type: none"> ▪ 60% to/from north ▪ 60% to/from south ▪ 50:50 split to north/south <p>The equal north/south distribution (50:50) was derived through surveys of James Erskine Drive within the Mamre Road West SSD DA.</p> <p>A 10% variance in distribution was analysed to ensure satisfactory operation of the proposed signalised intersection noting the potential changes in sub-regional network distribution resulting from new land release and infrastructure in the locality.</p> <p>The right turn on the northbound approach exceeds the nominated storage capacity only under a Full Development (whole Estate) scenario by 2026, which is unlikely.</p> <p>The proposed intersection layout is for an interim scenario only and is considered suitable for the Stage 1 application with significant spare capacity on all movements. It has been adopted for assessment purposes only and by no means presents the finalised design. Mirvac is committed to working with TfNSW through the works authorisation deed process to agree on the most appropriate interim design.</p> <p>The ultimate intersection design, to accommodate the Concept Masterplan and surrounding development sites will be subject to ongoing modelling referred to in Section 3a of Ason Technical Memo (refer to Appendix M).</p> <p>The arrival and departure distributions adopted (70:30) have been derived through surveys of 5 comparable precincts within the WSEA. This analysis was undertaken as part of the broader MRP modelling and was issued to TfNSW for review. TfNSW subsequently provided approval for the adoption of these assumptions.</p> <p>The provision of signals at the proposed location is consistent with the MRP DCP road network and the Mamre Road Upgrade Concept Designs.</p> <p>Whilst warrants will not be met by the Stage 1 development subject to this application, progressive development of the Mamre Road</p>

Comment	Response
	<p>Precinct will be contingent on safe and efficient access to the zoned industrial lands.</p> <p>A warrant assessment can however be provided on completion of MRP Modelling. In lieu of the completed modelling we do however provide the following for consideration by TfNSW:</p> <ul style="list-style-type: none"> ▪ A warrant assessment would be undertaken against the Continuous Traffic criteria set out in Section 2.3 of the RMS Traffic Signal Design Manual. ▪ The requirement for the major road flow to exceed 900veh/hr in each direction across four one-hour periods would be met under existing conditions. ▪ The requirement for the minor road flow to exceed 100 veh/hr in four one-hour periods would be met under a development scenario incorporating approximately 140,000m2 of GFA. ▪ This level of development would be achieved within 5 years by Mirvac and the adjoining landowners which will utilise Road 1 for access, as discussed in Section 7.5 of the TMAP provided with this submission. <p>Pedestrian demands are anticipated to be low on all crossings prior to the implementation of bus services or employee services within the precinct.</p> <p>Notwithstanding, modelling has been updated in the revised TMAP and now includes crossings on all approaches to the intersection.</p> <p>The Mamre Road Precinct Road Network – Transport and Movement Outcomes report, provided by DPIE / TfNSW to Mirvac (as part of the Mamre Road Land Owners Group) stipulates in Section 2 Road Network (External and Internal) a design Level of Service Threshold as follows:</p> <ul style="list-style-type: none"> ▪ For existing and new intersections LOS E or better <p>This is contrary to the submission by TfNSW and clarification is therefore sought.</p> <p>The RMS Guide to Traffic Generating Developments requires the average delay over all</p>

Comment	Response
	<p>movements to be taken in the reporting of intersection performance, which is what has been reported in the TMAP report.</p> <p>Notwithstanding, delay on critical movements should also be considered in intersection design. The analysis submitted as part of the original assessment and now updated to reflect TfNSW comments indicates the following under the Stage 1 interim scenario:</p> <ul style="list-style-type: none"> ▪ Acceptable Level of Service (C or better) under all scenarios for the major through movement on Mamre Road in both peak periods. ▪ The LOS E / F performance of the northbound right turn movement relates to 59 vehicles in AM peak and the delay impact is minimal. The projected queue length of the worst case scenario turning to the site access is 34.4 m with more than 60% capacity remaining. ▪ The right turn movement from the site access is 34 meters (which equivalent to 4 vehicles) and the SIDRA analysis shows a delay performance of D (42.6 seconds) which is only 0.6seconds over a LoS Performance of C. <p>On this basis the performance of the interim access is consistent with the requirements of TfNSW.</p> <p>The design and performance of the ultimate intersection will be subject to the detailed modelling referred above. It is however acknowledged that should no further upgrades be progressed to the intersection, the duplication or extension of the right turn bay on Mamre Road would be required to accommodate the overall Concept Plan.</p> <p>Swept path diagrams have been updated to reflect TfNSW's comments. Refer to Appendix M.</p> <p>The CTMP has been updated to reflect all demolition and construction vehicles to be contained wholly within the site and vehicles must enter the site before stopping. Refer to Appendix B of the Traffic and Transport Memo within Appendix M for updated CTMP.</p>
To ensure the dedicated freight corridor can be delivered in the future and that it provides dedicated access to surrounding industrial	Neither detailed design of the freight network nor the functional operation are yet finalised or provided to Mirvac for consideration in the Concept

Comment	Response
<p>precincts and individual warehouses/distribution, TfNSW seeks the applicant address the following:</p> <ul style="list-style-type: none"> ▪ Demonstrate how access to and from the dedicated freight corridor to AIE will be achieved ▪ Demonstrate how an integrated freight network can be achieved throughout the AIE. 	<p>Plan. As such it is not possible to provide a detailed response at this time. Notwithstanding, discussions between TfNSW freight team and Mirvac are ongoing. Once further details are known, updates to the Concept Masterplan will occur if required via a modification.</p>
Penrith City Council	
<p>Development Contributions</p> <p>Development consent for the proposal should not be granted until a development contributions framework is in place, including local and state infrastructure.</p>	<p>Clause 270 of the <i>Environmental Planning and Assessment Regulation 2000</i> requires a contribution plan to be in place prior to development consent. However, the consent authority may dispense the need of a contribution plan if the developer enters into a planning agreement.</p> <p>Mirvac can enter into the prevailing development contributions framework at the time of determination. Therefore, assessment can progress and should not be delayed based on this request.</p>
<p>MRP DCP</p> <p>The proposal should be closely assessed against the provision of the MRP DCP.</p>	<p>The proposed development has been assessed against the draft MRP DCP. Refer to Section 4.1 above.</p>
<p>The proposal must be considered contextually appropriate, and its appropriateness is dependent on consideration of the precinct wide Mamre Road Precinct planning controls and objectives to ensure suitable and orderly development delivery.</p>	<p>The proposed development addresses the broader precinct planning controls and objectives. Refer to Section 4.1 above.</p>
<p>Development consent should not be granted until such time that the Mamre Road Precinct is in force.</p>	<p>The AIE DCP has been amended to align with the draft MRP DCP. Therefore, it satisfies Clause 18 of the WSEA SEPP which requires a development control plan to be prepared for the subject land.</p>
<p>In relation to the proposed landform and treatment of setback areas relative to the draft MRP DCP provisions, concerns are raised regarding the suitability of the Mamre Road setback treatment (in particular the inclusion of batter areas and the siting of a large stormwater basin) and the excessive height of proposed retaining walls (for example estate edges).</p>	<p>A section through the proposed basin illustrating the mounding treatment, landscaping and tree planting is provided within Appendix B-6 and Figure 10 below.</p>

Comment	Response
	<p>Figure 10 Section through mounding</p>  <p>Source: Site Image</p>
<p>Signage</p> <p>The proposed height of the estate pylon signs is considered excessive. These should be reduced or deleted altogether unnecessary signage feature. At the very least, only one estate pylon sign should be provided.</p>	<p>The proposed signage meets the assessment against SEPP 64. It is important to have clear and legible signage to mitigate risk of accidents and safety through way finding.</p>
<p>Sewer Infrastructure</p> <p>Details of the proposed Interim Operating Procedure (IOP) are not provided. This aspect of the proposal requires further consideration and investigation as part of the development assessment stage to ensure that adequate sewer infrastructure is made on the site. Any IOP needs to respond to, and be designed and accommodated, as part of the overall design of the proposal.</p>	<p>Mirvac has liaised with Sydney Water regarding IOP delivery under Part 5 approvals. Sydney Water has agreed to work with Mirvac to provide temporary wastewater servicing solution to service AIE in advance of permanent infrastructure. Refer to Sydney Water correspondence within Appendix S.</p>
<p>Noise Impacts</p> <p>Given the significance and extent of the potential noise impact on receivers, including sleep disturbance, this matter requires full consideration and further investigation, with appropriate consultation undertaken, as part of the development assessment stage to ensure that any approval issued satisfactorily captures required acoustic mitigation and management controls.</p>	<p>The NVIA is considered sufficiently detailed for SSD DA stage. It is based on high level assumptions that are typical of DA stage development, and consistent with the level of detail in other SSD DAs in the area.</p> <p>Noise model inputs and assumptions are detailed in Section 6.1. Discussion of predicted noise impacts, including sleep disturbance, is detailed in Section 6.2.1 for the masterplan estate and Section 6.2.2 for the Stage 1 site. The assessment concluded that while noise levels are predicted to exceed the sleep disturbance screening level, it is unlikely to result in sleep disturbance impacts at the majority of residences due to the existing maximum noise levels from road traffic on Mamre Road. Sleep disturbance impacts would be limited to the receivers not already affected by existing high maximum noise events from Mamre Road, which are typically to the northeast and east of the site.</p>

Comment	Response
	<p>Indicative operational noise mitigation measures, including potential source control, path control and at-receiver control options, are discussed in Section 6.5, including consideration of the changing acoustic environment of the area and changing land usage and zoning, noting that most of the surrounding receivers have been rezoned to industrial as part of the Mamre Road Precinct, or are likely to be rezoned in the future, and are therefore unlikely to be sensitive to future impacts from the site.</p> <p>The impacts from the proposal and requirements for mitigation would be confirmed during detailed design when details regarding the exact plant and equipment onsite is finalised based on the future tenant requirements.</p>
<p>Dam Decommissioning Strategy</p> <p>The Dam Decommissioning Strategy does not address the management of dam fauna. An assessment of dam fauna, and the development of any necessary management and protection measures during dewatering operations should be undertaken by a suitably qualified ecologist.</p>	<p>A Flora and Fauna Management Plan has been prepared and is included at Appendix H.</p>
<p>Waste Management Plan</p> <p>The Waste Management Plan proposes that surplus offcut plasterboard be returned to the manufacturer or used as a replacement for gypsum in landscaping. The use of waste plasterboard for landscaping purposes is not supported.</p>	<p>The Waste Management Report has been updated to reflect Penrith City Council's comment. Refer to Appendix L for updated report.</p>
<p>Bushfire Assessment</p> <p>The Bushfire Assessment outlined defensible spaces and management requirements which are incompatible with the proposed biodiversity protection measures. The bushfire management area needs to be accommodated outside of the proposed protected habitat areas.</p>	<p>The Concept Masterplan and Stage 1 development has been updated to remove APZ from the riparian areas. The updated architectural plans are attached within Appendix A and a Fire Protection Plan illustrating the APZs is provided at Appendix B-3.</p>
<p>Riparian Lands Assessment</p> <p>The off-site head of Reach 1A should be taken into consideration as part of the engineering design for the proposal.</p>	<p>The engineering design and flood report has factored in overland flow paths through this area. NRAR provided a response in February 2021 which states that the proposed realignment of the watercourse is in general accordance with the NRAR Guidelines for Controlled Activities on</p>

Comment	Response
	Waterfront Land. A copy of this response is included at Appendix T .
<p>In relation to the proposed works and realignment of the waterway described as Reach 2A, the following matters need to be addressed:</p> <ul style="list-style-type: none"> ▪ To be consistent with legislation, this area will need to be redesigned to primarily follow the current course through the points identified as 8 through 13, with partial redesign to ensure partial retention of the '6th dam which should not be reduced further north than the existing boundary between Lots 57 and 58. The course beyond the dam should be mapped through to point 7, then connect with the drainage line on the adjacent lot to the east. ▪ Retain all identified PCT835/749 associated with the entire stretch of the waterway and to the required 20m riparian buffer (as a minimum). An additional buffer will need to be provided to protect this area from construction impacts. ▪ The proposed bushfire management requirements conflict with the biodiversity protection requirements for the riparian corridor. Redesign and review of the fire management area outside the 20m riparian corridor is considered essential. ▪ The Vegetation Management Plan will need to be revised to address the preceding matters. ▪ The Construction Environmental Management Plan will need to address and control for all impacts associated with protection of this zone. ▪ To ensure the persistence of resident aquatic fauna in situ, the project aquatic ecologist will need to be consulted by: <ul style="list-style-type: none"> ▪ the waterway design team for the realignment of the southern region of dam 6 and the waterway to the east of the dam; ▪ the VMP team; and ▪ the dam dewatering team. <p>It is recommended that landscaping between the riparian zone and built infrastructure caters for an</p>	<p>The NRAR has been consulted in regard to the realignment of the creek line and has provided their in-principle support for the proposal (refer to Appendix T).</p> <p>Areas of PCT 849 and PCT 835 were mapped as affected as part of the proposed development. Works required to realign the corridor would include bulk earthworks and grading to establish channel, bed and banks. Retaining the existing patches of PCT 835 and PCT 849 is not possible.</p> <p>The APZ zones have been updated and are outside the 20m riparian corridor.</p> <p>The VMP will not be updated to address the retention of PCT 835 and PCT 849 as this is proposed to be removed and offsets required have been addressed as part of the BDAR.</p> <p>A Construction Environmental Management Plan should be a condition of consent. When prepared, the CEMP will address impacts associated with the riparian zone.</p> <p>A Fauna Management Plan has been prepared and is included at Appendix H.</p> <p>The riparian zone and adjacent land cater for the public amenity as per the draft MRP DCP. The SSD DA has regard for public amenity fronting the riparian corridor.</p>

Comment	Response
additional buffer zone, which may also cater for public amenity outside the riparian zone.	
<p>Biodiversity Development Assessment Report</p> <p>Efforts to avoid, minimise and mitigate biodiversity impacts are unsatisfactory. The minimum requirements which should be incorporated into the proposal include:</p> <ul style="list-style-type: none"> Retention, protection and enhancement of the existing waterway and associated vegetation as per the preceding Riparian Lands Assessment comments, including the associated patches of remnant PCT849 and 835 and Reach 2A with reduced realignment at prescribed points. Retention protection and enhancement of PCT849 associated with Plot 4, with a suitable buffer to the outermost extent of the patch. This is especially important given the connectivity through to the patch on the adjacent lot. Loss of this patch of habitat is considered to be an unacceptable impact. This will need to be permanently fenced to ensure it is protected from use and impacts during construction and operation. These areas and their management in perpetuity will need to be incorporated into the VMP. The bushfire management zone must be situated outside of these protected areas. These areas will need to be temporarily fenced for protection from construction impacts. There is a habitat tree situated centrally on the southern boundary of Lot 55/ PCT 849. It is conceivable that this tree could be incorporated into the design of the proposal. 	<p>Areas of PCT 849 and PCT 835 were mapped as affected as part of the proposed development. Works required to realign the corridor would include bulk earthworks and grading to establish channel, bed and banks. Retaining the existing patches of PCT 835 and PCT 849 is not possible. The proposed realignment is consistent with NRAR requirements.</p> <p>The development footprint has considered the ecological values present when designing the development footprint. The vegetation associated with Plot 4 achieved vegetation integrity score of 9.5 / 100. This reflects the poor condition of the patch. Although there is some connectivity to vegetation outside of the site, it is limited and does not extend throughout the locality. The community has suffered from fragmentation over numerous decades due to agriculture. To achieve the proposed development, bulk earthworks are required across the entire site, and retaining this patch is not feasible.</p> <p>The management of the VMP has been updated to reflect ongoing maintenance regime. Refer to Appendix J for further information.</p> <p>The APZ zones have been updated and are outside the 20m riparian corridor.</p> <p>The fencing of areas will be subject to a CEMP. The preparation of a CEMP should be a pre-commencement condition of consent.</p> <p>Bulk earthworks across the entire site are required to achieve the proposed development. Retaining the habitat tree is not feasible.</p>
<p>Vegetation Management Plan (VMP)</p> <p>The VMP requirements revision as part of ensuring that the bushfire management requirements are located outside of the prescribed VMP areas.</p>	<p>The VMP area is the area to be revegetated as per NRAR guidelines and following consultation with NRAR and cannot be changed. The bushfire management assessment has been updated to ensure the requirements are outside of the VMP area (refer to Appendix J).</p>
The VMP will not require nest box treatments, due to the retention of the primary habitat areas located	No nest boxes are proposed to be installed in the VMP. Hollows from the habitat trees to be removed

Comment	Response
on the site. This will ensure the carrying capacity of this area is suitable to the capability of the habitat as it is improved.	are proposed to be relocated into the VMP area (refer to Section 4.3 of VMP).
All VMP zones are to be managed in perpetuity.	The VMP is to be maintained in perpetuity but the timeline and costs provided are for the initial 5 years.
Additional Fauna Management The project ecologist is to address additional fauna management in relation to vegetation removal, demolition activities and salvaging efforts. In addition, exclusion efforts in advance of, and during, construction across the development footprint need to be addressed, to ensure protected native fauna outside of retained areas of vegetation and the riparian zone are not subject to risk.	A Flora and Fauna Management Plan has been prepared and is included within Appendix H .
Additional Flora Management Vegetation proposed for removal should be assessed for seed and specimen harvesting and relocation and reuse on site to improve habitat values within retained vegetation.	An assessment of seed and specimen harvesting is included in Section 4.1 of the VMP.
Dam Dewatering Plans The management of, and activities throughout, the dam dewatering process need to be outlined and informed by the project aquatic ecologist. With the retention of the waterway, an assessment of this as a receiving site for displaced aquatic fauna will need to be undertaken.	The reconstructed waterway is unlikely to be a suitable location to relocate displaced fauna, given the relatively dry nature of the current watercourse within the site. The conclusion results from a thorough analysis via the Dam Dewatering Plan prepared by Arcadis and the Fauna Management Plan prepared by Ecological Australia.
Waterway Considerations It is noted that no MUSIC modelling was submitted in support of the proposal. As such, Council was not able to complete a full assessment of the stormwater management strategy.	Noted. MUSIC model has been provided under separate cover to the DPIE.
The proposal has not considered the relevant water management WSUD controls. The proposal should have regard for these controls.	the Stage 1 and Concept Masterplan complies with the site specific AIE DCP controls for waterway health which is consistent with the objectives of the interim NSW Government waterway health objectives for South Creek as supported within discussion paper provided within Appendix R.
The use of Filterra is not currently supported by Council and additional information to demonstrate	A review of the application of Filterra Biofiltration Systems in Australia is provided within Appendix Y.

Comment	Response
<p>its performance and compliance with Section 4.6 of Council's WSUD Technical Guidelines is required.</p>	<p>A review of the use and applicability of filterra material within the Aspect Industrial Estate (Penrith City Council LGA) is also provided for within Appendix Y.</p> <p>Local Council's who have confirmed no objection to the use of Filterra biofiltration systems in Sydney metropolitan area include;</p> <ul style="list-style-type: none"> - Blacktown City Council - Campbelltown City Council - Northern Beaches City Council - Fairfield City Council - Liverpool City Council - City of Sydney <p>Whilst it is noted that Filterra material is not currently formally supported by Penrith City Council, the information provided within Appendix Y is provided to assist in review / approvals. Further it is noted that the proposed Filterra basin configuration complies with Penrith City Council requirements for extended detention depths.</p> <p>The proposed bio-retention basin is not proposed to be dedicated to Penrith City Council as part of this application.</p>
<p>There are also some concerns in relation to the configuration of the bioretention system which should be considered in the context of Council's WSUD Technical Guidelines.</p>	<p>The bio-retention system has been designed in accordance with Ocean Protect guidelines whilst also understanding Penrith City Council's WSUD guidelines. Given this system is approved across other LGAs, it is considered the proposal is acceptable.</p>
<p>Commitments have been made to meet a minimum of 80% non-potable demand in harvested rainwater. Additional details are required regarding the sizing of the tanks.</p>	<p>The MUSIC model has been provided to indicate each rainwater tank size and re-use rates to ensure 80% non-potable demand is met (provided under separate cover to the DPIE).</p> <p>It is noted as part of the Construction Certificate stage, each individual lot rainwater tank design will be further developed to ensure the non-potable</p>

Comment	Response
	demand is met. As such, the target to meet the 80% should be a condition of consent.
<p>Traffic Considerations</p> <p>The proposed internal roads, roundabout and internal road terminations at the northern and southern side boundaries for connections to adjoining lands are not appropriate unless:</p> <ul style="list-style-type: none"> ▪ It can be shown that these comply with the final MRP DCP and masterplan; ▪ These conform to the surrounding future development road network; and ▪ The ultimate traffic generated by the fully development Mamre Road Precinct can be accommodated. 	<p>The proposed development aligns with the MRP DCP road network. Refer to Section 4.2 above.</p>
<p>Other matters to be addressed include the following:</p> <ul style="list-style-type: none"> ▪ Roadways, driveways, pathways, cycleways, vehicular access and manoeuvring, parking areas and the like shall comply with Australian Standards, Austroads Guidelines, TfNSW Technical Directions/Guidelines, the final MRP DCP and the NSW Government Walking and Cycling Guidelines. ▪ The entry and exit points for any car parking areas to and from the public roadway shall be separate from any heavy vehicle access. Car park entries and exit which conflict with heavy vehicle access points should be removed, limited or managed. ▪ Separate and accessible pedestrian pathways at least 1.8m wide shall be provided from car parks and from roadway footpaths to building entrances in accordance with AS 2890. ▪ The availability of public transport by bus shall be addressed. ▪ Vehicle turn paths for the largest vehicle type expected to access the site shall be assessed in accordance with AS 2890. ▪ Accessible car parking shall be provided. 	<p>The compliance with the Australian Standards, Austroads Guidelines, TfNSW Technical Directions/Guidelines, the final MRP DCP and the NSW Government Walking and Cycling Guidelines should be a condition of consent as part of this SSD DA approval.</p> <p>Entry and exit points comply with Penrith City Council's comment.</p> <p>The detail of separate and accessible pedestrian pathways should be a condition of consent as part of the SSD DA.</p> <p>There is currently limited availability of bus services, with no bus stops in the vicinity of the Site. However, the upgraded Mamre Road will facilitate bus routes, with bus jump lanes at intersections included in the strategic design, and bus stops to be provided along its length.</p> <p>Ultimately the bus services will be subject to facilitation by TfNSW, and would need to be provided for the wider MRP, as it is warranted. However, the design of the Site does not prohibit provision of bus stops, as requested by Council.</p> <p>Swept paths of the largest design vehicle have been provided in the Traffic and Transport Memo (refer to Appendix M).</p> <p>Accessible parking has been provided across all warehouse lots.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ Wheel stops shall be provided for any parking spaces that front or back onto pedestrian areas. ▪ A minimum of two electric vehicle charging stations shall be provided within the car parking areas of each warehouse development. ▪ Compliant numbers of secure, all weather bicycle parking facilities, end of journey facilities, change rooms, showers and lockers shall be provided at convenient locations for warehouses. ▪ Appropriate signage, visible from the public roadway and on-site, shall be installed to reinforce designated vehicle circulation and to direct staff, delivery vehicle drivers, service vehicle drivers and visitors to on-site parking and delivery and service areas. ▪ The required sight lines around the driveway entrances and exits shall not be compromised by street trees, landscaping or fencing. ▪ Sight distance requirements at verges, footpaths and driveways shall be in accordance with AS 2890.2. ▪ All vehicles shall enter and leave the site in a forward direction. 	<p>The wheel stops will be confirmed via detailed design. This requirement should be a condition of consent as part of the SSD DA approval.</p> <p>The delivery of electric vehicles is not a requirement under the MRP DCP. The delivery of charging vehicles stations will be up to the individual tenant requirements within the AIE development.</p> <p>Bicycle parking and facilities are proposed including all weather bicycle parking facilities, end of journey facilities shall be provided at convenient locations within each warehouse.</p> <p>A proposed estate signage has been included in the EIS to assist with building identification and wayfinding.</p> <p>Sightline documentation providing compliance will be submitted as part of construction documentation.</p> <p>Civil drawings have been updated to reflect sight line distance requirements. Refer to Appendix C.</p> <p>All vehicles are proposed to enter and exit the site in a forward direction.</p>
<p>Engineering Considerations</p> <p>Roads to align with the proposed road types in the MRP DCP.</p>	<p>The proposed road within the AIE align with the draft MRP DCP. Refer to Section 4.1 above.</p>
<p>Estate Basin</p> <p>The batter of the estate basin along the Mamre Road frontage shall be located clear of the proposed future widened road reserve boundary for Mamre Road. Grass batters shall be at a maximum of 1 in 5 (vertical to horizontal)</p>	<p>The batter of the basin has been coordinated with the future Mamre Road widening. There is no encroachment into this road reserve.</p>
<p>Heritage NSW</p>	
<p>Heritage NSW provides the following recommendations:</p> <ul style="list-style-type: none"> ▪ An archaeological salvage excavation should be undertaken as recommended by the report prior to the commencement of any ground disturbance works. 	<p>Artefact has prepared an archaeological salvage excavation methodology (Appendix V) for site MAM AS 1901 (AHIMS #45-5-5186) focussing on investigating and salvaging the archaeological resource associated with test pit A3. This salvage excavation program would commence once the project has been determined.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ The Registered Aboriginal Parties (RAP) should be provided an opportunity to conduct an collection of Aboriginal objects across the proposal area prior to the commencement of any ground disturbance works. ▪ A methodology for the reburial of all salvaged Aboriginal objects within the subject area should be developed in consultation with the RAPs. 	<p>Following the completion of the salvage excavation program, ground disturbing works at the site could commence once a summary salvage progress letter has been provided by the excavating archaeologist to Mirvac. The complete excavation report would be provided after ground disturbing works had commenced. This process to be included as a pre-commencement condition of consent subject to clearance certificate.</p> <p>RAPs would be invited to participate in the surface collection at the same time as the salvage excavated is conducted. RAPs would be invited to participate in both the salvage excavation and surface collection based on their availability and in such a way that all RAPs with availability to participate would be given a fair and equal opportunity to be involved. All RAP involvement in the salvage excavation and surface collection program would require payment for their time on site. As the surface collection would be conducted at the same time as the salvage excavation, once the whole program is complete, ground disturbing works can commence. This process to be included as a pre-commencement condition of consent subject to clearance certificate.</p> <p>A methodology for the reburial of all salvaged Aboriginal objects to be prepared in consultation with engagement with the RAPs, as outlined above.</p>
NSW Rural Fire Service	
<p>From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bushfires, the entire property except the proposed riparian area along the northern site boundary and stormwater basin along the western site boundary, must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of <i>Planning for Bushfire Protection 2019</i>. When establishing and maintaining an IPA the following requirements apply:</p> <ul style="list-style-type: none"> ▪ tree canopy cover should be less than 15% at maturity; ▪ trees at maturity should not touch or overhand the building; 	<p>Noted.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ lower limbs should be removed up to a height of 2m above the ground; ▪ tree canopies should be separated by 2 – 5m; ▪ preference should be given to smooth barked and evergreen trees; ▪ large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings; ▪ shrubs should not be located under trees; ▪ shrubs should not form more than 10% ground cover; ▪ clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation; ▪ grass should be kept mown (as a guide should be kept to no more than 100mm in height); and ▪ leaves and vegetation debris should be removed. 	
<p>The area demarcated for the riparian corridor along the northern site boundary must comply with the AIE masterplan identified on the drawing prepared by SBA Architects. The proposed riparian corridor must be managed in accordance with the VMP.</p>	<p>The riparian corridor will comply with the AIE masterplan and VMP.</p>
<p>The construction of Warehouses 1 and 3 must comply with Sections 3 and 8 Australian Standard AS3959-2018 Construction of buildings in bushfire prone areas.</p>	<p>Noted.</p>
<p>Access roads must comply with the following general requirements of Table 3.5b of <i>Planning for Bushfire Protection 2019</i> and the following:</p> <ul style="list-style-type: none"> ▪ are two-way sealed roads with minimum 8m carriageway width kerb to kerb; ▪ are through roads, and these are linked to the internal road system at an interval of no greater than 500m; ▪ curves of roads have a minimum inner radius of 6m; ▪ the road crossfall does not exceed 3 degrees; 	<p>Access roads comply with Table 3.5b of <i>Planning for Bushfire Protection 2019</i>, noting the following:</p> <ul style="list-style-type: none"> ▪ two-way sealed roads have a minimum 15m carriageway width kerb to kerb; ▪ Roads have been designed in accordance with Mamre Road DCP indicative road layout; ▪ Final road design will have a minimum inner radius of 6m; ▪ Cross fall does not exceed 3 degrees; ▪ A vertical clearance of 4m is provided;

Comment	Response
<ul style="list-style-type: none"> ▪ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided; ▪ traffic management devices are constructed to not prohibit access by emergency services vehicles; ▪ maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient; ▪ dead end roads are not recommended, but if unavoidable, are not more than 200m in length, incorporate a minimum 12m outer radius turning circle, and are clearly sign posted as a dead end; ▪ where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to a hazard side of the road; ▪ the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles. Bridges/causeways are to clearly indicate load rating; ▪ hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; ▪ hydrants are provided in accordance with the relevant clauses of AS2419.1:2005 – Fire hydrant installation system design, installation and commissioning. 	<ul style="list-style-type: none"> ▪ Traffic management devices will be constructed to not prohibit access by emergency vehicles; ▪ Maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees; ▪ Where dead end roads are required, a minimum 12m outer radius has been provided, proposed turning heads have a radius of 16.5m; ▪ Note if roll top kerbing is required this will be resolved in the detailed design phase in consultation with Penrith City Council who will become the asset owner; ▪ Perimeter and non-perimeter are designed to be sufficient to carry fully loaded firefighting vehicles; ▪ Hydrants will be located outside of parking reserves; and ▪ Hydrants will be provided in accordance with AS2419.1:2005.
<p>At each stage of the subdivision, temporary turning heads must be provided to temporary dead end road incorporating either a minimum 12m radius turning circle or turning heads compliant with A3.3 Vehicle turning head requirement of <i>Planning for Bushfire Protection 2019</i>. The turning areas may be removed upon opening of future proposed through roads.</p>	<p>Proposed turning heads have a radius of 16.5m.</p>
<p>The provision of water, electricity and gas must comply the following in accordance with Table 5.3c of <i>Planning for Bushfire Protection 2019</i>:</p>	<p>The provision of water, electricity and gas will comply with <i>Planning for Bushfire Protection</i> and the relevant Australian Standards.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ reticulated water is to be provided to the development where available; ▪ fire hydrant, spacing, design, and sizing complies with the relevant clause of Australian Standard AS 2419.1:2005 ▪ reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads; ▪ all above ground water service pipes are metal, including and up to any taps; ▪ where practicable, electrical transmission lines are underground; ▪ where overhead, electrical transmission lines are proposed as follows: <ul style="list-style-type: none"> ▪ lines are installed with short pole spacing (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 accordance with the specification in ISS3 Guideline for Managing Vegetation Near Power Lines. ▪ Reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities and metal piping is used. 	
<p>Landscaping within the required asset protection zone must comply with Appendix 4 of <i>Planning for Bushfire Protection 2019</i>. In this regard, the following principles are to be incorporated:</p> <ul style="list-style-type: none"> ▪ A minimum 1m wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; ▪ Planting is limited in the immediate vicinity of the building; ▪ Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); ▪ Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do not touch or overhang buildings; 	<p>The principles outlined in Appendix 4 Planning for Bushfire Protection 2019 will be incorporated.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies; ▪ Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; ▪ Avoid planning of deciduous species that may increase fuel at surface/ground level (i.e. leaf litter); ▪ Avoid climbing species to walls and pergolas; ▪ Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building; ▪ Locate combustible structures such as garden sheds, pergolas, and materials such as timber garden furniture away from the building; and ▪ Low flammability vegetation species are used. 	
Endeavour Energy	
<p>Please refer to Endeavour Energy's submission made by email to the DPIE on 17 April 2020 regarding the Request for SEARs for SSD-10448 Aspect Industrial Estate. The recommendations and comments provided therein remain valid.</p>	<p>Noted.</p> <p>The recommendations and comments were used to inform the preparation of the EIS.</p>
<p>Endeavour Energy's Asset Planning and Performance Branch has provided the following advice:</p> <p>As part of the South Erskine Park Zone Substation (ZS) establishment project, Endeavour Energy will convert the existing high voltage network along Mamre Road from 11 kilovolt (kV) overhead to 22 kV overhead where it is not already constructed for 22 kV operation to provide limited initial 22 kV capacity to initial developments currently underway along Mamre Road.</p> <p>All 11 kV pole mounted substations will be swapped out for 22 kV units if they are still required or cannot be consolidated to a fewer quantity. At present the existing overhead network is along the eastern side so it will remain on the eastern side until it is undergrounded by the proposed Mamre Road widening or forced underground by</p>	<p>Noted.</p>

Comment	Response
<p>development.</p> <p>Developer activity along Mamre Road will ultimately require additional 22 kV feeders from South Erskine Park ZS and these will likely be installed along the eastern side as well and cross-over to the western side at strategic locations / intersections.</p> <p>We would advise any developer with frontage to Mamre Road to install TYPE-26 ducts if they can establish final levels and final electricity alignment as part of their development. Previous discussions with various stakeholders indicate this is difficult and unlikely to occur until Mamre Road actually begins to be widened.</p> <p>Any high voltage underground installed prior to Mamre Road widening and is not in final electricity alignment or to the correct depth is likely going to need to be reinstalled by the Mamre Road widening.</p> <p>Endeavour Energy cannot hold-off development and their requirement for high capacity power supply until Mamre Road is widened and final alignments and levels are established. It is unfortunate the widening of Mamre Road has not been carried out prior to the rezoning of the Mamre Precinct (in similar manner to The Northern Road).</p> <p>Accordingly Endeavour Energy will try to hold off as much as possible with the 22 kV conversion of the existing overhead power lines but this will not be able to provide capacity for all developments along Mamre Road.</p> <p>In regard to the provision of electricity supply to the Stage 1 Development Endeavour Energy has noted that as shown in the below extract of the Stage 1 Architectural Drawings that provision has been made for 'Potential Substation Location' in three places.</p> <p>From Endeavour Energy's perspective the fact that provision is being made for the pad mount substations is a positive. Endeavour Energy's general requirements is for a pad mount substation</p>	

Comment	Response
to be at ground level and have direct access from a public street.	
The applicant's ASP should continue to work through the customer connection process with Endeavour Energy's Network Connections Branch	Noted.
Bushfire It is imperative that the access to the existing electrical infrastructure on and in proximity of the site be maintained at all times. To ensure that supply electricity is available to the community, access to the electricity infrastructure may be required at any time. Restricted access to electricity infrastructure by maintenance workers causes delays in power restoration and may have severe consequences in the event of an emergency.	Noted.
Safety Clearances As mentioned in the point 'Network Capacity / Connection' above Mamre Road is the required route for the installation of multiple 22,000 volt / 22 kilovolt (kV) high voltage overhead feeders needed to service development of the Mamre Road Precinct. Accordingly, the placement of any signage near the Mamre Road frontage needs to consider the likelihood that 22 kV high voltage overhead power lines will be located to the road verge / roadway.	Noted. The placement of signage will consider the likelihood of a 22kv high voltage overhead power line along the Mamre Road. The placement of this signage will not affect the delivery or operation of this infrastructure.
Site Remediation If the applicant has any concerns over the remediation works related to redundant electricity infrastructure, they should contact Environmental Business Partner Team via Head Office enquiries or business days on telephone: 133 718 or (02) 9853 6666 from 9am – 4:30pm.	Noted.
Sydney Water	
Water Servicing <ul style="list-style-type: none"> The existing rural water supply system does not have capacity to service this development. Sydney Water plans to deliver trunk drinking water infrastructure to increase supply to service the Mamre Road Precinct by about 2023. 	Noted. See Appendix S for a copy of Sydney Water correspondence.

Comment	Response
<ul style="list-style-type: none"> ▪ The infrastructure includes a 60ML reservoir, DN1200/1050/900/500 trunk water mains and Water Pumping Station. ▪ Drinking water servicing prior to Sydney Water delivery of trunk infrastructure will require interim servicing via ~1km of DN300 extension from the Erskine Park elevated reservoir zone to located to Bakers Land. ▪ Each lot in the subdivision must have a frontage to a water main that is the right size and can be used for connection. 	
<p>Recycled Water Servicing</p> <ul style="list-style-type: none"> ▪ Sydney Water are currently developing an integrated water servicing scheme as part of the Mamre and Aerotropolis' precinct planning process. This is part of our strategy to deliver sustainable urban water services including recycled water for new homes and businesses in Western Sydney. ▪ In December, Sydney Water wrote to the Mamre Road Landowner Group, of which Mirvac is a member, to advise that Sydney Water will be progressing with recycled water in the Mamre Road Precinct and as a result the Mamre Road Precinct will require reticulation for recycled water to be installed. 	<p>Noted.</p> <p>See Appendix S for a copy of Sydney Water correspondence.</p>
<p>Wastewater Servicing</p> <ul style="list-style-type: none"> ▪ There are currently no wastewater services available to service the proposed development. ▪ The development is located in the 'Western Catchment' of the Mamre Road Precinct and will drain to a proposed pumping station and transferred via a pressure main to St Marys Wastewater Treatment Plan as an interim solution. ▪ The infrastructure is forecast to be delivered by 2023, pending funding approvals and construction timeframe feasibility. ▪ The development will ultimately be serviced by the new Upper South Creek Advanced Water Recycling Centre after 2026 – there will be no change to connection requirements at that time. 	<p>Noted.</p> <p>See Appendix S for a copy of Sydney Water correspondence.</p>

Comment	Response
<ul style="list-style-type: none"> ▪ Sydney Water will work with Mirvac to identify an appropriate interim wastewater servicing agreement for their development, as part of the overall works required to connect to the pressure main. 	
Western Sydney Airport	
<p>Wildlife Hazards – Vegetated Areas</p> <p>The proposal includes the realignment of an environmental corridor along the northern boundary of the site, and the provision of a riparian zone, including plating along the realigned corridor. The proposal also includes the provision of a stormwater basin on site. It should be ensured that this wildlife zone does not present an increased risk of wildlife attraction in relation to the future airport. The Aeronautical Impact Assessment that forms part of the DA package does not address the risk posed by these factors. Landscaping species should be selected to deter the attraction of birds/flying foxes.</p>	<p>Mirvac will review the landscape species to be used against the landscaping species guidelines established by the Western Sydney Planning Partnership (yet to be released) and the principles detailed in the Aerotropolis planning framework and modify landscaping to minimise attraction to birds/flying foxes.</p> <p>Mirvac will ensure permanent waterbodies will incorporate appropriate mitigation options detailed in the draft Western Sydney Aerotropolis Wildlife Management Assessment Report.</p>
<p>Wildlife Hazards – Fill</p> <p>It is proposed that fill would be imported to the site. It should be confirmed what material would be used for the purposes of fill, noting that putrescible waste should not be used given the likelihood for wildlife attraction.</p>	<p>Fill containing putrescible waste will not be used on site.</p> <p>As per the Imported Fill Protocol, clean fill material will be imported to the site. This fill includes:</p> <ul style="list-style-type: none"> ▪ Virgin Excavated Natural Material ▪ Excavated Natural Material ▪ Materials covered by a specific NSW EPA Resource Recovery Order and Exemption <p>The approved fill material does not include putrescible waste. The Aeronautical Impact Assessment has been updated to reflect this approved fill and confirm it will not increase wildlife hazards to the Western Sydney Airport (refer to Appendix P).</p>
<p>Wildlife Hazards – Waste Storage</p> <p>The Waste Management Plan includes a Section 6.3 discussion in relation to the locations of future waste storage. Waste generally appears to be identified for storage in loading docks adjacent to each warehouse. Waste generally appears to be identified for storage in loading docks adjacent to</p>	<p>All waste storage on the site is proposed to be in enclosed bins.</p>

Comment	Response
each warehouse. Any future Development Consent should be conditioned that waste be enclosed.	
<p>Cumulative Traffic Impacts</p> <p>Given the status of the draft MRP DCP being recently exhibited, it should be ensured that the cumulative traffic impacts of the development are considered appropriate, including impacts on traffic to both the northern and southern approaches to the precinct. This would include ensuring that appropriate assessment is undertaken of the impact of the proposal on the surrounding road network, and ensuring that the cumulative impact of other projects (e.g. elsewhere in the Mamre Road Precinct and within the Initial Precincts of the Aerotropolis) are considered. This should also be considered with regard to construction/operational traffic impacts of major projects in the area including the Western Sydney Airport, the M12 Motorway and Sydney Metro Western Sydney Airport.</p>	<p>An analysis of the overall Precinct, including AIE, is currently being undertaken for the 2036 horizon year by Ason Group in conjunction with DPIE and TfNSW.</p> <p>The future year demands have been established through adoption of the LU19 data set and Strategic Transport Forecast Model (STFM). Through this adoption, the future operations of the Western Sydney Airport and Aerotropolis initial precincts is included in the analysis.</p>
<p>OLS Limitations</p> <p>The proposed development does not include details for the maximum heights of all future allotments. Future buildings under the concept application will need to demonstrate compliance with the OLS limitations.</p>	<p>The proposed building height of AIE including Concept Masterplan and Stage 1 development is no more than 14m. This is well below the OLS limitation and the draft MRP DCP maximum height control of 20m.</p>

5.1. LAND USE AND CONFLICT RISK ASSESSMENT

This section assesses the potential impact on property and land use within the study area as a result of the proposal. The assessment presented in this section draws on desktop information observations from the site inspection and responds to the relevant SEARs.

5.1.1. Assessment Methodology

Land use conflicts occur when one land user does, or is perceived to, infringe upon the rights, values or amenity of another. In areas of transition, land use conflicts commonly occur, specifically rural transitioning to industrial uses. Due to the potential for land use conflicts as Mamre Road Precinct is delivered, a land use and conflict risk assessment (LUCRA) based on the Department of Primary Industries (DPI) '*Land Use Conflict Risk Assessment Guide*' (Department of Trade and Investment, 2011) was conducted as part of this Rts.

There are four key steps in undertaking a LUCRA and these are:

- Gather information about proposed land use change and associated activities
- Evaluate the risk level of each activity
- Identify risk reduction management strategies
- Record LUCRA results

A Risk Ranking Matrix (Table 2 of the LUCRA Guide) is used to rank the identified potential land use conflicts. The risk ranking matrix assesses the environmental, public health and amenity impacts according to the:

- Probability of occurrence (Table 3 of the LUCRA Guide), and
- Consequence of the impact (Table 4 of the LUCRA Guide).

5.1.2. Existing Environment

The site and the surrounding land are zoned IN1 General Industrial under the *State Environmental Planning Policy (Western Sydney Employment Area) 2009*. While zoned for employment uses, the site and surrounding land has been used predominately for agriculture including farming and grazing.

The site is privately owned and includes farm dams, scattered vegetation, and a watercourse in the north-west corner of the site.

The surrounding land comprises of the following:

- North: Recently cleared land void of vegetation or agricultural production
- South: Rural land used for farming
- East: Rural land with residential and farming
- West: Rural residential lots fronting Mamre Road

5.1.3. Assessment of Potential Impacts

Nature of the proposed land use change

The proposal will result in a change from rural uses, including farming, grazing and residential, to employment uses including warehouse and distribution. The proposed works associated with the land use change are:

- A Concept Masterplan for the AIE comprising 11 industrial or warehouse and distribution centre buildings, internal road network layout, building locations, gross floor area (GFA), car parking, concept landscaping, building heights, setbacks and built form parameters.
- Detailed Stage 1 Development of the AIE as follows:
 - Pre-commencement works including:

- Demolition and removal of existing rural structures.
- Site remediation works as defined within the Remediation Action Plan.
- Heritage salvage works (if applicable).
- Subdivision construction works including:
 - Creation of roads and access infrastructure, including a signalised intersection with Mamre Road.
 - Clearing of existing vegetation on the subject site and associated dam dewatering and decommissioning.
 - Realignment of existing creek and planting in accordance with a Vegetation Management Plan.
 - On-site bulk earthworks including any required ground dewatering.
 - Importation, placement and compaction of:
 - Virgin Excavated Natural Material (VENM) within the meaning of the POEO Act, and/or
 - Excavated Natural Material (ENM) within the meaning of the NSW EPA's Resource Recovery Exemption under Part 9, Clause 91 and 92 of the POEO (Waste) Regulation 2012 – The Excavated Natural Material Order 2014, and/or
 - materials covered by a specific NSW EPA Resource Recovery Order and Exemption which are suitable for their proposed use.
 - Construction of boundary retaining walls.
 - Delivery of stormwater infrastructure, trunk service connections, utility infrastructure.
 - Boundary stormwater management, fencing and landscaping.
 - Construction and dedication of internal road network to Penrith City Council.
 - Construction and operation of signalised intersection with Mamre Road.
- Building works including:
 - Construction and fit out of two warehouse and distribution buildings in Stage 1 on Lots 1 and 3 which will operate 24 hours/day, seven days/week.
 - Construction and fit out of a café, which will operate 12 hours/day, seven days/week.
- Subdivision of Stage 1.
- Signage.

Compatibility of proposed land use and adjoining activity

The adjoining land uses are rural in nature and comprise of farming and residential dwellings. The delivery of an industrial estate is compatible with the future land uses of the area but can be seen as both compatible and incompatible with existing rural uses surrounding the site with implementation of appropriate mitigation measures.

The following aspects of the Proposal are considered compatible with agricultural and rural environment:

- The delivery on an industrial estate provide local employment opportunities for nearby residents.
- Once operational the proposal has limited environmental impacts and any environmental impacts are unlikely to migrate offsite and impact neighbouring land uses.
- The land required for the proposed development will be wholly contained within the subject land. The proposal is not expected to impact or sterilise surrounding land use (including farming).

The following aspects are considered incompatible with agriculture and rural environment:

- Introduction of changes (new built environment elements) to the existing landscape character and scenic values.
- Risk of weed infestation from land clearing activities.
- Risk of noise pollution associated with the construction of the proposed development.
- Risk of dust permeating across adjacent sites which could impact agricultural practices.

5.1.4. Land Use Conflict Risk Assessment

In accordance with the examples provided by DPI 'Land Use Conflict Risk Assessment Guide' further potential impacts upon land use have been identified including identifying a residual risk rating (RRR) of each impact. **Table 5** identifies the potential conflict, the mitigation measures that will be employed to manage the risk and then the RRR. The risk evaluation considers the probability (P), consequence (C) of the activity and the residual risk rating. Definition of probability and consequence are outlined in the LURCA guide.

Table 5 Risk Evaluation

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
Land use change	Change from agriculture to industrial uses.	<p>The land and surrounding land uses will transition over time to reflect the zoning, IN1 General Industrial.</p> <p>As this land transitions, mitigation measures associated with construction and operation can be implemented to reduce impacts associated with noise, vibration, dust, weeds, and visual impacts. This is detailed in the below activities.</p>	A	4	16
Visual	Visual impact to sensitive receivers nearby and a loss of scenic agricultural value.	<p>Introduction of a 20m landscape buffer along Mamre Road.</p> <p>Extensive planting with a mix of low, medium and high level plants.</p> <p>Retention of existing vegetation where possible.</p> <p>Implementation of a landscape and management regime to ensure the planting</p>	A	4	16

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		<p>successfully establishes and thrives.</p> <p>Orientation of active faces of warehouses away from the western façade.</p> <p>Selection of colours for the buildings which are of a complimentary palate to the existing landscape colours.</p>			
Flooding	Concerns about the effect industrial estate will have on the direction and flow of the flood waters.	Flood volumes in and out the site will be managed by basins. The flood modelling shows there will be no net increase of flood runoff during the construction and operation of the industrial estate.	D	5	2
Impacts to public roads	Increase in heavy vehicle movement on local roads due to construction traffic.	<p>Traffic control would be required to manage and regulate construction vehicle traffic movements to and from the site during construction.</p> <p>All vehicle transporting loose materials will have the load covered and or secured to prevent any items depositing onto the roadway during travel to and from the site.</p> <p>All vehicles are to enter and depart the site in a forward direction, with reverse movements to occur only within the site boundary.</p> <p>All contractor parking is to be wholly contained within the site.</p> <p>Pedestrian and cycle traffic along the site</p>	C	3	13

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		frontage will be managed appropriately at all time.			
Property	Potential decrease in land and property values.	All surrounding properties have been zoned IN1 General Industrial. While they currently are agricultural land uses, the surrounding areas will transition over time to reflect uses similar to the proposed development.	E	5	1
Noise	Noise will impact sensitive receivers during the construction period. Construction activities will be limited to standard working hours.	<p>Implementation of any project specific mitigation measures required.</p> <p>Implementation of community consultation or notification measures.</p> <p>Site inductions.</p> <p>Behavioural practices.</p> <p>Attended vibration measurements.</p> <p>Updated Construction Environmental Management Plans.</p> <p>Building condition surveys.</p> <p>Construction hours and scheduling.</p> <p>Construction respite period during normal hours and out-of-work hours.</p> <p>Equipment selection.</p> <p>Use and siting of plant.</p> <p>Plan worksite and activities to minimise noise and vibration.</p> <p>Reduce equipment power.</p>	B	3	17

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		<p>Non-tonal and ambient sensitive reversing alarms.</p> <p>Minimise disturbance arising from delivery of goods to construction sites.</p> <p>Engine compression breaks.</p>			
Weed and pest management	<p>The proposal has the potential to introduce disease, weeds, vermin or destructive influence to the site.</p> <p>Weed and pest control at the site is responsibility for the proponent. The risk from noxious weeds and pests is low but would be subject to ongoing monitoring and management.</p>	A Land Management Plan which includes weed management shall be developed and incorporated into a CEMP and OEMP to prevent further weed dispersal into surrounding areas.	C	3	13
Dust	The proposal has the potential to create dust during the construction phase, which may affect neighbouring properties.	<p>Display the name and contact details of person(s) accountable for air quality and dust issues on the site boundary.</p> <p>Display the head or regional office contact information.</p> <p>Develop and implement a Dust Management Plan (DMP), which may include measures to control other emissions, approved by the Local Authority.</p> <p>Record all dust and air quality complaints, identify cause(s), take appropriate measures to reduce emissions in a timely manner, and record the measures taken.</p>	B	3	17

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		<p>Make the complaints log available to the local authority when requested.</p> <p>Record any exceptional incidents that cause dust and/or air emissions, either on- or offsite, and the action taken to resolve the situation in the log book.</p> <p>Perform daily on-site and off-site inspections where receptors (including roads) are nearby to monitor dust, record inspection results and make the log available to the local authority when asked.</p> <p>Carry out regular site inspections to monitor compliance with the DMP, record inspection results and make an inspection log available to the local authority when requested.</p> <p>Increase the frequency of site inspections by the person accountable for air quality and dust issues on site when activities with a high potential to produce dust are being carried out and during prolonged dry or windy conditions.</p> <p>Plan site layout so that machinery and dust causing activities are located away from receptors as far as possible.</p> <p>Erect solid screens or barriers around dusty activities or the site boundary that is at least</p>			

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		<p>as high as any stockpiles on the site.</p> <p>Keep site fencing, barriers and scaffolding clean using wet methods.</p> <p>Cover, seed or fence stockpiles to prevent wind erosion.</p> <p>Ensure all on-road vehicles comply with relevant vehicle emission standards where applicable.</p> <p>Ensure all vehicles switch off engines when stationary – no idling vehicles.</p> <p>Avoid the use of diesel or petrol powered generators and use mains electricity or battery powered equipment where practicable.</p> <p>Ensure an adequate water supply on the site for effective dust/particulate matter suppression/mitigation, using non-potable water where possible and appropriate.</p> <p>Use enclosed chutes and conveyors and covered skips.</p> <p>Minimise drop heights from loading shovels and other loading or handling equipment and use fine water sprays on such equipment wherever appropriate.</p>			

Activity	Identified Potential Conflict	Mitigation Factors	P	C	RRR
		<p>Avoid bonfires and burning of waste materials.</p> <p>Avoid scabbling (roughening of concrete surfaces) if possible</p> <p>Ensure sand and other aggregates are stored in bunded areas and are not allowed to dry out, unless this is required for a particular process, in which case ensure that appropriate control measures are in place.</p> <p>Use water-assisted dusty sweeper(s) on the access and local roads to remove, as necessary, any material tracked out the site.</p> <p>Avoid dry sweeping of large areas.</p> <p>Ensure vehicles entering and leaving sites are covered to prevent escape of material during transport.</p> <p>Record all inspections of haul routes and any subsequent action in a site log book.</p> <p>Implement a wheel washing system (with rumble grids to dislodge accumulated dust and mud prior to leaving the site where reasonably practicable).</p>			

Based on the residual risk rating the activity will have mild to moderate impact on adjacent properties during the short and medium term. The mitigation measures proposed will be implemented through a Construction Environmental Management Plan (CEMP). These mitigation measures are identified as appropriate to ensure the transition to an employment area has a minimal effect to remaining landowners and their associated rural uses whether agriculture or residential.

6. RESPONSE TO COMMUNITY SUBMISSIONS

6.1. RESPONSE TO ORGANISATION SUBMISSIONS

The following table provides a detailed response to the submissions received from Altis Property Partners and The GPT Group.

Table 6 Response to Organisation Submissions

Comment	Response
Altis Property Partners	
<p>In assessing SSD10448, the Department of Planning Industry and Environment (DPIE) should consider the SEARS comments provided as part of the SSD assessment process and the Mamre Road Precinct Draft DCP regarding road connectivity between sites within the precinct;</p> <p>The DPIE in the key issues section of the SEARS requires the application to explain “how the proposed development connects to adjoining sites to facilitate their future development for their intended purposes” Penrith Council in their submission accompanying the SEARS have also commented on this point, including “As the proposal makes use of one of two connections from Mamre Road into the precinct, provision needs to be made such that the road network can be integrated into the surrounding context”</p> <p>Further, Section 3.4.1, Control 2 of the Draft Mamre Road Precinct DCP requires any development “provide access to adjoining properties and not limit development on adjoining properties, including demonstration of impact on the development of adjoining lot “</p> <p>SSDA-10448 aligns with the Mamre Road Precinct Road Network Map (Figure 14 of the Mamre Road Precinct Draft Development Control Plan) and Appendix 1 in this document, which includes for a signalised intersection, one of three key access points from Mamre Road. Taking into consideration the limited access points proposed along Mamre Road to support traffic flow and design speeds of 80kph, this signalised intersection will be key to providing safe and efficient access to the Lots along Mamre Road including the Altis owned lots, particularly if direct access into these properties cannot be provided from Mamre Road.</p>	<p>Noted.</p> <p>The stage 1 application has been amended to demonstrate how road access to adjacent lots will be provided. Future stage DAs will seek construction consent for formalisation of those roads to the site boundary.</p>

Comment	Response
<p>Access Road 1 as depicted in SSDA-10448 and shown in Appendix 2 represents the key “higher order road” heading east from this intersection that will provide connectivity to over 200 hectares of land along Mamre Road and will be a key part of the Mamre Road Precinct Road Network, providing access to adjoining lots and permeability throughout the precinct.</p> <p>If access to Lots 52, 53 and 61 cannot be provided via the signalised intersection and connecting Road Network, access to these lots will be via Mamre Road or if this is not possible restricted entirely. This does not align with the DPIE’s objective of a safe and efficient road network for the area and for the efficient roll out of development within the Precinct.</p> <p>Altis lodged a Development Application over Lot 61 DP259135 with Penrith Council on the 4th September 2020 and safe access to this lot must be provided.</p> <p>Given the current critical shortage of industrial land and objectives of government to generate employment within western Sydney within the short term, it is essential that safe and efficient access is provided to all lots within the Precinct immediately, from key sites that have approved access points along Mamre Road."</p>	
<p>Altis request that Access Road 1 is extended to the eastern and southern boundary of the site (refer to Appendix 3) as part of the applicant’s stage one infrastructure works to enable connectivity to adjoining sites immediately and welcome the opportunity to work with Mirvac to facilitate this.</p>	<p>Access Road 1 has been extended to the eastern boundary. Access Road 3 (south) will also be constructed as part of Stage 1. The updated Concept Masterplan and Stage 1 plans include these extensions and provides interim right of way access arrangements from these roads to lots north/east and south of the site.</p>
The GPT Group	
<p>GPT supports Mirvac’s SSD providing investment and jobs for the precinct and Western Sydney. Whilst Mirvac, GPT and other adjoining landowners have been engaging collaboratively, this letter intends to outline key items that relate to GPT’s ability to deliver its development and provide key access for our tenants.</p>	<p>Noted.</p>

Comment	Response
<p>This submission is in response to SSD-10448 which includes estate roads, Mamre Road intersection works, realignment of the existing creek, bulk earthworks and the construction and operation of Mirvac's Warehouse 1 and Warehouse 3. GPT's Mamre Road Site adjoins the Northern and Eastern Boundary and is therefore a key stakeholder of SSD-10448.</p> <p>GPT have reviewed the exhibited documents of SSD Application and the Mamre Road Precinct Draft Development Control Plan (November 2020). GPT objects to the proposed Staging of the Access Roads and elements of the E2 for the following reasons.</p>	
<p>The proposed staging of the access road does not provide for a safe and efficient road network.</p> <p>SSDA-10448 provides for a signalised intersection in line with the Mamre Road Precinct Road Network Map (Figure 14 of the Mamre Road Precinct Draft Development Control Plan). This signalised intersection will be key to providing safe and efficient access to the Lots along Mamre Road including Lot 59 and 60 in DP259135.</p> <p>Access Road 1 as depicted in SSDA-10448 represents a High Order Road that forms part of the Mamre Road Precinct Road Network. SSDA-10448 only allows for the construction of a portion of Access Road 1 with a temporary could-de-sac restricting access to adjoining properties and the continuation of the Precinct Road Network.</p> <p>If access to Lots 59 and 60 cannot be provided via the signalised intersection and connecting Road Network, access to these lots will be via Mamre Road. This proposal does not align with key stakeholders including DIPE and Penrith City Council's objective. The objective is clear and is noted within key documents such as:</p> <ul style="list-style-type: none"> ▪ Draft Mamre Road Precinct DCP, Control 2, (clause 3.2.1) "provide access to adjoining properties and not limit development on adjoining properties, including demonstration of impact on the development of adjoining lot". ▪ SSD-10448, SEARs - The DPIE in the key issues section of the SEARs requires the application to include "detailing how the 	<p>Access Road 1 has been extended toward the eastern boundary. The updated Concept Masterplan and Stage 1 plans include this extension and provides an interim right of way access arrangement to the GPT land to the east.</p> <p>This approach provides adequate access until further detail on The GPT Group's site is known including their road design and levels to provide for integrated design for permanent access. Once this design is confirmed, Mirvac will submit a modification to amend the plans and seek final design and construction of Access Road 3.</p> <p>Access via Access Road 1 will be provided to GPT prior to issuance of the first occupation certificate for warehouse 1 or warehouse 3.</p>

Comment	Response
<p>proposed development connects to adjoining sites to facilitate their future development for their intended purposes”</p> <p>The road corridor provides critical infrastructure for the precinct. The partial construction of Access Road 1 impedes access to the required services and infrastructure for adjoining properties.</p> <p>GPT request that Access Road 1 is extended to the Eastern Boundary as highlighted in Red in Figure 1. GPT will also comply by extending the access road to its northern boundary as part of SSD-10272349.</p> <p>It is also requested that Access Road 1 is completed to the Eastern Boundary prior to the construction of Warehouse 1 and 3 to ensure the Mamre Road Precinct Road Network can be delivered in a timely manner.</p>	

6.2. RESPONSE TO PUBLIC SUBMISSIONS

The following table provides a detailed response to the public submission received from broader community.

Table 7 Response to Organisation Submissions

Comment	Response
Name Withheld, Kemps Creek, NSW	
<p>The imported fill should be sourced from within the Mamre Road Precinct. This is in line with the draft MRP DCP currently on exhibition. It prevents the mistakes of Jordan Springs. The developer should be limited to re-using excess spoil from other developers within the precinct only.</p>	<p>An Imported Fill Protocol has been prepared and forms part of this application. All fill proposed complies with the NSW regulatory requirements and therefore is deemed suitable.</p>

7. REVISED PLANNING ASSESSMENT

7.1. ASSESSMENT OF PROPOSED MODIFICATIONS

This section provides an assessment of the amended design proposal against the relevant strategic and statutory planning framework including relevant Acts, environmental planning instruments (EPI), draft EPIs, and development control plans (DCP) under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Table 8 Assessment of the amended proposal against strategic and statutory planning framework

Consideration	Response
Strategic Context	<p>The AIE will deliver a high quality, industrial estate in the Mamre Road Precinct. The development will support the 30-minute city by providing employment to nearby residential suburbs. It is surrounded by land identified for future employment.</p> <p>In addition, the proposed development responds to the industrial land shortfall identified in the Region and District Plans. The site is well-located to the M4 and M6 Motorways and supports the vision of the Western Parking City.</p>
<i>Environmental Protection and Biodiversity Conservation Act 1999 (Cth)</i>	<p>The Commonwealth's <i>Environmental Protection and Biodiversity Conservation Act 1999</i> (EPBC Act) aims to protect the environment and matters of national environmental significance, including flora, fauna and ecological communities and heritage.</p> <p>The SSD DA has been informed by a Biodiversity Development Assessment Report (BDAR) in accordance with the NSW Framework and in consultation with NRAR. A habitat assessment was undertaken and identified the Latham's Snip and Grey-headed Flying-fox as 'matters of national environmental significance'. The BDAR concluded that the development will not have impact on either species.</p>
<i>Biodiversity Conservation Act 2016</i>	<p>The <i>Biodiversity Conservation Act 2016</i> (BC Act) aims to maintain a healthy, productive and resilient environment in accordance with Ecologically Sensitive Development (ESD) principles, including an assessment framework for determining the likely impacts of development on biodiversity and threatened species.</p> <p>The BDAR has been prepared in accordance with the NSW BC Act. The investigation identified Cumberland Plain Woodland, listed as critically endangered under the BC Act was in poor condition. The report concluded that 0.61 ha of Cumberland Woodland is proposed to be removed and no offsets with the Biodiversity Offsets Scheme are required.</p>
<i>Environmental Planning and Assessment Act 1979</i>	<p>The proposed development (as amended) is consistent with the objects and general terms of the EP&A Act as it:</p> <ol style="list-style-type: none"> provides industrial uses which is consistent with the strategic planning framework for the Mamre Road Precinct. The proposal

Consideration	Response
	<p>provides employment within an area identified for industrial uses under the <i>Mamre Road Precinct Structure Plan</i>;</p> <ul style="list-style-type: none"> b. redevelops the site in a manner that will provide significant jobs for the local and broader western Sydney communities. The staged development of the land will ensure that detailed design is undertaken that considers all potential economic, environmental and social impacts. c. delivers a land use that supports the future vision of Mamre Road Precinct. d. addresses the matters raised in the submissions relating to consistency with the draft MRP DCP, riparian corridors and traffic and transport, and access. Accordingly, the responses provided in the RtS demonstrates through conditions and preparation of a CEMP and OEMP limited environmental impact will affect the site and surrounding properties. e. updates the construction staging to enable interim access to properties north and south of the site. f. responds to the matters raised by the relevant Government agencies consulted during the exhibition period, as the amended design is the result of feedback received. g. responds to the public and community group comments received during the exhibition period as the amended proposal includes design refinements in response to those submissions. <p>Overall, the proposed development maintains the consistency with the objects and general terms of the EP&A Act.</p>
<p><i>Environmental Planning and Assessment Regulation 2000</i></p>	<p>Clause 270 of the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&A Reg) requires a contribution plan or satisfactory arrangements for local infrastructure provision to be in place prior to development consent. Mirvac intends to enter into a local planning agreement with Penrith City Council for the provision and delivery of local infrastructure. Therefore, this clause is satisfied.</p> <p>Clause 275B of the EP&A Reg requires an assessment of the consistency of the proposed development with the Mamre Road Precinct Structure Plan.</p> <p>The proposed development (as amended) has responded to the Mamre Road Precinct Structure Plan by addressing the following:</p> <ul style="list-style-type: none"> ▪ The majority of the site is proposed for industrial uses. ▪ The realignment of the creek to the northern boundary enables retention of an east-west green grid connection between Ropes Creek and South Creek, and will significantly improve the quality and extent of riparian area on the site from that existing.

Consideration	Response
	<ul style="list-style-type: none"> ▪ The design of the buildings enables a sensitive transition to the environmental conservation zoned land to the north. ▪ The proposed masterplan sets the framework for future connections to the broader precinct. ▪ The proposed internal road network makes provisions for Precinct wide road connections consistent with the Road Structure Plan.
<i>State Environmental Planning Policy (State and Regional Development) 2011</i>	The proposed development (as amended) is for the purpose of 'warehouse and distribution centre' and will continue to have a capital investment value of more than \$50 million and is classified as SSD for the purposes of the EP&A Act.
<i>State Environmental Planning Policy (Infrastructure) 2007</i>	As required by the <i>State Environmental Planning Policy (Infrastructure) 2007</i> (ISEPP), concurrence is required from TfNSW. The RtS has responded to comments raised by TfNSW and the staging and delivery of the road network has been updated to align with the Mamre Road Precinct Transport Network Map. Based on these updates, the amended plans reflect TfNSW comments and concurrence should be granted.
<i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i>	<p>Clause 3 – Aims of Policy</p> <p>The proposal (as amended) meet the aims of the WSEA SEPP as it:</p> <ul style="list-style-type: none"> ▪ promotes economic development and creation employment through delivery on an industrial estate ▪ has been updated to reflect feedback from State agencies, local government and stakeholders ▪ reflects the broader objectives of the Mamre Road Precinct and aligns with the structure plan ▪ provides for infrastructure provision via the submittal of letter of offers to Department of Planning, Industry and Environment and Penrith City Council to deliver State, regional and local infrastructure to the site. ▪ provides an improved outcome for riparian land through realignment and creation of a VMP ▪ seeks to increase the quality of riparian vegetation and habitat quality through the realigned creek corridor. <p>Clause 11 – Zone Objectives</p> <p>The proposal (as amended) is consistent with the zone objectives for IN1 General Industrial and E2 Environmental Conservation.</p> <p>Clause 14 – Subdivision</p> <p>Subdivision (as amended) is sought for the AIE development. The updated subdivision plan provides for an improved outcome as it extends</p>

Consideration	Response
	access to adjoining lots via Access Road 1 and 3, which enables interim connections east and south of the site.
	<p>Clause 15A – Demolition</p> <p>Demolition is continued to be sought for all existing structures. No change from the exhibited plans.</p>
	<p>Clause 18 – Requirement for Development Control Plan</p> <p>The AIE DCP (as amended) has been updated to reflect the draft MRP DCP. This DCP is to apply to the site until the MRP DCP is finalised.</p>
	<p>Clause 20 – Ecologically sustainable development</p> <p>The ESD principles and measures as exhibited will continue to apply to the amended plans. Therefore, complies with this clause.</p>
	<p>Clause 21 – Height</p> <p>The building heights have not been altered from the exhibited plans. The proposed heights have been established in consideration of emerging industrial development typologies and potential visual impacts. The 14m height is consistent with Clause 21 objectives.</p>
	<p>Clause 22 – Rainwater harvesting</p> <p>Rainwater tanks have been provided within the proposed development and are consistent with Clause 22.</p>
	<p>Clause 23 – Development adjoining residential land</p> <p>Building heights for the proposed development have been limited to 14m to reduce the visual impact of the development on surrounding residential properties. Landscaping feature including various tree and bush species have been carefully designed to produce a buffer between the site and surrounding land uses.</p>
	<p>Clause 24 – Development involving subdivision</p> <p>The subdivision proposed will result in amalgamation of land lots. The subdivision of developable land and roads will facilitate development of the estate.</p>
	<p>Clause 25 – Public utility infrastructure</p> <p>Satisfactory arrangements are being negotiated for the provision of public utility infrastructure services to the Mamre Road Precinct. A planning agreement will be entered into for the funding and provision of these services.</p>
	<p>Clause 26 – Development on or in vicinity of proposed transport infrastructure routes</p>

Consideration	Response
	<p>The AIE Concept Masterplan reflects the draft MRP Transport Network Plan including the provision of the dedicated freight network to the east.</p> <p>Clause 29 – Industrial Release Area – Satisfactory arrangements for the provision of regional transport infrastructure and services</p> <p>The Aerotropolis SIC is currently on exhibition. It is the intent of Mirvac to work with the Infrastructure Contributions team to determine a payment in line with the proposed infrastructure and associated contribution rates proposed in the draft contribution framework.</p> <p>Clause 31 – Design Principles</p> <p>The proposed development (as amended) allows for building materials that are of high quality, allow for a variety of materials and finishes throughout the estate, provides landscaping throughout the estate including the riparian zone using indigenous plant species, and the built form is compliant with other employment-generating development.</p> <p>Clause 33A – Development near Zone Boundaries</p> <p>The proposed development seeks to realign the creek line currently running through the site, to align with the northern boundary. This realignment meets both objectives of the E2 zone and IN1 General Industrial. The approach to this realignment has not been amended as part of this RtS.</p> <p>Clause 33C – Development within the Mamre Road Precinct</p> <p>The proposed development (as amended) has been designed in order to ensure access to and from the site will be compatible with the delivery and operation of an integrated freight network. This is shown on the Concept Masterplan and Stage 1 development via the proposed road network and provision of land for the dedicated freight network.</p> <p>Clause 33D – Development in areas subject to aircraft noise</p> <p>The proposed development (as amended) satisfies this clause as it is not sensitive development and would not have any adverse impacts to Airport operations.</p> <p>Clause 33E – Airspace Operations</p> <p>The proposed development (as amended) does not impact future airport operations at the Western Sydney Airport.</p> <p>Clause 33F – Development to land adjacent to Airport</p> <p>An updated Aeronautical Impact Assessment concludes the proposed development (as amended) will not attract birds or animals of a kind and in numbers that are likely to increase the hazards of operating an aircraft.</p> <p>Clause 33G – Water recycling and conservation</p>

Consideration	Response
	<p>The proposed development introduces various sustainability measures across AIE to meet water recycling and conservation. The Stage 1 development aligns with the draft MRP DCP controls on water recycling and conservation.</p> <p>Clause 33H – Earthworks</p> <p>A cut and fill strategy is proposed to accommodate the future development. The proposed earthworks do not affect the surrounding topography with appropriate erosion and sediment control measures to be incorporated during the construction of stormwater design to minimise runoff.</p> <p>Clause 33I – Development on flood prone land</p> <p>The Flood Impact Assessment has been updated to confirm flood risk and appropriate mitigation measures, refer to Appendix O-2. Flood risk can be managed on site with appropriate measures to ensure no negative cumulative impacts will affect upstream or downstream properties.</p> <p>Clause 33K – Consent for clearing native vegetation</p> <p>The BDAR and Riparian Lands Assessment concludes the clearing of existing native vegetation and construction of a riparian corridor with native species as acceptable and will improve the overall ecological values of the site.</p> <p>Clause 33L – Stormwater, water quality and water sensitive urban design</p> <p>The AIE uses the Penrith City Council's WSUD and flooding guidelines to inform the water cycle management for the site. The Stage 1 and Concept Masterplan complies with the site specific AIE DCP controls for waterway health which is consistent with the objectives of the interim NSW Government waterway health objectives for South Creek as supported within discussion paper provided within Appendix R.</p>
<i>State Environmental Planning Policy No. 55 – Remediation of Land</i>	<p>A preliminary site investigation (PSI) and detailed site investigation (DSI) has been prepared to support the proposed development. The proposed development would result in a change of use of land. The findings of this report required a Remediation Action Plan (RAP) to be prepared. The RAP confirms the site is able to be remediated to suit the intended development purpose – industrial.</p>
<i>State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</i>	<p>The proposed development (as amended) does not propose any hazardous or potentially offensive development.</p> <p>If a tenant triggers this SEPP, a preliminary hazard analysis would be required to be prepared and submitted with a further application for assessment and approval.</p>

Table 9 SEPP 64 Schedule 1 Assessment

SEPP 64 Provision	Comment	Compliance
Character of the area		
Is the proposal compatible with the existing character of the area or locality in which it is proposed to be located?	The proposed signage is consistent with the proposed development. It will serve as real estate signage for the proposed development.	Yes.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the concepts utilised in the WSEA.	Yes.
Special areas		
Does the proposal detract from the amenity of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal will not detract from the amenity or visual quality of the surrounding area. Further, it will serve to identify the future location of the proposed development.	Yes.
Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage is appropriate for the industrial setting.	Yes.
Does the proposal respect the viewing rights of other advertisers?	The proposed signage will not impact the visibility of other buildings or the viewing rights of other advertisers.	Yes.
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate important views or vistas nor does it dominate the skyline.	Yes.
Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is appropriate for an industrial setting.	Yes.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage has been designed to a high standard, in order to achieve well-presented real estate signage.	Yes.

SEPP 64 Provision	Comment	Compliance
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	There is no existing advertising on the site.	N/A
Does the proposal screen unsightliness?	Not relevant.	N/A
Does the proposal protrude above buildings, structure or tree canopies in the area or locality?	The proposed signage is compatible with the scale and proportion of the building size given the dimension of the signage as shown on the signage plan.	Yes.
Does the proposal require ongoing vegetation management?	No.	No.
Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage has been designed to a sensitive scale and proportion. It does not overload the surrounding landscape.	Yes.
Does the proposal respect important features of the site or building, or both?	Not relevant.	N/A
Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage and logo are consistent with the proposed development's wayfinding signage and brand.	Yes.
Illumination		
Would illumination result in unacceptable glare?	The proposed signage will not result in unacceptable glare.	Yes.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed signage will not affect safety for pedestrians, vehicles or aircraft. They are intended to be used as a real estate signage and point of	Yes.

SEPP 64 Provision	Comment	Compliance
	identification for the proposed development.	
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed signage will not detract from residential areas, as it is within an industrial precinct.	Yes.
Can the intensity of the illumination be adjusted, if necessary?	The proposed signage can adjust the illumination if necessary.	Yes.
Is the illumination subject to a curfew?	The proposed signage lighting is not subject to a curfew.	Yes.
Safety		
Would the proposal reduce the safety for any public road?	The proposed signage is for real estate advertising. It is located at a height and scale that will not impact the safety of public roads.	Yes.
Would the proposal reduce the safety for pedestrians or bicyclists?	Signage will not be located at a height that will impact the safety of pedestrian or cyclists.	Yes.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage will not obtrude into any public area and will not be a height that will impact the safety of pedestrians or children.	Yes.

7.3. SUMMARY OF MITIGATION MEASURES (AS AMENDED)

The following section provides an update mitigation measures that have resulted from the amended design response to the submissions. For clarification purposes, any new additions are marked as '**bold**' and any changes no longer relevant have been struck through.

Table 10 Updated Mitigation Measure

Issue	SSD DA Component	Mitigation and Management
Construction Management		
General Construction Management	Stage 1 Development	A CEMP to be prepared for the AIE Stage 1 Development capturing standard and specific management and mitigation measures as described in the SSD DA, EIS and supporting technical documents.
Operational Management		

Issue	SSD DA Component	Mitigation and Management
General Operational Management	Concept Masterplan Stage 1 Development	An OEMP to be prepared for the AIE capturing standard and specific operational management and mitigation measures as described in the SSD DA, EIS and supporting technical documents.
Transport		
Construction Traffic	Stage 1 Development	Preparation of a CTMP to form part of the CEMP addressing issues such as: Track haul routes, delivery schedules and curfews; Protocols for the management of construction traffic moving onto and off the site.
Urban Design and Visual		
Site Layout and Design	Concept Masterplan	Future development of the AIE to proceed in accordance with the approved Concept Proposal and DCP.
Development Controls	Concept Masterplan	Design and development controls to be established for the AIE in the form of a DCP to guide future development on the site.
Visual Impact	Concept Masterplan Stage 1 Development	Design and development controls to be established for the AIE in the form of a DCP to guide future development on the site. Landscaping of key interfaces including western boundary to minimise visual impact.
Soils and Water		
Water Usage	Stage 1 Development	Rainwater tanks to be provided for each development site with size determined in accordance with the Penrith City Council DCP requirements. Irrigation and toilet flushing for development to be plumbed to rainwater tanks. Consideration to be given to other possible rainwater reuse opportunities such as truck washing.

Issue	SSD DA Component	Mitigation and Management
		Measures and considerations for the minimisation of water use during construction and operation to be incorporated into CEMP and OEMP as relevant.
Soils	Stage 1 Development	<p>Mitigation measures inherent to the civil design of the proposal.</p> <p>Sediment and erosion control measures are proposed as detailed in the EIS package.</p>
Salinity	Stage 1 Development	<p>A Salinity Management Plan to be prepared for the proposed development.</p> <p>Management measures described in the Salinity Management Plan to be adopted in the CEMP and OEMP as relevant.</p>
Contamination	Stage 1 Development	<p>Identified areas of potential contamination to be subject to further investigation prior to the development of affected land.</p> <p>Adoption of unexpected finds procedure for hazardous and contaminated materials management and removal during demolition and excavation.</p>
Earthworks	Stage 1 Development	<p>Civil design achieves appropriate site levels with minimal impact on hydrology.</p> <p>Import of fill to be managed in accordance with CEMP.</p> <p>Erosion and sediment control measures included in EIS package.</p>
Mineral Resources	Concept Masterplan	No mitigation required. Proposed development does not impact existing mining leases in the area.
Surface Water	Stage 1 Development	<p>Stormwater issues addressed through design measures incorporated into proposed development.</p> <p>Stormwater management system designed to meet the requirements of Penrith City Council's Engineering Works and WSUD guidelines, and relevant NOW guidelines.</p>

Issue	SSD DA Component	Mitigation and Management
		Detailed on-lot stormwater for future stages of the AIE to be designed and assessed under future applications.
Groundwater	Stage 1 Development	Methods and management of any required dam dewatering required during construction works to be detailed in the CEMP.
Flooding	Stage 1 Development	<p>OSD designed to ensure that development does not increase stormwater peak flows in downstream areas for events up to and including 1:100 year ARI.</p> <p>OSD designed to mitigate post-development flows to pre-development flows for peak ARI events.</p> <p>Finished floor levels to have a minimum 500mm freeboard to 100 year overland flows.</p>
Water Quality	Stage 1 Development	The Stage 1 and Concept Masterplan complies with the site specific AIE DCP controls for waterway health which is consistent with the objectives of the interim NSW Government waterway health objectives for South Creek as supported within discussion paper provided within Appendix R .
Infrastructure		
Capacity and Upgrades	Concept Masterplan	Management of issues in respect of infrastructure capacity and upgrades is in the form of design responses described in Section 4.8 .
Delivery and Staging	Concept Masterplan Stage 1 Development	<p>Management of issues in respect of infrastructure capacity and upgrades is in the form of design responses described in Section 4.8.</p> <p>Staging of development of the AIE would be aligned with infrastructure and services delivery.</p>
Other Environmental Issues		
Flora and Fauna	Concept Masterplan	Implementation of the Biodiversity Offset Strategy for the site.

Issue	SSD DA Component	Mitigation and Management
	Stage 1 Development	<p>Preparation of a Biodiversity Management Plan for the site to inform the CEMP and OEMP as relevant to manage potential impacts to biodiversity during construction and operation.</p> <p>Restoration of retained areas of vegetation including riparian corridors and the Biodiversity Offset Area;</p> <p>Native grassland restoration to other areas of the site including road batters and outside batters of bio-retention basins; and</p> <p>Ongoing maintenance and management of these areas in accordance with the provisions of the Biodiversity Offset Strategy.</p> <p>Implementation of the Flora and Fauna Management Plan as outlined in Appendix H.</p>
Waterways and Riparian Lands	Concept Masterplan Stage 1 Development	<p>Realignment of creek to occur in accordance with design and management measures described in Appendix I including:</p> <ul style="list-style-type: none"> ▪ Revegetation to use appropriate native aquatic macrophyte and River-flat Eucalypt-forest species within the riparian area. ▪ Ongoing management of riparian lands on the site to be in accordance with the Vegetation Management Plan (Appendix J).
Construction Noise	Stage 1 Development	<p>Construction hours to be limited to 7:00am – 6:00pm Monday to Friday and 8:00am – 1:00pm Saturdays.</p> <p>Where construction noise levels are predicted to be above the NMLs, all feasible and reasonable work practices are investigated to minimise noise emissions.</p> <p>If construction noise levels are still predicted to exceed the NMLs, potential noise impacts would be managed via site</p>

Issue	SSD DA Component	Mitigation and Management
		<p>specific construction noise management plans.</p> <p>Construction works should be conducted during standard construction hours, with OOHW minimised as far as reasonable and feasible.</p> <p>Locations for vibration intensive equipment should be reviewed during the preparation of the site specific Construction Noise and Vibration Management Plans (CNVMP) for construction works adjacent to sensitive receivers.</p> <p>Further noise management measures to be incorporated into the CEMP as appropriate.</p>
Operational Noise	Stage 1 Development	<p>Further assessment of potential operational noise impacts to be undertaken in respect to any operations proposed within the AIE with an atypical noise profile.</p>
Air Quality and Odour – Construction	Stage 1 Development	<p>CEMP to include standard air quality control measures, contingency plans and response procedure and suitable reporting and performance monitoring procedures.</p> <p>CEMP to include standard odour mitigation measures for construction including keeping excavation surfaces moist, covering excavation faces and/or stockpiles, use of soil vapour extraction systems and regular monitoring of discharges as appropriate.</p>
Air Quality and Odour – Operational	Stage 1 Development	<p>Further assessment of potential air quality impacts to be undertaken in respect of any specific operations proposed within the AIE with an atypical air emissions profile.</p> <p>Specific operations proposed within the AIE with the potential for generation of odour would be subject to further assessment.</p>

Issue	SSD DA Component	Mitigation and Management
Indigenous Heritage	Stage 1 Development	<p>Archaeological salvage excavation and monitoring to be undertaken in the presence of relevant Aboriginal stakeholders prior to ground disturbance and excavation work in identified areas.</p> <p>Result of detailed archaeological excavation and any suitable salvaged materials to be managed in accordance with the NPW Act and direction from relevant Aboriginal stakeholders.</p> <p>Implementation of Unexpected Finds Protocol.</p>
Non-Indigenous Heritage	Stage 1 Development	<p>Constructions works to cease should artefacts be uncovered during ground disturbance and DPC-Heritage notified.</p> <p>Implementation of Unexpected Finds Protocol.</p>
Greenhouse Gas and Energy Efficiency	Stage 1 Development	<p>Future stages of development within the AIE would be subject to assessment in relation to energy efficiency and greenhouse gas emissions.</p>
Waste Management – Construction	Stage 1 Development	<p>Detailed construction waste minimisation and management measures to be included in the CEMP as described in Appendix L.</p>
Waste Management – Operations	Stage 1 Development	<p>Detailed construction waste minimisation and management measures to be included in the OEMP as described in Appendix L.</p>

8. CONCLUSION

This RtS has been prepared by Urbis on behalf of Mirvac to address the matters raised by government agencies, the public and community organisation groups during the public exhibition of the proposed AIE SSD. The application was on exhibition from 18 November 2020 to 15 December 2020. During this period, submissions were received from NSW government agencies, local council and other key public authorities.

To address the matters raised during the public exhibition period, the proposal has been subject to design refinements, testing, and ongoing reviews. Overall, the responses within this RtS and the EIS submitted with the SSD DA is considered appropriate for the site and warrants approval by the Minister for Planning for the following reasons:

- The proposed development (as amended) is consistent with the NSW Government and Penrith City Council policies for the site and surrounding area including the Region Plan, Western City District Plan, Penrith Local Strategic Planning Statement, Western Sydney Aerotropolis Plan, Mamre Road Precinct Structure Plan and development controls contained in the WSEA SEPP.
- The proposal (as amended) results in an orderly and economic use of the land that leverages significant NSW Government investment in the Western Sydney Aerotropolis, including delivery of the Western Sydney Airport, M12 Motorway and arterial road upgrades including Mamre Road.
- The proposed development (as amended) responds to industrial land shortfall across Greater Sydney and will enable jobs creation through its construction and operational phases. It supports the 30-minute city vision for Greater Sydney.
- The proposal and the amendments are permissible under the IN1 General Industrial and E2 Environmental Conservation zones under the WSEA SEPP. The proposed development (as amended) meets the aims and objectives of the WSEA SEPP.
- The proposed design amendments respond to DPIE, government agency, the public and community groups feedback including:
 - **Amendment to the road reservations for Access Road 1** to increase the road reservation to the south, as a response to align with the draft MRP DCP;
 - **Refinement of the Stage 1 Architectural Plan and Staging Plan** to ensure adjacent properties north and south of the site have interim access to Mamre Road;
 - **Refinement of warehouse building footprints** which respond to updates to the road network and landscape/setback requirements set out in the draft MRP DCP;
 - **Relocation of APZs outside of the proposed creek corridor;** and
 - **Inclusion of rainwater tanks to meet the water quality targets** proposed in draft MRP DCP.
- The Concept Masterplan and Stage 1 development (as amended) facilitate the delivery of the broader Mamre Road Precinct Transport Network Map, including providing interim access to lots north and south of the site.
- The realigned riparian corridor provides an improved ecological outcome for the site and broader precinct.
- The proposed development (as amended) has been updated to reflect the draft MRP DCP. The site specific DCP reflects the proposed controls contained in the precinct-wide DCP.
- The draft general terms of agreement and conditions provided by the agencies has been reviewed by the applicant with comments provided in the RtS for any conditions not agreed with.

Overall, the proposed development is appropriate to the site and surrounding context. The revised design results in an improved outcome for both the subject development and neighbouring lots. The proposed development meets the objectives of the WSEA, Western Sydney Aerotropolis and Western Parkland City, and addresses all strategic and statutory planning framework. Overall, the proposal is in the public interest and should be approved by the NSW DPIE, subject to conditions of consent.

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