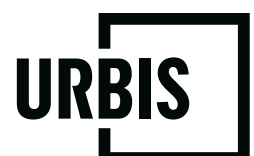




# **SUBMISSIONS REPORT**

SSDA-10448 Mod 3 & SSD-46516461 WH9  
Aspect Industrial Estate

Prepared for  
**MIRVAC**



**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

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# INTRODUCTION

This Submissions Report relates to the concurrent Modification to the Aspect Industrial Estate (**AIE**) Development (SSD-10448) at 804-882 Mamre Road, Kemps Creek (**the site**) (**MOD 3**) as well as a Stage 2, State Significant Development Application for the staged development of Warehouse 9 (SSD-46516461) (**WH9 SSD**). On behalf of Mirvac Projects Pty Ltd (**the Applicant**), this Submissions Report has been prepared to address the matters raised by public agencies, local Council and other relevant stakeholders throughout the public exhibition period.

MOD 3 and the WH9 SSD was concurrently lodged with the Department of Planning and Environment (**DPE**) in October 2022 (SSD-10448 Mod 3 & SSD-46516461).

This Submissions Report has been prepared in accordance with the DPIE *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) July 2021*.

## EXHIBITED PROJECT

MOD 3 seeks consent for modification to the SSSD-10448 Concept Proposal as to reconfigure the estate and reduce the overall number of lots from 11 to 9. MOD 3 also seeks to relocate Access Road 4 and create new warehouse footprints, along with updating road subdivision, civils works, car parking, hardstand areas and landscaping.

The concurrent WH9 SSD seeks to develop Warehouse 9 on the Lot 9 at AIE in accordance with the updated configuration to be amended through MOD 3. This proposes the construction of a new 66,341sqm building for use as 'warehouse and distribution premises' to be built to a ridge height of 14.6m, comprising a warehouse, loading docks, dock offices, parking spaces and new vehicle crossovers, along with on lot landscaping and stormwater management.

## SUPPORTING DOCUMENTATION

This Submissions Report is supported by the following technical reports and documentation.

Table 1 Supporting Documentation

Appendix	Report	Prepared By
Appendix A	Updated Masterplan and Staging Plan	SBA Architects
Appendix B	Warehouse 9 Architectural Drawings	SBA Architects
Appendix C	Updated ESD Report	Stantec
Appendix D	Updated Lot 09 Landscape Plan	Site Image
Appendix E	Updated Tree Canopy Plan	Site Image
Appendix F	Updated Groundwater Management Plan	Arcadis
Appendix G	Flood Impact Assessment Compliance Letter	Cardno now Stantec
Appendix H	Updated Landscape Masterplan Report	Site Image
Appendix I	Updated Landscape Area Plan	SBA Architects
Appendix J	BDAR Waiver	DPE
Appendix K	Updated Traffic Impact Assessment	ASON

<b>Appendix</b>	<b>Report</b>	<b>Prepared By</b>
<b>Appendix L</b>	Stormwater Management Plan and Additional Information	AT&L
<b>Appendix M</b>	Updated VIA Viewpoints	Cloustons Associates
<b>Appendix N</b>	Updated Landscape Character and Visual Impact Assessment (LCVIA)	Cloustons Associates
<b>Appendix O</b>	Addendum to the Social Impact Assessment	Urbis
<b>Appendix P</b>	Winning Operations Plan	Mirvac

# ACTIONS TAKEN SINCE EXHIBITION

In response to the key issues raised within the submissions, minor design refinements and clarifications have been made to the proposed modification and state significant development since public exhibition.

This section summarises the changes that have been made to the two applications since its public exhibition. It also outlines the additional assessment undertaken to respond to the concerns raised with the public agency, organisation and public submissions outlined in **Section 3**.

## REFINEMENTS TO THE PROJECT

The following table summarises the minor refinements and clarifications proposed since public exhibition and in response to submissions made, and as a result of further engagement with DPE.

Importantly, these refinements are changes that fit within the limits set by the project description for MOD 3 and the WH9 SSD respectively. These refinements do not change what the application is seeking consent for, and therefore an amendment to the proposal is not required.

Table 2 Design Refinements to Proposed Development

Location	Proposed Refinements
<b>SSD-10448 MOD 3</b>	
<b>Lot 1</b>	Updated layout of Lot 1 and alignment of vehicular access to Warehouse 1 from Access Road 1 to reflect the approved estate masterplan under SSD-10448 MOD 2.
<b>Lot 9 / Warehouse 9</b>	Updated warehouse and lot layout for Warehouse 9, consistent with the concurrent WH9 SSD. This includes updates to the hardstand parking provision, bicycle parking, tree plantings and pedestrian access. The refined Warehouse 9 layout is detailed below.
<b>Warehouse 9 (SSD-46516461) Refinements</b>	
<b>Warehouse 9 Carparking</b>	The hardstand carparking (located at the south hardstand area) will be refined to deliver a total 257 car parking space (reduction of 9 spaces from the hardstand area).
<b>Warehouse 9 Tree Plantings</b>	The provision of tree planter islands across the Warehouse 9 car parking areas has been refined to provide 28 tree planter islands (increase from 22 islands) to meet MRDCP requirements.
<b>Warehouse 9 Bicycle Parking</b>	The refined Warehouse 9 includes a new, dedicated bicycle parking area with access from Access Road 4. This space will facilitate 68 bicycle parking spaces in the area immediately west of the main office.
<b>Warehouse 9 Rainwater Tanks</b>	The provision of sprinkler and hydrant tanks is refined to meet Fire NSW requirements.
<b>Warehouse 9 Staff Breakout Area</b>	Adjusted to provide waterproofed and secure area for staff.

Location	Proposed Refinements
<b>Warehouse 9 Rooftop Plant</b>	The architectural drawings have been refined to demonstrate the location of the rooftop smoke exhaust fans.
<b>Warehouse 9 Pedestrian Access</b>	Adjusted pedestrian access to improve safety.
<b>Signage on Western Elevation</b>	It is noted that there is a minor non-compliance with the Mamre Road DCP, in terms of the extent of the business identification signage on the Mame Road frontage of the proposed warehouse building. Although it is considered that the extent of this façade could accommodate two signs, it is now proposed to remove one of the proposed signs at this location. The future operator of the warehouse is currently considering which of the two proposed signs they would wish to remove, so at this stage the Warehouse 9 Architectural Plans have not been updated to reflect this. However, it is intended that this will be completed prior to determination.

Refer to the revised Architectural Plans (**Appendix A & Appendix B**) for further details on the design refinements made since public exhibition.

Figure 1 Refined Estate Masterplan



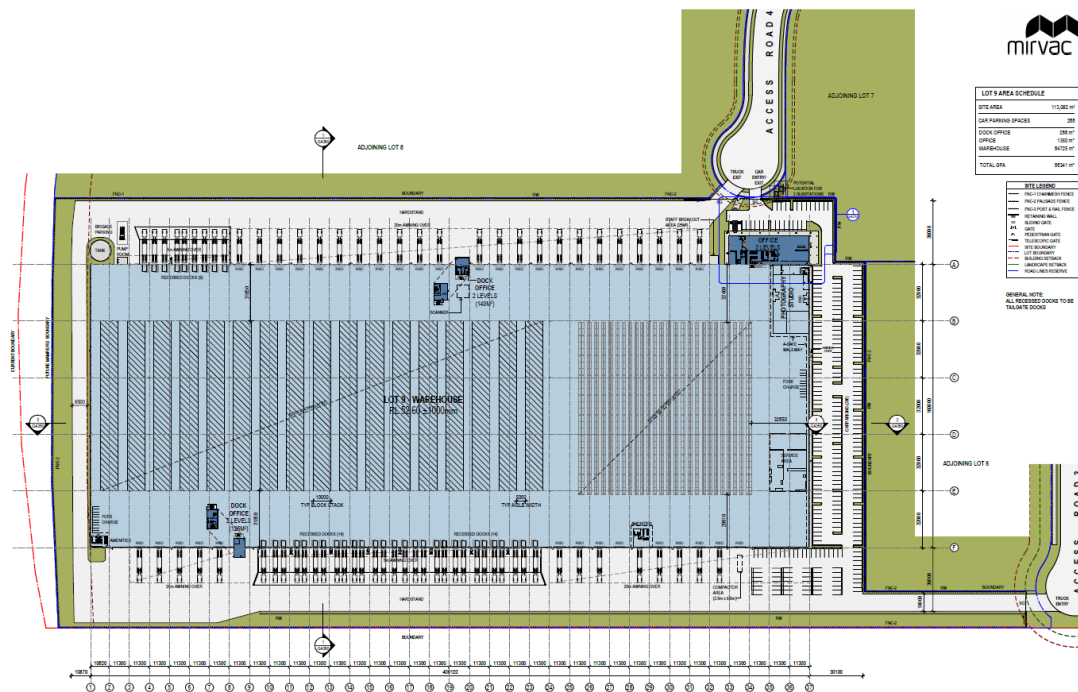
Picture 1 Original Proposal



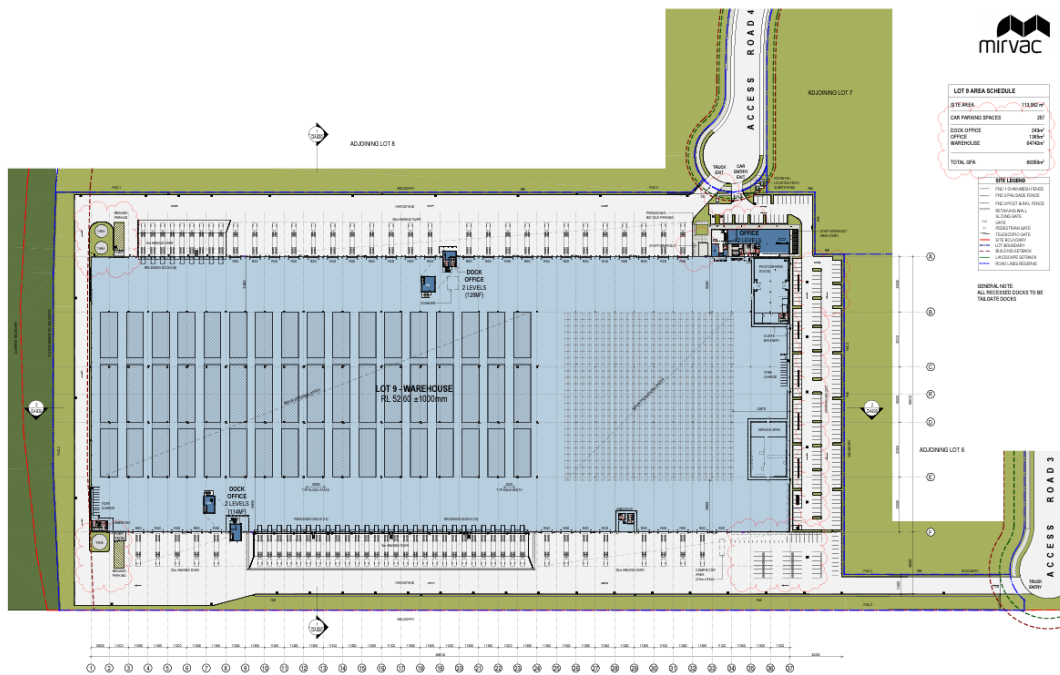


Picture 2 Refined Proposal

Figure 2 Refined Warehouse 9 Architectural Plans



Picture 3 Original Proposal



Picture 4 Refined Proposal

## ADDITIONAL IMPACT ASSESSMENT

Additional assessments have been prepared to respond to the issues raised within the submissions. These include:

- An updated ESD report has been prepared that responds to the Ecologically Sustainable Development requirements of the SEPP (Industry and Employment) 2021 as well as Part 4.2.5 – Building Design of the Mamre Road Precinct DCP 2021. The ESD measures to be facilitated across the site will deliver a minimum 5 Star Green Star outcome.
- Updated groundwater management plan that provides an assessment of the “minimal impact considerations” of NSW Aquifer Interference Policy (AIP).
- Updated flood impact assessment letter that confirms that the site is not flood affected and as such no flood impact assessment is required.
- Updated tree canopy coverage including information on pervious surfaces which accounts for the relevant requirements and exclusions as established under the MRP DCP.
- An updated Traffic Impact assessment which updates the assessment of the anticipated vehicle trips generated by Warehouse 9, subject to a detailed assessment of the operational requirements of the Winnings tenant.

The findings and recommendation of the additional assessments are discussed in detail within **Section 3** of this report.

# RESPONSES TO SUBMISSIONS

This section provides a detailed summary of the Applicant's response to the issues raised in submissions. The response has been structured according to the categorisation of issues outlined in **Section 2**.



Since only a small number of submissions were received during the public exhibition process, a response to each individual submission is included in **Table 3**.


Table 3 Response to Raised Issues

Summary of Issue Raised	Response	Supporting Document
<b>PENRITH CITY COUNCIL (DATED 16<sup>TH</sup> NOVEMBER 2022)</b>		
<b>Planning Considerations</b>		
<p><u>Related amendments (MOD 3 &amp; WH9 SSD)</u></p> <p>The amendments proposed rely on consent being issued for the amendments sought under MOD 2 (currently under assessment with DPE) and MOD 3.</p> <p>Matters previously in relation to MOD 2 remain outstanding in relation to road designs, landscape and canopy tree matters and streetscape presentation issues and as such, some issues are reiterated herein.</p>	<p>The appropriate responses to the outstanding MOD 2 matters are addressed in the table sections below.</p>	<b>N/A</b>
<p><u>TfNSW Advice (MOD 3 &amp; WH9 SSD)</u></p> <p>It is not known if TfNSW is supportive of the traffic and road arrangements proposed as part of MOD 2.</p> <p>Amendments to the design which may result from achieving concurrence from TfNSW could result in further alterations to the design being considered under MOD2 and thus MOD 3. The road layout the subject of MOD 3 differs from that available to view under MOD 2.</p>	<p>MOD 2 was approved on 30 November 2022. The traffic arrangements have been revised in consultation with TfNSW and the vehicular access from 'Access Road 1' to Warehouse 1 has been updated accordingly. This includes the removal of the deceleration lane from Access Road 1 and adjustments to the layout and carparking provided at Warehouse 1. The refined estate masterplan (Appendix A) for MOD 3 has been updated to reflect the approved road layout.</p>	<b>Appendix A</b>
<b><u>Design and Architecture (MOD 3)</u></b>		


Summary of Issue Raised	Response	Supporting Document
<p>The design and streetscape presentation of the larger warehouses will require careful consideration. Warehouse 9 is a significantly larger built form and the negative impacts of their bulk and scale will need to be appropriately mitigated.</p>	<p>Warehouse 9 is proposed to be consistent with the established warehouse design concept as approved under SSD-10448. Further details are provided in the comments below which demonstrate that the proposal will deliver the setbacks, landscaping, built form and facades details that will appropriately mitigate the building's bulk and scale and consistent with the Design Concept for the Estate. The updated Visual Impact Assessment (Appendix N) provides additional artistic impressions and photomontages which demonstrate the architectural finishes and materials.</p>	Appendix B
<p>It is recommended that Access Road 4 be amended to address the negative impacts resulting from the number of driveway access points located within the turning head, and the safety implications of having heavy and light vehicle access driveways in such close proximity.</p> <p>The number of driveway crossovers in the cul-de-sac will limit opportunity for street tree planting and will impact pedestrian safety.</p> <p>Whilst it is noted that there is no significant increase in the number of driveway crossovers previously approved, the serviceable GFA accessible from Access Road 4 is significantly increased and thus safety and vehicle conflicts are to be addressed.</p>	<p>The number of driveways on the cul-de-sac is the same as the approved Concept Plan. The revised site layout increases the overall separation between the 3 driveways by locating them more equally around the turning head. Further, the car park access for Warehouse 8 now has a much larger separation from the heavy vehicle access. This improves on the approved arrangements when considering the previous warehouse 10.</p> <p>While the proposed layout will increase the driveway access provided from Access Road 04 from 109,000m<sup>2</sup> GFA to 112,000m<sup>2</sup> GFA, the proposal will result in a decrease in trips. Considering that heavy vehicle entry to Warehouse 9 will be via Access Road 03, the vehicle movements during the critical PM peak along Access Road 04 will be reduced from 261 to 244 vehicle movements per hour.</p> <p>The proposed location of the driveways at the cul-de-sac has been located to facilitate their respective sightline requirements. This will limit space within the cul-de-sac for street tree plantings. However, located the driveways at the cul-de-sac leaves the rest of the street relatively free for street tree planting.</p>	N/A
<p>The introduction of an amenity/cafe lot is encouraged. This will be an important addition to the Estate and will provide a</p>	<p>The details of the landscaping, accessibility and amenity will be subject to a future application for the detailed development of Lot 7 and cafe.</p>	N/A




Summary of Issue Raised	Response	Supporting Document
much-needed employee amenity. An café or amenity lot must be high in amenity, with quality landscaping and outlook and be easily accessible for workers and visitors within the Estate.		
<b><u>Design and Architecture (WH9)</u></b>		
The applicant has not provided any landscaping sections which detail levels transitions and interfaces. This is a reoccurring theme, and the applicant is to be advised to provide this information to inform an assessment for all applications and subsequent modifications.	<p>The Landscape Masterplan report prepared by Site Image provides sections of the intended landscape interface with the hardstand and building areas. Of relevance to the proposed modifications to Lots 6-8 and the proposed Warehouse 9 construction, this includes:</p> <p>Section B Mamre Rd Frontage Cross Section 1:100</p> <p>Section C Road 01 Section 1:50</p> <p>Section F 1:200</p> <p>The proposed on-lot landscaping is designed to be consistent with the landscape masterplan report. As such, the relevant visual representation and information for assessment is provided in the Landscape Masterplan Report.</p>	<b>N/A</b>
The scale of the materials and colours is too small to interpret. It appears that the whole building, including the office will be grey (or various shades of). DPE is to review and assess if appropriate. A larger scale material and finishes schedule may be required.	<p>Building forms have been developed from the original Architectural Concept detailed in the Design Statement approved as part of the Initial SSD DA. Image 1 and 2 below have been extracted from the Design Statement. As indicated in SSD-10448 EIS Appendix E Architectural Concept Report, the offices are wrapped in perforated metal screens providing dappled shaded areas, under a “canopy.” The colour palette used on the facades of the buildings reflects the Australian landscape and is concisely muted, natural and restrained.</p> <p>The jointing in the concrete base represents the tree trunks, while the articulated cladding represents the trees with its multi-faceted branches. The offices are wrapped in perforated</p>	<b>Appendix B</b>


Summary of Issue Raised	Response	Supporting Document
	<p>metal screens providing dappled shaded areas, under a “canopy.”</p> <p>See image below of Architectural Concept Report included in SSD 10448 and now included in Appendix B DA001 Rev D.</p> <p>Image 1: Concept Sketch</p>  <p>Image 2: Office Screen Concept Sketch</p> 	

Summary of Issue Raised	Response	Supporting Document
	 <p>The muted light grey and white metal cladding will help to reduce the overall visual impact. The elevations to Mamre Road include decorative channels on the warehouse cladding and precast concrete to provide visual interest and break up the elevation whilst maintaining consistency with the overall estate.</p> <p>The building finishes and colour scheme have been selected to ensure durability and low maintenance for site personnel as part of Mirvac's ongoing commitment to safety in design and legacy.</p> <p>An additional northern elevation artist impression has been prepared to demonstrate the intended design of Warehouse 9. As estate bulk earthworks are now under construction (as approved under the original SSD DA) an artistic impression has been created from Access Road 3 as it is not possible to provide a photomontage from this location. The artists impression is based on the proposed Warehouse 9 3D architectural model and reflects landscape plans and tree species.</p> <p><i>Note: the artists impression does not detail the Lot 7 warehouse which will be subject to a future development application and zone substations which are subject to separate applications with Endeavour Energy.</i></p> <p>Image 1: Northern Elevation Artists Impression:</p>	


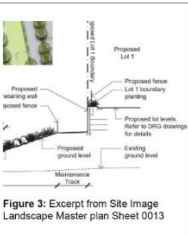


Summary of Issue Raised	Response	Supporting Document
		
The proposal does not demonstrate how sustainability, and ESD is addressed and does not identify the measures which will be adopted and area delivered, over and above minimum standards. The development is to include solar panels and battery storage.	The proposed Warehouse 9 SSD application was supported by an Ecologically Sustainable Development Report (ESD Report) by Stantec Australia (Appendix C). The report identifies that Warehouse 9 is to be supported by a 650kW Solar System and deliver a minimum of 5 Star Green Star. Other initiatives (including efficient fixtures, water management etc.) are identified in the report to ensure that the development will address ESD. This is consistent with the ESD strategy established in the approved concept approval (SSD-10448). The delivery of the solar system will be conducted as part of the detailed design process.	<b>Appendix C</b>
Roof mounted plant machinery is not included and maximum height of the development is to be noted from natural ground level.	The Warehouse 9 architectural plans (Appendix B) identify the location of the roof smoke exhaust fans and include them in the height of building measurement. Warehouse 9 will have a maximum building height of 14.6m.	<b>Appendix B</b>
Fire exits and the related stairs are not indicated on plans although are shown in sections. These structures will have not insignificant impacts on design quality and streetscape presence.	The floor plans, elevations and sections have been updated to consistently reflect the location of fire exits across Warehouse 9 (Appendix B). The updated plans demonstrate that these structures will integrate with the warehouse design and will not result in any significant impacts to the design quality and streetscape presence of the Warehouse.	<b>Appendix B</b>
The treatment proposed for the western elevation fronting Mamre Road is not understood from the limited detail provided on the architectural plans. Are the grey lines indicated, painted lines on the cladding? This	An updated photomontage (Image 1) has been prepared to include additional detail of the architectural finishes and materials. The updated photomontage has been marked up to show the extent of SP2 Zone (Mamre Road Widening) in which landscape planting cannot be proposed as it forms part of a future road widening reserve. Refer Image 2 below. An updated Visual Impact has	<b>Appendix B M &amp; N</b>

Summary of Issue Raised	Response	Supporting Document
elevation is to be elevated in design quality and it is suggested that layering of cladding is included and/or other treatment to improved streetscape presentation.	<p>been prepared and is included at Appendix N. The findings of the VIA remain unchanged. An additional artists impression has been prepared to show the full extent of the elevation. Refer Image 4 below.</p> <p><i>Image 1: Updated Viewpoint 3:</i></p>  <p><i>Image 2: Updated Viewpoint 3 with SP2 Zone overlay:</i></p>  <p><i>Image 2: Artist Impression of Western Elevation:</i></p>  <p>As detailed above and Appendix B, the elevation treatment and design are consistent with the overall concept design for the Estate. The lines are a decorative channel to break up the façade and provide visual interest.</p>	
<b><u>Tree Canopy &amp; Landscaping matters (MOD 3)</u></b>		
The proposal is to demonstrate a minimum of 10% canopy tree coverage is provided in accordance with	On an estate basis, an excess of 10% tree canopy coverage is provided. As such, the proposed tree canopy coverage extent on Lot 9 is consistent with	<b>Appendix E</b>

Summary of Issue Raised	Response	Supporting Document
<p>the requirements of the Mamre Road Precinct DCP (MRP DCP).</p> <p>The tree canopy plan submitted for MOD 2 does not demonstrate that the 10% targets will be met, noting the issues Council has previously raised in relation to the locations for canopy trees being unsustainable and/or unsuitable such as:</p> <p>in strips along narrow boundaries,</p> <p>in areas where levels change and where earth is retained,</p> <p>in areas impacted by/or co-located with stormwater pits and pipes, and in areas where canopies will be impacted by heavy vehicle manoeuvring and other operational activities (example between Warehouse 2 and Warehouse 3).</p>	<p>the requirements of the MRPDGP. With regard to the locations identified by Council:</p> <p>The updated tree canopy plan at Appendix E has been prepared with consideration of the locations identified by Council.</p> <p>Tree plantings are not typically shown to narrow boundaries or where soil cannot be provided, to avoid any future clashes with retaining walls all trees are nominated in suitable locations.</p>	
<p>Street tree planting for all public roads is to be provided at 10m maximum centres and is to be shown on plans. The landscape master plan indicates limited street tree planting as noted below in yellow.</p>  <p>1: Landscape masterplan excerpt.</p>	<p>Tree planting in the public domain has already been approved in the Stage 1 consent. Only minor changes are proposed from that approved, which is to provide clear sight lines and safe traffic movements. On average the proposal will provide bays of 3 trees with spacing between 15-20m.</p>	N/A
<p>Tree pits within car parking spaces are to be staggered</p>	<p>The refined architectural plans have accommodated an increase in the number of tree</p>	Appendix B

Summary of Issue Raised	Response	Supporting Document
and not provided in rows. It is recommended that some areas within the central carparking aisles be designed to support a more significant cluster of trees which would assist in breaking up the apparent bulk of the warehouse building, would contribute to canopy cover targets and reduce heat island impacts. As excess car parking, this much needed design improvement is considered achievable.	planter islands across the car park area to provide a total of one tree per 10 car parking spaces, as per the MRP DCP requirement.	
<p>Landscape Section G, on Site Image drawing 0013 does not reflect the tree planting on plan. Basin planting indicates trees are to be planted within the basin, although no tree species are indicated in the Basin Planting Schedule (same drawing) and trees are not included in the Basin Section G.</p> <p>The Site Image Tree Canopy Tree Canopy plan (MOD2_SK001 rev G) lodged under MOD 2 indicates canopy trees in this location. Plans are to correlate and DPE are to ensure targets are met and that calculable canopy will be sustainable to maturity in the selected locations and for the life of the development.</p>	<p>Basin Section G has been updated refer <b>Appendix H</b>.</p> <p>Tree Canopy Plan has been updated to address DPE comments and ensure targets are met.</p>	<b>Appendix H</b>
Civil sections across the estate include 1200mm wide concrete dish drains and catch drains within areas for landscaping which in some instances impact viability of	Sufficient space is provided for tree plantings, accounting for the 1200 dish drain.	<b>Appendix D</b>

Summary of Issue Raised	Response	Supporting Document
proposed landscaping and canopy tree provision.		
<p>Civil sections indicate no planting at the boundary between Lot 1 and the basin maintenance track in conflict with the landscape plans (refer conflicting planting at Figure 1 and 2 below).</p>   <p>It is recommended that the applicant consider a more natural edge to the basin, with a battered retaining wall. Material selection is to be strongly considered as the western boundary of Lot 1 is significant in length and the development is to have a more elevated design presentation to Mamre Road.</p>	<p>Civil sections do not include landscaping design and are focused on civil design only. The landscaping plans included landscaping. There is no conflict between the plans.</p> <p>We also note the basin and retaining wall designs were approved as part of Stage 1 works and no changes are proposed as part of Mod 3.</p>	N/A
<p>Council does not support the increase in car parking hardstand areas within the landscaped front setback as is proposed under MOD 2. It is unknown if this is perpetuated in the design under MOD 3 as no dimensions are provided and no overlay diagram is provided.</p>	<p>The modified lot layout as sought under MOD 3 will comply with the relevant MDCP landscape requirements for the front setbacks. The modified proposal will achieve a minimum landscape setback of 6m at the respective front setbacks of Lots 6 to 9. This is demonstrated in the dashed, green line across each lot. The proposed hardstand car parking areas will not affect this compliance to the landscape setback requirements.</p>	Appendix A
<b><u>Tree Canopy &amp; Landscaping matters (WH9 SSD)</u></b>		

Summary of Issue Raised	Response	Supporting Document
<p>The on-lot landscape plans do not include any sections that inform the levels and do not explain whether tree planting is appropriate.</p> <p>Sections must be provided which explain how planting relates to the levels and boundary interfaces and how landscaping will react to the retaining walls, noting that level difference of over 11 metres is proposed.</p>	<p>Sections (<b>Appendix D</b>) have been provided which better detail how the proposed planting interacts with levels.</p>	<b>Appendix D</b>
<p>The landscaping under MOD 3 and this SSDA are to correlate including the proposed canopy tree targets. Plans and sections must demonstrate consistency with the civil design, and it must be demonstrated that calculable canopy will thrive in the proposed locations and will be sustainable to maturity.</p>	<p>The updated Landscape Plan (Appendix D) and estate, tree canopy plan (Appendix E) have been revised to maintain consistency between the two.</p> <p>Sections in Appendix D confirm suitability of tree planting.</p> <p>As noted above, the tree planting to the Eastern boundary sits in an 8m space between the retaining wall and boundary.</p>	<b>Appendix D and E</b>
<p>It is recommended that DPE request sections through site boundary interfaces and which have had regard to the civil and stormwater designs. Canopy targets for Lot 9 are to be no less than 10% of site area.</p>	<p>On an estate basis, in excess of 10% tree canopy coverage is provided. As such, the proposed tree canopy coverage extent on Lot 9 is consistent with the requirements of the MRPDGP.</p>	<b>Appendix E</b>
<p>The on-lot landscaping plans are to be elevated in quality and greater areas for landscaping are necessary. The quantity of on-lot landscaping is poor.</p>	<p>On an estate basis, in excess of 10% tree canopy coverage is provided. As such, the proposed tree canopy coverage extent on Lot 9 is consistent with the requirements of the MRPDGP.</p> <p>Further to the above, landscape setbacks have been achieved, carparking tree planting provided 1</p>	<b>Appendix D and E</b>

Summary of Issue Raised	Response	Supporting Document
	per 10, landscaping planting has been focused around offices to improve presentation.	
Pervious surface targets required by the MRP DCP are to be demonstrated.	The proposed development will deliver a total pervious surface area of 20.8% across the estate. The pervious surfaces provided are comprised of deep soil landscape areas. The proposed quantum of deep soil landscape areas will achieve the MRP DCP objectives in supporting the required tree canopy coverage, enhanced presentation to the proposed warehouse building and the appropriate screening, shading and acoustic buffering. Water management will be managed appropriately as detailed in the EIS and other sections of this RTS report.	Appendix I
The proposed car parking located within the truck manoeuvring area to the south of the site is not supported and as detailed further below is to be fully separated from heavy vehicle manoeuvring areas. Tree planting within 1.5m wide landscaped blister islands are to be included within this same car parking area, should it remain.	<p>The line marking and bollards will provide the physical separation Council have requested if this area is in use for car parking. It is expected that this could form part of the relevant operational management plan for the Site.</p> <p>Alternatively, it is proposed that a planning condition is applied which allows the parking provision to be aligned with Winnings' needs (being 215 spaces). Should the occupier change in the future, then the parking would need to be reviewed.</p> <p>This therefore allows the future occupier to utilise this area accordingly, rather than there be a formal parking area that is unoccupied, which would not be a good urban design outcome. The operational management plan can be utilised to ensure that, if the area is used for parking, it must be in compliance with AS2890.1:2009 and defined / separated from the hardstand area line marking and bollards.</p> <p>The refined architectural plans provide the required quantum of carpark tree plantings in accordance with the MRP DCP requirements.</p>	Appendix B
Hard stand areas are extensive and insufficient regard has been had to the provision of quality landscaping representative of the aspirations of the Estate.	Dual sided hardstand is required for customer operations and they have one hardstand to cater for inbound movements and one hardstand to cater for outbound movements.	Appendix B

Summary of Issue Raised	Response	Supporting Document
Limited detail is provided which enables a full understanding and assessment of the landscaping outcomes.	Landscape setbacks have been provide in accordance with MRP DCP requirements.	
The most northern end of the truck hardstand fronting Mamre Road sits forward of future Warehouse 8 and sets an undesirable example for setback.	This setback complies with the MRP DCP.	Appendix A
The landscape master plan is very formal with planting in rows and lines.	The landscape areas have been prepared to suit the architectural and civil factors. The landscape style and spacing is consistent with previously approved SSD-10448.	N/A
The landscape master plan for the Estate is to be amended to address the matters raised in Council's Advice latter dated 16 November 2022, issued in response to MOD 3.	The landscape master plan (Appendix H) has been appropriately refined to address the matters relating to MOD 3. This table provides an overview of the responses to these matters.	Appendix H
It is recommended that DPE require the landscape documentation set to be elevated in detail and design quality.	DPE's comments with regard to the landscape documentation requirements are addressed in the Sections below in this table.	N/A
The car parking provided for Warehouse 9 is excessive and landscaping is poor.	<p>Car parking has been reduced to provide the DCP requirement of 257 spaces. As detailed in the commentary above, the car parking located within the truck manoeuvring area to the south of the site is in excess of Winning's needs and is provided in accordance with the DCP minimum rates. The appropriate management or condition of consent is recommended in the sections above to ensure the space is appropriately managed for any future tenants.</p> <p>Landscaping is provided throughout the car parking areas in accordance with the tree planting rates in the MRPDGP, other than the car parking spaces adjacent to the hardstand. Additional tree planting is provided in the carparking area to the</p>	Appendix B



Summary of Issue Raised	Response	Supporting Document																																																																												
	east of the warehouse at a rate of one per 10 spaces.																																																																													
A greater area of the site is to be provided with canopy tree planting and other landscaping embellishment.	The canopy cover targets have been achieved. Increased planting within the car parking areas is provided to account for the surplus car parking areas on the hardstand.	Appendix E																																																																												
DPE is to ensure that an interim cul-de-sac is provided to Road 3. It is raised that Council will not accept asset dedication without sufficient detail demonstrating supportable interim and ultimate road designs and adequate certainty surrounding timing, trigger points and detailed designs for ultimate outcomes.	Noted. Interim cul-de-sac is proposed.	Appendix A																																																																												
Insufficient shrub planting (mid-tier) is provided which would screen security fencing and views the warehouse (example section B on Site Image Landscape Master Plan MOD 3 drawing No. 003 revision D).	<p>Shrub planting has been provided to Mamre road frontage, refer plant schedule at Appendix D.</p> <table><tr><th colspan="4">Planting Type 3 Mamre Frontage</th></tr><tr><th></th><th>Botanic Name</th><th>Common Name</th><th>Mature Size</th></tr><tr><td colspan="4">SHRUBS &amp; ACCENTS</td></tr><tr><td>AsM</td><td><i>Acmena smithii</i> var. minor</td><td>Lilly Pilly</td><td>2 x 2</td></tr><tr><td>CE</td><td><i>Callistemon</i> 'Endeavour'</td><td>Bottlebrush</td><td>2 x 3</td></tr><tr><td>CLJ</td><td><i>Callistemon</i> 'Little John'</td><td>Dwarf Bottle Brush</td><td>1 x 1</td></tr><tr><td>Dc</td><td><i>Dodonaea viscosa</i> subsp. <i>cuneata</i></td><td>Wedge-leaf Hop-bush</td><td>1 x 2</td></tr><tr><td>MCT</td><td><i>Melaleuca linariifolia</i> 'Claret Tops'</td><td>Honey Myrtle</td><td>1 x 1</td></tr><tr><td>PP</td><td><i>Phormium tenax</i> 'Purpureum'</td><td>Bronze Flax</td><td>1.5 x 1</td></tr><tr><td>Wf</td><td><i>Westringia fruticosa</i></td><td>Coastal Roosemary</td><td>2 x 2</td></tr><tr><td colspan="4">GRASSES AND GROUNDCOVERS</td></tr><tr><td>Cg</td><td><i>Carpobrotus glaucescens</i></td><td>Pigface</td><td>.15 x 1</td></tr><tr><td>Gt</td><td><i>Gazania tomentosa</i></td><td>Silver Gazania</td><td>.15 x 1</td></tr><tr><td>Hv</td><td><i>Hardenbergia violacea</i></td><td>Purple Coral Pea</td><td></td></tr><tr><td>LI</td><td><i>Lomandra longifolia</i></td><td>Matt Rush</td><td>1 x 1</td></tr><tr><td>Mp</td><td><i>Myoporum parvifolium</i></td><td>Creeping Boobialla</td><td>.3 x 2</td></tr><tr><td>PK</td><td><i>Poa</i> 'Kingsdale'</td><td>Tussock Grass</td><td>.3 x .6</td></tr><tr><td>PN</td><td><i>Pennisetum</i> 'Nafay'</td><td>Swamp Foxtail Grass</td><td>.6 x .6</td></tr><tr><td>TJ</td><td><i>Trachelospermum jasminoides</i></td><td>Star Jasmine</td><td>0.3 x 0.3</td></tr></table>	Planting Type 3 Mamre Frontage					Botanic Name	Common Name	Mature Size	SHRUBS & ACCENTS				AsM	<i>Acmena smithii</i> var. minor	Lilly Pilly	2 x 2	CE	<i>Callistemon</i> 'Endeavour'	Bottlebrush	2 x 3	CLJ	<i>Callistemon</i> 'Little John'	Dwarf Bottle Brush	1 x 1	Dc	<i>Dodonaea viscosa</i> subsp. <i>cuneata</i>	Wedge-leaf Hop-bush	1 x 2	MCT	<i>Melaleuca linariifolia</i> 'Claret Tops'	Honey Myrtle	1 x 1	PP	<i>Phormium tenax</i> 'Purpureum'	Bronze Flax	1.5 x 1	Wf	<i>Westringia fruticosa</i>	Coastal Roosemary	2 x 2	GRASSES AND GROUNDCOVERS				Cg	<i>Carpobrotus glaucescens</i>	Pigface	.15 x 1	Gt	<i>Gazania tomentosa</i>	Silver Gazania	.15 x 1	Hv	<i>Hardenbergia violacea</i>	Purple Coral Pea		LI	<i>Lomandra longifolia</i>	Matt Rush	1 x 1	Mp	<i>Myoporum parvifolium</i>	Creeping Boobialla	.3 x 2	PK	<i>Poa</i> 'Kingsdale'	Tussock Grass	.3 x .6	PN	<i>Pennisetum</i> 'Nafay'	Swamp Foxtail Grass	.6 x .6	TJ	<i>Trachelospermum jasminoides</i>	Star Jasmine	0.3 x 0.3	Appendix D
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DPE is to ensure that street trees or tree stands/groups are no greater in distance (nearest trunk to nearest trunk) than 10m. A minimum or 2m clearance is to be provided to heavy vehicle cross overs to avoid trees being damaged by turning heavy vehicles.	<p>Street trees have been provided to avoid sightlines, which means that they need to be positioned more than 2m from crossovers.</p> <p>As noted in masterplan comments, on average bays of 3 trees are provided with spacing between 15-20m.</p>	N/A																																																																												

Summary of Issue Raised	Response	Supporting Document
Street trees are to be provided to both sides of the road.	As demonstrated in the Landscape Masterplan report, street trees will be delivered on both sides of roads.	N/A
The canopy target plan lodged in support of MOD 2 is unachievable and proposes calculable canopy in unrealistic locations and which could never be delivered upon review of the civil plans.	Mod 2 calculated canopy cover was recalculated prior to approval.	N/A
It is recommended that the pedestrian access to the main office be relocated to the east of the staff and visitor car park driveway as this will be a safer location and is then separated from the heavy vehicle entry/exit.	This is not feasible due to required swept paths to driveway, restricting available space to the east of the visitor car park driveway. Footpath position has been adjusted to a safer location away from the heavy vehicle entry	Appendix B
The heavy vehicle entry driveway cross over at Access Road 3 is to be perpendicular to the road.	The heavy vehicle entry driveway is perpendicular to final Road 3 Design.	Appendix B
The 12m high estate pylon signs are excessive in height and are to be reduced.	No changes proposed from that already approved.	N/A
The warehouse amenities zone to the south-western corner of the warehouse is supported. A similar amenities zone is required at the north-western corner to reduce walking distance for drivers and decrease safety impacts of staff and visitors wanting to shortcut across internal manoeuvring areas.	Amenities are provided in the northern dock office. The warehouse provides amenities in various location. Office staff and visitors will use the amenities in the office.	Appendix B
<b><u>Access Road 4 (WH9 SSD)</u></b>		
It is recommended that Access Road 4 be amended	The number of driveways on the cul-de-sac is the same as the approved Concept Plan. The revised	N/A

Summary of Issue Raised	Response	Supporting Document
<p>to address the safety impacts resulting from the number of driveway access points located within the turning head in such close proximity.</p> <p>The number of driveway crossovers in the cul-de-sac will limit opportunity for street tree planting and will impact pedestrian safety.</p> <p>Whilst it is noted that there is no significant increase in the number of driveway crossovers previously approved, the serviceable GFA accessible from Access Road 4 is significantly increased and thus safety and vehicle conflicts are to be addressed.</p>	<p>site layout increases the overall separation between the 3 driveways by locating them more equally around the turning head. Further, the car park access for warehouse 8 has a much large separation from the heavy vehicle access. This improves on the approved arrangements when considering the previous warehouse 10.</p> <p>While the proposed layout will increase the driveway access provided from Access Road 04 from 109,000m2 GFA to 112,000m2 GFA, the proposal will result in a decrease in trips. Considering that heavy vehicle entry to Warehouse 9 will be via Access Road 03, the vehicle movements during the critical PM peak along Access Road 04 will be reduced from 261 to 244 vehicle movements per hour.</p> <p>The proposed location of the driveways at the cul-de-sac and their respective sightline requirements will limit space within the cul-de-sac for street tree plantings. However, locating the driveways at the cul-de-sac leaves the rest of the street relatively free for street tree planting.</p>	
<b><u>Staging Plan and Riparian Area (MOD 3)</u></b>		
<p>It is unclear from the staging plan when the riparian corridor works along the northern boundary will be delivered. The delivery of the landscaping in this area is essential to cooling the Estate and assisting in providing a landscaped open drainage design.</p> <p>Other nearby proposals currently under consideration are attempting to complement the original vision for this landscaped channel, as a replication of a riparian area.</p> <p>The delivery of the riparian area and completion of the</p>	<p>Not relevant to this DA. Riparian area and staging of its delivery is already approved.</p>	N/A

Summary of Issue Raised	Response	Supporting Document
<p>anticipated high-quality landscaping within are to be tied to the staging and be delivered, with requisite conditions of consent imposed to ensure the desired outcome is achieved.</p> <p>The submitted staging plan includes the notation 'Application provisions for potential future riparian realignment to the northern boundary (subject to approval for realignment on adjoining property) – dashed red'</p> <p>It is recommended that the staging plan clarify what stage the riparian area completion will be in.</p> <p>The plan of subdivision does not align with the landscaped riparian area. DPE is to ensure the entire riparian area is protected sufficiently so as to deliver the desired outcome and retain it for the life of the development.</p>		
<p><u>Retaining walls (MOD 3)</u></p> <p>It is recommended that DPE be satisfied in relation to the design of the proposed high retaining walls along the boundary interfaces, including along the southern boundary to ensure easements for maintenance and access, to ensure their locations and heights do not detrimentally impact development opportunities or proposed landscaping on the</p>	<p>The retaining walls are generally set back from the boundary and no easements for support, access and maintenance are required. Further, there are no changes to the retaining wall alignments from what was previously approved for the estate boundary interfaces.</p>	<p><b>Appendix B</b></p>

Summary of Issue Raised	Response	Supporting Document
subject site and on the neighbouring sites.		
<p><u>Clouston Associates Landscape Character and Visual Impact Assessment Report (MOD 3)</u></p> <p>Viewpoints 3, 5 and 7 demonstrate missed opportunities for additional mid-tier planting such as shrubs and small trees within the landscape design.</p>	The landscape masterplan report identifies that these areas will include shrubs as part of the mass plantings with a mix of trees (identified in the 'Mamre Road Frontage Planting'). The visual outcome provided by these mid-tier plantings is demonstrated in the viewpoint renders provided below. It is noted that a significant portion of the frontage to Mamre Road is SP2 Land and cannot be utilised for landscape planting.	N/A
<p><u>ESD Report (MOD 3)</u></p> <p>The ESD Report prepared by Stantec does not address the correct legislative provisions applying to the site and instead addresses PLEP and Council's PDCP. The report is not clear on what ESD elements will be delivered by the development beyond a business-as-usual approach. DPE is to be satisfied the relevant applicable provisions of the SEPP and MRP DCP are met.</p>	The ESD Report has been updated, in accordance with the provisions under Clause 2.19 – Ecologically Sustainable Development of the SEPP (Industry and Employment) 2021 as well as Part 4.2.5 – Building Design of the Mamre Road Precinct DCP 2021.	Appendix C
<b>Environmental Health Considerations</b>		
<p><u>Noise (MOD 3)</u></p> <p>It is raised for consideration by DPE that MOD 3 proposes changes to warehouse configuration and design which results in new routes for heavy vehicles, increased numbers of heavy vehicles and increased loading dock activities.</p> <p>MOD3 therefore has implications regarding noise levels and seeks to increase</p>	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A

Summary of Issue Raised	Response	Supporting Document
<p>the current prescribed noise limits established by consent SSD10448 to have those noise limits increased to the noise levels predicted to result from MOD3.</p> <p>The Noise Impact Assessment (NIA) supporting MOD3 predicts that noise levels at all residential receivers located off-site and outside the Mamre Road Precinct will comply with applicable Noise Policy for Industry (NPfI) criteria. Noise levels at IN1 Industrial receivers within the Aspect Industrial Estate (AIE) will be most affected (acknowledging that Noise Agreements apply to affected residential receivers zoned IN1 General Industrial until residential use ceases or a development application for general industrial or employment uses applies to the land).</p> <p>It is noted that the predicted increased noise levels (resultant of MOD3) that exceed the levels prescribed in the consent, do comply with amenity criteria recommended by the NPfI for industrial receivers. However, whilst this is the case, and whilst resultant noise levels will not exceed criteria at nearest off-site residential receivers, the decision as to whether it is appropriate to increase noise limits for MOD3 needs to be informed by further cumulative noise generation and impact</p>		

Summary of Issue Raised	Response	Supporting Document
<p>assessment based on the fully developed and operational Estate and surrounds.</p> <p>The Department has required additional noise impact assessment in its assessment of MOD2 and it is assumed that this will extend to consideration of MOD3 to ensure satisfactory and holistic assessment of appropriate noise level criteria and noise management outcomes.</p> <p>MOD3 is not anticipated to have significant impact in terms of other environmental health management issues, that is, other than increased noise levels from heavy vehicle movements and loading dock activities.</p>		
<b>Noise (WH9)</b>		
<p>Whilst the Noise Impact Assessment (NIA) supporting both SSD applications (MOD 3 and the subject SSDA) predicts Warehouse 9 noise emissions will be within the industrial criteria recommended in the Noise Policy for Industry (NPfI), as well as being within applicable criteria at residential receivers outside of the MRP, the NIA does not inform as to the overall ultimate affect the increased noise levels specific to Warehouse 9 will have on the cumulative noise levels from</p>	<p>Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.</p>	N/A

Summary of Issue Raised	Response	Supporting Document
<p>the Estate and fully developed MRP as a whole.</p> <p>Therefore, whilst complying with NPfI objectives, it is not known whether noise levels resultant of Warehouse 9 will result in discernible or significant noise level increases from the overall fully developed and operational Estate and MRP.</p> <p>In determining appropriate operational noise levels specific to Warehouse 9, DPE will need to consider development of the broader MRP and be satisfied that Warehouse 9 noise level limits remain consistent with the objectives of the originally derived levels, imposed by DPE to protect the amenity of Luddenham and Mount Vernon residents from the MRP as a whole.</p> <p>Additional acoustic information is now available since the date of SSD 10448 consent, with numerous applications informing as to the final configuration of the Estate and MRP, and this should be considered in reviewing Warehouse specific noise levels and completing further acoustic assessment.</p>		
<p>Furthermore, subsequent to issuance of SSD 10448 consent, noise agreements apply to receivers that at the time of consent were nearby rural residential residences and that although rezoned for</p>	<p>Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.</p>	<p><b>N/A</b></p>



Summary of Issue Raised	Response	Supporting Document
<p>Industrial use, may have remained residential at the time Stage 1 commenced operating. These matters are important considerations in reviewing noise limits.</p> <p>DPE has required additional noise impact assessment for MOD2, and it is assumed that this will extend to consideration of SSD 46516461 and SSD 10448 MOD 3, to ensure acoustic amenity objectives for the MRP are achievable.</p>		
<p>It is noted that whilst the NIA recommends various operational noise controls, including the preparation and implementation of an Operational Noise Management Plan, it also identifies potential limitations to the availability of feasible options. For example, the EIS puts forward potential mitigative measures of staggering delivery and pick-up times and staggering staff shift changeovers, as well as restricting forklift and external plant to 'day' and 'evening' periods. However, the NIA recognises that the available options for noise mitigation may be limited by Winnings' operational requirements and there may not be scope to change vehicle volumes and movements, or hours of specific activities.</p> <p>In confirming noise limits appropriate to Warehouse 9, the Estate and to other developments within the MRP</p>	<p>Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.</p>	<p><b>N/A</b></p>

Summary of Issue Raised	Response	Supporting Document
more broadly, it must be ensured that desired acoustic outcomes are feasible and achievable.		
It is noted that SSD 10448 consent requires verification acoustic modelling. Post operational monitoring should be designed so as to constructively inform and support the overall strategy for managing ongoing operational noise from the MRP in an effective and substantive way.	Acoustic verification after operation of the development commences is expected to be required by the development consent conditions, consistent with the approved consent.	N/A
<p><u>Dangerous Goods</u></p> <p>In reading the EIS it appears that the storage of Dangerous Goods (DG's) has not been specifically addressed, with no detail provided as to whether Warehouse 9 will store DG's.</p> <p>Section 6.2.4 of the Fire Safety Strategy (page 14) was prepared when tenancy details were unknown and states that DGs have not been accounted for. Appendix C of the EIS discusses compliance with SEPP (Resilience and Hazards), however does not specifically reference DG considerations.</p>	The Warehouse 9 development does not include any Dangerous Goods.	N/A
<b>Development Engineering Considerations (WH9 SSD)</b>		
<u>Heavy Vehicle Safety Matters</u>	The line marking and bollards will provide the physical separation Council have requested if this area is in use for car parking. It is expected that	Appendix B

Summary of Issue Raised	Response	Supporting Document
<p>The internal car parking layout at the south-east corner of the site is not supported. All car parking areas for passenger cars shall be physically separated from heavy vehicle access and manoeuvring areas by use of a kerb or other permanent feature. The use of bollards or line marking to separate heavy vehicle areas from car parking areas is not supported.</p>	<p>this could form part of the relevant operational management plan for the Site.</p> <p>Alternatively, it is proposed that a planning condition is applied which allows the parking provision to be aligned with Winnings needs (being 215 spaces). Should the occupier change in the future, then the parking would need to be reviewed.</p> <p>This therefore allows the future occupier to utilise this area accordingly, rather than there be a formal parking area that is unoccupied, which would not be a good urban design outcome. The operational management plan can be utilised to ensure that, if the area is used for parking, it must be in compliance with the AS2890.1:2009 and defined / separated from the hardstand area line marking and bollards.</p> <p>The refined architectural plans provide an the required quantum of car park tree plantings in accordance with the MRP DCP requirements.</p>	
<b>Traffic Considerations (WH9 SSD)</b>		
<p><u>Electric Vehicle Parking and Charging</u></p> <p>As per section 4.6.1(8) of the MRP DCP, parking areas should incorporate dedicated parking bays for electric vehicle charging. The DCP does not provide guidance on the specific number of bays to be provided and it is recommended that a minimum of 5% of spaces be provided for EV charging and a further 5% be constructed so as to be readily adaptable.</p>	<p>The ESD Report (Appendix C) identifies that the development will include conduit provisions and dedicated bays in the design for Electrical Vehicle charging.</p>	<b>Appendix C</b>
<p><u>Bicycle parking and end of trip facilities</u></p> <p>Based on the requirements of the MRP DCP 67 bicycle</p>	<p>The proposed development provides for 68 bicycle parking spaces in accordance with the DCP requirement. EOT facilities are proposed to be provided in the main office area.</p>	<b>Appendix B</b>

Summary of Issue Raised	Response	Supporting Document
<p>parking spaces are to be provided. It is recommended that DPE condition the requirement to provide a compliant number of spaces in a safe and secure location, as per the DCP requirements and close to the office entry.</p> <p>High quality end of trip amenities are to be provided in accordance with the requirements and design features outlined in the MRP DCP.</p>		
<p><u>Design Vehicle</u></p> <p>As per MRP DCP, the design vehicle for site areas greater than 20,000m<sup>2</sup> is 30m PBS Level 2 Type B vehicle for site access and circulation.</p>	<p>The traffic assessment and swept path analysis prepared by Ason as part of the SSD application includes an assessment against the requirements for access and circulation of 30m PBS Level 2 Type B vehicles</p>	N/A
<p><u>NHVR (National Heavy Vehicle Regulator) approval</u></p> <p>Use of 30m PBS Level 2 Type B vehicle on local roads will require approval from NHVR and Council's Asset Section. It is recommended that DPE insert a relevant condition in the consent to require the above.</p>	<p>As per the previous comment, the 30m PBS Level 2 Type B vehicle is required to be adopted as the design vehicle by the MRP DCP, rather than it being required by the tenant (who will utilise 26m B-doubles). Every development within the MRP which has sites over 20,000m<sup>2</sup> will be subject to the same restrictions. It is understood that MRP DCP has adopted these larger vehicles to future proof the precinct for a time when the wider network does permit the use of larger vehicles rather than additional conditions / restrictions being applied to development now. The operators of the development will be fully aware of the requirements NHVR process and therefore it's not deemed a necessary requirement to condition it.</p>	N/A
<p>All vehicles shall be able to enter and exit the site in a forward direction.</p>	<p>The traffic assessment prepared by Ason as part of the SSD application included a swept path analysis and confirmed that vehicles will be able to enter and exit the site in a forward direction.</p>	N/A

Summary of Issue Raised	Response	Supporting Document
Safe pedestrian routes shall be provided throughout the site.	A separated, safe pedestrian path is provided connecting the car park areas and Access Road 3 with the main office and warehouse entry.	Appendix B
Accessible car spaces shall be provided in accordance with the Access to Premises Standards, Building Code of Australia and AS 2890.6	The proposed accessible parking spaces prepared in the provided architectural plans shall be designed in accordance with the Australian Standard 2890.6.	N/A
Heavy vehicle loading and manoeuvring areas/routes shall be completely separated from customers / visitors to the site.	As per our previous commentary, this is not a requirement of AS2890.2:2018. Regardless, they are provided in separate areas. The design ensures that there will not be any interaction between the provisional parking area and the heavy vehicle areas. They are simply located next to one another.	N/A
A car can turn around within the site when all car spaces are occupied using no more than a three-point turn.	Noted – the design of the parking areas is to be fully compliant with AS2890.1:2009, inclusive of turn bays to be provided for any dead-end aisles which are longer than 6 spaces.	N/A
The maximum size of vehicle permitted to service the development shall be restricted to 30m PBS Level 2 Type B vehicle.	The traffic assessment prepared by Ason as part of the SSD application includes an assessment against the requirements for access and circulation of 30m PBS Level 2 Type B vehicles	N/A
Use of 30m PBS Level 2 Type B vehicle on local roads will require approval from NHVR and Council's Asset Section.	See above comment on this matter.	N/A
<b>Supplementary Engineering Advice (MOD 3) (Dated 20 January 2023)</b>		
<u>Internal Car Parking</u> - The internal car parking layout at the south-east corner of the site is not appropriate and should not be supported. All car parking areas for passenger cars should be physically separated from heavy vehicle access and manoeuvring areas by use of a kerb or other permanent	<p>It is noted that the proposed quantum of parking at Warehouse 9 meets the minimum parking rate prescribed by the MPR DCP. The MRP DCP prescribes a minimum parking of 257 space which is proposed for Warehouse 9.</p> <p>Winnings operations are only anticipated to require a maximum of 150 spaces to meet there operational needs. The main visitor carpark currently provides 203 spaces.</p>	

Summary of Issue Raised	Response	Supporting Document
<p>feature. The use of bollards or line marking to separate heavy vehicle areas from car parking areas is not suitable from a safety perspective. Separate driveways from a public road should be provided for heavy vehicle access and passenger car access which is a consistent requirement of Council for all developments of this nature.</p> <p>It is also noted that the car parking area in the south-east corner is utilised as part of the perimeter access for a fire truck, providing unimpeded access the fire truck. If the car park is physically separated from the heavy vehicle manoeuvring area by way of a kerb and a gap is left for fire truck access (as proposed) then the applicant is to demonstrate how this can occur.</p>	<p>The 54 spaces provided on the hardstand are not anticipated to be used and is provisional parking for future proofing design. A gate can be proposed between the two carparks.</p> <p>Mirvac would then invite a condition of consent which states that if the parking demand does change, then the area is to be converted to car parking and a physical barrier to the hardstand can be provided.</p> <p>In relation to the fire brigade perimeter access, the brigade can access the provisional carpark and hardstand via a gate or gates with a brigade accessible lock which is accepted practice by the brigade.</p> <p>It is also noted that light vehicles and heavy will access the site via separate driveways and no point will light vehicles and heavy vehicles be interacting on the site.</p> <p>Regardless, it is reiterated that the relevant Australian Standards do not require light and heavy vehicles to be separated in any manner, so there is no requirement to provide a permanent physical separation. Indeed, Section 3.3.2 of AS2890.2:2018 makes provision for car parking on circulation roadways used by trucks and other commercial vehicles. Therefore, the proposed solution is considered acceptable</p>	
<p><u>Access driveways from cul-de-sac</u> - Consideration should be given to providing a mountable 'tear-drop' centre island within the cul-de-sac bulb to control traffic movements for multiple driveways.</p>	<p>The provision of a mountable 'tear-drop' centre island within the cul-de-sac bulb can be investigated during the detailed design process, prior to construction. Its delivery would be subject to the relevant civil engineering advice and assessment of swept path analysis. However, it is expected that this could be provided".</p>	
<p>It is noted that the development proposes two electric vehicle charging stations noting the Mamre Road DCP is silent on required numbers of charging stations. This infrastructure is</p>	<p>Noted</p>	

Summary of Issue Raised	Response	Supporting Document
considered essential and is supported.		
<p><u>Stormwater Management:</u> All stormwater will be connected into the estate based drainage basins as approved under SSD-10448 and MOD3.</p> <p>All pad mount sub-stations are to be located within the site and not within the road reserve.</p>	Noted and confirmed.	

## TRANSPORT FOR NSW (TFNSW) (DATED 23 NOVEMBER 2022)

### Traffic Impact Assessment & Transport Statement (MOD 3 and WH9 SSD)

<p>The Traffic Impact Assessment (TIA) &amp; Transport Statement (TS) Trip Generation Rate appears to vary throughout the report. It is unclear what Trip Generation Rate has been used and whether the rates are consistent.</p> <p>The following rates were mentioned:</p> <p>TIA – page 8 – Note 2: Based on adoption of generic trip rate</p> <p>TIA – page 10 – first principles assessment for warehouse 1 generation</p> <p>TS – 6.3 Warehouse 9 Traffic Generation –first principles trip generation assessment.</p> <p>Regardless of known trip generation rates to building occupiers the worst-case scenario should be modelled to understand the impacts of the changes to the Concept</p>	<p>The TIA documents both traffic generation rates to demonstrate that the warehouse will likely generate less traffic than forecast by adoption of the TfNSW trip rates for the MRP. The survey analysis undertaken by Ason Group as part of the MRP DCP modelling process demonstrated trip rates lower than the ones provided for adoption by TfNSW, which included a level of conservatism to allow for higher traffic generating uses.</p> <p>In respect to the future occupier, it is noted that the warehouse has been designed with specific regards to their needs. The agreement with these types of tenants are long-term leases and therefore the potential that the occupier may change in the next 10-20 years is low.</p> <p>Regardless, the traffic generation detailed in in Table 1 of the MOD TIA compares the trip generation of the updated masterplan with the original approval. This is based on the TfNSW MRP trip rates which is more conservative than first principles assessment. As shown, the traffic generation will slightly decrease as a result of a slight overall decrease in GFA associated with the overall masterplan.</p> <p>The traffic generation detailed in Table 3 (paged 8 of TIA) is based on the trip rates detailed on Page 8 (i.e., the MRP trip rates).</p>	Appendix K
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Summary of Issue Raised	Response	Supporting Document
<p>Masterplan. This is to safeguard the network should there be changes to the use of the warehouse which subsequently results in a higher trip rate. Therefore, it is recommended that the Trip Generation Rate is consistent with the approved Mamre Road Precinct Trip Generation Rates for the modification to the Concept Masterplan in the first instance. When reviewing the construction and operation of Stages of the development there may be consideration made to the specific building/staged occupiers' rates.</p>	<p>In terms of the TS for Warehouse 9, Section 6.1 details the MRP trip rates, which have then been adopted in Section 6.2.</p> <p>Therefore, the TIA and TS has already included consideration to traffic generation based on the TfNSW trip rates. Noting that the GFA of the masterplan remains consistent with that already approved, there would be no change in traffic impact of the Site on this basis.</p> <p>The operational data for the proposed warehouse tenant contained within the updated Transport Statement (<b>Appendix K</b>) Section 6.3.2 is set out for information purposes, but has not been relied upon for the traffic assessment.</p> <p>Finally, it should be recognised that trip rates are based on averages. Therefore, it should be expected that some warehouses will generate less vehicle trips, while other may generate more. Therefore, it is prudent to also consider the traffic generation based on the operational needs. The first principles assessment conducted as part of the updated Transport Statement identifies reduced traffic generation from Warehouse 9. Further detail is provided in the sections below of this report and the updated Transport Statement.</p>	
<b>General Comment (MOD 3 and WH9 SSD)</b>		
<p>The Concept Masterplan depicts the Access to Warehouse 1 with a declaration lane within close proximity to the signalised intersection. It is understood that this access arrangement is being addressed in Modification 2 application. Therefore TfNSW is of the understanding that the issues relating to this access will be addressed under Modification 2 and not be included as part of this application.</p>	<p>This has been coordinated on the updated Concept Plan.</p>	<p><b>Appendix A</b></p>



Summary of Issue Raised	Response	Supporting Document
It is noted that the Modification includes relocating access points along Access Road 1 and 3 from Warehouse 1,2,3 and 6,7,8. It is strongly recommended that where possible accesses to Warehouses are not from collector roads. This is recommended to reduce congestion and conflict points along collector roads to ensure the most efficient network is developed.	<p>In comparison to the MOD 2 plan, it is noted that the design has reduced access points onto Road 01 by relocation of the previous Warehouse car park access to Road 03.</p> <p>The design has sought to reduce the number of access driveway as much possible, whilst still achieving separation between light and heavy vehicles. Finally, it is noted that the reconfiguration of the GFA and access driveways would result in less development traffic volumes, utilising the driveways on Road 03.</p>	N/A

## DPE (Dated 5<sup>th</sup> December 2022)

### Stormwater Management and Waterway Health (MOD 3 and WH9 SSD)

<p>The proposed interim stormwater strategy for the development relies on roof evaporative irrigation and underground rainwater tanks, which is a significant departure from the approved Stage 1 stormwater management strategy. As per EHG's advice, the proposed strategy is not an endorsed stormwater treatment measure listed in the Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022) (Tech Guide). The development should consider the use of stormwater treatment measures that are already contained within the Tech guide to achieve the Integrated Water Cycle Management (IWCM) requirements in the Mamre Road Precinct Development</p>	<p>The interim waterway health strategy for Mod 3 has been amended following receipt of DPE comments.</p> <p>The proposed interim Mod 3 waterway health strategy is generally as follows:</p> <ul style="list-style-type: none"> <li>Provision of an Interim Retention Pond within the estate-wide detention basin, with a nominal area of 3,500m<sup>2</sup>, average depth of 1m and total volume of 3.5ML.</li> <li>Provision of temporary evapotranspiration basins: <ul style="list-style-type: none"> <li>Lot 2 approx. 21,300m<sup>2</sup>, average 1.2M deep with a total volume of approx. 25.6ML</li> <li>Lot 8 approx. 50,000m<sup>2</sup> average 1.2m depth with a total volume of approx. 60ML</li> </ul> </li> <li>Temporary irrigation: <ul style="list-style-type: none"> <li>Lot 2 approx. 11,000m<sup>2</sup></li> <li>Lot 4 approx. 21,000m<sup>2</sup></li> <li>Lot 6 approx. 14,000m<sup>2</sup></li> </ul> </li> </ul>	Appendix L
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Summary of Issue Raised	Response	Supporting Document
<p>Control Plan 2021 (MRP DCP). It is recommended the Applicant work with Sydney Water and EHG to refine the proposed interim stormwater management strategy. Provide copies of the revised MUSIC modelling and processing spreadsheet.</p>	<ul style="list-style-type: none"> <li>○ Lot 7 approx. 21,000m<sup>2</sup></li> <li>○ Lot 8 approx. 12,000m<sup>2</sup></li> <li>● Rainwater tanks on lot 9 for non-potable water reuse (i.e. toilets and landscape irrigation)</li> <li>● Gross Pollutant Traps (GPTs) for Warehouse 9.</li> </ul> <p>This strategy includes provision of estate detention basin including filterra proprietary bio-retention system and warehouse 1 &amp; 3 rainwater tanks and Gross Pollutant Traps (GPTs) as approved under the initial SSD-10448 and Mod 2.</p> <p>The above interim waterway health measures would be provided prior to issuance of occupancy certificate, unless otherwise agreed with DPE, noting the development may be integrated into the regional stormwater system as required in Condition B6.</p> <p>Please refer to revised MUSIC modelling, post processing spreadsheet and report outlining the proposed interim waterway health strategy and demonstrating compliance with the Technical Guidance for achieving Wianamatta-South Creek stormwater management targets (DPE 2022) (Appendix L).</p>	
<p>Demonstrate there is sufficient land reserved for interim stormwater management purposes unless evidence is provided that an agreement is in place to demonstrate that the development will be integrated into the regional stormwater system as required in Condition B6. Provide details of the infrastructure required to connect to the future regional stormwater system and</p>	<p>Noted and confirmed.</p> <p>Refer revised interim waterway health strategy demonstrating sufficient land is reserved to enable compliance with the waterway health requirements.</p>	<p>N/A</p>

Summary of Issue Raised	Response	Supporting Document
evidence of consultation with Sydney Water.		
<u>Tree Canopy Cover and Landscaping (MOD 3 and WH9 SSD)</u>		
<p>Demonstrate compliance with the landscape design requirements in the MRP DCP as required in Condition B11 of SSD-10448. In this regard, please:</p> <p>Exclude the channel portion of the riparian corridor</p> <p>For the vegetated buffer in the riparian zone, use a canopy cover rate that is consistent with proposed landscape plans and explain any assumptions used to derive the coverage rate</p> <p>Confirm that areas of intersecting tree canopies have not resulted in double counting</p> <p>Exclude any vegetation in the freight corridor</p> <p>Exclude the area east of Warehouse 3 identified for potential removal of the riparian corridor</p> <p>If trees within any stormwater basin are included as tree canopy, explain how this is consistent with the function and capacity of the basin</p> <p>Provide a drawing showing areas included to achieve a minimum 10% tree canopy cover and 15% pervious surfaces as required in the MRP DCP</p>	<p>An updated Tree Canopy Cover Plan (<b>Appendix E</b>) and Landscape Area Plan including pervious surfaces (<b>Appendix I</b>) has been provided in accordance with DPE's requirements and the relevant exclusions.</p> <p>A table has been provided at <b>Appendix I</b> which demonstrates the proposed development will result in a provision of 20.8% pervious surfaces across the estate. The pervious surfaces provided are comprised of deep soil landscape areas. The proposed quantum of deep soil landscape areas will achieve the MRP DCP objectives in supporting the required tree canopy coverage, enhanced presentation to the proposed warehouse building and the appropriate screening, shading and acoustic buffering. Water management will be managed appropriately as detailed in the EIS and other sections of this RTS report.</p>	<p><b>Appendix E</b> and <b>Appendix I</b></p>

Summary of Issue Raised	Response	Supporting Document
Provide a table comparing the approved pervious surfaces with the proposed pervious surfaces in MOD-3		
Indicate the location of tree species on the Landscape Plans with reference to the species and number of plantings shown in the planting schedule for Lot 9.	The updated Landscape Plans identify the proposed plant species across Lot 9. Refer to <b>Appendix D</b> .	<b>Appendix D</b>
<u>Noise and Vibration (MOD 3 and WH9 SSD)</u>		
<p>The original approval for the Aspect site established a noise envelope which considered the entire site being developed. With this in mind, criteria were established in the approval instrument.</p> <p>With the proposed Winning SSD, this envelope and noise criteria already appear to be exceeded which may also result in further noise issues and exceedances as the site develops further into the future.</p> <p>As such, further detailed options to manage noise from the site is required to ensure the noise envelope set by the current approval can be achieved.</p> <p>This should include details of all reasonable and feasible noise mitigation measures considered, including layout, number of loading docks, type of equipment, type, mix and frequency of vehicles.</p>	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A

Summary of Issue Raised	Response	Supporting Document
Clarify how the proposal achieves the equitable distribution of noise thresholds for other tenants within the Aspect Industrial Estate (AIE) which underpins Condition A16 of SSD-10448. This would require a cumulative noise impact assessment of all potential noise sources as required in the SEARs for SSD-46516461. All potential noise sources include warehouses where the tenants are known.	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A
Clarify the basis for selecting the propagation model algorithm in the Noise Impact Assessment and confirm that this is an appropriate algorithm.	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A
Confirm that all identified enhancing meteorological conditions have been modelled consistent with the approach adopted for the original SSD-10448 and provide a comparison of results to the criteria for enhancing meteorological conditions.	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A
Apply a minus 5 dB correction to account for attenuation from future warehousing structures which is more appropriate than using a correction of minus 10 dB.	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A
Reinstate the correction for vehicle or plant movements at night including audible reversing alarms unless the EPA has confirmed in writing	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A

Summary of Issue Raised	Response	Supporting Document
that the correction may be excluded for this application.		
Clarify the basis on which certain receivers in the MRP as identified in the Noise Impact Assessment do not require mitigation measures.	Detailed acoustic modelling is being completed and will be provided in a separate version of the RtS Report package.	N/A
<u>Visual Impact (MOD 3 and WH9)</u>		
Provide photomontages of the development from key viewpoints from Mamre Road in accordance with the SEARs for SSD-46516461.	<p>The submitted visual impact assessment prepared by Clouston Associates includes all the relevant viewpoints identified in the SEARs. This includes views from public reserves and significant vantage points established for the approved estate approval.</p> <p>The LCVIA report provides photomontages from key viewpoints from Mamre Road in accordance with the SEARs. Views 1, 3, 5, 7, 8 and 15 are all from Mamre Road, while 1 and 3 specifically show the MOD3 / WH9 location.</p> <p>Photomontages have not been prepared from other identified viewpoints as these also were not prepared to inform the original SSD-10448 assessment as they were either not suitable locations or duplicative (showing essentially the same view as from another nearby viewpoint).</p> <p>However, within the updated LCVIA attached at <b>Appendix M</b>, the photomontages for Viewpoints 1 &amp; 3 have been updated to include additional details of architectural finishes and materials.</p>	<b>Appendix M &amp; N</b>
Provide block massing model diagrams comparing the approved and proposed massing for Viewpoint 2 in the Landscape Character and Visual Impact Assessment in Appendix G of the EIS.	<p>As described and illustrated on pages 20-21 of the LCVIA report:</p> <p>Virtual Ideas has produced photomontages for this report for Viewpoints 1, 3, 5, 7, 8, 10, 15, 16 &amp; 17 in order to give a representative view of how the Project upon completion will appear in terms of bulk and scale and its relationship to its surroundings when viewed from these viewpoints. Viewpoints have not been produced for every viewpoint as they are either of a similar vantage point to ones that are being produced (particularly along Mamre Road) or would not be visible.</p>	N/A

Summary of Issue Raised	Response	Supporting Document
	<p>Photomontage viewpoint locations can be seen in Figure 2.1 of the LCVIA.</p> <p>Our methodology allows for non-rendered viewpoints to be accurately assessed based on the representative selected views and that a rendered view would not change the assessment. Refer to page 44-46.</p> <p>Further to the above, Viewpoint 2 is very close to and has a similar view shed to Viewpoint 1. Viewpoint 2 is closer to WH9 and at a less favourable angle, so would show not as much of the building and its context. A photomontage from Viewpoint 2 was not prepared to support the original SSD-10448 assessment as it is very close to viewpoint one and so therefore deemed duplicative. As there is no 'original' viewpoint 2 photomontage to compare to, a photomontage has not been prepared from Viewpoint 2 in support of this application.</p>	
Detailed options analysis of architectural treatments to the building to minimise its bulk and scale is required. Details on how landscaping would be integrated into managing any potential impacts is also required.	<p>Warehouse 9 architectural treatments design are consistent with the overall concept design for the Estate. The design accounts for the facilitating visual interest, streetscape presence and reduced visual impacts.</p> <p>The visual montage demonstrates how the proposed landscaping has been designed to manage bulk and scale impacts.</p> <p>The LCVIA does not include the exploration of architectural or landscaping option analysis of treatments, as the proposal demonstrates the appropriate mitigation of bulk and scale impacts consistent with the approved concept development.</p>	N/A
<u>Traffic (MOD 3 and WH9 SSD)</u>		
Provide information on the delivery of the intersection at Mamre Road and Access Road 1 including timing with reference to the Staging Plan	The Stage 1 Phase 1 road works are required to be constructed and operational prior to issue of an	N/A

Summary of Issue Raised	Response	Supporting Document
<p>approved under condition A10 and the Infrastructure Review required under condition A14 of SSD-10448. The information must include details of how the required infrastructure to facilitate the construction and use of Warehouse 9 would be delivered under SSD-10448 and indicate whether the intersection and access road will be delivered prior to the construction of Warehouse 9 (Stage 2).</p>	<p>Occupation Certificate for Building 1 or 3 (whichever is the first).</p> <p>The Stage 1 Phase 2 road works are required to be constructed and operational prior to issue of occupation certificate for any other buildings or warehouses in the Development.</p> <p>In addition to the Stage 1 Phase 1 and Phase 2 roadworks, warehouse 9 requires the construction and operation of road no.4 prior to the issue of occupation certificate for warehouse 9. It is proposed that Road No.4 is added to the consent as Stage 1 Phase 3 roadworks. In this regard Mirvac propose a condition of consent as follows:</p> <ul style="list-style-type: none"> <li><i>Prior to issue of an Occupation Certificate for Building 7, 8 or 9 (whichever is the first), the Applicant must construct and operate the Stage 1 Phase 3 road works shown in Figure 4: in Appendix 2 to the satisfaction of the relevant road</i></li> </ul> <p>The construction of warehouse 9 would utilise the interim left in/left out intersection as approved by TfNSW and currently under construction for target completion by end of February 2023.</p>	
<p>Provide details of how construction traffic will be managed should construction works for Warehouse 9 commence prior to the completion of Stage 1 works (if relevant), noting that the CTMP appears to be for the Stage 1 Works only.</p>	<p>The Warehouse 9 construction works are planned to be facilitated / monitored in accordance with the Construction Traffic Management Plan (CTMP) to be approved by the Planning Secretary prior to commencement of construction of Warehouse 9.</p> <p>The CTMP will outline how the warehouse 9 construction works will be facilitated via the temporary left in / left out construction access as approved by TfNSW and will be utilised for</p>	



Summary of Issue Raised	Response	Supporting Document
	<p>concurrent warehouse 1 construction activities and residual Stage 1 works.</p> <p>As previously agreed with DPE, the pre-commencement management plans (I.e CEMP / CTMP etc) was initially prepared for the Stage 1 works only with future building works to be incorporated in an amended CTMP for the Planning Secretary's approval post receipt of Modification approvals and update of CTMP.</p> <p>Performance of the temporary left in / left out intersection will be monitored and reported to the Planning Secretary in accordance with the final CEMP / CTMP requirements.</p> <p>Once the permanent signalised intersection is constructed and operational, all construction activities will utilise the permanent signalised intersection and the temporary left in / left out intersection will be decommissioned.</p> <p>Based on information provided by the Contractor, the peak traffic volumes during this period would be 120 per day. Based on staff arrivals, the morning peak hour would generate 23 vehicles per hour (18 light vehicles and 5 heavy vehicles). In the afternoon peak, there would be 8 light vehicles, with no heavy vehicles expected during the PM peak period.</p> <p>The traffic management of Warehouse 9 will need to be subject to a detailed CTMP, developed with regard to the Conditions of Consent. However, construction traffic management would be the consistent with the approach undertaken for Stage 1.</p>	
<b><u>Social Impact Assessment (MOD 3 and WH9 SSD)</u></b>		
Provide a Social Impact Assessment (SIA) specifically for Warehouse 9 as required	An Addendum SIA Letter has been prepared and issued as part of this RtS package to DPE. It covers the following:	<b>Appendix O</b>

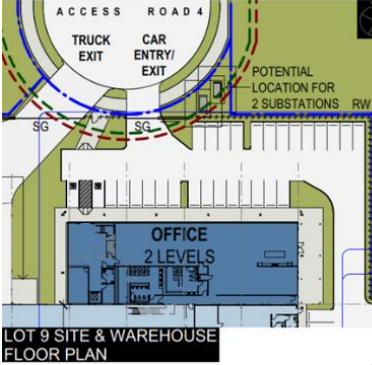
Summary of Issue Raised	Response	Supporting Document
<p>in the SEARs for SSD-46516461.</p> <p>Ensure the SIA is based on the current SIA Guideline for State Significant Projects (DPIE, 2021) rather than SIA guideline for State significant mining, petroleum production and extractive industry development (DPIE, 2017).</p> <p>Include a Declaration that the author of the SIA meets the requirements of a suitably qualified person in Appendix B of the SIA Guideline.</p> <p>Provide further consideration of the potential for sleep disturbance to the residences described in the SIA as 'nearest to the development' in relation to the duration, intensity and the sensitivity or vulnerability of the people affected and cumulative impacts on the residents with reference to Table 4 in the Department's SIA Guideline – Technical Supplement.</p>	<p>Reviews the previous SIA prepared for the concept estate in 2020 and outlines any changes to content and/or findings.</p> <p>Confirms the previous SIA and addendum letter was and will be prepared by a qualified person in accordance with the SIA Guidelines.</p> <p>Makes a social impact assessment of Warehouse 9 with additional information provided where necessary if not addressed in the previous SIA. This will likely include a specific assessment of noise (including understanding any sleep disturbance on any nearby residences), amenity impacts related to construction and impacts on workers.</p> <p>Review relevant technical advice or updated reports where necessary to inform the updated impact assessment (likely matters include noise, traffic and construction).</p>	
<u>Engagement (MOD 3 and WH9 SSD)</u>		
<p>Provide details in the Engagement Summary Table in Appendix D of the EIS of how issues raised during consultation have been addressed and any resultant changes to the development, as required in the SEARs for SSD-46516461.</p>	<p>The Engagement Summary Table provided as part of the EIS identifies that subject to the engagement works conducted with the community (neighbouring landowners), no submissions were received.</p> <p>No other government agency responses were received with regard to the WH9 SSD other than comments received as part of RTS and TOA.</p>	N/A
<u>Additional Questions from DPE (MOD 3 and WH9 SSD) (Dated 13 January 2023)</u>		

Summary of Issue Raised	Response	Supporting Document
Can you please provide a detailed description of the proposed operations? In particular:	See below:	
Outline how service vehicles / vans (that are utilised by technicians taking goods to customers) interact with the site. Where do they park and how do they load /unload? i.e. do these vehicles use the loading docks or is there a dedicated parking area?	<p>Typical operations of inbound and outbound operational vehicles is described in Appendix P.</p> <p>All operational vehicles (vans and heavy vehicles) will access the site via the truck entry from Road 03 and move around the site in a clockwise and forward direction exiting via Road 04.</p> <p>A dedicated parking area is not required. Winning delivery vehicles will not access the staff and customer carpark. If a vehicle is parked on the hardstand it will be adjacent the loading docks temporarily.</p> <p>Delivery vehicles are housed offsite outside of shift times. No customer will be visiting the proposed showroom/photo studio. This area is utilised to photograph and film new stock for marketing purposes.</p>	<b>Appendix P</b>
What is the proportion of service vehicles / vans accessing the site?	Winning has indicated that the proportion will be 30% trucks and 70% vans. Further details of Winning's operation vehicle breakdown is provided in Table 7 of the updated Traffic Statement (attached)	
Describe how articulated 20 m and B double heavy vehicles interact with the site. What are the expected loading / unloading times?	Refer response above.	
Describe the shift profile of workers on the site. Can customers visit the proposed showroom?	<p>As outlined in the TA, the following information has been provided by the tenant who currently operates other sites and is based on their specific operational requirements:</p> <p>Warehouse hours: 24 hours, 7 days a week.</p> <p>Warehouse staff and shifts are to be as follows:</p>	

Summary of Issue Raised	Response	Supporting Document
	<ul style="list-style-type: none"> <li>▪ Shift 1 – 6:00am - 2:00pm, with 50 warehouse staff and 100 drivers (working between 5:00am and 8:00am)</li> <li>▪ Shift 2 – 2:00pm - 10:00pm, with 10 warehouse staff</li> <li>▪ Shift 3 – 10:00pm - 6:00am, with 5 warehouse staff</li> </ul> <p>Shift 1 would be slightly staggered, so not all staff arrive / depart in the 10-15 minutes before and after shift.</p> <p>As such, it is evident that the warehouse staff travelling during the road network peak hours relate to the on-site drivers departing after 8:00am (being 100 trips).</p> <p>Office hours: 8:00am - 6:00pm, with 35 staff and 6:00pm - 3:00am, with 5 staff. It is noted that the peak hour travel for office staff (being before 8:00am) would not coincide with the peak for warehouse staff.</p>	
<p>The Traffic Impact Assessment notes that light vehicle generation (under the first principles assessment) would be 100 veh/hr in the AM and 35 veh/hr in the PM. Does the definition of 'light vehicle' include service vehicles / vans as described in the previous bullet point? Clarify the types of vehicles that make up 'light' and 'heavy' vehicles in the traffic assessment.</p>	<p>The 100 veh/hr in the AM peak and 35 vehicles in the PM peak are light vehicle movements. Vehicles are classified as per Austroads vehicle classifications, with staff vehicles and vans making up light vehicles and heavy vehicle movements relating to the semi-trailers and B-doubles.</p> <p>Please find the hourly breakdown based on the first principle assessment below:</p>	

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Summary of Issue Raised	Response	Supporting Document
<b>Endeavour Energy (Dated 19<sup>th</sup> October 2022)</b>		
<p><u>MOD 3 and WH9</u></p> <p>Please refer to Endeavour Energy's previous submissions made to the Department on:</p> <p>17 April 2020 via email regarding the Request for Secretary's Environmental Assessment Requirements (SEARs) for State Significant Development SSD-10448 Aspect Industrial Estate.</p> <p>14 December 2020 via the Major Projects Portal regarding the exhibition of the Environmental Impact Statement (EIS) for State Significant Development SSD-10448 Aspect Industrial Estate.</p> <p>The following extract of the Lot 9 Site &amp; Warehouse Floor Plan provision has been made for 'Potential Location for 2 Substations'. Generally it is the Level 3 Accredited Service Provider's (ASP) responsibility (engaged by the developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.</p>	<p>The location of the substations on the lodged Architectural plans are indicative and the final location of the pad mounted substations will be subject to further discussion and confirmation with Endeavour Energy and the Level 3 ASP.</p> <p>The final location and build of the substations will be determined by the ASP to ensure that it is consistent with Endeavour Energy's standards as well as the commentary provided by Endeavour Energy on 17 April 2020 and 14 December 2020 in regard to the State Significant Development SSD-10448 Aspect Industrial Estate.</p> <p>The refinements to the Lot 9 architectural plans in response to RtS does not change the indicative location of the substations.</p>	N/A

Summary of Issue Raised	Response	Supporting Document
 <p>Based on the foregoing Endeavour Energy has no objection to the Development Application.</p>		

## NSW EPA (Dated 21 October 2022)

<p><u>MOD 3</u></p> <p>The EPA has no comment on this proposal and no further consultation is required. The EPA recommends that you consult with Penrith City Council who will be the appropriate regulatory authority for the proposed development under the POEO Act if approved.</p> <p><u>Warehouse 9</u></p> <p>The EPA has previously stated on 19 March 2021 that the EPA has no comments to make on the proposal and no follow up consultation is required.</p> <p>The EPA does not require any follow-up consultation and Penrith City Council should be consulted as the appropriate regulatory authority for the Protection of the Environment Operations Act 1997 in relation to the proposal.</p>	<p>Refer to the response to Penrith City Council's consultation in the Section above.</p>	<p>N/A</p>
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Summary of Issue Raised	Response	Supporting Document
<b>Fire and Rescue NSW (Dated 21 October 2022)</b>		
<p><u>MOD 3</u></p> <p>FRNSW have reviewed the Modification Report and make the following comments:</p> <ol style="list-style-type: none"> <li>1. As stated in Appendix M – Fire Safety Strategy, safe, efficient, and effective access for firefighters and fire appliances is provided in accordance with FRNSW fire safety guideline - Access for fire brigade vehicles and firefighters.</li> <li>2. As stated in Appendix M – Fire Safety Strategy, hydrant booster assemblies are consistent with the requirements of AS 2419.1:2021 specifically location, access and hardstand requirements.</li> <li>3. FRNSW requests to be consulted and given the opportunity to review and provide comment regarding the proposed fire and life safety systems at the preliminary and final design phases of the project.</li> </ol> <p><u>Warehouse 9</u></p> <p>It is deemed that the proposal has limited scope and application in regard to special hazards or special problems of firefighting. FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that</p>	Noted	N/A



Summary of Issue Raised	Response	Supporting Document
<p>specified by applicable legislation.</p> <p>While there is currently no requirement for a Fire Safety Study, FRNSW may recommend one be undertaken at a later stage should information be provided such that the development is deemed to pose special problems of firefighting or special hazards exist that require additional fire safety and management measures.</p>		
<b>Western Parkland City Authority (Dated 11 November 2022)</b>		
<p><u>MOD 3 and WH9 SSD</u></p> <p>WPCA has reviewed both SSDs relating to AIE and notes that both proposals are consistent with the Mamre Road Precinct vision and will make important contributions towards employment and jobs when fully developed. The subject site fronts the portion of Mamre Road which is subject to a Stage 2 upgrade by Transport for NSW. It is noted that while construction of Stage 2 is still yet to be determined, the applicant has accounted for the future Mamre Road upgrade approved as part of the original concept approval. The current Modification 3 application is not seeking to amend the previously approved road reservation designated for the future upgrade of Mamre Road.</p>	Noted	N/A

Summary of Issue Raised	Response	Supporting Document
WPCA has no comments on the proposed Modification 3 and Stage 2 Development application for AIE and do not propose any specific conditions of consent.		
<b>Heritage NSW (Dated 11 November 2022)</b>		
<p><u>MOD 3 and WH9 SSD</u></p> <p>I note that proposed Stage 2 development will not result in any additional archaeological impacts to those already approved under the site preparation works and excavation works (SSD-10448). As such, Stage 2 proposal will not result in any additional Aboriginal cultural heritage impacts.</p> <p>I also note that the Aboriginal Cultural Heritage Assessment Report (ACHAR) initially prepared for those early works, that was prepared in consultation with registered Aboriginal parties, recommended a range of mitigation measures, that are adequate with respect to any potential constraints that may be associated with the proposed Stage 2 Development. Based on this assessment I am satisfied that an updated ACHAR is not required for Stage 2.</p>	Noted	N/A
<b>DPE Water (Dated 14 November 2022)</b>		
<p><u>MOD 3 and WH9 SSD</u></p> <p>DPE Water has reviewed the Environmental Assessment and provides the following</p>	An assessment against the “minimal impact considerations’ of NSW Aquifer Interference Policy (AIP) has been provided.	Appendix F

Summary of Issue Raised	Response	Supporting Document
<p>recommendations. The proponent should:</p> <p>Provide an assessment of the activities against the 'minimal impact considerations' of the NSW Aquifer Interference Policy (AIP).</p> <p>Quantify the maximum annual volume of water take due to aquifer interference activities required for the project and demonstrate sufficient entitlement can be acquired in the relevant water source unless an exemption applies.</p> <p>Ensure a Water Access Licence under the Water Management Act 2000 is obtained if groundwater will be intercepted, unless an exemption applies.</p>	<p>As stated in the GMP, given the water table is known to be low compared to the base of the trenches and the hydraulic conductivity of the shale is low, groundwater inflows would be expected to be low.</p> <p>Given the minimal interaction of groundwater with the proposed civil work depths and with low hydraulic conductivity of the shale soils across the site, Arcadis considers it unlikely that the groundwater volume extracted would exceed the trigger volume of 3ML/year to require water access license from WaterNSW (Water Management (General)) Regulation 2018.</p>	

## Western Sydney Airport (Dated 15 November 2022 & 24 November 2022)

<p><u>MOD 3 and WH9 SSD</u></p> <p>I note we have now reviewed and have no comments to provide on the above applications. WSA will not be providing comments in relation to this application</p>	N/A	N/A
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## DPE Hazard (dated 15 November 2022)

<p><u>MOD 3 and WH9 SSD</u></p> <p><u>EIS Review</u></p> <p>In accordance with the SEARs and 'Applying SEPP 33', the Applicant identified that the proposed modification, and proposed</p>	Noted	N/A
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Summary of Issue Raised	Response	Supporting Document
<p>development, did not involve the storage or handling of dangerous good (DGs).</p> <p>The Department has reviewed the site and agrees that the modification and proposed development will not involve the storage of DGs. As such the modification or proposed development are 'not potentially hazardous' in accordance with SEPP (Resilience and Hazards) and a Preliminary Hazard Analysis (PHA) was not required.</p>		
<p><u>Conclusion and Recommended Conditions</u></p> <p>Based on the above, we recommend approval with the following comments.</p> <p>For the modification SSD-10448-MOD-3</p> <ol style="list-style-type: none"> <li>1. Part D, Condition D70 remains unchanged; and</li> <li>2. Part D, Condition D71 remains unchanged.</li> </ol> <p>For the proposed development SSD-46516461 we recommend the following conditions as per the concept plan.</p> <p>Dangerous Goods</p> <p>The quantities of dangerous goods stored and handled at the site must be below the threshold quantities listed in the Department of Planning's Hazardous and Offensive Development Application</p>	Noted	N/A

Summary of Issue Raised	Response	Supporting Document
<p>Guidelines – Applying SEPP 33 at all times.</p> <p>Bunding</p> <p>The Applicant must store all chemicals, fuels and oils used on-site in appropriately bunded areas in accordance with the requirements of all relevant Australian Standards, and/or EPA's Storing and Handling of Liquids: Environmental Protection – Participants Manual (Department of Environment and Climate Change, 2007).</p>		
<b>Environment and Heritage Group (Biodiversity and Conservation) (Dated 23 November 2022)</b>		
<p><u>Flood risk management</u></p> <p>EHG notes that the only flood related document provided to support this application is a 'Flood Risk Assessment' prepared by Cardno and dated 27 July 2022.</p> <p>This report is limited to the Benchmark flood behaviour (i.e., existing flood behaviour) and has the same information as the 'Flood Risk Assessment' prepared by Cardno and dated 24 February 2021 which was provided to EHG in March 2021.</p> <p>There is no flood impact assessment to depict the developed scenario for SSD-10448-Mod-3 or SSD 46516461.</p>	<p>A letter prepared by Cardo confirms that the site is not flood affected and as such no flood impact assessment is required. Refer to Cardo letter accompanying this Submissions Report.</p>	<p><b>Appendix G</b></p>

Summary of Issue Raised	Response	Supporting Document
<p><u>Biodiversity (MOD 3)</u></p> <p>It is important to note that modification application must be assessed in accordance with section 7.17 of the Biodiversity Conservation Act 2016 and there is no ability to grant a waiver. The EIS should therefore be amended to address the relevant sections in the BC Act.</p> <p><u>Biodiversity (WH9 SSD)</u></p> <p>EHG emailed to DPE Planning its determination on the request to waive the requirement for a biodiversity development assessment report to be submitted with SSD-46516461 on 9 November 2022.</p>	<p>A BDAR Waiver request for SSD-46516461 has been approved on 17 November 2022 by 'DPE Biodiversity and Conservation'. A copy of the determination is attached at Appendix J.</p>	<p><b>Appendix J</b></p>
<p><u>Waterway Health (MOD 3 and WH9 SSD)</u></p> <p>As an overall comment, the proposed stormwater management strategy is unclear as full submission requirements have not been received. The submitted information does not contain either a Water and Stormwater Management Plan or Erosion and Sediment Control Plan as separate reports nor does it contain the MUSIC model and toolkit excel spreadsheet.</p> <p>Based on the information provided, the application proposes a significant modification from the previous Stage 1 stormwater</p>	<p>The interim waterway health strategy for Mod 3 has been amended following receipt of DPE comments.</p> <p>The proposed interim Mod 3 waterway health strategy is generally as follows:</p> <ul style="list-style-type: none"> <li>• Provision of an Interim Retention Pond within the estate wide detention basin, with a nominal area of 3,500m<sup>2</sup>, average depth of 1m and a total volume of 3.5ML.</li> <li>• Provision of temporary evapotranspiration basins: <ul style="list-style-type: none"> <li>○ Lot 2 approx. 21,300m<sup>2</sup>, average 1.2M deep with a total volume of approx. 25.6ML.</li> <li>○ Lot 8 approx. 50,000m<sup>2</sup> average 1.2m depth with a total volume of approx. 60ML.</li> </ul> </li> <li>• Temporary irrigation: <ul style="list-style-type: none"> <li>○ Lot 2 approx. 11,000m<sup>2</sup></li> </ul> </li> </ul>	<p><b>Appendix L</b></p>

Summary of Issue Raised	Response	Supporting Document
<p>management strategy referenced in Condition D28 in the conditions of consent for SSD-10448.</p> <p>The WH9 SSD application adopts the approach outlined in SSD 10448 MOD 3 which proposes a significant modification from the previous Stage 1 stormwater management strategy. The approved strategy (Condition D28 in the conditions of consent for SSD 10448) involved a stormwater harvesting pond to capture water and irrigate the undeveloped lots to achieve the stormwater targets. The modified strategy appears to remove the interim stormwater harvesting from the stormwater management strategy for the site (Stage 1 and Stage 2). It has been replaced with a strategy that relies heavily on evaporative roof irrigation to achieve the stormwater targets and this approach has been adopted for the Warehouse/Lot 9 application (SSD-46516461).</p> <p>Further detail in regard to compliance with the Mamre Road Precinct Development Control Plan 2021 (Mamre Road Precinct DCP) and Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022) is provided below.</p>	<ul style="list-style-type: none"> <li>○ Lot 4 approx. 21,000m<sup>2</sup></li> <li>○ Lot 6 approx. 14,000m<sup>2</sup></li> <li>○ Lot 7 approx. 21,000m<sup>2</sup></li> <li>○ Lot 8 approx. 12,000m<sup>2</sup></li> <li>● Rainwater tanks on lot 9 for non-potable water reuse (i.e. toilets and landscape irrigation)</li> <li>● Gross Pollutant Traps (GPTs) for Warehouse 9.</li> </ul> <p>This strategy includes provision of estate detention basin including filterra proprietary bio-retention system and warehouse 1 &amp; 3 rainwater tanks and Gross Pollutant Traps (GPTs) as approved under the initial SSD-10448 and Mod 2.</p> <p>The above interim waterway health measures would be provided prior to issuance of an occupancy certificate, unless otherwise agreed with DPE, noting the development may be integrated into the regional stormwater system as required in Condition B6.</p> <p>Please refer to revised MUSIC modelling, post processing spreadsheet and report outlining the proposed interim waterway health strategy and demonstrating compliance with the Technical Guidance for achieving Wianamatta–South Creek stormwater management targets (DPE 2022).</p>	

Summary of Issue Raised	Response	Supporting Document
<p><u>Erosion and Sediment Control (MOD 3 and WH9 SSD)</u></p> <p>The construction phase stormwater targets in the Mamre Road Precinct DCP and the <i>Technical guidance for achieving Wianamatta–South Creek</i> stormwater management targets (DPE, 2022) have been acknowledged but no calculations of compliance detail is provided. A separate Erosion and Sediment Control Plan certification by a CPESC which outlines how the construction phase stormwater targets are achieved has not been provided. The submitted information does not contain suitable detail or calculations to illustrate how the stormwater targets will be achieved.</p> <p>Information required:</p> <p>As per the requirements of the Mamre Road Precinct DCP and Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022), the applicant should submit a separate Erosion and Sediment Control Plan document certified by a CPESC which illustrates how the construction phase stormwater targets are achieved on the site. Technical guidance for achieving Wianamatta–South Creek stormwater</p>	<p>The construction phase erosion and sediment control measures for Stage 1 works have been documented in an Initial Overarching Erosion and Sediment Control Plan, prepared by SEEC, accessible on the NSW Major Projects website here:  <a href="https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-PA-18%2120220721T032458.448%20GMT">https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-PA-18%2120220721T032458.448%20GMT</a></p> <p>This Initial Overarching ESCP was prepared and incorporated into the Construction Environmental Management Plan (CEMP) for the Stage 1 works and was approved by NSW DPE on 15 August 2022  <a href="https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-PA-24%2120220815T021011.942%20GMT">https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSD-10448-PA-24%2120220815T021011.942%20GMT</a>.</p> <p>The ESCP incorporates a series of management measures including (but not limited to) staging of works, soil stripping and stockpiling, dust suppression, site stabilisation, sediment basins and clean water diversions. As noted in the Initial Overarching ESCP, if all proposed measures are implemented successfully the target water quality outcomes can be achieved for at least 80% of the average annual runoff as required by the <i>Technical guidance for achieving Wianamatta–South Creek stormwater management targets</i> (DPE, 2022)</p> <p>It is noted that this Initial Overarching ESCP was prepared based on the proposed MOD3 Masterplan layout. On this basis, the proposed modifications to the concept masterplan as documented in the MOD3 application do not warrant any further change or amendment to the measures documented in the Initial Overarching ESCP.</p>	<p>N/A</p>




Summary of Issue Raised	Response	Supporting Document
<p>management targets (DPE, 2022) provides guidance on the minimum requirements of the Erosion and Sediment Control Plan. The plan should reflect the current construction and erosion and sediment control occurring on site but ensure the construction phase stormwater targets are achieved (this will likely require a high efficiency sediment basin which does not appear to be present based on inspection of air photos).</p>		
<p><u>Water and Stormwater Management Plan (and MUSIC model) (MOD 3 and WH9 SSD)</u></p> <p>A separate Water and Stormwater Management Plan (and MUSIC model) which outlines how the operational phase stormwater targets are achieved has not been provided. A high level summary of the stormwater management strategy has been included in the Warehouse 9 Civil Infrastructure Report (AT&amp;L) but no MUSIC model was provided. The stormwater management strategy provided in the Civil Infrastructure Report proposes a strategy which is not consistent with the Technical guidance for achieving Wianamatta–South Creek stormwater</p>	<p>Refer Appendix L for Stormwater Management Plan and MUSIC model and post processing spreadsheet which illustrates how the operational phase stormwater targets are achieved on the site.</p>	<p><b>Appendix L</b></p>

Summary of Issue Raised	Response	Supporting Document
<p>management targets (DPE, 2022).</p> <p>Information required:</p> <p>As per the requirements of Mamre Road Precinct DCP and Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022), the applicant should submit a separate Water and Stormwater Management Plan (and MUSIC model and spreadsheet) certified by a suitable qualified engineer which illustrates how the operational phase stormwater targets are achieved on the site in the interim until the regional stormwater scheme is available. The Water and Stormwater Management Plan should include all the information outlined in the Mamre Road Precinct DCP and Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022).</p>		
<p><u>Regional Stormwater Scheme (MOD3 and WH9 SSD)</u></p> <p>It is noted that no commitment to the regional stormwater scheme (Sydney Water) is made.</p> <p>Information required:</p> <p>It is recommended that the applicant and DPE Planning discuss this issue with Sydney Water</p>	<p>The strategy commits to connecting to the regional recycled network should this be delivered for resilience of connection to meet internal non-potable water demands.</p>	<p><b>N/A</b></p>

Summary of Issue Raised	Response	Supporting Document
, noting a regional approach to achieve the targets has been established by DPE.		
<p><u>Evaporative Roof Irrigation (MOD 3 and WH9 SSD)</u></p> <p>The primary measure for achieving the stormwater flow target (or one of the primary measures) is evaporative roof irrigation. A list of stormwater treatment measures is available in the Technical guidance for achieving Wianamatta–South Creek stormwater management targets (DPE, 2022). This list of measures was reviewed by local operators in the catchment and considered to be viable due to their practicality and cost-effectiveness. Evaporative roof irrigation is not included on the list.</p> <p>Known risks associated with evaporative irrigation are:</p> <p>No assurance allotment owners / operators will continue to operate the evaporative roof irrigation.</p> <p>Ongoing cost and maintenance of the system may be a concern to operators.</p> <p>Performance of the system has not been tested.</p> <p>Noting the uncertainties with the information provided, EHG has deduced that untreated run off collected from ground level within the allotment is collected in the</p>	<p>The interim waterway health strategy for Mod 3 has been amended following receipt of DPE comments.</p> <p>The proposed interim Mod 3 waterway health strategy is generally as follows:</p> <ul style="list-style-type: none"> <li>• Provision of an Interim Retention Pond within the estate-wide detention basin, with a nominal area of 3,500m<sup>2</sup>, average depth of 1m and total volume of 3.5ML.</li> <li>• Provision of temporary evapotranspiration basins: <ul style="list-style-type: none"> <li>○ Lot 2 approx. 21,300m<sup>2</sup>, average 1.2M deep with a total volume of approx. 25.6ML.</li> <li>○ Lot 8 approx. 50,000m<sup>2</sup> average 1.2m depth with a total volume of approx. 60ML</li> </ul> </li> <li>• Temporary irrigation: <ul style="list-style-type: none"> <li>○ Lot 2 approx. 11,000m<sup>2</sup></li> <li>○ Lot 4 approx. 21,000m<sup>2</sup></li> <li>○ Lot 6 approx. 14,000m<sup>2</sup></li> <li>○ Lot 7 approx. 21,000m<sup>2</sup></li> <li>○ Lot8 approx. 12,000m<sup>2</sup></li> </ul> </li> <li>• Rainwater tanks on lot 9 for non-potable water reuse (i.e. toilets and landscape irrigation)</li> <li>• Gross Pollutant Traps (GPTs) for Warehouse 9.</li> </ul> <p>This strategy includes provision of estate detention basin including filterra proprietary bio-retention system and warehouse 1 &amp; 3 rainwater tanks and Gross Pollutant Traps (GPTs) as approved under the initial SSD-10448 and Mod 2.</p>	<p><b>Appendix L</b></p>

Summary of Issue Raised	Response	Supporting Document
<p>tanks for irrigating the roof. If this is the proposed approach, this has significant water quality (poor quality water in tanks) and public health (contamination of roof water tanks with untreated ground level stormwater and subsequent use of this water indoors) risks which are not acceptable and do not comply with relevant water recycling guidelines. It is important to note that without the MUSIC model this cannot be confirmed.</p> <p>Given the above, the use of evaporative roof irrigation to achieve the stormwater targets and protect Wianamatta South Creek waterways is not supported by EHG.</p> <p>Information Required:</p> <p>It is recommended that the application be amended to remove evaporative roof irrigation from stormwater management strategy for the site (Lot/warehouse 9 and the remainder of the site including stage 1).</p>	<p>The above interim waterway health measures would be provided prior to issuance of an occupancy certificate, unless otherwise agreed with DPE, noting the development may be integrated into the regional stormwater system as required in Condition B6.</p> <p>Please refer to revised MUSIC modelling, post processing spreadsheet and report outlining the proposed interim waterway health strategy and demonstrating compliance with the Technical Guidance for achieving Wianamatta-South Creek stormwater management targets (DPE 2022).</p>	
<p><u>Filterra bioretention system (MOD 3 and WH9 SSD)</u></p> <p>This is a proprietary device which is not yet approved and recommended through the Stormwater Quality Improvement Device Evaluation Protocol (Stormwater Australia 2018). Therefore, in accordance with the Technical guidance for</p>	<p>We note the use of the Filterra material was approved as part of the initial SSD.</p> <p>AT&amp;L has contacted Ocean Protect, the suppliers of the Filterra® bio-retention system to ascertain status of SQIDEP verification of Filterra®. Ocean Protect advised that they applied for SQIDEP verification of Filterra® in early 2022. Stormwater Australia have advised Ocean Protect that their review is underway, and that SQIDEP verification</p>	<p>N/A</p>

Summary of Issue Raised	Response	Supporting Document
<p>achieving Wianamatta–South Creek stormwater management targets (DPE, 2022) this device should not be adopted.</p> <p>Information Required:</p> <p>It is recommended that the water and stormwater management strategy be amended to remove the Filterra bioretention system and replaced with an alternative system approved and recommended through the Stormwater Quality Improvement Device Evaluation Protocol.</p>	<p>is expecting in early 2023, which is well in advance of the timing of installation of the Filterra® system.</p> <p>It is understood that once the Sydney Water regional scheme is delivered that developments will only need to provide on-site detention to meet pre-developed flow rates and provide Gross Pollutant Traps (GPTs). In this case once the Sydney Water regional scheme is delivered, the filterra material would be removed.</p>	
<p><u>Sodic Soils (MOD 3 and WH9 SSD)</u></p> <p>This soils on the site have been confirmed as sodic to highly sodic.</p> <p>Information Required:</p> <p>All stormwater management devices must contain an impermeable liner. All naturalised trunk drainage (or other open drainage) to be either lined with an impermeable liner, or ameliorated (i.e., gypsum) and compacted to a suitable depth and topsoiled (AS4419) to limit infiltration to soils.</p>	<p>As approved as part of the initial SSD, and now constructed as part of the Stage 1 works, the estate basin and naturalised trunk drainage channel were lined with an ameliorated clay liner including topsoiling.</p> <p>The proposed stormwater management devices are to be designed and constructed to be impermeable to limit infiltration to soils.</p> <p>It is understood that sodicity provides a measure of the likely dispersion on wetting and to shrink/swell properties of a soil. Whereas salinity refers to the concentration of salts in soils. The Salinity investigations completed as part of the initial EIS and provided to the Department and E&amp;H (previously EES) demonstrated the site is predominately non-saline. Refer extract from salinity management plan below for reference.</p>	N/A

Summary of Issue Raised	Response	Supporting Document																																																																																																																														
	<table><thead><tr><th>Sample ID</th><th>EC1:5 (dS/m)</th><th>Soil Type</th><th>M</th><th>ECe (dS/m)</th><th>Salinity Class</th></tr></thead><tbody><tr><td>BH5_4.2m</td><td>0.106</td><td>Light Medium Clay</td><td>8</td><td>0.848</td><td>Non-saline</td></tr><tr><td>BH5_10.5m</td><td>0.227</td><td>Light Medium Clay</td><td>8</td><td>1.816</td><td>Non-saline</td></tr><tr><td>BH4_1.0m</td><td>0.582</td><td>Heavy Clay</td><td>6</td><td>3.492</td><td>Slightly Saline</td></tr><tr><td>BH4_5.0m</td><td>0.245</td><td>Light Medium Clay</td><td>8</td><td>1.96</td><td>Non-saline</td></tr><tr><td>BH1_4.5m</td><td>0.594</td><td>Light Medium Clay</td><td>8</td><td>4.752</td><td>Moderately Saline</td></tr><tr><td>TP16_1.5m</td><td>0.519</td><td>Heavy Clay</td><td>6</td><td>3.114</td><td>Slightly Saline</td></tr><tr><td>TP17_1.0m</td><td>0.156</td><td>Heavy Clay</td><td>6</td><td>0.936</td><td>Non-saline</td></tr><tr><td>TP10_1.5m</td><td>0.870</td><td>Heavy Clay</td><td>6</td><td>5.22</td><td>Moderately Saline</td></tr><tr><td>TP18_0.4m</td><td>0.172</td><td>Light Medium Clay</td><td>8</td><td>1.376</td><td>Non-saline</td></tr><tr><td>TP13_2.8m</td><td>0.361</td><td>Heavy Clay</td><td>6</td><td>2.166</td><td>Slightly Saline</td></tr><tr><td>TP1_1.5m</td><td>1.010</td><td>Heavy Clay</td><td>6</td><td>6.06</td><td>Moderately Saline</td></tr><tr><td>TP21_0.3m</td><td>0.051</td><td>Light Medium Clay</td><td>8</td><td>0.408</td><td>Non-saline</td></tr><tr><td>TP8_0.3m</td><td>1.400</td><td>Light Medium Clay</td><td>8</td><td>11.2</td><td>Very Saline</td></tr><tr><td>TP8_2.5m</td><td>0.041</td><td>Heavy Clay</td><td>6</td><td>0.246</td><td>Non-saline</td></tr><tr><td>TP3_0.3m</td><td>0.029</td><td>Light Medium Clay</td><td>8</td><td>0.232</td><td>Non-saline</td></tr><tr><td>TP30_0.1m</td><td>0.027</td><td>Light Medium Clay</td><td>8</td><td>0.216</td><td>Non-saline</td></tr><tr><td>TP31_1.0m</td><td>0.601</td><td>Light Medium Clay</td><td>8</td><td>4.808</td><td>Moderately Saline</td></tr><tr><td>TP34_0.1m</td><td>0.081</td><td>Light Medium Clay</td><td>8</td><td>0.648</td><td>Non-saline</td></tr><tr><td>TP33_0.3m</td><td>0.774</td><td>Light Medium Clay</td><td>8</td><td>6.192</td><td>Moderately Saline</td></tr><tr><td>TP35_0.7m</td><td>0.909</td><td>Light Medium Clay</td><td>8</td><td>7.272</td><td>Moderately Saline</td></tr></tbody></table> 	Sample ID	EC1:5 (dS/m)	Soil Type	M	ECe (dS/m)	Salinity Class	BH5_4.2m	0.106	Light Medium Clay	8	0.848	Non-saline	BH5_10.5m	0.227	Light Medium Clay	8	1.816	Non-saline	BH4_1.0m	0.582	Heavy Clay	6	3.492	Slightly Saline	BH4_5.0m	0.245	Light Medium Clay	8	1.96	Non-saline	BH1_4.5m	0.594	Light Medium Clay	8	4.752	Moderately Saline	TP16_1.5m	0.519	Heavy Clay	6	3.114	Slightly Saline	TP17_1.0m	0.156	Heavy Clay	6	0.936	Non-saline	TP10_1.5m	0.870	Heavy Clay	6	5.22	Moderately Saline	TP18_0.4m	0.172	Light Medium Clay	8	1.376	Non-saline	TP13_2.8m	0.361	Heavy Clay	6	2.166	Slightly Saline	TP1_1.5m	1.010	Heavy Clay	6	6.06	Moderately Saline	TP21_0.3m	0.051	Light Medium Clay	8	0.408	Non-saline	TP8_0.3m	1.400	Light Medium Clay	8	11.2	Very Saline	TP8_2.5m	0.041	Heavy Clay	6	0.246	Non-saline	TP3_0.3m	0.029	Light Medium Clay	8	0.232	Non-saline	TP30_0.1m	0.027	Light Medium Clay	8	0.216	Non-saline	TP31_1.0m	0.601	Light Medium Clay	8	4.808	Moderately Saline	TP34_0.1m	0.081	Light Medium Clay	8	0.648	Non-saline	TP33_0.3m	0.774	Light Medium Clay	8	6.192	Moderately Saline	TP35_0.7m	0.909	Light Medium Clay	8	7.272	Moderately Saline	
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BH5_10.5m	0.227	Light Medium Clay	8	1.816	Non-saline																																																																																																																											
BH4_1.0m	0.582	Heavy Clay	6	3.492	Slightly Saline																																																																																																																											
BH4_5.0m	0.245	Light Medium Clay	8	1.96	Non-saline																																																																																																																											
BH1_4.5m	0.594	Light Medium Clay	8	4.752	Moderately Saline																																																																																																																											
TP16_1.5m	0.519	Heavy Clay	6	3.114	Slightly Saline																																																																																																																											
TP17_1.0m	0.156	Heavy Clay	6	0.936	Non-saline																																																																																																																											
TP10_1.5m	0.870	Heavy Clay	6	5.22	Moderately Saline																																																																																																																											
TP18_0.4m	0.172	Light Medium Clay	8	1.376	Non-saline																																																																																																																											
TP13_2.8m	0.361	Heavy Clay	6	2.166	Slightly Saline																																																																																																																											
TP1_1.5m	1.010	Heavy Clay	6	6.06	Moderately Saline																																																																																																																											
TP21_0.3m	0.051	Light Medium Clay	8	0.408	Non-saline																																																																																																																											
TP8_0.3m	1.400	Light Medium Clay	8	11.2	Very Saline																																																																																																																											
TP8_2.5m	0.041	Heavy Clay	6	0.246	Non-saline																																																																																																																											
TP3_0.3m	0.029	Light Medium Clay	8	0.232	Non-saline																																																																																																																											
TP30_0.1m	0.027	Light Medium Clay	8	0.216	Non-saline																																																																																																																											
TP31_1.0m	0.601	Light Medium Clay	8	4.808	Moderately Saline																																																																																																																											
TP34_0.1m	0.081	Light Medium Clay	8	0.648	Non-saline																																																																																																																											
TP33_0.3m	0.774	Light Medium Clay	8	6.192	Moderately Saline																																																																																																																											
TP35_0.7m	0.909	Light Medium Clay	8	7.272	Moderately Saline																																																																																																																											
The above requirements are to be confirmed in the Water and Stormwater Management Plan and the Soils reports (including amelioration requirements).	<p>Refer Appendix L for Stormwater Management Plan and MUSIC model and post processing spreadsheet which illustrates how the operational phase stormwater targets are achieved on the site.</p> <p>Please note the soils reports (including amelioration requirements) were included and within, and approved as part of, the initial SSD approval and have informed the construction of the estate basin and naturalised drainage channel (already constructed) as part of the Stage 1 works.</p>	<b>Appendix L</b>																																																																																																																														
<b>SYDNEY WATER (DATED 22 DECEMBER 2022)</b>																																																																																																																																
<u>Water, wastewater, and recycled water</u>  We refer to the servicing advice provided within case	Noted	N/A																																																																																																																														

Summary of Issue Raised	Response	Supporting Document
199415 and subsequently within letter dated 22/12/2022 relating to SSD-46516461 (copy attached). We note that additional cases to 199415 will be required to finalise servicing advice for SSD 10448 and 46516461 following completion of all modification applications.		
<p><u>Stormwater</u></p> <p>Due to the nature of the proposed modifications, Sydney Water also references comments made in respect to stormwater within SSD-46516461 Aspect Industrial Estate Stage 2 Development (Warehouse 9) at 804-882 Mamre Road, Kemps Creek (Lots 1-5 DP1285305) issued 22/12/2022 and note that stormwater commentary is still to be provided. However, Sydney Water recommends that the Proponent continues to liaise with Sydney Water via their case manager with reference to case CN199415 and future associated cases.</p>	Noted. Communications are ongoing with Sydney Water as part of weekly AIE meetings between Mirvac and our Sydney Water case manager.	N/A

## NSW RURAL FIRE SERVICE (DATED 17 JANUARY 2023)

Recommended Condition	Response	Supporting Document
1. Asset Protection Zone - From the start of building works, and in perpetuity to ensure ongoing protection from the impact of bush fires, 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	No changes are being proposed to Warehouse 1, 2, 3, 4 or 5 as part of Mod 3 being the only Warehouses impacted by the APZ.	

<p>requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an IPA the following requirements apply:</p> <ul style="list-style-type: none"> <li>▪ Tree canopy cover should be less than 15% at maturity.</li> <li>▪ Trees at maturity should not touch or overhang the building.</li> <li>▪ Lower limbs should be removed up to a height of 2 metres above the ground.</li> <li>▪ Tree canopies should be separated by 2 to 5 metres.</li> <li>▪ Preference should be given to smooth barked and evergreen trees.</li> <li>▪ Large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;</li> <li>▪ Shrubs should not be located under trees.</li> <li>▪ Shrubs should not form more than 10% ground cover.</li> <li>▪ Clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.</li> <li>▪ Grass should be kept mown (as a guide grass should be kept to no more than 100 mm in height); and</li> <li>▪ Leaves and vegetation debris should be removed.</li> </ul>		
<p>2. Asset Protection Zone - The area demarcated for the riparian corridor along the northern site boundary must comply with the Aspect Industrial Estate Masterplan identified on the drawing prepared by SBA Architects numbered Job No. 19210, Drawing No. MP 02, dated 8 October 2020. The proposed riparian corridor must be managed in accordance with the Vegetation Management Plan prepared by Eco-Logical Australia, ref: 18SYD-11929, dated 29 September 2020.</p>	<p>No change proposed to the riparian corridor along northern site boundary.</p>	
<p>3. Construction Standards - 3. New construction of proposed Warehouses 1, 2, 3, 4 and 5, within the area identified as 'BAL-12.5' in Figure 8 of the Bush Fire Assessment Report (Version 1.3, dated 18 August</p>	<p>No changes are been proposed to Warehouse 1, 2, 3, 4 or 5 as part of Mod 3 being the only</p>	



<p>2022, prepared by Blackash Bushfire Consulting) must comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2018 Construction of buildings in bush fire-prone areas or NASH Standard (1.7.14 updated) National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and Section 7.5 of Planning for Bush Fire Protection 2019.</p>	<p>Warehouses impacted by the APZ.</p>	
<p><b>4. Access</b> - Access roads must comply with the following general requirements of Table 5.3b of <i>Planning for Bush Fire Protection 2019</i> and the following:</p> <ul style="list-style-type: none"> <li>▪ Are two-way sealed roads with minimum 8 metre carriageway width kerb to kerb.</li> <li>▪ Are through roads, and these are linked to the internal road system at an interval of no greater than 500 metre;</li> <li>▪ Curves of roads have a minimum inner radius of 6 metre.</li> <li>▪ The road crossfall does not exceed 3 degrees; and</li> <li>▪ A minimum vertical clearance of 4 metre to any overhanging obstructions, including tree branches, is provided.</li> <li>▪ Traffic management devices are constructed to not prohibit access by emergency services vehicles.</li> <li>▪ 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;</li> <li>▪ Dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end;</li> <li>▪ Where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road;</li> <li>▪ The capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles;</li> </ul>	<p>Access Road cul-de-sac turning heads are R16.5m so comply with the 12m requirement. The proposed roads include min. 15m carriageway to comply with the 8m requirement. No other roads are proposed to be modified as part of Mod 3.</p>	

<p>bridges/causeways are to clearly indicate load rating.</p> <ul style="list-style-type: none"> <li>Hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression.</li> </ul> <p>Hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning.</p>		
<p><b>5. Access</b> - At each stage of the subdivision, temporary turning heads must be provided to temporary dead end roads incorporating either a minimum 12 metre radius turning circle or turning heads compliant with A3.3. Vehicle turning head requirements of <i>Planning for Bush Fire Protection 2019</i>. The turning areas may be removed upon opening of future proposed through roads.</p>	Noted.	
<p><b>6. Water and Utility</b> - The provision of water, electricity and gas must comply the following in accordance with Table 5.3c of <i>Planning for Bush Fire Protection 2019</i>:</p> <ul style="list-style-type: none"> <li>Reticulated water is to be provided to the development where available.</li> <li>Fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005.</li> <li>Reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads.</li> <li>All above-ground water service pipes are metal, including and up to any taps;</li> <li>Where practicable, electrical transmission lines are underground.</li> <li>Where overhead, electrical transmission lines are proposed as follows: <ul style="list-style-type: none"> <li>a. lines are installed with short pole spacing (30 metres), unless crossing gullies, gorges or riparian areas; and</li> <li>b. no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.</li> </ul> </li> </ul>	Noted.	

<ul style="list-style-type: none"> <li>▪ 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.</li> </ul>		
<p><b>7. Landscaping</b> - Landscaping within the required asset protection zone must comply with Appendix 4 of <i>Planning for Bush Fire Protection 2019</i>. In this regard, the following principles are to be incorporated:</p> <ul style="list-style-type: none"> <li>▪ A minimum 1-metre-wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building.</li> <li>▪ Planting is limited in the immediate vicinity of the building.</li> <li>▪ Planting does not provide a continuous canopy to the building (i.e., trees or shrubs are isolated or located in small clusters).</li> <li>▪ 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;</li> <li>▪ Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;</li> <li>▪ Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;</li> <li>▪ Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);</li> <li>▪ Avoid climbing species to walls and pergolas.</li> <li>▪ Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building.</li> <li>▪ Locate combustible structures such as garden sheds, pergolas, and materials such as timber garden furniture away from the building; and</li> <li>▪ Low flammability vegetation species are used.</li> </ul>	<p>No changes are been proposed to Warehouse 1, 2, 3, 4 or 5 as part of Mod 3 being the only Warehouses impacted by the APZ.</p>	

<p><b>General Advice</b> - The revised construction condition for proposed warehouses closer to the riparian corridor is based on a performance solution provided in the new Bush Fire Assessment Report (Version 1.3, dated 18 August 2022, prepared by Blackash Bushfire Consulting) submitted with the application.</p> <p>The revised construction condition is in response to a review dated 12 January 2023 requested by Blackash Bushfire Consulting, and it supersedes our previous response dated 4 January 2023.</p>	Noted	
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# UPDATED EVALUATION AND CONCLUSION

This Submissions Report has been prepared to address the matters raised by government agencies, authorities and an organisation made during the public exhibition of the Section 4.55(1A) application to modify SSD-10448 (MOD 3) and SSD-46516461.

In summary, minor design refinements have been made to the proposed modification. Following receipt of submissions received during the notification period and DPE's identification of key issues letter, the proponent has:

- Refined the estate concept plan proposed under MOD 3 to reflect the approved road and lot layout for Access Road 1 and Lot 1 respectively (as approved under SSD-10448 MOD 2).
- Updated the estate concept plan and WH9 architectural plans to accommodate the relevant refinements as identified by the agency submissions including:
  - Provision of bicycle parking and car park landscaping in accordance with the MRP DCP.
  - Representation of the rooftop smoke exhaust fans.
  - Reduced provision of carparking spaces across Lot 09 and updated tree island plantings in accordance with the MRP DCP rates.
  - Updated amenities across the main office area.
  - Updated pedestrian access.
  - Provided renders to better demonstrate the visual outcome of the proposed warehouse development.
- Refined the ESD report in accordance with the MRP DCP and SEPP (Industry and Employment) 2021. This includes updated details on the solar system and electric vehicle charging infrastructure to be provided as part of Warehouse 9.
- Updated tree canopy coverage and landscape area plan in accordance with the requirements and exclusions identified in the MRP DCP.
- Refined the landscape plans to demonstrate that the proposed landscape plantings can be delivered at the intended spaces.
- Updated Groundwater Management Plan which provides an assessment of the "minimal impact considerations" of NSW Aquifer Interference Policy (AIP). The updated assessment confirms that it is unlikely that the groundwater volume extracted would exceed the trigger volume of 3ML/year to require water access license from WaterNSW.
- Updated flood impact assessment compliance letter that confirms the site is not flood affected and as such no flood impact assessment is required.
- Further assessment that the proposed development will deliver a positive landscape and built form outcome as detailed in the originally submitted VIA.
- Provided supplementary information pertaining to the stormwater management and waterway health solution.

The refined proposal will not result in any additional, adverse environmental impacts and will result in an improved environmental outcome, including an improved vehicular access design. As such, the refined proposal addresses the matters raised by both Penrith City Council and TfNSW.

The proposal remains highly suitable for the site and represents development that is in the public interest, as explained within the Environmental Impact Statement. As such, having considered all relevant matters, we conclude that the development as refined should be approved.

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