



Mr Paul Hedge
Director Delivery
Western Parkland City Authority
Level 2, 10 Valentine Ave
Parramatta NSW 2150

23 December 2021

Dear Mr Hedge

**First Building Bradfield City Centre (SSD-25452459)
Additional Matters for Submissions Report**

I refer to the Department's previous correspondence dated 17 December 2021 which requests the provision of a Submissions Report in response to issues raised in submissions by agencies and the public.

In addition to responding to the submissions already received you are required to submit additional information that addresses the issues identified in **Attachment 1**.

If you have any questions regarding this matter, please contact Pamela Morales on (02) 9274 6386 or via email at pamela.morales@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'C. Ritchie'.

Chris Ritchie
Director
Industry Assessments

ATTACHMENT 1

Based upon the Department's review of the Environmental Impact Statement (EIS) and technical reports, the Department considers further information is required to clarify matters and address inconsistencies within the documentation. In this regard the following information is required to be provided:

1. The Proposal

Temporary Sewage Infrastructure

- During the initial stages of the development, an interim operating pump station (IOP) is required to treat wastewater until an Advanced Water Recycling Centre for the Bradfield City Centre is operational. Provide the following details:
 - size, dimensions and location of the IOP. The architectural plans show landscaping where the IOP is proposed to be located
 - maximum operating capacity of the IOP
 - frequency of waste removal by truck
 - confirm if the IOP would be located above or below ground and whether it requires security fencing.

Staff and Visitor Amenities

- The EIS states the western forecourt would be an external space with ability to host food trucks. Outline what other amenities for staff and visitors would be available from the commencement of operation of the development.

Infrastructure Staging and Delivery

- The EIS states the development would rely on construction access approved for the Western Sydney Airport (WSA) Metro project including the pan handle access road and roundabout. Outline how the delivery of the roads under the first building development application (DA) and the WSA Metro project will be coordinated and staged. Provide a staging plan or staging delivery table to illustrate this.
- What contingency measures are in place for the development in the event there are delays associated with the construction of the access roads approved under the WSA Metro project?
- Provide details of the party responsible for the delivery of the footpaths and cycling paths around the First Building site and the timing of delivery.

2. Aerotropolis Strategic Plans

- Appendix H of the EIS contains a table demonstrating compliance with the draft Western Sydney Aerotropolis Development Control Plan (DCP) – Phase 2. While the table notes that compliance has been achieved, it does not include sufficient detail to demonstrate compliance with the DCP performance requirements. The Department expects all performance outcomes in the DCP where it relates to the development, to be sufficiently addressed. Examples include, but are not limited to the following:
 - 2.1 Recognise Country – while Appendix C(ii) – Design Report outlines how the building has been designed with Country, there is little detail in the table around how the development has addressed performance outcomes 2.1.2 B. Connecting to Culture and Country through the built form (PO1-PO3).
 - 3.2 Non-Aboriginal Heritage – the table states that Appendix K – Statement of Heritage Impact (SOHI) confirms minimal impacts are identified, however the SOHI does not

provide details of how the development complies with the specific requirements outlined in Performance Outcome 3.2.2 (PO5) of the DCP.

3. Urban Design and Visual

State Design Review Panel

- On 13 December 2021, the Government Architect issued advice from the State Design Review Panel (SDRP) on the revised building and landscaping design. Please ensure the Submissions Report addresses the comments provided by the SDRP.
- The EIS does not describe how the building and landscape design of the First Building has evolved over time from pre-lodgement and the two SDRP sessions. Describe how the feedback provided by the SDRP has been incorporated into the revised building and landscape design and outline what design elements have changed following the SDRP sessions.

Landscaping and Visual Impacts

- The architectural plans do not show the temporary sediment basin and IOP which are proposed to be located east and south-east of the First Building. How will these structures integrate with the proposed landscaping for the site?
- Provide a visual impact assessment as per the SEARs requirements, including photomontages and perspectives of the development layout and design, particularly potential impacts on nearby and private receivers (including Kelvin and Church of Holy Innocents) and significant vantage in the broader public domain. While images have been provided of the development at 10 years + once the Bradfield City Centre is fully developed, photomontages at Year 0 and 5 are also required to understand the short-term visual impacts.
- On page 64 of the Design Report, the words 'Winter Solstice 21 December' may be a typo.

4. Contributions

- The EIS states the Applicant would accept a condition to enter into a Voluntary Planning Agreement with the Minister. The Department has concerns that this approach may not satisfy the requirements of Clause 50 of the State Environmental Planning Policy (Western Sydney Aerotropolis) 2020. To ensure the developer contribution requirements towards state and regional infrastructure are met, please contact Infrastructure Partnerships and Agreements via PlanningAgreements@planning.nsw.gov.au to address the infrastructure impacts of the proposal.
- With regard to local contributions, the EIS also states the Applicant would accept a condition requiring it to enter into a Planning Agreement with Liverpool City Council (Council) prior to an occupation certificate. The Department is concerned this approach may not satisfy the requirements of Clause 271 of the Environmental Planning and Assessment Regulation 2000. Under this clause, unless a contributions plan is in place, the Applicant must enter into a Planning Agreement with Council prior to determination of the DA. It is strongly encouraged you engage with Council now to address this requirement before any determination is made.

5. Major Infrastructure Corridor

Concurrence requirements under the State Environmental Planning Policy (Major Infrastructure Corridors) 2020 (MIC SEPP)

- Please include the Major Infrastructure Corridor (MIC) overlay in the architectural plans. This will enable the Department to determine the relationship between the proposal and the MIC and whether formal concurrence is required from Transport for NSW (TfNSW) under the MIC SEPP. This will also aid TfNSW in their review of the plans under the MIC SEPP.

Note that concurrence is required under the MIC SEPP as per the following clauses:

- [Clause 9](#) – where a previously permissible land use is proposed in the SP2 corridor with a CIV of greater than \$200,000
- [Clause 11](#) – proposed excavation with a depth greater than 2m within corridor or within 25m horizontally from the corridor (it's difficult to determine where excavation is proposed in relation to the corridor because the corridor is not identified on the plans)

Reporting of zoning and land use permissibility in the EIS

- Page 31 of the EIS does not recognise the SP2 Infrastructure zoning of the MIC which traverses the development site. Please clarify.
- Page 35 of the EIS includes the zoning map for the MIC under the MIC SEPP but incorrectly identifies the development site, with the map showing an 'approximate site location' adjacent to the corridor (see below screenshot). As noted above, the architectural plans should be updated to identify the MIC.
- Provide details of the land use permissibility of works within the SP2 corridor.
- The draft Precinct Plan for the Aerotropolis also requires the consideration of land use compatibility for uses adjacent to the corridor. Provide further details addressing this requirement.



Car parking and services in the corridor

- It appears that landscaping and possibly the temporary car park is located within the MIC. If temporary car parking is proposed in the corridor, it is important that TfNSW review the proposed sequencing of the development in relation to anticipated timing for the delivery

of infrastructure. If the temporary parking is proposed in the MIC, clarify the intended sequencing of the proposed permanent parking arrangements. The EIS notes that the permanent parking arrangements are subject to a separate DA and that 18 permanent parking spaces are required on the site. These should be located outside of the MIC.

- The ability to grade separate 15th Avenue and the future rail should be addressed by the Applicant in their discussions with TfNSW and built into the site arrangements and earthworks under the DA where required.
- Permanent site arrangements such as parking and infrastructure should not be located in the corridor. Consider alternative site layout arrangements where required.

6. Traffic

- There are inconsistencies regarding the number of parking spaces quoted in the Traffic Impact Assessment (TIA) and other technical reports. The TIA states there will be 50 at grade spaces, however in Section 5.3.1 of the TIA, 60 parking spaces are quoted. Elsewhere in the EIS and technical studies, 51 spaces have been quoted. Please clarify the number of parking spaces.
- The civil plans include swept path diagrams of the largest truck accessing the site along the service road. Where is the designated heavy vehicle parking on the service road and how are heavy vehicles loaded and unloaded? Can heavy vehicles reverse into the loading bay?
- Are there plans for bus parking or bus access within the site? i.e in the event shuttle buses are used around the precinct temporarily.
- Confirm whether the roundabout is a permanent feature at the intersection with Badgerys Creek Road.
- Table 5-9 of the TIA provides the peak construction movements at Badgerys Creek Road and the Aerotropolis Access Road. Confirm if construction vehicle movements are for the Sydney metro construction traffic or does this include construction traffic generated by the First Building proposal.
- Clarify what is meant by the scaled background traffic models (2023 and 2028) in Table 6.2
- Provide details of construction parking arrangements – is this being shared with the Sydney Metro project?

7. Noise

- Section 5.1.6 of the Construction Noise and Vibration Impact Assessment (NVIA) notes there may be cumulative noise impacts associated with the construction of the WSA Metro project. Undertake a cumulative construction noise assessment of the proposal and include a construction timeline of the development and the WSA Metro project.
- Section 5.2 of the Construction NVIA notes that a quantitative traffic noise assessment was not undertaken as construction traffic information was not available. Given construction traffic estimates are provided in the TIA, provide an assessment of traffic noise impacts based on the construction traffic estimates included in the TIA.
- Confirm if the noise and mitigation measures identified in the Construction NVIA is consistent with the measures approved for the Sydney Metro project.
- Table 4.3 of the Operational NVIA provides the project amenity noise levels for the development. Provide justification for why the criterion adopted for residential receivers is the suburban amenity criterion instead of the rural residential amenity criterion.
- Provide details of the mechanical plant and equipment proposed to be used in the development and update the Operational NVIA where necessary. The EIS and Air Quality

Impact Assessment (AQIA) lists specific types of equipment and machinery and this should be consistent throughout the documentation submitted with the development application.

8. Ecological Sustainable Development

- During the SDRP session, one of the panel members suggested whether an external blind system could be installed to reduce heat loads during the hotter months. Provide details of how the blinds system can be incorporated into the building design to manage heat loads.
- How does the development encourage electric vehicle usage? Are there charging stations at the site or proposed to be located nearby? If so, please illustrate the charging stations on the architectural plans.
- A number of ESD principles were listed in Figure 5 of the ESD report but were not described in further detail. The report should describe further or cross reference with other sections of the EIS on how the development has achieved these ESD principles. (potentially link these two dot points together, not suitable what was included in the table)
- Provide further details on how the development is consistent with the requirements in Section 11 of the Aerotropolis DCP Phase 2, as it relates to energy, reducing waste and supporting the circular economy through design and construction.

9. Non-Aboriginal Heritage

- Section 11.3 of the Statement of Heritage Impact provides three recommendations for the project. Only one measure (implementation of an unexpected finds procedure) is relevant for works within the development footprint. Consider whether any additional measures are required for works within the development footprint and provide details in the Submissions Report.

10. Air Quality

- Provide a table of receptor addresses and receiver types.
- The specialised equipment and machinery listed in Section 2.2 of the AQIA is not consistent with the equipment and machinery described elsewhere in the EIS and other technical studies.
- The air dispersion model assumes the development would include a 12-metre-high stack. The stack is not described elsewhere in the EIS or shown on the architectural plans. Provide further details of the stack and its location on the building.
- Does the AQIA consider dust impacts from the construction of the Sydney Metro project as part of the cumulative impact assessment?

11. Vegetation Removal

- Provide details of the existing vegetation that is proposed to remain on-site or to be removed. The SDRP noted in its advice that any removal of trees on-site should be supported by an arborist report.

12. Contamination

- Provide a copy of the Detailed Site Investigation Report and Remedial Action Plan for the site. As per ERM's advice, the documents must be reviewed and approved by an EPA accredited Site Auditor before submission to the Department.