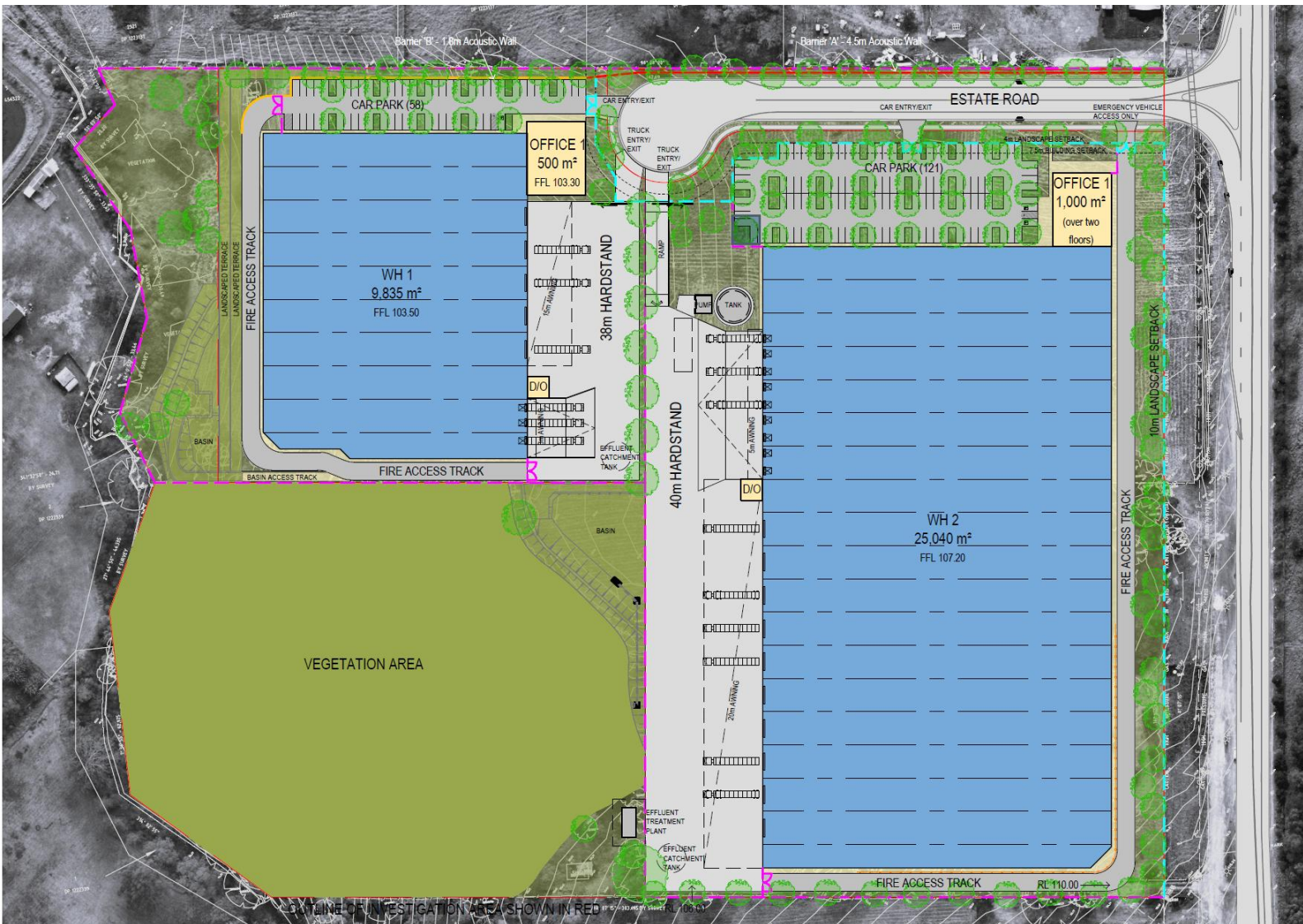


Submissions Report

Wallgrove Business Hub

SSD 50972718



Prepared for Western Sydney Parklands Trust
Submitted to Department of Planning, Housing and
Infrastructure

May 2025

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Cover image: the site (Source: Nettleton Tribe)

This report is dated 12/05/2025 and includes information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Keylan Consulting Pty Ltd (Keylan) opinion in this report.

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In preparing this report, Keylan was required to make professional judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of town planning assessment. All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Keylan at the date of this report, and upon which Keylan relied.

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1 Introduction

This Submissions Report has been prepared by *Keylan Consulting Pty Ltd* (Keylan) on behalf of *Western Sydney Parklands Trust* (the Applicant) to address the matters raised by government agencies, Fairfield City Council, the public, and stakeholder groups during the exhibition period for the Wallgrove Business Hub State Significant Development application (SSDA) at 97 – 151 Wallgrove Road, Cecil Park.

On 30 August 2024, the SSD application (SSD 50972718) was lodged with the Department of Planning, Housing and Infrastructure Environment (DPHI). The SSD application was placed on public exhibition from 4 September 2024 to 1 October 2024. During this time, there were 16 submissions received from government agencies, Council and the general public.

This Submissions Report has been prepared in accordance with the DPHI's *State Significant Development Guidelines – Preparing a Submissions Report March 2024 (Appendix C)*.

1.1 Proposed Development

The concept proposal (as amended) seeks to facilitate the staged redevelopment of the site for the purposes of an industrial business hub, comprising of two warehouse buildings, ancillary offices, car parking and associated site works.

Specifically, the proposed development comprises the following works:

Concept Proposal:

- two warehouse buildings accommodating a range of potential uses including light industrial, warehouse and distribution facilities and ancillary office facilities
- approximately 36,475m² of floor space across different buildings/tenancies
- concept architectural design for the future built form, and landscape concept design
- access road to the proposed business hub off Wallgrove Road

The future industrial buildings and associated facilities will be subject to separate future development applications (DAs) and do not form part of this application.

Stage 1 DA:

- the site preparation and bulk earthworks including site clearing to establish the future development sites
- provision of an access road along the northern site boundary to connect to Wallgrove Road, for dedication to Council
- provision of internal roads to service the warehouses
- installation of site services and stormwater management infrastructure to accommodate the future development of the site
- Torrens title subdivision to create separate development lots and dedication of the access road to Council

- stormwater management works to manage the quality and quantity of water flows across the site and avoid adverse impacts to adjoining properties
- delivery of utility services required to service the proposed development, including necessary upgrades and siting and design of the proposed industrial subdivision
- site landscaping and planting around the periphery of the site and perimeter of internal road

1.2 Report Structure

This Submissions Report has been prepared in accordance with DPHI's *State Significant Development Guidelines – Preparing a Submissions Report (Appendix C) March 2024*. The structure of the report is as follows:

Section	Overview
1 Introduction	A short summary of the project and the assessment that has been carried out to date.
2 Analysis of Submissions	Analysis of submissions, detailing groups and people who made submissions and categorisation of issues raised in submissions.
3 Actions taken since exhibition	An overview of the actions the Applicant has taken since public exhibition to address the issues raised in submissions.
4 Response to submissions	A detailed summary of the Applicant's response to the issues raised in submissions.
5 Updated project justification	An outline of the updated project justification and evaluation of the project, incorporating relevant issues and the Applicant's response.

Table 1: Report Structure

This Submissions Report should be read in conjunction with the following supporting documents:

Supporting documentation	Appendices
Updated mitigation measures	Appendix 1
Concept Master Plan	Appendix 2
Civil Plans	Appendix 3
Civil Report	Appendix 4
Landscape Plans	Appendix 5
Traffic Impact Assessment	Appendix 6
BAMC Data	Appendix 7
Biodiversity Development Assessment Report	Appendix 8
Water supply, take and licensing memo	Appendix 9
Land Use Conflict Risk Assessment	Appendix 10
Aboriginal Cultural Heritage Assessment Report	Appendix 11
Visual Impact Assessment	Appendix 12
Urban Design Guidelines	Appendix 13
Acoustic Impact Statement	Appendix 14
Bushfire Assessment Report	Appendix 15
Detailed Site Investigation	Appendix 16
Remedial Action Plan	Appendix 17

Supporting documentation	Appendices
Pipeline Hazard and Risk Assessment	Appendix 18
Light spill diagrams	Appendix 19
Ecologically Sustainable Development Report	Appendix 20
Statement of Heritage Impact	Appendix 21
Tree Removal Plan	Appendix 22
Subdivision Plan	Appendix 23
Estimated Development Cost letter	Appendix 24

Table 2: List of Appendices

2 Analysis of Submissions

2.1 Breakdown of submissions

During the public exhibition period, a total of 16 submissions were received, including submissions made by government agencies, Council and the general public.

The exhibition of SSD 50972718 attracted the following submissions:

- 12 submissions from government agencies and bodies; 12 of which provided commentary but did not explicitly state their support or opposition to the project.
- One submission from Fairfield City Council (Council) was provided, Councils submission provided commentary but did not explicitly state their support or opposition to the project.
- 2 submissions from the general public, 1 of which objected the project and 1 of which provided commentary but did not explicitly state their support or opposition to the project.

On 22 October 2024, the DPHI issued a letter requesting further information on a number of key issues, and responses to issues raised in their submissions.

A breakdown of the submissions is provided below.

Submission	Support	Object	Comments
Government agencies	-	-	12
Council	-	-	1
Public submissions		1	1
DPHI RFI Letter	-	-	1
Total	0	1	16

Table 3: Breakdown of submissions

2.2 Categorising issues

In accordance with the DPHIs *State Significant Development Guidelines*, a summary of the issues raised in the submissions have been categorised in the table below.

Category	Summary of issues raised	Submitter
The Project		
General	• the orientation of the warehouse be reviewed in light of visual and acoustic impacts raised	• DPHI / Council
Retaining walls	• Provide details on the height (i.e. RL levels) of the retaining walls proposed in Stage 1 work • Visual impacts associated with retaining walls on sensitive receivers	• DPHI / Council
Vehicle access	• Construction of northbound acceleration lane	• DPHI / Council

Category	Summary of issues raised	Submitter
Procedural Matters		
General procedural matters	confirm the number of trees proposed to be removed.	DPHI
Water supply	quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.	DCCEW - Water
LUCRA	recommended a Land Use Conflict Risk Assessment (LUCRA) be undertaken	DPIRD
ACHAR	Please provide further information on the location and extent of AHIMS	Heritage NSW
Economic, environmental and social impacts of the project		
Traffic, parking and access	- Construction traffic impacts - Number and type of car parking spaces relevant to proposed uses (i.e. office and ancillary uses) - Traffic movement and trip generation calculations - Dedication of road reserve and acoustic/retaining walls	DPHI / Council
Noise	- Further modelling to be conducted on nearby residential dwellings and school - Impact of construction noise - Impact of operational noise – associated with vehicles	DPHI / Council
Visual	Further assessment to be conducted on impacts from nearby residential property	DPHI
Bushfire	Confirm location and management of APZs	DPHI
Contamination	Provide a DSI and RAP	DPHI
Wastewater	Confirm if the treatment facility is proposed to be constructed and operated as part of this development, or a separate pathway is proposed.	DPHI
Hazards	confirmation that the dangerous goods storage will not exceed the Department's Applying SEPP 33 threshold quantities via a preliminary risk screening will be required.	DPHI

Table 4: Categorisation of issues raised in submissions

2.3 DPHI Additional Matters Letter

DPHI's letter dated 22 October 2024 requested further information in relation to:

- Retaining walls
- Noise
- Visual
- Traffic
- Bush fire
- Contamination
- Wastewater treatment
- Hazards
- Vegetation removal

2.4 Government and Agency Submissions

A total of 13 submissions were received from local and State government agencies, including the following:

- Department of Planning, Housing and Infrastructure
- Department of Climate Change, Energy, the Environment and Water – Water Group
- Department of Climate Change, Energy, the Environment and Water - Biodiversity, Conservation and Science Group
- Department of Primary Industries and Regional Development
- Fairfield City Council
- Endeavour Energy
- Fire and Rescue NSW
- Heritage NSW x 2
- Jemena
- Rural Fire Service
- Transport for NSW
- Water NSW

2.5 Public Submissions

2 submissions were received from members of the general public during the exhibition period. A response to each submission is provided in Appendix 1.

3 Actions taken since exhibition

This section outlines the key refinements and additional assessment that have been made to the proposal since its public exhibition.

3.1 Refinements to the project

In response to issues raised in the submissions, some minor amendments to the project have been made. These are summarised as follows:

- minor increase in gross floor area of the warehouse buildings from 33,850m² to 34,875m²
- minor increase in gross floor area of the ancillary offices from 1,500m² to 1,600m²
- relocation of hardstand and loading bays associated with Warehouse 1 to the east of the building
- relocation of carparking for Warehouse 1 from the east to the north of the building
- introduction of a landscaped terrace to the west of Warehouse 1 comprising a range of trees, shrub and groundcover
- amendments to the landscape plan to incorporate more landscaping on the northern boundary to screen the acoustic wall
- reduction of the number of tenancies for Warehouse 2 from two to one
- removal of the carparking spaces to the south of Warehouse 2, and relocation of these spaces to the north of the Warehouse 2 building
- relocation of ancillary office space (previously office 2.1 and 2.2) associated with Warehouse 2 to form 1 combined office space (over 2 storeys)
- provision of a northbound deceleration auxiliary lane and a traffic island to support and geometrically channelise a 'left-in / left-out' arrangement
- decrease provision of car parking from 186 to 179 spaces
- reduction of the height and location of the acoustic walls with retaining

An extract of the amended concept masterplan is provided in the figure below.



Figure 1: Amended concept master plan (Source: Nettleton Tribe)

It is noted that most responses provide clarification or confirmation rather than a significant design change. Given the amendments are minor and are in response to issues raised by DPHI and the submissions, they do not warrant a formal amendment of the DA under section 37 of the *Environmental Planning and Assessment Regulation 2021*.

3.2 Further engagement

Additional engagement and consultation were undertaken with the following parties:

- Transport for NSW (TfNSW)
- Fairfield City Council (Council)
- DPHI
- Surrounding residents

Table 4 summarises the consultation undertaken since the public exhibition and the outcome of this engagement.

Engagement that occurred	Issue raised	Feedback received	How the project has responded
Transport for NSW			
Meeting held with TfNSW and project team on 5 November 2024	Site access. The proposal (as exhibited) sought a 'left-in / left-out' arrangement with both acceleration and deceleration lanes to Wallgrove Road.	TfNSW submission and feedback identified that no acceleration lane is to be provided on Wallgrove Road.	The proposal has been revised to remove the northbound acceleration lane. Instead, a give way sign for vehicles exiting the site will be implemented.
Fairfield City Council			
Meeting held with Council and project team on 19 November 2024.	Council provided general comments on each matter raised within their submission.		- Design amendments have been made with respect to Councils submission. - An overview of the design amendments are included in Section 3.1.
Meeting held with Council and project team on 1 April 2025	- Acceleration lane - Road and acoustic wall dedication	Council advised that the Estate Road must be designed and constructed in accordance with Council's Policy No. 4-515: <i>Specification for Roadworks and Drainage associated with subdivision or other development and Austroads Guide to Pavement Technology – Part 2: Pavement Structural Design.</i>	- The Estate Road that is intended to be dedicated to Council has been designed in accordance with Council's Policy and <i>Austroads Guide to Pavement Technology</i> – - WSPT have confirmed that ongoing maintenance of the landscaping and acoustic wall will not be Councils responsibility. - The acoustic walls will be contained within proposed lots 1 and 2 and not within the road reserve.
Neighbouring residents			
Meeting held with project team and neighbouring resident of 11 Kosovich Place	- Land zoning and permissibility - Proposed amendments to the design (as part of the RtS phase) and reduced impacts on	Clarified land zoning with Western Sydney Parklands including Plan of Management 2030.	The engagement with the resident was for the purposes of explaining the design amendments proposed.

Engagement that occurred	Issue raised	Feedback received	How the project has responded
	amenity of this property as a result. • Traffic impacts, particularly with regard to the deceleration lane and location of driveway • Proposed landscape buffer • Visual impacts	• Clarified traffic arrangements into and out of proposed site. • Discussed landscape buffer and acoustic wall. • Provided VIA image from rear of property.	• Design amendments as a result of Council and DPHI feedback in response to this issue have been undertaken (Section 3.1). These include reduction in the acoustic wall height, reorientation of the warehouse building and additional landscaping.

Table 4: Further engagement strategy

3.3 Further impact assessment

The issues raised in the submissions and in DPHI's comments have been assessed and the following documents have been provided to reflect this:

- Concept Master Plan
- Landscape Plans
- Traffic Impact Assessment
- Water supply, take and licensing memo
- Land Use Conflict Risk Assessment
- Aboriginal Cultural Heritage Assessment Report
- Visual Impact Assessment
- Urban Design Guidelines
- Detailed Site Investigation
- Remedial Action Plan
- Civil Plans and Report
- Ecologically Sustainable Development Report
- Pipeline Hazard and Risk Assessment
- Statement of Heritage Impact
- Light spill diagrams
- Estimated Development Cost letter
- BAMC Data
- Biodiversity Development Assessment Report
- Bushfire Assessment Report
- Updated Mitigation Measures

Ultimately, the design changes and refinements to the project achieve an improved built form outcome, reducing adverse visual and amenity impacts.

The results and findings of the actions discussed in Section 3 of this report are discussed further in Section 4.

4 Response to submissions

This section provides a detailed summary of the Applicant's response to the issues raised in submissions.

The tables in this section have been structured in accordance with the categories identified in Section 2.

4.1 The project

Ref.	Summary of submission	Submitter	Response
A	Retaining walls		
A1	Significant portions of the proposed acoustic walls will be on top of the retaining walls that are proposed as part of future development applications. Please detail how this will occur, revising any sequencing of the development as necessary.	DPHI	• A revised concept masterplan has been prepared by Nettleton Tribe (Appendix 2) • The plans incorporate revised acoustic wall height of 1.8m with retaining to the immediate north of warehouse 1, which is a significant reduction from the previous proposal (4.5m acoustic wall with retaining). • A 4.5m acoustic wall with retaining will remain to the north of the estate road / warehouse 2.
A2	Provide details on the height (i.e. RL levels) of the retaining walls proposed in Stage 1 works.	DPHI	• A preliminary grading and retaining plan has been prepared for a typical lot layout for the individual lots and is provided at Appendix 3. • The locations and heights of these retaining walls provided at Appendix 3.
A3	Retaining walls and acoustic walls are proposed within the road reserve to be dedicated to Council. The Department notes Council, in its submission, does not support the dedication of the road reserve to Council. As such, further consideration and discussion on how the road will be managed must be provided.	DPHI / Council	• The Civil Engineering Report prepared by Henry and Hymas (Appendix 4) confirms the main access road (Estate Road) that is intended to be dedicated to Fairfield City Council was designed in accordance with Council's Policy No. 4-515: <i>Specification for Roadworks and Drainage associated with subdivision or other development and Austroads Guide to Pavement Technology – Part 2: Pavement Structural Design.</i> • The subdivision includes the dedication of land containing the access road as a public road and the creation of a separate lot to be dedicated to Council. • The retaining and acoustic walls to the northern boundary will be contained within proposed lots 1 and 2 and will not be in the road reserve to be dedicated to Council. • Ongoing maintenance of the landscaping and acoustic wall will be WSPT's (or future tenant's) responsibility.

Ref.	Summary of submission	Submitter	Response
B	Visual		
B1	Amending the orientation of Warehouse 1's loading docks to face the east may reduce the visual and noise issues raised above. It is recommended the orientation of the warehouse be reviewed and an analysis provided as to why the chosen orientation is the best option for the site	DPHI	- A revised concept masterplan has been prepared by Nettleton Tribe (Appendix 2). - In accordance with DPHI's comments, the revised concept masterplan includes the reorientation of the proposed loading dock and hardstand to the east of Warehouse 1. - Carparking has also been introduced to the north of warehouse 1 to provide further separation distance between the warehouse and the adjoining properties to the north and north-west.
B2	It is noted the plans show fencing on the top of batter of the boundary adjoining Wallgrove Road. It is recommended the fencing be offset from the boundary to soften the appearance of the development from Wallgrove Road.	DPHI	- The batter treatment to Wallgrove Road has been amended, as shown on the Civil Plans prepared by Henry and Hymas (Appendix 3). The proposed fencing is retained at the front boundary. - As per the Landscape Plans (Appendix 5) prepared by Geoscapes, planting is provided along front setback to soften the appearance of the buildings from Wallgrove Road.
C	Vehicle access		
C1	Council considers there are significant issues associated with the construction of a compliant acceleration lane.	Council	- The vehicular access to the site has been amended in accordance with further discussion with TfNSW. - The previous northbound acceleration lane has been removed and a 'give way' sign will be installed for vehicles exiting the site and turning left onto Wallgrove Road.
C2	TfNSW supports the Applicant's recommendation that no acceleration lane is to be provided on Wallgrove Road.	TfNSW	- The left in-left out and triangular traffic island remains included within the amended proposal. - The Traffic Impact Assessment prepared by Bitzios (Appendix 6) has been updated to reflect these proposed amendments. The TIA confirms the proposal will not have a detrimental impact on the surrounding road network performance.

Table 5: The Project – Response to Submissions

4.2 Procedural matters

Ref.	Summary of submission	Submitter	Response
D	Vegetation		
D1	Please confirm the number of trees proposed to be removed.	DPHI	123 trees are proposed to be removed. Refer to the tree removal plan at Appendix 22.
E	Servicing		
E1	The Service Infrastructure Assessment prepared by LandPartners dated March 2024 does not appear to address electricity services. Accordingly the conditions and advice provided in Endeavour Energy's submission to the request for SEARs essentially remain valid	Endeavour Energy	Noted.
F	Biodiversity		
F1	For BCS to finalise its assessment of the BDAR, access to the case in BAM-C is required. Once the case is finalised, the assessor must 'submit to consent authority' in the BAM-C. The consent authority in this case being 'Greater Sydney – Compliance & Regulation'.	DCCEW - BCS	- The BAM-C has been finalised and submitted to the consent authority (Greater Sydney – Compliance & Regulation). - A copy of the spatial data is included at Appendix 7.
G	Water supply		
G1	The proponent should quantify the maximum annual volume of water take due to aquifer interference activities and demonstrate the ability to acquire sufficient water entitlement unless an exemption applies.	DCCEW - Water	- Fyfe has undertaken a detailed review of the groundwater levels (Appendix 9). - These levels have been compared against the proposed finished floor levels (FFLs) as detailed in the Concept Masterplan and Overall Civil Plan. - Fyfe's assessment concludes that the proposed FFLs across the site are well above the groundwater levels reported in the Geotechnical Investigation (submitted with the SSDA). - Based on these findings, the proposed building works are not currently expected to interact with or impact the underlying groundwater. As such, quantification of a maximum annual

Ref.	Summary of submission	Submitter	Response
			volume of take and the requirement for an associated Water Access Licence is not considered warranted at this time.
H	Groundwater		
H1	If the take of groundwater is found to be greater than 3 ML per year, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW aquifer interference policy and framework (2012)	DCCEW - Water	In response to DCCEW's comments, Fyfe have advised that per GWL calculations presented in their letter (Appendix 9), the proposed building works are not currently expected to interfere with the groundwater and as such groundwater take estimates are not applicable for the project.
H2	The proponent should provide evidence that the proposed design meets the riparian buffer requirements from watercourses as outlined in the Guidelines for Controlled Activities on Waterfront Land.	DCCEW - Water	
I	Engagement		
I1	The subject proposal adjoins RU4 Primary Production Small Lots zoned land. It was recommended a Land Use Conflict Risk Assessment (LUCRA) be undertaken to ensure impacts on and from those primary production uses are considered in the design of the business hub. We note a LUCRA has not been completed.	DPIRD	- A LUCRA has been prepared by Keylan Consulting (Appendix 10) to address and respond to DPIRD's request. - The LUCRA concludes as follows: <i>The proposed business hub is to be constructed on land that is located within the Western Sydney Parklands Plan of Management 2030. The proposed development is consistent with this plan, and broader transformation of the wider locality.</i>
I2	The Consultation Report (Appendix 17) inaccurately states that an email was sent to the Department on 5 March 2023 and that no response was received. An email was received from Rod Pascoe on 5 March 2024 informing that a LUCRA for agricultural impacts was being prepared. A response was promptly sent to Mr Pascoe on 5 March 2024 indicating the Department was looking forward to reviewing the LUCRA when the EIS is submitted.	DPIRD	<i>There are land use conflicts that may arise throughout the development. A risk identification and ranking process has been undertaken based off of the NSW Department of Primary Industries Land Use Conflict Risk Assessment Guide. Key risks identified included noise and dust generation, risk of contamination from asbestos, and waste generation left during the construction and operation phases.</i> <i>With the mitigation measures and performance monitoring of these impacts be implemented, the potential impact of change on the surrounding land uses to the north of the site will be minimised.</i>

Ref.	Summary of submission	Submitter	Response
I3	The Department would recommend that effective and innovative engagement is undertaken with the local agricultural enterprises to determine if there are other land use conflict issues not currently identified and further to ensure impacts on and from those primary production uses are considered in the design of the business hub.	DPIRD	
J	Aboriginal Cultural Heritage		
J1	Please clarify the location and extent of AHIMS 45-5-5738. Mapping presented in ACHAR differs from information available in AHIMS site card.	Heritage NSW	An updated ACHAR has been prepared by Artefact (Appendix 11) to address and respond to Heritage NSW's comments.
J2	Table 10 of ACHAR states that the scientific value of the site is unknown. Please provide further information on the constraints to assessing the scientific value of AHIMS 45-5-5738.	Heritage NSW	
J3	Section 4.1 of ACHAR states AHIMS 45-5-5739 was initially identified as an area of the PAD, however, subsequent investigation determined that it was not a site. Please provide further information, where available, on the nature of the subsequent investigation undertaken in relation to AHIMS 45-5-5739.	Heritage NSW	
J4	The consultation log and records in the appendix to the report do not include the review of the Draft ACHAR by aboriginal stakeholders. Please update the appendix to include this information to ensure compliance with the <i>aboriginal cultural heritage consultation requirements for proponents (DECCW 2010)</i>	Heritage NSW	

Ref.	Summary of submission	Submitter	Response
J5	It is noted the AHIMS search undertaken for the project is greater than 12 months old. An updated AHIMS should be included in the ACHAR and attached as an appendix to the report.	Heritage NSW	

Table 6: Procedural Matters - Response to Submissions

4.3 Economic, Environmental and Social Impacts

Ref.	Summary of submission	Submitter	Response
K	Visual		
K1	The Department has particular concerns over the visual amenity impact from 56 Cecil Road, Cecil Park. Please provide further analysis of views from this property and consider additional mitigation measures to soften the appearance from this viewpoint such as stepping of walls, reducing amounts of fill, orientation (see point 12) and/or increased vegetation screening	DPHI	- An updated Visual Impact Assessment has been prepared by Nettleton Tribe (Appendix 12). - The updated VIA reflects the proposed design amendments. In addition, three supplementary viewpoints (Viewpoint 6, 7 and 8) have been assessed from: 19 Kosovich Pl, looking south towards the site 11 Kosovich Pl, looking south towards the site 56 Cecil Rd, looking east towards the site - The VIA confirms the cumulative impacts are considered acceptable due to the proposed landscape buffering that will soften the magnitude over time, as well as the material and colour palette that helps the development blend in with the surroundings.
L	Noise		
L1	An additional residential property has been constructed to the north of the site at 11 Kosovich Place Cecil Park since the noise assessment has been undertaken. Please update the noise assessment to consider this sensitive receiver.	DPHI / Council	- An updated Noise and Vibration Assessment has been prepared by Acoustic Logic (Appendix 14) to include an assessment of the residential dwelling at 11 Kosovich Pl. - The assessment confirms operational noise from the site can comply with NPI requirements during all hours provided the recommendations outlined below (and in the report) are incorporated: - Acoustic barrier screening

Ref.	Summary of submission	Submitter	Response
			○ Site management to schedule or limit vehicle movements during day, evening and night time periods ○ Selection of building materials and insulation ○ Detailed review of mechanical plant and site operations once known.
L2	The Noise Impact Assessment (NIA) uses a suburban noise category conflicting with the surrounding zoning being predominantly rural. The EPA's guidelines (bottom of page here) for determining the amenity category for residential receivers requires strong justification to be given to alter the category set by the zone. Further, it is noted the adjoining school's noise assessment for its development set the surrounding area as rural. The Department requires significant justification as to why the use of the suburban category is appropriate.	DPHI	• The updated Noise and Vibration Assessment provides further detail on the method Acoustic Logic have adopted to determine the amenity level for surrounding residential receivers. • Acoustic Logic have advised that the methodology and reasoning detailed in the EPA guidelines has been adopted when determining the appropriate amenity level, with the 'suburban' category considered to be suitable for the assessment.
L3	It is unclear if the noise assessment has considered the use of forklifts and mechanical plant in Section 6.1. Further, the mapping provided in the noise assessment appears to have considered only vehicle movements. Given these activities are a part of typical warehouse operations, the impact from all noise generating activities should be considered as part of the noise assessment to ensure mitigation measures proposed are appropriate.	DPHI	• The updated Noise and Vibration Assessment considers the use of forklifts in the assessment of noise transmission from the site. • Acoustic Logic have advised <i>...specific locations, selections and mechanical requirements for the development are not yet known, and as such it would not be feasible to undertake an assessment of noise from future mechanical plant. Noise emission requirements are established within the report for mechanical plant items, and Section 6.4 recommends a detailed review of mechanical prior to construction. Notwithstanding, standard acoustic treatments would be able to be incorporated into the mechanical design to ensure noise emissions to surrounding receivers are controlled.</i>
L4	Please confirm how many vehicles were considered during the Leq(15min) modelling, noting the hourly peak traffic rate divided by four is unlikely to be a worst case scenario.	DPHI	• Acoustic Logic have advised <i>...the vehicle volumes modelled are consistent with the Traffic Impact Statement prepared by Bitzios, and allow for a total of 234 movements in a one hour period either entering or exiting the site. This equates to one</i>

Ref.	Summary of submission	Submitter	Response
			<i>movement each 15 seconds during the peak hour, including a heavy vehicle movement more than once a minute This is a high capacity usage of the site, and given the assessed traffic volumes are the AM/PM 'peak' periods, this is considered to be an appropriately conservative assessment of noise from vehicles on the site.</i> <i>No further breakdown is provided within the traffic report as to shorter time periods (such as the 15 minute period requested). We further note that the predicted Leq(15 minute) noise levels (as shown in Table 4 of the updated report) are all below the relevant project noise trigger level to each receiver. As such, even if there were to be short or intermittent periods of more frequent usage, however unlikely, noise from the use of the site would still meet the relevant noise emission requirements.</i>
L5	The NIA identifies the adjoining school would be impacted by noise levels 2 dBA above noise management levels, however the report has categorised this exceedance as 'negligible'. The Noise Policy for Industry considers an exceedance of 2 dBA as 'negligible' only when all source and pathway feasible and reasonable noise mitigation measures have been considered. It is unclear what operational noise mitigation measures have been considered to classify the exceedance as a 'residual noise impact'	DPHI	The updated Noise and Vibration Assessment confirms (as a result of the revised design amendments) there is no longer an exceedance expected to the adjoining school, as such there is no further residual noise impact to consider.
L6	The construction noise assessment as part of the NIA has not considered construction activities, rather the modelling has only considered three types of equipment during construction. The noise assessment should be updated to consider construction activities as well as all anticipated equipment.	DPHI	- A preliminary assessment of noise from construction works has been undertaken, which has identified that further management would be required to mitigate noise impacts during the construction stage of the project. - The report has recommended a detailed construction noise and vibration management plan be undertaken prior to the commencement of construction works, which will have the

Ref.	Summary of submission	Submitter	Response
			benefit of the proposed construction programme, activities and equipment to be used.
M	Traffic		
M1	Please update the parking assessment to consider the ancillary office space.	DPHI	- An assessment of the proposed parking provision is included in Section 5.4 of the updated TIA. This assessment notes that the parking provision requirements are provided by Fairfield City Wide Development Control Plan 2024 (Council DCP 2024) and TfNSW's Guide to Transport Impact Assessment Technical guidance for transport practitioners TS 00085 Version 1.1 2024 (GTTIA 2024). - The parking provision requirement provided within Councils DCP is typically used for industrial uses with higher staff numbers (e.g. factories). Given the nature of the proposed development is for warehouse and distribution purposes, the TfNSW's GTTIA 2024 rate of 1 space per 300m2 GFA is deemed more appropriate rate when compared to the rates provided in other DCPs of other Councils. - An extract of Section 5.6.4 of the GTTIA 2024 is provided below which provides clarity on this matter (bold for emphasis) “ <i>Large format warehousing typically covers warehousing, storage, distribution and logistics activities, generally accommodated in tenancies providing greater than 5,000 m2 of Gross Floor Area. Office components within these facilities are usually minimal and serve only a supportive, ancillary role.</i>” - Based on the above, Bitzios have advised no separate parking calculations would be required

Ref.	Summary of submission	Submitter	Response
M2	Please provide an explanation of how the ratio of heavy to light vehicles was derived and provided further information on additional traffic movement if a change in ratio undertaken.	DPHI	- Considering the land use is a warehouse area, Bitzios have estimated the vehicle distribution to comprise of 70% heavy vehicles and 30% light vehicle. - A 70/30 'IN:OUT' split assumption was adopted for this assessment to estimate the distribution of the development traffic onto the surrounding road network. - The traffic distribution onto Wallgrove Road for the upcoming development was determined based on the access routes drivers are likely to choose to reach the main distribution points within the road network.
M3	While trip generation appears conservative, the split between the warehouses seems excessive. This traffic generation prediction for each of the warehouses seems unlikely and a more even spread between the warehouses should be considered.	DPHI	
M4	The above assumptions in traffic generation calculations result in only 1 light vehicle and 5 heavy vehicles using the Warehouse 1 building in the AM peak. The Department has concerns that this is unlikely and may result in the noise assessment not assuming a worst case scenario for the Warehouse 1 area.	DPHI	
M5	Please provide further explanation on the likelihood of this split being realistic, noting any updates may require updates to the noise assessment.	DPHI	
M6	The applicant shall submit to Council an operational traffic management plan detailing how the peak traffic generation will be managed and accommodated wholly within the site without creating internal manoeuvring issue or without impacting traffic flows on the adjoining road network	Council	It is requested that an Operational Traffic Management Plan be included as a condition of consent.
M7	The provision of off street parking shall be in accordance with Councils DCP and parking requirements	Council	- An updated Traffic Impact Assessment (TIA) has been prepared by Bitzios (Appendix 6). - The updated TIA notes: <i>That the parking provision requirement provided within Council DCP 2024 is typically used for more industrial spaces</i>

Ref.	Summary of submission	Submitter	Response
			<i>with higher staff numbers (e.g. factories). Given the nature of the proposed industrial development is for warehouse and distribution purposes, TfNSW's GTTIA 2024 rate of 1 space per 300m2 GFA is deemed more appropriate rate when compared to the rates provided in other DCPs of other Councils. Hence, the rate of 1 space per 300m2 was adopted for this assessment.</i>
M8	Services vehicles shall only carry out loading and unloading activities from the designated loading areas and shall not obstruct the flow of traffic within the site. As part of the loading management plan submission, the applicant shall incorporate a breakdown of the types of heavy vehicles accessing the site	Council	It is requested that the loading management plan be included as a condition of consent.
M9	The applicant shall engage an Accredited Road Safety Audit to identify all road safety risks with the proposed treatments on Wallgrove Road and proposed internal access road of Wallgrove Road	Council	It is requested that an Accredited Road Safety Audit be included as a condition of consent.
M10	Based on the swept path diagrams, the internal access road is not adequate to accommodate two-way heavy vehicle movements when vehicles are permitted to park on either side of the road.	Council	Based on swept path analysis using latest site plan, the internal access road can accommodate 2-way heavy vehicle traffic. Refer to Section 5.7 of the TIA (Appendix 6).
M11	Based on a review of the site plan, it appears that there are sections of the site which are not sufficient to cater for two way traffic flows.	Council	
M12	Construction impacts of development onto the adjacent road network need to be assessed	Council	- Bitzios have advised that the details of expected construction traffic volumes and required TGSs scenarios are yet to be provided. Once provided, the CTMP will be updated accordingly to detail traffic impacts. - It is requested that the CTMP be included as a condition of consent.

Ref.	Summary of submission	Submitter	Response
M13	The introduction of a large warehouse facility may result in increased heavy vehicle movements in surrounding roads, which are not designed to accommodate such traffic. This poses safety concerns for residents, particularly children and undermines the communities sense of security.	Public submission	- The updated Traffic Impact Assessment (TIA) has been prepared by Bitzios (Appendix 6). - The TIA concludes the proposed development is expected to have an overall insignificant impact on the surrounding road network.
N	Bushfire		
N1	Given subdivision is proposed, further information is required to demonstrate the location and management of the Asset Protection Areas (APZ) on each of the lots as part of the subdivision. It is noted the Planning for Bushfire 2019 gives strong preference to on lot management, with APZs off lot requiring a Plan of Management or easements, which may impact future detailed DAS.	DPHI	WSPT will own all three of the proposed lots. Lots 1 and 2, containing Warehouse 1 and 2 respectively, will be then leased to future tenants. Through lease arrangements WSPT and the future tenants will be able to appropriately manage the APZs.
O	Contamination		
O1	The EIS included a preliminary site investigation which recommended a detailed site investigation (DSI) and associated remedial action plan (RAP). Please provide the DSI and RAP demonstrating that the land can be appropriately remediated to allow for the proposed land use	DPHI	- A DSI has been prepared by Fyfe Pty Ltd and included at Appendix 16. <i>The DSI sampled near surface soils from 14 locations near a farm shed, the former residence and the unsealed driveway. Concentrations of potential contaminants in every sample tested were below the criteria protective of human health and the environment for a commercial or industrial land use. Asbestos was confirmed to be present in some of the building waste fragments present in the material used to construct the driveway. A bundle of loose asbestos fibres was also present in the soils recovered from the driveway. Following the removal of the waste ACM and the fill material in the entrance driveway the site is considered suitable for its proposed commercial / industrial use.</i> - Ultimately, the DSI recommends that appropriately qualified contractors be engaged to undertake a pre-demolition

Ref.	Summary of submission	Submitter	Response
			asbestos audit of the dwelling on the site, and to remove the discarded ACM sheet and the asbestos containing shallow soils used to construct the unsealed driveway. Accordingly, a Remedial Action Plan (RAP) has been prepared (Appendix 17) to manage and remediate the identified contamination prior to development at the site. The RAP is intended to be used by WSPT to facilitate the remediation of the identified asbestos contamination.
P	Wastewater Treatment		
P1	The development is not serviced by Sydney Water wastewater treatment and onsite treatment is proposed. However, the servicing plan shows that the onsite treatment system requires an irrigation area proposed to be located on the adjoining site to the south. It is unclear if the treatment facility is proposed to be constructed and operated as part of this development, or a separate pathway is proposed. Should the treatment be proposed as part of this application, the irrigation area must be located within the development site boundary and provide any necessary landowner's consent.	DPHI	- WSPT own the land to the south (87-95 Wallgrove Road Cecil Park) and are satisfied with the proposed wastewater arrangement. - If required, a separate land owners consent letter can be provided post the submission of this response. - A Title Certificate has been provided to confirm the landownership (Appendix 25).
P2	Please update the landscape and masterplan to show the location of the wastewater treatment facility.	DPHI	- The wastewater arrangement is detailed in the infrastructure report that was originally submitted. - As per the above, WSPT own the land to the south and are satisfied with the proposed arrangement.
Q	Stormwater Treatment		
Q1	The discharge point from the OSD basin 1 is considered too close to the creek. It is recommended that the discharge basin point be located further away from the creek to	Council	Updated Civil Drawings (Appendix 3) and Civil Engineering Report (Appendix 4) have been prepared by Henry and Hymas.

Ref.	Summary of submission	Submitter	Response
	prevent erosion with the creek basins.		- Due to the constraints in levels, flooding and the proximity to the adjacent creek, the volume capacity of Basin 1 has been reduced. Basin 2 was increased in volume to compensate for the Basin 1 with the overall PSD for the development within Council's requirements. - The DRAINS modelling software and analysis methods recommended by 2019 edition of Australian Rainfall and Runoff were used to ensure that Council's PSD requirements are met by the attenuation of run-off flows provided by the proposed OSD basins. - Henry and Hymas' assessment of the discharge flow rates concludes that the PSD requirements have been met to the satisfaction of Fairfield City Council's <i>Stormwater Management Policy 2017</i>.
Q2	Provide details of Council's burden and benefited easement and its maintenance (if any)	Council	- Easements are detailed on the updated subdivision plan (Appendix 23) - The internal road will be dedicated to Council.
Q3	Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system on Wallgrove Road are to be submitted to TfNSW for approval, prior to the commencement of any works.	TfNSW	Noted. This is requested to be conditioned.
R	Hazards		
R1	It is noted that no preliminary risk screening was undertaken in accordance with the Department's Applying SEPP 33 due to uncertainties in determining the types and quantities of dangerous goods. As some dangerous goods may be required to be stored onsite for warehousing for example, the utilisation of LPG for the operation of forklifts, confirmation that the dangerous goods storage	DPHI	- A Quantitative Risk Assessment has been prepared by Arriscar Engineering Solutions (Appendix 18). - Arriscar Engineering Solutions note that as the specific details (including types and quantities of Dangerous Goods, if present) are not known at this stage (given the proposal is a concept DA), it was not possible to undertake a preliminary risk screening in accordance with the <i>State Environmental Planning Policy No. 33 (Applying SEPP 33)</i> for the proposed

Ref.	Summary of submission	Submitter	Response
	will not exceed the Department's Applying SEPP 33 threshold quantities via a preliminary risk screening will be required.		industrial business hub facilities or to undertake a PHA for these facilities in accordance with HIPAP No. 6. If required, a preliminary risk screening that includes a clear indication of class, storage and handling quantities and location of all dangerous goods and hazardous materials associated with the proposal will be addressed separately in later development applications.
S	Lighting Impact		
S1	Light spill diagrams particularly in relation to the adjoining rural/residential properties must be undertaken to determine the potential impact on these properties and identify adequate mitigation measures to reduce and/or avoid negative impacts particularly for any proposed 24 hour operation.	Council	- Light spill diagrams have been prepared by C-Level Pty Ltd (Appendix 19). - The diagrams find that the obstructive light complies with the maximum luminance controls for medium district areas as set out in AS 4282:2023. - C-Level Pty Ltd have concluded the following measures will be adopted to mitigate light spill impacts: <i>Engineered lighting designs using specific optics & power for the site specific layouts.</i> <i>Full compliance with AS4282:2023, including compliance with AS1158.3.1:2020.</i> <i>Use of Asymmetrical optics with cut off lens.</i> <i>Use of warmer colour lights – maximum of 4000k.</i> <i>Compliance with AS1158.3.1 table 3.8 limitation of luminous intensity.</i> <i>Light fittings available with additional glare shields on request.</i>
T	Land Use Conflict		
T1	Whilst we acknowledge the area is strategically identified and may eventually transition from rural land uses, there is agricultural activity adjacent and within 500m of the subject site. Potential impacts from the proposed development must be considered to ensure that the current agricultural operations are not adversely impacted.	DPIRD	- A LUCRA has been prepared by Keylan Consulting (Appendix 10). - The LUCRA includes a range of risk reduction management strategies which seek to mitigate impacts on surrounding properties. These relate to both the construction and operational stages of the development.

Ref.	Summary of submission	Submitter	Response
T2	The proposed mitigation measures outlined in the EIS may not address the potential impacts of the project on the RU4 Primary Production Small Lots agricultural land and land use due to the limited consultation with landowners who have horticultural enterprises and the absence of a LUCRA.	DPIRD	
T3	Concerned about the potential negative impacts on the residents of the area. These impacts include, increased traffic generation, noise pollution, air quality degradation and a significant reduction in quality of life for residents.	Public submission	

Table 7: Economic, Environmental and Social Impacts

4.4 Issues beyond the broader scope of the project or issues not relevant

Ref.	Summary of submission		Response
U1	The more school the easier for parents	Public submission	This submission does not relate to the proposal.

5 Updated project justification

This section includes an updated justification and evaluation of the project, incorporating any relevant issues raised in submissions and the response to these issues provided in Section 4 of this report.

Given only minor amendments and clarifications have been made as a result of the response to submissions process, the proposal has remained substantially the same. As a result, the proposal is considered consistent with the project justification provided with the original EIS.

Appendix 1

Updated Mitigation Measures

Issue	Mitigation Measures
Aboriginal Heritage	<i>PAD01 must be protected to ensure workers and machinery do not access this area. It is recommended that workers in the project area are aware of PAD01 through the following:</i> <i>Physically protecting the site with fencing</i> <i>Flagging throughout the border of PAD01.</i> <i>An induction to workers on site on the importance and border of PAD01 should be completed by all site staff before commencement of works and when new staff arrive on site.</i> <i>The PAD01 should be marked on site plans and development plans.</i> <i>An unexpected finds policy must be prepared in consultation with the RAPs and would be implemented in the event of any unexpected finds of Aboriginal sites, objects, or archaeological deposits being identified during construction.</i> <i>To facilitate the preparation and operation of the unexpected finds policy Aboriginal community consultation should be maintained in accordance with Consultation Requirements</i> <i>Unexpected Aboriginal objects remain protected under the NPW Act and must not be harmed without authorisation</i>
Biodiversity	<i>To avoid potential indirect offsite impacts during construction, an appropriate erosion and sedimentation control plan (ESCP) should be put in place following best practice protocols such as Landcom (2004). It is recommended that the ESCP, a pre-clearance protocol and a clearing protocol are included in a site-specific Construction Environmental Management Plan (CEMP), prior to any construction works taking place.</i> <i>It is understood that the vegetation management plans exist for the parklands and that the principles and actions contained within will be applied to the retained vegetation within the study area where practicable.</i> <i>As identified in Section 6 direct impacts will occur to fauna habitat including seven HBTs and wooded vegetation which provides potential foraging habitat. Appropriate pre-clearance protocols should be put in place at the time of construction to avoid and mitigate any potential harm or injury to these individuals.</i> <i>HBTs identified in the subject land, which was not suspected to contain any microbat species. An ecologist will be required onsite for the removal of this stag tree and the homestead. The stag should be salvaged and retained within the riparian zone or offset using an appropriate number of nest boxes (i.e., 2:1).</i> <i>Whilst extreme care will be taken to protect fauna, in the unlikely event that fauna is injured, the ecologist will ensure that any injured animals receive the appropriate level of care. The nearest veterinary clinics will be contacted prior to the works beginning to determine that they have the capabilities to care for injured native animals.</i> <i>An unexpected finds protocol should be prepared and incorporated into the CEMP should any bats encountered during the removal of</i>

Issue	Mitigation Measures
Bushfire	<i>these structures. A preclearance survey should also be conducted by a suitable qualified and experienced ecologist.</i> <i>The internal public road is to comply with PBP Table 5.3b for 'general requirements' and 'non-perimeter roads'.</i> <i>Defendable space to warehouse footprints to consist of a minimum 7 m wide fire access road as indicated on Figure 5. Through road access is required around the warehouses.</i> <i>BAL compliance is to be considered with future development application for individual warehouses.</i> <i>The subject land, outside of the vegetation retention areas, is to be maintained to achieve the performance requirement of an Inner Protection Area (IPA) as described by Appendix 4 of PBP. The following landscaping specifications have been designed to achieve the IPA at this site:</i> <i>Trees at maturity should not touch or be within 2 m of the building;</i> <i>Tree canopies should be separated by at least 2 m;</i> <i>Ensure gaps in the vegetation, such as between garden beds, to prevent the spread of fire towards the building;</i> <i>Landscaping should be separated from the building by at least 1 m;</i> <i>Grass should be kept mown; and</i> <i>Leaves and vegetation debris should be regularly removed.</i> <i>A 'Bushfire Emergency Management and Evacuation Plan' is to be prepared in accordance with the NSW Rural Fire Service document 'A Guide to Developing a Bushfire Emergency Management and Evacuation Plan'. Plan preparation is to be a condition of approval for future warehouse applications.</i> <i>Future warehouses are to have fire hydrants installed to comply with AS 2419.1 – 2005 Fire Hydrant Installations - System Design, Installation and Commissioning (AS 2419).</i> <i>Future warehouses are to have gas services are to be installed and maintained in accordance with AS/NZS 1596-2014 The storage and handling of LP gas.</i> <i>Hazardous or combustible materials are not to be stored external to future warehouses.</i>
Contamination	<i>An appropriately qualified person should be engaged to undertake an assessment of the dwelling on the site to identify any asbestos containing material (ACM) within the structure.</i> <i>An appropriately licensed asbestos removal contractor should be engaged to remove the ACM sheet discarded to the north of the residential dwelling and the asbestos containing shallow fill soils used to construct the unsealed driveway.</i>
Lighting	<i>C-Level Pty Ltd have concluded the following measures will be adopted to mitigate light spill impacts:</i> <i>Engineered lighting designs using specific optics & power for the site specific layouts.</i> <i>Full compliance with AS4282:2023, including compliance with AS1158.3.1:2020.</i> <i>Use of Asymmetrical optics with cut off lens.</i> <i>Use of warmer colour lights – maximum of 4000k.</i>

Issue	Mitigation Measures
Pipeline Hazard and Risk	○ Compliance with AS1158.3.1 table 3.8 limitation of luminous intensity. ○ Light fittings available with additional glare shields on request. ● Future DAs relating to the specific use of each lot (including construction of structures or buildings) in the proposed industrial business hub should consider the risks imposed from the three pipelines (particularly societal risk). If the development will result in significant changes to any key parameters used in this risk assessment (e.g. population estimates, etc.) then this should be addressed accordingly in the future DA. ● Future occupied buildings in the proposed industrial business hub should be constructed with due regard of the fire and explosion hazards posed by the pipelines. In future detailed DAs, the proponent should demonstrate how reasonably practicable measures to protect the building occupants has been incorporated into the building design (e.g. through use of appropriate non-combustible materials (cladding etc.), fire-rated walls or other barriers, sizing and location of windows and balconies, measures to minimise smoke ingress, measures to prevent ingress of gas into underground basements / car parks / utilities, etc.). ● Emergency refuge and/or egress arrangements should be provided for all future occupied areas in the proposed industrial business hub. This is to ensure the safety of the occupants in the event of an incident involving the pipelines. For future development applications, the proponent should demonstrate how this has been incorporated into the design (e.g. emergency egress stairwells, egress to a safe location on the far side of the building away from the pipeline, shelter-in-place facilities, etc.) and the occupier should prepare appropriate emergency response plan/s.
Acoustic	● Operational noise from Lots 24 & 25 can comply with NPI requirements during all hours provided recommendations outlined below are adopted with respect to noise screening and limits to vehicle movements. ● Barrier Screening ○ Barrier 'A' – 4.5m ○ Barrier 'B' – 1.8m ○ Barriers are to be constructed of a material with a minimum density of 15kg/m², which may consist of masonry elements, Hebel, fibre cement sheeting, or other equivalent products. ● Site management should be implemented to schedule or otherwise limit vehicle movements to: ○ Daytime Period - As summarised in Section 6.1.2 ○ Evening Period ■ 30 Passenger Vehicles ■ Medium Rigid – 18 movements per hour ■ Heavy Articulated – 6 movements per hour ○ Night Time Period ■ 20 Passenger Vehicles ■ Medium Rigid – 7 movements per hour ■ Heavy Articulated – 3 movements per hour ● For the warehouses, typical construction using precast concrete wall panels, insulated metal deck roof and solid core timber person

Issue	Mitigation Measures
	<i>access doors will provide sufficient attenuation for typical warehouse operations. If ventilation openings are required (particularly in walls), these may need to be assessed and treated with acoustic louvres if required, pending review of proposed internal activities. Alternative constructions to the above would also be feasible, subject to acoustic review.</i> <i>• Individual warehouse operations should be reviewed once tenant operations are known.</i> <i>• Detailed review of mechanical plant should be undertaken once locations and selections of equipment items is known.</i>