

Thomas Piovesan

From: Skye Shanahan <Skye.Shanahan@transgrid.com.au>
Sent: Friday, 15 July 2016 5:12 PM
To: Thomas Piovesan
Cc: Kate MacDonald
Subject: RE: Oakdale South - SSD 6917
Attachments: TG Easement Guidelines for Third Party Development (V10).pdf

Hi Thomas,

TransGrid refers to our submission in respect of the Oakdale South development dated 11December, and confirm this remains our position.

To reiterate however, we confirm that it is our understanding that the stormwater drainage arising from the respective industrial development sites either side of TransGrid's transmission easement will be captured on-site and will be drained away from TransGrid's easement. Consequently, it is our understanding that no stormwater arising from the industrial development sites will be captured on TransGrid's transmission easement by way of a detention or retention basin. TransGrid has no objections in this regard.

TransGrid acknowledges that the transmission easement will become subject to a channel effect arising from the construction of the staged industrial development occurring on the outside edge of the transmission easement, involving raised retaining walls on the easement boundary. As per TransGrid's original submission it is requested that rubble drains be constructed on the inside edge of the easement boundaries adjacent to the retaining walls to capture and direct rainfall away from the transmission towers and the safe working platform required around the stanchions for TransGrid's ongoing maintenance of same. AT&L propose the construct the drains with a grassed bed believing this will be more effective. TransGrid is amenable to this modification in the design of the drains, conditional upon the change in drain design being fit for purpose. To this end, we look forward to receiving formal design plans from the Department of Planning and Environment in PDF format confirming their proposed drainage method which will be subject to TransGrid's review and comment.

All works are to be carried out in accordance with the *NSW WorkCover 'Work near Overhead Powerlines' Code of Practice 2006* (link attached below), and *TransGrid's Easement Guidelines for Third Party Development (V10) (Guidelines)* (as attached):

<http://www.workcover.nsw.gov.au/health-and-safety/industry-safety/electrical-and-power/power-lines/publications/work-near-overhead-power-lines-code-of-practice-2006>

Should you have any further questions on this development site please contact the undersigned.

Kind regards,
Skye

Skye Shanahan
Enquiry Services Coordinator | Field Services

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From: thomas.piovesan@planning.nsw.gov.au [<mailto:thomas.piovesan@planning.nsw.gov.au>]
Sent: Thursday, 7 July 2016 5:52 PM
To: Skye Shanahan
Cc: KATE.MACDONALD@PLANNING.NSW.GOV.AU
Subject: FW: Oakdale South - SSD 6917

Thomas Piovesan

From: Skye Shanahan <Skye.Shanahan@transgrid.com.au>
Sent: Thursday, 9 June 2016 2:44 PM
To: Thomas Piovesan
Cc: Kate MacDonald
Subject: Re: Oakdale South Industrial Estate (SSD 6917) – Referral of Applicant's Response to Submissions
Attachments: TG Easement Guidelines for Third Party Development (V10).pdf; 2016-05-08 Final Response to Submissions_SSDA 6917.pdf; TransGrid TAMIS Plan.pdf

Hi Thomas,

Re: Oakdale South Industrial Estate (SSD 6917) – Referral of Applicant's Response to Submissions

We refer to our initial letter of determination made on the 11 December 2015 and email dated 14 April 2016 for our comments on this SSD. However, the following points should also be factored into the Department Of Planning and Environments final determination:

- Referencing to the drainage and potential flood issues within our easement corridor, each of these aspects will be individually assessed through the formal Statutory Notification process (either with the Department Of Planning and/or local Government Council). Detailed plans in PDF format will need to be present to TransGrid outlining how the developer will preserve our easement corridor from being a permanent damp and un-accessible area for our large mobile plant and equipment to maintain the transmission line network. TransGrid needs to ensure all water levels are directed away from the easement, and appropriate measures such as drains on either side of the easement are implemented.
- TransGrid's access to the transmission lines, stanchions and easement must be maintained at all times across the full width and length for ongoing maintenance purposes. Please note our heavy vehicle plant and equipment can weigh in excess of 40 tonnes. All disturbance to the ground will need to bear this weight.
- *All works must be carried out in accordance with the WorkCover NSW 'Work near Overhead Powerlines' Code of Practice 2006 (link attached below), and the TransGrid's Easement Guidelines for Third Party Development (V10) (**Guidelines**) (as attached):*

<http://www.workcover.nsw.gov.au/health-and-safety/industry-safety/electrical-and-power/power-lines/publications/work-near-overhead-power-lines-code-of-practice-2006>

- Any proposed encroachment of TransGrid's easement will need to be thoroughly reviewed and assessed by our Engineers, or it will be considered as a prohibitive encroachment. This will include checking ground clearances for any road undercrossings, basins and landscaping.

Should you have any further questions please contact the undersigned.

Kind regards,
Skye

Skye Shanahan
Enquiry Services Coordinator | Field Services

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Background

TransGrid acquires Transmission Line (TL) and cable easements to provide adequate clearance along the route of a TL for construction and maintenance work and to preserve certain property rights in perpetuity. These easements also ensure no work or other activity is undertaken under or near a TL or cable that could create an unsafe situation either for persons or for the security of the TL or cable.

The TL or cable easement area and its ongoing maintenance are control measures that cannot be compromised. Easements are established to prevent and mitigate against the following electrical safety risks:

- > Infringement of electrical safety clearances e.g. due to an activity or vegetation growth;
- > Electrical Induction e.g. due to parallel conducting materials;
- > Step and touch potentials under fault conditions e.g. due to lightning or bushfire;
- > Failure of structures or line equipment e.g. due to third party vehicle or plant impact;
- > Transfer off easement of dangerous voltages, e.g. by services installed within the easement area; and
- > Blowout of a conductor under high wind (or blow in of vegetation) e.g. into an adjacent structure.

TransGrid's paramount concern is the safety of people and property. TransGrid is also bound to maintain its infrastructure efficiently and cost effectively. The TL and cable easements, along with the accesses, have been designed to facilitate effective operational maintenance.

Development Approval Process

The *Environmental Planning and Assessment Act 1979* may empower Local Councils to act as the consent authority for development applications. In these situations, a Development Application (DA) is prepared and submitted to the Local Council for development consent.

The *State Environmental Planning Policy (Infrastructure) 2007* (SEPP), which commenced on 1 January 2008, requires Local Councils to consult with Electricity Network Operators before granting development consent for proposals that might adversely affect:

- > existing electricity infrastructure; and
- > easements for electricity purposes, even if no infrastructure has yet been constructed in the easement.

The Local Council must take into consideration any comments made by the Electricity Network Operator who has 21 days to respond to any written notification of a DA received by Council. Council must take into consideration any comments provided by the Electricity Network Operator before it determines any DA. TransGrid's initial response may be a request for additional information to assess a development that seeks to encroach or is immediately adjacent to our easements and infrastructure. Such a request is likely to then be forwarded to the applicant.

The party submitting the development application is required to consult with TransGrid in accordance with the *State Environmental Planning Policy (Infrastructure) 2007 (SEPP)*; the *NSW Occupational Health and Safety Act 2000*; the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006, and; the WorkCover NSW 'Work Near Underground Assets' Guide 2007.

TransGrid Approval

The statutory approval authority should obtain a written approval from TransGrid for all proposed activities within an easement area in accordance with regulation 45 of the *SEPP*.

It is recommended that the development proponent consult with TransGrid prior to lodging a DA, so the proposed development may be assessed relative to TransGrid's easements and infrastructure within the specific locality. Statutory notification pursuant to regulation 45 of the *SEPP* may not always provide an adequate response time for TransGrid to assess any development proposed within or immediately adjacent to our easements and infrastructure. Therefore, it is considered to be in the best interests of any development proponent to thoroughly consult and attempt to resolve all and any issues with TransGrid prior to submitting a DA. In consulting with TransGrid prior to submitting the DA, the following information must be provided.

1. Detailed specifications and plans drawn to scale and fully dimensioned, showing property boundaries and other relevant information. Survey plans must clearly identify TransGrid's easements; any high voltage transmission infrastructure located therein (including stanchions); and horizontal clearances;
2. Three dimensional CAD file of the development, preferably in 3D-DXF format; and
3. TransGrid will also require an *Impact Assessment* of the development on TransGrid's infrastructure and associated interests (including easements). Details of how any adverse impacts will be managed, mitigated or resolved must also be provided. The *Impact Assessment* form is contained in **Appendix A** of these guidelines.

Upon receipt of the abovementioned documentation, TransGrid will assess the proposed development in relation to its impact on TransGrid infrastructure, easements and means of access. For complicated proposals the consultation process will be comprehensive and the proponent should allow sufficient time for this process prior to lodgement of a DA (see *Timeframes* below).

General Development Proposal Guidelines

1. Prohibited Activities and Encroachments

A number of activities and encroachments are not permitted within the easement area. These are detailed in the "TransGrid Easement Guide" contained in **Appendix B** of these guidelines.

Any *Development Proposal* should be designed in such a way that:

- > It does not involve the listed activities, nor introduce the identified encroachments; and
- > Does not encourage other parties to undertake such activities or introduce such encroachments in the future.

2. Development

The Development Proposal should be planned taking into consideration the policy of "*prudent avoidance*" as identified by The Right Honourable Harry Gibbs Report (*Inquiry into Community Needs and High Voltage Transmission Line Development*).

This report placed recommendations on the design of new TL's having regard to their proximity to houses, schools, work sites and the like and is equally valid when considering new developments proposed in proximity to existing powerlines and associated easements.

The policy not only considers electrical safety risks it also takes into consideration Electric and Magnetic Field (EMF). The EMF strength rises from the easement edge to beneath the conductors and the most practical way to achieve *prudent avoidance* is to keep any development entirely outside the easement area.

If it is desired to place any part of a development within an easement the proponent shall, in conjunction with the *Development Proposal*, undertake an *Impact Assessment* (see **Appendix A**) to be provided to TransGrid that covers the changes in risk and mitigation measures proposed. General development requirements are listed in **Appendix C**.

Relocating Infrastructure and Interruption to Transmission

The development proponent will be liable for any costs involved in any agreed relocation of TransGrid infrastructure as part of any proposed development. Depending on how the development proposes to encroach on TransGrid's easement, an earthing study and earthing modifications may be required at the developer's expense. Further, the developer will also be liable for any costs and penalties incurred as a consequence of interruptions to TransGrid's transmission operations arising from the development, whether planned or inadvertent.

Post Construction Compliance Statement

The Development Proposal, as provided to TransGrid, must include as-built plans compliant with TransGrid's drawing management system of the final construction where approval of an encroachment is granted. The as-built drawings must be accurate, scaled and display distances/measurements, demonstrating compliance to the agreed plans and implementation of agreed control measures.

Timeframes

TransGrid will respond to a Local Council notification of a proposed development within 21 days as required in the SEPP, however that response may not be an approval (or disapproval). If the Development Proposal does not meet the requirements of these Guidelines, or in the event further detailed engineering analysis is required, TransGrid may require the Development Proposal to be revised and resubmitted or additional information will be sought.

Developers are advised to consider TransGrid's requirements early in the process as discussed and not as an afterthought that could result in project delays, including the future demolition of any prohibited construction works. To this extent, development proponents and their consultants are encouraged to contact and meet with TransGrid in the preliminary planning and design stages of the development in order to establish what restrictions and prohibitions apply and what, if any conditional encroachments can be accommodated.

Further Assistance

For any further development enquiry assistance please contact the Enquiries Services Coordinator:

Enquiries Services Coordinator	Telephone	(02) 9620 0104
	Mobile	0427 094 860
TransGrid Community Liaison Group	Phone	1800 222 537
	Email	community@transgrid.com.au
	Website	www.transgrid.com.au

Appendix A - Development Proposal Impact Assessment

Details of the Development

Street Address	
Land and Title References	
Encroachment and/or Proximity to Easement	
Development Proposal's Clearances to TransGrid's high voltage infrastructure	
Detailed plans of development attached	

Safety

Consideration	Yes/No (If Yes, please provide details and mitigation/resolution)
Are ground levels being changed within or in the vicinity of the easement? If so, by how much?	
Is any part of the development proposed within 30m of a transmission line structure or guy? If so, how close to the structure/guy?	
Will the development increase earth potential rise risk? (If unsure please consult with TransGrid Enquiries Services Coordinator.)	
Will the development contain metallic structures or services in the easement?	
Will the development result in voltages being transferred off the easement or bring remote earths onto the easement? (If unsure, please consult with TransGrid's Enquiries Services Coordinator.)	
Are public spaces or recreational areas proposed within or adjacent to the easement?	
Will the development encourage people to congregate and/or spend time within the easement or immediately adjacent thereto?	
Are structures with a height greater than 2.5m proposed on the easement?	
Will an Elevated Work Platform (EWP) be required to maintain any structures within the easement?	
Is infrastructure proposed that is a fire hazard, or that would encourage the storage or use of flammable material on the easement?	
Is infrastructure proposed that would require emergency workers (such as fire fighters) to come near, or their equipment to come onto or near high voltage conductors?	

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will the easement or the nature of the land in the vicinity of the easement, be altered in any way that would encourage prohibited encroachments to occur within the easement?	
Will access around any TransGrid structure be altered preventing EWPs, crane or other plant access? (Required for TransGrid maintenance purposes.)	
Will the development introduce other risks to maintenance staff when working within the easement?	
Will access to the easement be altered that would introduce risks to TransGrid personnel including, although not limited to, asset inspectors or patrol staff?	

Operations

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have any ground level developments been proposed (including roads, driveways, parking lots and turning bays etc) that would expose TransGrid transmission structures and lines to impact risk? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	
Will the development result in a change in water flows or drainage that could impact on the foundations or structural integrity of any TransGrid structure or guy-wire?	
Are excavations or surface activities proposed that would impact a TransGrid structure's foundations, stability or subterranean earthing systems? (If unsure please consult with the TransGrid Enquiries Services Coordinator.)	

Maintenance

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Have roads, driveways or landscaping been proposed that would prevent or hinder TransGrid maintenance, or increase maintenance costs, for the above or below ground components of the transmission line structure?	
Will access to the easement or within the easement, be obstructed, restricted or altered?	
Have access roads, bridges, crossings and the like been designed to cater for the weight and size of TransGrid maintenance plant (EWPs and Cranes)?	
Does the development encourage the placement of obstructions that would prevent access for routine or emergency works?	

Development Design & Construction

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Has the development been designed so that during the construction phase TransGrid is not restricted from undertaking normal maintenance and inspection activities?	
Has the development been designed so that during the construction phase prohibited activities or encroachments are not required in the easement area?	
Has the design health and safety risk assessment complied with the following WorkCover NSW instruments: • 'Work Near Overhead Power Lines' Code of Practice 2006; and/or • 'Work Near Underground Assets' Guide 2007?	

TransGrid's Rights

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Are TransGrid's existing access rights preserved, pursuant to the terms of the easement?	
Will TransGrid be exposed to new or higher maintenance costs (e.g. landscaping or other development changes impacting easement access, use and maintenance)?	
Does a new deed of easement need to be negotiated by the development proponent?	

Preservation of Easement for Access

Consideration	Yes/No (If Yes, please provide details and mitigation/ resolution)
Will TransGrid's <i>Easement for Access</i> be affected?	
Does a new <i>Easement for Access</i> need to be arranged by the development proponent, including to supersede an existing registered right of carriageway?	

Appendix B - Prohibited encroachments and activities

TransGrid will use its powers under the Electricity Supply Act, involve WorkCover or take other legal action as required to prevent or halt prohibited activities.

1. Transmission Lines

Activities and encroachments that are **prohibited** within a Transmission Line (TL) Easement include, but are not limited to (Note 2), the following:

- > The construction of houses, buildings, substantial structures, or parts thereof.
- > The installation of fixed plant or equipment.
- > The storage of flammable materials, corrosive or explosive material.
- > The placing of garbage, refuse or fallen timber.
- > The planting or cultivation of trees or shrubs capable of growing to a height exceeding 4 metres.
- > The placing of obstructions within 20 metres of any part of a transmission line structure or supporting guy-wire.
- > Camping or the permanent parking of caravans or other camping vehicles.
- > Public spaces or recreational areas which encourage people to spend time within or congregate within the easement.
- > The parking or storage of flammable liquid carriers or containers.
- > The installation of site construction offices, workshops or storage compounds.
- > Flying of kites or wire-controlled model aircraft within the easement area.
- > Flying of any manned aircraft or balloon within 60m of any structure, guy-wire or conductor.
- > Flying of remote controlled or autonomous aerial devices (such as UAVs) within 60m of any structure, guy-wire or conductor.
- > Placing any obstructions on access tracks or placed within the easement area that restricts access.
- > Any vegetation maintenance (such as felling tall trees) where the vegetation could come within the Ordinary Persons Zone – refer to the WorkCover NSW 'Work Near Overhead Power Lines' - Code of Practice 2006'.
- > Any substantial excavation within 15 metres of a pole or supporting guy-wire or guy foundation or within 20 metres of a tower
- > The climbing of any structure (any development that encourages or facilitates climbing will not be permitted).
- > Any change in ground levels that reduce clearances below that required in AS7000.
- > The attachment of any fence, any signage, posters, or anything else, to a structure or guy-wire.
Note: Interference to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The movement of any vehicle or plant between the tower legs, within 5m of a structure, guy-wire or between a guy-wire and the transmission pole.
Note: Any damage to electricity infrastructure is an offence under the *Electricity Supply Act 1995*.
- > The storage of anything whatsoever within the tower base or within 10m of any tower leg.
- > Any structure whatsoever that during its construction or future maintenance will require an Accredited person to access.
Note: The final structure may meet AS7000 clearances, but may be accessible (e.g. by EWP) by Ordinary Persons within the Ordinary Persons Zone.
- > Any work that generates significant amounts of dust or smoke that can compromise the TL high voltage insulation.
- > The erection of any structure in a location that could create an unsafe situation work area for TransGrid staff.
- > Burning off or the lighting of fires.

- > Any activity (including operation of mobile plant or equipment having a height when fully extended exceeding 4.3 metres) by persons not Accredited or not in accordance with the requirements of the WorkCover NSW 'Work Near Overhead Power Lines' Code of Practice 2006 that is within (Note 1):
 - 3m of an exposed 132kV overhead power line
 - 6m of an exposed 220kV or 330kV overhead power line
 - 8m of an exposed 500kV overhead power line

Note: Distances quoted are to the design conductor position (i.e. maximum sag and blowout)

The following activities may possibly be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Temporary parking of caravans and other large vehicles in the outer 3m of the easement area, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of flagpoles, weather vanes, single post signs, outdoor lighting, subject to a 4.3 metre height restriction and metallic parts being earthed.
- > The erection of non-electric agricultural fencing, yards and the like.

Note: Fencing that exceeds 2.5 metres in height or that impedes access would not be approved.

- > The erection of metallic fencing less than 2.5 metres in height providing that it is earthed, located more than 20 metres from any part of a transmission line structure or supporting guy and greater than 4 metres of the vertical projection of the overhead conductors.
- > The erection of electric fencing provided that the height of the fencing does not exceed 2.5 metres and provided that the fence does not pass beneath the overhead conductors.

Note: Approval may be given for a portable electric fence to pass underneath the conductors provided that it is supplied from a portable battery-powered energiser that is located remotely from frequented areas. Where it is necessary for a permanent electric fence to pass beneath the overhead conductors, or where an extensive permanent electric fencing system is installed in proximity to a transmission line certain additional safety requirements will be required.

- > The installation or use of irrigation equipment inside the easement.
NOTE: An irrigation system will not be approved if it is capable of coming within 4 metres of the overhead conductors; exceeds 4.3 metres in height; consists of individual sections of rigid or semi-rigid pipe exceeding 4.3 metres; is capable of projecting a solid jet of water to within 4 metres of any overhead conductors; requires fuel to be stored within the easement; and/or requires an outage of the transmission line for its operation.

- > The installation of low voltage electricity, telephone, communication, water, sewerage, gas, whether overhead, underground or on the surface.

Note: Services that do not maintain standard clearances to the overhead conductors that are within 15 metres from the easement centre-line, 20 metres from any part of a transmission line supporting structure or are metallic and within 30 metres of any part of a structure will not be approved. TransGrid may impose additional conditions or restrictions on proposed development.

- > The installation of high voltage electricity services, subject to there being no practicable alternative and provided the standard clearances are maintained to the supporting structures.

Note: Where extensive parallels are involved certain additional safety requirements may be imposed by TransGrid, depending on the particular case and engineering advice.

- > Swimming pools, subject to TransGrid's strict compliance criteria.

Note: Above ground pools will not be approved. In-ground pools will not be approved if there is a practicable alternative site clear of the easement area. If there is no practical alternative site, in-ground

pools including coping will not be approved if it encroaches more than 4.5 metres, or is less than 30 metres away from a transmission line structure. A site specific assessment by TransGrid is required.

- > Detached garages, detached carports, detached sheds, detached stables, detached glass houses, caravans, site containers, portable tool sheds, pergolas and unroofed verandahs attached to residences on the outer 3 meters of the easement only.

- > Prefabricated metal (garden) sheds. TransGrid approved sheds must be earthed.

Note: Sheds exceeding 2.5 metres in height, with a floor area exceeding 8m², encroaching more than of up to 3 metres or within 30 metres of any part of a transmission line structure will not be approved. Connection of electric power will not be approved.

- > Single tennis courts.

Note: Tennis courts that hinder access are for commercial use or do not provide adequate clearances shall not be approved.

- > Subdivisions. See **Appendix C** requirements.

- > Roads, carparks, cycleways, walking tracks and footpaths on the outer part of the easement or as a thoroughfare across the easement, subject to horizontal and vertical clearances. Restrictions and other conditions on consent may also apply. These will not be approved when located within:

- 20 metres of any part of a transmission line structure
- 10 metres of the centre-line of a transmission line 132kV and below
- 17 metres of the centre-line of a transmission line above 132kV

Note: Roads and pathways that cross the transmission line as a thoroughfare may be permitted. Where it is proposed that a road passes within 30 metres of a transmission structure or supporting guy, TransGrid may refuse consent or impose restrictions and other conditions on consent. Where a road passes within 30 metres of a transmission structure or supporting guy, the structure's earthing system may require modification for reasons including, but not limited to, preventing fault currents from entering utility services which may be buried in the road. The option of raising conductors or relocation of structures, at the full cost to the proponent, may be considered.

- > Excavation – subject to restriction criteria.

Note: Substantial excavations located within 20 metres of any part of a steel tower or pole structure and exceeding a depth 3 metres will not be approved.

- > Quarrying activities, earthworks, dam or artificial lake construction.
- > Mining. Approval would be based on the merits of the proposal and any related circumstances.
- > Use of explosives.

Note 1: An encroachment or activity that is located outside the prohibited distance of the infrastructure but still within the easement will not necessarily be permitted. It will generally need to be addressed in the Impact Assessment and remains subject to TransGrid prior consent.

Note 2: The above list is not exhaustive and if there is any uncertainty as to whether an activity or encroachment is acceptable within an easement, please contact TransGrid. TransGrid may impose additional conditions or restrictions on proposed development.

2. Cables

The location of TransGrid's subterranean infrastructure and associated easements includes, but is not limited to, beneath private freehold and strata land as well as public roadways and railways etc. All development proposed within immediate proximity of TransGrid's subterranean infrastructure, including high voltage cables, stratum tunnels and conduits, must undertake a *Dial Before You Dig* search of any land where development is proposed, including roads adjoining a development site where subterranean services are proposed to be installed. The activities listed below are prohibited within cable easements:

- > The storage of flammable liquids or explosives
- > The planting or cultivation of trees or shrubs with extensive root systems
- > The construction of houses, buildings or substantial structures
- > The installation of fixed plant or equipment
- > The placing of garbage, refuse or fallen timber
- > Boring directly over the cable lay (eg. the installation of fencing or safety railing)
- > The raising or lowering of existing ground surface levels
- > Any excavation within 2m of an underground cable.

The following activities may be approved with conditions. TransGrid's prior written consent is required. The proponent will have to demonstrate (using the Impact Assessment process) that the risks associated with the activity have been satisfactorily mitigated.

- > Parking of vehicles

Note: Parking will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, risking the crushing of the cable/ducts or erosion of the ground

- > The operation of mobile plant and equipment

Note: Such operations will be prohibited if the surface is not capable of supporting the vehicles likely to be parked, whereby risking the crushing of the cable/ducts or erosion of the ground

- > The erection of structures spanning the easement
- > Excavation
- > Concrete driveways
- > The installation of metallic pipes, fences, underground or overhead cables and services
- > Road-boring within approved distances of a high voltage cable.

Where TransGrid's prior written consent has been granted to undertake work near an easement and related subterranean infrastructure, including the tunnels and conduits that accommodate our high voltage transmission line cables, all works must be undertaken in accordance with the WorkCover NSW 'Work Near Underground Assets' Guide 2007. Further, all development works must comply with the TransGrid guidelines for subterranean infrastructure referring to the document titled "*Requirements for Working In the Vicinity of TransGrid Underground Cables*".

Appendix C - General Requirements for Developments and Subdivisions

The following list of current general requirements is provided for your information. It should be noted that the list is not exhaustive and, where there is any doubt concerning a particular activity within the easement area advice should be sought from TransGrid.

1. Completed Works

The completed works shall provide for the following considerations:

- > A safe unobstructed working platform shall be preserved around the transmission line structures for access by EWP, cranes as well as other large plant and equipment. No obstructions of any type shall be placed within 30 metres of any part of a transmission line structure.
- > Roads, streets etc (including kerb to property boundaries) and intersections shall not be located within 30 metres of any TL structure.
- > Developments must meet the clearances requirements set out in AS7000 between their finished level and the conductor at its maximum operating temperature.
- > Proposed roadway locations shall also take into consideration any street lighting requirements to ensure that statutory clearance requirements are followed. The design clearances should include future maintenance safety issues. TL outages will not be provided for street light maintenance. Access to the TL and its structures shall be available at all times for TransGrid plant and personnel. In this regard a continuous and unobstructed access way shall be retained along the easement.
- > Where fences are required for security purposes access gates will be installed in an agreed location and a TransGrid lock will be fitted.
- > Application of “prudent avoidance” in relation to electric and magnetic fields should always be observed.
- > No increase in earth potential rise risks.
- > All underground services installed more than 20 metres but within 30 metres of a TL structure shall be non-metallic. Utility services (including street lighting), whether above or below ground, shall not be installed without prior written approval of TransGrid.
- > Excavation work or other alterations to existing ground levels shall not be carried out within the easement area without the prior approval of TransGrid. Approval will not normally be granted for such work within 20 metres of any supporting structure.
- > Boundaries for new subdivided properties should not be located within the easement.
- > Fenced boundaries for all new properties in the subdivision shall not be within 30 metres of any TL structure.
- > A “Restriction-as-User” (88B Instrument) shall be placed on the titles of any created lots that may become affected by a TL easement. Any proposed activity within an easement area will require the prior written approval of TransGrid (appropriate wording will be advised when required).
- > Any proposed development must not impact on TransGrid’s costs of inspecting, maintaining or reconstruction of the transmission lines.
- > In order to comply with its statutory responsibilities to maintain adequate clearance between the conductors and any forms of vegetation, TransGrid maintains its easements as follows:
 - Tall growing species likely to infringe safe clearances are to be removed regardless of existing height at time of construction.
 - Trees likely to fall onto conductors or towers are also to be removed whether on the easement or off the easement (ref. Sec 48 of the Electricity Supply Act 1995).

- Shrubs and other vegetation of lower mature height within the easement will be reduced and managed, generally by slashing with ground level retained.
- Vegetation management will aim to reduce available fuel and subsequent bushfire risks in accordance with NSW Rural Fire Service Bush Fire Environmental Assessment Code that sets out the requirements for hazard reduction strategies such as Asset Protection Zones and Strategic Fire Advantage Zones.
- Removed vegetation will be mulched or chipped and removed from site or retained on site in accordance with owner/stakeholder requirements.
- Other works considered necessary in order to provide a safe working environment for maintenance staff, contractors and for the property owner/manager will be undertaken.

Proposed vegetation plantings, such as Riparian corridors, within the transmission line easements shall be compatible with the above maintenance requirements and must consider on-going vegetation control.

2. Construction

During construction, the development plans shall also provide for the following considerations:

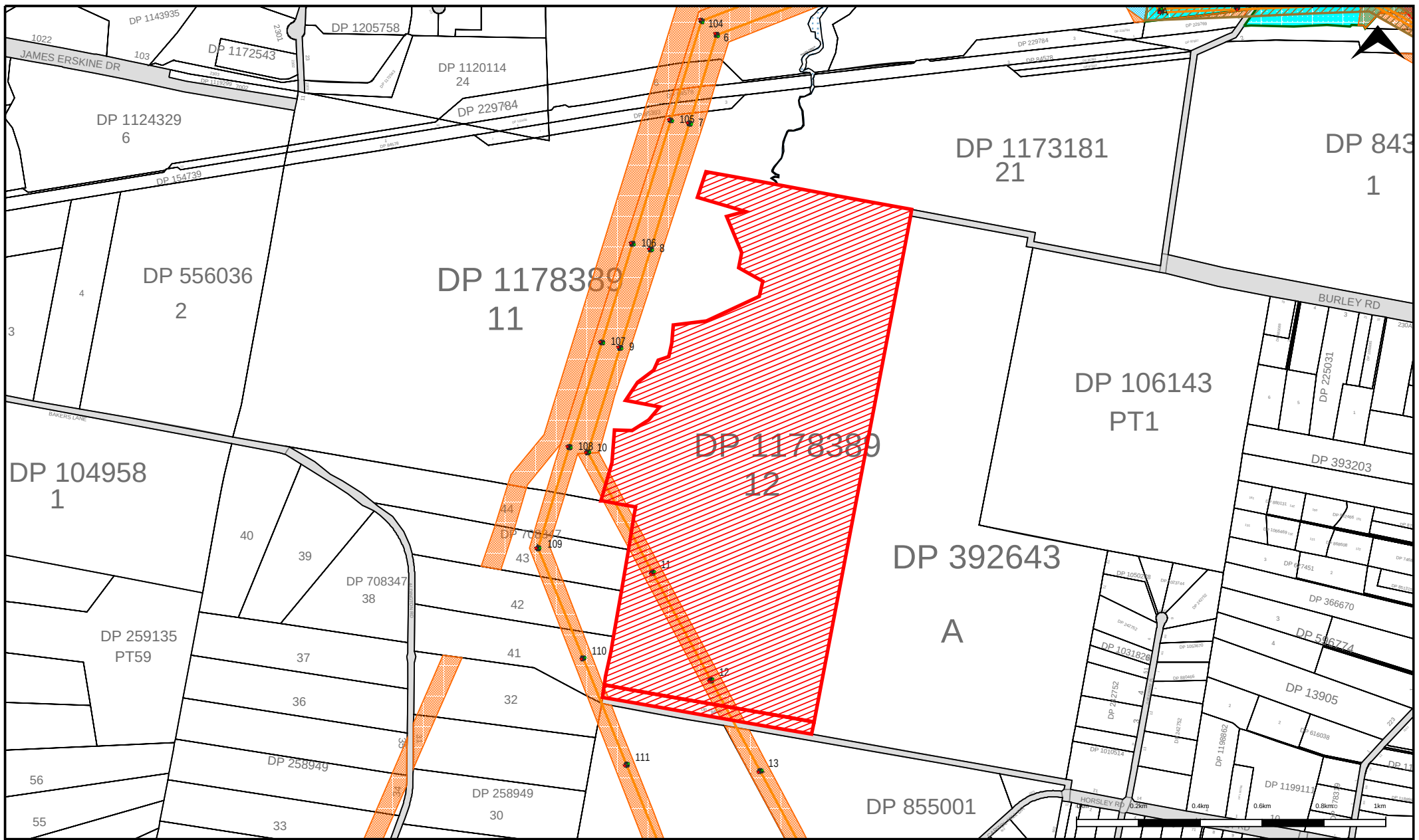
- > Vehicles, plant or equipment having a height exceeding 4.3 metres when fully extended shall not be brought onto or used within the easement area without prior TransGrid approval.
- > Where temporary vehicular access or parking (during the construction period) is within 16 metres of a transmission line structure, adequate precautions shall be taken to protect the structure from accidental damage. Plans need to be submitted to TransGrid for prior approval.
- > The easement area shall not be used for temporary storage of construction spoil, topsoil, gravel or any other construction materials.

3. Costs

The Developer shall bear all costs of any specialist design studies, TransGrid supervision, reconstruction or modification of the transmission line and its components, including consultation and design required to maintain clearances due to proposed ground level changes; road crossings within the easement; or due to any damage to the TL arising from the development.

Example of the Required Working Platform for Transmission Tower Maintenance





Legend

Structure
 TransGrid Land Interest

TransGrid Proposal
 TransGrid Easement

TransGrid Easement
 TransGrid Easement



SSD 6917 – Oakdale South Industrial Estate

TL – Syd Sth – Syd West No 1 330KV (Fdr 30 Str 10-13 & Fdr 14 str 110 – 111)

Property of Transgrid. No warranty is given that information shown is complete or accurate.

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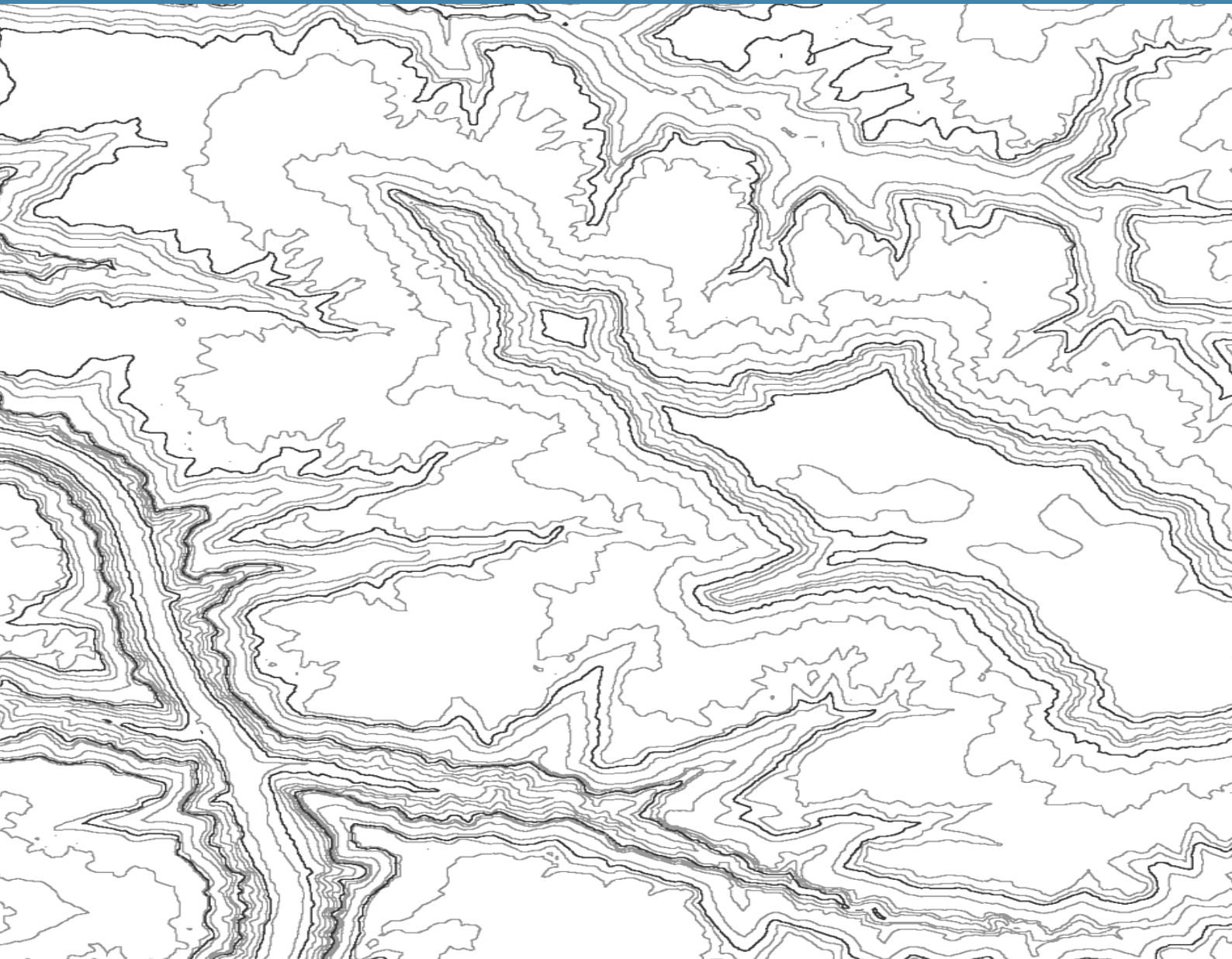
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Response to Submissions Oakdale South Estate

SSDA 15_6917

Prepared for Goodman Limited

May 2016



UAS
Urban Advisory Services

Response to Submissions

SSDA Ref. 15_6917

Oakdale South Estate

Client:

Goodman Limited

ABN: 69 000 123 071

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1.0 Introduction

1.1 Background

On 17th September 2015 an Environmental Impact Statement (EIS) and supporting documentation was submitted to NSW Planning and Environment (NSW P&E) with respect to a State Significant Development Application (SSDA, ref. 15_6917) for the staged development of the Oakdale South Estate (OSE). The SSDA, originally lodged in March 2015 seeks consent for a Concept Proposal for the Estate and Stage 1 of the development comprising:

- Estate Works for the entire OSE;
- The construction and use of buildings in Precincts 1, 4 and 5 for generic ‘warehousing and distribution’ uses with 24/7 operation.

In November 2015, the application package was placed on public exhibition until 7th February 2016. Following the close of the public exhibition period, NSW P&E requested that the applicant – Goodman Limited (Goodman) provide a response to the submissions received. This report comprises a formal response to the issues raised in relation to the public exhibition of the proposal and during subsequent discussions and consultation undertaken with respect to the application. The report is referred to as a Response to Submissions (RTS) and summarises the issues raised by various interested parties as well as responses by the applicant including documentation of any proposed changes and refinements to the project as exhibited.

1.2 The Revised OSE Proposal

The proposed development of the OSE seeks to establish a regional warehouse and distribution hub that would ultimately operate as part of an integrated and synergistic network of custom designed, state of the art facilities incorporating all of the Oakdale Estate lands within the Western Sydney Employment Area (WSEA). The proposal as exhibited and as revised in response to issues raised is described in Table 1 with amended elements indicated in red type.

Table 1 – Summary of Proposed OSE SSDA as Exhibited and Revised

OAKDALE SOUTH ESTATE – CONCEPT PROPOSAL		
Concept Proposal	Exhibited Concept Proposal	Revised Concept Proposal
General	– Staged development for a regional ‘warehousing and distribution’ hub. – State Significant Development pursuant to SRD SEPP. – CIV - \$218 million – 1,500-2,000 jobs – Total of 395,880m² of warehousing/industrial GFA.	– Staged development for a regional ‘warehousing and distribution’ hub. – State Significant Development pursuant to SRD SEPP. – CIV - \$218 million – 1,500-2,000 jobs – Total of 395,880m² of warehousing/industrial GFA.
Proposal	– Regional ‘warehousing and distribution’ hub. – 24 hours per day, seven days per week operation. – Access via connection to Milner Avenue. – Indicative lot layout, site levels, concept stormwater drainage and internal road network. – Trunk infrastructure and services connections.	– Regional ‘warehousing and distribution’ hub. – 24 hours per day, seven days per week operation. – Access via connection to Milner Avenue. – Indicative lot layout, site levels, concept stormwater drainage and internal road network. – Trunk infrastructure and services connections.

OAKDALE SOUTH ESTATE – CONCEPT PROPOSAL		
Indicative Development Figures	– Site Area – 117ha – Developable Area – 70.28ha – Non-Developable Area – 35.85ha – Riparian and Biodiversity Offset Area – 34.04ha – Development Precincts – 6 – Development Stages - 3 – Warehouse GFA – 376,295m² – Office GFA – 19,585m² – Building Envelopes – 15	– Site Area – 117ha – Developable Area – 70.28ha – Non-Developable Area – 35.85ha – Riparian and Biodiversity Offset Area – 34.04ha – Development Precincts – 6 – Development Stages - 3 – Warehouse GFA – 376,295m² – Office GFA – 19,585m² – Building Envelopes – 15
Planning and Development Controls	– Zoned IN1 – General Industry and E2 – Environmental Protection under <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i> (WSEA SEPP). – Maximum building height – 15m – Site Coverage – 65% – Landscaped setback to regional roads to be average of 10m. – Landscaped setback to local roads to be average of 7m. – Car Parking – 1 space per 300m² for warehousing, 1 space per 75m² for industry.	– Zoned IN1 – General Industry and E2 – Environmental Protection under <i>State Environmental Planning Policy (Western Sydney Employment Area) 2009</i> (WSEA SEPP). – Maximum building height – 15m – Site Coverage – 65% – Landscaped setback to regional roads to be average of 10m. – Landscaped setback to local roads to be average of 7m. – Car Parking – 1 space per 300m² for warehousing, 1 space per 75m² for industry.
Staging	– Three development stages to be implemented in line with infrastructure delivery and market demand.	– Three development stages to be implemented in line with infrastructure delivery and market demand.
OAKDALE SOUTH ESTATE – STAGE 1 DEVELOPMENT		
Element	Stage 1 Proposal – Exhibited	Stage 1 Proposal - Revised
General	– Estate Works across entire OWS including site preparation, fill importation, bulk and detailed earthworks, infrastructure and services. – Construction and use of eight warehouse buildings in Precinct 1, 4 and 5. – Total Warehouse GFA – 224,060m² – Total Ancillary Office GFA – 13,931m² – Total Stage 1 GFA – 237,991m² – Total parking spaces – 1,249	– Estate Works across entire OWS including site preparation, fill importation, bulk and detailed earthworks, infrastructure and services. – Construction and use of eight warehouse buildings in Precinct 1, 4 and 5. – Total Warehouse GFA – 224,060m² – Total Ancillary Office GFA – 13,125m² – Total Stage 1 GFA – 237,185m² – Total parking spaces – 1,249
Subdivision	– Staged subdivision of site alongside infrastructure and services delivery. – Indicative subdivision layout to include four development lots, four biodiversity offset lots, one Estate Road lot, one Regional Road lot, four detention basin lots and one services lot.	– Staged subdivision of site alongside infrastructure and services delivery. – Indicative subdivision layout to include four development lots, four biodiversity offset lots, one Estate Road lot, one Regional Road lot, four detention basin lots and one Potential Services Lot.

OAKDALE SOUTH ESTATE – CONCEPT PROPOSAL		
Earthworks	– Bulk and detail earthworks across entire estate including site preparation, fill importation, grading and benching. – Importation of 1,007,000m³ of fill over three stages. – Realignment of drainage line.	– Bulk and detail earthworks across entire estate including site preparation, fill importation, grading and benching. – Importation of 1,007,000m³ of fill over three stages. – Realignment of drainage line.
Precinct 1	– Site Area – 18.79ha – Five warehouse buildings. – Warehouse GFA – 99,000m² – Ancillary Office GFA – 5,739m² – Total Precinct 1 GFA – 104,739m². – Parking – 591 spaces.	– Site Area – 18.81ha – Five warehouse buildings. – Warehouse GFA – 99,000m² – Ancillary Office GFA – 5,739m² – Total Precinct 1 GFA – 104,739m². – Parking – 591 spaces.
Precinct 4	– Site Area – 9.45ha – Three warehouse buildings. – Warehouse GFA – 45,150m² – Ancillary Office GFA – 3,912m² – Total Precinct 4 GFA – 49,062m² – Parking – 332 spaces.	– Site Area – 9.45ha – Three warehouse buildings. – Warehouse GFA – 45,150m² – Ancillary Office GFA – 3,106m² – Total Precinct 4 GFA – 48,256m² – Parking – 332 spaces.
Precinct 5	– Site Area – 14.01ha – One warehouse building. – Warehouse GFA – 79,910m² – Ancillary Office GFA – 4,280m² – Total Precinct 5 GFA – 84,190m² – Parking – 326 spaces.	– Site Area – 14.01ha – One warehouse building. – Warehouse GFA – 79,910m² – Ancillary Office GFA – 4,280m² – Total Precinct 5 GFA – 84,190m² – Parking – 326 spaces.

It is noted that the minor changes to GFA noted in the table above do not result from changes to the design or layout of the proposal as exhibited. Rather, these changes rectify slight discrepancies highlighted by NSW P&E in its submission following review of the SSDA documentation. The discrepancies resulted from a final design iteration which was not captured in certain parts of the EIS. These corrections result in no material change to the characterisation of the project or the potential impacts and are made for the purposes of accuracy and consistency.

The amendment to the description of the subdivision layout of the site to change the 'Services Lot' to a 'Potential Services Lot' seeks to embed greater flexibility in the Concept Proposal should the proposed Services Lot not be required for service infrastructure. The future of this lot would be subject to further consultation with relevant utility providers.

In addition to the minor changes to the project highlighted in Table 1, certain other changes have been made to the proposal in response to issues raised during the exhibition period. These changes include:

- Minor realignment of Estate Road 03 in the east of the Estate to better connect with the approved Concept Plan on the adjoining Jacfin Estate (refer to plans at Appendix B);
- Construction of a noise wall along the southern boundary of the site and along part of the eastern site boundary to mitigate potential for noise impacts on adjoining properties (Refer to Plans at Appendix C and Appendix D);
- Increased landscaping along the southern and eastern site boundaries to better screen the development from surrounding rural-residential and potential rural-residential lands (refer to revised Landscape Plans at Appendix D);

- Minor reconfiguration of layout of Precinct 1 to relocate rainwater tanks and delete a proposed sign as shown in the plans at Appendix E;
- Amendment to remove the intent to dedicate detention basins to Council.

To reflect the changes to the proposal as described above, revised plans are submitted for inclusion in the final SSDA package as identified in Table 2.

Table 2: Revised Plans

OAKDALE SOUTH ESTATE – REVISED SSDA PLANS/DRAWINGS		
Plan Reference	Description	RTS Reference
14-193 SKC195 Issue P2, 20/04/2016 14-193 SKC197 Issue P1, 19/04/2016	Civil Drawings – Revised Estate Road 03 Alignment	Appendix B
N/A	Sections – Noise Walls	Appendix C
SS13-3057 002 Version C, 20/04/2016 SS13-3057 003 Version C, 20/04/2016 SS13-3057 004 Version C, 20/04/2016	Landscape Plans Southern and Eastern Boundary Treatment	Appendix D
OAK 1A DA 10 (K) (18/04/2016) OAK 1A DA 11-12 (E) (18/04/2016) OAK 1A DA 13-19 (D) (18/04/2016) OAK 1B DA 10 (K) (18/04/2016) OAK 1B DA 11-12 (E) (18/04/2016) OAK 1B DA 13-19 (D) (18/04/2016) OAK 1C DA 10 (K) (18/04/2016) OAK 1C DA 11-12 (E) (18/04/2016) OAK 1C DA 13-19 (D) (18/04/2016)	Precinct 1 Site Layout Lot 1A, 1B and 1C Site Layout, Floor Plans, Elevations and Sections	Appendix E

In addition to the revised drawings provided for inclusion in the final SSDA package, a number of technical supporting studies have been revised to provide further detail as requested by NSW P&E following the exhibition period. These documents form part of the final SSDA package and are included with this RTS as detailed in Table 3.

Table 3 – Additional Supporting Documents

OAKDALE SOUTH ESTATE – ADDITIONAL SUPPORTING DOCUMENTS		
Document Title	Prepared By	Reference
Engineering Drawings – SLR Alignment	AT&L	Appendix F
Indicative Zone Boundary Realignment	SBA	Appendix G
Visual Impact Assessment	E8Urban	Appendix H
Noise Impact Assessment - Addendum A	SLR Consulting	Appendix I
Flood Report/Modelling – Addendum A	Cardno/AT&L	Appendix J
Stage 2 Contamination Report	AECOM	Appendix K
Quantity Surveyor Report	Mullens	Appendix L

OAKDALE SOUTH ESTATE – ADDITIONAL SUPPORTING DOCUMENTS		
Re-drafted Development Controls	UAS	Appendix M
Water Sensitive Urban Design Report	AT&L	Appendix N
Assessment against NOW Guidelines	AECOM	Appendix O
Revised VPA Plan	Goodman	Appendix P
Response to Engineering Issues	AT&L	Appendix Q
Consolidated Mitigation Measures	UAS	Appendix R
Correspondence – Utility Providers	Various	Appendix S

The revised OSE proposal also incorporates certain additional or amended mitigation and measures to manage potential impacts and issues in response to certain matters raised in relation to the proposal. A final consolidated table of mitigation and management measures for the project is provided at Appendix R with the key additional measures proposed summarised in Table 4.

Table 4 – Revised/Additional Mitigation Measures

OAKDALE SOUTH ESTATE – ADDITIONAL MITIGATION AND MANAGEMENT MEASURES	
Issue	Management/Mitigation
Visual Impacts	– Additional landscape planting to be introduced along the southern and eastern boundaries of the OSE to mitigate visual impacts on existing and proposed rural residential lands to the south and east of the site. – Landscaping of this boundary to be undertaken in accordance with the revised landscape plans included at Appendix D to the RTS. – Landscaping of the southern and eastern site boundaries to be implemented in the early stages of the development to maximise time for vegetation to mature as development on the site progresses. – Adoption of a colour pallet for exposed building elevations that compliments the natural colours of the surrounding landscape and inclusion of provisions with respect to the use of this pallet in the development controls for the site.
Noise Impacts	– Construction of a five metre noise barrier on the retaining wall along the southern site boundary and along part of the eastern site boundary to the extent of the proposed rural-residential lands to mitigate potential noise impacts. The noise wall would be constructed behind the landscape setbacks to the southern and eastern boundaries. – Assessment of future fixed plant to ensure specifications minimise noise emissions or apply local attenuation to manage potential noise impacts.

The inclusion of these additional mitigation measures will ensure that the concerns of surrounding landowners with regard to potential visual and noise impacts are adequately addressed and that the development of the OSE represents a positive element in the transitioning environment of the WSEA.

The further information provided, the design amendments made and the additional mitigation measures incorporated into the project as documented in this RTS effectively resolve the key issues raised through the exhibition process and demonstrate Goodman's commitment to the successful delivery of the OSE.

1.3 Purpose and Structure

This document is the RTS for SSD 15_6917 and provides a formal response by the applicant to the issues raised during the public exhibition of the SSDA for OSE. The report includes a summary of the submissions received, the key issues raised and details the applicant's response to these issues in terms of clarification and explanation, design changes, mitigation and management measures and/or further technical studies. The report is structured as follows:

- Section 2 – Exhibition and Submissions
- Section 3 – Summary of Issues
- Section 4 - Key Issues
- Section 5 – Conclusions and Recommendations

2.0 Exhibition and Submissions

2.1 Summary of Consultation

The OSE proposal forms part of the staged development and operation of the broader 'Oakdale Estate' lands, covering over 400 hectares of land at the south-western extent of the WSEA. The OSE is the second of four Oakdale estates to be planned and developed, with the Oakdale Central Estate to the north of the OSE currently under development in accordance with an approved Concept Plan and project/development approvals.

As part of the long-term process of strategic planning for these lands, Goodman has participated in an extensive and ongoing dialogue with key relevant State and local agencies and authorities with regard to its plans for the future development of the OSE. This program of consultation, undertaken over a number of years, has allowed for an iterative and considered approach to the planning of the Estate which is reflected in the generally positive response received from key agencies in relation to strategic issues such as access, servicing and infrastructure including NSW Roads and Maritime Services (RMS), Sydney Water, Transport for NSW and Endeavour Energy and core environmental issues including NSW Office of Water (NOW) and NSW Environment Protection Authority (EPA).

Goodman has also initiated a number of meetings and discussions with Penrith City Council (PCC) as the relevant local government authority with regard to the proposed development of these lands and has incorporated feedback from these discussions into the design process wherever practicable.

Consultation with adjoining landowners was initiated through letters sent to surrounding properties in the lead up to the lodgement of the EIS informing them of the upcoming public exhibition process and inviting comment via this process. A number of submissions were received in response to the exhibition and are considered in the following sections of this report. Following the exhibition period, Goodman initiated meetings with adjoining landowners including the owners of the Jacfin Estate and the owners of rural-residential lands to the south of the site at Horsley Park to further discuss key issues and concerns.

2.2 Agency/Organisation Submissions

Key State and local government authorities and agencies were formally invited to make comment on the OSE proposal and provided with a copy of relevant documentation for review. In response to this consultation, a total of 14 submissions were received from government agencies/authorities. A further two submissions were received from organisations as summarised in Table 5.

Table 5 – Summary of Agency/Organisation Submissions Received

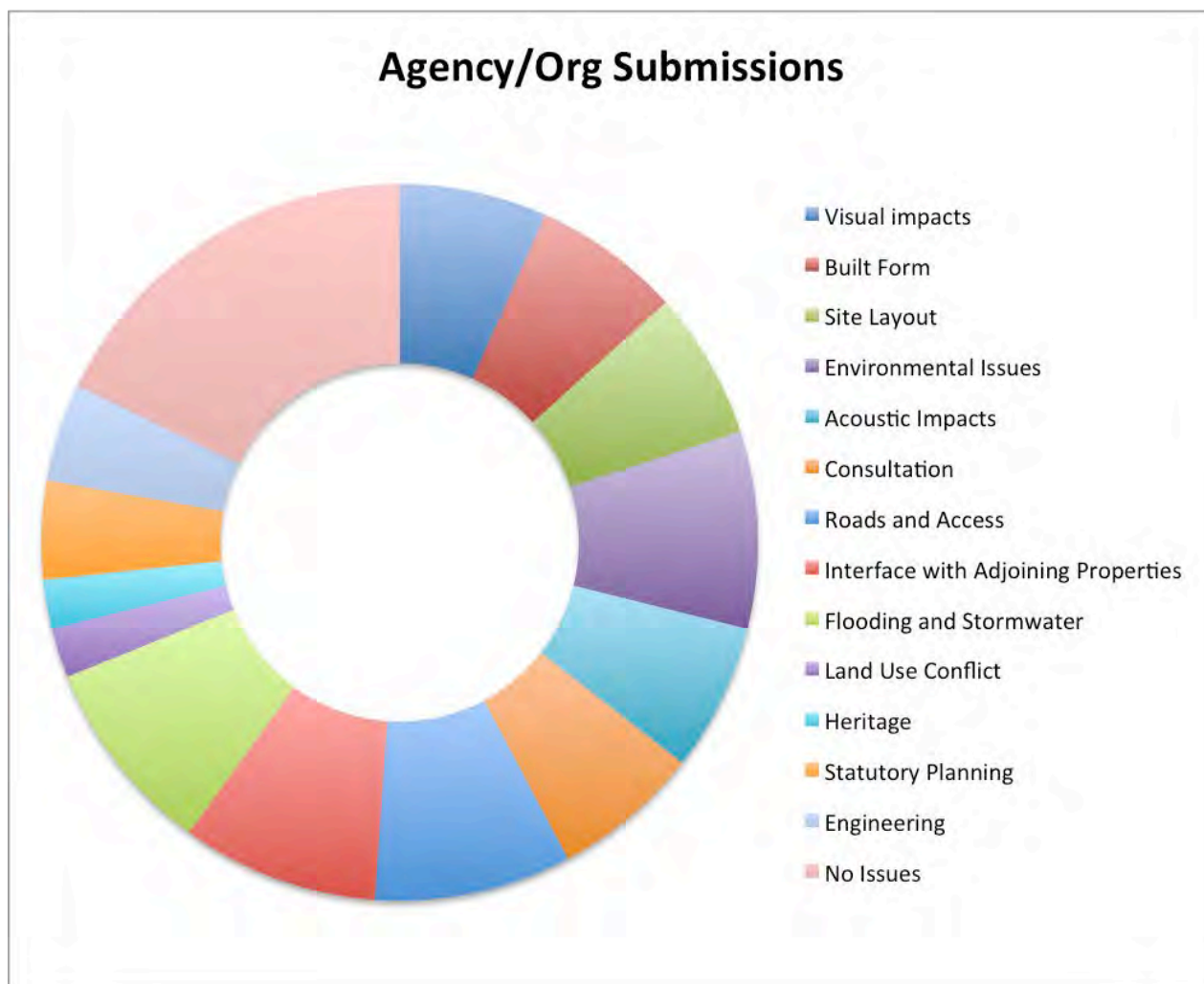
SUBMITTED BY	AGENCY/ORGANISATION	OBJECTION / COMMENT
Blacktown City Council	Local Government	Comment
Department of Industry	State Government	Comment
Department of Primary Industries	State Government	Comment
Endeavour Energy	Utility Provider	Comment
Environment Protection Authority	State Government	Comment
Fairfield City Council	Local Government	Comment
SJH Planning and Design (x 2)	Private Company	Objection
NSW Heritage Division	State Government	Comment
Jacfin Pty Ltd (x 2)	Private Company	Objection
Office of Environment and Heritage	State Government	Comment
Penrith City Council	Local Government	Comment
Roads and Maritime Services	State Government	Comment
Sydney Water	Utility Provider	Comment
Transgrid	Utility Provider	Comment
Transport for NSW	State Government	Comment
Water NSW	Utility Provider	Comment

The key issues raised in the agency/organisation submissions included:

- The inconsistency of the proposed alignment of the SLR with that currently adopted under *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP) (Transport for NSW (TfNSW));
- The potential impacts of the proposal on the realigned creek and alignment of the proposal with NOW guidelines (Department of Primary Industries (DPI));
- The potential visual impacts of the proposed development on surrounding lands (SJH/Jacfin/Fairfield City Council (FCC));
- The interface with the adjoining Jacfin site and connections to and through this property (Jacfin/SJH/FCC);
- The potential acoustic impacts of the proposed development on surrounding lands (SJH/Jacfin/FCC);
- Lack of consultation by NSW P&E with FCC and Fairfield residents;
- Potential flooding impacts within Fairfield Local Government Area (LGA).

A detailed review of the issues raised in the submissions and applicant responses is provided in the table at Appendix A. The range and frequency of issues raised in these submissions is shown in Figure 1.

Figure 1: Summary of Issues Raised by Agencies and Organisations



In relation to the responses received from agencies and other organisations, the following key points are made:

- With the exception of FCC, no other government agencies/authorities raised significant objection to the proposal;
- Key utility providers confirmed that arrangements for servicing of the development were adequate and acceptable (refer to correspondence at Appendix S for further clarification);
- Key State and local road authorities (NSW RMS and PCC) had no material objection to the proposed access arrangements or road network design as detailed in the SSDA.
- Issues raised by Jacfin and SJH in relation to the proposed SLR alignment do not recognise that the alignment proposed under the OSE SSDA addresses a fundamental conflict between the existing alignment and the Concept Plan approved on the Jacfin Estate. Currently, the adopted SLR alignment encroaches on approved building footprints on the Jacfin site and would result in the sterilisation of part of the Estate. The proposed alignment rationalises this issue, resulting in a layout which is consistent with the approved Jacfin Concept Plan and minimises the loss of developable land for both Goodman and Jacfin. This issue is further addressed in Section 3.2 of this report.
- Issues related to the recommendations of the Planning Assessment Commission (PAC) and the recently submitted Jacfin Planning Proposal are addressed in Section 3.3 of this report.
- All issues raised in objection to the proposed development were related to amenity for surrounding landowners (visual, interface and acoustic issues) which can be effectively addressed through design responses and/or mitigation measures as outlined in this report.

Based on review of the submissions received from agencies and organisations in relation to the OSE proposal, it is concluded that there are no fundamental issues with the proposal that would result in an impediment to its approval. The responses outlined in this report and relevant attachments adequately address all issues raised in these submissions.

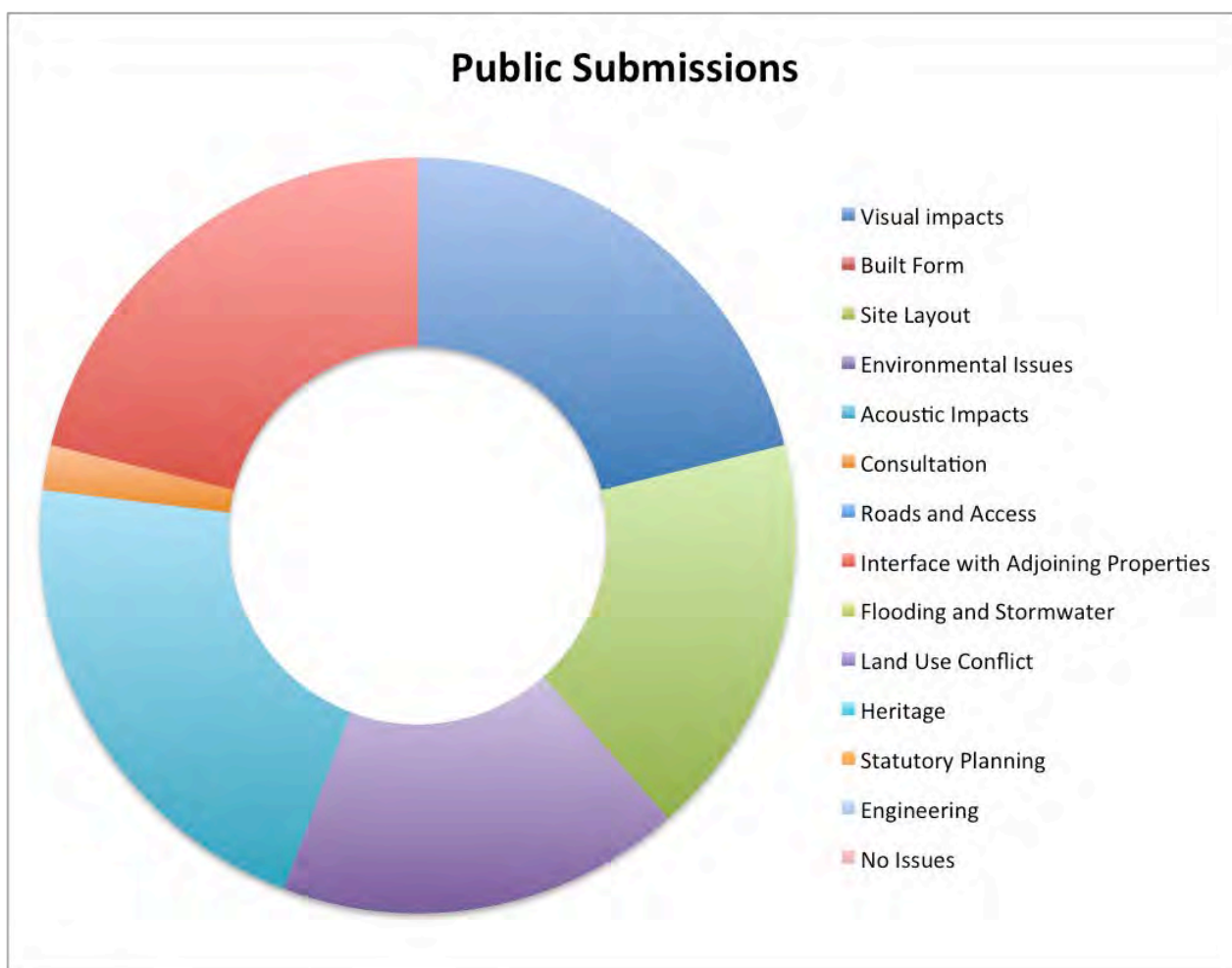
2.3 Public Submissions

In response to the public exhibition of the OSE proposal, a total of 12 submissions were registered on the NSW P&E website. With the exception of one, the submissions made from the public were in a proforma format, signed by various residents of the Horsley Park area. Two of the registered submissions were made by the same resident. The key issues raised in the public submissions were:

- Visual impacts on surrounding landowners;
- Setbacks and landscaping;
- Air quality impacts, particularly during construction;
- Acoustic impacts with particular regard to 24/7 operations;
- Interface with and response to adjoining Jacfin property and Planning Assessment Commission (PAC) recommendations with regard to the Jacfin Concept Plan;
- Consultation with landowners.

A detailed account of the issues raised in public submissions and the applicant's response is provided in Appendix A and a summary of the issues raised in public submissions is provided in Figure 2.

Figure 2: Summary of Issues Raised by Public Submissions



The issues raised in the public submissions were principally related to potential visual and noise impacts. These impacts have been further investigated in additional studies commissioned by the applicant and appropriate mitigation measures have been incorporated into the project to ensure that potential impacts are managed at acceptable levels.

Based on the findings of these further studies, it is concluded that issues related to visual and noise impact can be effectively mitigated and there are no fundamental issues that would result in an impediment to its approval.

The detailed responses outlined in this report adequately address all issues raised in the submissions received from the public.

2.4 Summary of Findings

The applicant has undertaken a detailed review of the submissions received in relation to the exhibition of the OSE SSDA. A total of 27 submissions were received comprising:

- 10 proforma submissions made by members of the public objecting to the proposal;
- One additional submission made by a member of the public objecting to the proposal;
- 14 submissions made by government agencies including State and local agencies/authorities and utility providers of which one objected and 13 made comments;
- Two submissions made by organisations objecting to the proposal.

Of the submissions received, approximately 50% objected to the proposal and 50% made no objection. Significantly, of the government agency/authority submissions received only one raised objection to the proposal, with 93% of submissions raising no objection.

The issues raised in the submissions can be categorised into 14 main areas as detailed in Table 6.

Table 6 – Issues Raised in Submissions

CATEGORY	ISSUES RAISED	FREQUENCY
Amenity	– Visual impacts – Acoustic impacts – Landscaping	14
Design	– Built Form – Setbacks – Landscaping – Access/road alignment/connections	15
Environmental	– Vegetation and ecology – Air and water quality – Heritage	4
Engineering	– Flooding and Stormwater – Road design – Servicing	6
Statutory Planning	– Land use – Zone boundaries – WSEA SEPP (Clause 23)	4
No Issue/Objection	– No issues – Commentary without objection	13

Analysis shows that the most frequent issues raised in submissions were related to amenity and design of the proposal, followed by 'No Issue/Objection'. Figure 3 illustrates the issues raised, comparing those raised by public and agency/organisation submissions.

Figure 3 – Frequency of Issues Raised – Public and Agency Submissions

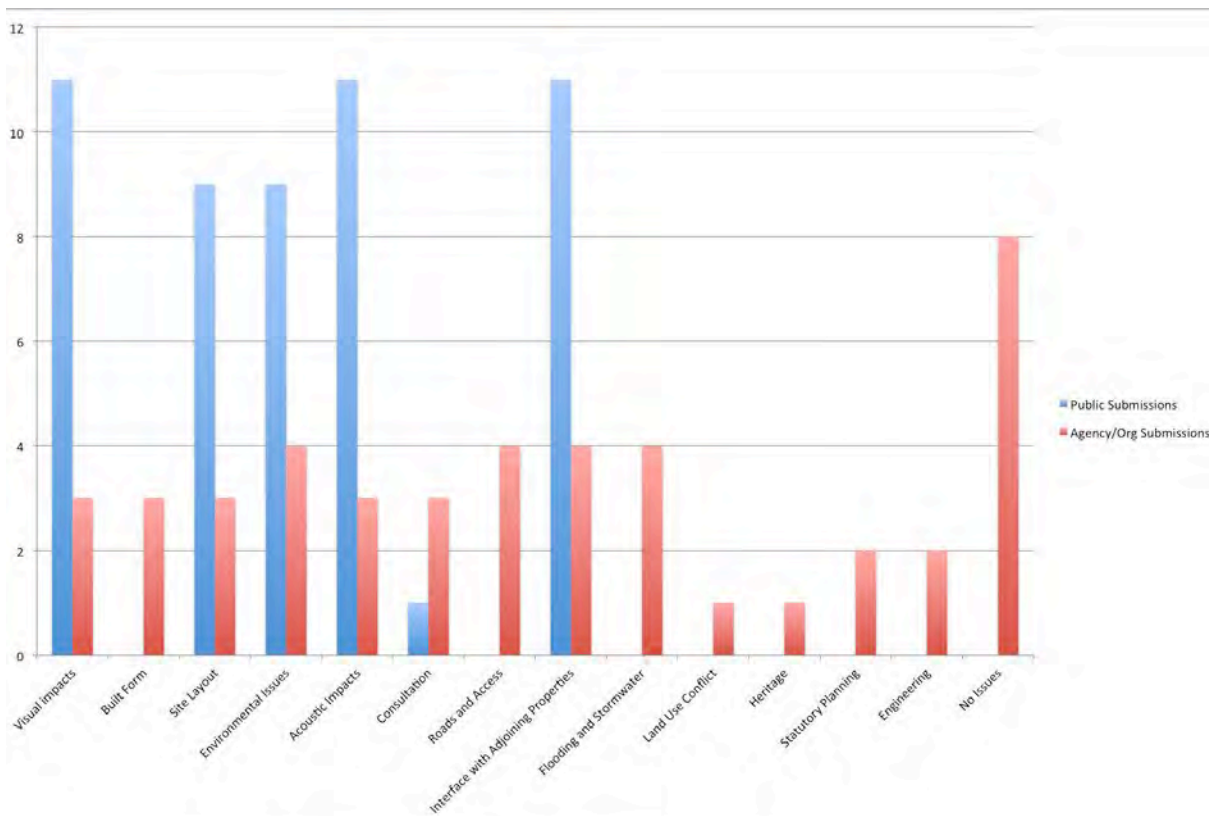


Figure 3 illustrates the high proportion of amenity issues raised by members of the public and the high incidence of 'No Issue' for agency/organisation submissions. The key issues raised in submissions are discussed in further detail in Section 3 and Section 4 of this report.

3.0 Summary of Issues

3.1 Overview

NSW P&E issued a letter to the applicant summarising the key issues raised through the exhibition of the OSE proposal incorporating responses from referrals to government agencies and authorities and those received from members of the public. The letter highlights the issues considered to be of core importance to the assessment of the proposal, therefore these matters have been given particular attention in the RTS.

Following the issue of a draft RTS to NSW P&E, a further letter was issued requesting additional information and/or clarification on particular matters prior to the exhibition of the RTS. These matters, along with those originally raised by NSW P&E are summarised along with the applicant's response in the following section.

3.2 Summary of Issues and Responses

Table 7 summarises the key issues raised in the NSW P&E response along with relevant discussion and references to further information in the RTS and/or supporting documents.

Table 7: Summary of Core Issues

ISSUE	DETAILS	RESPONSE
General	– Inconsistencies in the OSE application, the Oakdale Central approval and the Oakdale South VPA which need to be rectified. – Notification not sent to certain residents in Fairfield therefore exhibition period had to be extended. – Discrepancies noted in the development description between the EIS main report, appendices and plans. Any documentation that relies upon these development details (i.e. the Traffic Impact Assessment) should be revised accordingly. – Please revise the RTS and Appendix A to further address comments provided by PCC, government agencies and public authorities. – OEHL raised a number of policy issues in relation to the offset for the proposed development as well as issues regarding the impacts of design Option 3 on the Ropes Creek Corridor. Please confirm whether Goodman has had any discussions with OEHL directly in relation to its issues. – It is noted that the RTS states that Lots 1A and 1B have been redesigned and tanks have been relocated. Please confirm	– Discrepancies related to subsequent revision of plans have been rectified as highlighted in Table 1. All consultant reports have been checked for consistency. – VPA issues are noted and a revised VPA plan has been prepared and included with the RTS at Appendix P. – Further notification and an extended exhibition period was applied to ensure relevant stakeholders had adequate time to review and comment on the proposal. – Appendix A has been revised as requested with further detail provided in relation to issues raised. – Further sections have been added to the RTS to further discuss issues such as waterway impacts and biodiversity offsets – More detailed technical responses have also been prepared in response to issues raised by OEHL and DPI with key documents included at Appendix O. – Goodman has been in ongoing discussions with OEHL regarding the treatment of riparian corridors on the

ISSUE	DETAILS	RESPONSE
	whether revised plans will be submitted for assessment.	site and these issues have not been raised during these discussions. – Design Option 1 of the OSE Concept Proposal was an early design iteration that was discounted due to inefficiencies in the site layout and inability to meet core project objectives in terms of the required specifications for development sites. Option 3 offers significant environmental benefit in terms of the restoration of riparian lands and the protection of a significant amount of native vegetation in perpetuity. Further analysis of the environmental outcomes achieved under the preferred option is provided in Appendix O to this RTS. Option 1 is not a viable option for the development of the OSE and will not be pursued by the applicant. – A detailed analysis of Design Option 3 (adopted) against the relevant NOW guidelines is provided at Appendix O.
Alignment of SLR	– The alignment of the SLR proposed under the Concept Proposal has implications for the western north-south connection of the SLR. The EIS and Appendix J do not adequately assess the impacts of the requested realignment of the SLR, or the proposed grade separated flyover. – The civil plans provided with the application do not show how the off-site connections to the SLR will be impacted by the proposed alignment. Please provide civil plans showing the preferred SLR alignment overlaid with the requested re-alignment that demonstrates how the proposed alignment would integrate with the current preferred alignment and the western north-south connection of the SLR.	– The SSDA proposes a minor realignment of a section of the SLR to shift it north along the northern boundary of the OSE to minimise the sterilisation of land on both the OSE and Jacfin sites. – It is noted that the current SLR alignment encroaches into the Jacfin Estate at its northern boundary and impacts upon two building footprints approved under its Concept Plan ref. MP10_0129. If the SLR were to be delivered in its current alignment, these two warehouse buildings could not be constructed on the site and a large portion of land at the northern end of the Estate would be sterilised to development. – The proposed alignment of the SLR merges back to the existing alignment prior to any proposed intersections and does not impact off-site connections.

ISSUE	DETAILS	RESPONSE
		Civil drawings have been prepared to demonstrate this and are included at Appendix F. – Further detail and discussion on this issue is provided at Section 4.1 of the RTS.
Visual Impacts	– A comprehensive visual impact assessment of the proposal is needed. Assessment to include scale photomontages of the pre and post-development visual impacts of the proposal from nearby residential receivers and public vantage points, in particular from Greenway Place in Horsley Park and Capitol Hill to the south. – Photomontages should be supplemented by a statement that: - outlines the methodology used to define the visual catchment; - describes the character of the existing visual environment surrounding the site; - provides an overview of the visual objectives of the current planning controls (if applicable); - identifies the key vantage points on a location plan; - identified the impact of the proposal on the visual catchment using the principles established by the NSW Land and Environment Court in Tenacity Consulting v Warringah [2004] NSt4/LEC140; and - identifies (if necessary) any design solutions that may be used to ameliorate or reduce the visual impacts of the proposal. – To assist in identifying nearby receptors, please provide a plan which overlays the proposed site layout with the approved Jacfin concept plan and the proposed 250m residential buffer, the current residential areas of Greenway Place and Capitol Hill and the proposed residential	– A comprehensive visual assessment has been prepared and is included at Appendix H. – A summary and discussion of the visual assessment is provided in Section 4.3 of this RTS.

ISSUE	DETAILS	RESPONSE
	subdivision to the south of the Oakdale South site.	
Flooding Impacts	– Flood assessment does not adequately demonstrate the off-site flooding impacts during a PMF event in the Stage 1 DA. Please provide a revised flooding assessment that demonstrates the off-site flooding impacts and any changes in flood behaviour in the region.	– A more detailed flood assessment has been prepared in response to this issue and is included at Appendix J. – The flood assessment details off-site flooding impacts and documents any changes in flood behaviour in the region. – The flood assessment includes PMF results for both existing and future conditions and a PMF level difference plot and a PMF velocity difference plot have been included to address further issues in relation to flooding. – Full details of the additional flood assessment are included in the addendum report at Appendix J.
Noise Impacts	– The residents to the east and west of the site in Section 3.1 of the noise assessment have not been explicitly identified in relation to the Oakdale South site. Please provide a map identifying all receptors that the noise impact assessment has had regard to. – Please provide a revised noise assessment that assesses the cumulative noise impacts (including Oakdale South, Oakdale Central and the Jacfin site to the east) upon the nearby residential receivers, including the future development within the proposed 250m residential buffer within the Jacfin site, Greenway Place and the Capitol Hill subdivision to the south. – It is noted that residential receivers have been identified in the noise impact assessment addendum and a contour for the project specific noise criteria has been identified. – However, the Department considers the overlay of the OSE and Jacfin noise contour in Figure 5 of the addendum does not demonstrate a cumulative noise	– The receivers identified in the noise assessment are shown on the noise contour map in Appendix C of the original noise report and Figure 1 of the addendum noise report included with the RTS at Appendix I. – Consideration of cumulative noise from the proposed sites of Oakdale Central and Jacfin is outlined in Section 4.1.2.1 of the original noise report. Section 3.1 of the addendum noise report provides further analysis of cumulative noise emissions. – The addendum noise report also addresses potential cumulative noise impacts in relation to the proposed rural residential lands on the Jacfin site and the rural residential lands at Capitol Hill to the south of the OSE. – Based on the findings of the additional noise analysis undertaken, further mitigation measures have been incorporated into the proposal including the construction of noise walls along the southern and part of the

ISSUE	DETAILS	RESPONSE
	assessment has been undertaken. Please provide an indication of the potential cumulative noise impacts from the OSE and Jacfin projects.	eastern site boundaries. Noise modelling shows that with the implementation of these noise barriers, noise impacts on surrounding receivers would remain within acceptable criteria. – Further discussion of noise impacts is provided in Section 4.4 of the RTS and the full noise addendum report is included at Appendix I.
Realignment of Ropes Creek	– The RTS should confirm whether Goodman is seeking approval for the partial realignment of Drainage Line 1 and the removal of Drainage Line 2. – The RTS should provide a response to the rehabilitation and groundwater management issues raised in the DPI submission. – The RTS should provide an assessment of the development against the requirements outlined in the DPI's Water Guidelines for Controlled Activities on Waterfront Land and the Guidelines for Instream Works. – The Department considers that design Option 1 (provided in the EIS) would provide a better environmental outcome for Ropes Creek. In this regard, please provide a more detailed analysis of the design options identified in the EIS and explain how Option 3 will provide a suitable environmental outcome that complies with DPI and Office of Environment and Heritage (OEH) requirements. – Please confirm if a planning proposal to rezone the IN1 - General Industrial land identified to contain the realigned creek is proposed as part of this application.	– The applicant confirms that the proposal includes the partial realignment of Drainage Line 1 and the removal of Drainage Line 2. – A detailed response to the issues raised in the DPI submission is provided in Section 4.6 and Appendix A of the RTS. – A detailed analysis of the proposal against the relevant DPI guidelines is provided at Appendix O to this RTS, including an account of the environmental benefits offered by the preferred Option 3 for the OSE Concept Proposal. – Option 1 of the OSE Concept Proposal was an early design iteration that was discounted due to inefficiencies in the site layout and inability to meet core project objectives in terms of the required specifications for development sites. Option 3 offers significant environmental benefit in terms of the restoration of riparian lands and the protection of a significant amount of native vegetation in perpetuity. Further analysis of the environmental outcomes achieved under the preferred option is provided in Appendix O to this RTS. Option 1 is not a viable option for the development of the OSE and will not be pursued by the applicant. – It has been agreed with NSW P&E that a planning proposal would be submitted following approval of the SSDA to adjust

ISSUE	DETAILS	RESPONSE
		the zone boundaries accordingly. A plan indicating the proposed zone boundary realignment is shown in Figure 4.
Contamination	A Phase 2 detailed investigation should be undertaken in accordance with Safe Environmental Planning Policy No 55 - Remediation of Land, for any Stage 1 works that fall within the areas identified as being "potentially contaminated" in the Phase 1 Environmental Site Assessment.	- A Stage 2 Contamination Report is included at Appendix K. - The Stage 2 Contamination report concluded the following: - There are no significant soil contamination-related constraints to the commercial/industrial development of the site. - Site soils, as investigated, are considered suitable for commercial/industrial land use. - The potential for groundwater contamination to be present that would preclude Site suitability for the proposed development is considered to be low based on the site history and results of this investigation.
Capital Investment Value	Please provide a revised Quantity Surveyors report that confirms the number of warehouses in the State 1 DA, in addition to an estimate of the capital investment value (as defined in clause 3 of the EP&A Regulation) of all the proposed development to which the concept proposal applies.	A revised QS Report has been prepared and is included at Appendix L.
Development Controls	The proposed development controls for the Oakdale South site should be revised to provide consistency with the format and layout of the Penrith Development Control Plan 2014.	Format of development controls has been updated accordingly. The re-drafted controls are included at Appendix M.
Transgrid Requirements	- Please submit the requested information to enable TransGrid to undertake an assessment of the height clearances required within the transmission line easement. - The RTS should address whether the final drainage design will result in any drainage	- Appendix S includes a letter from Transgrid, dated 27 January 2016, confirming that no additional information required prior to the SSD determination. - Further consultation has been undertaken with Transgrid in relation to potential flooding impacts in the

ISSUE	DETAILS	RESPONSE
	or flood impacts within the Transgrid easement. Plans should also be provided to demonstrate whether the easement will be permanently water logged as a result of the proposed bulk earthworks.	easement and sections were provided to Transgrid for consideration. - Transgrid has confirmed that it is satisfied with the level of information provided at this stage and the level of anticipated flood impact on the easement. Transgrid has agreed to provide DP&E with written confirmation of its position on these matters. - An addendum to the original flood report has been prepared to address flooding impacts in the Transgrid easement. This is included at Appendix J to this RTS, along with plans illustrating the extent of impact.
Signage	Please confirm whether the design and location of the Site Identification Sign (S1) has been amended in response to PCC's submission.	Sign S1 has been deleted in response to PCC's comments as shown in the amended drawings at Appendix E to the RTS.

4.0 Key Issues

The following presents a more detailed discussion of the key issues raised in relation to the OSE proposal and the applicant's response to these issues.

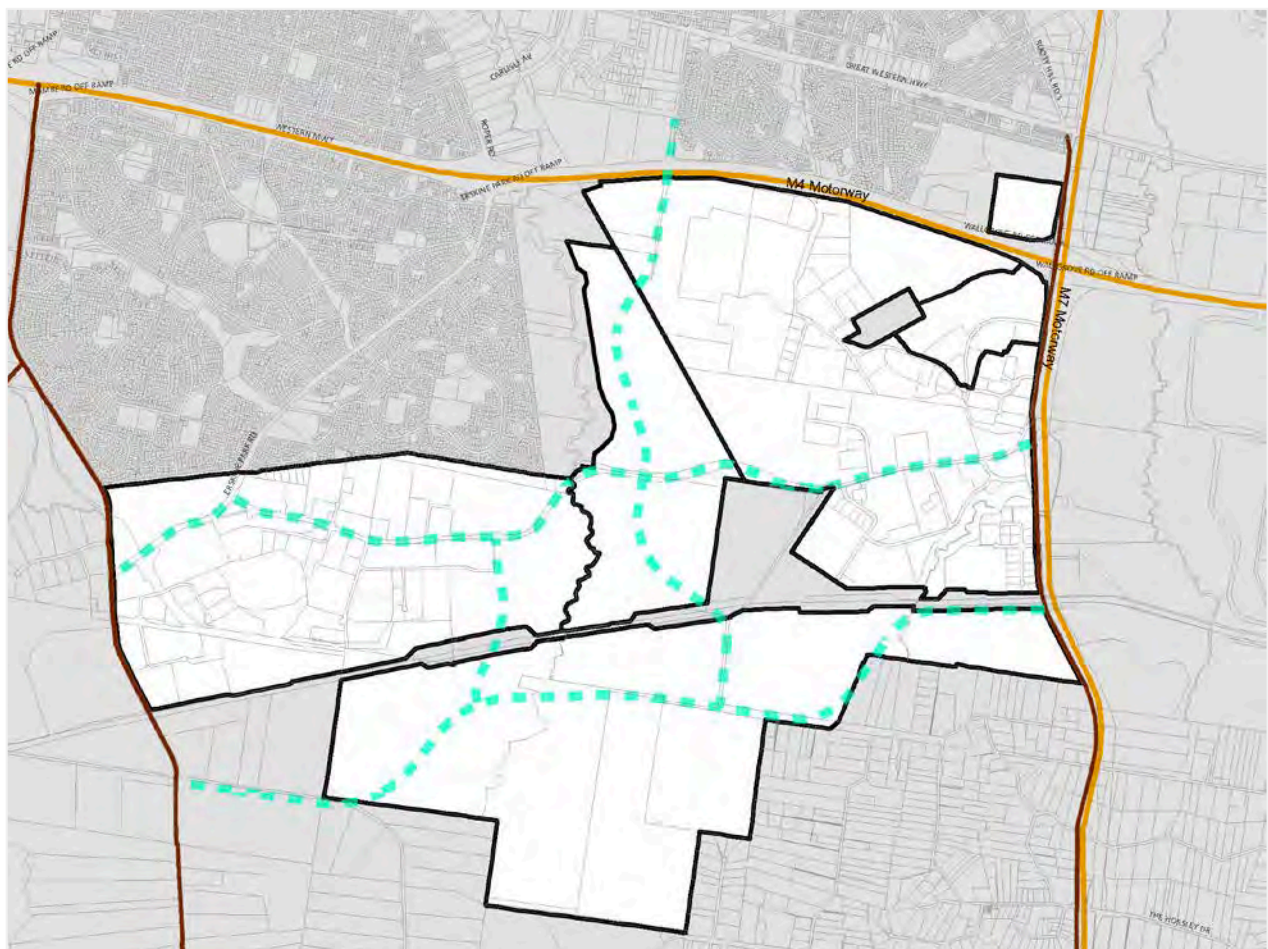
4.1 Southern Link Road

4.1.1 Background

The location and design of the primary access point to the OSE was the subject of detailed consideration in the development of the OSE proposal. In particular, the integration of the proposal with the existing and planned future external WSEA road network with the alignment of the planned Southern Link Road (SLR) being the key focus of these considerations.

The government's adopted position on the WSEA road network is incorporated into legislation via *State Environmental Planning Policy (Western Sydney Employment Area) 2009* (WSEA SEPP). Clause 26 of the SEPP requires that the consent authority refer any development proposal situated on or in the vicinity of transport routes identified on the 'Transport and Arterial Road Infrastructure Map' (TARI Map, Figure 5) to the Director-General (now Secretary) of NSW P&E for comment on the compatibility of the development with the regional transport network. The purpose of this provision is to identify and preserve strategic transport routes through the WSEA for future delivery in line with growth in the area.

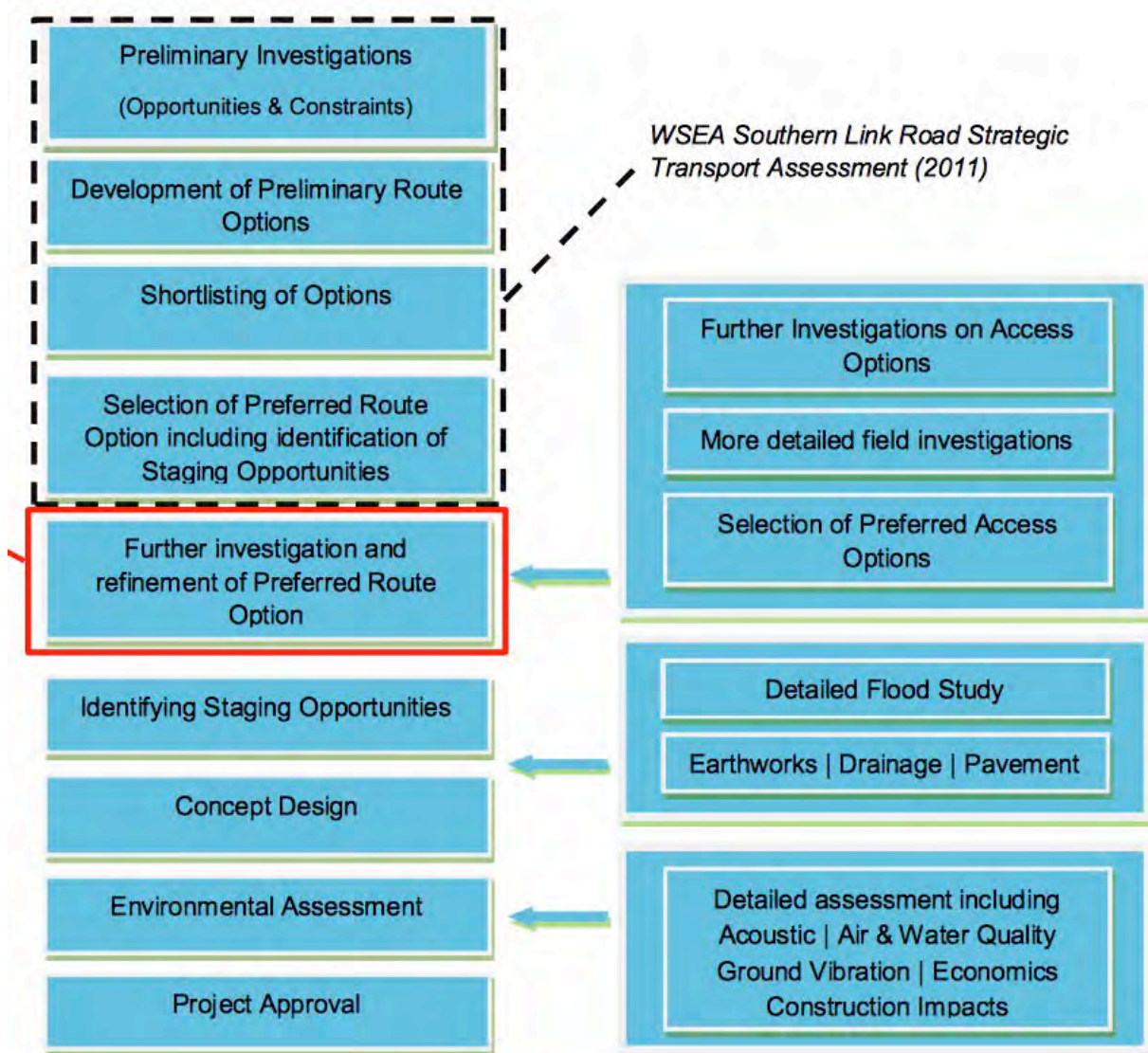
Figure 5: WSEA SEPP – Transport and Arterial Road Infrastructure Map



By necessity, the TARI map is strategic and high level and is not informed by detailed design, engineering matters or a comprehensive understanding of site-level environmental constraints. The intent of the provisions of the WSEA SEPP is to preserve a corridor which would be subject to future detailed planning and assessment prior to construction. As such, the alignments of roads within the network remain indicative, conceptual and subject to change.

Indeed, the preferred location and alignment of roads within the planned WSEA network, in particular the SLR, has been the subject of ongoing investigations since the creation of the SEPP. The existing, adopted alignment resulted from the findings of the 'WSEA Southern Link Road Strategic Transport Assessment' prepared by AECOM for NSW P&E in 2011. Figure 6 shows that this is only the first step in the process of design, assessment, approval and construction of the SLR and detailed environmental and engineering studies have not yet commenced.

Figure 6: Southern Link Road Planning and Development Process



An understanding of this context is necessary to understand the nature of the issues raised in response to the OSE SSDA and its proposed alternative alignment for the SLR.

Over the past five years, there have been a number of options and iterations considered for the SLR as implied by the above diagram. The most recent studies and findings are documented in AECOM's report – 'Broader WSEA SLRN Options Refinement Report', released for comment in 2014. The alignment recommended by this study is generally consistent with the alignment currently adopted under the WSEA SEPP in the vicinity of the OSE. Importantly, this most current, adopted design:

- Does not propose a direct connection to the OSE;
- Adopts a grade separated, flyover design at the northern boundary of the OSE;
- Conflicts with the approved Concept Plan (ref. 10_0129) for the adjoining Jacfin Estate as further discussed below; and
- Impacts on a substantial area of floodplain, requiring a large expanse of bridge structure.

4.1.2 Discussion

In planning for the development of the broader Oakdale Estate lands, the applicant has engaged in extensive consultation with relevant government agencies, in particular NSW P&E with regard to the integration of the Oakdale development with the external road network. Consultation in relation to the SLR confirmed that:

- The current alignment of the SLR remains conceptual only and detailed planning/design has not been undertaken to inform final alignment and design.
- The current conceptual design for the SLR in the vicinity of the OSE is for a grade separated carriageway with no intersection or connection with the OSE.
- Further detail on the alignment and design would be subject to ongoing investigations, followed by an environmental assessment and approvals process.

The applicant was required to proceed with design and planning for the OSE based on the existing conceptual designs, informed by its own investigations into possible layout, engineering considerations and environmental constraints. These investigations began with an analysis of the current alignment of the road and the practicalities of its delivery in this location. Of key importance to the understanding of the OSE proposal, the investigations found the following:

- Overlaying the CAD files for the current SLR alignment with the approved Jacfin Concept Plan reveals encroachment of the road within approved building footprints on the site. Construction of the SLR in its current alignment would therefore result in the sterilisation of a substantial amount of land in the north of the Jacfin site. Figure 7 clearly illustrates this issue and further detailed plans are provided at Appendix F to demonstrate the impact.
- Construction of the SLR in its current alignment would sterilise a significant portion of developable land on the OSE, resulting in a highly inefficient outcome which would impact upon the economic efficiency of the OSE proposal.
- The current alignment of the SLR would require extensive road construction over a floodplain which would require significant bridge structures over an approximate 100m span. This would not only result in cost and constructability issues, but may also result in negative environmental impacts.
- Alternatives to the current alignment exist which may resolve land use conflict issues and improve development efficiency and feasibility.

The applicant therefore considered other possible options for the SLR alignment as part of the project planning and design process. A final preferred alignment was identified as shown overlaid with the existing alignment in Figure 6.

The response from relevant government agencies in response to the proposed alternative SLR alignment indicated that further information about the proposal would be required in order to form a view as to whether it could be supported. The key issues raised by relevant agencies/authorities are summarised in Table 5 along with actions taken by the applicant to address the issues.

Table 5: Government Agency Responses to Proposed SLR Alignment

AGENCY	ISSUES RAISED	RESPONSE
NSW P&E	– The alignment of the SLR proposed under the Concept Proposal has implications for the western north-south connection of the SLR. The EIS and Appendix J do not adequately assess the impacts of the requested realignment of the SLR, or the proposed grade separated flyover. – The civil plans provided with the application do not show how the off-site connections to the SLR will be impacted by the proposed alignment. The applicant is requested to provide civil plans showing the preferred SLR alignment overlaid with the requested re-alignment that demonstrates how the proposed alignment would integrate with the current preferred alignment and the western north-south connection of the SLR.	– The OSE SSDA does not include the SLR which runs adjacent and external to the site's northern boundary. – The proposed alignment of the SLR merges back to the existing alignment prior to any proposed intersections and does not impact off-site connections. Civil drawings have been prepared to demonstrate this and are included at Appendix F. It is not possible to provide a full assessment of the impacts of the proposed alternative SLR alignment in the absence of detailed design for the road. However, the applicant has considered the implications at a high level including potential land use conflict and/or incompatibility with existing and approved surrounding development engineering/constructability impacts, economic feasibility and transport objectives. The outcomes of this analysis are detailed in the following sections of this report and a detailed analysis of the constructability and cost of the proposed alternative alignment has been undertaken. – Detailed analysis indicates that the delivery of the SLR in the proposed alternative alignment would be of the same order of magnitude cost as delivery of the road in its existing alignment. – Plans depicting the existing and proposed SLR alignment, including integration with the western north-south connection of the SLR have been prepared and are included at Appendix F to the RTS.
NSW RMS	– No issue or objection raised.	– Noted that RMS as the principal State roads authority raises no objection or issue with the OSE proposal.

AGENCY	ISSUES RAISED	RESPONSE
TfNSW	Any road design changes to that exhibited in late 2014 should be consistent with previously adopted design standards.	The proposal does not seek to alter agreed design standards for the SLR.
PCC	The piers of the SLR proposed within the roundabout central island may pose as a safety hazard to vehicles as clear sight distances will be impeded. No objections are raised if the piers for the overhead SLR are removed from the roundabout central island.	This matter would be subject to assessment as part of the approvals process for the SLR. PCC would have further opportunity to review and comment on the SLR design via this separate process.

Specific examination of the existing SLR alignment against the approved Jacfin approved Concept Plan reveals that this approval is significantly compromised by the current SLR proposal as shown in Figure 7. Construction of the SLR in this configuration would result in encroachment within approved building envelopes on the Jacfin Estate. The alignment proposed under the OSE SSDA would resolve this issue, allowing for the existing Concept Plan approval on the Jacfin site to remain viable.

Consideration of high level engineering issues and constructability of the two potential alignments reveals that the existing alignment would require extensive construction across a floodplain, necessitating a substantial bridge (possibly up to 300m) or viaduct structure. A bridge would also be required under the OSE proposed alignment, however construction impacts on the floodplain would be less than those likely to be generated under the existing alignment. The only additional structural/engineering issue created by the proposed alignment is the need for an additional bridge span to cross the Milner Avenue roundabout.

The existing SLR alignment would also require significantly more excavation and earthworks to achieve appropriate levels than the OSE proposed alignment. As such, the proposed alternative alignment represents a more appropriate response to existing landform which would minimise potential construction impacts on environmentally sensitive lands.

The applicant has undertaken an analysis of the construction costs and feasibility of each option for the SLR alignment for comparison. The analysis concludes that the construction of the SLR in the proposed alternative alignment is technically feasible and would have the same order of magnitude cost as that of the existing alignment. NSW P&E has undertaken its own independent assessment of this report to inform decision making around this issue.

4.1.3 Summary and Conclusion

The OSE proposal adopts a design and layout that would necessitate a minor shift in the current alignment of the SLR as included in the WSEA SEPP. This proposed new alignment was raised in a number of government and organisation submissions, requesting further information, assessment and clarification on the proposal. In response to these issues, the applicant has taken the following actions:

- Preparation of engineering drawings to demonstrate the integration of the proposed SLR alignment with the western North-South link connection (Figure 6 and Appendix F).
- Preparation of engineering drawings overlaying the CAD files for the current SLR alignment with the OSE Concept Proposal and the Jacfin Concept Plan Approval to demonstrate the conflict of the existing alignment with these approved and planned developments (Figure 7 and Appendix F).
- Comparative analysis of the existing and proposed SLR alignment to identify potential issues and impacts (detailed above).
- Cost and feasibility analysis of the proposed alternative SLR alignment with the existing alignment to establish deliverability and assess potential additional costs to government.

Comparative analysis of the existing and proposed OSE alignments indicates that the proposed OSE alignment would deliver an equal or better outcome in terms of transport objectives, development efficiency and feasibility, land use and transport integration and equitability of outcomes. It is also likely that the SLR as proposed under the OSE SSDA would result in less impact upon environmentally sensitive lands by reducing encroachment onto the floodplain. Detailed analysis of the two SLR alignments indicates that the proposed alternative alignment is feasible from an engineering and constructability perspective and would attract the same order of magnitude costs as that of the existing alignment.

NSW P&E has undertaken its own independent assessment of this report to inform decision making around this issue and it is understood that this analysis drew the same conclusions as that undertaken by the applicant – that the alignment is technically feasible and would incur the same order of magnitude cost.

Based upon this further detailed analysis, there does not appear to be a material impediment to the approval of the alternative alignment for the SLR. The configuration proposed under the OSE SSDA would achieve the transport objectives of the roadway and would result in improved compatibility with approved and planned development in the surrounding area with a similar level of infrastructure investment.

Figure 6: Proposed Alignment of SLR – OSE SSDA

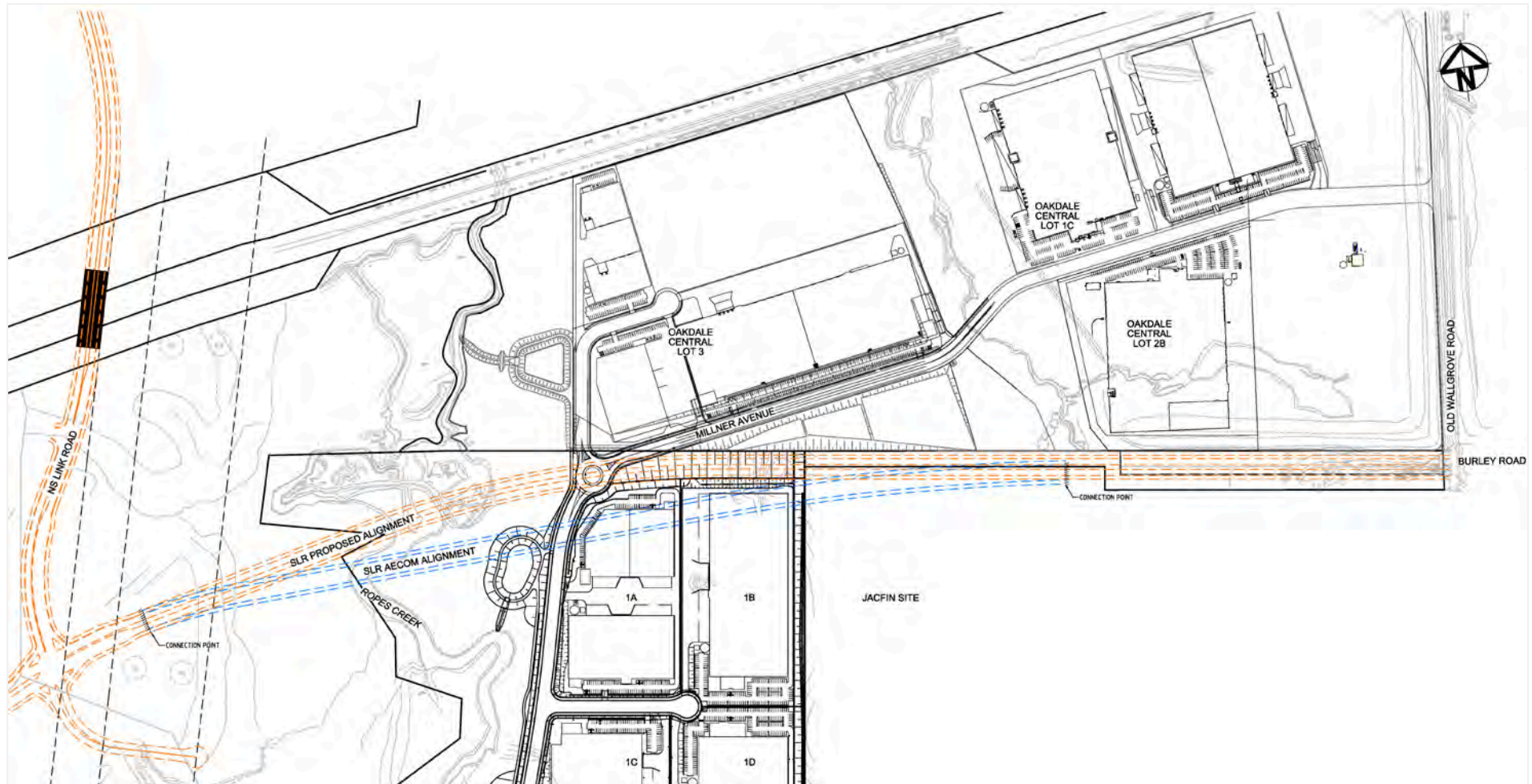
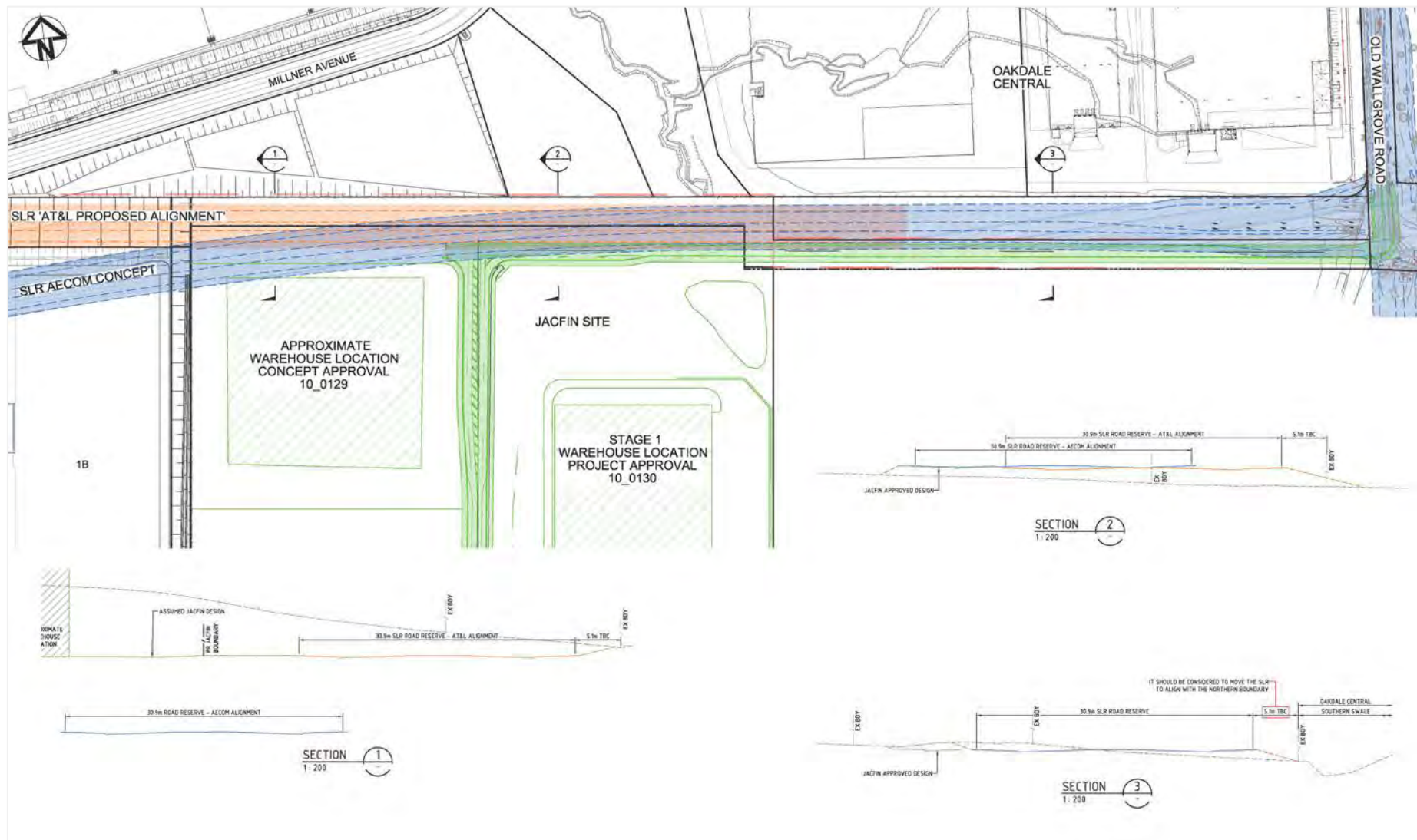


Figure 7: Existing and Proposed SLR Alignment – Jacfin Overlay



4.2 Jacfin Estate

4.2.1 Background

The Jacfin Horsley Park Estate (Jacfin site) lies adjacent to the OSE to the east with the two properties sharing a 1,650m property boundary. The Jacfin site also lies within the WSEA and is zoned IN1 – General Industry.

In 2010 an application was made by the owner of the Jacfin site for Concept and Project Approval for industrial development of the land. Due to the excessive number of objections (over 120 submissions) made to the Jacfin proposal, including objection by the local council, the application was required to be determined by the Planning Assessment Commission (PAC).

On 9th December 2011, following public exhibition of the Concept Plan and Stage 1 Project Application, Jacfin lodged an RTS which presented two revised development options to address the issues raised in submissions, including:

- a 'rural residential option' which replaced 20 hectares of industrial development with rural residential lots on the southern and eastern boundaries of the site; and
- a 'revised industrial option' including a landscaped earth mound on the southern and eastern boundaries of the site.

On 28 October 2013, the PAC:

- approved the Jacfin Project Application; and
- granted approval for only Stage 1 - 3A of the Concept Plan, deferring its determination of Stages 3B, 4 and 5.

As part of the PAC determination, a recommendation was made that a rural-residential buffer be incorporated on the site to provide a more appropriate interface to the surrounding residential development through the realignment of the zone boundaries. It was acknowledged that this would result in some reduction to the WSEA lands but this was considered by the PAC to be an acceptable outcome.

4.2.2 Discussion

A Planning Proposal has been prepared in response to the PAC recommendation, specifically seeking to:

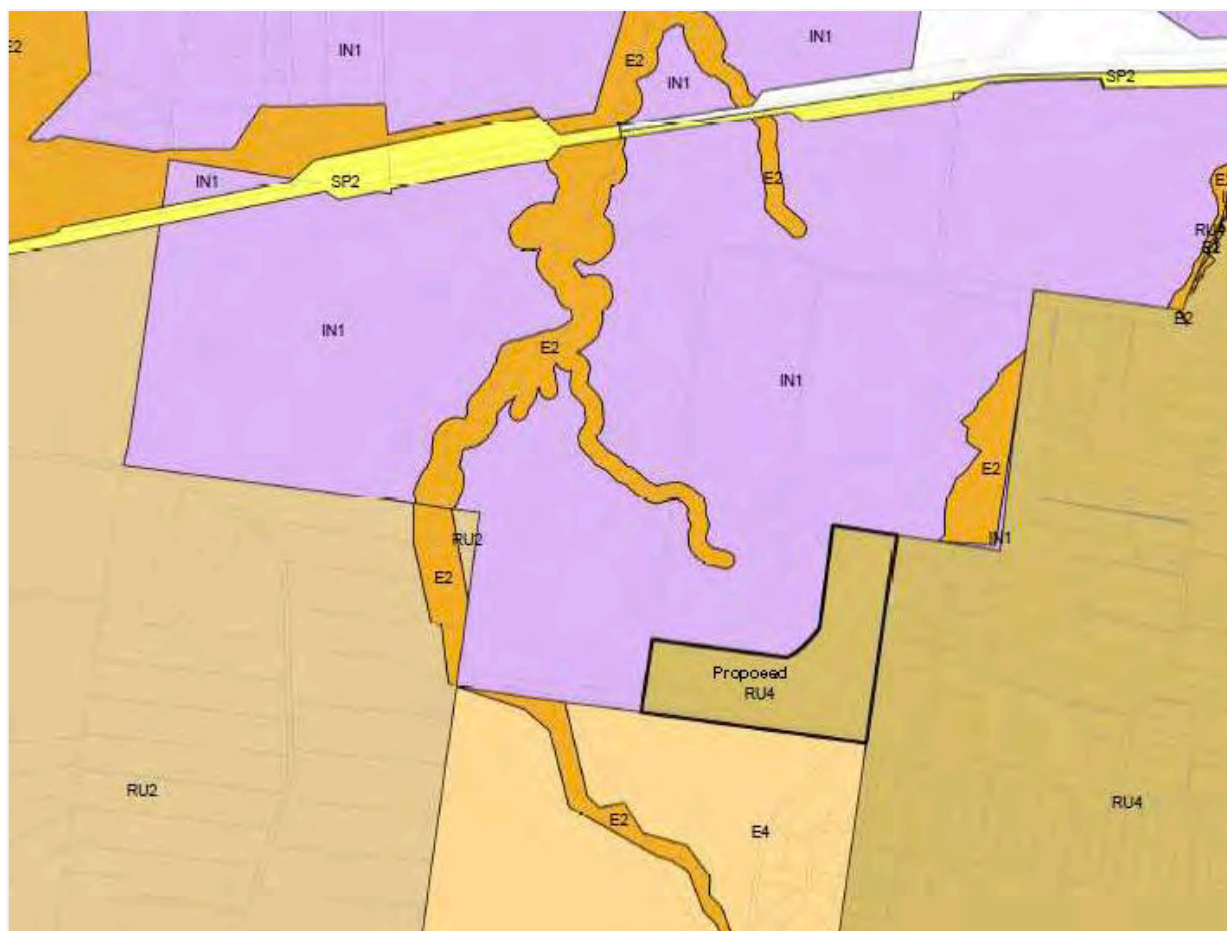
- rezone approximately 35 hectares of Jacfin's land to permit rural residential land uses, as shown in Figure 8.
- impose a minimum lot size of 2 hectares to create appropriate lots within the site, to allow for permitted uses including dual occupancy development and dwelling houses, to retain acoustic and visual privacy for new and existing landowners and to meet minimum buffer requirements.

The proposed rezoning would be facilitated via an amendment to the WSEA SEPP. The Planning Proposal and supporting documentation was placed on public exhibition from 22nd September 2015, after the submission of the OSE SSDA/EIS to NSW DP&E for preliminary review which occurred on 17th September 2015.

In this regard, it is noted that whilst the SEARs did require consideration of this proposal in the preparation of the SSDA/EIS, information with regard to the proposal was not publicly available during this time. Consultation occurred with NSW P&E in relation to this issue and the applicant was advised that there were no details available for review at that time. Without certainty that the rezoning proposal would proceed, in what form and in what timeframe, the applicant had to proceed with planning and design for the OSE in the absence of this detail in order to meet its own project timelines.

It is noted that, at no time in the lead up to the public exhibition of the Jacfin Planning Proposal was Goodman consulted as a stakeholder, or provided with details that could have been used to inform the development of the OSE SSDA.

Figure 8: Proposed Rezoning on Jacfin Site



Once information became available through the public exhibition of the planning proposal, the applicant made a submission to NSW P&E raising the following key points:

- The proposal is inconsistent with the relevant objectives of the NSW EP&A Act as they relate to identified employment lands,
- The proposed rezoning could lead to a precedent for the loss of employment land in other parts of the WSEA,
- The proposal is inconsistent with the character of the surrounding employment area and would only shift the land use conflict issue to another location rather than effectively resolving it,
- Rural residential development on the lands proposed for rezoning would result in development which is incompatible with adjoining industrial operations and which could impact on the operating conditions of future industrial and warehousing activities on the OSE and other surrounding industrial lands,
- The proposal is completely inconsistent with the strategic directions established for the WSEA under 'A Plan for Growing Sydney' which identifies the WSEA as a key regional hub for warehousing and logistics and the core supply of employment land to meet the long term demands of the Sydney market.
- The proposal would result in the introduction of further residential development in proximity to the planned Badgerys Creek Airport, increasing the potential for land use conflict as this critical infrastructure is developed.
- The proposal is inconsistent with the strategic objectives of the WSEA SEPP as it would result in a direct loss of land zoned for employment generating purposes. The gradual encroachment of incompatible land uses into industrial areas is a key factor in the decline of these strategically important employment generating precincts.

- The proposed rezoning would have a direct impact on the employment generating potential of the OSE and other surrounding industrial lands due to the associated imposition of a 'buffer' within which permissible industrial and warehousing operations may be restricted in order to preserve the amenity of future residential development on these lands.
- Propose a 200m setback for residential buildings from the OSE/Jacfin boundary to ensure that the acoustic environment is acceptable for residential development.

To demonstrate the real impact of the proposed rezoning on the OSE, the applicant commissioned a review of the noise assessment prepared by Wilkinson Murray (dated 2nd March 2015) in respect of the proposed rezoning.

The review conducted finds that that two areas in the west of the proposed RU4 rezoning area lie within the 37dBA LAeq(15minute) noise contour (see Figure 9). These areas are approximately 165m by 100m and 35m by 35m in size.

It is noted that the Wilkinson Murray report assumes that acceptable noise levels would be achieved in these areas through the imposition of setbacks or buffers within the OSE, rather than within the Jacfin lands. The reliance of a rezoning proposal on adjoining development to provide appropriate mitigation to support land use change is not only unreasonable, but is contradictory to 117 Direction 1 – Employment and Resources. The objectives of this Direction are to:

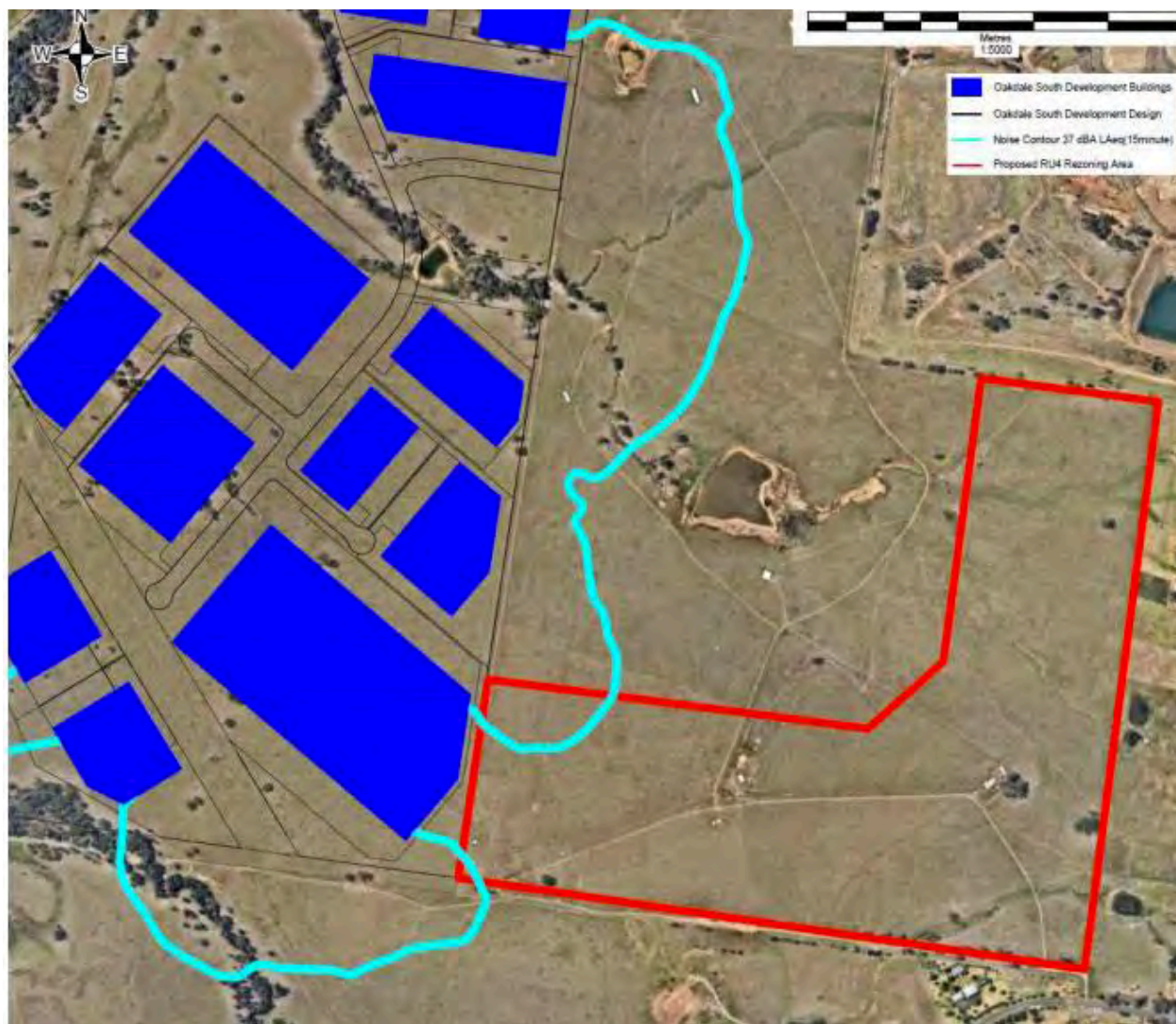
- encourage employment growth in suitable locations,
- protect employment land in business and industrial zones, and
- support the viability of identified strategic centres.

This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary) and requires that any such planning proposal must:

- give effect to the objectives of this direction,
- retain the areas and locations of existing business and industrial zones,
- not reduce the total potential floor space area for employment uses and related public services in business zones,
- not reduce the total potential floor space area for industrial uses in industrial zones, and
- ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.

To require that surrounding industrial lands within a strategically identified and established employment area introduce additional setbacks and buffer areas which would impact upon the amount of employment generating GFA on these lands is in direct conflict with this direction. If such a rezoning is considered by NSW P&E to be justifiable, a more reasonable and equitable solution would be for the buffer to be accommodated on the rural residential lands such that the impact on the existing, established employment lands is minimised. Further details of the noise assessment undertaken by the applicant in relation to surrounding rural residential lands is provided in Section 4.4 and Appendix I.

Figure 9: Noise Contours – Proposed Jacfin Rezoning



Despite the merits of the planning proposal for the Jacfin site, or the issues related to the timing of its release, the SEARs require that the OSE SSDA consider the likely interactions between the OSE proposal and existing, approved and proposed development in the vicinity of the site, including but not limited to:

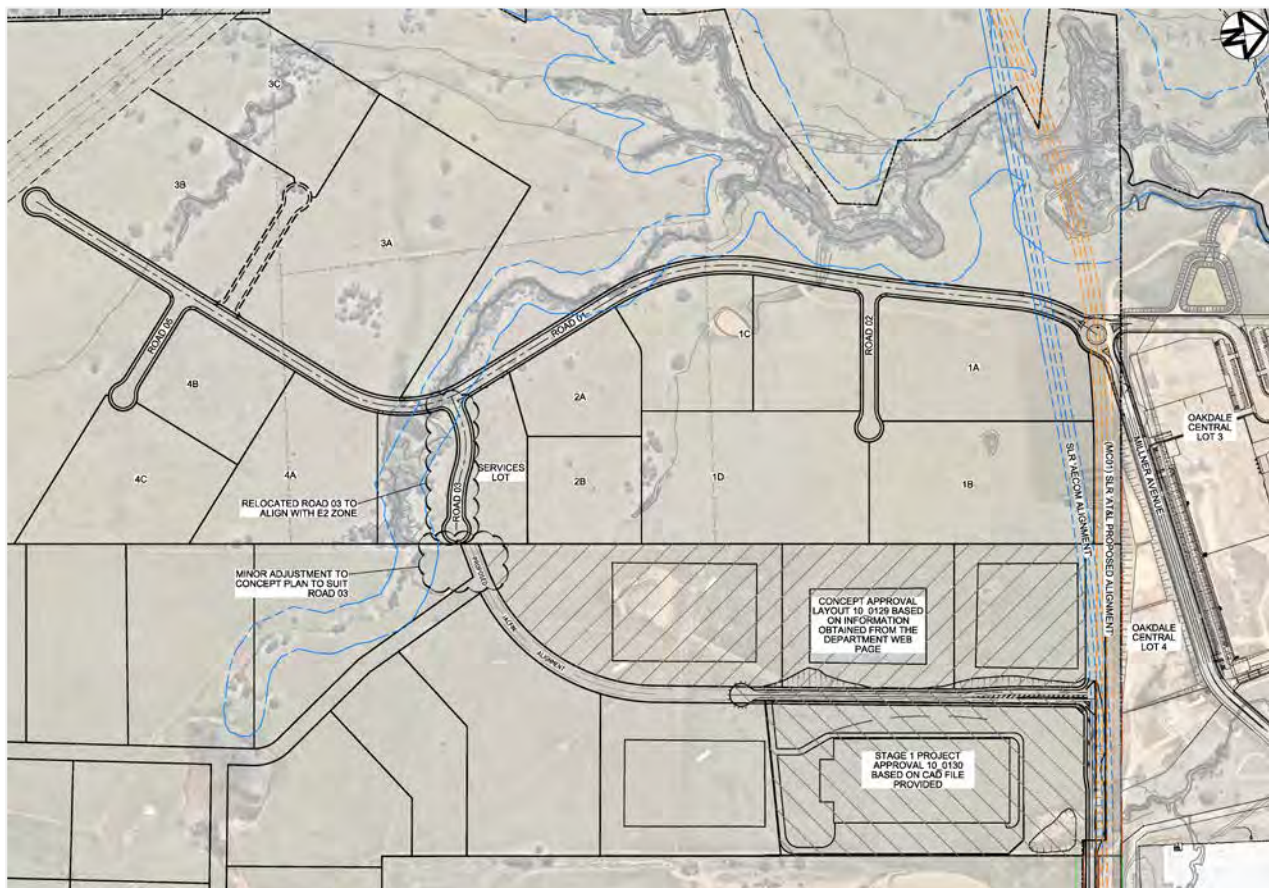
- The proposed rezoning of the Jacfin site under the recently exhibited Planning Proposal;
- The Concept Plan Approval and Stage 1 Project Approval granted by the PAC on 28 October 2013 for the Jacfin site;
- The existing E4 zoned land to the south of the OSE; and
- The likely impacts of the OSE proposal on existing and proposed future surrounding land uses, including visual impacts, noise impacts and cumulative impacts.

To address these requirements, the applicant has commissioned further technical investigations including a comprehensive Visual Impact Assessment (VIA) (discussed in Section 4.3 and included at Appendix H) and an expanded Noise Impact Assessment (NIA, Addendum 1) (detailed in Section 4.4 and included in full at Appendix I).

The owners of the adjoining Jacfin Estate made a submission in response to the exhibition of the OSE SSDA raising a number of issues including access and regional road connections, traffic impacts, visual impacts, acoustic impacts and consultation. These issues are individually addressed in Appendix A and a summary of relevant considerations is provided below:

- Regional road connections are discussed in Section 4.1. Primary access to the site is as envisaged under the relevant strategic planning framework and is supported by relevant government agencies including NSW P&E, NSW RMS and Penrith Council;
- The OSE Concept Proposal was designed in consideration of the Jacfin approved Concept Plan. Amendments have been made to the OSE Concept Proposal, in particular the alignment of Estate Road 03 to better align with the Jacfin Concept Plan and make provision for a potential future road connection between the two Estates if this is deemed appropriate at some point in the future. It is noted that this connection is not included in the OSE proposal and is not required to service the OSE (see Figure 10 and Appendix B);
- The land uses proposed under the OSE SSDA are compatible with those approved under the Jacfin Concept Plan which comprises similar industrial/warehousing uses;
- The scale of development proposed for the OSE is similar to that approved on the Jacfin Estate;
- Landscape treatments along the eastern boundary of the OSE have been embellished to provide additional visual screening and relief along this interface and a noise wall has been included in the proposal along the part of the eastern boundary which adjoins the proposed rural residential lands on the Jacfin Estate. Revised civil plans and landscape plans are submitted with this RTS at Appendix C and D.

Figure 10: Proposed Realignment of Estate Road 03 for potential future connection to Jacfin Estate



4.2.3 Summary and Conclusions

The combined findings of these studies, along with general consideration of issues raised in relation to the adjoining Jacfin site resulted in the following actions and amendments to the OSE proposal:

- Incorporation of a noise wall along the portion of the eastern boundary that adjoins the proposed rural residential lands on the Jacfin Estate to ensure that potential noise impacts are maintained within acceptable levels for rural residential development;
- Increased embellishment of landscaping on the eastern site boundary to alleviate visual impacts and improve amenity along this interface to the proposed RU4 zone (refer Appendix D);
- Should the Jacfin planning proposal be supported, a 200m setback for residential development from the OSE/Jacfin boundary has been recommended by the applicant to ensure an appropriate acoustic environment and to avoid undue impacts on the development and operation of surrounding, strategically identified employment lands.

4.3 Visual Impacts

4.3.1 Background

The potential visual impact of the proposal was the most frequently raised issue in the submissions received, with particular concern expressed in submissions received from members of the public. To adequately address this issue, the applicant commissioned a detailed VIA to identify visual impacts and recommend management and mitigation measures where appropriate.

The VIA, prepared by E8Urban is included in full at Appendix H and presents an accurate representation of the proposed development in the context of the existing landscape and urban settlements.

4.3.2 Discussion

The VIA identifies nine key view points for analysis as shown in Figure 10. The DPE Letter identifies two areas where views should be taken from to assess the visual impact of the proposed Oakdale South development on surrounding residential and non-residential receivers. These being around Capitol Hill Drive and Greenway Place.

In addition to these locations the team selected further vantage points to the south west along Aldington Road and from Francis Road, to provide a comprehensive understanding of the impacts of the proposed development from all local residential receivers.

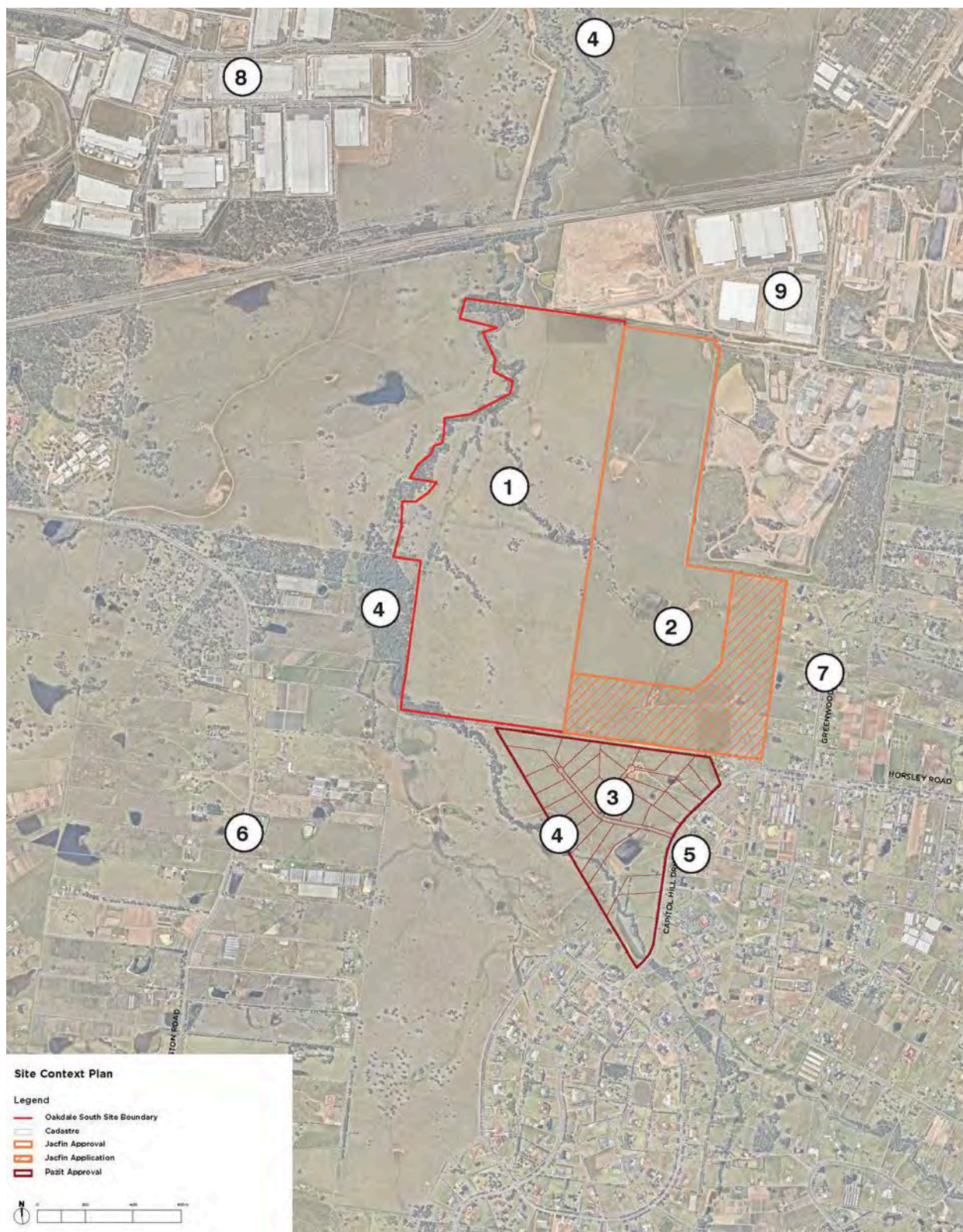
The selection of viewpoints was informed by the following:

- To, where possible, be representative of views from private land holdings such as existing and proposed development lots.
- To select views where the development would be most prominent such as high points or zones with clear lines of sight to the proposed development.
- To capture views from important public domain elements such as open space or landscape corridors.
- To consider and respond to approved development on adjoining lands such as the Jacfin Site and Pazit Lands along Capitol Hill Drive.
- To closely reflect views assessed as part of the visual analysis associated with the Jacfin Concept Approval, to ensure consistency in the assessment of impacts from Greenwood Place.

To support the visual analysis, a 3D topographical model was produced using two metre GIS contour data obtained from Land and Property Information NSW (LPI). This tool was then used to identify potential viewpoints which were then ground-truthed through a site inspection to inform the final selection of viewpoints for modelling.

It is noted that during this exercise no access to private residential land was sought, and all photography was conducted from publicly accessible areas.

Figure 10: Identified OSE View Receptors



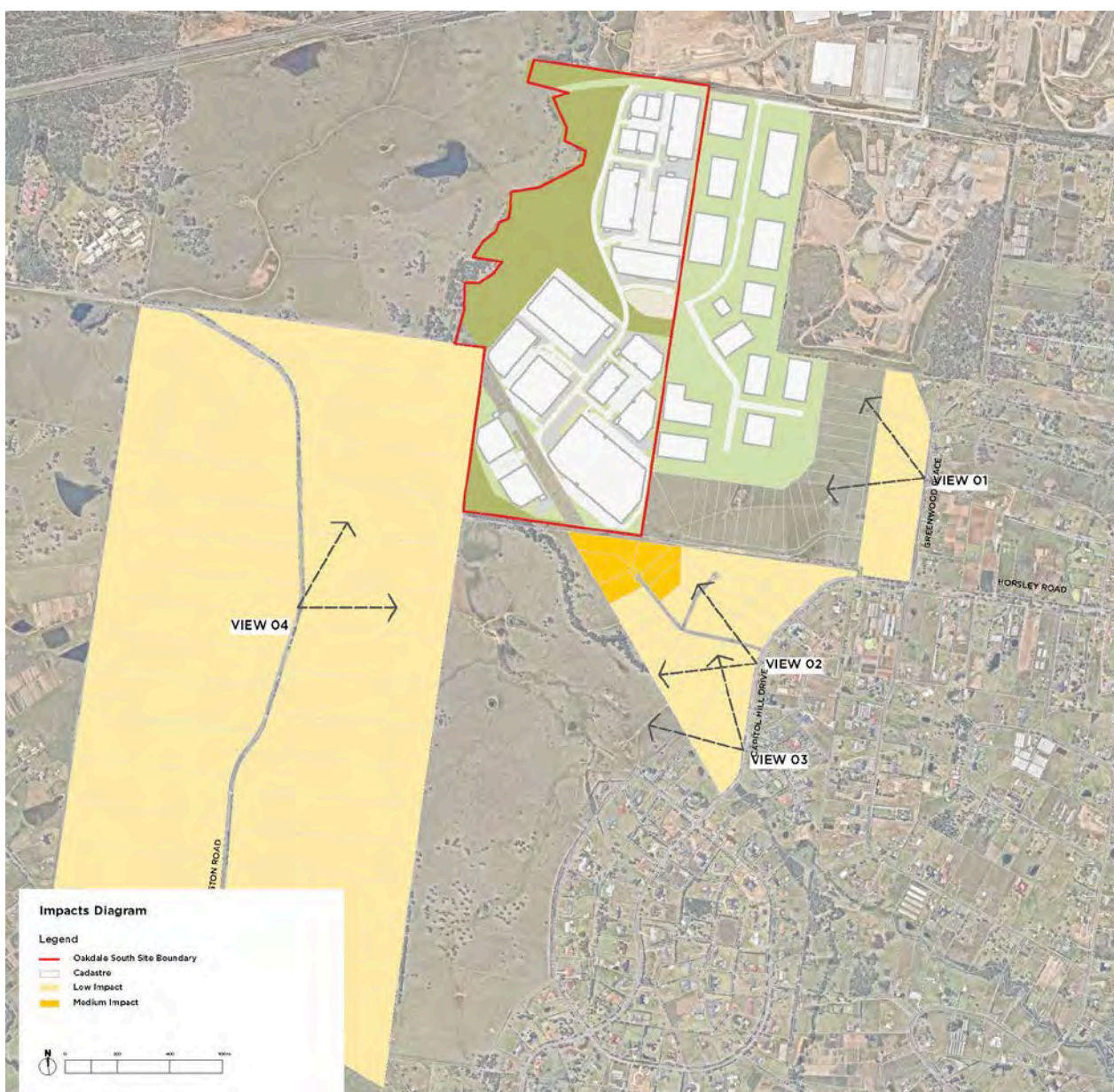
The likely extent of impacts to specific views as concluded based on the visual analysis is illustrated in Figure 11 and summarised in Table 7.

Table 7: Summary of Visual Impacts

VIEW REFERENCE	LOCATION	SUMMARY OF IMPACTS
01	Greenwood Place	Although there is a high potential for visibility from this location, the view to much of the development is blocked by the existing Jacfin Proposal. The introduction of boundary landscape planting further screens the long elevation of the proposed development providing a satisfactory outcome in this location. In particular the fact that views to the blue mountains are not impacted is a positive outcome.
02	Capitol Hill Drive	The existing landscape will block most of the proposed Oakdale South development from this location. Where the development is potentially visible the proposed boundary landscape planting will greatly reduce the visual impact. Therefore the outcome from this location is also satisfactory.
03	Ropes Creek	- The existing mature planting and along Ropes Creek and adjacent topography will obscure views to Oakdale South from the land closest to Capitol Hill Drive. - The Pazit land closest to the southern boundary of Oakdale South could however have direct views towards the proposed development. In this situation the proposed boundary landscape planting will play an important role in mitigating any visual impacts, and the likely siting of new residential buildings within the approved Pazit subdivision - likely to be close to the proposed estate road on higher ground looking over the site - could further reduce the visual impact. - In this situation from a potential thirty one lots, six would have a clear view of the proposed development. Impacts could be mitigated through boundary landscape planting on Oakdale South and building siting on private lots, therefore the impacts are acceptable and the outcome satisfactory.
04	Aldington Road	- While the elevated aspect from Adlington Road offer the greatest potential for views to Oakdale South, the quality of the view and in particular the clustered middle distance reduces the quality of the existing view and potential impact. - In this situation the mature planting along Ropes Creek, the land-form and existing mixture of development mean that the Oakdale south development will not adversely impact the quality of the existing view. - In this situation the outcome is satisfactory. - In this situation the mature planting along Ropes Creek, the land-form and existing mixture of development mean that the Oakdale south development will not adversely impact the quality of the existing view. - In this situation the outcome is satisfactory.

VIEW REFERENCE	LOCATION	SUMMARY OF IMPACTS
05	Francis Road	- Due to the surrounding topography and proposed cut on the OSE, only the roofs of the new development would be visible looking along Francis Road. - The proposed landscape buffer along the sites eastern and southern edge will further screen the proposed built form, and reduce any potential visual impacts.

Figure 11: Visual Impacts



4.3.3 Summary and Conclusions

The VIA concludes that, while the OSE proposal is a large change to the existing landscape and land use pattern, its location adjacent to Ropes Creek Corridor and siting at a low point in the assists in reducing the visibility of the development. The visual impacts of the OSE proposal as identified and assessed in the VIA are illustrated in Figure 11 which shows 'Low Impact' and 'Medium Impact' view catchments, described as follows:

- Low Impact: Lots where the visual impact of the development is mitigated by screening from existing landscape features, the proposed boundary landscape treatment to the OSE, distance from the site, and areas where the quality of the view is not overly diminished by the proposal.
- Medium Impact: Areas where the adjacency to the proposed OSE development make the proposal most visible. In these locations the siting of new development can assist in reducing the visual impact of the proposal, as would the proposed boundary planting to Oakdale South.

The additional landscaping proposed along the southern and eastern boundaries of the site as detailed in Appendix D and shown in Figure 12 would effectively mitigate visual impacts for the most affected receivers. The VIA concludes that, subject to the implementation of landscaping as proposed, the visual impacts of the proposal would be acceptable.

Figure 12: Perspective of OSE as seen from Jacfin/Capitol Hill

4.4 Acoustic Impacts

4.4.1 Background

A number of submissions raised the issue of acoustic impacts as a result of the OSE proposal, particularly with regard to impacts upon existing rural residential development at Capitol Hill and proposed rural residential development on the adjacent Jacfin estate.

To respond to these issues, the applicant commissioned further noise assessment of these properties to identify impacts and recommend indicative mitigation measures that may be used to minimise operational noise impacts if required. The full NIA addendum is provided at Appendix I.

4.4.2 Discussion

The submissions made to the OSE proposal with respect to noise impacts raised three key issues:

- Clarification of noise receptors in the surrounding area for impact assessment;
- Clarification of the extent of noise impacts with particular regard to cumulative impacts;
- Clarification of the extent of noise impacts on proposed Jacfin rural residential rezoning and subdivision and the Capitol Hill rural residential subdivision.

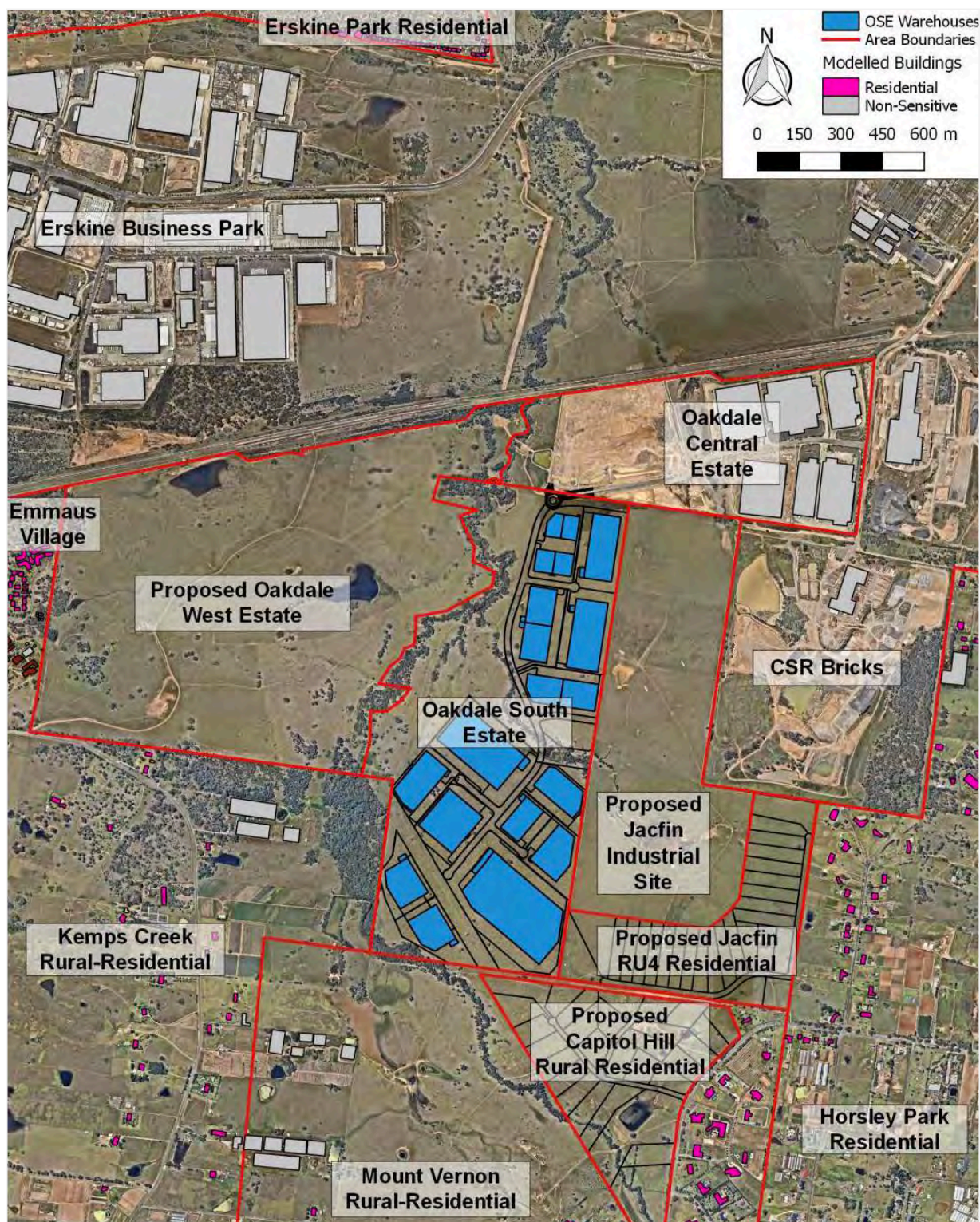
Clarification of Noise Receptors

The nearest residential noise receptors are approximately 625m to the west, 675m to the east and 1,500m to the north respectively from the closest point of works on the OSE site. Table 8 further describes these receptors with a map of these locations included at Figure 13.

Table 8: Description of Potential Noise Receptors

STATUS/TYPE	RECEIVER AREA	DESCRIPTION
Existing	Residences to the West of the OSE.	Includes all rural-residential dwellings in Kemps Creek and the Emmaus Village residential complex.
Existing	Residences to the East of the OSE.	Includes all residential and rural-residential dwellings in Horsley Park and Mount Vernon.
Existing	Residences to the North of the OSE.	Includes all residential dwellings in Erskine Park.
Proposed/Planned	Rural residential subdivision to East of the OSE.	Proposed rezoning and subdivision of part of adjacent Jacfin site to facilitate rural residential development.
Proposed/Planned	Rural residential subdivision to South of the OSE.	Approved rural residential subdivision on adjacent land to the south at Capitol Hill.

Figure 13: Noise Receptor Locations



Clarification of Potential Impacts and Mitigation Measures

The NIA undertaken for the OSE adopts a conservative intrusive noise criteria for residences surrounding the OSE of 37 dBA LAeq(15minute). This criteria was determined in accordance with the process outlined in the NSW Industrial Noise Policy (INP) and further detail on its application is provided in the full NIA at Appendix I.

The NIA undertaken in respect of the OSE SSDA considers the full range of potential noise impacts including construction noise, operational noise and cumulative noise at the identified noise receptors.

Consideration of cumulative noise includes existing noise from the nearby Oakdale Central Estate and assumptions on the likely noise generated by the proposed Jacfin industrial estate and other surrounding proposed development. Noise emissions from these sites have been considered when determining the Acceptable Noise Level (ANL) for noise emissions from the OSE, as per the process outlined in the INP.

The results of operational noise modelling for the OSE SSDA are illustrated in Figure 14. The yellow line on Figure 14 indicates the 37dBA LAeq(15minute) operational noise contour without mitigation, corresponding to the ANL for residential receivers surrounding the OSE.

Figure 14 shows that there are no existing residential receivers where the LAeq(15minute) operational noise level is predicted to exceed 37 dBA. However, small areas of the proposed Jacfin and Capitol Hill rural residential subdivisions lie within the 37 dBA LAeq(15minute) operational noise contour for the OSE. Applying noise mitigation in the form of a noise wall along the southern and southern part of the eastern boundary eliminates these identified noise impacts on both the Capitol Hill subdivision as shown by the blue line on Figure 14. The blue line also indicates that with the implementation of a noise wall along the southern part of the eastern boundary which adjoins the Jacfin rural residential land, noise impacts on this future residential land would be maintained within acceptable levels.

It is further noted that noise impacts from the proposed Jacfin industrial site to the north of the proposed rural residential subdivision would have a far greater impact on the proposed future residential development than that of the OSE as shown in Figure 16.

On this basis, the extent of potential operational noise impacts on the Jacfin residential subdivision is considered to be acceptable without mitigation. However, to ensure that the potential impacts of the OSE proposal are minimised, a noise wall has been incorporated into the project, with an indicative section illustrated in Figure 15. Landscaping of the noise wall is to be implemented as shown in Figure 15 to ensure that visual impacts are acceptable. Full details of proposed landscaping are provided at Appendix D.

The proposed noise barrier on the southern and part of the eastern site boundary, built to the specifications shown in Figure 14 would greatly reduce potential noise impacts on the Capitol Hill subdivision with residual impacts minor in nature and unlikely to impact on the location of future dwellings on the land.

Figure 14: Potential Noise Impacts – With and Without Mitigation

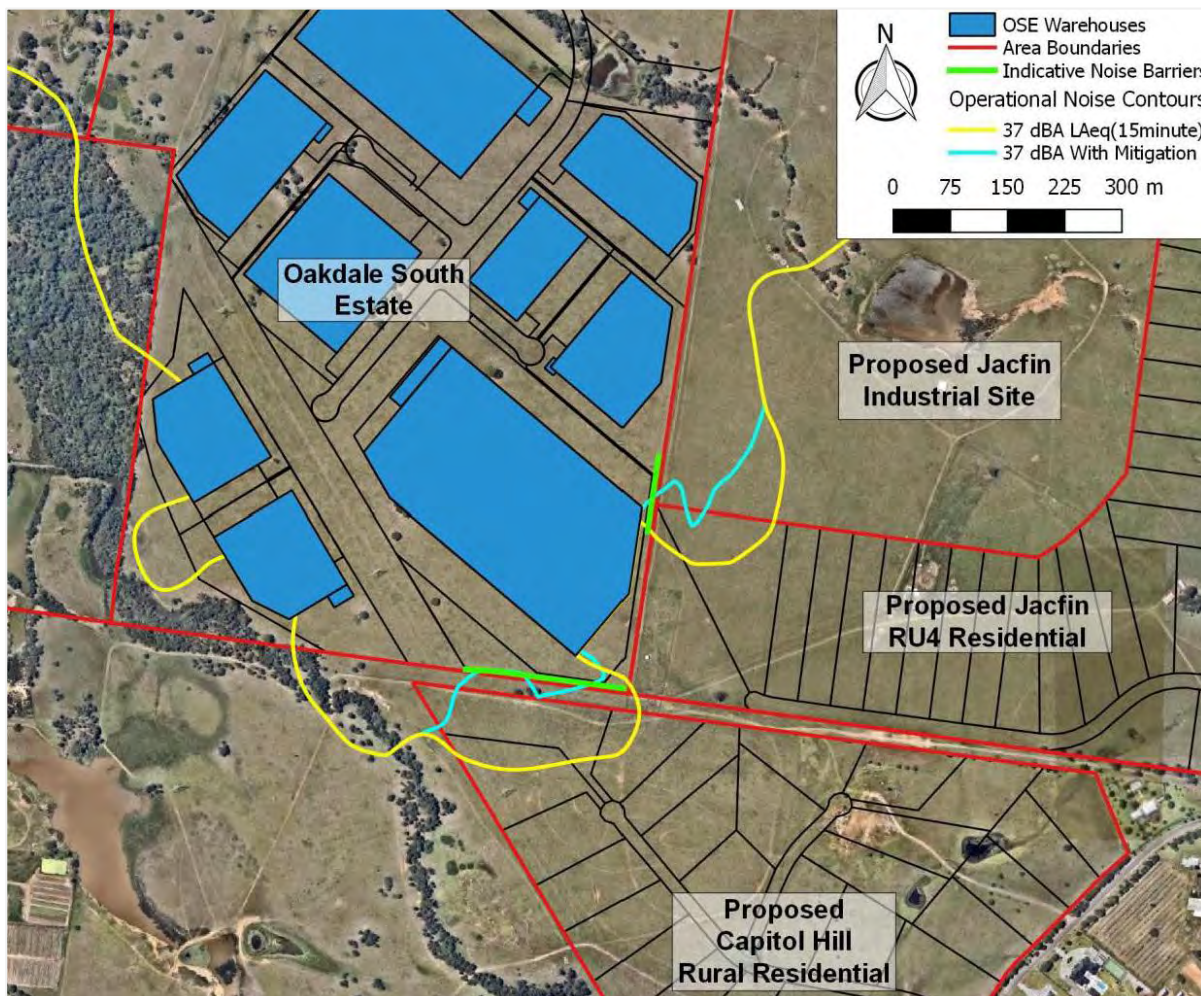


Figure 15: Indicative Section – Noise Wall

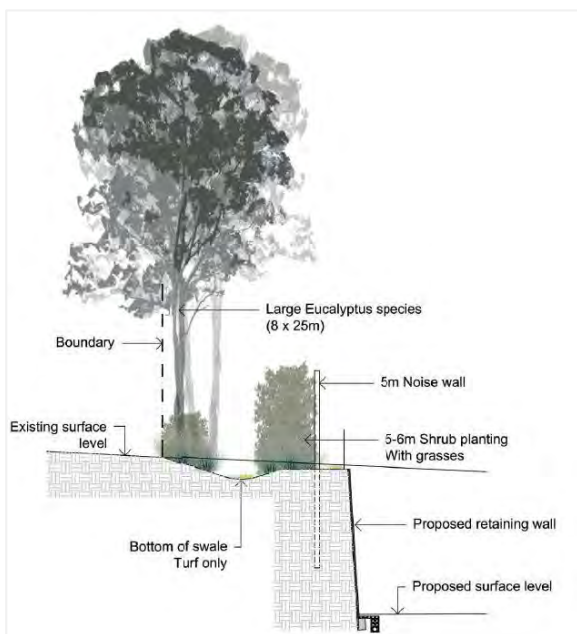
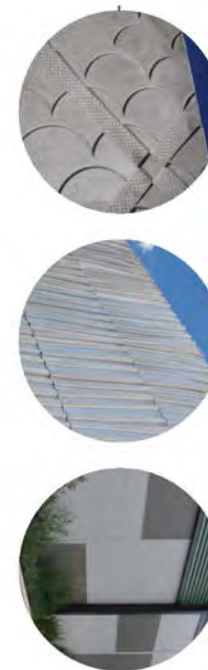


Figure 15: Landscape Section of Noise Walls on Southern and Eastern Boundaries



Cumulative Noise Impacts

NSW P&E has requested further clarification in relation to the way in which potential cumulative noise impacts associated with the OSE were assessed under the EIS.

Figure 16 illustrates an analysis of cumulative noise in respect of the OSE proposal and depicts the 37 dB LAeq(15minute) noise contours from the OSE (in yellow) and the same contours for the Jacfin site in dark green. These noise contours correspond to the 37 dB LAeq(15minute) Intrusive noise criteria for each site. The Intrusive criteria relates to the worst-case 15 minutes of operation occurring at any time within the daytime, evening or night-time periods.

The cumulative noise level from both the OSE and Jacfin sites combined may be up to 3 dB higher than shown in Figure 16 if the worst-case predicted operations from multiple sites occurred at the same time. Recognising that this situation is unlikely for the worst-case 15 minute period, the NSW Industrial Noise Policy (INP) process for assessing cumulative noise from developing areas (refer to Section 2.2.4 of the INP) directs the assessment of cumulative noise to the Amenity criteria, thereby accounting for predicated average noise over the corresponding period in which multiple sites may operate.

The acceptable Amenity criteria for the night-time period at rural residences is 40 dB LAeq(period). In the assessment of the OSE, it has been conservatively assumed that the worst-case operations occur 24/7 and therefore the night-time Amenity criterion becomes the controlling criteria, in accounting for cumulative noise contributions.

Table 2.2 of the INP outlines modifications to the Acceptable Noise Level (ANL) to account for existing levels of industrial noise (in the case of the OSE, noise from the proposed Jacfin industrial site). In applying this modification, the ANL for the OSE was reduced from 40 dB LAeq(period) to 37 dB LAeq(period). This reduction in ANL for the OSE accounts for the cumulative noise level from the OSE combined with the Jacfin site of 40 dB LAeq(period) night-time Amenity criteria.

Figure 16 shows the two assessments of both OSE and the Jacfin development and expected noise contours for the Jacfin proposed residential.

It should be noted that the assumptions within the noise assessment are based on 24-hour operation of warehouse and distribution facilities on the site. As such, it considers a worst-case assessment of potential impacts. Actual noise impacts may be substantially less than those predicted by the noise assessment. A further assessment of operational noise would be undertaken as part of detailed Das for the Estate and a recommended indicative sound power limit would be set for each individual building on the site to ensure that noise impacts are managed within acceptable levels.

Noise Impacts – Jacfin Estate

To inform the further review of potential noise impacts associated with the OSE proposal, a review of noise impact assessment undertaken in respect of the adjacent Jacfin industrial estate (10196-R Horsley Park Employment Precinct Revision – Noise Assessment including CSR Site and Oakdale South Site (10196-R), dated 2 March 2015, prepared by Wilkinson Murray) was done by acoustic consultants, SLR.

The review is documented in detail in the full NIA Addendum at Appendix E, however key findings show that a significant area of the proposed Jacfin residential subdivision (bordered with the black dashed line) lies within the 37 dBA noise contour for noise emissions from the Jacfin industrial site.

To compare the extent of impacts on this subdivision as a result of the OSE proposal and those created by the Jacfin industrial estate, noise contours for each project were overlayed as shown in Figure 16, with OSE warehouses depicted in blue and the 37 dBA LAeq(15minute) noise contour from the OSE depicted in yellow.

Figure 16: Comparison of Noise Impacts from OSE and Jacfin Industrial Estate



Figure 16 shows that the area of the proposed Jacfin rural residential subdivision that would, without mitigation, be impacted by the OSE proposal is relatively small compared to the impacts from the Jacfin industrial site. Additionally, the western buildings on the Jacfin industrial site are likely to provide shielding to the adjacent area of the Jacfin residential subdivision from noise emissions from the OSE, thus further reducing the area of impact from the OSE. With the installation of the noise wall along the southern part of the eastern boundary as proposed, these noise impacts would be effectively reduced below the required criteria.

4.4.3 Summary and Conclusion

The noise assessment concludes that operational noise emissions from the OSE would be minimal. Noise impacts can be effectively managed through the implementation of mitigation in the form of selection and treatment of fixed plant, and the installation of noise barriers on the southern and eastern boundaries of the OSE. Implementation of these mitigation measures as appropriate would reduce noise impacts on this area to acceptable levels.

4.5 WSEA SEPP

4.5.1 Background

A number of submissions raised the compliance of the OSE proposal with certain provisions of the WSEA SEPP including in particular, Clause 21 and Clause 23.

Clause 21 of the WSEA SEPP addresses building height and states that:

'The consent authority must not grant consent to development on land to which this Policy applies unless it is satisfied that:

- (a) building heights will not adversely impact on the amenity of adjacent residential areas, and*
- (b) site topography has been taken into consideration'.*

Clause 23 relates to development in the WSEA that adjoins residential land and applies to land that is within 250m of land zoned primarily for residential purposes. The clause requires that the consent authority cannot grant consent to development on such land unless it is demonstrated that:

- wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity, and
- goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land, and
- the elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance, and
- noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised, and
- the development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like, and
- the development will provide adequate off-street parking, relative to the demand for parking likely to be generated and access to the site does not share access with any other lands, and
- the site of the proposed development will be suitably landscaped, particularly between any building and the street alignment.

With regard to Clause 21, a detailed analysis of the proposed built form in the context of existing topography and impact on surrounding residential development has been undertaken as part of the VIA discussed in Section 4.4 and included in full at Appendix H. The VIA makes a series of recommendations which have been adopted as amendments to the proposal to ensure that built form on the site responds appropriately to the local context and that residential amenity would be preserved.

It is noted that the provisions of the WSEA SEPP with regard to building height and scale **do not** require that building heights within the WSEA be the same or similar to those in surrounding residential areas. Rather, the provisions require that built form be compatible and that potential visual impacts are effectively managed.

In this regard, it is noted that the VIA finds that the underlying topography of the OSE site means that the scale of built form can be more readily absorbed than in other areas surrounding the OSE, without significant adverse impacts upon view corridors and residential amenity.

Consideration of the detailed requirements of Clause 23 of the WSEA SEPP, informed by technical investigations as appropriate, is provided in Table 9.

Table 9: Consideration of Clause 23 of WSEA SEPP

REQUIREMENT	RESPONSE	REFERENCE
Wherever appropriate, proposed buildings are compatible with the height, scale, siting and character of existing residential buildings in the vicinity.	– This provision does not require that future buildings in the WSEA be designed as to not be at all visible from surrounding areas. It requires developments that are visible from residential areas to be compatible, goods, plant and other such elements to be screened from view and the facade of buildings exposed to view to present in an appropriate way that preserves an acceptable level of visual amenity. – Acceptable solutions to address compatibility (as supported by planning and legal principles) includes the siting and scale of buildings, architectural design and façade treatments and/or landscaping of sufficient density to create a visual buffer. – In general, the proposed OSE development is considered to be of an appropriate scale and character given the existing zoning, landscape character and context and the underlying topography. – The VIA prepared in respect of the OSE addresses these matters and makes recommendations with respect to appropriate visual treatment/attenuation to ensure that the proposed development adequately addresses these requirements.	Section 4.3 and Appendix H.
Goods, plant, equipment and other material resulting from the development are to be stored within a building or will be suitably screened from view from residential buildings and associated land.	– Goods, plant and equipment would be stored inside at all times or suitably screened to avoid potential visual impacts.	N/A
The elevation of any building facing, or significantly exposed to view from, land on which a dwelling house is situated has been designed to present an attractive appearance	– In general, the proposed OSE development is considered to present an appropriate design and façade treatment given the nature and character of the development. – The architectural design statement and perspectives submitted with the SSDA describe and illustrate the indicative appearance of the proposed development.	Architectural Design Statement included with original SSDA. Section 4.3 and Appendix H.

REQUIREMENT	RESPONSE	REFERENCE
	The VIA prepared in respect of the OSE further addresses the potential visual impacts of the proposal and makes recommendations with respect to appropriate visual treatment/attenuation to ensure that the proposed development adequately addresses these requirements.	
Noise generation from fixed sources or motor vehicles associated with the development will be effectively insulated or otherwise minimised	- Detailed NIA was undertaken to inform the design of the OSE SSDA. - Further noise assessment has been undertaken in response to issues raised in submissions and concludes that noise impacts on surrounding lands can be effectively maintained at acceptable levels.	Section 4.3 and Appendix I.
The development will not otherwise cause nuisance to residents, by way of hours of operation, traffic movement, parking, headlight glare, security lighting or the like,	- Potential impacts of the proposed OSE development in terms of visual impacts, noise, traffic and general amenity have been extensively assessed in the original SSDA submission and the additional investigations included with this RTS. - The supporting investigations demonstrate that the proposal would not result in significant adverse impacts in terms of nuisance to surrounding residents.	Section 4.3, 4.4
The development will provide adequate off-street parking, relative to the demand for parking likely to be generated	- The proposal makes provision for parking in accordance with RMS Guidelines. - Relevant roads and traffic authorities have not raised objection to proposed parking rates. - Access roads are not shared with residential areas.	N/A
The site of the proposed development will be suitably landscaped, particularly between any building and the street alignment	- The original SSDA includes detailed landscape plans for the site. - In response to the findings of the VIA, additional landscape embellishment is proposed as documented in the drawings at Appendix D.	Section 4.3, Appendix D and Appendix H.

4.5.2 Summary and Conclusion

Detailed consideration of the requirements of Clause 21 and 23 of the WSEA SEPP indicates that, subject to the appropriate visual and acoustic mitigation measures as recommended by the VIA and NIA Addendums, the OSE proposal aligns with the relevant provisions and requirements.

It is noted that the provisions of the WSEA SEPP with regard to building height and scale **do not** require that building heights within the WSEA be the same or similar to those in surrounding residential areas. Rather, the provisions require that built form be compatible and that potential visual impacts are effectively managed.

In this regard, it is noted that the VIA finds that the underlying topography of the OSE site means that the scale of built form can be more readily absorbed than in other areas surrounding the OSE. The maximum building height proposed for the OSE is reflective of the requirements of contemporary industrial and warehousing operations.

The VIA prepared for the OSE concludes that the site can absorb buildings of the scale proposed without significant adverse impacts upon view corridors and residential amenity.

Landscape and architectural treatments would be used to provide further attenuation of visual impacts to ensure compliance with the requirements of Clause 21 and 23 of the WSEA SEPP.

4.6 Waterway Impacts

4.6.1 Background

The OSE contains a number of waterways including a third order stream – Ropes Creek and two drainage lines, one of which is to be removed and one of which is to be partially realigned as part of the project.

The NSW DPI requested that further justification and analysis be provided on the potential impacts of the proposal on these waterways and the compliance of the proposal with relevant DPI and NSW Office of Water (NOW) Guidelines.

4.6.2 Discussion

NOW and DPI raised particular issues in relation to the proposal that require further clarification as discussed in Table 10.

Table 10: Discussion of NOW/DPI Comments

ISSUE	RESPONSE
Clarification as to why Drainage Line 2 is not a watercourse for the purposes of the NOW Guidelines.	– Drainage Line 2 is not considered to be a watercourse for the purposes of the NOW guidelines, as confirmed by NOW in email received, 7 October 2014. – In this email, NOW identifies one 1st order watercourse on the site (Drainage Line 1), other than Ropes Creek. It is assumed that this is because Drainage Line 2 is not mapped as a watercourse on the relevant 1:25,000 topographic map, and that there is little in the way of bed and banks visible upstream of the wooded stub on Drainage Line 2. By contrast, the designated 1st order watercourse has defined bed and banks up to the eastern boundary of the site, which then appear to continue upstream in the order of a further 300m into the adjoining Jacfin site.
Justification for the proposed OSE Concept Proposal in the context of minimising impacts on watercourses.	– The subject land is zoned Industrial, with a balance needing to be struck by the applicant between the economic and environmental drivers of the project. Within this context: - the 1st order watercourse has been retained with realignment, as allowed for within the NOW 'Guidelines for riparian corridors on waterfront land'; - the realignment works are generally consistent with the listed considerations ('What should be considered?') outlined in the 'Guidelines for instream works on

ISSUE	RESPONSE
	waterfront land' (refer to detailed consideration in Appendix O); - the road crossing of the realigned watercourse is generally consistent with the listed considerations (What should be considered in the design and construction of watercourse crossings?) outlined in the 'Guidelines for watercourse crossings on waterfront land' (refer to detailed consideration in Appendix O).
Compliance of the OSE Concept Proposal with NOW 'Guidelines for Instream works and works on Waterfront Land'.	- An assessment of the OSE proposal against these guidelines is provided in Appendix O to this RTS.
Conformance with NOW 'Guidelines for watercourse crossings on waterfront land – 'What should be considered in the design and construction of watercourse crossings?'	- An assessment of the OSE proposal against these guidelines is provided in Appendix O to this RTS.
The widths of the riparian corridors at the site are to be measured from top of the highest bank on both sides of the watercourses. In this respect, the Concept Plan may need to be amended as it appears that the proposal has measured widths from either side of the channel.	- The drawings accurately reflect 'top of highest bank', as provided by the surveyor.
Consideration be given to a bridge crossing to cross Ropes Creek to assist protect riparian connectivity and corridor function along this creek.	- A road bridge crossing of Ropes Creek will be required at some time in the future due to the width of the floodway in this area, as part of the regional road system. Goodman has no plans to build a separate bridge crossing of Ropes Creek. - As Goodman owns land on both sides of Ropes Creek, much of the riparian corridor will be readily accessible from both sides, facilitating ongoing maintenance of the watercourse.
- The culvert crossing of Drainage Line 1 should include elevated dry cells and recessed wet cells.	- We confirm that the proposed culvert crossing of Drainage Line 1 includes an elevated dry cell and recessed wet cell, and that the crossing design has been prepared generally in accordance with the NOW 'Guidelines for watercourse crossings on waterfront land'.
- Additional details be provided on the proposed source(s) of water and the total annual volume of water that is proposed to be used to irrigate the rehabilitated riparian corridor and E2 zone	- Provision will be made to irrigate newly reconstructed areas as required, in the first 3 months after installation, (on at least 4-5 occasions, depending on rainfall conditions, more waterings if required). The Contractor will be responsible for securing an appropriate water source for this purpose. On the provision that an appropriate water licence is obtained, this may involve pumping water for irrigation purposes directly from

ISSUE	RESPONSE
	Ropes Creek. Otherwise water carts or mains water are likely to be used for irrigating installed plants.

4.7 Other Issues

A range of other issues were raised in submissions received and have been addressed in Appendix A which summarises all submissions from agencies, organisations and the public.

In addition to the matters noted above, the applicant wishes to raise the following issues for NSW P&E attention in the finalisation of its assessment.

4.7.1 Approvals of Future Stages of the OSE

It is requested that NSW P&E take action to ensure that the future stages of the OSE are given SSD status regardless of cost thresholds. This is to ensure a consistent approach to the approvals for the site and a continuity of knowledge which will maximise efficiencies in future assessment processes for both the applicant and NSW P&E. It is understood that the SRD SEPP makes provision for this to occur unless conditions on any approval provide otherwise. Therefore it is requested that NSW P&E confirm the following:

- That it endorses the suggested approach of the applicant in relation to future stages of the OSE; and
- That it would structure any approval accordingly to ensure that this process is secured.

4.7.2 Finalisation of Biobanking Agreement

It is noted that the OSE proposal incorporates the protection of a substantial amount of native vegetation in perpetuity, secured through the establishment of a 'Biobanking Agreement'.

It is also noted that the finalisation of such agreements can be a timely process which could cause significant delay to the implementation of any approval issued for the OSE Stage 1 development. The timing of commencement of construction on the site is of critical importance to meet the needs of the market in relation to the provision of warehousing floorspace within the Estate. The first stages of this construction would require the clearing of vegetation in accordance with the approved plans and conditions of consent.

Delay to this process pending finalisation of the Biobanking Agreement would significantly and unnecessarily impact on the timing of delivery of the project. It is therefore requested that NSW P&E condition any approval to allow for the retirement of credits for the impacts of OSE after the commencement of earthworks on site.

The NSW Offset Policy for Major Projects states:

'If they (the proponent) wish to secure the offset after development commences, they must enter into a voluntary planning agreement prior to the granting of project approval, requiring the offset requirement to be carried out. This will involve the proponent providing security to ensure the offset requirement is fulfilled.'

The Policy further states,

'....there will be some flexibility to the above requirement (Biodiversity Offset Strategy) that offsets for these impacts be secured before the impact occurring during the transitional period (of the Policy). A consent authority may decide this is not a requirement where it can be demonstrated that the prospect of finding an appropriate offset is high.'

In the absence of the major projects 'fund', the applicant has sought to obtain its own offsets in the form of the establishment of a BioBank Site and retirement of credits from the open market. To this end the applicant has submitted a BioBanking Agreement Application to OEH for a parcel of land within the OSE that will be

protected and managed in perpetuity under the agreement. In addition, as a back up to the BioBanking Agreement, the applicant has also placed an expression of interest for credits wanted on the BioBanking Register for all of the impact credits generated as a result of the OSE development. On this basis, it is clear that the requirements of the policy are satisfied and that the prospect of finding an appropriate offset is high in the case of the OSE SSDA.

The establishment of the BioBank Site for the OSE within a certain time period could be conditioned under 'Long Term Security of Offsets'. Precedent exists for this approach in a number of other major projects in NSW, particularly in mining where the needs of the project and the likely impacts are similar to the earthworks proposed at the OSE. In these cases, conditions have granted a two year period of security of offset following the commencement of development consent. Typical wording for such a condition is as follows:

"Within 2 years of the commencement of development under this consent, unless otherwise agreed with the Secretary, the Applicant shall make suitable arrangements to provide appropriate long term security for the land within the Biodiversity Offset Strategy through a BioBanking Agreement under the Threatened Species Conservation Act 1995 (or an alternative mechanism agreed with OEH), to the satisfaction of the Secretary."

It is therefore requested that NSW P&E consider the imposition of such a condition on any approval for the OSE to allow for the establishment of a BioBanking Agreement that is to the satisfaction of OEH to offset the impacts of the OSE proposal without unreasonably delaying the progress of development.

5.0 Conclusions and Recommendations

5.1 Summary of Issues and Responses

A summary of issues raised and the applicant's responses is provided in Table 11.

Table 11 – Summary of Proposed OSE SSDA as Exhibited and Revised

OAKDALE SOUTH ESTATE		
Issue	Description	Response/Action
SLR Alignment	– The OSE proposal adopts a design and layout that would necessitate a minor shift in the current alignment of the SLR as included in the WSEA SEPP. – This proposed new alignment was raised in a number of government and organisation submissions, requesting further information, assessment and clarification on the proposal.	In response to these issues, the applicant has taken the following actions: – Preparation of additional engineering drawings to demonstrate the integration of the proposed SLR alignment with the western North-South link (Figure 6 and Appendix F). – Preparation of additional engineering drawings overlaying the CAD files for the current SLR alignment with the OSE Concept Proposal and the Jacfin Concept Approval to demonstrate the conflict with these developments (Figure 7 and Appendix F). – Comparative analysis of the existing and proposed SLR alignment to identify potential issues and impacts (detailed above). – Feasibility analysis of the construction costs associated with the existing and proposed SLR alignment for comparison to demonstrate that the alternative route is technically feasible and has the same order of magnitude cost as the existing alignment. – Comparative analysis of the existing and proposed OSE alignments indicates that the proposed OSE alignment would deliver an equal or better outcome in terms of transport objectives, development efficiency and feasibility, land use and transport integration and equitability of outcomes. – It is also likely that the SLR as proposed under the OSE SSDA would result in less impact upon environmentally sensitive lands by reducing encroachment onto the floodplain.

OAKDALE SOUTH ESTATE		
		– Analysis shows that the alternative alignment is technically feasible and has the same order of magnitude cost as the existing alignment.
Jacfin Site	– The SEARs require that the OSE SSDA consider the likely interactions between the OSE proposal and existing, approved and proposed development in the vicinity of the site. – In this regard the following particular matters are relevant: - The proposed rezoning of the Jacfin site under the recently exhibited Planning Proposal; - The Concept Plan Approval and Stage 1 Project Approval granted by the PAC on 28 October 2013 for the Jacfin site; - The existing E4 zoned land to the south of the OSE; and - The likely impacts of the OSE proposal on existing and proposed future surrounding land uses, including visual impacts, noise impacts and cumulative impacts.	– The applicant has commissioned further technical investigations including a comprehensive VIA (Section 4.3 and Appendix H) and an NIA Addendum (Section 4.4 and Appendix I). – The combined findings of these studies, along with general consideration of issues raised in relation to the adjoining Jacfin site resulted in the following actions and amendments to the OSE proposal: - Increased embellishment of landscape setbacks to the eastern site boundary to alleviate visual impacts and improve amenity along this interface (refer Appendix D); - Construction of a noise barrier for attenuation in the south-east of the OSE to further reduce noise impacts on the Jacfin site.
Visual Impact	– There was a need for further comprehensive visual impact assessment of the proposal with particular focus on impacts to Greenway Place in Horsley Park and Capitol Hill to the south. – The potential visual impacts on the proposed Jacfin rural residential rezoning and subdivision is also required.	– A comprehensive visual assessment has been prepared and is included at Appendix H. – A summary and discussion of the visual assessment is provided in Section 4.3 of this RTS. – The VIA concludes that, while the OSE proposal is a large change to the existing landscape and land use pattern, it's location adjacent to Ropes Creek Corridor and siting at a low point in the assists in reducing the visibility of the development. – The VIA classifies the likely visual impacts of the OSE as being 'Low' to 'Medium' in extent.

OAKDALE SOUTH ESTATE		
Noise Impacts	– A number of submissions raised the issue of acoustic impacts as a result of the OSE proposal, particularly with regard to impacts upon existing rural residential development at Capitol Hill and proposed rural residential development on the adjacent Jacfin estate. – The submissions made to the OSE proposal with respect to noise impacts raised three key issues: - Clarification of noise receptors in the surrounding area for impact assessment; - Clarification of the extent of noise impacts with particular regard to cumulative impacts; - Clarification of the extent of noise impacts on proposed Jacfin rural residential rezoning and subdivision and the Capitol Hill rural residential subdivision	– An addendum to the original noise impact has been provided to clarify issues with respect to noise impacts and is included at Appendix I. – Potential noise receivers identified in the NIA include both existing and proposed residential development. – The NIA concludes that operational noise emissions from the OSE would be minimal. – Noise impacts upon all existing residential receivers are within acceptable levels without the need for mitigation. – Noise impacts on the proposed Jacfin rural-residential subdivision and Capitol Hill subdivision are minimal without mitigation. With the introduction of a noise wall along the southern and part of the eastern site boundary, noise impacts on these properties would be entirely below acceptable criteria.
WSEA SEPP	– Submissions raised the compliance of the OSE proposal with certain provisions of the WSEA SEPP including in particular, Clause 21 and Clause 23 that relate to building height and general amenity issues in relation to residential development within 250m of industrial lands.	– A detailed VIA and NIA Addendum have been prepared to address these provisions in a comprehensive manner. These are included at Appendix H and I of the RTS. – The VIA prepared for the OSE concludes that the site can absorb buildings of the scale proposed without significant adverse impacts upon view corridors and residential amenity. – Landscape and architectural treatments would be used to provide further attenuation of visual impacts to ensure compliance with the requirements of Clause 21 and 23 of the WSEA SEPP. – Detailed consideration of the requirements of Clause 21 and 23 of the WSEA SEPP indicates that, subject to the appropriate visual and acoustic mitigation measures as recommended by the VIA and NIA Addendums, the OSE proposal aligns with the relevant provisions and requirements.

OAKDALE SOUTH ESTATE		
Flooding/Stormwater	Queries raised regarding the management of surface water and flooding, including identification of the PMF.	- An addendum to original flood study has been prepared to address issues raised and included at Appendix J. - A revised WSUD Report has also been prepared and is included at Appendix N.
QS Report	Revised QS Report requested by NSW P&E.	Revised QS Report provided at Appendix L.
Contamination	Stage 2 Contamination Report requested by NSW P&E.	Stage 2 Contamination Report prepared and included at Appendix K.
Services/Utilities	Confirmation required from utility providers with regard to services needs for the site.	'Services Lot' identified on the site under the Concept Proposal to be amended to read 'Potential Services Lot' to allow flexibility in relation to the needs of utility providers. - Correspondence from Sydney Water and Transgrid is included at Appendix S to the RTS.

5.2 Conclusion

The changes and additional mitigation measures proposed and summarised above are considered to effectively address the full range of issues raised in the submissions. Implementation of the project in accordance with these plans and details would result in a productive and appropriate development which integrates into the surrounding WSEA with acceptable impacts on surrounding lands. The OSE proposal would generate:

- 395,880m² of warehouse and distribution floorspace to meet latent and projected market demand;
- 1,500-2,000 operational jobs;
- 3,000-4,000 construction jobs;
- Over \$200 million of direct investment in core infrastructure and services; and
- Contribution to \$20 million of funding to critical upgrades to the external road network (Old Wallgrove Road upgrades).

It is noted that as part of the RTS, it is requested that NSW P&E take action to ensure that the future stages of the OSE are given SSD status regardless of cost thresholds. This is to ensure a consistent approach to the approvals for the site and a continuity of knowledge which will maximise efficiencies in future assessment processes for both the applicant and NSW P&E. It is understood that the SRD SEPP makes provision for this to occur unless conditions on any approval provide otherwise. Therefore it is requested that NSW P&E confirm the following:

- That it endorses the suggested approach of the applicant in relation to future stages of the OSE; and
- That it would structure any approval accordingly to ensure that this process is secured.

Appendix A: Summary of Submissions

Government/Agency Submissions

NSW Planning and Environment

Table A1: NSW Planning and Environment – Collated Comments on Draft RTS

ISSUE	DETAIL	RESPONSE
Alignment of Southern Link Road	- The Department understands that Goodman has prepared a cost analysis to support the proposed variation to the SLRN alignment under SSD 6917. - This information is critical to the Department's assessment of the proposed SLRN alignment. As such, this information should be submitted as part of a comprehensive RTS document.	- The applicant has prepared a detailed analysis of the proposed alternative SLR alignment including an assessment of cost and technical feasibility. - The details of this assessment have been provided to NSW P&E to inform its decision making process. - The analysis demonstrates that the proposed alignment is technically feasible and would incur the same order of magnitude cost as the existing alignment. - NSW P&E has commissioned its own analysis of the SLR proposal. It is understood that the outcomes of this work concur with the outcomes of the applicant's assessment.
Visual Impact Assessment	- The Department notes that a Visual Impact Assessment (VIA) has been provided to demonstrate compliance with the requirements of State Environmental Planning Policy (Western Sydney Employment Area) 2009. - In the meeting with the Department on 22 February 2016, it was advised that the VIA for the proposal should be undertaken from vantage points that would be impacted by the proposal. - The composite images for the Capitol Hill Subdivision have been taken from Capitol Hill Drive. The Department	- The original VIA has been revised to include an addendum to model the additional viewpoint identified off Francis Road. - This is included in the full VIA at Appendix H to the RTS.

ISSUE	DETAIL	RESPONSE
	understands that Francis Road extends behind the Capitol Hill subdivision in close proximity to the southern boundary of the OSE site. As such, the Department considers that an assessment from this vantage point should be provided.	
Noise Impact Assessment	– It is noted that residential receivers have been identified in the noise impact assessment addendum and that the contour for the project specific noise criteria has been provided. However, the Department considers that the overlay of the OSE and Jacfin noise contour in Figure 5 of the addendum does not demonstrate that a cumulative assessment has been undertaken. – Please confirm whether the predicted 37 dB(A) contour for the OSE is representative of the cumulative noise impacts at the points where the 37 dB(A) noise contours for the OSE and Jacfin sites overlap.	– Further explanation of the cumulative noise assessment is provided in Section 4.4 of the RTS and in Appendix I.
Voluntary Planning Agreement	– The Department notes that the alignment of the estate spine road located at Annexure C of the Oakdale Central and Oakdale South, Horsley Park Voluntary Planning Agreement (VPA) differs from the alignment under SSD 6917. – The Department considers that the VPA does not need to be varied, however an exchange of letters signed by both parties would need to occur to acknowledge the revised spine road design.	– A revised VPA Plan is included with the RTS at Appendix P.
Signage	– Please confirm whether the design and location of the Site Identification Sign (S1) has been amended in response to Council's submission.	– This sign has been deleted from the proposal and revised plans are included at Appendix E of the RTS.

ISSUE	DETAIL	RESPONSE
Penrith Council Comments	– The RTS does not fully resolve the issues raised by Penrith City Council. Please revise the RTS and Appendix A to address the comments provided by Council.	– A detailed report on the issues raised by PCC is included at Appendix Q with a summary table provided in Appendix A.
NSW DPI Issues	– RTS needs to further address why master plan 'Option 1' was discounted as this is the preferred option from the DPI perspective. Need to consider the various environmental benefits provided by this option and balance these with other issues. Need to consider the relevant NOW guidelines for justification of the chosen option. – RTS requires further information and clarification about the realignment of the waterway. Is it only Drainage Line 1 that is affected or also Drainage Line 2. Need to provide a detailed analysis of the proposed realignment against relevant NOW guidelines for justification.	– Section 4.6 of the RTS discusses the issues raised by NSW DPI and NOW and a more detailed account of the proposal in relation to relevant DPI guidelines is provided at Appendix O.
Transgrid	– Transgrid has advised that it does not have sufficient information to assess the degree of impact of additional flooding in its easement. – Further information is required to address the likely impacts on access to this easement, workplace safety and other relevant operational matters.	– Further information has been provided to Transgrid and confirmation will be provided to NSW P&E as to the adequacy of this information. – Transgrid has verbally advised that it is satisfied with the level of information provided. – A more detailed assessment of the flooding impacts of the OSE proposal on the easement is provided in the report at Appendix J.
General	– The following information and documentation is to be provided: – a high resolution/uncompressed version of the RTS on CD or USB thumb drive;	– The requested information will be provided with the RTS; – A detailed report on the WSUD Strategy for the OSE is included at Appendix N;

ISSUE	DETAIL	RESPONSE
	– confirmation of any revised plans of the warehouse buildings; – detailed design plans of the proposed noise wall along the southern site boundary including how the proposed wall would integrate with any landscaping; – confirmation that the extent of the revisions to the civil report prepared by AT&L at Appendix K of the RTS relates to the addition of the 2008 WSUD Strategy prepared by GHD; – an updated list of management and mitigation measures that would be implemented during construction and operation of the proposal. – Page 81 of the RTS states that lots 1A and 1B have been redesigned and that tanks have been relocated. Please confirm whether revised plans that reflect these changes will be submitted for assessment. – There are some discrepancies in the cross referencing of Appendices within the RTS and Appendix A. Please correct these discrepancies to avoid reader confusion.	– A consolidated list of mitigation measures is provided at Appendix T; – Revised plans have been prepared to reflect the changes to Precinct 1 and are included at Appendix E; – Cross referencing of the RTS has been reviewed and corrected.

Other Agency Submissions

A total of 14 submissions were received from government agencies/authorities with key issues summarised in the table below.

Table A2: Summary of Government/Agency Submissions and Responses

SUBMITTED BY:	KEY ISSUES	RESPONSE
Water NSW	- Any realignment or works carried out on Ropes Creek should be done in a manner that does not adversely impact downstream lands such as the Warragamba Pipelines corridor. - The proposed OSE development should not result in an increase in existing levels of stormwater entering the Warragamba Pipelines corridor.	- It is confirmed that the proposed OSE development would not result in an increase in stormwater levels entering Warragamba Pipelines and works carried out on the site would be managed to avoid impacts on downstream lands. - An addendum to the original flood assessment is provided at Appendix J and confirms that the 100yr ARI and PMF flood levels in the vicinity of the Warragamba Pipelines Corridor either do not increase or slightly decrease with velocities effectively remaining unchanged.
NSW Heritage Council	- A search of the State Heritage Inventory indicates that the proposed location is not in the vicinity of any State Heritage Listed sites. As such, consultation with the Heritage Council is not required. - The following condition is recommended for consideration: <i>"If historical archaeological deposits or Aboriginal objects are discovered during works, work must immediately cease in the affected area(s) and a suitably qualified and experienced archaeologist must be contacted to assess the finds. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery".</i>	The standard condition with regard to heritage management is accepted by the applicant.

SUBMITTED BY:	KEY ISSUES	RESPONSE
NSW Heritage Council	– The Heritage Division disagrees with the assessment of the level of significance of the relics and deposits found on the site associated with the former Lochwood Estate which is identified as 'local'. – Where the physical remains of the Lochwood Estate have been identified, these remains should be avoided wherever possible within the proposed development. – Where remains cannot be avoided, the following conditions are recommended: – The Applicant must undertake full salvage excavation of all relics of the Lockwood Estate including any associated outbuildings and supporting elements. These relics should be retained by the landowner in a nominated repository on site. – The nominated excavation director should satisfy the endorsed Heritage Council Excavation Directors Criteria at a State Level. – The Archaeological Research Design and Excavation Methodology should be amended to take into account the potential State significant archaeology on site and be submitted for the endorsement by the Heritage Council of NSW as a condition of approval. – A final archaeological excavation report should be prepared in accordance with Heritage Council guidelines and submitted within 1 year of the completion of the archaeological investigation at the Oakdale site. This report should be submitted for the information of the Department of Planning and Environment and a copy should be sent to the Heritage Council of NSW and the Local Council Library; – An interpretation plan should be prepared by the Applicant following the completion of the proposed development. This interpretation plan should include information obtained through	– The applicant's historical archaeological assessment and test excavation reports identify that remains associated with the early nineteenth century occupation and use of the Lochwood Estate would be of State heritage significance. – The Estate has a long history (1815-1919) before it was subdivided as part of the Lenore Soldier Settlement Scheme. – The archaeological testing identified remains associated with estate outbuildings which appear to date to the later nineteenth century. Remains consisted of brick floor and no in situ deposits or artefacts. These remains are considered to be of local significance (later phase of occupation and nature of resource). – Though testing did not locate further archaeological remains, it is considered there is potential for other archaeological remains in the former outbuilding complex, and perhaps early nineteenth century in date. – Archaeological salvage excavation was recommended as part of the EIS and an Archaeological Research Design is currently being prepared. This will also include archaeological methodology for potential state significant archaeological relics within the program. The archaeological program would be managed by an excavation director who meets the criteria for state significant archaeological sites. – The applicant accepts the recommended standard conditions regarding artefacts being retained by the land owner in a repository on site, an excavation report being written and a heritage interpretation strategy to include archaeological results.

SUBMITTED BY:	KEY ISSUES	RESPONSE
	the historical research and archaeological (Aboriginal and historical) investigations of the subject land and allow the users of the site to understand the sites history.	
Transgrid	- Formal survey plans identifying the exact position of TransGrid's easement and the infrastructure therein will need to be arranged to ensure that the exact position of the easement is accurately accounted for and that no prohibitive encroachment arises within the easement or immediately adjacent thereto. - Where there is any proposed encroachment within TransGrid's transmission easement, full detailed plans will need to be provided for review to determine whether the proposal is acceptable. Plans provided should be in 3D-DXF and PDF formats. - Site plans and elevations will also be required to identify any development proposed within immediate proximity of TransGrid's easements. - Precincts 11 4 & 5 will be situated either within or immediately adjacent to TransGrid's easement. For these precincts detailed plans as outlined above will need to be provided for assessment. - TransGrid has vertical and horizontal clearances that must be preserved at all times. - The drainage impact on the easement arising from the development on the immediate outside edge of the easement must be further addressed. Drainage culverts along with any detention basins proposed on the easement will need to be assessed to ensure TransGrid's access along the easement and around the transmission structures is not obstructed. - Handrails associated with the 5m high retaining walls proposed on the edge of the easement will need to be earthed and isolated to	- The applicant has been in contact with Tim Cowdroy from TransGrid in relation to TransGrid's response to SSD6917. - Transgrid has confirmed that the additional information requested by TransGrid is not required prior to the determination of the SSDA. - It has been agreed with TransGrid that the requested information would be provided during the detailed design phase of the development to ensure that any works proposed on or near TransGrid's easements comply with TransGrid's easement restrictions. - TransGrid has made the following statement in this regard: <i>"Transgrid confirms that the detailed plans, being in 3D DXF format and corresponding PDF format including but not limited to dimensioned site and elevation plans (Detailed Design Plans), are not required upfront ahead of the DP&E determining SSD6917. However, this documentation will be required as part of the detailed design phase of the development to ensure that any works proposed on or near TransGrid's easement comply with our (TransGrid's) easement restrictions. It is therefore recommended that the DP&E impose a condition on the consent for the SSDA that the developer must consult with and obtain TransGrid's written approval to any development proposed to be situated within or immediately adjacent to TransGrid's easement".</i>

SUBMITTED BY:	KEY ISSUES	RESPONSE
	prevent micro shocks due to the proximity of the metallic handrails relative to the high voltage transmission lines. – Road undercrossings of the easement will need to be assessed, including the position and placement of street lighting (to be positioned on the outside edge of the easement and not on the easement). – Road RLs need to comply with TransGrid's vertical clearances, based on the maximum operating temperature of the transmission lines and the fact that articulated vehicles will be using the road. – Horizontal clearances from the transmission towers also apply, including protection of the subterranean earthing straps that protrude diagonally out from each leg of a stanchion by 15 metres. A 25 metre exclusion zone around each stanchion will need to be established during civil works and subsequent development. – Ground levels on the easement are not to be altered without TransGrid's prior written consent. Stockpiling or storing of intermediate spoil on the easement is prohibited at all times. – TransGrid is not in a position to endorse the proposed development. Pursuant to clause 45 of SEPP (Infrastructure) 2007, TransGrid will require the additional information before making a determining submission to NSW P&E and will do so once the requested documentation has been received and assessed.	– Further information is provided in a letter from TransGrid's at Appendix S.
Endeavour Energy	– The OSE is included in Endeavour's long-term strategy to service the broader Oakdale Precinct. – A new zone substation will ultimately be required in either the Oakdale West or Oakdale South Estates. – The OSE is isolated from Oakdale West and Erskine Park, making it difficult to extend existing infrastructure. It would be Endeavour	– Endeavour Energy's comments are noted. The applicant will work with Endeavour Energy during the detailed design phase to establish power supply staging arrangements for the development.

SUBMITTED BY:	KEY ISSUES	RESPONSE
	Energy's preference that the East/West link road be established earlier to enable provision of infrastructure or a services corridor established to link OSE and Oakdale West. – Endeavour's comments on power supply to initial development of OSE include: – Initial supply from Eastern Creek ZS. – Allowance to be made in the OSE Concept Plan for the continuation of distribution ducts into the Oakdale West subdivision road pattern. – Future establishment of a Zone Substation Site once supply from existing sources is exhausted. – Consideration to be given to a 132kV transmission line route back to Sydney West BSP.	
Sydney Water	– The developer will be required to adequately consult other agencies and stakeholders, as well as the adjacent landowners to review and finalise the Local Area Servicing Plan relating to the OSE before sending the plan to Sydney Water for endorsement. – With regard to water supply, there is currently sufficient capacity to service the OSE, through a combination of the Minchinbury and Cecil Park Water Supply Zones. The developer will be responsible for the delivery of local augmentations and amplifications required to service the ultimate development of the OSE, including adjacent properties. – With regard to wastewater, the OSE will be serviced by extensions connecting to the St Marys Wastewater Network via the Ophir Street and East St Clair carriers. – Following completion of the final section of the East St Clair Carrier (anticipated by February 2016), the remainder of the wastewater	– The proponent met with Sydney Water on 2nd December 2015 to discuss an update to the Oakdale Local Area Servicing Plan (LASP). A scope of works was issued to Sydney Water on 5th January 2016 and endorsed by Sydney Water on 1st February 2016. An inception meeting for the LASP update was set with Sydney Water and the proponent for the 10th February 2016. – The proponent acknowledges Sydney Water's comments and will work with Sydney Water in delivery of the updated Oakdale LASP and future water/sewer business cases for the development. – Correspondence from Sydney Water is included with the RTS at Appendix S.

SUBMITTED BY:	KEY ISSUES	RESPONSE
	servicing works will be carried out within the precinct. The developer will be responsible for the delivery of local augmentations and amplifications required to service the ultimate development of the OSE, including adjacent properties – Detailed requirements for water and wastewater will be provided at the Section 73 application phase.	
Transport for NSW	– It is noted that the proponent is seeking to deviate the future alignment of the Southern Link Road in the vicinity of the site. TfNSW recommends that any road design changes to that exhibited in late 2014 should be consistent with previously adopted design standards.	– The master plan design adopted for the OSE would require a minor deviation of the SLR from its current planned alignment. This deviation is required to allow for the efficient development of the OSE and for efficient connections to the existing and planned future road network for the OSE and surrounding lands. – The proposed alignment of the SLR would achieve the underlying intent and objectives of this strategic road connection and would not result in significant additional impacts. – The applicant has undertaken detailed analysis of the feasibility and costs associated with the proposed alternative alignment. NSW P&E has also commissioned its own studies in this regard. Results indicate that the proposed SLR alignment is technically feasible and would attract similar costs for delivery as the existing alignment. – Refer to detailed discussion in Section 4.1 of the report regarding the proposed SLR alignment.
NSW Department of Primary Industries	– In terms of protecting and enhancing the watercourses and riparian outcomes at the site, DPI Water prefers Concept Proposal Option 1 as presented in the EIS to Option 3.	– Section 4.6 and Appendix O discuss issues related to waterway impacts and biodiversity offsets as raised by NSW DPI.

SUBMITTED BY:	KEY ISSUES	RESPONSE
	- DPI Water recommends: - details be provided on why Drainage line 2 is not considered to be a watercourse and whether it exhibits a defined channel with bed and banks, - the widths of the riparian corridors at the site are to be measured from top of the highest bank on both sides of the watercourses. In this respect, the Concept Plan may need to be amended as it appears that the proposal has measured widths from either side of the channel. - consideration be given to a bridge crossing to cross Ropes Creek to assist protect riparian connectivity and corridor function along this creek, - the culvert crossing of Drainage line 1 includes elevated dry cells and recessed wet cells - additional details be provided on the proposed source(s) of water and the total annual volume of water that is proposed to be used to irrigate the rehabilitated riparian corridor and E2 zone.	- Detailed analysis of the preferred OSE option (Option 3) against relevant DPI/NOW guidelines is provided in the report at Appendix O. - The applicant has been in ongoing discussions with OEH/NOW regarding the treatment of riparian corridors on the site and in principle agreement was given with regard to the adopted site layout. - Design Option 1 of the OSE Concept Proposal was an early design iteration that was discounted due to inefficiencies in the site layout and inability to meet core project objectives in terms of the required specifications for development sites. - Option 3 represents a balanced outcome for the site that meets the objectives of the project and offers significant environmental benefit in terms of the restoration of riparian lands and the protection of a significant amount of native vegetation in perpetuity. Further analysis of the environmental outcomes achieved under the preferred option is provided in Appendix O to this RTS. - Option 1 is not a viable option for the development of the OSE and will not be pursued by the applicant. - In relation to NSW DPI's comments on stream classification: - Drainage Line 2 is not considered to be a watercourse for the purposes of the NOW guidelines, as confirmed by NOW in email received, 7 October 2014. - In this email, NOW identifies one 1st order watercourse on the site (Drainage Line 1), other than Ropes Creek. It is assumed that this is because Drainage Line 2 is not mapped as a watercourse on the relevant 1:25,000 topographic map, and that there is little in the way of bed

SUBMITTED BY:	KEY ISSUES	RESPONSE
		and banks visible upstream of the wooded stub on Drainage Line 2. By contrast, the designated 1st order watercourse has defined bed and banks up to the eastern boundary of the site, which then appear to continue upstream in the order of a further 300m into the adjoining Jacfin site. – The subject land is zoned Industrial, with a balance needing to be struck by the applicant between the economic and environmental drivers of the project. Within this context: – the 1st order watercourse has been retained with realignment, as allowed for within the NOW 'Guidelines for riparian corridors on waterfront land'; – the realignment works are generally consistent with the listed considerations ('What should be considered?') outlined in the 'Guidelines for instream works on waterfront land' (refer to detailed consideration in Appendix O); – the road crossing of the realigned watercourse is generally consistent with the listed considerations (What should be considered in the design and construction of watercourse crossings?) outlined in the 'Guidelines for watercourse crossings on waterfront land' (refer to detailed consideration in Appendix O). – The plans provided with the SSDA accurately reflect 'top of bank' as measured by a surveyor. – A road bridge crossing of Ropes Creek will be required at some time in the future due to the width of the floodway in this area, as part of the regional road system. Goodman has no plans to build a separate bridge crossing of Ropes Creek.

SUBMITTED BY:	KEY ISSUES	RESPONSE
		– As Goodman owns land on both sides of Ropes Creek, much of the riparian corridor will be readily accessible from both sides, facilitating ongoing maintenance of the watercourse. – The applicant confirms that the proposed culvert crossing of Drainage Line 1 includes an elevated dry cell and recessed wet cell, and that the crossing design has been prepared generally in accordance with the NOW 'Guidelines for watercourse crossings on waterfront land'. – Provision will be made to irrigate newly reconstructed areas as required, in the first 3 months after installation, (on at least 4-5 occasions, depending on rainfall conditions, more waterings if required). The Contractor will be responsible for securing an appropriate water source for this purpose. On the provision that an appropriate water licence is obtained, this may involve pumping water for irrigation purposes directly from Ropes Creek. Otherwise water carts or mains water are likely to be used for irrigating installed plants. Further detailed consideration of the issues raised by NSW DPI is provided in Section 4.6 and Appendix O.
NSW Office of Environment and Heritage (OEH)	Biodiversity Offsets – OEH recommends that the land zoned E2 on the subject site be protected from all impacts from the development. – The credit requirement for the OSE proposal is 104 credits for HN526 and 43 for H13 credits for HN594. In addition, 13 credits were calculated for the loss of 0.31 ha of HN528 Cumberland Plain Woodland.	Biodiversity Offsets – The proponent, in consultation with the ecological contractor, has discussed a number of options of site layout with consideration of the E2 zoning present on site. – The site has been selected to avoid non-permitted activities within E2 zoned land. Where E2 zoned land has been impacted by permitted activities, the proponent has replaced and offset

SUBMITTED BY:	KEY ISSUES	RESPONSE
	– The E2 areas include a number of relatively narrow riparian corridors that are intended to be protected, managed and restored as fully vegetated and naturally functioning waterways. OEH is concerned that the development has not satisfactorily avoided impacts on the area zoned E2. – The indicative layout of the development site Figure 1.3 in the Cumberland Ecology report shows the road, services lot and batter within E2 land. The proposal would entirely remove the eastern section of the tributary and require the realignment of a section of it to accommodate the road layout. – The E2 zone objectives include "to protect manage and restore areas of high ecological, scientific, cultural or aesthetic values" and "to prevent development that could destroy, damage or otherwise have an adverse effect on these values". Although roads, artificial waterbodies and flood mitigation works are permitted with consent in the E2 zoning, OEH does not consider these components of the development would meet the zone objectives or that the impacts have been adequately avoided or minimised. – OEH recommends: that all impacts on the E2 land should be avoided. – An Offset Strategy has been prepared that proposes an onsite offset area and purchase and retirement of the remaining required credits. The on-site offset is proposed on land that has already been primarily zoned E2 (p4.6 BOS) through the WSEA rezoning process. – Principle 4 of the NSW Biodiversity Offsets Policy for Major Projects states that offsets must be additional to other legal requirements. Offsets must provide an actual addition to biodiversity rather than something that was going to occur anyway. To ensure this, the policy applies the principle that improvements to biodiversity made through	- these impacts in the form of a tributary re-alignment and biodiversity offset area. – The E2 zone is intended to allow for some limited development, alongside its role in identifying and protecting environmentally sensitive land. – Roads, artificial waterbodies; Environmental facilities; Environmental protection works and Flood mitigation works are all permissible on E2 zoned land. Development proposed under the SSDA within the E2 zone is permissible and the proposal appropriately respects the riparian/E2 lands on the site. – Do not agree that the environmental impacts have not been adequately avoided. – The Biodiversity Offset Strategy has proposed the establishment of a BioBank site on the lands immediately adjacent to the development site. Part of the proposed BioBank site includes land zoned E2. In line with Principle 4, this was considered during the credit calculations for the BioBank site. As the E2 land within the proposed BioBank site has no current management obligations, by securing the site in perpetuity through a BioBanking Agreement, the management actions associated with the BioBanking Agreement will provide a significant conservation improvement for the land within the proposed onsite offset. As such, no discount has been applied to the BioBanking Credits generated through the onsite offset. – The proposed Southern Link Road has been excluded from the onsite offset. – A BioBanking Agreement is to be produced prior to impacts on native vegetation as part of the development.

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	undertaking management actions must be in addition to other legal obligations for conservation that are attached to the land. - Given the conservation zoning that already applies to this land, any biobanking of credits for an onsite offset is expected to be subject to additionality provisions and will require further detailed consideration by the OEH Biobanking Team. This would have to consider any other issues such as easements, ownership and future impacts such as the proposed Southern Link Road. Under the Offsets Policy, proponents generally need to secure offsets before the development commences. Flood Risk Management - The OSE proposal involves filling in a creek that drains the southern portion of the development site, re-grading the site and draining the site through roadways and piped flow into retention basins that flow into Ropes Creek. The modelling detailed in the report titled Flood Impact Assessment Oakdale South Industrial Estate (Cardno, 16 September 2015) shows the proposed works would result in minor localised increases and decreases of 1 in 100yr ARI flood levels along, Ropes Creek and local flood levels increases within the power line easement adjacent to the proposed development. - The Flood Impact Assessment report identifies an increase in flood levels in a 100yr ARI flood from this development of up to 0.1 m on adjacent lands that are currently un-developed. The acceptability of this flood impact on adjacent lands is a matter for the Department of Planning and Environment in consultation with Penrith Council to determine.	- It is noted that there is a need to commence the clearing of certain vegetation as approved under any SSDA consent prior to the completion of the Biobanking Agreement. Should the applicant have to wait until the Agreement is finalised, it would not be able to meet its commitments to incoming tenants and the objective of providing a timely supply of industrial floorspace to meet market demand would not be achieved. It is therefore requested that NSW P&E structure any consent to allow for clearing to take place in accordance with the conditions of the approval concurrently with the finalisation of the BioBanking Agreement. Flood Risk Management - Minor increases in flood levels are explained and justified in detail within the original flood assessment and addendum Flood Report at Appendix J to this RTS.

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Penrith City Council	Rural-Residential Development – The current concept is not considered to be compatible with the character of the surrounding area given the extensive excavation within south east portion of the site, the limited visual assessment of the proposed buildings and the proposed buffer to existing and proposed residential land uses. – It is noted that there is a current planning proposal for the rezoning of 35ha of industrial land to RU4 primary production on the adjoining Jacfin site. This zoning permits residential development and as such, the current proposal must consider the potential amenity impacts.	Rural-Residential Development – The interface of the proposed development with the adjacent rural-residential development has been further examined in response to issues raised. – A comprehensive VIA has been prepared to consider the visual impact of the proposal on rural residential lands to the south and east, including land proposed to be rezoned on the Jacfin property. – The recommendations of the VIA have been adopted including further embellishment of landscaping along these boundaries as shown in the landscape plans at Appendix D. – With the implementation of these additional measures, the VIA concludes that the visual impacts of the proposal would be acceptable. – Similarly, further noise impact assessment was carried out following the exhibition of the EIS to examine cumulative noise impacts related to the proposed development. – As a result of this further assessment, the proposal has been amended to incorporate noise walls along the southern and south-eastern boundaries of the site to preserve appropriate levels of acoustic amenity for surrounding residents. – These noise walls would be fully screened by landscaping as shown in the plans at Appendix D and Appendix H to ensure that both visual and acoustic amenity is preserved.
	Earthworks – The severe cut and fill proposed has little regard for the interface with adjacent developments (Jacfin Estate) and adjoining rural-residential land uses.	– The interface between the OSE development and adjoining Jacfin development has been thoroughly considered during the design of the OSE proposal. In relation to Penrith Council's comment, it is noted that:

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		- The proposed cut/fill finished surface levels allow for the boundary allotments to be located at a lower level than the adjacent existing Jacfin lands (working with the existing topography) and therefore reduces the overall height and scale of the proposed OSE development when viewed from the Jacfin Estate and surrounding areas; - The cut/fill extents are driven by the market need for large flexible allotments to accommodate a broad range of requirements to ensure economic efficient use of the land for employment generating purposes; - Predominant walls will be screened from view from the estate roads via the proposed buildings and from the Jacfin estate via appropriate landscaping; and - It is anticipated that the proposed Jacfin development will be lowered to similar levels to the OSE.
	Built Form - It is noted that buildings of the scale proposed would go through Council's Urban Design review process if Council were the consent authority. - Prominent elevations, such as those with a frontage to the street or public reserves or those that are visible from public areas, must present a building form of significant architectural and design merit. - Large expanses of wall or building mass shall be broken up with the use of additional architectural treatments. - The development must incorporate a variety of external finishes in terms of both colour and type of material used. - Servicing requirements for the buildings such as sprinkler tanks and the like, should not be located within the front setback or be visible	Built Form - The built form proposed on the site has been subject to a considered approach to design, informed by both functionality and aesthetic appeal. - Design merit is achieved in the proposal through a coordinated and coherent approach to the design of both warehouse and office buildings. A well articulated & ordered design language is achieved with particular attention paid to office areas and front entries. - Order is maintained across the precinct through the adoption of a limited selection of muted colours and materials. Variety is built into the design through specific changes to key elements. This ensures each building retains an individual character,

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	from public places. These requirements shall be integrated with the building and landscaping design. – The Site Identification Sign (S1) is not supported within the biodiversity lot. The height of the sign is excessive and location of the sign is inappropriate. The sign should be integrated with the overall development proposal. – All front fencing shall be located behind the landscape setback and not along the front boundary. Fencing to be a maximum height of 2.1m and of an 'open' nature. – Any retaining walls visible from public places shall be stepped and contain suitable landscaping to soften their visual impact. This is of particular importance for the retaining walls provided at the entrance of the estate.	adding interest to the presentation of facades across the estate, and to the streetscape appeal. – Rainwater tanks have been relocated out of landscape setback zones and away from public view. Notably lots 1A & 1B have been redesigned as shown in the revised plans at Appendix E. – Sign identification S1 has been removed from the proposal in response to the comments made by Council. This is illustrated in the revised plans at Appendix E. – Retaining walls have been stepped and would be landscaped in accordance with Council's comment. – Fencing would be located behind the landscaped setback as noted in Council's submission. – The design outcome achieved by the proposal is typical of warehousing developments of a similar scale in the area and is considered to respond effectively to the issues raised.
	Water Sensitive Urban Design – Council's policy requires that all industrial sites treat their stormwater discharge on-site for both water quantity and quality prior to discharge into Council's drainage systems. – Larger communal basins that are proposed to be handed over to Council are not supported as they place additional burdens upon Council's maintenance budget. – No objections are raised to the basins being owned and maintained by the occupants/owners of the industrial lots. – If Council was to consider the dedication of the basins the following information is to be provided:	Response – It is proposed that Oakdale South would have communal detention basins as per the adopted arrangement/design for the Oakdale Central Estate. – For quality purposes, Gross-Pollutant Traps (GPTs) will be provided within all allotments prior to discharge to the stormwater drainage network. Road and allotment stormwater run-off will then be treated for quality and quantity via the precinct style bio-retention basins. – The proposal does not seek to dedicate detention basins to Council.

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	- a detailed operation and maintenance manual as well as maintenance cost estimates for the bio-retention basins. - a proposed maintenance and management period. - In this regard, the bio-retention basins shall have a minimum 3 year maintenance period prior to final handover to Penrith City Council. - bio-retention basins shall be maintained by the applicant until handover to Council. - A deed of agreement or similar mechanism must be entered into with Council. - Further consideration shall be given to the permissibility of the bioretention basins within the E2 zone in relation to the definitions of 'artificial waterbodies' and 'flood mitigation works' contained in the SEPP (WSEA) 2009. - All stormwater discharge from the industrial lots shall be treated in accordance with Council's Water Sensitive Urban Design Policy. - Design structural certification is required for all structures, box culverts and pits greater than 2m in depth. - All temporary sediment and bio-retention basins shall be located clear of the 1% AEP flood event from Ropes Creek and Ropes Creek tributaries. - The weirs of all temporary sediment and bio-retention basins shall be located above the 1% AEP flood event from Ropes Creek and Ropes Creek tributaries. - Gross pollutants from the lots and from the road are to be captured prior to the discharge of stormwater into any bio retention basin. Each lot shall be responsible for the capture of gross pollutants wholly within their lot.	- The bio-retention basins are appropriately characterised as 'artificial water bodies' which are permitted with consent within the E2 zone. - Council's required batter slope will be adopted or vegetated batters would be adopted to suit. - All basins have been designed to Council and WSUD best practice to provide water treatment rates. Basins are free draining with water only being stored for short periods during large rainfall events. - The applicant will ensure that structural certification is provided for all structures, box culverts and pits greater than 2m in depth. - The applicant will ensure that all temporary basins will be located clear of the 100yr ARI flood event from Ropes Creek and Ropes Creek tributaries. - The applicant will ensure that the weirs of all temporary basins will be located above of the 100yr ARI flood event from Ropes Creek and Ropes Creek tributaries. - GPT's will be installed within all allotments. No GPT's will be installed within the road reserve. Music modelling to PCC's requirements confirms that allotment GPT's and bio-retention basins treat all stormwater run-off from the site (allotment and road reserve) to the target reductions as specified by PCC. No additional GPT's are required within the road reserve. Music modelling can be provided at the request of PCC. - The basins will not 'contain', rather 'retain' stormwater run-off with discharge to permissible discharge allowances. All basins are sized to compensate for up to 1:100 yr events for the entire upstream catchment (including the basin area itself). No additional storage is required.

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	– All bio-retention basins shall be designed to contain flows for all storm events up to and including the 1% AEP local storm event. – It is unclear how access would be provided to Basin 4. In this regard, access should be provided by a 4m wide heavy duty stabilised access from a public road to permit maintenance by Council's maintenance fleet should it be dedicated to Council. – All batter slopes of bio-retention basins shall be a maximum of 1 in 5 (horizontal to vertical) to permit mowing. Any batter slope steeper than 1 in 5 shall be vegetated. – Operation and maintenance manuals are to be provided to Penrith City Council for any temporary sediment basins, gross pollutant traps and the ultimate bio-retention basins. – The bio-retention basins are to be utilised as temporary sediment control basins and shall not be converted into the ultimate bioretention basins until such times as all building and construction works within the estate have been completed and 90% of the developed site is stabilised. – All batter slopes shall be a maximum of 1 in 5 (horizontal to vertical) to permit mowing. Any batter slope steeper than 1 in 5 shall be vegetated. – Any swale shall have a minimum longitudinal grade of 1%. Swales with longitudinal grades of less than 1% become problematic for maintenance as they silt up and are not free draining. – Storage greater than 400mm above the bio-retention system intended level is not recommended as it can adversely impact on maintenance costs due to higher volumes of stormwater, increased pollutants and impacts on vegetation.	– Regarding Basin 4 - A 4m wide access track along the berm of the basin will be provided for access. – The applicant will ensure that operation and maintenance manuals will be provided to PCC for any temporary basins, GPT's and ultimate bio-retention basins. – The applicant will ensure that all stormwater discharge from industrial lots is treated in accordance with Council's requirements including the PCC Design Guidelines for Engineering Works and PCC 2014 DCP C3 Water Management. – The applicant will ensure that all permanent swales will have a minimum grade of 1%. However, temporary swales to temporary sediment basins may be designed to 0.5% to suit bulk earthworks construction staging. – Regarding Council's comment on bioretention storage requirements – there is no reference to this requirement within the PCC design guidelines, WSUD strategy or DCP. Bio-retention basins have been designed in accordance with the statutory requirements of the <i>Protection of the Environment Operations Act 1997</i> and <i>Oakdale WSUD Strategy Report</i> (GHD 2010). – Further detailed analysis of the proposal against Council's comments and Council's WSUD guidelines is provided in the reports at Appendix N to the RTS.

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	It is recommended that the plans be amended and that the additional volume is provided in OSD storage elsewhere within the estate.	
	Biodiversity - The proposed development seeks to realign 250m of creek. This creek currently sits within the E2 Environmental Conservation zone. The realignment will shift this section of the creek out of the current zoning. The proposal does not identify whether a rezoning application will be sought to ensure that the new creek alignment will continue to be within the E2 zone. - It is unclear how the VMP and the future Biodiversity Management Plan will interact. In particular, it is unclear whether the lands covered by the VMP will be managed in perpetuity under the Biodiversity Management Plan. The draft VMP only provides for a maintenance and management period of 5 years. - The proposed plans shows driveways associated with warehouse and distribution buildings as well as tanks within the E2 zone. It is noted that these works are not permitted in the E2 Environmental Conservation zone.	Response - The proposal seeks to realign a drainage line on the site (Drainage Line 1) which is not classified as a 'stream'. - It is noted that this would also result in the realignment of the E2 zone. This would be addressed through a planning proposal to amend the LEP following determination of the development application. - The VMP will inform part of the wider Biodiversity Management Plan (BMP) that will be produced as part of the BioBanking Agreement for the ongoing management of the BioBank site (onsite offset). - The replanting and management actions proposed in the VMP will cover all actions required to establish the areas of native vegetation over the first 5-years. These actions will be mirrored in the BMP. The BMP will also detail actions for managing and monitoring the BioBank site in perpetuity including, but not limited to, native vegetation regeneration and the control of weeds and feral animals.
	Contamination The EIS does not demonstrate that the site is suitable for the proposed industrial use as required under SEPP55. AECOM, in their correspondence dated 9 September 2015, concluded that "relatively small areas of potential environmental (i.e. contamination)	- A Phase 2 Contamination Report has been prepared following the exhibition of the EIS. This report concludes that the site is suitable for commercial/industrial use. The report is included at Appendix K. - A Fill Importation Protocol will be prepared in consultation with Penrith City Council prior to commencement of works.

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	concern were identified, which AECOM recommends should be subject to additional investigation". – Whilst a preliminary investigation of the site has been undertaken in line with clause 7(2) of SEPP 55, it does not appear that the recommended additional investigations have been carried out to further delineate the nature and extent of the contamination. In turn, Council considers that insufficient information has been provided to establish whether the site requires remediation, and whether it can be made suitable for the use, in line with SEPP 55. – Clause 11(4) of SREP20 requires development consent to be obtained for remediation works, so any remediation works in the Penrith Local Government Area are then considered Category 1 remediation works. It is not clear through this application how and when development consent may be obtained should remediation works be found to be required, and this proposal does not seek consent for these works. – A Remedial Action Plan has not been provided as required by clause 17 of SEPP 55). – It must be demonstrated that the site is suitable for the proposed use prior to any construction works commencing, particularly given the fill importation proposed. – The EIS outlines that 1,007,000m³ of fill will be imported onto the site in three stages. Whilst it is stated that only VENM and ENM will be used, and that the material will be screened and validated at the source, there is no information regarding the procedures that will be put in place to inspect the material when it arrives on site or to review the documentation to ensure that the material is suitable.	

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	Given the significant amount of fill material that needs to be imported, it is considered that a 'Fill Importation Protocol' should be required to be developed prior to works commencing on site.	
	Noise - The acoustic assessment prepared does not consider the proposed changes to landform. - The acoustic assessment does not address noise levels associated with potential loading and unloading activities across the precincts, such as the use of forklifts and any vehicle idling, once the warehouses are operational. - The noise assessment does not address noise associated with the additional traffic generated by the proposed development. The NSW Road Noise Policy should be considered as a part of the assessment.	Response - Noise emissions from vehicles idling have been considered as part of the noise impact assessment through the assumptions regarding onsite vehicle movements. For the purpose of this assessment, forklifts are considered 'fixed' plant, as they do not leave the site, and as such are considered in the fixed sources assessment. While reverse alarms are considered an essential safety device for forklift operations, non-tonal 'quacker' (white noise) reverse alarms are recommended for use instead of 'beeper' reverse alarms as these are more directional and less intrusive. - The current approach to assessing road noise impacts in NSW is in accordance with the Roads and Maritime Services Noise Criteria Guideline (NCG) and Noise Mitigation Guideline (NMG). - In accordance with Section 6 of the NMG, it would only be reasonable to consider mitigation where the predicted "build" noise level exceeds the NCG target criteria and the noise level increase due to the development is greater than 2dB. An increase of greater than 2dB requires an increase in traffic volume of approximately 60% or higher. - The main access routes to the development site are via the arterial roads of Old Wallgrove Road and Lenore Drive. Given the existing high volume of traffic on these roads, an increase of greater than 2dB due to the development is unlikely.

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		– Further noise analysis was undertaken following the exhibition of the EIS in response to issues raised (Appendix X). The revised noise assessment has recommended that noise barriers be considered along the southern and south-eastern site boundaries to preserve appropriate levels of acoustic amenity at nearby rural-residential receivers. – The proposal has been amended to include these noise barriers, along with appropriate landscaping as shown in Appendix I and D. – The revised noise assessment demonstrates that noise can be effectively managed through the implementation of these measures.
	Air Quality – The methodology adopted for the air quality assessment does not appear to enable an assessment of the cumulative impacts associated with developments in this area. Instead, the potential emissions from the Oakdale Central project are now creating a new baseline. Further commentary regarding this aspect should be provided regarding the suitability of this method. – For the construction assessment, a qualitative assessment was undertaken, “in the absence of detailed information on the construction schedule”. However, the EIS provides sufficient detail on construction matters for a more detailed assessment to be carried out. – Areas to the west have not been considered in the assessment of sensitivity in Table 22. The actual impacts to sensitive receivers have not been quantified in this assessment and the level of effectiveness	Response – The dust monitoring results from the Oakdale Central Project used in the Oakdale South Project AQIA were collected over the period May 2010 to November 2013. This period coincided with the following stages of the Oakdale Central Project: - No Oakdale Central Precinct (May 2010 - January 2013) - Construction of Oakdale Central Precinct (January 2013 - current) - Operation of Oakdale Central Precinct (January 2014 - current) – As noted above parts of the Oakdale Central Precinct are still under construction, with construction of Lot 3 of the Oakdale Central Precinct anticipated to be completed in June 2017. – The dust deposition rate of 2.9 g/m²/month adopted in the air quality report as the background dust deposition rate in the region is considered to be conservative. This rate includes

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	of the proposed mitigation measures is not clear. It is considered that a quantitative assessment would assist in providing this detail. – Given the nature and timing of the construction works (and potential air and noise impacts) it would have been preferable to review a Draft CEMP as a part of the EIS.	monitoring during periods of construction activities in the area which will have ceased by the time construction of the Oakdale South Project begins (anticipated to be in June 2017). – Further, it is reasonable to expect that as a development such as the Oakdale Central Project matures, the contribution from open areas of uncovered soil will diminish as vegetation cover is progressively established. The cumulative dust deposition rate was predicted to be well below the relevant guideline of 4 g/m²/month. – Given the above, the background dust deposition rate likely to be experienced at the time construction of the Oakdale South Project begins would be less than the assumed rate of 2.9 g/m²/month. – A qualitative risk based approach was adopted to assess the air quality impacts due to construction of the Oakdale South Project. – A quantitative (i.e. modelling) assessment of emissions in relation to construction activities is typically problematic and quantifying pollutant levels resulting from these activities does not generally serve the objective. – Notwithstanding those limitations, it is noted that the <i>Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales</i> (DEC 2005) require the maximum impacts to be assessed over a full year and as the land clearing and earthworks components of the construction of the Oakdale South Project (which would have the greatest potential for dust impacts) are likely to occur for only a few months, predicting the pollutant concentrations using dispersion modelling

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		techniques is likely to introduce a high level of uncertainty in the results. – The focus of a construction dust assessment should be to highlight activities or conditions that are likely to lead to amenity impacts, such as surface soiling, visible dust plumes, and soil-tracking onto roads so that appropriate control measures can be implemented. The methodology used by SLR is a risk-based approach to examine the anticipated scale (or magnitude) of impacts, and by relating those impacts to the sensitivity of the receiving environment, highlight the risks from specific activities so that control and management measures may be devised and deployed where they are required to protect human health and amenity. – Given the high degree of uncertainty associated with modelling construction dust impacts, and the benefit of using an alternative methodology to determine the activities that need further mitigation and control, construction phase air quality impacts are most appropriately mitigated by employing the best management practice measures as outlined in Section 8.1.3 of the AQIA. – The only receptor identified to the west of the Oakdale South Project is located approximately 2km west of the Oakdale South Project boundary. This receptor (receptor R4) was considered in the risk assessment. – Although the assessment presented in the air quality analysis does not specify the receptors being referred to, this receptor (R4) is typified by the regions assessed in this analysis, i.e. located 2 km from the Project site boundary, between 10-100 dwellings etc. Hence it is considered that based on the

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		methodology presented in the AQIA, the residual risk at receptor R4 due to the construction of Oakdale South Project is also likely to be negligible.
	Heritage It is recommended that the application be referred to NSW Office of Environment and Heritage.	Response The application was referred to the NSW Office of Environment and Heritage. The response received is summarised in the table above. No objection was made subject to the imposition of standard conditions with regard to heritage management.
Penrith City Council	Road Network - The radius of cul-de-sac heads shall be designed to accommodate the turn path of a 26m B-Double (minimum 15m radius). - Consideration should be given to provision of a circular concrete central median island to control traffic movements and 'break up' the 30m expanse of asphalt within cul-de-sac heads. - All concrete footpaths shall be 1.5m wide at 2% cross fall in accordance with Penrith City Council's engineering standards. - A 2.5m wide shared path network shall be provided throughout the estate to permit cyclists to ride to work. - Minimum verge widths are 3.8m for 1.5m wide path and 4.8m for 2.5m wide shared path.	- The applicant will ensure that the detailed design specifies a minimum 15m radius within cul-de-sac turn heads in order to accommodate the turn path of a 26m B-Double. - The provision of a circular concrete central median is not required by PCC design guidelines or the RMS/Austrroads standards, however the applicant will consider the provision of a circular concrete central median island within cul-de-sac heads. - The applicant acknowledges that PCC's engineering standards state that footpaths are to be 1.5m wide and the OSE proposal provides a typical 1.2m wide footpath with 2% cross fall. The alternative design specifications adopted for the OSE are considered justified because: - Austrroads Guide to Road Design Part 6a: Pedestrian and Cyclist Paths, Section 6.2.1 states that a 1.2m wide footpath is sufficient to accommodate a general low pedestrian demand. It is the proponent's view that given the industrial nature of the Estate, the pedestrian demand will fall within this category.

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		– A 2.5m wide shared path network will be provided along the main estate road to permit cyclists to ride to work. – The 1.2m wide concrete path width is consistent with that provided within Oakdale Central and Millner Avenue. It is the applicant's view that maintaining a 1.2m wide typical footpath width between Oakdale Central and the OSE will assist in providing consistency in both urban design outcomes and maintenance schedules for the Estate. – The proponent will ensure a 2.5m wide share path network will be provided along the estate road to permit cyclists to ride to work. – The intent of the adopted verge widths for the OSE is to maintain the same carriageway width through Oakdale Central and the OSE as these two Estates will be directly connected. This maintains a 23m wide road reserve throughout both Oakdale Central and the OSE. To achieve this, the verge width on the shared path side has been proposed at 4.0m with the verge width on the standard footpath side being proposed at 3.5m. In relation to this design, it is noted that: – The street lighting will be relocated from the 4.0m wide verge to the 3.5m wide verge. This is to provide for a 1.35m landscape verge between back of kerb to the 2.5m shared path which will be located on the boundary. – In regards to the proposed 3.5m wide verge, all required offsets and landscaping verges are maintained as per PCC's requirements. This verge is able to be provided at 3.5m in lieu of 3.8m due to the proposed 1.2m footpath provided in accordance with Austroads Guide to Road Design Part 6a, as described above. In addition, providing

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	Flooding – It is proposed to divert one of the tributary (located upstream) mainly through an easement for electrical transmission, thus increasing flood levels within the easement under proposed scenarios. Consultation is to occur with the owner of the transmission line / easement. Cardno's report claims that no other properties are affected by the changes. – There are four basins proposed that address peak flood flows as well as water quality objectives, however, Cardno's report does not provide adequate details to review the results	this verge at a 3.5m width assists in providing a larger landscape verge on the opposite side of the road as described above. Flooding Response – Further consultation has been undertaken with Transgrid – the owner of the easement with regard to potential floor impacts. Transgrid requested that sections be provided to demonstrate the extent of additional flood impact so that it could form a view on the acceptability of the proposal. These sections were prepared and provided to Transgrid. Transgrid has subsequently confirmed that it has no objection to the proposal as designed. – The original flood report prepared by Cardno takes into account all basins as full 3D model of finished surface has been provided. – To further articulate the potential impacts of the proposal on flooding, a Revised Flood Report has been produced by Cardno to address PCC and NSW P&E points. The report finds that flood extents for the 100 year ARI do not encroach allotments and recommended minimum finished floor levels have been identified that incorporate appropriate freeboard to the 100-year flood levels associated with the tributary. – The revised Cardno reports further identifies that the proposed finished levels for allotments are above the minimum required finished floor levels. The PMF event has been modelled and safe refuge for users of the site at levels above the PMF is achievable in such an event. – The full addendum flood report is provided at Appendix J to this RTS.

SUBMITTED BY:	KEY ISSUES	RESPONSE
	General Engineering – Measures to prevent contamination of Ropes Creek when filling natural gullies and dams are to be incorporated into the documentation. – All subdivision and engineering works shall be designed and constructed in accordance with Council's 'Design Guidelines for Engineering Works for Subdivisions and Developments' and Council's 'Engineering Construction Specification for Civil Works' – All retaining walls shall be located within private property and not within the road reserve areas. – All retaining walls shall have pedestrian and vehicular safety barriers in accordance with Austroads Guidelines. – All batter slopes shall be a maximum of 1 in 5 (horizontal to vertical) to permit mowing. Any batter slope steeper than 1 in 5 shall be vegetated. – A proposed plan of subdivision is to be submitted to Council clearly identifying proposed public roads, proposed drainage reserves, drainage easements, rights of carriageway etc. – The piers of the Southern Link Road (SLR) proposed within the roundabout central island may pose as a safety hazard to vehicles as clear sight distances will be impeded. No objections are raised if the piers for the overhead SLR are removed from the roundabout central island. – A Stage 3 Road Safety Audit shall be undertaken upon the completion of detailed design plans. – The use of any public road within the Penrith LGA as a haul road for the purposes of importation of fill into the estate shall be approved by Penrith City Council. An application is to be made to Penrith City	General Engineering – The proponent will ensure that suitable sedimentation and erosion controls are implemented in accordance with the requirements of the Protection of the Environment Operations Act, Penrith City Council's Specifications and the Office of Environment and Heritage's 'Managing Urban Stormwater: Soils and Construction. Landcom, (4th Edition) March 2014 (The 'Blue Book'), Volume 1 and Volume 2. – Detailed design documentation is being prepared for the OSE based on the requirements of PCC's 'Design Guidelines for Engineering Works for Subdivisions and Developments' and PCC's 'Engineering Construction Specification for Civil Works'. – The applicant will ensure that all retaining walls are located within private property and not within the road reserve areas. – The applicant will ensure that pedestrian and vehicular safety barriers are located in accordance with Austroads Guidelines. – The applicant will ensure that any batter slope steeper than 1 in 5 shall be vegetated. Any non-vegetated batters steeper than 1 in 5 shall be referred to PCC's Engineer for direction. – The applicant will issue a DRAFT plan of subdivision to PCC prior to construction certificate. – In consideration of the concept SLR alignment, the applicant has commissioned analysis of sight distance calculations for the proposed Millner Avenue Roundabout included at Appendix X to this RTS. – Sight distance calculations were completed for the Northern approach to the Millner Avenue roundabout which is considered to be the worst case scenario. As Millner Avenue is

SUBMITTED BY:	KEY ISSUES	RESPONSE
	Council for approval of the haul road route prior to the commencement of fill operations. - Any works (road crossings, car parking and drainage works) within and adjoining the transmission line easement shall require approval from the relevant authority. The use of the transmission easement as a drainage corridor is not supported as the area is required for access and maintenance to the transmission line towers. - The provision of any utility lead in services in a public road will require formal approval from Penrith City Council as the Roads Authority. - Council would appreciate the opportunity to review the applicants response to the issues raised through submissions and any proposed draft conditions of consent prior to determination of the application.	classified as a local road, Austroads Guide to Road Design Part 4B: Roundabouts, has been adopted as a reference guideline. - Sight distance calculations indicate that in the event of piers being located within the proposed Millner Avenue roundabout, Austroads design criterion for sight distances is maintained. - The applicant will ensure that a Stage 3 Road Safety Audit is completed upon the completion of detailed design plans. - It is not proposed to utilise any public road within the Penrith LGA as a haul road for the purposes of importation of fill into the estate. In the event that a PCC LGA public road is planned to be utilised as a haul road for the purposes of importation of fill into the estate, an application will be made to Penrith City Council for Approval prior to use of that road. - Transgrid is the approving authority for the transmission line easement. The applicant has been, and will continue to, work closely with Transgrid to ensure that all works comply with Transgrid's easement guidelines and requirements. The applicant will ensure that all relevant approvals are obtained by Transgrid prior to commencing any works adjacent to the transmission line easement. An agreement between the proponent and Transgrid to this fact has been provided to NSW P&E. - The applicant will ensure that the installation of any utility lead in services within a public road will be subject to receiving the written approval from PCC.

Public Submissions

In response to the public exhibition of the OSE proposal, a total of 12 submissions were registered on the NSW P&E website. With the exception of one, the submissions made from the public were in a proforma format, signed by various residents of the Horsley Park area. Two of the registered submissions were made by the same resident. The key issues raised in the public submissions are summarised in the table below.

Table A3: Summary of Submissions from the Public

SUBMITTED BY	ISSUES RAISED	RESPONSE
Proforma Submission – Residents of Horsley Park (9 letters)	Visual Impacts - Visual impacts of the proposal on the amenity of residential properties in Greenway Place. - Inadequate provision of landscaping and/or provision of screening of building roof tops. - Potential impacts of light spill during night time operations. - Potential impacts of glare from roof tops. Acoustic Impacts - Neighbouring residential properties not identified as 'receivers' and therefore not considered in the acoustic assessment. - Acoustic and amenity impacts of 24/7 operations. - Lack of design responses to minimise acoustic impacts. - Lack of detail on noise mitigation strategies during construction. PAC Recommendations – Jacfin Site - Does not respond to recommendations of the PAC in relation to the buffer on the adjacent Jacfin site. - Industrial 'rezoning' would impact on the existing views and outlook from residential properties in the area.	Visual Impacts - An assessment of visual impacts was undertaken as part of the EIS and found that, whilst the proposal would result in changes to the landscape character of the area, this was a long anticipated change based upon the industrial zoning of the area. - The future development of the WSEA for industrial purposes has been the subject of numerous planning and public exhibition processes over the past two decades, during which surrounding residents would have been made aware of the likely future character of this area. - However, in response to the issues raised during the exhibition of the OSE proposal, the applicant has commissioned a more detailed VIA of the proposed development to more accurately identify potential visual impacts and appropriate mitigation strategies. - The full VIA has been included at Appendix H to this letter and key findings and recommendations are summarised in Section 4.3 of this letter.

SUBMITTED BY	ISSUES RAISED	RESPONSE
	– Approved Jacfin development preserved view corridors between buildings from Horsley Park to the Blue Mountains. Setbacks – Lack of adequate building setbacks to eastern site boundary. Air Quality Impacts – Mitigation measures should be detailed to manage potential dust during construction works on the site. The proposal could result in air quality impacts related to manufacturing activities on the site during operations.	Acoustic Impacts – The acoustic assessment undertaken to inform the EIS was prepared in accordance with the requirements of relevant guidelines which establish criteria for the identification of ‘noise receivers’ in relation to potential noise sources. – Residential properties on Greenway Place at Horsley Park lie outside the relevant criteria for ‘noise receivers’ which is why these properties were not specifically identified and assessed in the noise impact study. – However, in response to the issues raised during the exhibition, the applicant has commissioned further noise assessment to review potential impacts on the residents of Greenway Place. – The full NIA Addendum is provided at Appendix I to this letter and key findings and recommendations are summarised in Section 4.4. – The further analysis undertaken demonstrates that noise levels at these properties would remain within acceptable criteria. PAC Recommendations – Jacfin Site – It is noted for clarification that the OSE proposal is not for a rezoning of land. The land is already zoned for industrial purposes and the proposed development is permissible under the existing zoning. The PAC approved the Concept Plan for the Jacfin site with a condition that a planning proposed be lodged for the rezoning of part of the site to rural-residential to create a buffer between the proposed industrial development and adjoining residential lands.

SUBMITTED BY	ISSUES RAISED	RESPONSE
		– During the design and EIS preparation process, inquiries were made in relation to the status and details of this planning proposal and no information was publicly available for review and consideration up to the time of lodgment of the SSDA/EIS. – Therefore, was not possible or reasonable to expect the OSE proposal to provide a detailed response to off-site conditions for which key details were not known. Further, the planning proposal was not publicly exhibited until after the OSE SSDA was lodged, therefore there was no statutory obligation for the applicant to consider it up to the point of lodgment. – However, it is recognised that the merit issues associated with the potential impacts of the OSE proposal on the Jacfin proposal will still form part of the assessment of the SSDA. Therefore, the application has commissioned further studies to assess key issues in this regard. This is further considered in Section 4.2. Setbacks – Setbacks to the eastern boundary of the site were designed to respond to the approved Concept Plan for the Jacfin site, as well as considerations related to access, landscaping and the protection of environmentally sensitive land. – Altering building setbacks to this boundary would have no mitigating effect on visual impacts to residents in Horsley Park to the east of the site as noted in the VIA at Appendix H.

SUBMITTED BY	ISSUES RAISED	RESPONSE
		Adopted setbacks to the eastern site boundary are considered appropriate given the nature of this interface and no changes are proposed in this regard.
Therese and Patrick McHale, Horsley Park	- The submission adopted the same proforma as described above with the addition of one further issue, being consultation. Consultation - Residents within Fairfield LGA and Fairfield Council were not consulted in relation to the EIS.	- The issues in relation to consultation with Fairfield Council and Fairfield residents were noted prior to the close of the public exhibition period and exhibition was extended for a further four weeks in response. - Fairfield Council and residents have been provided with ample time and opportunity to review project documentation and make submissions in accordance with the requirements of the NSW Environmental Planning and Assessment Act 1979 and the NSW Environmental Planning and Assessment Regulation 2000.
Tony and Linda Micallef, Horsley Park	Visual Impact - Lack of adequate assessment and design response to visual impacts. - No provision for landscape buffer to rural-residential properties. - Potential impact of glare from roof of buildings. - Potential impacts of light spill during night time operations. - Development would alter the character of the area. - Impact on views from Horsley Park to the Blue Mountains. Acoustic Impacts - Potential noise impacts of 24/7 operations. - Inadequate assessment of noise impacts on residential properties at Horsley Park to the east of the site.	Visual Impacts - An assessment of visual impacts was undertaken as part of the EIS and found that, whilst the proposal would result in changes to the landscape character of the area, this was a long anticipated change based upon the industrial zoning of the area. - The future development of the WSEA for industrial purposes has been the subject of numerous planning and public exhibition processes over the past two decades, during which surrounding residents would have been made aware of the likely future character of this area. - However, in response to the issues raised during the exhibition of the OSE proposal, the applicant has commissioned a more detailed VIA of the proposed

SUBMITTED BY	ISSUES RAISED	RESPONSE
	PAC Recommendations – Jacfin Site – Does not respond to recommendations of the PAC in relation to the buffer on the adjacent Jacfin site. – Industrial ‘rezoning’ would impact on the existing views and outlook from residential properties in the area. – Approved Jacfin development preserved view corridors between buildings from Horsley Park to the Blue Mountains	development to more accurately identify potential visual impacts and appropriate mitigation strategies. – The full VIA has been included at Appendix H to this report and key findings and recommendations are summarised in Section 4.3 of this letter.

Organisation Submissions

In response to the public exhibition of the OSE SSDA, two submissions were received from SJH Planning and Design, a Gosford-based town planning consultancy, on behalf of the shareholders of Pazit Pty Ltd, believed to be the owners of land to the south of the OSE (though this is not clarified in the submission). Whilst two submissions were received, the submissions are made by and behalf of the same parties and raise the same issues therefore they are collectively addressed in the tables below. It is assumed that the two separate submissions were made in response to the extension of the initial exhibition period.

Jacfin Pty Ltd

Table A4: Summary of Submission from Jacfin Pty Ltd

ISSUE	ISSUES RAISED	RESPONSE
Jacfin Planning Proposal	The OSE SSDA does not give consideration to the Planning Proposal exhibited from 22nd September to 2nd November 2015 for the rezoning of land on the adjoining Jacfin site from IN1 to RU2 – Rural Residential.	- The SEARs for the OSE SSDA were issued on 20th April 2015 and design development and EIS preparation for the project occurred from April 2015 to September 2015. This process occurred well in advance of the public exhibition of the Jacfin planning proposal in November 2015. - During the EIS preparation process, the applicant contacted NSW P&E on two separate occasions to inquire about details of the Jacfin planning proposal mentioned in the SEARs and was informed that there were no publicly available details at that time. - In the absence of these details, and with no certainty as to when, or even if the proposal would proceed, the applicant had no alternative but to continue with the development of the project based on the information available at the time. - On 18th August 2015, the applicant sent notification letters to surrounding landowners, including the Jacfin property, advising them of the proposal and inviting comment and discussion. Jacfin provided no response to this notification.

ISSUE	ISSUES RAISED	RESPONSE
		– The OSE SSDA and EIS was submitted to NSW P&E on 17th September 2015 for preliminary review. At this time, the Jacfin planning proposal had not been publicly exhibited. Confirmation was received from NSW P&E shortly after submission of the documentation, that the application was considered suitable for public exhibition and exhibition commenced on 11th November 2015. – Upon advice that the Jacfin planning proposal was on public exhibition, Goodman reviewed the relevant documentation in the context of its plans for the OSE which had already been finalised and submitted to NSW P&E. Goodman then made a submission raising relevant issues in relation to the compatibility of the two proposals. – Importantly, during the design and planning of Jacfin's planning proposal, Goodman was not consulted or provided with information on which it could make comment or use to inform the OSE SSDA. Therefore Goodman has had no previous opportunity to respond to the issues which have now been raised. – Now that both proposals are in the public realm and issues have been raised in response to the exhibition of both, Goodman has undertaken to examine and respond to the Jacfin planning proposal as requested. Relevant considerations, investigations and actions in this regard are detailed in this RTS. – Whilst Goodman does not dispute the need for consideration of contextual issues and adjoining lands in its development proposals, it is unreasonable to assume that the applicant should provide a detailed response to

ISSUE	ISSUES RAISED	RESPONSE
		proposals for surrounding lands which are uncertain, undeveloped and for which adequate information is not made available. It is also unreasonable and inaccurate to assume that a lack of response to this issue in the SSDA is a deliberate attempt by the applicant to ignore or avoid its statutory obligations. As per the direction of the SEARs for the project, Goodman has addressed all relevant matters with regard to the Jacfin planning proposal and it is concluded that matters of potential land use conflict or incompatibility can be adequately addressed through the proposed amendments to the design and additional mitigation measures as detailed in this RTS.
	The EIS includes the wrong version of the approved Jacfin Concept Plan (Figure 14, page 37).	Noted. Since this was brought to the attention of the applicant, the most current version of the Concept Plan has been reviewed. The differences were related to the southern portion of the Estate and raised no material issue in relation to the outcome of planning for the OSE or the assessment of the OSE SSDA.
Regional Roads	Jacfin objects to the lack of a direct connection from the OSE to the regional road network at the SLR on the northern boundary of the site. Jacfin claims that current planning for the external road network assumes a connection in this location.	The Milner Road roundabout and extension into the OSE was designed in consultation with NSW P&E based on their current concept design for the SLR and surrounding external road network. This infrastructure is already approved and is not part of the OSE project or subject to further consideration or assessment under the OSE SSDA.

ISSUE	ISSUES RAISED	RESPONSE
		– There is no current plan for a direct connection from the SLR to the OSE. The WSEA SEPP does not identify a connection in this location and existing concept designs adopted by NSW P&E include a grade separated flyover at the frontage of the OSE with no opportunity for an at-grade connection. The OSE Concept Proposal responds to this current design. – The access arrangements for the OSE, including its primary connection to Milner Avenue were designed in accordance with NSW P&E current preferred SLR concept design. It is noted that NSW P&E have reviewed the plans submitted for the OSE and raise no objection to the primary access arrangements proposed, including connection to the Milner Avenue roundabout and no direct connection to the SLR.
	– A large proportion of the OSE traffic will use the Jacfin road network to connect to the SLR, and beyond to the M7 or M5, as this will be the easiest (and fastest) available route.	– The OSE proposal does not include a road connection to the Jacfin Estate therefore there is currently no route for OSE traffic to enter the adjoining estate to access the SLR. – Whilst the applicant has made provision for a connection between the estates, this connection does not form part of the project and the applicant is not seeking to construct this connection. – Traffic assessment undertaken in respect of the OSE SSDA finds that existing and planned roads would have sufficient capacity to accommodate the likely volumes generated by the OSE with access to the SLR via Milner Road and OWR.

ISSUE	ISSUES RAISED	RESPONSE
	Under the proposed design, Goodman will avoid building the portion of the SLR located between Oakdale Central and Oakdale South, potentially delaying its delivery.	Delivery of the SLR is under the control and management of relevant government planning and roads authorities. Goodman would be required to make appropriate contributions to the delivery of this regional infrastructure however it is not the responsibility of Goodman to deliver this road which is independent to the immediate access requirements of the OSE.
	The OSE proposal for the SLR alignment would result in increased costs for the delivery of the road for government and other developers through the SIC levy.	- The SIC levy established for the WSEA is applied through a rate per square metre of developable area. The design of the SLR and its relationship to the OSE would not impact upon the quantum of this levy. - In fact, under the existing alignment of the SLR, developable area on the OSE would be substantially reduced, hence reducing the amount of SIC levy payable by Goodman for the OSE proposal. This would therefore reduce Goodman's contribution to the overall cost of the SLR. - The cost of delivery of the SLR in the proposed OSE alignment has been investigated by the applicant and by NSW P&E. The applicant's investigations confirm that the delivery of the SLR in the proposal alignment would incur the same order of magnitude costs as that of the existing alignment. - Therefore, the claim that the proposed alignment would increase delivery costs for the road is disputed.

ISSUE	ISSUES RAISED	RESPONSE
	Goodman proposes that the land on which the SLR will ultimately be built will be acquired by authorities, rather than dedicated, therefore the proposal is not in the public interest.	The nature of the provision of required land for the construction of the SLR would be subject to future discussion and negotiation. This does not form part of the OSE proposal and is therefore irrelevant to the current assessment.
	- The EIS provides no acceptable justification for the proposed alternative SLR alignment. - Jacfin claims that its Concept Plan and Stage 1 Project Approval (October 2013) accommodates the SLR alignment along its northern boundary as provided for in the WSEA SEPP with no conflict. Jacfin claims that the 'straightened' SLR alignment proposed by the OSE SSDA is inconsistent and in conflict with the Jacfin approval. - Jacfin claims that there is no engineering or planning reason why the Milner Avenue roundabout can't be reconfigured to connect as part of a 4-way intersection to the SLR, or Milner Avenue truncated to form a cul-de-sac.	- The plans at Appendix F clearly show that the delivery of the SLR in its current alignment would encroach on building footprints approved under Jacfin's Concept Plan. - There is no need for the Milner Avenue roundabout to be reconfigured to provide an additional connection to the SLR. The WSEA SEPP identifies three connections to the SLR in the vicinity of the OSE. There is no need for a fourth connection and the applicant is satisfied with the existing access arrangements.
	- Jacfin questions why the proposed SLR alignment and grade separated access point proposed for the OSE has not been accepted by the authorities. - Jacfin questions whether the financial feasibility and constructability of the grade separated SLR 'option' tested	- The grade separated design for the SLR was initiated and endorsed by NSW P&E and relevant roads authorities. This is an existing concept design which is not proposed to be altered by the applicant. - The alignment of the SLR is the only aspect of the current concept design that is proposed to be altered under the OSE proposal.
	The Jacfin Concept Plan allows for a future link to the OSE to provide for a secondary access, considered important for emergency egress purposes. The OSE proposal does not	- OSE Concept Proposal makes provision for this connection. - The OSE Concept Proposal has been amended to better align with the Jacfin Concept Plan to make provision for this

ISSUE	ISSUES RAISED	RESPONSE
	indicate a connection to this approved roadway in line with the Jacfin Concept Plan.	potential future connection if/when it is needed. Plans showing this potential future connection are included at Appendix B.
Traffic Impacts	– The traffic studies included with the EIS do not assess the potential traffic congestion at critical intersections such as the intersection of the SLR with the Jacfin Horsley Park 'Spine Road' and the Old Wallgrove Road (OWR)/Erskine Park Link Road (EPLR) intersection.	– Investigations into the alignment and design of the SLR are ongoing and the subject of continuing work by NSW P&E and consultants, AECOM. – Consultation with both NSW P&E and AECOM indicates that there is currently insufficient detail with regard to the delivery of the SLR to undertake detailed modelling of intersections. In this regard, future traffic studies required as part of the EIS of the SLR in its final alignment and design – including key intersections – would include consideration of the potential impacts of traffic generated by the OSE via the connection with Jacfin Estate should this connection be provided. – It is further noted that there is also insufficient detail currently available in Jacfin approvals documentation of the geometry and operation of the Jacfin connection to the SLR to undertake an assessment of this intersection. – There is no connection proposed between the OSE and the Jacfin Estate under the SSDA therefore consideration of traffic flows on the internal Jacfin road network is not relevant. – The OSE is to be a staged development which would be subject to future assessment and approvals over time. Should further information/detail become available to inform the assessment of future stages of the development, this would be taken into consideration as appropriate.

ISSUE	ISSUES RAISED	RESPONSE
	– Cumulative traffic impact assessment, does not appear to have included the traffic generated by the approved Jacfin Ropes Creek site that will be using the EPLR to access the M7 Motorway.	– The cumulative traffic flows generated by the Jacfin Ropes Creek site EPLR have been included in the intersection analysis for OWR and EPLR. The assessment adopted the north and southbound traffic flows for a 2026 scenario which included traffic generated by the Oakdale Central, OSE, CSR and Jacfin Horsley Park sites. The east-west (through) traffic adopted volumes from the Traffic & Transport Technical Paper (July 2010) undertaken by Parsons Brinckerhoff as part of the assessment for the construction of the EPLR. These flows were determined by the RMS (formerly RTA) strategic EMME/2 traffic model, which included the future traffic flows generated by the Jacfin Ropes Creek site. Based on these traffic volumes, the intersection performance of OWR and EPLR was found to be adequate as indicated in Section 6.4.3 of the Oakdale South Industrial Precinct, Traffic Impact Assessment.
Interface Impacts	– The Jacfin Planning Proposal exhibited in late 2015 will introduce residential uses in proximity to the OSE. The finalisation of the planning proposal is considered reasonably certain and is expected to occur within the next 6 months. – Land immediately to the south of the OSE and the Jacfin site, off Capitol Hill Drive, is currently zoned E4 Environmental Living and has been partly developed for rural residential uses. – The EIS is deficient in assessing the environmental impacts on these adjoining lands, and appears in breach of statutory requirements including:	– The potential impacts and interface with the proposed Jacfin rural residential rezoning and subdivision have been addressed in detailed in the RTS including a comprehensive VIA, an addendum to the original NIA and a detailed account of the provisions of the WSEA SEPP (in particular Clause 21 and 23). Refer to Sections 4.3, 4.4 and 4.5 and Appendix D, H and J.

ISSUE	ISSUES RAISED	RESPONSE
	– The SEARs which state that the EIS “must include....likely interactions between the development and existing, approved and proposed operations in the vicinity of the site including any proposed rezoning of Jacfin’s land to the east.” – Clause 21 and 23 of the WSEA SEPP. – Section 79C of the Environmental Planning and Assessment Act (the Act).	
	– There is no assessment of potential noise from loading areas for Warehouse 5A nor any mitigation measures incorporated into the landscape or building design, and no assessment of the effectiveness of any potential mitigation measures.	– Drawings showing the extent of impacts on land in the vicinity of the OSE have been provided in the NIA and subsequent Addendum at Appendix I. – An investigation into mitigation measures with specific regards to the proposed RU4 land on the Jacfin site and the proposed Capitol Hill subdivision has been conducted and additional drawings have been prepared detailing the reduced extent of impacts on these lands with the inclusion of the optimised mitigation measures. – An assessment of noise emissions from the Jacfin Industrial Site was conducted by Wilkinson Murray in 2012 (report number 10196-R), which is referenced in our letter 630.11166 RU4 Rezoning 20151103. Figure 3 of report 10196-R shows the noise impacts from the Jacfin site on the Jacfin RU4 land. Significantly more area of the RU4 land is impacted by the Jacfin site than the small area potentially impacted by the OSE both with and without mitigation measures in place.

ISSUE	ISSUES RAISED	RESPONSE
	– The landscape plans do not show the full extent of the site in the south-east corner.	– Revised landscape plans have been prepared and are included at Appendix D.
	– The application does not include a visual impact assessment. – The EIS does not address the visual impact on the proposed RU4 zone area on the Jacfin land, which runs for the full length of the Warehouse 5A's northern elevation. The EIS does not address the visual impact on the adjoining rural residential E4 zoned area to the south.	– A comprehensive VIA has been prepared and is included at Appendix H.
Planning Instruments	– The EIS does not adequately address, the following key clauses of the WSEA SEPP: – Clause 3 – Aims of the Policy – Objectives of the IN1 zone – Clause 21 – Height of Buildings and Clause 23 – Development in the vicinity of Residential Development.	– Refer to Section 4.6 of the RTS which provides an assessment of the proposal against these provisions.
Consultation	– Lack of 'comprehensive, detailed and genuine community consultation and engagement' during the preparation of the EIS. – Jacfin did not written notification of the proposal as stated in the EIS (Table 6, Page 28) and no other attempt was made to contact Jacfin during the EIS preparation.	– The applicant recognises the importance of stakeholder consultation in the planning and development assessment process. – The SEARs in relation to the need for consultation during EIS preparation are noted and were given due consideration. In this regard, a number of discussions were held with relevant government agencies and bodies to resolve issues of particular importance to the project. – In terms of community consultation, letters were sent to surrounding residents in August 2015 informing them of the

ISSUE	ISSUES RAISED	RESPONSE
		proposal and inviting them to make contact with the applicant for further information and discussion. It is confirmed that one of these letters was directed to Jacfin and contact details for this correspondence can be provided on request. No contact was made with Goodman or the consultant team in response to these notifications. – Subsequent to the exhibition of the EIS, Goodman initiated meetings with Jacfin and other stakeholders to constructively discuss the issues. Goodman also provided Jacfin with documentation related to the proposed alternative SLR alignment, the VIA and NIA Addendum prior to exhibition of the RTS. – In relation to Jacfin's specific concerns as raised in its submission prepared by JBA Urban Planning Consultants Pty Ltd (JBA) and dated December 2015 regarding the 'blithe dismissal' of the SEARs as they relate to community consultation and the conclusion that: <i>"Without a full, well documented and transparent consultation and engagement process Jacfin, and other members of the affected community, can not reasonably consider the proposal in context, particularly as it has not been party to any discussions and/or undertakings that may have been made with or between the parties, including government agencies"</i> (Page 16), UAS notes that the Director General's Requirements (DGRs) issued to JBA in relation to the Jacfin Concept Proposal on 13/08/2010 included the same requirement for community consultation during the preparation of the environmental assessment of the proposal.

ISSUE	ISSUES RAISED	RESPONSE
		– However, over 119 objections to the proposal were received in response to the initial public exhibition from members of the community and the Director-General's Assessment Report for the Jacfin proposal noted that one of the key issues raised in the public submissions was the <i>"lack of community consultation by the Proponent pre-lodgment"</i> (Page 23). – Subsequent exhibitions of the project RTS and Preferred Project Report (PPR) attracted a further 117 and 192 objections respectively. – JBA's response to this issue in its RTS dated 09/12/2011 simply stated that: <i>"Since the application was exhibited there has (sic) now been two community meetings."</i> (Page 11). – Therefore, despite the claim made in the Jacfin submission that <i>"In redeveloping their properties both Jacfin and CSR have been engaging with those adjoining communities to ensure that they are consulted and impacts are suitably mitigated"</i> it appears that any meaningful consultation with the community in relation to Jacfin's proposal took place after the lodgement of the EIS/EA, which is the basis for its criticism of the OSE consultation process.
Flooding and Servicing	– There is no detailed assessment to quantify the flood storage lost by this filling or any mention of compensatory cut on the site to offset the loss of flood storage. – No detailed discussion or quantities given as to how the flood modelling has dealt with the loss of flood storage.	– Additional clarification on flood assessment is provided in an addendum to the original flood assessment included at Appendix J.

ISSUE	ISSUES RAISED	RESPONSE
	– There are no detailed calculations to confirm the dimensions and grade of the swale and its ability to accommodate flows up to the PMF without adverse impacts on the Jacfin property.	– Calculations and mapping of the PMF in relation to the OSE proposal is included in the flood addendum at Appendix J.
	– Need for Endeavour Energy to confirm in writing that the temporary provision of power to the OSE development will not adversely affect or delay development in the Eastern Creek area.	– Endeavour Energy has provided written advice with respect to the OSE development and this is included at Appendix S.
	– The sewer pipeline should be extended along the E2 tributary to the eastern boundary of the site to avoid future impacts on the E2 riparian corridor and parts of the biodiversity areas.	– The applicant is in ongoing discussions with Sydney Water in relation to the Local Area Servicing Plan. Sewer and water infrastructure would be implemented to Sydney Water requirements. – Written documentation of consultation with Sydney Water is provided at Appendix S.

SJH Planning

In response to the public exhibition of the OSE SSDA, two submissions were received from SJH Planning and Design, a Gosford-based town planning consultancy, on behalf of the shareholders of Pazit Pty Ltd, believed to be the owners of land to the south of the OSE (though this is not clarified in the submission). Whilst two submissions were received, the submissions are made by and behalf of the same parties and raise the same issues therefore they are collectively addressed in the table below. It is assumed that the two separate submissions were made in response to the extension of the initial exhibition period.

Table A5: Summary of Submission from SJH Planning

ISSUE	ISSUES RAISED	RESPONSE
Development Standards	– The proponent fails to address the planning principles of the WSEA SEPP with regard to: - Setbacks; - Visual amenity; - Compatibility of uses; - Aural intrusion; - Height, bulk, mass, landscape; and - Other impacts all requiring mitigation. –	– The applicant is the owner of significant landholdings within the WSEA and has extensive experience in the design, delivery and management of industrial development in the WSEA. As such, the applicant is highly familiar with the provisions of the WSEA SEPP and their application in this context. – The EIS and supporting documentation provides extensive detail with regard to the design process, including justification for the final submitted design. – In relation to the specific issues raised by SJH and their representation in the WSEA SEPP, the following key points are made: – Setbacks – the WSEA SEPP does not include development standards with regard to setbacks, therefore there is no non-compliance to note; – Visual Amenity – the most relevant provisions of the WSEA SEPP in relation to this issue are clause 21 and clause 23. These provisions do not require industrial development within the WSEA to be invisible from adjoining residential lands. Nor do they require industrial buildings within the WSEA to be of the same scale as those on residential lands. They do require

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		consideration of the visual impacts of industrial development in the WSEA on lands within 250m of a zone which is 'primarily for residential purposes'. There is valid legal argument with regard to which zones this clause should actually apply to, with particular ambiguity when considering E zones where the primary purpose is considered to be the protection of environmentally sensitive land, regardless of whether or not they also allow for residential development. However, it is also acknowledged that a merit issue remains in relation to the potential visual impacts of any development on surrounding lands. Therefore, in response to the level of concern raised by adjoining landowners in relation to visual impact, the applicant has commissioned a comprehensive VIA which is included in full at Appendix H and responds in detail to these concerns. – Compatibility of uses – The WSEA SEPP principally zones land for industrial development to secure supply of industrial lands to meet the long term demands of Sydney. At a strategic level, the zoning of this land for industrial purposes implies general compatibility with surrounding lands and context. The proposed development of the OSE for permissible and strategically supported industrial uses is not an incompatible proposal. Interface issues are a different matter and these are addressed through detailed discussions related to amenity issues.

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		– Height, bulk, mass and landscape – the WSEA SEPP is a strategic instrument which does not impose specific development standards with regard to these issues. Clause 21 and 23 of the WSEA SEPP require consideration of building height and certain other amenity matters when dealing with development within 250m of a zone which is primarily for residential uses. These clauses are discussed above and individual amenity issues discussed in detail in various locations throughout this RTS. – Other impacts all requiring mitigation – it is not clear what provision or ‘development standard’ within the WSEA SEPP that SJH is referring to in this point. However extensive and detailed impact assessment has been undertaken of the OSE proposal in both the original SSDA and EIS and in the addendums included with this RTS. Details of mitigation proposed are also provided in this documentation.
Public Consultation	– The Applicant's asserted (sic) that adjacent neighbours were notified/consulted, however we are instructed that that is not the case. –	– Letters were sent to surrounding landowners in August 2015 notifying them of the OSE proposal and inviting comment. This letter included a plan, details of the proposal and contact details for further discussion or comment. No response was received from Pazit Pty Ltd in response to this notification. – The applicant welcomes constructive commentary on the proposal and would be happy to meet with representatives from Pazit Pty Ltd to discuss further comments or concerns.

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Transport and Planning	– Road Pattern/Horizontal and Vertical Alignment/Connectivity particularly for emergency and bus services. –	– There is insufficient detail provided in the SJH submission to understand the nature of these comments. – Transport, access and traffic is addressed in detail in the original SSDA/EIS and is further detailed in Section 3.2 of the RTS and in the tabled responses to other more articulated comments from submissions received.
Surface Water Management	– Stormwater, Erosion and Sedimentation Control and Water Harvesting Storage and Reuse/Flood Mitigation – noting the scale of both earthworks and buildings requiring superior controls during execution and post development phase. –	– There is insufficient detail provided in the SJH submission to understand the nature of these comments. – Surface water management is addressed in detail in the original SSDA/EIS and is further detailed in the flood addendum at Appendix F of the RTS and in the tabled responses to other more articulated comments from submissions received.
Design and Siting	– Deficiencies in terms of setbacks, landscaping, aural control/containment, separation, incompatibility of buildings (height, bulk, glare); and 24/7 operational impacts are such that one must ask the question: “Is the proposal intentional or incompetent?”	– A comprehensive VIA was commissioned by the applicant to supplement previous work and respond to the concerns raised during exhibition in relation to visual amenity. – The VIA examines potential impacts in detail and makes recommendations with regard to mitigation measures. The VIA finds no justification for increasing setbacks, changing site layout or reducing building height. Embellishment of landscaping proposed on the site was recommended to further reduce potential visual impact. – Comments made which allude to an intent on the part of the applicant to ignore or disregard statutory requirements or question the intelligence or professional integrity of the consultant team are irrelevant to the assessment and will therefore not be addressed in the RTS.

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Clause 23 of WSEA SEPP	The proposal needs to be justified in terms of its non-compliance with statutory standards and the obvious externalities arising. –	– A comprehensive assessment of the proposal against relevant statutory requirements is provided in the original SSDA and EIS with further detail provided in Section 4.5 of this RTS. It is noted that this analysis finds no non-compliance with statutory requirements.
	– It is a fundamental first principle of planning that incompatible land uses be separated and the proposal does not respond to this.	– The issue of land use compatibility was considered in great detail in the strategic planning process for the WSEA to inform the government's decision to rezone this land some ten years ago. If there was a fundamental issue of land use compatibility, this would have influenced the rezoning of the land. – The separation of 'incompatible' land uses is only one way of ensuring that land uses can co-exist without conflict. Provided that appropriate mitigation measures are incorporated into the development, there is no compatibility issue. Studies undertaken as part of the EIS and further detailed in this RTS conclude no reason why the proposed development could not co-exist with adjoining rural-residential uses without conflict, subject to the implementation of the recommended mitigation measures.
	– Nowhere in the documents reviewed do the issues of height and bulk, context, overlooking, noise, visual, physical and potential impacts on the development south of OSE receive any meaningful discussion.	– Given the extent of investigations undertaken and documented in the SSDA/EIS, it is not clear how SJH has come to this conclusion. Studies detailed in the original EIS and further embellished in this RTS conclude in a meaningful manner, that the proposal would have acceptable impacts in relation to the issues raised.

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	– The WSEA SEPP is clear and requires that development of any land within 250 metres of land zoned principally for residential purposes must consider the potential acoustic impacts of developments on these adjoining lands. – The author of the proposal requested clarification of the application of Clause 23 of the WSEA SEPP. Clause 23 is very clear. – It simply states that it applies to land within 250 metres of land zoned primarily for residential purposes.	– The clarification sought in relation to the application of this clause is a valid legal issue which relates to the specific wording of Clause 23 which refers to 'land zoned principally for residential purposes...'. – If the clause was intended to apply to any zone which allowed for residential development, this would have been made clear in drafting of the provisions by stating 'land within a zone that allows for residential development...' or similar. – Whether or not the clause is intended to apply to an E4 zone for which the primary purpose could reasonably be argued to be the protection of environmentally sensitive land, is a valid question of legal interpretation. – It is assumed that SJH has raised issue with the fact that the applicant questioned the application of this clause to further allude to the 'competency' of the application. The fact that the applicant sought clarification on this matter is irrelevant to the 'competency' of the proposal as long as the issue of merit is adequately addressed. – In this regard, despite the outcome of the statutory issue, the applicant has responded to the issues of merit and assessed the potential impacts of the proposal on this zone, thus meeting the requirements of Clause 23 of the WSEA SEPP.
Precinct 5A and 6B	– The height, scale, siting and character of buildings contemplated in Precincts 5A and 6B of the Oakdale South Industrial Estate proposal are of such monolithic proportions and proximity as to be totally incompatible with the likely	– The issues of 'incompatibility' and visual impact have been discussed previously and are addressed in the VIA at Appendix H.

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	future development of land adjacent/land within the existing rural residential estate.	
Noise	– It is self-evident to a lay observer that the proximity of such activities servicing a building of such proportions is likely to give rise to a level of disturbance unable to be effectively insulated.	– An addendum to the original NIA has been prepared and is included at Appendix I. – The NIA recommends that a noise barrier may be required on the southern boundary of the site therefore this has been incorporated into the proposal. – With the implementation of the noise barrier, the potential noise impacts on the adjoining lands to the south would be maintained within acceptable levels.
Off Site Impacts	– It is a reasonable conclusion that those advancing the proposal made a conscious decision to ignore the consequences of the site planning and building arrangements adopted and the need to address predictable off-site impacts.	– Comments made which allude to an intent on the part of the applicant to ignore or disregard statutory requirements or question the intelligence or professional integrity of the consultant team are irrelevant to the assessment and will therefore not be addressed in the RTS.
Horizontal Separation	– The design does not provide adequate horizontal separation within which appropriate landscaping including bund walls might be installed. – It is inconceivable that the authors, conscious of sound planning principles and the requirements of Clauses 21 and 23 of the SEPP, could have concluded that the proposal as advanced would satisfy the practical test set by those provisions. There must have been a conscious decision made to ignore those provisions in compiling both the text and indicative representations of future development as is proposed.	– The design is informed by a detailed VIA which concludes that the potential impacts of the proposal on surrounding landscape and views are acceptable without the need for bunding. – Comments made which allude to an intent on the part of the applicant to ignore or disregard statutory requirements or question the intelligence or professional integrity of the consultant team are irrelevant to the assessment and will therefore not be addressed in the RTS.

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Zoning of Land to the South	Land immediately to the south within the Penrith LEP is zoned E4 – Environmental Living.	Noted. This has no material impact on the design or assessment of the proposal. The applicant has assessed potential impacts on the adjoining land to the south regardless of its zoning and has applied mitigation measures as appropriate to ensure that these impacts are maintained at acceptable levels.
Development Controls	The EIS includes incompetent interpretation of development controls which apply.	The EIS and RTS comprehensively address relevant development controls in an informed, professional and legally sound manner. This statement has no grounds and no impact on the assessment of the development proposal.
Jacfin Rural Residential Subdivision	The EIS/SSDA was prepared with ‘apparent ignorance as to the status of the rural residential estate approved to the south’. The author ought to have known of the modification required to the Jacfin development to deal specifically with impacts at the interface.	- The applicant was aware of the PAC recommendation with regard to the Jacfin site at the outset of the project. However, as the detailed chronology in Section 3.2 of the RTS demonstrates, at the time of design and planning, no detail was available on the Jacfin planning proposal to inform the EIS despite the applicant making two separate attempts to obtain this information. - The EIS for the OSE was submitted to NSW P&E prior to the exhibition of Jacfin’s planning proposal. - It is unreasonable to expect that the applicant should put its own project on hold until such time as plans for an adjoining site which are uncertain are sufficiently developed. It is noted that Jacfin made no attempt to consult with the applicant during the development of its proposed rural residential development and also unclear whether Pazit Pty Ltd made any similar attempt to engage during the planning of its own development.

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	- In spite of the absence of any detail in relation to Precinct 6 (given what has been advanced for Precinct 5) can only suggest that similar disrespectful and unthoughtful placement of buildings, loading docks and the like would follow.	- SJH appears to have misunderstood the structure of the OSE SSDA despite significant detail within the EIS regarding this issue. - The OSE SSDA is a 'staged' SSDA which involves the submission of a Concept Proposal (otherwise known as a Master Plan' for the entire along with a detailed development application for Stage 1 of the development. Detailed design for remaining stages of the development are deferred to future applications. This explains the difference in documentation provided for Precinct 5, which lies within Stage 1 of the OSE, and Precinct 6, which lies within Stage 3. - The statement with regard to the future planning of Precinct 6 is irrelevant and will therefore not be addressed in the RTS.
Complying Development	Complying development may well follow the subdivision phase therefore, it is vital that the subdivision phase embody sufficient controls to ensure that the potentially incompatible land uses are appropriately separated and screened.	- It is assumed that SJH would be familiar with the provisions of the Codes SEPP which establish land based restrictions to the use of complying development. These include (for the purposes of Part 5A of the Codes SEPP), land that is the subject of a biobanking agreement. As the OSE would be subject to a biobanking agreement, new industrial buildings on the site would not be 'complying development'. - It is further assumed that SJH is familiar with the limitations of Part 5A of the Codes SEPP with regard to the maximum size of new industrial buildings that can be considered 'complying development'. Based upon the size of warehouses indicated for the OSE and other relevant site constraints, it is highly unlikely that future stages of development would meet the criteria established under the

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		New Buildings and Additions Code in Part 5A of the Codes SEPP. – SJH is referred to the provisions of the SRD SEPP which provide that future stages of an SSDA would also be considered SSD (regardless of whether or not they meet relevant thresholds), unless otherwise specifically stated in the development consent. – Future stages of the development would be subject to future development assessment processes via an SSD process, therefore SJH's comment in this regard is inaccurate. Relevant conditions would be placed on any consent issued for the OSE to preserve amenity for surrounding landowners.

