URBIS

APPENDIX A – SUBMISSIONS REGISTER

1. RESPONSES TO SUBMISSIONS

This section provides a detailed summary of the Applicant's response to the issues raised in submissions to SSD-70316465.

Provided the extent of submissions received during the public exhibition process from DPHI, NSW government agencies, Penrith City Council and Liverpool City Council, response to the issues have been provided in the following sections below.

- **Section 1.1** Department of Planning, Housing and Infrastructure
- **Section 1.2** Transport for NSW
- **Section 1.3** Sydney Water
- **Section 1.4** Penrith City Council
- **Section 1.5** Liverpool City Council
- **Section 1.6** Western Sydney Airport
- **Section 1.7** Biodiversity, Conservation and Science Group
- **Section 1.8** Bradfield Development Authority
- **Section 1.9** Department of Climate Change, Energy, the Environment and Water – Water Group
- **Section 1.10** Department of Primary Industries and Regional Development – Agriculture
- **Section 1.11** Department of Primary Industries and Regional Development – Fisheries
- **Section 1.12** Heritage NSW – Aboriginal Cultural Heritage
- **Section 1.13** Rural Fire Service
- **Section 1.14** Civil Aviation Safety Authority
- **Section 1.15** Crown Lands
- **Section 1.16** Fire and Rescue
- **Section 1.17** Heritage Council NSW
- **Section 1.18** Jemena
- **Section 1.19** Sydney Metro
- **Section 1.20** Transgrid

1.1. DEPARTMENT OF PLANNING, HOUSING AND INFRASTRUCTURE (DPHI)

Table 1 below identifies each of the matters raised and sets out the Applicant's response to these submissions.

Table 1 Applicant Response to DPHI

No.	Issue Raised	Applicant Response	Reference
Road Network			
1	Further information and justification are required in relation to the proposed inconsistencies with the Precinct Plan. In particular, you are requested to respond to the following with regard to proposed changes to the road and transport network in section 4.6 of the Precinct Plan to address the requirements of section 4.39(2) of State Environmental Planning Policy (Precincts—Western Parkland City) 2021 (WPC SEPP): ▪ Provide further justification for the changes in road classification (i.e. from sub-arterial to collector / collector to local) and evidence of endorsement from Transport for NSW (TfNSW) and Penrith City Council (Council) ▪ Consider alternate options for the road connection to the west of the site and intersection on Luddenham Road, in consultation with TfNSW, that are more consistent with the location shown in the Precinct Plan, which could reduce impacts on adjoining landowners, planned regional stormwater basins, provide a clearer east-west connection through the site and improve the interface with the proposed Aboriginal cultural space (as encouraged by the State Design Review Panel). ▪ Provide evidence of consultation with all landowners to the west that will be impacted by any changes to the	▪ TfNSW has provided an email dated Tuesday 17 June 2025 confirming the proposal appears to be broadly consistent with TfNSW expectation and the SSD proposed works generally align, in principle, with the concept design developed for the Elizabeth Drive upgrade. Formal concurrence will be provided through the assessment process. ▪ Discussions were held with TfNSW (see **Section 5.1.1** of the RtS Report) and an Updated Traffic Modelling Addendum Report was prepared by Arcadis (**Appendix C**) which confirms that , a single access point onto Elizabeth Drive as proposed in the Stage 1 SSDA would accommodate the full development traffic from the Burrah Park site including Sydney University land, which negates the requirement for a second access point onto Luddenham Road. A road connection to Luddenham Road does not form part of the proposal but is shown indicatively as a potential future connection location. ▪ Notwithstanding that the Luddenham Road connection is not part of this DA. The indicative location for this future connection is the most appropriate for these reasons: – The indicative location for the collector road crossing shown within the Precinct Plan to the south would unacceptably impact upon the archaeological waterhole identified in the ACHAR and protected through the landscape and Connecting with Country strategy.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.** Consultation with Agencies and adjoining landowners at **Appendix CC.**

No.	Issue Raised	Applicant Response	Reference
	Precinct Plan road network, including road location and street hierarchy. It is noted that a development application has been lodged with Council at 812-844 Luddenham Road (DA4/0881), which may be impacted by the proposed relocation of one of the western road connections. ▪ Provide evidence of consultation with Sydney Water in relation to any planned regional stormwater infrastructure on the western side of Cosgroves Creek ▪ Resolve the issues with internal road designs with regard to bus route requirements as identified by TfNSW.	– The collector road crossing within the Precinct Plan would also impact on the agreed location for Sydney Water infrastructure in accordance with the draft scheme plans recently placed on exhibition. – The future collector road connection aligns with the lot boundary of 812-844 Luddenham Road which is considered a better site planning outcome and would allow the adjacent lot to the north to connect to this collector. It is noted that this DA has been withdrawn. – The indicative location is a sufficient distance from the proposed cultural space (approx. 185m) which is at the confluence of the two waterways. ▪ Please refer to Section 3.1 of the RTS Report which outlines consultation with the landowners to the west. ▪ Please refer to Section 3.1 of the RTS Report which outlines consultation with Sydney Water. ▪ Further development of the bus routes will be discussed with TfNSW once the internal road network has been finalised. The proposed design allows for bus access on the key internal roads for the development.	
2	Changes to road locations external to the site may have broader impacts on the precinct road network, surrounding landowners, planned infrastructure and high biodiversity value areas. Accordingly, if the requirements of section 4.39 of the WPC SEPP cannot be met, a masterplan or other formal amendment to the precinct plan may be required.	▪ The proposed changes to the road locations external to the site are minimal and will not impact upon the delivery of the precinct road network. It is noted that the proposed development does not rely on, nor propose any external road connections to Luddenham Road to the west over Cosgroves Creek. Despite this, the proposed layout can facilitate future connections if required in the future. The proposed changes reflect agency advice. ▪ The proposed variation can therefore satisfy the requirements of clause 4.39 of the Aerotropolis SEPP being minor, consistency is unreasonable or unnecessary given agency requirements and there	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
		are sufficient environmental planning grounds to justify the inconsistency. Notwithstanding this, it is noted any procedural requirement to amend the Precinct Plan can be undertaken concurrent to the SSD. **Sub-arterial Road - Aerotropolis Precinct Plan** ▪ The sub-arterial road shown in the Precinct Plan does not serve any broader regional purpose between Luddenham Road and the M12 that cannot be served by Elizabeth Drive. ▪ TfNSW indicated concerns about the sub-arterial road's intersection with a proposed north-south estate road within the site and travel/queuing distance to an Elizabeth Drive intersection. ▪ TfNSW confirmed in a meeting with Council and DPHI on 27 March 2025 the signalised intersection on Luddenham Road intersecting the east west sub arterial and Luddenham Road as shown in the Precinct Plan is too far south and creates queuing issues with the Luddenham Road and Elizabeth Drive Intersection. ▪ TfNSW have confirmed that any signalised intersection with Luddenham Road would likely be well north of the sub-arterial road's location in the Precinct Plan. The location would be in the vicinity of the proposed indicative location for the Luddenham Road connection. ▪ Penrith Council noted in a meeting on 27 March 2025 that whilst their Contributions Plan follows the Precinct Plan road hierarchy and this could be change via an amendment to the CP. ▪ It is noted that the sub arterial road would impact upon planned Sydney Water infrastructure and would require a 200m bridge crossing across Cosgroves Creek. **Precinct Plan road network:** ▪ It is noted that proposed external connections to the east are generally consistent with the locations shown in the Precinct Plan.	Consultation with Agencies and adjoining landowners at **Appendix CC.**

No.	Issue Raised	Applicant Response	Reference
		▪ Sites along Luddenham Road have existing road access and are not prevented from being developed in accordance with the Precinct Plan noting that Luddenham Road will not be upgraded until at least 2040 in accordance with the Sector Plan. Post 2040 it is expected that access for these sites can be provided via the local road network to the west of Cosgroves Creek. ▪ Modelling (verified by TfNSW) has confirmed that the project and adjacent Sydney University lands can be serviced by one upgraded intersection on Elizabeth Drive. The Luddenham Road connection is not required for this development. ▪ It is noted that the connections to Luddenham shown within the Precinct Plan would impact upon a upon the archaeological waterhole identified in the ACHAR and protected through the landscape and Connecting with Country strategy. ▪ Notwithstanding the above, the applicant has discussed future road alignment and connections with adjacent landowners to ensure it aligns with their future development plans including – 812-844 Luddenham Road (Cornish Group) to the west and – Sydney University to the east. **Consistency with Precinct Plan** Given the circa $1 billion investment, commitment to upgrade Elizabeth Drive it is considered that the proposed minor variations to the Precinct Plan road network can be considered on merit noting, ▪ Consistency with the Precinct Plan is unreasonable in the circumstances as these changes have been driven by agency requirements external to the site relating to location of intersections, and Sydney Water basin locations. ▪ The proposed changes have minimal impacts to surrounding landholdings noting that the main implications would be to sites on	

No.	Issue Raised	Applicant Response	Reference
		Luddenham Road that would still have access in the short to medium term. Access can be resolved for future development through the establishment of the local road network on the western side of Cosgroves Creek. ▪ The current road grid is not suitable for large format warehousing and is shown as 'indicative' in the Precinct Plan. ▪ The variations reduce the level of impact over areas of high Aboriginal cultural value, high biodiversity and Sydney Water basins by minimising the number of large bridge crossings across Cosgroves Creek.	
3	Concurrence must be obtained from TfNSW in relation to the development, particularly for the connections to Elizabeth Dive and Luddenham Road, in accordance with section 4.27 of the WPC SEPP. Further consultation with TfNSW will be required to address the issues raised in their advice on the EIS.	▪ TfNSW has provided an email dated Tuesday 17 June 2025 confirming the proposal appears to be broadly consistent with TfNSW expectation and the SSD proposed works generally align, in principle, with the concept design developed for the Elizabeth Drive upgrade. Formal concurrence will be provided through the assessment process.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
4	The Department notes the concerns raised in the agency advice in relation to the traffic assessment undertaken, including the likely mode share, capacity of the road network and proposed Elizabeth Drive intersection. It is considered that the required road connection from the site to Luddenham Road should be assessed and delivered as part of the Stage 1 development to ensure sufficient traffic capacity and access is available for the full development of the site and not be an impediment for future development of adjoining land.	▪ Refer to the updated Traffic Generation Rates and Access assessment provided in Section 5.1.1 of the RTS report, at Appendix C. ▪ This demonstrates that the new signalised intersection with Elizabeth Drive would provide overall level of service C in the AM peak and level of service B in the PM peak hour. The proposed intersection layout would also provide level of service D or better at the individual movement level. ▪ These levels of service have been achieved with a single access point, being Elizabeth Drive, which negates the requirement for a second access point onto Luddenham Road for the Concept Plan. From a traffic perspective, a single access point onto Elizabeth Drive	**Section 5.1.1** in updated Traffic Addendum Report at **Appendix C.**

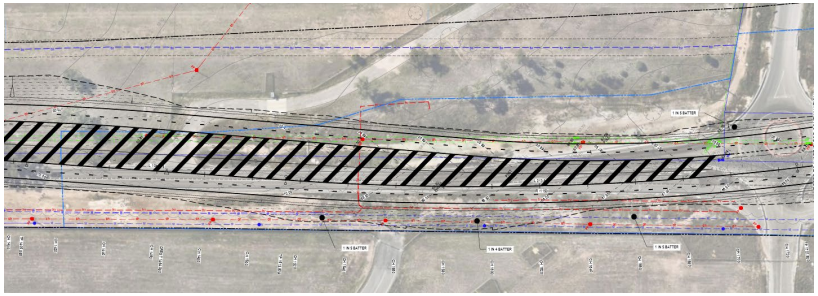
No.	Issue Raised	Applicant Response	Reference
		as proposed in the Stage 1 SSDA would accommodate the full development traffic from the Burrah Park site including Sydney University land. A future connection is shown indicatively to demonstrate how the development could connect to Luddenham Road in the future if required.	
5	Adequate access to Elizabeth Drive and issues raised in relation to the intersection design must be resolved with TfNSW and Western Sydney Airport and evidence of endorsement of the design included in your response.	▪ Discussions were held with TfNSW (see **Section 5.1.1** of the RtS Report) and an Updated Traffic Modelling Addendum Report was prepared by Arcadis (**C**) which confirms that , a single access point onto Elizabeth Drive as proposed in the Stage 1 SSDA would accommodate the full development traffic from the Burrah Park site including Sydney University land, which negates the requirement for a second access point onto Luddenham Road. ▪ TfNSW has provided an email dated Tuesday 17 June 2025 confirming the proposal appears to be broadly consistent with TfNSW expectation and the SSD proposed works generally align, in principle, with the concept design developed for the Elizabeth Drive upgrade. Formal concurrence will be provided through the assessment process.	Updated Traffic Addendum Report at **Appendix C.** Consultation with Agencies and adjoining landowners at **Appendix CC.**
6	The EIS refers to future development of the residual land to the north of the M12. Please provide further detail on the intended future use of this land with regard to the planned Outer Sydney Orbital corridor that applies to much of this land.	▪ The residual land to the north of the M12 does not form part of this application. Any details of the future uses of the land, with regard to the planned Outer Sydney Orbital corridor, will form part of a future, separate project in collaboration with TfNSW noting that concurrence would be required for any development on or within 25m of 'Transport Corridor Land'.	N/A
7	Regarding the northern end of Estate Road 01 and the issues raised in the agency advice: ▪ Provide confirmation from TfNSW about the form of road connection that will be achievable under the M12,	▪ TfNSW has provided an email dated Tuesday 17 June 2025 confirming the proposal appears to be broadly consistent with TfNSW expectation and the SSD proposed works generally align, in principle, with the concept design developed for the Elizabeth Drive	TfNSW email dated 17 June 2025 at **Appendix DD.**

No.	Issue Raised	Applicant Response	Reference
	including the alignment of this road to the north of the M12 and with consideration of the Outer Sydney Orbital corridor ▪ Relocate the road corridor, including the northern roundabout, out of the Environment and Recreation zone and riparian zone as much as possible ▪ Provide a temporary turning head at the end of Estate Road 01 within the site for the period until the road is extended.	upgrade. Formal concurrence will be provided through the assessment process. ▪ The road corridor, including the northern roundabout, has been moved out of the Environment and Recreation zone and riparian zone as much as possible. A temporary turning head is not required at the end of Estate Road 01, as the northern roundabout already provides a location for vehicles to turn around, and cars would not be driving further north. Wayfinding signage will also be incorporated to ensure vehicles do not drive further north. ▪	
8	Undertake further consideration of a north-south road or pedestrian connection on the eastern side of the site, in line with Precinct Plan road network and advice from the State Design Review Panel.	▪ The design of the buildings in Superlot 4 strategically clusters population centres toward the middle of the site, establishing a campus-style layout which is subject to a separate SSDA being progressed by DHL. From these central hubs, occupants have convenient access to open space within the central riparian corridor, located just a five-minute walk to the west. The local centre lies slightly further beyond and remains easily accessible within a ten-minute walk. ▪ Due to the extensive dock frontages necessary for the DHL facility's effective operation, encouraging pedestrian movement northward, through the centre or rear of these lots is considered neither safe nor appropriate. Such circulation would not only result in long travel distances but could also raise CPTED & other safety concerns.	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		 ▪ North-South access is already provided around the edges of the site via the M12 Cycleway which circumnavigates the north and east sides of the site. In addition to this the central core provides a North/West to South/East connection through the site. The shared pathways of this central core connect to the M12 Cycleway via shared pathways on Estate Road 5 and through the maintenance pathways around the north-eastern water basins. It is also noted that the Precinct Plan indicates that an indicative north south road along the lot boundary with Sydney University which could be provided in the future when that site develops.	

No.	Issue Raised	Applicant Response	Reference
9	Provide further detail of all active transport links to existing and future routes, with further consideration of active transport needs from future uses within the site.	▪ Further to the principles outlined in Section 4.6 Movement Framework of the Precinct Plan, the proposed road network within the masterplan has been designed in accordance with the street typologies and cross-section profiles specified in the Aerotropolis Development Control Plan (DCP). This ensures the delivery of a comprehensive and legible active transport network, supporting walkability and cycling accessibility across the precinct. ▪ Complementing this, a system of pedestrian and cycle paths is proposed along the key landscape features such as creek corridors, stormwater basins, and riparian zones. These routes utilise the proposed maintenance paths and service accessways, allowing efficient integration without additional impacts to open space. This approach not only activates natural assets but also establishes additional green links between Elizabeth Drive, the neighbourhood	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		centre, and the M12 cycleway, promoting environmentally conscious mobility. As these alignments often run alongside low-traffic, scenic areas such as recreation and conservation zones, they enhance safety, amenity, and continuity for active transport users. Provisions for future extensions have also been allowed for, ensuring long-term connectivity to Luddenham Road and the emerging eastern development areas. 	
10	Provide detail on pedestrian and active transport crossings throughout the estate street network to ensure pedestrian amenity and safety.	▪ Civil engineering plans provide further details of cycle path interactions with the street network, including detailed illustrations. Additionally, crossing details have been added to the Neighbourhood Centre sheet in the Architectural Plans to ensure pedestrian amenity and safety throughout the estate.	Updated Civil Drawings and Report at **Appendix D.** Updated Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
11	Clarify whether any works, including in relation to the Elizabeth Drive intersection, are proposed within Lot 20 DP 1271571.	▪ Upgrades to the Elizabeth Drive road includes works within Lot 20 DP 1271571 as demonstrated in the figure below. As identified in the lot's title search, Lot 20 DP 1271571 is owned by Transport for NSW and is identified as "land is required for road purposes". ▪ Formal concurrence will be provided through the assessment process for the proposed Elizabeth Drive intersection and upgrade works.  Figure 1 Interim Functional Layout Plan Sheet 4 (source: Arcadis)	TfNSW email dated 17 June 2025 at **Appendix DD.**
12	Provide justification for not providing the park edge road along the property boundary to the M12.	▪ The edges of the north and eastern edge of the site are activated by the M12 Cycleway to which the site can provide a connection in the north. The western edge of the site is activated by the shared cycleway that connects from Elizabeth Drive up along Oakey and Cosgroves Creek, providing connections through to other regions of the site. ▪ It is noted that the existing internal pathway network on site provides the required infrastructure for pedestrians, with minimal impact on pedestrian walking times and greater buffers from vehicles along the proposed motorway. ▪ Urbis Social Planning has reviewed the CPTED implications of having a park edge road along the property boundary to the M12. Any park edge road along the M12 would need additional passive surveillance measures, clear connectivity back into the Burrah park	Updated Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		site and installation of landscaping and fencing buffers. Considering its location at the rear of the Superlot 06a and 05c warehouse forms, and the existing pedestrian connections afforded across other areas, the provision of a park edge road along the property boundary to the M12 is not considered appropriate. ▪ Furthermore, the location of Park Edge street within the Precinct Plan would conflict with the revised position for Sydney Water infrastructure as shown in the draft scheme plan. This plan is subject to a minor relocation in the proposed amendments, which has been discussed with Sydney Water and has received agreement in principle subject to this being included in the applicant's submission to the draft scheme plan.	
Infrastructure			
13	Provide further consideration of the implications from changes to the location, quantity and classification of the roads, open space and other infrastructure subject to the Penrith Aerotropolis Development Contributions Plan 2023. Evidence of consultation with Council must be provided.	▪ The applicant has continued ongoing engagement with Council and note the request to provide a comparison to inform a draft letter of offer. Further information will be provided as these discussions progress. Additionally, the applicant acknowledges Council's recognition of the changes to the Precinct Plan, which may require an amendment to their Contributions Plan.	Consultation with Agencies and adjoining landowners at **Appendix CC.**
14	Provide details of any proposed planning or works-in-kind agreements. Should a planning agreement be proposed with Council or the State, provide evidence that a letter of offer and/or draft agreement has been accepted.	▪ As noted above, discussions regarding proposed planning and works-in-kind agreements are ongoing with both Council and the State. The applicant will provide updated details on any draft letter of offer as these discussions progress. Additionally, we have been in discussions with TfNSW regarding the Elizabeth Drive upgrade, and they have offered to write a letter of support for the works-in-kind agreement, as mentioned in the meeting on Monday, 2 June 2025.	Consultation with Agencies and adjoining landowners at **Appendix CC.**

No.	Issue Raised	Applicant Response	Reference
15	Quantify the changes in area of roads, open space and other infrastructure identified in the Precinct Plan and Council's Contributions Plan compared to what is proposed as part of the development. Identify what areas across the site are intended to be dedicated to and/or maintained by a public authority including Council and Sydney Water.	▪ Maps have been prepared to outline the changes in the area of roads, open space, and other infrastructure identified in the Precinct Plan and Council's Contributions Plan compared to what is proposed as part of the development. These maps also identify the areas across the site that are intended to be dedicated to and/or maintained by a public authority, including Council and Sydney Water.	Updated Architectural Plans at **Appendix B**. Updated Design Report at **Appendix HH**.
16	The EIS proposes further consultation with infrastructure authorities and service providers. Provide evidence that all relevant parties are satisfied with the infrastructure proposed and the mechanism and timing for its delivery.	▪ The project team is actively engaging with all relevant parties to ensure satisfaction with the proposed infrastructure and the mechanism and timing for its delivery. Evidence of their satisfaction will be provided once these consultations are completed and agreements are formalised.	Consultation with Agencies and adjoining landowners at **Appendix CC.**
17	The Infrastructure Staging and Delivery Plan must provide clear detail on all infrastructure proposed and specify how and when all infrastructure will be delivered, including cultural spaces, public art, roads, open space embellishment and stormwater. Any elements that the application is relying on to justify compliance with development controls and requirements should be delivered as part of the Stage 1 works to provide certainty that that these are provided.	▪ All of the public open space along Cosgroves Creek and the Central Riparian corridor will be delivered as part of the Stage 1 works. Additionally, the entire internal road network and the Sydney Water regional stormwater network will be delivered as part of Stage 1 works. ▪ Table 7 in the Infrastructure Staging and Delivery Plan (ISDP) in the EIS provides these details.	Civil Construction Staging Plan at **Appendix X**.
18	It is recommended that a Plan of Management is prepared that identifies a clear outline of developer-led/delivered items and a long-term strategy for the management of public domain areas and embellishments, ongoing access and use of open space, and other infrastructure items.	▪ A Plan of Management is recommended to clearly outline developer-led items and provide a long-term strategy for managing public domain areas, embellishments, ongoing access and use of open space, and other infrastructure items. Much of the work is still subject to planning agreements with authorities, which will detail the ongoing management of assets. A Plan of Management can form part of a condition of consent and can be developed to support these agreements.	N/A

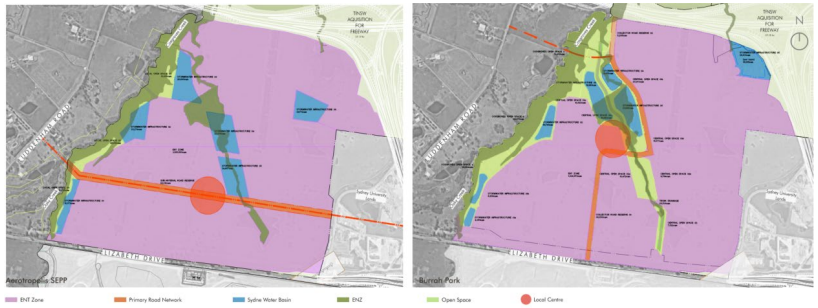
No.	Issue Raised	Applicant Response	Reference
19	Clarify responsibility for maintaining the fire access track/active transport link proposed between some lots. The track between Lots 1.1 and 1.2 appears to be located partly across both lots.	▪ The fire access track and active transport link between Lots 1.1 and 1.2 has been realigned to sit entirely within the land take of Lot 1.1. As such, ongoing maintenance will be the responsibility of the Lot 1.1 development entity. ▪ To ensure continued public accessibility, the fence lines for both Lot 1.1 and Lot 1.2 will be designed and positioned to always preserve unimpeded access to the track. This will allow pedestrians and cyclists to use the corridor freely, supporting its intended function as both a fire access route and an active transport link, without compromising lot boundaries, landscaping and canopy cover or private land use.	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH**.
Land Uses			
21	The current concept masterplan comprises mostly standard warehouse-style building envelopes. Clarify how the concept development will ensure a variety of employment uses as identified in the vision for the Northern Gateway Precinct in the Western Sydney Aerotropolis Plan and Western Sydney Aerotropolis Precinct Plan.	▪ The concept masterplan is market driven and reflects early demand for large format warehousing and logistics land uses that seek to locate in proximity to both WSI and the regional freight and transport network. The market demand is anchored by global logistics leader DHL who have chosen Burrah Park for a 126,541sqm warehouse and logistics facility due its unrivalled location adjacent to WSI. ▪ The concept plan facilitates a range of building sizes for standard warehouse-style building envelopes, as well as smaller, office dominant envelopes which would be able to support other uses such as high technology, pharmaceutical, advanced manufacturing and robotics. These land uses are all indicated as desired land uses for the Northern Gateway Precinct within the ENT Zone, Precinct Plan and WSAP. The proposed uses are appropriate for this site given the constraints presented by the adjacent airport in relation to building heights and aircraft noise restrictions. ▪ Whilst the medium and large format warehousing envelopes are proposed as a base case at this concept stage, the proposed	N/A

No.	Issue Raised	Applicant Response	Reference
		building envelopes can be flexibly adapted for warehouse and logistics land uses but may also be able to accommodate other employment land uses (such as industrial, manufacturing and recreational/sports land uses) and these uses would be accommodated through future, staged development applications and modifications once prospective tenants are identified. These future uses and applications would be supported by the appropriate environmental studies and support (such as transport and acoustic), which can only be undertaken once the tenants are confirmed. At this concept stage, the proposed warehouse-style envelopes form an appropriate starting point for a variety of employment uses to be delivered across the site.	
22	Section 7.14 of the Urban Design Report refers to office dominant tenancies shown in blue on the plan. Provide further detail on how the design and siting of these uses have been considered in the assessment of the development, including: ▪ against relevant DCP controls ▪ how these lots have been represented in the visual impact assessment ▪ how these land uses will be implemented though the concept plan and design guidelines.	▪ High office content buildings within the concept plan are envisaged to attract high - tech industrial tenants e.g. pharmaceutical, research and tech industries in campus style light industrial buildings with a warehouse component and therefore subject to the same controls in relation to setbacks, permeability, deep soil, tree canopy and car parking.	Updated Architectural Plans at **Appendix B**.
23	Parts of the EIS package reference part of the site to be acquired by Canberra Data Centres, including in the Civil Infrastructure Report, which identifies that 'there is a data centre proposed for four of the lots within the development site.' Please clarify how this use has been considered in the design and assessment of the development, including: ▪ the strategic vision for the Northern Gateway Precinct	▪ This reference has been removed, whilst Superlot 5b is subject to an existing sales agreement the detail of any future development/land use on this site is unknown. The detailed development of this site will be subject to a future application which will address the matters raised in this comment.	N/A

No.	Issue Raised	Applicant Response	Reference
	▪ environmental impacts, such as noise and air quality ▪ consistency with urban design guidelines ▪ capacity of services, including further consultation with Sydney Water on waster servicing capacity.		
24	Clarify whether tourist and visitor accommodation has been considered as a potential land use within the site due to the proximity to Western Sydney Airport.	▪ The proposal seeks consent for the following uses as part of the ENT zoned portions of the warehouse and logistics estate: *Warehouse or distribution centres* *Light Industry* *Commercial Premises* ▪ It is noted that tourist and visitor accommodation is permissible within the ENT zoning and can be an appropriate use within the site considering its proximity with the Western Sydney Airport. Tourist and visitor accommodation is a potential land use in the Bradfield site and would be further investigated subject to future tenant confirmations and the respective, detailed development applications and/or modification applications. This would include all the relevant environmental and amenity assessment and justification.	N/A
25	Provide further consideration of the open space needs for land users with site and how that is reflected in the proposed open space design, with regard to the issues raised by Council.	▪ Note: new basin alignment reduces much of the open spaces which in turn reduces the amenities this area is capable of providing. The proposed Pump Track, Skating trail, Futsal Fields and open space for community events has been removed. ▪ The amenities provided within the open spaces are to be clustered in the area directly north of the Town Centre. Providing amenities that will complement the Town Centre. Such as picnic tables, with shelters and BBQs for lunch time breaks. A native wildflower garden that will build on the Indigenous Enterprise which is to be included within the Town Centre. This Indigenous Enterprise may take the form of a native nursery, a cafe/restaurant featuring native edible foods. The area north of the Town Centre will include open grassed	Updated Landscape Plans and Report at **Appendix E**.

No.	Issue Raised	Applicant Response	Reference
		areas for exercise and a fitness trail that could be utilised by workers before and after work or during lunch breaks. In addition to this the Town Centre may include a childcare centre, therefore the open space directly north of the Town Centre includes the proposal of a natural waterplay space that could be used by families after the children are collected from the childcare centre. ▪ One other area where amenities are proposed is adjacent to the Archaeological Watering Hole. A large shelter, with picnic settings and BBQs is proposed along with a Yarning Circle and Food Tucker Trail. The intent is to provide a space for local schools to meet with the local Indigenous group to learn about Aboriginal culture and the history of the area. In conjunction with this, a wild play playground has been proposed between the Yarning Circle and an open grassed area to allow school aged children to play during school excursions.	
26	Confirm whether there is part of a sediment basin for the M12 construction works located in the north of the site and how this will be managed as part of the construction of the development.	▪ TfNSW have advised that the basin is there for the M12 works and will be removed by July 2025. The basin will be removed prior to development of the subject site.	N/A
27	Provide further justification that the proposed neighbourhood centre: ▪ meets the requirements of Section 5.1 of the Precinct Plan, noting the area provided is smaller than what is allocated the Land Use and Structure Plan (Figure 3 in Precinct Plan) ▪ provides for sufficient space and uses sufficient to service the site and accommodate the identified uses in the Social Impact Assessment and Infrastructure Strategy in the EIS	▪ The proposed location of the Neighbourhood Centre has been carefully selected to align with the objectives set out in Section 5.1 – Hierarchy of Centres of the Precinct Plan. It is generally consistent with the location identified in Figure 3 of the Land Use and Structure Plan. ▪ Its size and central location enable it to: – Deliver daily convenience goods and a variety of neighbourhood-scaled services tailored to support local businesses and workers.	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
	▪ will be in place in time to support the initial stages of the development, including both proposed DHL sites and the Stage 1 warehouses.	– Accommodate multiple small retail tenancies, business hub-type uses, or community facilities such as childcare centres. – Offer excellent pedestrian accessibility from surrounding commercial areas. – Provide convenient vehicular access, including adequate on-site car parking. – Be serviced by public transport, given its location along the bus route. – Sit adjacent to areas of open space, enhancing its visual appeal and usability. ▪ Positioned alongside the central open space zone, the Neighbourhood Centre will enjoy expansive views across landscaped recreational areas, further contributing to its attractiveness as a community destination. It is located adjacent to uses such as a natural water playground, a native wildflower garden, a fitness area, amphitheatre and other public amenities. Its prominent exposure to the main road ensures high visibility, while its central location within Burrah Park positions it as a natural gathering place for this community. ▪ With a large part of the estate within walking distance, the centre is well-integrated into the site's active transport network, reinforcing its role as a mobility and social hub. ▪ The local centre is situated on a site of approximately 8,300 sqm, offering sufficient space to support a diverse mix of community-focused functions. These may include: – Childcare facilities – Convenience retail – Café and food offerings – Takeaway outlets	

No.	Issue Raised	Applicant Response	Reference
		– Business hubs featuring shared office space and meeting rooms – Indigenous Enterprise opportunities ▪ This scale and flexibility ensure the centre can effectively respond to the evolving needs of this community and play a vital role in supporting local businesses, amenity and connectivity. ▪ It is noted that due to market demand and the need to ensure sufficient worker population to activate the centre, the neighbourhood centre will be delivered in the final stage of development. It is not feasible to for the centre to be in place to support the initial stages of development. 	

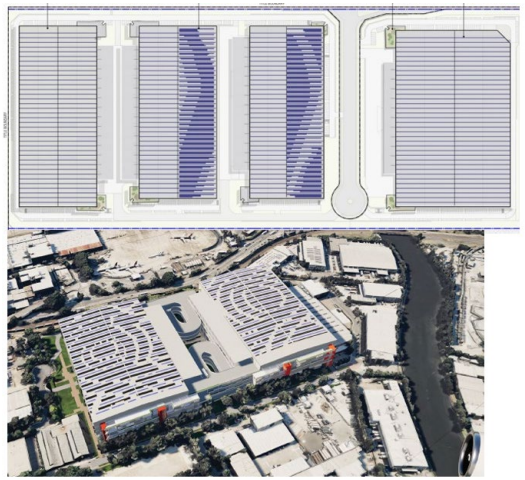
No.	Issue Raised	Applicant Response	Reference

No.	Issue Raised	Applicant Response	Reference
Design Excellence			
28	Further information is required to assist the Department in is consideration of how the development achieves the design excellence matters in section 4.33 of the WPC SEPP, including: ▪ justification that the development layout, including roads, earthworks and stormwater infrastructure, responds to the physical and cultural connection of the local Aboriginal community to the land ▪ how the form and external appearance of the development will improve the quality and amenity of the public domain, including presentation to open space and riparian corridors and major roads and interfaces with the public domain ▪ strategies to address bulk, massing and modulation of buildings, and ensuring architectural diversity across the concept masterplan site ▪ quality and permeability of the pedestrian and active transport network.	▪ The design of Burrah Park demonstrates a commitment to design excellence through the adoption of a comprehensive framework and set of guiding principles. These have been thoughtfully integrated from the master planning stage through to the detailed design of the built form, ensuring a cohesive, high-quality outcome that reflects best practice in urban design. **Connecting to Country** ▪ Through Yerrabingin's continuous engagement and workshopping with the Dharug community and local knowledge holders, a clear Designing with Country framework has been produced. ▪ This framework has been implemented to ensure the masterplan, along with built form is designed and delivered in a way that not only speaks to Country in outcome but is inclusive of Country in process. ▪ As identified by Yerrabingin through their engagement with Country, the following Elements of Country have helped to highlight opportunities and design outcomes that best suit the lands of the site and provide a stronger earthing in Country as a result. ▪ These elements have been used as a lens throughout the design process to better inform landscape, civil and architectural outcomes alongside the input and feedback provided by the Dharug community and local knowledge holders at Yerrabingin's workshops. **Sustainability** ▪ The Burrah Park masterplan intends to achieve the following sustainability goals: – Achieve a minimum 5 star Green Star Buildings and 6 Star Communities rating.	Updated Design Excellence Strategy at **Appendix BB**.

No.	Issue Raised	Applicant Response	Reference
		– Remove Fossil Fuel use from the site where possible to support NSW Government and DCP targets for net zero energy emissions by 2030. **Smart Places** ▪ Burrah Park's approach to Smart Places focuses on embedding advanced electrical and digital infrastructure to deliver technology-enabled outcomes that benefit people and industry. Guided by principles such as future capability (fibre, EV, and IoT readiness), outcome-led applications, future-proofing, digital efficiency, and strategic integration, the estate aims to position itself as a forward-thinking industrial precinct. Smart infrastructure deployment will be aligned with design intent, evolving over time through future iterations of the master plan. **Better Placed Objectives** ▪ The approach to the planning and design for Burrah Park is strongly aligned with the objectives of Better Placed. The precinct reflects a commitment to delivering high-quality, people-focused outcomes through contextually responsive, sustainable, and inclusive design strategies. – Better Fit: The master plan responds directly to the site's context, its landscape, surrounding development, and future growth potential – ensuring integration with the broader urban fabric. – Better Performance: Burrah Park is being delivered with a focus on environmental resilience and future-ready infrastructure, including smart technologies, EV and IoT capability, and efficient resource management. – Better for Community: The inclusion of a centrally located Neighbourhood Centre, open spaces, and active transport networks ensures a safe, inclusive, and	

No.	Issue Raised	Applicant Response	Reference
		connected environment that supports health and wellbeing. – Better Working: By offering flexible lot sizes, business hubs, and high digital connectivity, the estate promotes diverse employment opportunities and future economic growth. – Better Value: Strategic investments in infrastructure and placemaking are designed to deliver long-term value, adaptability, and return on investment for both public and private stakeholders. – Better Look and Feel: Attention to streetscape quality, interface with open space, and the visual character of built form ensures a pleasant, attractive, and legible environment. – Better Connected: The estate is planned with strong connectivity via public transport, active travel links, and accessible road networks, supporting movement and access across all user groups. **Aerotropolis Precinct Plan** ▪ Burrah Park has been carefully designed in alignment with the objectives of the Aerotropolis Precinct Plan and the Development Control Plan (DCP), ensuring it contributes to the strategic vision for a connected, sustainable, and innovation-driven Western Parkland City. By responding to the key priorities, such as employment generation, integrated green and blue infrastructure, active transport networks, and future-ready urban systems, Burrah Park not only meets regulatory expectations but also exemplifies design excellence. This alignment reinforces a holistic and high-quality approach to master planning, where built form, public domain, and infrastructure work cohesively to deliver a resilient, liveable, and forward-thinking industrial precinct.	

No.	Issue Raised	Applicant Response	Reference
		▪ The objectives and guiding framework outlined above are captured in the Urban Design Guidelines document for Burrah Park, which establishes a clear and cohesive vision for development across the precinct. This framework serves as a foundation for achieving design excellence, ensuring that all current and future development within Burrah Park is guided by consistent, high-quality urban design principles that respond to context, promote sustainability, and enhance the experience for all users." 	
29	Further consideration or design updates are required to respond to the advice provided by the State Design Review Panel, including: ▪ deliver the road connection to Luddenham Road closer to the mapped position in the Precinct Plan to provide further separation from the identified cultural space ▪ provide further details about active transport paths and connections and illustrate through sketches and	▪ As detailed earlier, detailed modelling has determined that the Luddenham Road connection is not required to service the development. Despite this it is considered that the indicative location for this connection is the most appropriate due to the impacts the mapped connection would have to an archaeological waterhole identified in the ACHAR and protected through the CWC framework and landscape strategy. A connection in the mapped location would also require significant redesign of Sydney Water's regional stormwater basins as recently exhibited in the draft scheme plan.	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH.**

No.	Issue Raised	Applicant Response	Reference
	diagrams the spatial quality and pedestrian experience of connections with surrounding areas/paths ▪ consider siting of buildings and CPTED principles to ensure an amenable walking experience ▪ provide a more detailed response to the visual appearance of the development form the M12, Elizabeth Drive and the air, with consideration of the strategic outcomes of the Western Sydney Airport Plan (section 7.3.2) to 'develop a major airport interface with attractive entry points to reflect the gateway to the Airport, and the first presentation to those leaving the Airport's main entrance/exit point' ▪ consider improvement to rooftop presentation, including utilisation of solar panels as shown in below examples: 	Further it is noted that TfNSW have confirmed that the intersection location for the sub-arterial road within the Precinct Plan will not be in this location due to the proximity to the Luddenham Road and Elizabeth Drive intersection. ▪ Warehouses have been orientated to align their active spaces to be addressing the open spaces of the site. In particular changes to Warehouse 1.5, Warehouse 3.2 and Warehouse 6.2 have been re-orientated to better address the open spaces and provide passive surveillance. ▪ The open spaces provided will be characterised by endemic grasslands (with some areas mown), punctuated by clusters of trees with clusters of shrubs throughout. The clusters of shrubs will be located to ensure sightlines from pathways through to roads and active spaces are maintained. ▪ Additional amenities such as dog parks or open grassed areas have been located in regions of the site where passive surveillance may be lower to increase foot traffic in these areas and enhance that passive surveillance. i.e. North of Warehouse 3.1 which is only addressed by the Emergency Fire Trail within 3.1. An open grassed area with a viewing earth mound amphitheatre and viewing platform over the pond has been proposed to encourage foot traffic and discourage blind areas which may cause safety issues. ▪ Section DD: Neighbourhood Centre, Public Open Space within the Landscape set is a small more intimate section that will illustrates the spatial quality of the open spaces. ▪ The views from above (the 5th elevation) i.e. from approaching aircraft, are not considered to be a relevant consideration. The DCP includes specific controls that relate to the appearance, materiality, reflectivity and aesthetic of roofscapes near flight paths and flight zones. These controls are aimed at safeguarding airport operations and safety and as such any treatments that compromise safety are	

No.	Issue Raised	Applicant Response	Reference
		unlikely to be supported by the relevant Commonwealth body. Despite this it is noted that views from a moving aircraft are likely to be extremely short term given the standard approach/take off speed of a large jet aircraft which is approximately 280 kph. This speed relative to the ground becomes more pronounced at lower elevations. Given the proximity to WSIA and the approach and departure paths, it is considered that visual impact of the warehousing roofscape would be minimal. ▪ Additionally, it is noted that the international terminal at the Airport only includes solar panels and does not feature any patterning or varied presentation. It is considered that any such patterning would likely add significant and unreasonable costs and undermine the utility of the solar infrastructure.	
30	▪ Provide north-south connectivity in the eastern part of the site, noting a local road is proposed around that area in the Precinct Plan road network ▪ Provide further details about the landscape strategy in and around stormwater infrastructure, coordinated with the civil plans, including: – plans for planting within the riparian corridor and around basins – minimisation of hard surfaces, retaining walls, concrete culverts etc in the trunk drainage corridor to be more sympathetic to a 'naturalised' outcome – include shade trees along the shared pathways and provide more natural / pervious finishes to paths at pond and wetland edges – confirm design and location of any fencing around stormwater infrastructure.	▪ Due to the extensive dock frontages necessary for the DHL facility's effective operation, encouraging pedestrian/vehicle movement northward, through the centre or rear of these lots is considered neither safe nor appropriate. Such circulation would not only result in long travel distances but could also raise CPTED & other safety concerns. In addition, it is noted that the design does not preclude a future road north south road connection in a more appropriate location along the lot boundary with Sydney University. ▪ The Central Core Parklands run diagonally across the site, from the south-eastern to the north-western corner. A shared path within this parkland links the site's green spaces to the broader cycling network, including the M12 Cycleway along the northern and eastern boundaries, and the Elizabeth Drive Cycleway along the southern boundary. The Open Parkland near the North-Eastern Sydney Water Basin connects to this diagonal path via a shared path along Road 5. Together, these pathways create a cohesive network, ensuring	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH**. Updated Landscape Plans at **Appendix E**. Amended Civil Package at **Appendix D**.

No.	Issue Raised	Applicant Response	Reference
	▪ provide a soil strategy that responds to the SDRP advice (Point 12) ▪ further consideration of sustainability strategies, noting the proposed 5-star target was classified as 'unambitious' by the SDRP consider provision of openable windows for office areas for natural cross-ventilation.	north-south connectivity across the eastern portion of the site and its surroundings. Refer to SSD-035 and SSD-036 in **Appendix E**. ▪ The landscape plans and strategy have been updated to address these matters and have been coordinated with the civil plans. ▪ Soft, naturalistic edges around the water basins do not align with Sydney Water's standard design guidelines, which are intended to discourage wildlife access. Refer to SSD-046 and SSD-059 in **Appendix E**. ▪ Planting within the trunk drainage riparian zones will be guided by the Vegetation Management Plan (VMP), which aims to achieve a naturalistic outcome through the use of endemic species from the critically endangered Cumberland Plain Woodland and River-Flat Eucalypt Forest. Refer to SSD-058 in **Appendix E**. ▪ Fencing around the water basins is to be as per the Sydney Water Pond Edge Detail. Refer SSD-059 in **Appendix E**. ▪ Disturbed soil on site will be stockpiled according to its respective soil horizons and reinstated in the correct sequence. Refer to SSD-023 in **Appendix E**. and the Civil Package in **Appendix D**. ▪ The proposed levels of the central riparian corridor have been designed to match that of the existing unformalised drainage depression and minimise soil disturbance and retaining soil connectivity throughout the centre of the site. pad and infrastructure levels have been reduced in an effort to minimise cutting and filling depths across the site, especially at key interfaces such as Cosgroves Creek and the proposed central riparian corridor. The riparian corridor has been amended in response to SWC agency advice to extend to Elizabeth drive and maintain blue-green grid connectivity to Elizabeth Drive. The stockpiling of site won materials	

No.	Issue Raised	Applicant Response	Reference
		(and earthworks in general) is proposed to be undertaken in a manner such that native soils (topsoil included) are appropriately stockpiled, covered and stored onsite. When reused, stockpiled soils are proposed to be placed in a sequence that generally matches the existing soil horizons ▪ It is noted that whilst a minimum 5 Star Green Star Buildings rating is targeted the proposed development is on target to receive a world leading 6 Star Green Star Communities rating.	
31	The Design Excellence Strategy (DES) should include a more detailed implantation plan that includes: ▪ how the commitments will be enforced – e.g. governance arrangements for overseeing future development, leasing arrangements with tenants / developers of future stages ▪ long-term governance and management of the public realm and commitments to Country ▪ flow diagrams or timelines to illustrate how the process will work ▪ arrangements to ensure that future developers / leaseholders will appoint suitably skilled design professionals ▪ details on how the urban design guide will have a role in future developments.	▪ The DES has been updated to include a more detailed implementation plan.	Updated Design Excellence Strategy at **Appendix BB**.
32	The DES includes a commitment to 'positively collaborate' with GANSW. This should be supported by more detail about how the collaboration process will work (e.g. a formal agreement to provide advice) and suitable	▪ The DES has refined the approach to ongoing design integrity review that maintains consistency with existing statutory requirements. This approach maintains the need to coordinate reviews with the GANSW per the current approach and framework.	Updated Design Excellence Strategy at **Appendix BB**.

No.	Issue Raised	Applicant Response	Reference
	arrangements for design review or alternatives to design review.		
33	Provide a Public Art Strategy that addresses the requirements of section 2.19 of the DCP, clearly identifies what is to be delivered and arrangements for ongoing management, and also responds to the concerns raised by Council.	▪ A Public Art Strategy has been provided by Yerrabingin.	Refer to Public Art Strategy at **Appendix P**.
Architectural and Landscape Plans			
34	As recommended by Council and the Bradfield Development Authority, further consideration should be given to the siting and design of buildings to better present to roads, open space and riparian corridors and improve opportunities for passive surveillance of these areas.	▪ The design and siting of built form within Burrah Park has been developed with careful consideration of their relationship to roads, open space, and riparian corridors. The concept masterplan looks to adopt a place-based approach that prioritises interface quality, visual connectivity, and passive surveillance throughout the precinct wherever possible. ▪ Building frontages have been oriented to engage with key public domain elements, including primary roads, open spaces, and key active transport corridors, enhancing street presence and contributing to a more legible, active, and safe environment. Specific adjustments have been made to Buildings 1.5, 3.1, 3.2, and within Superlot 2, where office and car park locations have been repositioned to better interface with the surrounding public realm. The layouts aim to maximise the location and visibility of entry points, glazing, personnel activity, and ground level interface to increase activation along key frontages where appropriate. Along riparian corridors and green links, site planning prioritises visual permeability and passive surveillance, while maintaining sensitivity to ecological values and integrating appropriate landscape buffers. This approach ensures that buildings positively contribute to the safety, connectivity, and quality of the public realm.	Updated Architectural Plans at **Appendix B**.

No.	Issue Raised	Applicant Response	Reference
		▪ Ongoing design refinement through future development applications will continue to give focused attention to these interface conditions, guided by the Urban Design Guidelines and in accordance with the Aerotropolis DCP. This ensures the built form consistently supports the safety, amenity, and vibrancy of the public realm. ▪ Additional amenities such as dog parks or open grassed areas have been located in regions of the site where passive surveillance may be lower to increase foot traffic in these areas and enhance that passive surveillance. i.e. North of Warehouse 3.1 which is only addressed by the Emergency Fire Trail within 3.1. An open grassed area with a viewing earth mound amphitheatre and viewing platform over the pond has been proposed to encourage foot traffic and discourage blind areas which may cause safety issues.	
35	As recommended by the SDRP, review the configuration of Superlots 3a and 3b to improve visibility of the neighbourhood centre and open space from the main entry/collector road.	▪ In response to the SDRP's recommendation, the configuration of Superlots 3a and 3b has been reviewed to enhance visibility of the Neighbourhood Centre and central open space from the main entry and collector road. Adjustments to building orientation, ground levels and massing have improved sightlines and strengthened the Centre's role as a prominent and legible focal point within the precinct. The revised layout and levels also enhances connections to activated open space elements (such as the playground and fitness area) reinforcing its central community function. These changes improve wayfinding, passive surveillance (particularly along active transport links), and overall interface quality, aligning with the Urban Design Guidelines and the objectives of the Aerotropolis Precinct Plan and DCP, and ultimately supporting the creation of a cohesive, safe, and high-quality public realm.	Refer to Updated Architectural Plans at **Appendix B.**
36	While the final location and design of driveways for concept lots will be subject to future detailed development applications, consideration must be given to how the	▪ The access strategy for Burrah Park has been designed to improve safety, reduce conflicts, and support high-quality urban design outcomes. Pedestrian, light vehicle, and heavy vehicle movements	N/A

No.	Issue Raised	Applicant Response	Reference
	proposed subdivision, built form and access arrangements across the concept plan provide for safe vehicle entry and exit and separation of heavy and light vehicles.	have been clearly separated, with driveways positioned primarily on local industrial roads to maintain a safe and efficient movement network. ▪ As outlined in Section 7.15 – Site Access of the Urban Design Report, no heavy vehicle access is proposed from the collector road network, and light vehicle access from collector roads has been minimised, limited to a small number of lots where necessary due to site constraints. This access configuration not only enhances user safety but also aligns with the broader objectives of the Aerotropolis Precinct Plan, DCP, and Urban Design Guidelines, contributing to a more legible, functional, and well-structured Industrial state. 	
37	Where possible, driveways should be located to connect from local roads rather than collector roads.	▪ As above.	Updated Architectural Plans at **Appendix B**.
38	Provide a formal draft subdivision plan that includes existing and proposed easements and land proposed for dedication.	▪ The land dedication will pertain to Sydney Water basins, active transport, and open space areas, and will be subject to the VPA. A draft subdivision plan, including existing and proposed easements	

No.	Issue Raised	Applicant Response	Reference
		and land proposed for dedication, can be provided once the land dedication is formalised.	
39	Provide a version(s) of the site plan/concept masterplan that has a clear overlay of the zoning, acquisition and any other relevant mapping that applies to the site.	▪ A detailed Zoning Plan has been prepared, identifying the following key elements: – ENZ and ENT zones – Land acquisition areas for public open space – Stormwater infrastructure zones ▪ This zoning strategy is further detailed in Section 7.3 – Zoning of the Urban Design Report. It outlines the extent and distribution of Environmental Conservation (ENZ) and Employment (ENT) zones, as well as areas designated for Sydney Water land reservation, riparian corridors, and other key land use allocations. ▪ The Landscape plans that show the proposed open spaces overlaid with land that has been mapped as being marked for acquisition by	Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		either Council (for open space) or Sydney Water (as part of the water basin network). Refer to SSD-0.27 & SSD-028 in Landscape Report **Appendix E**.	
40	Provide further information in relation to the site canopy cover including: ▪ identify the total canopy cover for the whole site, including within open space areas ▪ if it is proposed to rely on canopy cover within open space areas, these trees should be delivered as part of the Stage 1 development to ensure compliance is achieved ▪ provide a tree canopy strategy at an estate level to establish a framework for individual lots to ensure canopy coverage is maintained across future stages ▪ confirm whether the development meets the DCP requirement for at least two medium trees or one large tree planted in the deep soil area for every 400m2 of site area or part thereof.	▪ Tree Canopy Coverage has been maximised throughout the site; open space, on lot and on street. In line with Bush Fire constraints and Western Sydney International Airport Wildlife Mitigation Measures. (DCP 2.10.3) Canopy Clumps have been shown with 3m separations. ▪ In the Landscape set the Canopy Coverage will be shown as a total and a breakdown: – On Street – On Lot – Open Space – Riparian Areas ▪ The trees to the Open Spaces will need to be planted as part of Stage 1. ▪ Canopy sizes have been notated on SSD-047: Estate Tree Canopy Cover (6m, 8m, 10m, 12m) ▪ Stage 1; Lot 1.1, Lot 1.2 & Lot 3.1 will the two medium or 1 large trees in deep soil per every 400m2 of area on lot. ▪ The Applicant provided a Wildlife Monitoring and Management Plan which made site specific recommendations on landscaping on the site, including the reduction in tree canopy. The Applicant also submitted an updated landscape plan aligning with the recommendations of the wildlife plan and ensuring species selection was in accordance with the DCP. ▪ The Department notes the DCP takes a performance-based approach to development requirements, with the performance outcome for tree canopy coverage requiring ‘sufficient tree planting’.	Updated Landscape Plans at **Appendix E**.

No.	Issue Raised	Applicant Response	Reference
		Recommend avoiding clumps of trees and shrubs as they provide more shelter and more concentrated feeding areas than individual or small groups of plants.	
41	The non-compliance with on-lot canopy cover is suggested to be a result of Section 2.10.3 of the DCP. However, the DCP still permits denser planting if supported by a report prepared by a suitability qualified and experienced ecologist. Increase the canopy cover or provide further justification why additional on-lot tree canopy cannot be provided.	▪ Canopy cover has been increased by Nettleton Tribe wherever possible, while balancing wildlife risk. This includes an increased on-lot cover from 20% in previous submission, to 25% in current plans. Design mitigations including tree clusters of < 5 are maintained with spacing of 2-6 m to avoid continuous canopy and higher wildlife attracting risk. ▪ The DCP controls around wildlife intends that landscaping is limited and avoids use of higher risk plant species such as Eucalypts. Trees with canopy not touching at maturity, but planted very close (e.g. 1 m between canopy) would still create continuous wildlife that may encourage bird/bat use, which is why greater spacing between clusters has been provided.	Updated Architectural Plans at **Appendix B**. Urban Design Report at **Appendix HH**.
42	Provide further information on the calculation of pervious surfaces across the concept development, including categorisation of deep soil, shallow soil, permeable pavement and hardstand, in accordance with PO8 of section 2.3.2 of the DCP. This should include road/street areas in the calculations as required by Note 2 in PO8.	**Pervious Surface Calculations – On Lot** ▪ Detailed calculations of pervious surfaces have been undertaken for Lots 1.1, 1.2, and 3.1 as part of the Stage 1 application, in accordance with Performance Outcome PO8 of Section 2.3.2 of the Aerotropolis DCP. These calculations include a breakdown of deep soil zones, permeable pavement, and hardstand surfaces, ensuring the developments meet the required permeability and deep soil planting objectives for the on-lot developments. The specific figures and surface categorisations are documented in the development schedules included on each corresponding site plan drawing. ▪ The image shows a summary of what these developments achieve collectively under Stage 1:	Updated Landscape Plans at **Appendix E**.

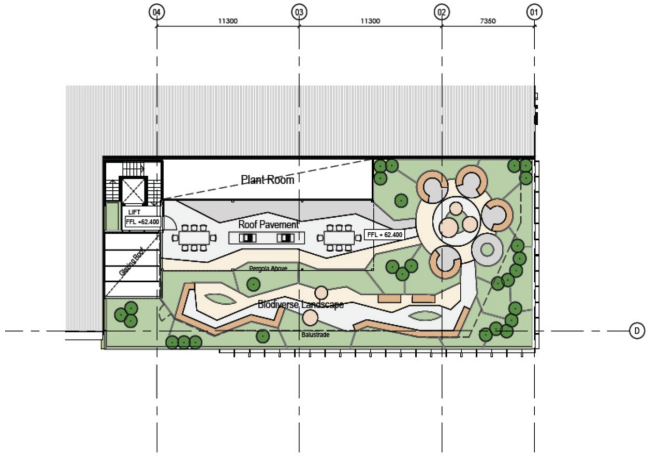
No.	Issue Raised	Applicant Response	Reference
		<table><tr><th colspan="2">Stage 1 On-lot Schedule</th></tr><tr><td>stage 1 total lot area</td><td>146,188</td></tr><tr><td>stage 1 building area</td><td>85,846</td></tr><tr><td>stage 1 on-lot deep soil</td><td>22,078 15%</td></tr><tr><td>stage 1 on-lot pervious area</td><td>28,415 19%</td></tr></table> ▪ This site-specific approach has been used to inform a consistent master planning logic, with the same principles and ratios extrapolated across the broader concept masterplan, allowing it to achieve the 15% permeability target. As additional lots are submitted for planning approval, each will be subject to the same level of detailed assessment to ensure compliance with both the site-specific Urban Design Guidelines and the Aerotropolis DCP's sustainability and permeability objectives. ▪ The application of this methodology to on-lot development ensures a consistent, measurable, and DCP-compliant outcome across all stages of development within Burrah Park. ▪ The Open Space areas will be predominately Deep Soil. Co-ordination is required with HBB to clarify where pipes etc will go through open space.	
43	Provide further detail on how the development interface has been designed to be integrated with the completed M12 and upgraded Elizabeth Drive, including levels, any boundary retaining walls and landscape species and sizes. Landscaped setbacks should be in accordance with the	▪ The design is integrated with the M12. Revised basin and lot layout has been provided to relocated basin C to the NE corner of the site to; Improved outlook from M12 and connection of open spaces and public art, locate closer to M12 drainage to collect and redirect low flows through Basin C system, Improve connectivity with the M12.	Amended Civil Package at **Appendix D**.

No.	Issue Raised	Applicant Response	Reference
	DCP requirements and provide a buffer to screen the development from these major roads.	As-built levels of the M12 have been incorporated into the grading design and landscape batters and retaining walls (where required) are shown on the amended civil drawings Appendix Dii. ▪ The amended civil design is coordinated with Elizabeth Drive upgrade. It is noted that the development proposed includes upgrade of the Elizabeth Drive along the frontage of the development. Level differences between existing levels are treated by the landscape batters within the road reserve such that existing levels within the site are not affected. ▪ Active transport links have been provided to the boundary interface with Elizabeth Drive. Following agency advice from Sydney Water, the proposed stormwater management infrastructure has been designed to accommodate stormwater from Elizabeth Drive and M12. ▪ The stormwater management system for the subject site has been coordinated with the discharge location for the upstream stormwater connections. Stormwater designs for the proposed intersection with Elizabeth Drive and the Elizabeth Drive upgrade prepared by ARCADIS have been coordinated with the site stormwater system. It should be noted both designs are at a 'functional design level'. The level of the as-built M12 drainage channel and culverts has been coordinated with Basin C inlets and outlet levels. ▪ SSD-049 from the Landscape Design Strategy contains a concept Bubble Diagram illustrating indicative layered and structured planting to the landscape setbacks along Elizabeth Drive (Subject to Future DAs). ▪ SSD-050 from the Landscape Design Strategy contains a concept Bubble Diagram that indicatively shows planting to the interface between Lot 6.1 and the M12. Listing an indicative planting palette.	

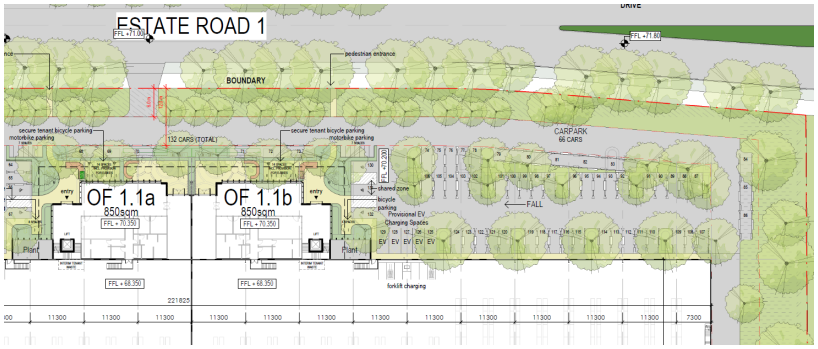
No.	Issue Raised	Applicant Response	Reference
44	Street tree planting must be in accordance with Council requirements, including for passively irrigated trees. As requested by Council, a street tree masterplan must be developed and endorsed by Council.	▪ Details for passively irrigated street trees are included in the Landscape plans as per Sydney Water's typical requirements. A Street tree master plan has been prepared and is included in the Updated Landscape Plans (**Appendix E**) which demonstrates a hierarchy structure to facilitate with wayfinding. – The Collector Road will feature wide canopied deciduous trees with autumnal colour, to allow for solar access. – Nodes such as key corners and around round-abouts will feature native Illawarra Flame Trees which bloom when leaf-less with bright red flowers. The centre of the round abouts are planted with striking native bottle trees. – North-South roads will be planted with deciduous trees to allow for Solar Access in winter – East-West roads will be planted with broad evergreen trees to provide shade in summer – Ends of green pedestrian links (between lots) will be signalled with Crepe Myrtle Trees and the area around the Town Centre will feature Crepe Myrtle Trees that are beautiful year-round. (Autumnal colour, striking bark, spring new growth and early summer flowers).	Updated Landscape Plans at **Appendix E.**
45	The landscape plans and strategy must be reconciled with the civil infrastructure drawings so that there is no conflict with proposed infrastructure and sufficient deep soil is available for proposed planting, including in areas adjoining retaining walls, swales and underground pipes.	▪ The amended landscape design has been conceptually coordinated with the civil design to ensure alignment of landscape treatments around retaining walls, swales, and underground services. Further coordination will be required to occur during the detailed design stage to ensure tree placement accounts for service infrastructure, light poles, electrical substations, driveways, pedestrian crossings, and the necessary offsets from each. At that stage, tree spacing and canopy cover targets within the Asset Protection Zone (APZ) buffers— in relation to bushfire requirements—will also be integrated into the design.	Updated Landscape Plans at **Appendix E.**

No.	Issue Raised	Applicant Response	Reference
		▪ The civil design has been coordinated with the landscape design by Geoscapes to include civil detailing of the proposed landscaping treatment around retaining walls, swales and underground pipes. ▪ This process has ensured there is no adverse impact or conflict with proposed infrastructure and 15% of deep soil landscaping is maintained on the site. ▪ A condition of consent is recommended to ensure the landscape package be further coordinated with the civil stormwater infrastructure as part of detailed design.	
46	The shared cycle ways and pedestrian paths shown in the landscape plans are not reflected in the civil drawings. Confirmation is required that these paths are practical when located around stormwater infrastructure or relying on joint use of basin maintenance tracks, including endorsement from Sydney Water. Ensure proposed earthworks and retaining walls, including those along the southern end of the central riparian/trunk drainage corridor, will not impede the location of these active transport paths.	▪ Amended civil drawings have been coordinated with Geoscapes' landscape design to include shared cycle ways and pedestrian paths. It is understood that key active transport links rely on joint use of maintenance tracks. ▪ Active transport links reliant of maintenance paths have been appropriately designed in accordance with Stormwater Scheme Infrastructure Design Guideline by Sydney Water. Guideline documentation for the design of the stormwater management infrastructure, practically naturalised trunk drainage channel, actively encourage the use of pathways as active transport links. ▪ Agency advise from Sydney Water note the dual purpose of the paths and reference further development with Sydney water will be required as it is understood refinement of path design will be required during detailed design. ▪ Following agency advice from Sydney Water, the proposed stormwater management infrastructure has been designed to accommodate stormwater from Elizabeth Drive and M12. ▪ Active transport links have been provided to the boundary interface with Elizabeth Drive and will not be impeded by the retaining walls	Updated Landscape Plans at **Appendix E.** Updated Civil Package at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
		and bulk earthworks. Rationalisation of the paths has been provided such that maintenance paths not associated with the key active transport links will be appropriately managed (fenced / gated) and restricted to the general public. Refer landscape drawings by Geoscapes which shows the location of different path uses.	
47	Confirm that Sydney Water is supportive of the access road to the sports field to the north of Lot 3.1 utilising the access track for the basin to the west of Lot 3.1 or provide suitable alternate access to this area.	▪ The proposed access road and sports field has been removed from the development proposal. Access to the opens space is provided from the active transport link from the town centre. Town centre level has been amended to meet the level of the riparian corridor and central basin network. ▪ The sports fields and associated access road have been removed. Access to the north of Lot 3.1 is achieved through the shared pathway network which ultilises the maintenance pathways around the exterior of the Sydney Water Basins.	Updated Landscape Plans at **Appendix E.**
48	The dock office gross floor area (GFA) should be included in the total office GFA, not the warehouse GFA for each lot. Update the floor areas identified on the plans and in the EIS accordingly.	▪ The dock office gross floor area (GFA) has been included in the total office GFA, not the warehouse GFA for each lot. The floor areas identified on the plans and in the EIS have been updated accordingly.	Updated Architectural Plans at **Appendix B**.
49	Identify what areas are excluded from GFA calculations on the Stage 1 development plans.	▪ As these developments are speculative, no areas for loading have been excluded from within the warehouse to allow for maximum flexibility in operation from a future tenant/occupant.	Updated Landscape Plans at **Appendix E.**
50	Identify what areas are proposed to comprise pervious paving on the Stage 1 plans. Also confirm that the identified amount of deep soil for each lot does not include areas of pervious paving.	▪ Permeable calculations have been included in the updated Landscape Plans at **Appendix E**. Information regarding permeable calculations can also be found within the Architectural set.	Updated Landscape Plans at **Appendix E.**

No.	Issue Raised	Applicant Response	Reference
51	Include the location of proposed rooftop plant for each Stage 1 warehouses on the plans.	▪ Mechanical plant locations have been indicated in the respective plans for 1.1, 1.2 & 3.1 as indicated in the images.  3 OFFICE ROOFTOP - WH3.1 1 : 200 ▪	Updated Architectural Plans at **Appendix B**.

No.	Issue Raised	Applicant Response	Reference
52	Revise the Stage 1 architectural plans to address the following setback issues: ▪ Lot 1.1 should be provided with the full 6m landscaped setback facing the main collector road in the south-east corner of that lot ▪ The super awnings should be behind the required DCP building setback ▪ For lots fronting a public road with a setback containing off-street car parking areas, the building setback should be a minimum of 13m.	**On-Lot Setbacks** ▪ The car parking layout for Lot 1.1 has been revised to address the main estate road intersection and ensure compliance with the road reserve requirements and DCP setback provisions. All building setbacks to primary frontages containing car parking exceed 13m, meeting and exceeding the relevant controls. ▪ For Lots 1.1 & 1.2, the super awnings are located along secondary road frontages and comply with the 5m building setback applicable to secondary frontages under the DCP. Given that both lots are bounded by roads on three sides, the building design and layouts have been carefully optimised to achieve efficient site planning while adhering to the more stringent setback requirements, ensuring both functional performance and compliance with planning controls.	Refer to updated Architectural Plans at **Appendix B.**

No.	Issue Raised	Applicant Response	Reference
			
53	Outline how the development responds to Performance Outcomes PO2 and PO3 of section 3.3.4 of the DCP as it was not included in the Statutory Compliance Table.	▪ PO2 (1): the proposed building footprints and road layout has been generally designed to be parallel with their respective, primary street frontages. Where there are some building forms that interface against a diagonal road frontage (e.g. Wh5.2b), they are still orientated to provide a cohesive alignment with the surrounding buildings. Overall, the vast majority of building forms will be parallel with the primary street frontages. ▪ PO2 (2): the proposed building layout and scale has been prepared to align with the applicable built form controls and subject to the separation afforded by setbacks, hardstand areas and roads, any overshadowing will be typical for a warehouse and logistics estate. Otherwise, the proposed urban design guidelines and sustainability management plan establishes principles of sustainable design, including solar access across the proposed building. ▪ PO3: Burrah Park responds to this principle by incorporating a mix of materials and colours with low reflectivity, enhancing façades visible from the public domain, using architectural features to highlight entrances, and minimising the visual impact of roof elements and mechanical equipment.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
54	Confirm that solar access to communal areas, as required by section 3.3.5 of the DCP, is achieved by providing a shadow diagram for each Stage 1 warehouse.	▪ Shadow Diagrams for each stage 1 warehouse have been provided which demonstrate solar access is provided to the communal areas.	Urban Design Report at **Appendix HH**.
55	Consider improvements to the main estate signage to better incorporate the examples and materials included in the landscape report. Provide a plan showing the location of any estate signage.	▪ A plan showing the location of all signage for stage 1 buildings has been provided.	Urban Design Report at **Appendix HH**.
56	Provide details of any proposed illuminated signage across the development, noting section 3.4 of the DCP permits a maximum of one illuminated sign per elevation of each building.	▪ The proposed illuminated signage across the development complies with section 3.4 of the DCP, which permits a maximum of one illuminated sign per elevation of each building. Warehouse 1.1 and 1.2 each have one illuminated sign per building, in accordance with the DCP.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.
57	Consider options to reduce visual impact of fencing, including integration with landscaping or use of building edges as an alternative to continuous fencing.	▪ To reduce the visual impact of fencing, the project team has integrated it with landscaping and set it back into the front landscape buffers. The Landscape Report illustrates this through the Streetscape: Collector Road (p.43) and Streetscape: Local Industrial Road (p.44), showing that fence lines are set back to mitigate visual bulk and form. Stage 1 Landscape documentation also demonstrates that fence lines are set into the landscape buffers around the perimeter of the developments. ▪ Building edges cannot be used as part of the fence line because emergency access pathways run around the perimeter of the buildings. Gates or fence lines cutting across these accessways would impede their functionality and pose a safety risk. ▪ Fencing guidelines will be added to the documentation. The Collector Road section shows fencing set back 6m into the buffer, and the Local Industrial Road section shows fencing set back 4m into the buffer. Stage 1 documentation illustrates these requirements.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		▪ Incorporating building lines into the fence lines is not feasible, as it would hinder emergency services circulation around the buildings.	
58	Provide lighting details in accordance with section 3.5 of the DCP, including for lighting of proposed open space and recreation areas.	▪ Key public domain areas and parts of the active transport network will utilise sensor based smart lighting. Sensor dimmable lighting can reduce power consumption by shifting between a 'low power mode' when no humans are detected and brightening to provide higher lux levels when required for visibility and safety. ▪ These lighting control systems can balance efficient use of energy with provision of appropriate lighting when and where required. Active travel networks throughout the site as indicative locations for sensor-based smart lighting are outlined in the Figure below. This was identified in the Smart Cities Report in Appendix MM in the EIS. ▪ Refer to SSD-036 in the Landscape Plans at **Appendix E**.	Smart Cities Report in Appendix MM in the EIS. Landscape Plans at **Appendix E.**
Connection to Country and Cultural Heritage			
59	Provide a detailed response to how the development responds to the 'Recognise Country: Guidelines for development in the Aerotropolis' as required by section 4.28B of the WPC SEPP, including the Recognise Country Response Template.	▪ The Yerrabingin CwC Framework report highlights how the development is responding to Country in the 'Design Team Application' Chapter from page 54. The Recognise Country Template (which sits as an appendix to the framework report) also details this in Part F. ▪ Pages 33 - 41 also specifically look at the recognising Country outcomes and relevant design considerations that relate to them based on Yerrabingin's Elements of Country.	Appendix R – Connection with Country (lodged as part of original EIS, dated July 2024). Updated Connecting with Country Report at **Appendix Q**.
60	Clearly detail what aspects of the Connecting with Country Framework will be implemented in the Stage 1 development and then future stages, and how this will be	▪ The Yerrabingin CwC Framework report the opportunities to design and connect with Country. It is the project teams responsibility to	Appendix R – Connection with Country (lodged as

No.	Issue Raised	Applicant Response	Reference
	implemented and maintained. References in the Statutory Compliance Table to deferring many of the responses to cultural requirements to 'the next phase of the project' does not provide sufficient certainty about whether suitable outcomes will be achieved.	then implement the ideas in what stages they best fit. This ties in to budget and stage requirements which Yerrabingin aren't part of. ▪ Landscape Stage 1 SSD Documentation outlines how the Connection to Country framework has been integrated into the Stage 1 development.	part of original EIS, dated July 2024). Updated Connecting with Country Report at **Appendix Q**. Updated Landscape Plans at **Appendix E.**
61	Provide further detail on how the Aboriginal cultural engagement, Connecting with Country Framework and consideration of the Country objectives and requirements of the WPC SEPP, Precinct Plan and DCP informed the spatial layout of the concept plan, the civil works (including earthworks, roads and stormwater infrastructure) and the on-lot architectural and landscape design.	▪ The Yerrabingin CwC Framework report highlights how the development is responding to Country in the 'Design Team Application' Chapter from page 54. The recognise Country template (which sits as an appendix to the framework report) also details this in Part F.	Refer to Appendix K – Connection with Country (lodged as part of original EIS, dated July 2024). Updated Connecting with Country Report at **Appendix Q**.
62	Ensure there is alignment between the nodes discussed in the Connecting with Country report and the landscape plans – both in public space and onsite.	▪ The Spatial Typologies mapped within the Connecting with Country report by Yerrabingin and the Spatial Typologies mapped within the Landscape Strategy Report have been reconciled. ▪ The nodes identified in **SSD-035 – Spatial Typologies: Markers & Wayfinding** align with the definition of a "Node" as described in the Connecting with Country Framework Report. These nodes are designed to provide accessible, high-quality outdoor spaces within walking distance of workplaces, supporting worker wellbeing and	Updated Connecting with Country Report at **Appendix Q**. Updated Landscape Plans at **Appendix E.**

No.	Issue Raised	Applicant Response	Reference
		fostering connection with the natural environment (refer to Urban Design Report, Section 7.11 – Walkability). ▪ For a clearer representation of how these Connecting with Country principles are expressed in the landscape, refer to **SSD-039 – Neighbourhood Centre: Bubble Concept** and **SSD-040 – Section DD: Neighbourhood Centre, Public Open Space**. The Neighbourhood Centre and surrounding public space are envisioned as a high-quality park with a range of activators. For example: ▪ A native wildflower garden featuring flowering plant species with educational signage to promote understanding and connection with Country, while also supporting Non-Human Kin. ▪ A fitness trail to encourage outdoor activity before or after work, or during breaks. ▪ Shelters with BBQs and picnic settings, with the nearby water play area. That will complement the childcare centre within the Neighbourhood Centre, for the families of the workers within this development. ▪ The Stage 1 Landscape Documentation demonstrates how the design principles from the Connecting with Country report are embedded throughout the site—evident in the use of native plantings, permeable surfaces, and materials that reflect Country. The rooftop amenity area also maintains a visual and cultural connection to Sky Country.	
Earthworks			
63	Provide further justification as to how the proposed earthworks and lot/pad sizes respond to the natural topography, as required by the Precinct Plan and DCP, noting proposed cut along the central ridgeline and fill in areas fronting Cosgroves Creek.	▪ Proposed earthworks strategy has been developed to create suitable pads that respond to the end user and provide flexibility to cater for a range of development within the Enterprise Land Zoning. Level pads have been formed for operational and function requirements of the end user with pad sizes reflective of current market requirements.	Updated Civil Package at **Appendix D**

No.	Issue Raised	Applicant Response	Reference
		Road layout and lot shape and form has been orientated to respond the natural topography and with optimisation of lot shape and form with natural topography. ▪ Following agency advise the following lot levels have been amended to better respond to the natural topography; (5.2,5.3,5.4,5.5,3.1,3.2,3.3, 1.7,2.2,2.1,2.3,2.5,2.7). Lots which require considerable level difference at opposing extents are proposed to prepared with split levels to promote development in accordance with the Urban Design guidelines whereby level differences are treated internally within lots not a lot boundaries. Examples include 3.2, 3.3, 5.5. Basin C has been relocated at the existing dam location. In accordance with agency advise from Sydney Water the central naturalised drainage alignment has been amended to better reflect the natural topography. ▪ Proposed levels of the central naturalised drainage channel to match that of the existing unformalised drainage depression and minimise soil disturbance. Filling adjacent to creek locations is inevitable to achieve a suitable drainage outcome to direct stormwater generated by the development to the precinct basins in accordance with Sydney Water's Agency responses. ▪ Filling has been minimised against key interfaces such as Cosgroves Creek and central naturalised trunk drainage. Where filling is required, considerable level differences are proposed to be treated via internal terracing rather than lengthy batters or large retaining walls. Refer Chapter 5.1 of engineering report for additional commentary. Refer Urban Design guidelines for further guidance on internal terracing strategies.	
64	Outline how suitable interfaces with Cosgroves Creek and the central riparian corridor will be achieved when detailed applications are submitted for the lots adjoining these	▪ Suitable level differences are proposed to be treated via two main methods. Firstly, subdivision design. Where possible, large level differences have been avoided during subdivision design through	Updated Civil Package at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	areas, particularly in areas where battering is currently proposed along lot boundaries.	naturalised channel design and levels, lot layout and grading and road layout and grading. ▪ The naturalised trunk drainage has minimal flows due to negligible upstream catchment which allows for considerable flexibility in grading within the riparian corridor due to the minimal width of flow. ▪ Generally, and where applicable, lot levels fronting the riparian corridor have been designed to meet levels within the riparian corridor. Considerable level differences are proposed to be treated via terracing rather than lengthy batters or large retaining walls typically through the use of active transport link, planted earthen batters and minor aesthetic (Quarry log) landscape retaining walls. ▪ Urban Design Guidelines have been prepared to require level differences be treated internally within lots not a lot boundaries (interfaces with Cosgroves Creek and central naturalised trunk drainage channel. Select lots with prominent outlooks to the central riparian corridor (3.2,3.3) are proposed to be benched in preparation for internal terracing and grading in preparation for internal terracing. Refer Urban Design guidelines for further guidance on internal terracing strategies.	Updated Landscape Plans at **Appendix E** Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.
65	A retaining wall over 4m in height is proposed along the western boundary of Lot 1.5 facing Basin F and the open space along Cosgroves Creek. This presents a poor interface towards this area and for the shared cycle path shown in this location on the landscape plans.	▪ In response to agency comments the following design amendments have been made to improve the active transport interface with Lot 1.5: 1. Raising the level of basin system and thus the level of the adjacent shared path. 2. Lowering of Lot 1.5 by 1.55m. 3. Introduction of a 5m wide planting offset to provide a visual buffer. ▪ The above results in a boundary level difference of 970mm. Furthermore, the Urban Design Guidelines promote the treatment of level difference internally rather than at boundaries. It is expected that boundary retaining walls will not be included in the civil design	Updated Civil Package at **Appendix D** Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		for detailed DAs for Lot 1. as this is in contrast to the Urban Design Guidelines.	
66	As also raised by Council, provide further information to confirm that the road connection to the property to the east (Sydney University) will be achievable, particularly for the future extension of Estate Road 2. Please also provide further detail to confirm that the extent of cut proposed on the eastern site boundary will not impede or constrain development of the adjoining land to the east.	▪ The proposed lot level 2.8 has been specified in consideration of the unique constraints of the nearby airport and to achieve positive development outcomes for both Burrah Park and the adjacent Sydney University Lands. Both Lot 2.8 and the adjacent lands are located beneath the Obstacle Limitation Surfaces (OLS). ▪ To achieve a developable envelope within Lot 2.8 (and adjacent land) significant cutting is required to achieve a sufficient height beneath the OLS. It should be noted that the interface with Lot 2.8 and the adjacent lands is pronounced local ridge that would require significant treatment regardless if located in the interface between two landowners. ▪ Furthermore existing topography and the progression of surrounding transportation corridors (M12 and Elizabeth Drive Upgrade) result in a level difference of 17m between the upper westernmost and lower eastern most extent of the Sydney Uni lands to the east. to achieve efficient development outcome and on the adjacent land to the west, irrespective of the OLS, would require significant cutting at the interface with Burrah Park. ▪ It should also be noted that the level of Elizabeth Drive at the interface between Burrah Park and Sydney Uni are approximately equal to the proposed lot 2.8 level (and likely pad level of adjacent lot. Refer architectural sections which shows the adjacent land levels and the OLS. Lot 2.8 and adjacent road levels do not adversely impact the development potential of the adjacent lots but in fact enable development. Lot 2.8 topography is such the level difference is proposed to be terraced internally via landscape batters, minor retaining walls and fire access road grading.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.

No.	Issue Raised	Applicant Response	Reference
		▪ Requirements and guidelines for the treatment of level differences are provided in the Urban Design Guidelines. ▪ Refer architectural sections which shown a potential boundary interface treatment within Lot 2.8. Refer drawing BE30 and BE31 for typical earthworks sections showing the treatment at this location. The treatment allows for both development scenarios by the adjacent landowner.	
67	Retaining walls must be minimised where possible within or adjoining the naturalised trunk drainage channel/riparian corridor.	▪ Reference Sydney Water guidelines which require minor retaining walls at basin edges. Central naturalised trunk drainage channel alignment has been amended to comply with Sydney Water agency advise. Retaining walls fronting the channel have been removed via grading and layout design where possible.	Updated Civil Package at **Appendix D**
Stormwater and Waterway Health			
68	Provide evidence of endorsement from Sydney Water for all proposed regional stormwater infrastructure and amendments to mapped locations in the WPC SEPP and Precinct Plan, including resolution of the design issues raised in their advice on the EIS.	▪ The regional stormwater management infrastructure is proposed to be designed and delivered under the developer works agreement with the relevant stormwater authority (Sydney Water). Sydney Water has been and will continue to provide significant co-design, design reviews, cooperation throughout the detailed design of the precinct basins. ▪ Refer to responses to agency advice from Sydney Water. Meetings have been held to discuss the Sydney Water's RTS commentary, refer meeting minutes. ▪ Most representative of the input and level of coordination of Sydney Water on the Burrah Park project is the recent draft scheme plans which generally reflect the EIS design and more so the revised RTS design submission. Refer response to SWC agency comments for further commentary.	N/A

No.	Issue Raised	Applicant Response	Reference
		▪ Final endorsement will be provided as part of the cooperative detailed design within the developer works agreement with Sydney Water.	
69	As also requested by Sydney Water and DCCEEW Water, extend the central riparian corridor/trunk drainage channel to the Elizabeth Drive boundary and coordinate the civil plans with the landscape/active transport network and Elizabeth Drive stormwater basins.	▪ Central naturalised trunk drainage channel has been amended to extend to Elizabeth Drive. A 3.5m shared path has been provided at the length of the central naturalised trunk drainage channel and extends to the active transport network at Elizabeth Drive. Central naturalised trunk drainage sizing and levels have been coordinated to accommodate for stormwater discharging from the Elizabeth Drive stormwater basins. ▪ In accordance with agency advice from Sydney Water, the precinct stormwater basins within Burrah Park are design to accommodate for stormwater generated by the Elizabeth Drive catchment. Notwithstanding future detailed design development it is understood the design of the subject site stormwater system is appropriately sized to accommodate upstream catchments with no adverse impacts.	Updated Civil Package at **Appendix D.**
70	Provide a copy of the MUSIC modelling undertaken and all other information required to be submitted as part of a development application under Chapter 2 of the 'Technical guidance for achieving Wianamatta–South Creek stormwater management targets.'	▪ MUSIC model will be included as part of the RTS submission. Accompanying spreadsheet demonstrating compliance with the Wianamatta–South Creek stormwater management targets is included in Appendix D of the Civil Engineering Report.	Refer to MUSIC model at **Appendix N**
Flooding			
71	It is noted that the Flood Planning Map under section 4.24 of the WPC SEPP identifies other areas within the site, not just along Cosgroves Creek, as within the 1 in 100 AEP flood extent. Further justification is required for	▪ Internal flood-prone areas and drainage within the site are outside the scope of this flood assessment. These have been addressed separately by Henry & Hymas through internal stormwater drainage design. The internal stormwater drainage design has been extensively coordinated with Sydney Water. Refer responses to	Updated Civil Package at **Appendix D**.

No.	Issue Raised	Applicant Response	Reference
	development within these areas or why these areas have not been considered in the flood assessment.	Sydney Water Submission. Refer Civil Engineering Drawings in Appendix A and Chapter 6.1 and 6.2 of for additional details.	
72	Clarify whether the flood assessment considered ▪ flood impacts on pedestrian/shard pathways and open space embellishment, and ▪ impacts on flooding from the proposed road crossing of Cosgroves Creek towards Luddenham Road.	▪ The flood modelling outputs include flood level, depth, velocity, and hazard mapping that can inform the design and location of these features. These outputs are intended to support future detailed design. The proposed road crossing of Cosgroves Creek towards Luddenham Road does not form part of the current development application and has not been included in this assessment.	Refer to Flood Assessment Addendum at **Appendix OO**
73	Update the consideration of evacuation in the flood assessment in response to the issues raised by DCCEEW Biodiversity, Conservation and Science Group (BCS) and with regard to 'Support for Emergency management Planning - Flood Risk Management Guideline EM01.'	▪ Shelter-in-place is not proposed as the primary strategy. The flooding assessment highlights that the site is flood-free during the PMF, which reduces overall flood risk. Evacuation remains the preferred strategy, supported by trafficable access during the 1% AEP event. Lot-specific emergency response plans should be prepared during future stages in accordance with Guideline EM01.	Refer to Flood Assessment Addendum at **Appendix OO**
Noise			
74	The Noise Assessment must consider existing residential receivers within the Aerotropolis based on their current use when assigning the amenity level for these properties, not classify them as commercial receivers based on potential future uses. The assessment should also consider impacts to the Workers Hubertus Club on Adams Road.	▪ Inclusion of residual residences was not required to be assessed for the Ingham Masterplan assessment despite EPA and DPHI involvement. However, this has been imposed within the Mamre Road Precinct, based on historical early approval conditions. ▪ These residences should be considered as isolated residences in an industrial area under the NPfI. ▪ However, from experience and agreement with DPHI at Mamre Road Precinct we have considered rural baseline amenity criteria. As a result, the baseline criteria for these retained isolated residences to the west and south are LAeq,15min Day 53dB, Evening 48dB and Night 43dB. Where these levels are potentially exceeded then negotiated agreement for purposes of noise mitigation only may need to be pursued. This only applies to properties that are still	Updated Noise and Vibration Report at **Appendix K**

No.	Issue Raised	Applicant Response	Reference
		retained as residential use and are not the subject of a pending or approved commercial or industrial development application. ▪ The Hubertus Club has been added to assessment. Note that the club has a shooting range and is located next to the WSA fuel farm, WSA and an active quarry. We have conservatively adopted a baseline passive recreation amenity level from the NPfI of LAeq,15min 50dB when in use. ▪ These additional receiver locations were not considered in the overall Masterplan noise allowances, as that would unreasonably constrain the site and intended land use of surrounding rezoned areas and represents the future full development of the site for 2034 with a vastly altered acoustic environment and unlikely that these residences remain.	
75	It is considered that the classification of receivers in the Twin Creeks estate as 'suburban' is not appropriate and that these are more consistent with the 'rural' classification under Table 2.3 of the Noise Policy for Industry based on the zoning of this area.	▪ Rural is not in accordance with the definitions provided in the NPfI, specifically with reference to Table 2.3 columns 3 and 4. ▪ Historic background noise level data for WSA, the new M12 motorway, WSA, Metro and the rezoning of the Aerotropolis all support the application of Suburban amenity to Twin Creeks. ▪ Notwithstanding the difference of opinion, the updated NPA v4 has considered Rural amenity category for that assessment of the SSDA Stage 1. ▪ The change from Rural to Suburban only affects the less sensitive Day noise limits.	Updated Noise and Vibration Report at **Appendix K**
76	It is recommended that consideration be given to the noise advice provided by the EPA on the EIS for SSD-69845208 (available here) and incorporate any relevant updates or considerations for the noise assessment approach for the Burrah Park development.	▪ This is a planning assessment to develop noise allocation allowances with a supplementary noise assessment for an SSDA for a use within a portion of the development. ▪ This assessment has been prepared in accordance with the procedure of the NPfI in terms of developing noise allowances and	N/A

No.	Issue Raised	Applicant Response	Reference
		the assessment of envisaged noise emissions from the SSDA Stage 1. ▪ DPHI cannot refer to another project that is yet to be approved and currently in RtS Phase. That site is not within the Aerotropolis and very different to this site both in terms of operations, context and purpose of assessment.	
77	Section 5.2 of the noise assessment recommends placing intensive operations within the western and central portion of the site. However, it is noted that the EIS suggests data centre uses are proposed in the north-east part of the site (Superlot 5b).	▪ A data centre would be subject to a separate NIA and need to demonstrate it can meet the project noise allowances for its lot or lots. A data centre's main noise sources are mechanical plant which can be selected, located and/or mitigated to meet required noise allowances. ▪ Logistics centres are typically controlled by outdoor activities involving trucks and loading activities that are generally more difficult to mitigate and also have potential for sleep disturbance. ▪ Based on the preceding, it is likely that operation of a data centre would be less noise intensive and more readily able to mitigate.	N/A
78	For the Stage 1 development: ▪ Clarify how Section 11.7 of the noise assessment factored in the required plant and refrigerated trucks to support temperature-controlled warehousing as identified in section 3.4.4.4 of EIS ▪ Clarify if the assessment included concurrent side loading/unloading of larger heavy vehicles (e.g. B-triples).	▪ Section 3.4.4.4 of the EIS is a general comment of ambient or temperature-controlled environment. The final use would be subject to assessment and, if decided to be temperature-controlled, will require additional review. ▪ The Traffic report did not reference B-triples and they have not been provided in traffic projections. It is only referenced in swept path plans. Summary of traffic data provided to EMM for assessment from Arcadis confirmed the potential for B-double trucks. ▪ Updated traffic numbers for the SSDA has confirmed that heavy vehicle (HV) numbers have reduced. Notwithstanding the reduced HV numbers, the assessment has retained 2 fork trucks running continuously for Warehouse 1.1a/1.1b and 1.2a/1.2b whilst for Warehouse 3.1 considered 4 fork trucks running continuously.	Updated Noise and Vibration Report at **Appendix K**

No.	Issue Raised	Applicant Response	Reference
		▪ This is considered a worst case, a doubling of the number of fork trucks would not increase received noise levels at any receiver location by more than 3dB. A review of the assessment confirms predicted levels in the order of 11dB or more below the noise goal allowance for Twin Creeks, hence even with consideration of doubling of fork truck activity (highly unlikely) the resultant levels would still be 8dB below noise criteria.	
Traffic			
79	Update the Traffic Impact Assessment to respond to the issues raised by TfNSW, Council and Western Sydney Airport, including in relation to modelling assumptions and design of the Elizabeth Drive intersection. Concurrence must be granted by TfNSW in accordance with section 4.27 of the WPC SEPP.	▪ The TIA has been updated and an addendum report issued to address issues raised throughout the consultation process. We will continue to work with TfNSW as the Elizabeth Drive design develops to ensure the design of the intersection is carried out in a coordinated manner, with the corridor design. We will continue to liaise with TfNSW to obtain concurrence.	Traffic Modelling Addendum Report at **Appendix C.**
80	Undertake further engagement with TfNSW in relation to the timing and requirements for external road upgrades, including Elizabeth Drive West and the Luddenham Road/Elizabeth Drive intersection, and how the development may need to be staged in order to manage impacts on the external road network.	▪ Proponent has continued engagement with TfNSW. Refer to addendum Traffic Modelling Report for the proposed intersection and road works. Refer to the construction and civil staging plan for timing of these works.	Traffic Modelling Addendum Report at **Appendix C.**
81	Provide a breakdown of light and heavy vehicle trips (including particular sizes/configurations of heavy vehicles) generated by the development over a 24-hour period.	▪ Our estimates of traffic generation are based on broad generation rates, with the assumptions provided in the TIA and modelling addendum report. For separate development applications for the site, detailed vehicle sizes and volumes will be broken down into more defined categories as the proposed tenants become known.	Traffic Modelling Addendum Report at **Appendix C**.
Biodiversity			

No.	Issue Raised	Applicant Response	Reference
82	Update the biodiversity reports in accordance with the issues raised by BCS and Council.	▪ BCS and Council matters addressed in biodiversity reports.	Updated Biodiversity Assessment at **Appendix J**.
83	Given the size of the site and scope for various design outcomes, investigate opportunities to protect and retain existing vegetation within development areas, where possible, in line with the objectives and outcomes of section 2.4.3 of the DCP rather than seeking earthworks across the entire area.	▪ Bulk earthworks are unavoidable in order to facilitate the large format warehousing. Large areas of native vegetation are retained on the western corridor, and habitat features removed from the site can be relocated to the HBV and VMP areas for habitat improvement, long-term protection and ongoing management.	Updated Biodiversity Assessment at **Appendix J**.
Aviation Safeguarding			
84	Provide a response to the aviation safeguarding issues raised by Western Sydney Airport. Noting their request to remove development within the Public Safety Area, please update the proposed plans accordingly or provide sufficient detail to satisfy the requirements of section 4.23 of the WPC SEPP.	▪ Responses to the items raised by Western Sydney Airport have been responded to in Section 1.6 of this document and are also available in AvLaw's RTS Cover letter.	AvLaw Cover Letter at **Appendix M**.
Air Quality			
85	Clarify that the mitigation measure relating to minimisation of exposed areas relates to 50% of each stage of works and that only one stage will be undergoing earthworks at one time. Given the size of the site, earthworks should be planned to ensure the minimal amount of exposed surfaces at any time.	▪ The presented emissions scenario relates to the peak period of bulk earthwork activities, which occur over the Stage 1 and Stage 2 areas concurrently. All other stages are assumed to be undisturbed during Stage 1 and Stage 2 earthworks. As such, the modelled scenario assumes that emissions from wind erosion would only be occurring at Stages 1 and 2, and that at any one time during this earthworks phase only 50% of the total area of Stage 1 and 2 would be exposed. The scenario is intended to reflect the progression of earthworks where disturbed areas are kept to a minimum.	N/A

No.	Issue Raised	Applicant Response	Reference
86	Construction mitigation/management measures should include implementation of real-time dust monitoring to ensure compliance with the identified criteria.	▪ As per DPHI's comments, it's recommended that at minimum two real-time particulate matter monitors be installed outside or along the project boundary for the duration of construction. The exact specification of the real-time monitors and monitoring locations are to be confirmed in the CEMP ahead of the project commencing. Siting of the monitors are to be determined following site constraints assessment of factors such as land access, proximity of the site to sensitive receptors, compliance with Australian Standard guidance for siting and mains power supply.	N/A
87	The greenhouse gas assessment should extend to operational emissions, particularly form the Stage 1 warehouses.	▪ As the proposed use for each of the warehouses in the Stage 1 development is not yet known (as per Section 3.4 of the EIS), it is not yet possible to quantify the operational GHG emissions for these warehouses.	N/A
Hazards and Risk			
88	For the concept proposal, it is noted that multiple warehouse buildings are located within each super lot. These warehouse buildings are either occupied with multi-tenancies or a single tenancy within a single, large-format warehouse. A clear lot boundary for individual warehouse buildings is not clearly defined within the super lot. Given the uncertainties of the actual footprint of the warehouse building and the separation distance to the surrounding warehouses, it is considered more appropriate that a risk assessment be prepared when these super lots are to be developed at a later stage. Alternatively, all warehouses within the concept plan (i.e. non-Stage 1 development) are to be subject to dangerous goods storage and handling thresholds at the placard quantities as set out in Schedule	▪ Recommendations have been made in the Resilience and Hazards SEPP Report dated 30 May 2025 for re-assessment prior to tenant occupancy with consideration for cumulative impacts caused by other tenancies. Notwithstanding this, all tenancies have had total permissible DG storage quantities reduced below placard threshold levels in the WHS Regulation 2017 and minor storage quantities in Australian DG standards (AS 1940, AS 3833).	Updated Resilience and Hazards SEPP Report at **Appendix U**.

No.	Issue Raised	Applicant Response	Reference
	11 of Work Health Safety Regulation 2017 to minimize f ire risk to the surrounding occupants.		
89	For the Stage 1 development, two of the proposed buildings are shown as being multi-tenant – WH 1.1a and 1.1b and WH 1.2a and 1.2b within Superlot 1a. The other Stage 1 building (WH 3.1) on Lot 3.1 is co-located with Lot 3.2 on Superlot 3a. As explained above, the Department does not consider the proposed DG quantities established based on GFA provided in the PHA is appropriate when considering the potential fire risk escalating to the adjoining tenants or warehouses. While it is acknowledged that the proposed quantities are relatively low, they are still above the placard quantities and may not be conservative enough and could cause impact to the neighbouring tenants. You are requested to consider revising the DG quantities limit for individual tenants to be at the placard quantities as set out in Schedule 11 of WHS regulation 2017. This would enable operation of each speculative warehouse while minimising risk to the surrounding occupants within the same lot.	▪ As above, speculative DG quantities for preapproval have been reduced below placard threshold levels as stated in the WHS Regulation 2017 and minor storage quantities in Australian DG standards (AS 1940, AS 3833).	Updated Resilience and Hazards SEPP Report at **Appendix U**.
Contamination			
90	Provide the remediation action plan referenced in the recommendations of the Stage 2 Detailed Site Investigation (DSI).	▪ The Remediation Action Plan (RAP) referenced has been attached as part of this RTS.	RAP at **Appendix I**.
91	Undertake an assessment of dam water and sediment as recommended by the DSI.	▪ A Dam Water and Sediment Assessment has been prepared by Development Risk Management Pty Ltd (Appendix H) which includes an assessment based of a laboratory analysis of samples from the 10 existing dams within the site. The analysis found that the potential	Dam Water and Sediment Assessment at **Appendix H.**

No.	Issue Raised	Applicant Response	Reference
		to contain significant, unacceptable contamination in the dam sediment and water is low. The water and sediment in all but one dam (identified as Dam 08) are suitable from a contamination perspective for re-use within the site, discharge to the creek or stormwater with the water in Dam 08 being beneficial for re-use subject to treatment prior to being discharged.	
General			
92	Provide landowners consent for the development in relation to all works proposed.	▪ Provided. Landowner consent for the development in relation to all works proposed has been provided.	Landowners Consent at **Appendix UU**
93	Update the Net Zero Statement to be consistent with Planning Circular PS 23-001 and the 'Net Zero Statement Technical Note'.	▪ An updated Net Zero Statement is provided at Appendix S.	Net Zero Statement at **Appendix S**.
94	Provide copies of the executed, final NABERS agreement.	▪ The NABERS agreements have been executed and were attached with the EIS submitted in November 2024. The NABERS agreements have 3 signatory options. We have signed the section that applies to our situation being "Where a company is executing under section 127 (1) of the Corporations Act and the company has multiple officers".	N/A
95	There is an error with the Accessibility Report file as it does not display correctly. Please review and resubmit.	▪ Refer to the fixed Accessibility Report at Appendix L.	Accessibility Report at **Appendix L.**

1.2. TRANSPORT FOR NSW

Table 2 below identifies each of the matters raised by Transport for NSW (TfNSW) and sets out the Applicant's response to these submissions.

Table 2 Applicant Response to TfNSW

No.	Issue Raised	Applicant Response	Reference
TfNSW advisory comments on the concept masterplan			
1	Comment: The SSDA seeks Development Consent for a concept masterplan that includes future development lots, land uses and building footprints. The master plan consists of a new warehouse and logistics estate, comprising forty-two (42) building envelopes, internal road network layout, building locations, GFA, car parking, concept landscaping, regional parklands, and open space. • Gross developable area of 131.45ha. • Total GFA of 63ha. • Total site development generations will be 3093 and 2134 vehicles for the peak AM/PM peak hours, respectively. TfNSW advises that traffic generation at this level can significantly impact the classified road network, causing congestion and increased crash risk. At full development, the intersection of Elizabeth Drive (classified road) and site access is expected to fail even with vehicular connections to the north and east. Furthermore, the M12 design (under construction) does not provide for vehicular connections across the M12 to the north or east. Response: TfNSW requires full-development strategic modelling, incorporating the objectives within the Western Sydney Aerotropolis Precinct Plan (WSAP).	▪ Between August 2024 and April 2025, a series of consultations were carried out with TfNSW to confirm the appropriate trip generation assumption for the proposed development. Arcadis has undertaken updated traffic modelling using the trip generation rate which was agreed upon with TfNSW. The following updates have been incorporated in this addendum report including: ▪ Trip generation rates have been revised based on the Guide to Transport Impact Assessment (TfNSW, November 2024) and TfNSW endorsement (email dated 24 February 2025 ▪ A new 3-way signalised intersection at Elizabeth Drive / development access road. Pedestrian crossings are provided on all three approaches as per TfNSW requirements ▪ Traffic modelling has now assumed 100% car mode share for the proposed development ▪ Traffic modelling has assumed that the Burrah Park full development would include the University of Sydney land	Refer to Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
2	Comment: The Applicant suggests that Elizabeth Drive site access and additional access to Luddenham Road under traffic signal control (TCS) will serve the site's access needs at full development with the Aerotropolis 2026 mode share target of 81 per cent of trips by vehicle being met. This target may not be realised given that plans for public transport have yet to be finalised. Furthermore, the provision of public transport would have minimal impact on transport modes away from general vehicles for a warehouse site with high heavy vehicle uses. The proposed connection to Luddenham Road needs to cross Cosgrove Creek, which has environmental and third-party landowner issues that need further consideration before this access can be considered to support the masterplan. Response: TfNSW advises that a "worst case scenario" should be adopted to assess transport demands for the site, which needs to consider a single access point from Elizabeth Drive and 100 per cent vehicle usage.	▪ Discussions were held with TfNSW (see Section 5.1.1 of the RtS Report) and an Updated Traffic Modelling Addendum Report was prepared by Arcadis (Appendix C) which confirms that , a single access point onto Elizabeth Drive as proposed in the Stage 1 SSDA would accommodate the full development traffic from the Burrah Park site including Sydney University land, which negates the requirement for a second access point onto Luddenham Road. This assumes a 100 per cent vehicle usage with a single access point from Elizabeth Drive, consistent with the "worst case scenario" requested by TfNSW.	Traffic Modelling Addendum Report at **Appendix C**.
3	Comment: TfNSW will continue to assist the Applicant with appropriate access solutions for full-site development. The information provided has yet to allow Transport to assess the cumulative impacts of the development, which are needed to support the masterplan. Given the scale of the site, the solution should consider the full development potential given the likelihood that connections to the north, east and west are unavailable. This is to ensure that the strategic objectives for the Elizabeth Drive Upgrade and Luddenham Road upgrade projects can be met. The future TCS at Luddenham Road near the M12 are subject to the development of the Luddenham Road Upgrade. The feasibility of a connection to Luddenham Road, including connections to the north and east across the M12 from the site, needs to be investigated. It should be noted that the operational boundaries for the Elizabeth Drive Upgrade have	▪ The concept TCS has been provided in the Traffic Addendum Report. Analysis has been carried out to confirm the operation of the Elizabeth Drive intersection is acceptable for providing access for the full development. The Luddenham Road connection would not be required until a later date and all designs will be progressed so that this connection is not precluded in the future.	Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
	been designed so that there is no traffic signal control for the subject site. A treated water main now runs along the northern operational boundary, not permitting any pavement overlay. Consequently, the provision of additional auxiliary lanes, i.e. left turn deceleration, double right turn lanes, and staggered pedestrian crossings, cannot be accommodated in the future Elizabeth Drive Concept design. Response: The Applicant needs to provide TfNSW a concept TCS plan with the above in consideration so that 'in-principle' approval could be considered by TfNSW under section 87 (4) of the Roads Act, 1993.		
4	Comment: Under the WSAP section 3.1 the Applicant is required to demonstrate, to the satisfaction of the consent authority, that arrangements have been made for all essential services and infrastructure to be provided when needed and at no additional cost to government (including the relevant Council and the NSW Government) or utility authorities. For example, if necessary, Western Sydney Airport Corporation (WSACo) plans for access to Elizabeth Drive and the feasibility of a cross junction at the Burrah site to facilitate access to/from the airport have not been considered. Response: The masterplan does not satisfy WSAP section 3.1 and should consider a single access point from Elizabeth Drive with 100% vehicular access. The Applicant needs to demonstrate that a detailed geometric and TCS layout can be provided with Elizabeth Drive operating as four and six lanes upon full development, taking into consideration the utility constraints, grades, shared pedestrian/cycle path, vehicular movements, and access to other properties at the nominated point on Elizabeth Drive. The access design must consider the responses from WSACo and address.	▪ Arcadis has completed traffic modelling, assuming a single access point from Elizabeth Drive with 100% car mode split. ▪ Concept plan on Elizabeth Drive allows 4 and 6 lanes for the full development. Refer to Appendix A of the Addendum for further detail. The concept TCS has been provided in the Traffic Addendum Report.	▪ Traffic Modelling Addendum Report at **Appendix C**.

No.	Issue Raised	Applicant Response	Reference
5	**Buses** Comment The design of the road network identified to be used by buses is very circuitous and would have negative consequences for buses, including circuitous bus routes and longer bus travel distance and duration, which could discourage use of bus mode to access to the development or other destinations along the bus route/s. It is noted that Section 7.28 of the Urban Design Report identifies “Potential Future Road Connections” that traverse the large warehouse lots. Such connections as these are supported, including as potentially bus-only, including the north-south “Potential Future Road Connections” within the northwest of the site as this better permeates the areas accommodating warehousing, reducing the walking trip between bus stop and warehouse. Recommendation The proponent should liaise with TfNSW to identify adjustments to the road layout to improve the circuitousness of bus routes, including potentially providing bus-only roads through warehouse lots that would allow for more direct bus routes and greater bus coverage of the concept plan site.	▪ Further development of the bus routes will be discussed with TfNSW once the internal road network has been finalised. The proposed design allows for bus access on the key internal roads for the development.	N/A
6	Comment Workers and visitors of the development site need access to bus services along Luddenham Road and Elizabeth Drive, in addition to the bus services that may traverse the development site, encouraging use of sustainable travel modes and reducing the development’s traffic generation. Recommendation	▪ Facilities for pedestrians and cyclists have been included in plans. Arcadis has proposed pedestrian crossing facilities on all three approaches to the intersection. ▪ This was previously discussed with TfNSW and has been incorporated in the TCS layout. It is proposed that the provision of pedestrian crossings on all approaches of the intersection is reviewed, and exemption be sought for one approach to have no crossing to reflect the likely	N/A

No.	Issue Raised	Applicant Response	Reference
	The applicant should incorporate pedestrian connections (i.e. footpaths) to Elizabeth Drive and Luddenham Road from within the development site to allow pedestrian access to bus services on these roads (i.e. to bus stops).	pedestrian demands and desire lines, as well as contribute to improving the intersection operation. Discussions with TfNSW will continue to resolve this.	
7	Comment The Western Sydney Aerotropolis Precinct Plan identifies most of the internal roads within the concept plan site that would accommodate bus routes as “Collector Road”. Recommendation For roads planned to accommodate bus routes these be designed as Collector Road, which requires two lanes in each direction with the kerbside lane needing to be 4.2m wide. The design should be in accordance with Austroads Guide to Road Design Part 3, (Table 4.3 – Urban Arterial Road Widths) Western Sydney Aerotropolis DCP (3.5m wide through lanes and 4.2m wide kerbside lanes) and bus stop locations identified and designed to support 14.5m rigid bus.	▪ The internal collector road corridors within the site allow sufficient width to provide 4.2-metre kerbside lanes and 3.5-metre through lanes to accommodate future potential bus routes. The bus stop locations will be determined as the site design progresses and tenants are confirmed to ensure the bus stops allow for anticipated demand for the site. The identification of future bus stop locations will be done in consultation with local bus operators and TfNSW.	N/A
8	Comment It needs to be clarified if kerbside lanes are proposed to be used for parking. Recommendation The carriageway cross section should be designed to be in accordance with the Western Sydney Aerotropolis DCP and kerbside lane usage identified. Where kerbside lanes are expected to accommodate high traffic volumes (i.e. two through lanes in each direction) are to be provided.	▪ Kerbside parking is proposed in industrial local roads. Kerbside parking is not proposed on collector roads.	N/A

No.	Issue Raised	Applicant Response	Reference
9	Comment A number of the roads within the concept plan have curvatures along their lengths, and the development identifies bus routes that could use these roads. What lane widths are proposed for these roads need to be clarified. To prevent centre line crossing, particularly for 14.5m rigid buses, which is TfNSW design vehicle. A 3.5m wide through lane each way will be of insufficient width for all curved sections. Accordingly, the road reserve should provide through lanes wider than 3.5m in each direction on curved sections. Recommendation At road curvatures, lane widths greater than 3.5m are required for 14.5 m rigid buses. The cross section of all roads planned to support bus services should have a minimum 800mm recess of any fixed object from the kerb face at all bus stops and along all bus routes. Height of clearance from roadway is to be 4.5m. Note - tree type needs to be considered to ensure it does not encroach into bus clear zone requirements as trees generally encroach into this clearance zone as they grow. The camber of the road at “bus stop” location should be considered when determining the clear zone. See State Transit Bus Infrastructure Guide for more information - https://nacto.org/docs/usdg/bus_infrastructure_guide_nsw.pdf	▪ Our collector roads have 4.2m wide kerbside lanes and 3.5m wide through lanes. Refer response to Comment 7. vehicle swept paths are provided that demonstrate 14.5m rigid bus stays within the lane. Refer civil engineering drawing at Appendix D. Noted regarding detailed design requirements.	Updated Civil Package at **Appendix D.**
10	Comment: Roundabouts are proposed within the concept plan. Recommendation: The concept plan is to support 14.5m rigid bus and the design is to show swept paths for buses that are not required to traverse or overhang over any part of the roundabout device (central islands, median islands and splitter islands) or the intersection corners. Where this cannot be achieved, it is acceptable to design the central island such that in can be traversed for right-turn and straight through movements. To ensure this, the central island should: • Be	▪ Additional swept paths have been provided demonstrating the 14.5m Rigid bus turning movements. Refer civil engineering drawings C671-C676.	Updated Civil Package at **Appendix D**

No.	Issue Raised	Applicant Response	Reference
	constructed to a height no greater than 50mm. • Be clear of obstructions such as traffic signage or plantings. The nature-strip and or kerb island on the departure side of the intersection should be designed to a height such that the front of the bus can overhang the face of kerb and should be kept clear of obstructions such as traffic signs and plantings.		
11	Swept paths Comment: The swept path assessment within the Civil Engineering Plans shows that there are some swept path conflicts from vehicles traveling in opposite directions concurrently on road bends. Further, the swept path assessment shows that the swept path of vehicles covers two lanes around the roundabout, having the potential to impact vehicles in adjacent lanes. Recommendation: The swept paths assessment needs to show trucks/buses entering and exiting site access as per Austroads.	▪ Additional swept paths have been provided in accordance with TfNSW agency advice for vehicles exiting and entering Lots 1.1, 1.2 and 3.1. Refer civil engineering drawing D1_C650-C652	Updated Civil Package at **Appendix D**
▪ **TfNSW suggested conditions of deferred consent for stage 1 development**			
12	TfNSW section 87 (4) of the Roads Act, 1993 Comment: As discussed above, the proposed masterplan does not meet the transport demands for full site development. The stage 1 proposal, in its current format, may preclude any opportunity for the Applicant to provide substantial capacity improvements in the future to meet the needs of full development. It is noted that the development seeks consent for the stage 1 works separate from the masterplan. These works will include bulk earthworks across the site, road construction, and access infrastructure, including an interim signalised intersection with Elizabeth Drive until widened to four lanes. The proposed stage 1 development is expected to generate 321 vehicle trips during the AM peak hour and 253 vehicle trips during the PM peak hour during	▪ The concept TCS has been provided in the Traffic Addendum Report. The level differences have been taken into consideration in the design. ▪ Analysis has been carried out to confirm the operation of the Elizabeth Drive intersection is acceptable for providing access for the full development.	Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
	operation. TfNSW advises that the proposed stage one development would have an acceptable Level of Service (LoS) at Elizabeth Drive and site access in the interim. However, TfNSW has identified that the retaining walls propose significant changes in level difference exist. For the reasons outlined below, TfNSW does not support a retaining wall along Elizabeth Drive for the following reasons: ▪ There are significant additional costs associated with constructing and maintaining a retaining wall compared to a landscaped batter. • TfNSW will incur ongoing asset liability and costs associated with retaining the retaining wall in perpetuity. ▪ A retaining wall limits the ability to include the proposed tree planting, which is a key component of the greening and cooling strategy for Western Parkland City. Recommendation: As the Applicant is proposing to have an interim TCS at Elizabeth Drive that requires separate TfNSW approval under section 87 (4) of the Roads Act, 1993 and the proposed civil works and structures on Elizabeth Drive require separate TfNSW concurrence under section 138 of the Roads Act, 1993, the following matters should be addressed as part of the Response to Submissions (RtS): The level difference is to be resolved to address the above and designed to TfNSW requirements. Please note that the Applicant will incur the construction costs, ongoing asset liability, and costs associated with the retaining wall in perpetuity. As part of this, a tree planting plan in accordance with Western Parkland City's greening and cooling strategy will need to be provided to demonstrate compliance. • An interim and future concept TCS plan and electronic copies of the modelling is to be submitted to TfNSW as part of the RtS in accordance with the Guide to Traffic Signal Design, Austroads Guide to Road Design, relevant TfNSW supplements, and relevant		

No.	Issue Raised	Applicant Response	Reference
	standards. The interim and future traffic signal designs shall be consistent with the future Elizabeth Drive configurations.		
13	Construction Pedestrian and Traffic Management Comment The development site is located within the Aerotropolis precinct. Several construction projects, including major road upgrades and other private developments, are likely to occur at the same time as this development within the precinct. The cumulative increase in construction vehicle movements from these projects could have the potential to impact on general traffic and bus operations within the precinct, as well as the safety of pedestrians and cyclists particularly during commuter peak periods. It is requested that applicant be conditioned the following. Recommendation Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the Applicant should: Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW. The CPTMP needs to specify matters including, but not limited to, the following: ▪ Site information and building construction plan – A description of the development – Construction program and construction methodology – Proposed construction hours – A detailed plan of any proposed hoarding and/or scaffolding – Details of crane arrangements including location of any crane(s) – Location(s) where it is proposed to park construction vehicles. – Location of any proposed work zone(s) ▪ Access and movement. Identify: – Pedestrian and traffic management measures – Haulage routes – Predicted number of construction vehicle movements and detail of vehicle types	▪ It is accepted that a detailed CPTMP will be required as a condition of the development. A high-level construction traffic management plan has been prepared detailing the principles of the plan. As the construction methodologies and programs become known for each individual development application within the site, detailed CPTMPs will be prepared in consultation with TfNSW.	Construction Traffic Management Plan appended to the Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
	– Identify any potential impacts to general traffic, cyclists, pedestrians, and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works. – Cumulative construction impacts of projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities is managed to minimise impacts on the surrounding road network. ▪ Mitigation measures – Measures to minimise movement delays. i.e., Vehicle movements are to be minimised during peak network demand periods. – Details of specific measures to ensure the arrival of construction vehicles to the site do not cause additional queuing on public roads. – Proposed mitigation measures. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP. – Measures to avoid construction worker vehicle movements. ▪ Monitoring – Details of the monitoring regime for maintaining the simultaneous operation of buses, light rail and construction vehicles on roads surrounding the site. ▪ Consultation – Consultation strategy for liaison with surrounding stakeholders, including other developments under construction. Submit a copy of the final plan to TfNSW for endorsement via development.ctmp.cjp@transport.nsw.gov.au; and Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW via development.ctmp.cjp@transport.nsw.gov.au to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.		

No.	Issue Raised	Applicant Response	Reference
14	Green Travel Plan and Travel Access Guide Comment It is noted that this DA relates to an Industrial development and will require the preparation of a Green Travel Plan and Travel Access Guide. Recommendation The applicant be conditioned to prepare a Green Travel Plan (GTP) and Travel Access Guide (TAG). Prior to the commencement of first occupation, a Green Travel Plan (GTP), must be submitted to the satisfaction of TfNSW to promote the use of active and sustainable transport modes. The GTP must: ▪ be prepared by a suitably qualified traffic consultant. ▪ include objectives and modes share targets (i.e. site and land use specific, measurable, and achievable and timeframes for implementation) to define the direction and purpose of the GTP. ▪ include specific tools and actions to help achieve the objectives and mode share targets. ▪ include measures to promote and support the implementation of the plan. ▪ identification of a responsible party (or Committee) for the ongoing implementation of the Travel Plan and its initiatives. ▪ confirmation of extent and nature of end of trip facilities and bike parking and how they will be promoted to staff. ▪ consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets. ▪ Include a Transport Access Guide that provides information to staff about the range of travel modes, access arrangements and supporting facilities that service the site; and	▪ Refer to Green Travel Plan appended to the Traffic Modelling Addendum Report. The Green Travel Plan will be updated as the proposal develops and the tenants for the site become known.	Green Travel Plan appended to the Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
	▪ identification of a communications strategy for conveying Travel Plan information to staff, including for the Travel Access Guide. Further the GTP should include a Travel Access Guide (TAG). The TAG should include: ▪ A comprehensive map showing all modes of public and active transport, including buses (private and public), trains, light rail, walking and cycling routes, as well as times for these public transport options. ▪ Provide information advising about service routes and timetables for buses and trains is available on the Trip Planner at transportnsw.info/ ▪ Provide information about walking routes is available on the Trip Planner at transportnsw.info/ ▪ Number and location of End of Trip facilities and bicycle parking (bicycle racks, showers, lockers, change rooms) and locate on map. ▪ Provide detail and locations of any shuttle bus provision of dedicated car pooling area / share car parking spaces.		

1.3. SYDNEY WATER

Table 3 below identifies the matters raised by Sydney Water and sets out the Applicant's response to these submissions.

Table 3 Applicant Response to Sydney Water

No.	Issue Raised	Applicant Response	Reference
1	**Water Servicing** There is currently limited drinking water capacity available in the area. Sydney Water is planning trunk drinking water infrastructure in stages to service the Western Sydney Aerotropolis Growth Area (WSAGA), including the proposed development area. The supply to the proposed development is dependent on delivery of major assets and system amplifications. The latest WSAGA scheme plan notes that ultimately, the site will be part of the future Badgerys Creek Reservoir supply system. Local reticulation mains are required to service the supply area. Interim servicing ▪ There is limited servicing capacity available from the Cecil Park Reduced 4 Pressure Zone. ▪ As noted within the Advice Letter for Feasibility application CN216284, the proponent should provide staged water consumption demands to advise whether the current mains have capacity to service Stage 1 and future stage demands. Ultimate servicing ▪ Ultimately, the development will be part of the new Badgerys Creek Reservoir supply system. The trunk assets required for ultimate servicing are: – Delivery of the new Badgerys Creek reservoir. – Inlet and outlet mains to and from the new reservoir.	Noted.	N/A

No.	Issue Raised	Applicant Response	Reference
2	**Recycled Water Servicing** Recycled water for non-drinking water uses will be provided in the Initial Precincts. It will be sourced from Upper South Creek Advanced Water Recycling Centre (AWRC), as recommended by our Sub-Regional Planning Study. The Integrated Water Servicing Options analysis is currently in progress to determine the preferred servicing option. Sydney Water will confirm the requirements for recycled water mains and connections on finalisation of the preferred option and scheme plan for the Initial Precincts. The requirements will include that each lot must have a frontage to a recycled water main that is the right size and can be used for connection of the lot to the recycled water main. In addition to the above, the Initial Precincts recycled water reticulation network will initially be supplied by the adjacent potable water reticulation network. This arrangement will remain until the supply of treated stormwater and/or recycled wastewater from AWRC is established. Once the stormwater and recycled water supply is established, the connections between the potable water and recycled water networks will need to be decommissioned. The proponent must clearly show the locations of any cross connections between the potable water network and recycled water network on the design plans which need to be reviewed by Sydney Water. The proponent must also provide the finished surface levels to Sydney Water.	Noted.	N/A
3	**Wastewater Servicing** There are currently no wastewater services available in the area. The proposed development is located within the Cosgroves Creek wastewater catchment and is dependent upon the future Cosgroves Creek gravity trunk main which will pump to SP1246. This wastewater pumping station (SP1246) and carrier will transfer flows to the Upper South Creek Advanced Water Recycling Centre (USC AWRC).	Noted, information of the further details of the proposed uses are provided as part of this RtS in response to other agency comments and will be provided as part of the future Section 73 application	Updated Civil Package at **Appendix D**

No.	Issue Raised	Applicant Response	Reference
	The above trunk wastewater assets are currently in the concept design phase. Assets within the Cosgrove Creek Catchment are planned to be delivered by 2026/27, subject to funding approval and contractor delivery schedules. As noted within the Advice Letter for Feasibility application CN216284, wastewater loading estimates for the proposed development are around 150EP/Net ha. Sydney Water requests clarifications on the types of warehouses proposed and the assumption of 150 EP/Net ha for the warehouses. This information can be provided as part of CN216284 or for the future Section 73 application.		
4	**Stormwater Servicing** Sydney Water appreciates the effort and commitment that has been invested into the design of the proposed stormwater infrastructure for the site. The proponent is recommended to continue to liaise with us to finalise the functional stormwater design for the site.	▪ Noted, collaboration with SWC will continue to finalise the functional stormwater design for the site.	N/A
5	**Infrastructure Contributions** Proponents will be required to pay infrastructure contributions towards Sydney Water's stormwater and recycled water servicing. Sydney Water is preparing a Development Servicing Plan (DSP) for the recycled water and trunk drainage in the Aerotropolis Initial Precincts. This DSP will determine the amount of the stormwater and recycled water Infrastructure Contributions to be paid to Sydney Water for the development. Proponents should also be aware that infrastructure contributions for drinking water and wastewater will also be payable for all developments that require a S73 Compliance Certificated from 1 July 2024 onwards. More information on reintroduction of drinking water and wastewater contributions can be found at Infrastructure contributions | Sydney	▪ Noted.	N/A

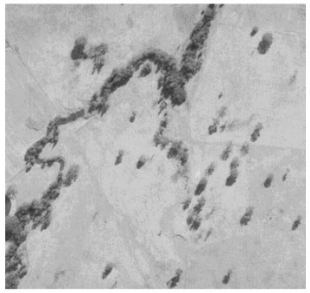
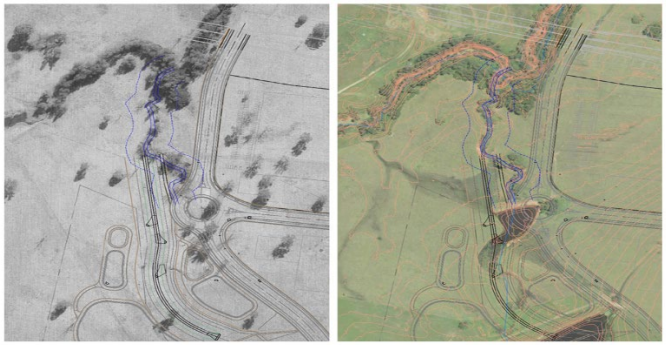
No.	Issue Raised	Applicant Response	Reference
	Water Talk and the Sydney Water Development Application Information Sheet (for proponent) enclosed.		
6	**Next steps** The proponent is to continue liaison with Sydney Water to finalise the functional stormwater design for the site. Recommendations and comments have been included in Appendix 1 and 1A. • The proponent is to continue engagement with Sydney Water on water and wastewater servicing for their development. This advice may change should high water usage developments (i.e., data centres) be proposed as part of future stages of Burrah Park. Should the Department decide to progress with the subject development application, Sydney Water would require the following conditions be included in the development consent. o Section 73 Compliance Certificate ▪ Building Plan Approval Further details of the conditions can be found in Attachment 1. The Department is advised to forward the enclosed Sydney Water Development Application Information Sheet (for proponent) to assist the proponent in progressing their development. This Info Sheet contains details on how to make further applications to Sydney Water and Infrastructure Contributions.	▪ The project team has continued engagement with Sydney Water in order to finalise the functional stormwater design for the site.	Consultation with Agencies and adjoining landowners at **Appendix CC**
Appendix 1 – General Comments on Stormwater Design			
7	**1.** Sydney Water is the acquisition authority for land mapped as Regional Stormwater Infrastructure in the Western Parkland City – Precincts SEPP and Western Sydney Aerotropolis Precinct Plan 2022. 2. However, through the design and optimisation process, should the land required for regional stormwater infrastructure vary	▪ This will be further understood as VPA negotiations with Council progress. Although it is anticipated that the naturalised trunk drainage channels will remain under UniSuper/ISPT ownership.	N/A

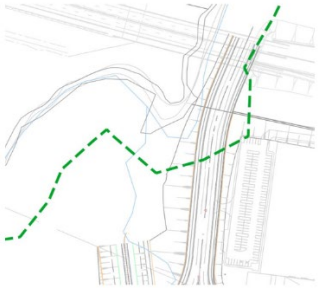
No.	Issue Raised	Applicant Response	Reference
	from the Precinct Plans, Sydney Water will acquire only the land required for its regional stormwater infrastructure. Specifically, Sydney Water will acquire the land for regional stormwater basins, including bioretention, wetlands, storage ponds and any associated land required for batters and maintenance of these basins. 3. Sydney Water will not acquire additional surrounding lands that are not required for stormwater management. Sydney Water will not acquire land for Riparian Streets, naturalised trunk drainage channels, streams or creeks that have a trunk drainage function or existing water bodies. However, Sydney Water will operate and maintain these assets. **4.** Access is to be provided to Sydney Water through gifted easements for the ongoing operations and maintenance of the system as per 2.3.3 PO1 & PO2 of the Development Control Plan. The maximum area of land to be designated for access is the vegetated riparian zone or the 1% AEP flood extent, whichever is greater, for all waterways. All costs associated with the value of land and easement creation are to be borne by the developer.		
8	**5.** Amendments of SEPP reserved areas for stormwater infrastructure that are supported by Sydney Water will need to be approved by the relevant Government Department.	▪ Noted	N/A
9	**6.** Road connection across Cosgroves Creek towards Luddenham Road and connection to the north under the M12 are to be clarified with Department and Council as Regional Stormwater basins and creek lines are impacted by these road alignments.	▪ The addendum traffic modelling report confirms that the development is not reliant on the proposed connection with Luddenham Road. However, as this connection is investigated and developed the impacts of the design will be taken into consideration and minimised.	Refer to Traffic Modelling Addendum Report at **Appendix C**.
10	**7.** Stages of the implementation of the Regional Stormwater basins and trunk drainage is to be clarified to align with the development stages of the site. Interim stormwater solutions cannot preclude the	▪ Development of Regional Stormwater basins and trunk drainage in relation to the respective development stage	Updated Cvil Engineering Report at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	efficient delivery of Regional Scheme as determined by Sydney Water.	has been included on Civil Engineering Drawings in Appendix A and chapter 6 of the engineering report.	
11	**8.** Connection to the purple pipes for recycled water supply is required as part of the connection to the Regional Scheme.	▪ Noted. Connection to the 'purple pipe' is proposed as part of the precinct stormwater management plan.	Refer to Updated Civil Package and Report at **Appendix D.**
12	**9.** Civil Infrastructure Estate Plan: Internal water reuse is to be clarified for interim stages.	▪ Refer to Chapter 6.9 of the engineer report which provides a detailed breakdown of the internal water reuse in respect to stage and lot.	Refer to Updated Civil Report at **Appendix D.**
13	**10.** Civil Infrastructure Report: Sydney Water does not support the combined location of detention on top of water quality basins.	▪ Noted. The regional stormwater basin design has been amended to remove OSD storage over basins.	Updated Civil Package and Report at **Appendix D.**
14	**11.** Civil Infrastructure Estate Plan & Civil Infrastructure Report: The full treatment train is to be designed and implemented for the five Regional stormwater treatment systems located in Burrah Park as documented in the Design Guideline Aerotropolis stormwater development requirements. The full treatment train includes sedimentation basin, wetland, bioretention and storage ponds. Please refer to Figure 7 below for trunk drainage re-alignment and location of the stormwater basins in relation to the post-development catchments.	▪ Noted. The regional stormwater basin scheme has been amended to include the full treatment train for each sub catchment.	Updated Civil Package and Report at **Appendix D**
15	**12.** Civil Infrastructure Estate Plan: Longitudinal section of the central trunk drainage/creek shows that ▪ Grade regularly exceeds 2% ▪ Velocity regularly exceeds the limit of 1.4 m3/s	▪ Provided grade could be reduced to less than 2% and velocity reduced in the naturalised trunk drainage channel and due to the insignificant upstream catchments, it was determined in consultation with Sydney Water that sheer stress mapping could be deferred to detailed design.	N/A

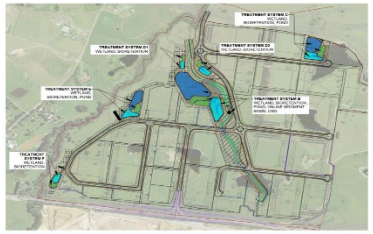
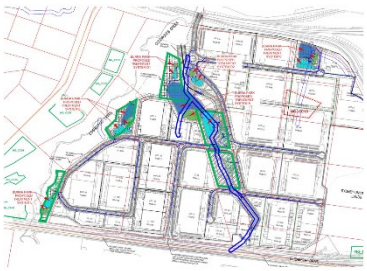
No.	Issue Raised	Applicant Response	Reference
	Shear stress map is required to assess the stability and erosion risk of the trunk drainage. Drop structure may need to be constructed for energy dissipation as per Design Guideline Section 6.4.2		
16	**13.** Geotechnical Report: The location map of the test pits for salinity in missing and salinity mapping should be provided.	▪ Test pit mapping for salinity and salinity mapping have been provided by DRM in their Dam Water & Sediment Assessment in drawing number P24.1002.V04-R02-F1.	Dam Water & Sediment Assessment at **Appendix H**.
17	**14.** Flood Impact Assessment: Flood mapping indicates that there is significant flow attenuation from the quarry located at 275 Adams Road. It may be worth checking the flooding scenario when this quarry will be filled in the coming years. The Oaky creek culvert crossing under Elizabeth drive will then have a significant impact on whether Elizabeth Drive and subsequently Burrah Park will be flooded at 1% AEP from the stormwater discharge coming from the Western Sydney Airport.	▪ The flood model has been conservatively configured assuming the quarry is already filled with water prior to simulation. This ensures future filling will not affect flood outcomes. ▪ Flood impacts on Elizabeth Drive and Burrah Park, including contributions from Western Sydney Airport stormwater, have been accounted for. ▪ The flood assessment does not rely on any flow attenuation caused by the quarry. The TUFLOW model has been conservatively configured with an initial water level that assumes the quarry area is already filled with water prior to the simulation. This approach ensures that the potential future filling of the quarry will not change the flooding outcomes presented in the assessment. As a result, the flood impacts on Elizabeth Drive and Burrah Park during the 1% AEP event, including contributions from the Western Sydney Airport stormwater discharge, have been fully considered and appropriately addressed.	Refer to Flood Assessment at **Appendix Z**.
18	**15.** GPTs to be owned and managed by the proponent.	▪ Gross pollutant traps (GPTs) have been provided as part of the regional stormwater management system in accordance with advice from Sydney Water. GPTs have	N/A

No.	Issue Raised	Applicant Response	Reference
		been specified On-Lot, therefore the GPTs will be owned and managed by the proponent.	
Appendix 1A: Technical Review from Sydney Water's Consultant, Civille			
19	**Natural waterways at Burra Park** A principle being applied as per the DCP is for the retention of natural waterways. The performance objective in DCP Section 2.3.1 Waterway Health and Riparian Corridor is "PO1 Development retains and restores native vegetation and riparian corridors." Similarly, a requirement listed in Precinct Plan Section 4.5.2 Riparian Corridors is "BG1 Waterways and riparian corridors of Strahler Order 2 (refer to Figure 5) and higher are to be retained and rehabilitated to a natural state (unless minor realignment can be justified), in accordance with the requirements of the Guidelines for Riparian Corridors on Waterfront Land published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time". We have reviewed the waterways on the site through a desktop analysis. The second order waterways on the site according to hydroline mapping are highlighted in Figure 1. From review of a 1955 aerial image (Figure 2) it appears that the northern portion of the central watercourse is remnant natural waterway. Figure 3 shows that the current design for Burrah Park has a road and roundabout encroaching into the VRZ of the remnant second order waterway. Consistent with the DCP, this waterway should be retained and rehabilitated. The development also proposes a road link to land on the northern side of the M12. As shown in Figure 4 this road encroaches into the VRZ of Cosgroves Creek, a fourth order watercourse.	▪ Extension of the naturalised trunk drainage channel through the development is proposed to intersect with the existing watercourse approx. 70m north of the location shown the on the scheme plan. ▪ Detailed field investigations have been undertaken by the project ecologist, Ecological, to determine the suitability of the revised intersection point for further commentary and photographs of the existing watercourse condition, submitted with the revised engineering report. ▪ Ecological note, the revised intersection point is noted as a minor inconsistency that is compensated by the trunk drainage channel providing a greater area of aquatic habitat. ▪ Furthermore, the revised intersection point permits an intersection (round-a-about) location that provides more suitable and efficient road alignments for future connections to Luddenham Road to the west and to the M12 underpass to the north.	Updated Civil Package and Report at **Appendix D.**

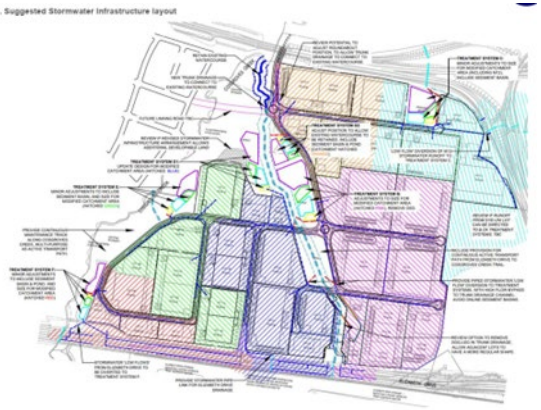
No.	Issue Raised	Applicant Response	Reference
	Recommendation: That the natural waterway be retained consistent with the DCP. The alignment of the linking road be further reviewed to be consistent with the waterfront land guidelines and located outside of the 40m riparian offset. Figure 1 Aerial image with second order waterways  Figure 2 Aerial image from 1955  Figure 3 Aerial images from 1955 (L) and recent (R), showing vegetated watercourse with proposed road arrangement		

No.	Issue Raised	Applicant Response	Reference
	 Figure 4 Approximate 40m offset from Cosgroves Creek, showing proposed road		
20	Second order waterway and trunk drainage As shown in Figure 1 the central second order waterway is indicated by the hydroline mapping as extending all the way to Elizabeth Drive. However the trunk drainage corridor in the proposed Burrah Park arrangement appears to end around 140m north of Elizabeth Drive (refer Figure 5). The trunk drainage corridor should extend to Elizabeth Drive, and be coordinated with the stormwater basins being delivered as part of the Elizabeth Drive upgrade project. Additionally, a performance objective in DCP Section 2.3.1 Waterway Health and Riparian Corridor is "PO3 Development provides increased connectedness to high quality passive open space and the blue-green grid." The complete length of the central trunk drainage corridor that runs through the site is identified as a route for active transport. The design of the roads and drainage infrastructure should allow for a continuous path of travel for pedestrians, cyclists (and maintenance vehicles) from Elizabeth Drive to Cosgroves Creek. The Precinct Plan also shows that a continuous active transport path should also be provided along the western edge of the development, adjacent to Cosgroves Creek. Details of the tracks/paths are to be developed with SWC.	▪ The design of the Naturalised Trunk Drainage Channel has been amended to correspond to the alignment proposed in Figure 7. ▪ Active transport links have been provided to the boundary interface with Elizabeth Drive. Continuous active transport link is also provided along the western interface with Cosgroves creek. Noted re: future coordination regarding final path specification with SWC.	Updated Civil Package and Report at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	Recommendation: The central second order waterway should extend up to Elizabeth Drive, and include an active transport pathway if supported by Penrith Council. We recommend that the alignment of this waterway be further considered with an opportunity to realign for better overall development outcomes (See Figure 7).		
21	The basins and trunk drainage corridor currently proposed for Burrah Park are shown in Figure 5. It has previously been agreed with SWC that the preliminary SWC basin NG_CC15 (shown in red in Figure 6) could be relocated to the northern side of the development adjacent to the M12 ('treatment system C' in Figure 5), to better align with the catchment and development extent. Figure 6 also shows that the preliminary arrangement of SWC basins was influenced by the preliminary road alignment (shown as red lines). With changes to the proposed road alignment it follows that the stormwater infrastructure arrangement should be modified to match the proposed development layout. In general, the current design has been completed following the SWC stormwater scheme infrastructure design guidelines. Note that the SWC design guidelines are currently being further developed and updated. Each of the five stormwater treatment system needs to have all four components of the treatment train, sediment basin, wetland, bioretention and storage pond. The developer's engineer may further review whether any of the treatment systems could be further consolidated, for example, with treated stormwater from two treatment systems flowing into a single combined storage pond. Recommendation: It is considered acceptable that stormwater basin layout locations be modified to match the current development layout. It	▪ The proposed regional stormwater management infrastructure design has been amended to ensure all five stormwater treatment system have all four components of the treatment train, sediment basin, wetland, bioretention and storage pond. all components of the treatment train have been designed in accordance with the Stormwater Scheme Infrastructure Design Guideline by Sydney Water.	Updated Civil Package at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	is recommended that the current layout should be further optimised and developed in consultation with SWC.  Figure 5 Stormwater treatment systems currently proposed, with aerial image  Figure 6 Stormwater treatment systems currently proposed, with preliminary SWC basin areas and trunk drainage corridor		
22	Updates to treatment system layout, diversions, catchments A plan for further discussion showing stormwater systems at Burrah Park layout is provided in Figure 7. A design principle that is included with the updates suggested in Figure 7 is that wherever possible stormwater 'low flows' (i.e. the flow diversion rate required to meet the modelling thresholds) should be diverted to the treatment system via a pit and pipe system, rather than wit h a diversion from the trunk drainage corridor such as an online sediment basin. This approach is intended to protect the ecological values of the rehabilitated second order creek, imp rove the maintainability of the assets, and co-locate the major stormwater treatment components on a SWC-owned lot (trunk drainage corridors will remain owned by the developer).	Response to point 22,23,24. Updates to treatment system layout, diversions, catchments has been generally adopted as per SWC agency advice as shown in Figure 7 and specified on the associated sizing and comment table below. The following minor variations are proposed. 1. extension of naturalised trunk drainage channel and shift in intersection point with mapped watercourse (refer response 19 above). 2. In response to agency responses from other stakeholders and to achieve a better engineering and aesthetic outcome the location of Basins C (NG_CC15) is proposed to be relocated to the east of the location shown on the Cosgroves Creek Stormwater Scheme Plan. Key reasons include: ▪ Improved outlook from M12 and connection of open spaces and public art.	Updated Civil Package at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	Instead of a small treatment system that was proposed to treat only the runoff from 'Lot 3.1' it is instead recommended that this lot is directed to 'Treatment System E'. A key proposed update is for the retention of the downstream portion of the second order waterway. The trunk drainage corridor is also suggested to be aligned to suit the revised treatment systems configuration. A summary of recommendations for the stormwater treatment layout as shown in Figure 7 is outlined as follows. Please note the following regarding the items shown in Figure 7: ▪ Levels of pipes and treatment systems are still to be verified. ▪ All shapes for sediment basins, bioretention, wetlands and ponds are indicative only. Engineer may revise and adjust to optimise with site arrangement and with consideration of batter slopes etc.	▪ Locate closer to M12 drainage to collect and redirect low flows through Basin C system. ▪ Improve connectivity with the M12 ▪ Locate proposed stormwater basin closer to existing dam locations. 3. Catchments: Lot 3.1 directed to Basin D.1(NG_CC14). Due to proposed level driven by other authority agency comments not allowing for Lot 3.1 to drain to Basin E (NG_CC11). 4. Lot 6.2 and Lot 5.3 are proposed to drain wholly to Basin C (NG_CC15). This is proposed to maintain existing catchment size given the rationalise of Basin C catchments (Sydney University Lands) now draining to Badgerys Creek (NG_BC02). It should be noted that minor variations in the specified approximate areas listed in the adjacent table are proposed due to minor adjustment to catchment area, site layout constraints and site grading. Low flow diversion lines have been included in the amended design. Refer to amended civil drawings and civil engineering report Chapter 6 for additional details and commentary.	

No.	Issue Raised	Applicant Response	Reference
23	Figure 7. Suggested Stormwater Infrastructure layout 	▪ As above.	N/A
24	<table><tr><th>Treatment System</th><th>Basin location</th><th>Catchment and diversion</th><th>Indicative Preliminary Treatment System Footprints</th></tr><tr><td>B</td><td>Proposed to locate on eastern side of trunk drainage</td><td>Proposed to treat central/eastern sub-catchment. Approx. 42 Ha</td><td>Sed basin ~ 850m² Wetland ~ 3350m² Bioretention ~ 2100m² Storage pond ~ 10400m²</td></tr><tr><td>C</td><td>No change</td><td>Proposed to treat eastern side of development, and stormwater from M12. Note, minimise development area draining to this treatment system to ensure basins are adequate to treat M12 runoff. Approx 35 Ha.</td><td>Sed basin ~ 700m² Wetland ~ 2800m² Bioretention ~ 1750m² Storage pond ~ 8800m²</td></tr><tr><td>D1</td><td>Proposed to locate on western side of trunk drainage, to treat eastern sub-catchment.</td><td>Proposed to treat central/western sub-catchment. Approx 28 Ha.</td><td>Sed basin ~ 550m² Wetland ~ 2200m² Bioretention ~ 1400m² Storage pond ~ 6900m²</td></tr><tr><td>D2</td><td>Relocate to the south, to allow the existing waterway to be retained (in conjunction with</td><td>Increased northern sub-catchment.</td><td>Sed basin ~ 400m² Wetland ~ 1450m²</td></tr></table>	▪ As above.	N/A

No.	Issue Raised			Applicant Response	Reference
		adjusting position of roundabout/road).	Note, maximise development area draining to this treatment system, to reduce the area of the development draining to 'Treatment System C'. Approx. 18 Ha	Bioretention ~ 900m² Storage pond ~ 4500m²	
	E	No change	Increased western sub-catchment, to include 'Lot 3.1'. Approx 21 Ha	Sed basin ~ 450m² Wetland ~ 1700m² Bioretention ~ 1050m² Storage pond ~ 5200m²	
	F	No change	Proposed to treat south-western portion of development, and stormwater from Elizabeth Drive. Approx 14 Ha.	Sed basin ~ 300m² Wetland ~ 1150m² Bioretention ~ 750m² Storage pond ~ 3600m²	
25	**OSD** Note catchments C, D and F are already proposed to have on-lot OSD. We support this use of on lot OSD for these catchments. An OSD basin is proposed in the trunk drainage corridor lot between 'Lot 2.2 and 'Lot 4.1'. This is consistent with the Waterfront Land Guidelines and should be further discussed with the DCCEEW Water and Licencing group. An OSD has also been proposed in the vicinity of the existing large central dam. This OSD is not supported, as it is unlikely to be feasible with the suggested updates to the treatment systems layout. Parameters in the DRAINS modelling require further review. Extended detention in stormwater treatment systems should not be included as part of the OSD volume.			▪ The OSD strategy has been amended to incorporate the changes shown in Figure 7 of the agency response. Concept on-site detention basins have been placed at strategic locations throughout the site consistent with the principles of the precinct plan and Sydney Waters Initial Precinct Plan. Basins have been sized through an iterative design and modelling process to ensure that discharges from the site do not exceed the pre-development scenario results and to ensure that no adverse flooding impacts are placed on neighbouring properties. A total of 3 online detention basins proposed along the green/blue corridor. ▪ The basin design has been undertaken utilising the guidance set out in the Western Sydney Aerotropolis DCP (2022) and the Guidelines for Controlled Activities on Waterfront Land (DPE, 2022). ▪ The detention storage has been achieved primarily with "passive" storage created by letting water back up in the	Updated Civil Package at **Appendix D**.

No.	Issue Raised	Applicant Response	Reference
		creek corridors, utilising the proposed road embankments and culverts for attenuation. On-lot OSD has been retained within catchment C, D.2, F, E. ▪ Additional lots within catchment D.1 and AB are proposed to be required on-lot OSD as part of the detention strategy for the development. ▪ The online OSD Basin (OSD 2) has been retained as per the EIS design which is understood to be approved in principle. Further modification to the central basin network has been undertaken such that a OSD basin (OSD 1) has been formed 'on-line' upstream of the basin networks for catchments D.1 and AB. ▪ It should be noted that hydraulic investigations have been undertaken to ensure the OSD does not affect the hydraulics of the adjacent basins. An additional OSD storage area (OSD3) is located between lots 2.3 and 2.5. OSD detention storage over water quality/flow target facilities has been removed in response to agency advice and has not been included/quantified in the detention modelling. Supporting DRAINs model will be included as part of the RTS submission.	
26	**Wianamatta Street Trees** Note that the regional scheme relies on implementation of Wianamatta Street Trees. The civil engineering report notes that passively irrigated street trees are to be included at the site.	▪ Noted, passively irrigated street trees form a part of the WSUD strategy as part of this proposal. ▪ Typical Sydney Water Detail for Passively Irrigated Street Trees to be included in Landscape set.	Updated Landscape Plans and Report at **Appendix E**.
27	**Harvesting 'Daisy Chain' System**	▪ Scheme- wide storage has been adopted as per SWC guidelines.	Updated Civil Package at **Appendix D.**

No.	Issue Raised	Applicant Response	Reference
	The storage ponds are to be linked such that all ponds are utilised as a scheme-wide storage volume. An additional figure showing 'daisy chain' links will be provided by SWC.		
▪	Attachment 1 – Recommended Development Conditions		
28	Prior to the issue of an Occupation/Subdivision Certificate: Section 73 Compliance Certificate: A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Our assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued. Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator. Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.	▪ Noted, recommended condition of consent is acceptable.	N/A
29	Prior to the issue of a Construction Certificate/Complying Development Certificate: Building Plan Approval (including Tree Planting Guidelines) The plans must be approved by Sydney Water prior to demolition, excavation or construction works commencing. This allows Sydney Water to determine if sewer, water or stormwater mains or easements will be affected by any part of your development. Any amendments to plans will require re-approval. Please go to Sydney Water Tap in® to apply.	▪ Noted, recommended condition of consent is acceptable.	N/A

No.	Issue Raised	Applicant Response	Reference
	Sydney Water recommends developers apply for a Building Plan Approval early as to reduce unnecessary delays to further referrals or development timescales.		
30	**Tree Planting** Certain tree species placed in proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Section 46 of the Sydney Water Act specifies what might occur when there is interference or damage to our assets caused by trees. For any trees proposed or planted that may cause destruction of, damage to or interference with our work and are in breach of the Sydney Water Act 1994, Sydney Water may issue an order to remove that tree or directly remove it and seek recovery for all loss and associated compensation for the removal. For guidance on types of trees that can cause damage or interference with our assets see Sydney Water webpage Wastewater blockages. For guidance on how to plant trees near our assets, see Diagram 5 – Planting Trees within Sydney Water's Technical guidelines – Building over and adjacent to pipe assets.	▪ Noted, recommended condition of consent is acceptable.	N/A

1.4. PENRITH CITY COUNCIL

Table 4 below identifies the matters raised by Penrith City Council and sets out the Applicant's response to these submissions.

Table 4 Applicant Response to Penrith City Council

No		Issue Raised	Applicant Response	Reference
Planning Considerations				
1	**a.**	The overall layout provides considerable and multiple departures from the 'road network' to be established for the area, as shown within Part 4.6.2 of the Western Sydney Aerotropolis Precinct Plan 2024. Council does not support the variations proposed at the edges of the overall site, as such does not provide for connection with the 'street hierarchy' shown on adjacent properties, may adversely impact upon the ability for adjacent land to be developed in a suitable manner and may compromise development potential of other properties. Furthermore, the proposed inconsistencies are not supported by alternate road alignments (i.e. an alternate road network) across adjacent properties, which would follow on from such. Given the extent of the inconsistencies, it is considered that such does not satisfy the provisions of Section 4.39 of the State Environmental Planning Policy (Precincts – Western Parkland City) 2021 and should be foreshadowed by an amendment to the Precinct Plan.	▪ Consistency with the Precinct Plan is unreasonable due to external agency requirements, including intersection locations and Sydney Water basin placements. ▪ The proposed changes have minimal impact on surrounding landholdings, with Luddenham Road sites maintaining access in the short to medium term. ▪ Future access can be resolved through the local road network on the western side of Cosgroves Creek. ▪ The current road grid, shown as 'indicative' in the Precinct Plan, is unsuitable for large format warehousing. ▪ The variations also reduce impacts on areas of high Aboriginal cultural value, biodiversity, and Sydney Water basins by minimising large bridge crossings. TfNSW has supported the proposed road design and traffic modelling, with formal concurrence to follow through the assessment process.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
1	**b.**	The failure to deliver 'park edge streets' compromises important features of key public domain components of the overall area.	▪ The edges of the north and eastern edge of the site are activated by the M12 Cycleway to which the site can provide a connection in the north. The western edge of the site is activated by the shared cycleway that connects from Elizabeth Drive up along Oakey and	Updated Urban Design Report at **Appendix HH**.

No		Issue Raised	Applicant Response	Reference
			Cosgroves Creek, providing connections through to other regions of the site. ▪ It is noted that the existing internal pathway network on site provides the required infrastructure for pedestrians, with minimal impact on pedestrian walking times and greater buffers from vehicles along the proposed motorway. ▪ Urbis Social Planning has reviewed the CPTED implications of having a park edge road along the property boundary to the M12. Any park edge road along the M12 would need additional passive surveillance measures, clear connectivity back into the Burrah park site and installation of landscaping and fencing buffers. Considering its location at the rear of the Superlot 06a and 05c warehouse forms, and the existing pedestrian connections afforded across other areas, the provision of a park edge road along the property boundary to the M12 is not considered appropriate. ▪ Furthermore, the location of Park Edge street within the Precinct Plan would conflict with the revised position for Sydney Water infrastructure as shown in the draft scheme plan. This plan is subject to a minor relocation in the proposed amendments, which has been discussed with Sydney Water and has received agreement in principle subject to this being included in the applicant's submission to the draft scheme plan.	
1	**c.**	It remains unclear whether it is appropriate and orderly development, for a Concept Plan, comprising of many warehouse footprints and locations, to be endorsed at this	▪ Endorsing a Concept Plan with multiple warehouse footprints and locations at this initial stage is both appropriate and orderly. This approach provides a clear	N/A

No		Issue Raised	Applicant Response	Reference
		initial stage of the overall development. It is noted that a 'concept' proposing 'super-lots' specifically might be more appropriate at this time.	framework for future development, ensuring efficient land use and infrastructure planning. ▪ It allows for flexibility and adaptability as the project progresses, accommodating potential changes in market demand and operational needs.	
1	**d.**	As previously requested, any such proposal should be accompanied by plan overlays showing how the overall development sits in relation to relevant 'maps' under State Environmental Planning Policy (Precincts – Western Parkland City) 2021 (including in relation to zoning, land acquisition, and areas indicated for 'Stormwater Infrastructure' and 'Local Open Space and Drainage') and the Western Sydney Aerotropolis Precinct Plan 2024.	▪ Maps have been prepared to outline the changes in the area of roads, open space, and other infrastructure identified in the Precinct Plan and Council's Contributions Plan compared to what is proposed as part of the development. ▪ These maps also identify the areas across the site that are intended to be dedicated to and/or maintained by a public authority, including Council and Sydney Water.	Updated Urban Design Report at **Appendix HH.**
1	**e.**	It is unclear what has informed the overall proposed / finished site levels. The Department will need to carefully consider such, as well as the resulting interface outcomes and whether the overall earthworks, suitably respond to and build on the natural topography of the site.	▪ Road layout and lot shape and form has been orientated to respond the natural topography and allow steeper natural fall along the short length and shallower natural fall through the longer length. ▪ Following agency advice the following lot levels have been amended to better respond to the natural topography; (5.2,5.3,5.4,5.5,3.1,3.2,3.3, 1.7,2.2,2.1,2.3,2.5,2.7). Lots which require considerable level difference at opposing extents are proposed to prepared with split levels to promote development in accordance with the Urban Design guidelines whereby level differences are treated internally within lots not a lot boundaries. Examples include 3.2, 3.3, 5.5. ▪ Basin C has been relocated at the existing dam location. In accordance with agency advise from Sydney Water the central naturalised drainage alignment has been	Updated Civil Package at **Appendix D.**

No	Issue Raised		Applicant Response	Reference
			amended to better reflect the natural topography. Proposed levels of the central naturalised drainage channel to match that of the existing unformalised drainage depression and minimise soil disturbance. ▪ Filling adjacent to creek locations is inevitable to achieve a suitable drainage outcome to direct stormwater generated by the development to the precinct basins. ▪ Filling has been minimised against key interfaces such as Cosgroves creek and central naturalised trunk drainage. Where filling is required, considerable level differences are proposed to be treated via terracing rather than lengthy batters or large retaining walls. ▪ Refer Chapter 5.1 of engineering report for additional commentary.	
1	f.	Concern is raised regarding the considerable level changes / earthworks associated with the proposed building pads (finished ground levels) at Lots 5.5, 4.4, 2.8, 1.1B, 1.3, 1.8A and 1.7.	▪ Following agency advice the following lot levels have been amended to better respond to the natural topography; (5.2,5.3,5.4,5.5,3.1,3.2,3.3, 1.7,2.2,2.1,2.3,2.5,2.7). Lot levels for 1.1,1.3,1.8,4.4 and 2.8) have been retained in accordance with the rationale detailed above and outlined in the Chapter 5.1 of the engineering report.	Updated Civil Package at **Appendix D.**
1	**g.**	It is considered that the landscaped setback areas to be provided adjacent to the M12 Motorway, are inadequate, and would not enhance the visual quality of the overall development or achieve a high quality urban design and landscape outcome. The Department will need to carefully consider the associated inconsistencies with the Western Sydney	▪ The landscaped setback areas adjacent to the M12 Motorway are adequate and will enhance the visual quality of the overall development. These setbacks have been designed to balance functionality with aesthetics, providing a green buffer that contributes to a high-quality urban design and landscape outcome. ▪ The design aligns with the Western Sydney Aerotropolis Precinct Plan 2024, ensuring that the development	Updated Architectural Plans at **Appendix B.**

No	Issue Raised		Applicant Response	Reference
		Aerotropolis Precinct Plan 2024, noting the relationship of the site with a future major Motorway interchange.	integrates seamlessly with the future major Motorway interchange. This approach supports a cohesive and visually appealing environment, promoting both practical and aesthetic benefits for the community.	
1	h.	It is expected that the Department carefully consider the heritage attributes of the adjacent 'McGarvie Smith Farm,' which is a listed Heritage Item and the relationship of the proposed development with such.	▪ Baker Archaeology confirms that, despite its state heritage values, the remaining fabric of McGarvie Smith Farm is in poor condition, which reduces its ability to demonstrate its historical significance. Additionally, the heritage value of McGarvie Smith Farm has been significantly compromised by the M12 development.	Refer to Statement of Heritage Impact at Appendix AA in the EIS
1	i.	It is expected that any proposal seeking Development Consent for the use of respective premises, would be supported by comprehensive operational details (including associated Operational Management Plans).	▪ A condition of consent would ensure the ongoing use of respective premises should be supported by comprehensive operational details, including associated Operational Management Plans. This approach ensures that all aspects of the development are considered and managed, thereby promoting a well-planned and sustainable outcome	N/A
City Planning Considerations				
2	a.	The Penrith Aerotropolis Development Contributions Plan 2023 applies to development upon the subject site.	▪ Noted.	N/A
2	b.	The following comments previously provided to the Department of Planning, Housing and Infrastructure for consideration, on the 15 May 2024, are still relevant:	▪ Noted.	N/A
2b		i. The draft Penrith Aerotropolis Development Contributions Plan 2023 applies to the subject site. The development would be subject to the proposed 5.6%	▪ Noted.	N/A

No	Issue Raised		Applicant Response	Reference
		s.712 levy rate, which is currently subject to Ministerial approval.		
2b	ii.	The road alignment differs from what is identified within the draft Contributions Plan, particularly the sub-arterial road north of Elizabeth Drive (refer to Figure 12 Roads Infrastructure in the Background Report). Further discussions will be required to determine whether the roads will serve the same purpose once road modelling has been completed and provided to Council.	▪ Noted: The applicant acknowledge that the road alignment differs from what is identified within the draft Contributions Plan, particularly the sub-arterial road north of Elizabeth Drive, as referenced in Figure 12 Roads Infrastructure in the Background Report. Further discussions will indeed be necessary to determine whether the roads will serve the same purpose once road modelling has been completed and provided to Council. We look forward to collaborating closely to ensure the alignment meets the intended objectives and supports the overall infrastructure plan effectively.	N/A
2b	iii.	It is noted that Council officers met with Urbis and HBB on 25 January 2024. At this meeting, the proponent queried the possibility of entering into a works-in-kind agreement, noting the proposed variations to the road alignment. Further discussion with Council will be required, noting the comments made in point b) above.	▪ The applicant recognises that further discussion with Council will be necessary, particularly in light of the comments made in point b) above. The applicant is committed to continuing these discussions to reach a mutually beneficial agreement.	N/A
2b	iv.	If acquisition of land for the proposed roads is required, the Memorandum, proponent will need to address section 4.3 of the draft Contributions Plan regarding infrastructure staging and priorities.	▪ The applicant acknowledges that if the acquisition of land for the proposed roads is required, the applicant will need to address section 4.3 of the draft Contributions Plan regarding infrastructure staging and priorities. The applicant is prepared to thoroughly review and address these requirements to ensure compliance and alignment with the overall infrastructure strategy	N/A
2b	v.	To assist Council further, we request the proponent overlay their proposed plan with Figure 12 Roads Infrastructure in the Background Report of the draft	▪ To assist Council further, the applicant has prepared an overlay of the proposed plan with Figure 12 Roads Infrastructure in the Background Report of the draft	N/A

No		Issue Raised	Applicant Response	Reference
		Contributions Plan as it is difficult to determine the precise differences in the road alignment as this has not been clearly specified.	Contributions Plan. This should help clarify the precise differences in the road alignment. This should provide the necessary clarity and facilitate ongoing discussions.	
2	c.	The accompanying Infrastructure Staging and Delivery Plan indicates that there is a 'Sub-arterial Road' identified by the Western Sydney Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, located on the site. The Infrastructure Staging and Delivery Plan suggests that consultation between the Applicant and Transport for NSW, has identified that the associated 'Sub-arterial Road' may not be suitable due its proximity to Elizabeth Drive.	**Sub-arterial Road - Aerotropolis Precinct Plan** ▪ The sub-arterial road shown in the Precinct Plan does not serve any broader regional purpose between Luddenham Road and the M12 that cannot be served by Elizabeth Drive. ▪ TfNSW indicated concerns about the sub-arterial road's intersection with a proposed north-south estate road within the site and travel/queuing distance to an Elizabeth Drive intersection. ▪ TfNSW confirmed in a meeting with Council and DPHI on 27 March 2025 the signalised intersection on Luddenham Road intersecting the east west sub arterial and Luddenham Road as shown in the Precinct Plan is too far south and creates queuing issues with the Luddenham Road and Elizabeth Drive Intersection. ▪ TfNSW have confirmed that any signalised intersection with Luddenham Road would likely be well north of the sub-arterial road's location in the Precinct Plan. The location would be in the vicinity of the proposed indicative location for the Luddenham Road connection. ▪ Penrith Council noted in a meeting on 27 March 2025 that whilst their Contributions Plan follows the Precinct Plan road hierarchy and this could be change via an amendment to the CP.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**

No		Issue Raised	Applicant Response	Reference
			▪ It is noted that the sub arterial road would impact upon planned Sydney Water infrastructure and would require a 200m bridge crossing across Cosgroves Creek.	
2	d.	It is unclear whether the proposed 'Collector Road' adjoining the site in lieu of the 'Sub-arterial Road,' would satisfy the provisions of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024.	The future collector road connection aligns with the lot boundary of 812-844 Luddenham Road, which is considered a better site planning outcome and would allow the adjacent lot to the north to connect to this collector. It is noted that this Development Application has been withdrawn. The indicative location is a sufficient distance from the proposed cultural space, approximately 185 metres, which is at the confluence of the two waterways. This alignment should satisfy the provisions of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024, however is subject to further ongoing discussions with Penrith City Council.	N/A
2	e.	The site is also identified as containing 'Local Open Space' pursuant to State Environmental Planning Policy (Precincts – Western Parkland City) 2021 and the Penrith Aerotropolis Development Contributions Plan 2023. Cost rates for embellishment of Open Space, are included within Table 18 of the Penrith Aerotropolis Contributions Plan Background Report.	▪ Noted.	N/A
2	f.	Council is open to further consultation and negotiations with the Applicant regarding the potential to enter into a Voluntary Planning Agreement. However, it is imperative that the below matters are considered and addressed in any forthcoming Letter of Offer, before Council would consider entering formal negotiations:	▪ It is understood that Council is open to further consultation and negotiations regarding the potential to enter into a Voluntary Planning Agreement. During the meeting with Council on 13th May 2025, Council advised that further discussions need to occur prior to submitting a formal Letter of Offer. The applicant is	N/A

No	Issue Raised		Applicant Response	Reference
			committed to addressing the matters outlined and look forward to continuing discussions to reach an agreement.	
2f	**i.**	Evidence of feedback from Transport for NSW as to why the 'Subarterial Road' (and the associated bridges and culverts) as identified in the Western Sydney Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, are not suitable for the site, and also in relation to the proposed location for a 'Collector Road'.	▪ Transport for NSW at its meeting on 27 March 2025 confirmed that the sub-arterial road's intersection with Luddenham Road is too far south, causing queuing issues with Elizabeth Drive. They recommend a location further north, aligning with the proposed collector road. The sub-arterial road also impacts Sydney Water infrastructure and requires a costly bridge over Cosgroves Creek. The proposed changes are minimal and align with agency advice, ensuring better site planning and future connectivity.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
2f	ii.	It must be demonstrated that any proposed amendments to the street network and hierarchy, as identified by the Western Sydney Aerotropolis Precinct Plan 2024 and the Penrith Aerotropolis Contributions Plan 2023, will have no impact on adjoining landowners. Furthermore, such must demonstrate consistency with the 'Infrastructure Delivery' objectives of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024.	▪ The proposed amendments to the street network and hierarchy have been carefully considered in liaison with TfNSW and neighbouring landowners to ensure they have no adverse impact on adjoining landowners. The changes are minimal and align with agency advice, maintaining consistency with the 'Infrastructure Delivery' objectives of Part 3.1 of the Western Sydney Aerotropolis Precinct Plan 2024. The proposed layout facilitates future connectivity and supports the overall infrastructure strategy without compromising the interests of neighbouring properties.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
2f	**iii.**	While a succinct letter is appreciated, it is requested that the letter provide information to capture 'what is being offered and sought' (i.e. are credits being sought to offset Development Contribution obligations).	▪ Noted. The letter will provide detailed information on what is being offered and sought, including whether credits are being sought to offset Development Contribution obligations. This will ensure all aspects of	N/A

No	Issue Raised	Applicant Response	Reference
		the proposal are transparent and comprehensively addressed.	
2f	**iv.** Consideration to the embellishment cost rates for 'Open Space,' which are outlined within the Penrith Aerotropolis Contributions Plan Background Report.	▪ The VPA proposal will seek credits in line with the embellishment cost rates for 'Open Space' as outlined in the Penrith Aerotropolis Contributions Plan Background Report. These rates will be indexed in accordance with the Contributions Plan.	N/A
2f	v. Timing and thresholds for the staging of delivery for all essential infrastructure, as identified in the Penrith Infrastructure Plan of the Penrith Aerotropolis Contributions Plan 2023. **vi.** The offer should tie all deliverables (land dedication, works and monetary payment) to a stage / process of the development (i.e. prior to release of any Occupation Certificate / Subdivision Certificate) and include an ultimate 'sunset date.'	▪ The timing and thresholds for the staging of delivery for all essential infrastructure, as identified in the Penrith Infrastructure Plan of the Penrith Aerotropolis Contributions Plan 2023, are outlined in the Infrastructure Staging & Delivery Plan report prepared by Urbis, submitted as part of the EIS.	Infrastructure Staging & Delivery Plan submitted at Appendix Z with EIS.
2f	**vii.** As required by the Penrith Developer Infrastructure Agreements Policy, any such offer is to detail what securities are proposed to be provided in the event of a breach of the agreement by the Developer.	▪ Noted.	N/A
2f	**viii.** As required under Penrith Developer Infrastructure Agreements Policy, any such offer is to detail whether the agreement is proposed to partly or wholly exclude the application of monetary Development Contributions.	▪ Noted.	N/A
2f	**ix.** In any Planning Agreement that seeks to deliver infrastructure where there are risks to Council around non-delivery of works / dedication, delay of works, maintenance, etc., the offer must identify which party will	▪ Noted.	N/A

No		Issue Raised	Applicant Response	Reference
		bear these risks, as required by the Penrith Developer Infrastructure Agreements Policy.		
▪	**Development Engineering Considerations**			
3	**a.**	The application provides inconsistent information regarding the staging of subdivision works. The Civil Engineering Report (in Figure 6) shows a staging plan which differs from other documentation, in particular, within relation to the timing for the delivery of estate infrastructure and the extent of the 'Stage 1 works'.	▪ Staging plan has been updated to be consistent with other documentation. Refer Chapter 3.2 of the updated civil engineering report.	Updated Civil Package at **Appendix D**
3	**b.**	The Staging Plan indicates that the staged construction of Lots 1.1, 1.2 and 3.1, occurs with only a partial construction of 'Estate Road 3'. In addition, there are multiple temporary end-of-road arrangements proposed throughout the subdivision. Any temporary end-of-road arrangements should be constructed with a temporary turning facility.	▪ Noted. A detail for construction of a temporary end of road arrangement (temporary cul-de-sac) has been provided on Engineering Drawing C129.	Updated Civil Package at **Appendix D**
3	**c.**	The Staging Plan does not specify the timing for the delivery of the interim and final intersection with Elizabeth Drive, the delivery of the western connection to Luddenham Road, nor the delivery of the underpass under the M12 Motorway and road connection to the north. The party responsible for the delivery of this infrastructure should be clearly specified and conditioned as part of any Development Consent which may be granted.	▪ The interim intersection is the same layout as the ultimate, the interim design just ties into the existing Elizabeth Drive 2 lane configuration, while the ultimate is designed for when TfNSW upgrade Elizabeth Drive west so it can connect into the full 4 lane configuration. The proponent is proposing to upgrade sections of Elizabeth Drive east to the M12 and west to Oakey Creek, refer Appendix A in the Traffic Modelling Addendum Report. The interim design will be delivered by 2028.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
3	**d.**	It is considered that the upgrade of the Elizabeth Drive intersection should occur with the 'Stage 1 works' and such should be appropriately conditioned as part of any Development Consent which may be granted. Furthermore,	▪ The Elizabeth Drive intersection will be delivered as part of the stage 1 works. Further consideration has been given to the Elizabeth Drive upgrade and the proponent is willing to upgrade Elizabeth Drive to four lanes for the	Refer to Traffic Modelling Addendum Report at **Appendix C**.

No	Issue Raised		Applicant Response	Reference
		consideration should be given to upgrading Elizabeth Drive to four lanes for the full property frontage, and how works tie into existing and new road infrastructure.	full property frontage. The upgrade works will extend out to Oakey Creek to the West and will tie into the M12 works to the east. Please refer to the Appendix E in the Addendum Traffic Modelling Report.	
3	**e.**	Any variation to the road layout shown in the Western Sydney Aerotropolis Precinct Plan 2024, should receive specific endorsement from Transport for NSW.	▪ Consistency with the Precinct Plan is unreasonable in the circumstances as these changes have been driven by agency requirements external to the site relating to location of intersections, and Sydney Water basin locations and has received specific endorsement from TfNSW.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
3	**f.**	The application proposes a future connection to the west of the development site with Luddenham Road, via a 'Collector Road' that crossing Cosgrove Creek. While the design of this road has not been provided, it is considered that such, with associated culvert crossing of Cosgrove Creek, should form part of the overall development (and be included as part of the subject application). Furthermore, appropriate mechanisms should be in place to ensure the construction of any such road.	▪ TfNSW has confirmed that any signalised intersection with Luddenham Road would likely be well north of the sub-arterial road's location in the Precinct Plan, in the vicinity of the proposed indicative location for the Luddenham Road connection. Penrith Council noted in a meeting on 27 March 2025 that while their Contributions Plan follows the Precinct Plan road hierarchy, this could be changed via an amendment to the CP. It is also noted that the sub-arterial road would impact planned Sydney Water infrastructure and require a 200m bridge crossing across Cosgroves Creek.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
3	**g.**	It is noted that Council is currently assessing a Development Application (No. DA24/0881), for a property on the opposite side of Cosgrove Creek (at 812-844 Luddenham Road). The associated proposal involves earthworks for future subdivision and appears to have based site levels upon the street hierarchy detailed in the Western Sydney Aerotropolis Precinct Plan 2024. Furthermore, the subject proposal does	▪ The applicant has engaged with the Cornish Group, the owners of 812-844 Luddenham Road, and will continue to liaise with them throughout the design phase. The Cornish Group is supportive of exploring a connection from Burra Park through their site to Luddenham Road.	Consultation with Agencies and adjoining landowners **Appendix CC**

No	Issue Raised		Applicant Response	Reference
		not appear to have considered the provision of a signalised intersection with Luddenham Road. It is imperative that consultation be undertaken between the Applicant and the Owner of the property on the opposite side of Cosgrove Creek (at 812-844 Luddenham Road), to ensure development of the broader area is consistent and ties in together.		
3	h.	The application proposes a future connection, to the north of the development site, under the M12 Motorway. While the design of the road and underpass have not been incorporated into the subject application. it is considered that such should.	▪ The proposed future connection to the north of the development site, under the M12 Motorway, is a potential future connection but does not form part of this application	N/A
3	**i.**	The application proposes variations to the Water Cycle Management Plan, shown in the Western Sydney Aerotropolis Precinct Plan 2024. The application indicates that consultation has occurred with Sydney Water, however it is expected that associated specific endorsement be provided in this regard.	▪ Regional stormwater infrastructure (basin and naturalised trunk drainage channel) is proposed to be delivered under a developer works agreement with Sydney Water with considerable coordination, co-design and cooperation throughout the design development and delivery process. ▪ Further refinement of the regional stormwater basins has occurred in response to Sydney Water agency advice. ▪ Regional stormwater basin allocations have been significantly coordinated with Sydney Water. Refer response to Sydney Water agency advice. Refer to integrated stormwater draft scheme plans by Sydney Water which show the proposed draft basin locations (RTS submission) coordinating with basin locations in the scheme plans.	Updated Civil Package at **Appendix D**

No	Issue Raised		Applicant Response	Reference
			▪ Refer to response to Sydney Water agency advice for further commentary including recent coordination meeting minutes. ▪ Final endorsement will be provided as part of the cooperative detailed design within the developer works agreement with Sydney Water.	
3	**j.**	It should be noted that no stormwater management infrastructure is to be dedicated to Council. Maintenance of all interim, and final water quantity and quality infrastructure, is the responsibility of the Developer, property owners and Sydney Water, as appropriate. Any associated Development Consent which may be granted should ensure the timing of infrastructure delivery and maintenance responsibilities.	▪ Noted.	N/A
3	**k.**	It is noted that on-lot stormwater detention basins are proposed for stormwater quantity management. It is expected that appropriate notations are applied on title, for future landowners to be aware of stormwater detention requirements.	▪ Noted.	N/A
3	**l.**	It is noted that the 'Stage 1 works' on Lots 1.1, 1.2 and 3.1, propose on-lot stormwater detention basins in accordance with the estate stormwater management strategy. It is expected that any such Development Consent which may be granted, include conditions of positive covenants and restrictions as to use, for the maintenance of stormwater infrastructure on private land in perpetuity.	▪ Lots 3.1 and 1.1 are proposed to have on-lot stormwater detention basins. Lot 1.2 drains to the regional detention basin. Noted regarding positive covenants and restrictions of use.	Updated Civil Package at **Appendix D**
3	**m.**	Swept path diagrams for the development of Lots 1.1, 1.2 and 3.1, have not been provided for review. It is expected that careful consideration be given to overall vehicle	▪ Noted. Additional swept paths have been provided in accordance with TfNSW agency advice for vehicles	Updated Civil Package at **Appendix D**

No	Issue Raised		Applicant Response	Reference
		circulation and manoeuvring matters, having regard to applicable provisions (including of Part 3.2 of the Western Sydney Aerotropolis Development Control Plan 2024).	exiting and entering Lots 1.1, 1.2 and 3.1. Refer civil drawing DA_C650-C652.	
3	**n.**	The Civil Engineering Plans show a design level difference of 7.7m between proposed Lot 2.8 and the adjoining property to the east. Concern is raised regarding potential impacts on future possible road designs and the developability of the adjoining lands.	▪ The proposed lot level 2.8 has been specified in consideration of the unique constraints of the neighbouring airport and to achieve positive development outcomes for both Burrah park and the adjacent Sydney University Lands. ▪ Both Lot 2.8 and the adjacent lands are located beneath the Obstacle Limitation Surfaces (OLS). To achieve a development within lot 2.8 (and adjacent land) significant cutting is required to achieve a developable envelope beneath the OLS. ▪ It should be noted that the interface with Lot 2.8 and the adjacent lands is pronounced local ridge that would require treatment regardless if located in the interface between two landowners. ▪ Furthermore existing topography and the progression of surrounding transportation corridors (M12 and Elizabeth Drive Upgrade) result in a level difference of 17m between the upper westernmost and lower eastern most extent of the Sydney Uni lands to the east. to achieve efficient development outcome on the adjacent land to the west, irrespective of the OLS, would require significant cutting at the interface with Burrah Park. ▪ It should also be noted that the level of Elizabeth drive at the interface between Burrah Park and Sydney Uni are approximately equal to the proposed lot 2.8 level. ▪ It should be noted that the Sydney University lands have been utilised as a construction compound and laydown	Updated Architectural Plans at **Appendix B**. Updated Urban Design Report at **Appendix HH.** Updated Civil Package at **Appendix D**

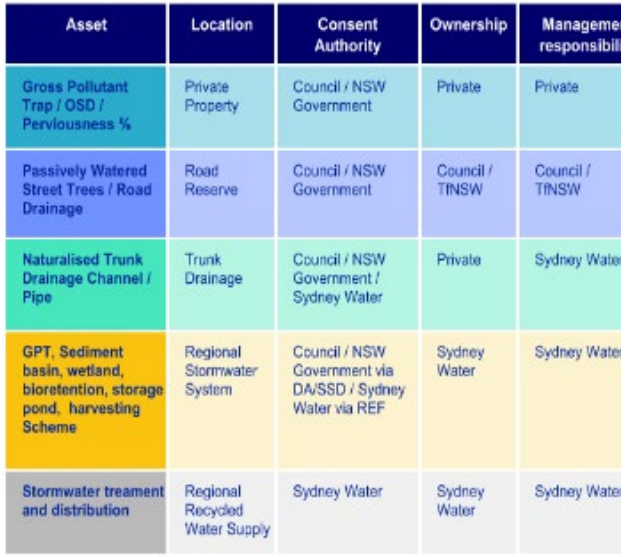
No		Issue Raised	Applicant Response	Reference
			area for construction of the M12 by TfNSW and significant works have already been undertaken (including the lowering of existing levels on the existing ridge). ▪ Generally, levels at the top of the site have been lowered to accommodate for construction of haul roads and site compounds. ▪ Refer architectural sections which shows the adjacent land levels and the OLS. ▪ Lot 2.8 and adjacent road levels do not adversely impact the development potential of the adjacent lots but in fact enable development. ▪ Lot 2.8 topography is such the level difference is proposed to be terraced internally via landscape batters, minor retaining walls and fire access road grading. ▪ Refer Engineering Drawings BE30 and BE31 for samples of internal treatment. ▪ Requirements and guidelines for the treatment of level differences are provided in the Urban Design Guidelines.	
3	**o.**	It is expected that the Applicant provide concept design drawings (i.e. road design with long sections and a balanced cut / fill plan) for the land to the east, demonstrating that a satisfactory built form / subdivision and road network can be delivered.	▪ An indicative road alignment and long section has been provided on Engineering Drawings at Appendix D. The section demonstrates a suitable road layout, level and grades is achievable in the neighbouring lot. ▪ Although a balanced earthworks outcome is preferable, It should be noted that similarly with Burrah Park, site levels are driven by a variety of often competing outcomes such as OLS, boundary interfaces, adjacent road levels and access locations, regional stormwater scheme and natural topography.	Updated Civil Package at **Appendix D**

No		Issue Raised	Applicant Response	Reference
			▪ Given a significant portion of the land to the west is affected by the OLS, subject to a natural level difference of 17m due to the pronounced ridge, and surrounded by transportation corridors, suitable site levels are likely driven by these outcomes more so than a balanced earthworks result.	
Traffic Considerations				
4	**a.**	It is understood that in the interim phase Elizabeth Drive is not to be upgraded and will continue to be a two-lane road, to the east and to the west of proposed 'Estate Road 1'. Council's Traffic Engineers do not support the proposed development with the current layout of Elizabeth Drive (i.e. with one travel lane in each direction) and it is requested that the section of Elizabeth Drive where the development is proposed be upgraded to a four-lane road, in consultation with Transport for NSW.	▪ Design has been updated to allow for the continuation of four traffic lanes (two in each direction) to the east (tying into the M12 works) and transitioning into the existing two traffic lanes to the west.	Updated Civil Package at **D**
4	**b.**	Safety concerns associated with the operation of the development in the interim phase, should be addressed in consultation with Transport for NSW, as there is no proposal to widen and signalise Elizabeth Drive in the interim phase.	▪ Safety concerns during the interim phase will be addressed in consultation with Transport for NSW. This ensures that all necessary measures are in place, even without the immediate widening and signalisation of Elizabeth Drive. ▪ Note TfNSW has provided support for the development.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
4	**c.**	To facilitate the movement of heavy vehicles, the road network is to be designed for 30m Performance Based Standards (PBS) Level 2 Type B vehicles and tested for 36.5m PBS Level 3 Type A Vehicles.	▪ The signalised intersection at Elizabeth Drive and the Estate Road has been designed to allow for B-Triple vehicle movements.	TfNSW email dated 17 June 2025 at **Appendix DD.**

No	Issue Raised		Applicant Response	Reference
				Updated Traffic Addendum Report at **Appendix C.**
4	**d.**	Signalisation of Elizabeth Drive and 'Estate Road 1' will require approval from Transport for NSW.	▪ Noted. TfNSW has confirmed support of the proposal intersection.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C.**
4	**e.**	Plans should be provided demonstrating how all vehicles likely to be required during construction activities, can be accommodated on site to avoid queuing on Elizabeth Drive.	▪ A high-level construction traffic management plan has been prepared to provide the principles of traffic management. For each individual development application, a detailed Construction Pedestrian and Traffic Management Plan will be developed, as the construction methodologies and programs become known for the individual developments within the site.	Updated Traffic Addendum Report at **Appendix C.**
4	**f.**	It is recommended that a Construction Traffic Management Plan be provided for review by Transport for NSW and that any issues identified be addressed by the Applicant.	▪ A high-level construction traffic management plan has been prepared to provide the principles of traffic management. For each individual development application, a detailed Construction Pedestrian and Traffic Management Plan (CPTMP) will be developed, as the construction methodologies and programs become known for the individual developments within the site.	Updated Traffic Addendum Report at **Appendix C.**
4	**g.**	It is unclear how it has been estimated that 440 heavy vehicles per day, are expected to arrive and leave the site during construction. It is expected that clarification be	▪ Refer to the traffic modelling addendum report, which detailed the assumptions for the traffic generation.	Updated Traffic Addendum Report at **Appendix C.**

No	Issue Raised		Applicant Response	Reference
		provided how the daily heavy vehicle movements have been estimated.		
4	h.	Adequate provision should be made for parking on site during construction works.	▪ Parking provisions during construction will be detailed in the CPTMPs for each development application, once the construction methodologies and programs are known for each site.	Updated Traffic Addendum Report at **Appendix C.**
4	i.	An 'intersection performance analysis' should be carried out in consultation with Transport for NSW, to assess cumulative traffic impacts of the proposed development and other planned developments within the area.	▪ An intersection performance analysis has been conducted in consultation with Transport for NSW. This assessed the cumulative traffic impacts of the proposed development alongside other planned developments in the area, ensuring a comprehensive and informed approach to traffic management.	Updated Traffic Addendum Report at **Appendix C.**
4	j.	Provision of access arrangements to the site from Elizabeth Drive, must take into consideration proposed road widening / road upgrades.	▪ Access arrangements to the site from Elizabeth Drive considered the proposed road widening and upgrades. This ensures seamless integration with future infrastructure improvements and maintains efficient and safe access to the site.	Updated Traffic Addendum Report at **Appendix C.**
4	k.	Traffic modelling submitted for base model development, calibration, and validation, for traffic conditions in 2024 and future 2034 conditions, should be submitted for review by Transport for NSW.	▪ Traffic modelling for base model development, calibration, and validation for 2024 and future 2034 conditions have been submitted for review by Transport for NSW and support has been provided by TfNSW. This ensures that traffic projections are accurate and align with long-term planning objectives.	Updated Traffic Addendum Report at **Appendix C.**
4	l.	It is expected that a 'Green Travel Plan' be provided in support of the proposal, outlining more sustainable forms of transport as opposed to personal vehicle use for the life of the development, once public and active transport improvements are made in the area.	▪ Refer to Green Travel Plan as provided as Appendix C in the TIA.	

No		Issue Raised	Applicant Response	Reference
▪	**Environmental Considerations**			
5	**a.**	A Fill Management Protocol should be established to manage the required importation of non-contaminated material (i.e., VENM, ENM or a suitable material under a Resource Recovery Order/Exemption).	▪ A Fill Import Protocol has been prepared by Development Risk Management Pty Ltd (Appendix G) which provides measures to allow importation of only materials that are suitable (from a contamination perspective) to the site.	Fill Import Protocol at **Appendix G**
5	**b.**	A copy of the Remediation Action Plan referenced within the Detailed Site Investigation Report, should be provided for consideration.	▪ The Remediation Action Plan has been provided at Appendix I.	Remediation Plan at **Appendix I.**
5	**c.**	While the proposal includes the provision of gross pollutants traps, naturalised trunk drainage and a series of stormwater management basins, and the connection of the proposed buildings to Sydney Water's drainage network, it is noted that no MUSIC modelling has been made available.	▪ MUSIC model will be included as part of the RTS submission.	Refer to MUSIC model at **Appendix N**
5	d.	It is expected that controls are met in terms of compliance with the stormwater and waterway health targets (for both the construction and operational stages), and that the design of temporary stormwater infrastructure is in accordance with the Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets.	▪ A spreadsheet demonstrating compliance with the Wianamatta–South Creek stormwater management targets is included in Appendix D of the Civil Engineering Report.	Updated Civil Package and Report at **Appendix D**.
5	**e.**	The application indicates that gross pollutants traps and other stormwater treatment infrastructure has been prepared in consultation with Sydney Water. It is expected that any associated Development Consent which may be granted require detailed designs to be approved by Sydney Water prior to the commencement of any works. It is also noted that no stormwater treatment infrastructure should be dedicated to Council and that the maintenance of the on lot gross	▪ It is understood that assets ownership will be in accordance with the Asset Ownership Matrix Framework detail in Stormwater Scheme Infrastructure Design Guideline by Sydney Water. Passively irrigated street trees are understood to be owned by Council. Noted	N/A

No		Issue Raised	Applicant Response	Reference
		pollutant traps and associated infrastructure will be the responsibility of the developer / property, and it is expected that any associated Development Consent which may be granted confirm this.	regarding detailed design approval by Sydney Water. **Figure 4: Asset Ownership Matrix Framework** 	
5	**f.**	It is understood that 'passively irrigated street trees' are to be provided. It is expected that any associated Development Consent which may be granted include a condition requiring detailed design plans with 'passively irrigated street trees' being submitted to Council for review and approval (in the case the roads will be dedicated to Council) prior to the commencement of works.	▪ Noted, passively irrigated street trees form a part of the WSUD strategy as part of this proposal. The detailed delivery of these trees can be conditioned as part of any future consent.	N/A
5	**g.**	It is expected that any associated Development Consent which may be granted include conditions which ensure that all temporary infrastructure is maintained until regional stormwater infrastructure is available. Furthermore, sufficient undeveloped land will also be required to be provided, to ensure that future development on the site achieves	▪ Noted. Temporary regional stormwater management infrastructure is not proposed as part of the application.	N/A

Asset	Location	Consent Authority	Ownership	Manageme responsibil
Gross Pollutant Trap / OSD / Perviousness %	Private Property	Council / NSW Government	Private	Private
Passively Watered Street Trees / Road Drainage	Road Reserve	Council / NSW Government	Council / TfNSW	Council / TfNSW
Naturalised Trunk Drainage Channel / Pipe	Trunk Drainage	Council / NSW Government / Sydney Water	Private	Sydney Wate
GPT, Sediment basin, wetland, bioretention, storage pond, harvesting Scheme	Regional Stormwater System	Council / NSW Government via DA/SSD / Sydney Water via REF	Sydney Water	Sydney Wate
Stormwater treament and distribution	Regional Recycled Water Supply	Sydney Water	Sydney Water	Sydney Wate

No		Issue Raised	Applicant Response	Reference
		compliance with the Integrated Water Cycle Management provisions of the Western Sydney Aerotropolis Development Control Plan 2024 and in accordance with the Technical Guidance for achieving Wianamatta South Creek Stormwater Management Targets (NSW Government, 2022).		
5	**h.**	It is expected that any associated Development Consent which may be granted include conditions which ensure that adequate land is reserved for the treatment and management of stormwater during the initial stages of the development (i.e. the irrigation of undeveloped land), in the case the ultimate stormwater infrastructure not being available for connection.	▪ Noted	N/A
5	**i.**	It is expected that any associated Development Consent which may be granted include conditions which ensure that all stormwater infrastructure, including gross pollutant traps, irrigation systems, ponds, wetland and bioretention systems etc., remains under the ownership, control, and care of the registered proprietor of the lots, or until they are dedicated to Sydney Water for ongoing operation and maintenance. It is suggested that positive covenants and restrictions of use should also be in place, to ensure that all privately owned systems will be maintained in perpetuity. Conditions may also need to be imposed to manage the transition and decommissioning of the infrastructure, once connection to the regional infrastructure is available.	▪ Noted	N/A
5	**j.**	With respect to waterways, it is noted that mapped waterways are located on the site. Any associated works will need to be undertaken in accordance with Water	▪ Noted. Works within mapped waterways are design and specified in accordance with Water Management Act and the Department of Climate Change, Energy, the Environment and Water requirements.	N/A

No	Issue Raised		Applicant Response	Reference
		Management Act and the Department of Climate Change, Energy, the Environment and Water requirements.		
5	**k.**	In relation to the trunk drainage, it is noted that naturalised channels are to be provided, and it is important that such is designed in accordance with Sydney Water requirements and technical guidelines.	▪ Naturalised trunk drainage channel as design in accordance with Stormwater Scheme Infrastructure Design Guideline by Sydney Water and specific agency advice provided by Sydney Water.	N/A
5	**l.**	High efficiency sediment basins are to be provided for the construction phase to meet the Integrated Water Cycle Management provisions of the Western Sydney Aerotropolis Development Control Plan 2024.	▪ High efficiency sediment basins are proposed as part of the Erosion and Sediment Control Plan (ESCP) for the development. In accordance with agency advice from BCS, basin specification has been updated to be Type B basins. Refer ESPC documented on civil engineering drawings SE01SE14.	Updated Civil Package at **Appendix D**

No	Issue Raised	Applicant Response	Reference
Biodiversity Considerations			
6	**a.** Some of the vegetation within the 'Excluded Land' that is subject to the assessment in the accompanying Biodiversity Development Assessment Report, appears to have been incorrectly mapped as Planted Vegetation. These areas are shown on the following images, providing a comparison between January 2014 and 23 November 2024. This area referred to is circled in yellow on the following map, which was provided in the Biodiversity Development Assessment Report. 	▪ Field survey and review of historic imagery has confirmed an extent of vegetation incorrectly mapped as 'Planted' is regenerating PCT 3320 Cumberland Shale Plains Woodland. This has been considered in the BDAR. ▪ This comment is agreed.	BDAR Report at Appendix EEE of the EIS. Updated Biodiversity Report at **Appendix J**.
6	**b.** Although the larger mature trees around the dwelling appear to have been planted, the area to the west are smaller trees and vegetation that has naturally regenerated. NearMap Aerial imagery shows the area generally cleared between 2009 and 2012. Regeneration can be seen in later imagery, such as imagery dated January 2014.	▪ As above, this has been accounted for in the BDAR as PCT 3320 Cumberland Shale Plains Woodland following confirmation during additional field survey.	Updated Biodiversity Report at **Appendix J**.
6	**c.** The supporting Serious and Irreversible Impact Assessment does not factor in that the surrounding land is comprised of 'Certified Land' or land that has been developed, which greatly reduces the amount of Cumberland Plain Woodland that would be retained following the proposed development.	▪ Certified land has been strategically assessed and SAII considerations are on the basis that impacts on certified land have been deemed not significant, and suitable for urban development. Certified areas are also subject to offsets under the CPCP. The majority of native vegetation within the site is within the western riparian	Updated Biodiversity Report at **Appendix J**.

No	Issue Raised		Applicant Response	Reference
			corridor of Cosgroves Creek, and will be retained and managed under a VMP. TBC – BDAR to address this in SAII section.	
6	d.	The proposed removal of 0.84ha contributes to the overall and cumulative loss of Cumberland Plain Woodland within the local occurrence, locality and Penrith Local Government Area, and it is considered that the proposed development will contribute to the risk of Cumberland Plain Woodland becoming extinct because: i. It will cause a further decline of the ecological community that is currently observed, estimated or inferred or reasonably suspected to be in a rapid rate of decline by reducing the distribution and habitat quality and increasing fragmentation of Cumberland Plain Woodland. ii. It will further reduce the ecological community that is currently observed, estimated, inferred or reasonably suspected to have a very small population size.	▪ Cumberland Plain Woodlands in the Sydney Basin Bioregion has undergone substantial reduction in geographic distribution since European settlement. Tozer (2003) estimated a total extent of 125,449 ha representing the TEC existed prior to European settlement. This had since reduced to 11,054 ha of woody vegetation representing the TEC in 1998. An update on Tozer (2003) in 2007 identified a further decline of 442 ha of the TEC	Updated Biodiversity Report at **Appendix J**.
6	e.	The proposed development will contribute significantly to the risk of Cumberland Plain Woodland becoming extinct, as it will cause a further decline to the distribution and quality of Cumberland Plain Woodland, defined as 'in a sufficiently great or important way as to be worthy of attention.'	▪ Removal is unlikely to substantially increase fragmentation or loss of connectivity above the existing levels.	Updated Biodiversity Report at **Appendix J.**
6	f.	In the absence of thresholds and further supporting documentation the Department will need to consider the risk of local extinction, considering precautionary principle and cumulative impacts, including anticipated land use changes that will increase future risk to the ecological integrity and	▪ Risk to CPW within the Penrith LGA has been considered within the report, including additional mapping and statistical analysis showing pre-clearing and current estimated extents of CPW. Risk of ecological integrity risk and loss of CPW in the LGA is	Updated Biodiversity Report at **Appendix J**.

No		Issue Raised	Applicant Response	Reference
		loss of Cumberland Plain Woodland in the Penrith Local Government Area.	unlikely considering the factors outlined in the BDAR, including existing disturbance and fragmentation, and limited existing function and connectivity contribution within the affected area. Removal is unlikely to substantially increase fragmentation or loss of connectivity above the existing levels.	
6	**g.**	Based on the proposed development footprint, it is considered that the proposed development will result in a Serious and Irreversible Impact on Cumberland Plain Woodland.	▪ Relatively minor extents, previously disturbed and highly fragmented patches of CPW are affected in the impact area subject to the BDAR. The decision as to whether an SAII will occur as a result of the development lies with the consent authority.	Updated Biodiversity Report at **Appendix J**.
6	**h.**	It is recommended that the Department considers additional measures to ensure that any offsets required in relation to the loss of Cumberland Plain Woodland within the development site be met within the Penrith Local Government Area. Other measures such as undertaking a translocation program for the threatened flora species should also be undertaken. Furthermore in this regard, it is expected that the accompanying Biodiversity Development Assessment Report be amended to reassess these areas of vegetation, to ensure that the impacts are being adequately assessed.	▪ Areas of PCT 3320 (CPW) affected within the site on Excluded Land will be offset in accordance with the BOS. Credit requirements will be retired by the Proponent via the options of Biodiversity Conservation Trust or market credits.	Updated Biodiversity Report at **Appendix J**.
6	**i.**	It is expected that any associated Development Consent which may be granted include conditions responding to the mitigation measures identified in Tables 26 and 27 of the accompanying Biodiversity Development Assessment Report.	▪ Noted and agreed.	N/A
6	**j.**	The site provides large potential grazing land for Kangaroos. As the site is bounded by development to the north and east, busy road to the south and riparian land to the north, it is	▪ Additional mitigation has been included in the BDAR & carried through to BMP for 'Management of kangaroos to ensure that populations or individuals are not harmed	Updated Biodiversity Report at **Appendix J**.

No		Issue Raised	Applicant Response	Reference
		expected that the Biodiversity Management Plan, and the Flora and Fauna Management Plan, be updated to provide a section on how to manage any existing Kangaroos and mobs of Kangaroos that may be present on site, to ensure that Kangaroos do not become isolated or harmed during the construction process. Furthermore, safety of motorists also needs to be considered. It is recommended that consultation with adjoining landowners should be undertaken to ensure that sufficient land is available to have Kangaroos herded on their land. Further consideration may be needed to ensure there is sufficient grazing land available following development.	or isolated during construction or the operational phase of the proposal'. The risk is considered low and management is to be undertaken at all project phases.	
6	**k.**	As there are so many like developments occurring in the broader area, it is expected that the Dam Dewatering Plan identify potential relocation sites. The program of works may need to be amended to ensure there is adequate time to travel to relocation sites. Furthermore, all dam dewatering works should not be undertaken at the same time and there should be adequate personnel available to ensure that aquatic fauna are not held for long periods of time.	▪ Identification of potential relocation sites is outside the scope of the Dam Dewatering Plan. Dams will be dewatered progressively over several days, and the requirement and scale of relocation required will become apparent during this process. It is the responsibility of the qualified aquatic ecologist undertaking dam dewatering to identify appropriate relocation sites prior to completing the dam dewatering.	N/A
6	**l.**	It is expected that weed cover targets lower that what is identified within (Table 8) of the supporting Vegetation Management Plan, be provided for all years of the maintenance period, as allowing a high weed cover will allow for weeds to set seed and outcompete native species. Furthermore, in relation to the Vegetation Management Plan, there appears to be a formatting issue Sections 4.1.2, 4.1.3, 4.1.4 and 4.1.5 (as the dot points end suddenly.	▪ The 'high' targeted weed cover is due to the large extent of bare ground while native restoration is underway, and propensity to weed infestation considering the history of the site. High native cover and jute/mulch will be the best way of managing the exotic seed bank. Reducing weed cover targets would leave the site vulnerable to weed infestation before native cover has yet been established, increasing the management efforts unnecessarily. Weed cover targets have been updated with respect to this comment, and considering realistic	Updated Biodiversity Report at **Appendix J.**

No		Issue Raised	Applicant Response	Reference
			on-ground conditions, as follows: Year 1: < 15% priority weed cover and < 20% other weeds Year 2: < 10% priority weed cover and < 15% other weeds Year 3: < 10% priority weed cover and < 15% other weeds Year 4: < 5% priority weed cover and < 10% other weeds Year 5: < 2% priority weed cover and < 5% other weeds Ongoing weed management will ensure weeds are progressively removed and < 5% other weed cover achieved by Year 5.	
Landscape Considerations				
7	**a.**	The failure to provide the perimeter 'park edge streets' in the overall road network is not supported. This road type is a consistent treatment along the M12 Motorway, Cosgroves Creek and other significant edges. If not delivered in this first estate, a precedent will be set and negatively impact passive surveillance and visual amenity of developments that currently back onto these corridors.	▪ Part of the aim of a 'park edge street' is to provide access and activation to open space areas. The north and eastern edges of the site are activated by the M12 Cycleway. ▪ The western edge of the site is activated by the shared cycleway that connects from Elizabeth Drive up along Oakey and Cosgroves Creek, providing connections through to other regions of the site. The M12 Cycleway which circumnavigates the north and eastern sides of the site. ▪ In addition to this, the central core provides a North/West to South/East connection through the site. The shared pathways of this central core connect to the M12 Cycleway via shared pathways on Estate Road 5 and through the maintenance pathways around the north-eastern water basins.	Updated Landscape Plans and Report at **Appendix E**

No		Issue Raised	Applicant Response	Reference
			▪ Warehouses have been orientated to align their active spaces to be addressing the open spaces of the site. In particular changes to Warehouse 1.5, Warehouse 3.2 and Warehouse 6.2 have been re-orientated to better address the open spaces and provide passive surveillance.	
7	**b.**	The open space offerings are more aligned to a residential precinct than an industrial / enterprise and such is not supported. The basis for the offerings proposed has not been demonstrated. The Western Sydney Aerotropolis Open Space Needs Study 2021 does not articulate recreational needs, and the area has not been accounted for in the applicable planning provisions. Context of open space offerings in the region should also be demonstrated and an open space strategy provided, including associated amenities and infrastructure, connectivity etc.	▪ The amenities provided within the open spaces are to be clustered in the area directly north of the Town Centre. Providing amenities that will complement the Town Centre. Such as picnic tables, with shelters and BBQs for lunch time breaks. ▪ A native wildflower garden that will build on the Indigenous Enterprise which is to be included within the Town Centre. This Indigenous Enterprise may take the form of a native nursery, a cafe/restaurant featuring native edible foods etc. ▪ The area north of the Town Centre will include open grassed areas for exercise and a fitness trail that could be utilised by workers before and after work or during lunch breaks. In addition to this the Town Centre may include a childcare centre, therefore the open space directly north of the Town Centre includes the proposal of a natural waterplay space that could be used by families after the children are collected from the childcare centre. ▪ One other area where amenities are proposed is adjacent to the Archaeological Watering Hole. A large shelter, with picnic settings and BBQs is proposed along with a Yarning Circle and Food Tucker Trail.	Updated Landscape Plans and Report at **Appendix E**

No		Issue Raised	Applicant Response	Reference
			▪ The intent is to provide a space for local schools to meet with the local Indigenous group to learn about Aboriginal culture and the history of the area. ▪ In conjunction with this, a wild play playground has been proposed between the Yarning Circle and an open grassed area to allow school aged children to play during school excursions.	
7	c.	The Neighbourhood Centre does not appear to function as a 'heart', and it should be supported by pedestrian connections and amenity (i.e. outdoor eating, parking, etc.). The function, purpose and users of the Neighbourhood Centre should be clarified.	▪ The proposed location of the Neighbourhood Centre has been carefully selected to align with the objectives set out in Section 5.1 – Hierarchy of Centres of the Precinct Plan. It is also consistent with the location identified in Figure 3 of the Land Use and Structure Plan. ▪ Its size and central location enable it to: ▪ Deliver daily convenience goods and a variety of neighbourhood-scaled services tailored to support local businesses and workers. ▪ Accommodate multiple small retail tenancies, business hub-type uses, or community facilities such as childcare centres. ▪ Offer excellent pedestrian accessibility from surrounding commercial areas. ▪ Provide convenient vehicular access, including adequate on-site car parking. ▪ Be serviced by public transport, given its location along the bus route. ▪ Sit adjacent to areas of open space, enhancing its visual appeal and usability. ▪ Positioned alongside the central open space zone, the Neighbourhood Centre will enjoy expansive views	

No	Issue Raised	Applicant Response	Reference
		across landscaped recreational areas, further contributing to its attractiveness as a community destination. ▪ It is located adjacent to uses such as a natural water play playground, a native wildflower garden, a fitness area, amphitheatre and other public amenities. Its prominent exposure to the main road ensures high visibility, while its central location within Burrah Park positions it as a natural gathering place for this community. ▪ With a large part of the estate within walking distance, the centre is well-integrated into the site's active transport network, reinforcing its role as a mobility and social hub. ▪ The local centre is situated on a site of approximately 8,300 sqm, offering sufficient space to support a diverse mix of community-focused functions. These may include: – Childcare facilities – Convenience retail – Café and food offerings – Takeaway outlets – Business hubs featuring shared office space and meeting rooms ▪ This scale and flexibility ensure the centre can effectively respond to the evolving needs of this community and play a vital role in supporting local businesses, amenity and connectivity.	

No	Issue Raised	Applicant Response	Reference
7	**d.** Site contours and landform have not been addressed. The landscape masterplan should demonstrate coordination with civil designs and proposed earthworks. This information would support whether view corridors can be achieved.	▪ Site contours and landform have been addressed in the landscape masterplan, ensuring coordination with civil designs and proposed earthworks. This supports the	Updated Landscape Plans and Report at **Appendix E**

No		Issue Raised	Applicant Response	Reference
			achievement of view corridors and enhances the overall integration of the development. ▪ Spot levels from the Civil drawings have been incorporated into SSD-035 – *Spatial Typologies: Markers & Wayfinding* – to illustrate view corridors within the landscape, as the contours at 1:3000 did not effectively convey this information.	
7	**e.**	Undercroft parking is supported if levels permit to reduce the extent of hardstand and heat.	▪ Noted	N/A
7	**f.**	Developments should address the higher order roads where possible (i.e. Lots 5.1 and 5.2 back onto the Collector Road which reduces visual amenity).	▪ A 10m landscape setback is provided to Elizabeth Drive in accordance with the DCP. ▪ Suitable landscape setbacks have been provided to M12 noting that the M12 also incorporates significant landscape planting buffers within the development corridor. ▪ Lots 5.1 & 5.2 have been designed to optimise public domain activation, and site access points. The office frontages, along with carparking have been prioritised to be located fronting the collector road. As lot access for vehicles has been prioritised onto the local roads, the layout offers the most suitable balance between functionality and presentation to the public domain.	Updated Landscape Plans and Report at **Appendix E**
7	g.	Perimeter roads (M12 Motorway and Elizabeth Drive) do not have sufficiently wide landscaped buffers to adequately screen built forms, to reduce their bulk and scale. The landscaped setback should be 10m for a well-developed multi layered and biodiverse buffer, consisting of 2 rows of large and medium canopy trees (appropriately spaced for the restrictions), large shrubs to 5m tall and medium shrubs.	▪ SSD-049 – Elizabeth Drive Buffer Planting: Bubble Diagram and SSD-050 – M12 Buffer Planting: Bubble Diagram develop the landscape buffer concepts for Elizabeth Drive and the M12. These diagrams illustrate how layered planting strategies can be implemented to create effective buffers, while remaining compliant with	Updated Landscape Plans and Report at **Appendix E**

No		Issue Raised	Applicant Response	Reference
		Groundcovers are not supported. An effective dense screen to 5m is required.	the Wildlife Mitigation measures outlined in WSA DCP 2.10.3.	
7	**h.**	Lot 5.6 is located at a major Motorway intersection and should address the corner and integrate with that road's design, rather than back onto it.	▪ The Stormwater infrastructure has been redesigned and relocated to the corner to allow a better presentation to the M12. Lot 5.6 has been deleted and the built form in Lot 6 has been consolidated to present better to the M12, and preserve view corridors to the M12 artwork.	Updated Civil Package at **Appendix D**
7	**i.**	Developments fronting the riparian corridors should have activated edges for passive surveillance to that open space.	▪ The design and siting of built form within Burrah Park has been developed with careful consideration of their relationship to roads, open space, and riparian corridors. The concept masterplan looks to adopt a place-based approach that prioritises interface quality, visual connectivity, and passive surveillance throughout the precinct wherever possible. ▪ Building frontages have been oriented to engage with key public domain elements, including primary roads, open spaces, and key active transport corridors, enhancing street presence and contributing to a more legible, active, and safe environment. Specific adjustments have been made to Buildings 1.5, 3.1, 3.2, and within Superlot 2, where office and car park locations have been repositioned to better interface with the surrounding public realm. ▪ The layouts aim to maximise the location and visibility of entry points, glazing, personnel activity, and ground level interface to increase activation along key frontages where appropriate. Along riparian corridors and green links, site planning prioritises visual permeability and passive surveillance, while maintaining sensitivity to	N/A

No	Issue Raised		Applicant Response	Reference
			ecological values and integrating appropriate landscape buffers. ▪ This approach ensures that buildings positively contribute to the safety, connectivity, and quality of the public realm. ▪ Ongoing design refinement through future development applications will continue to give focused attention to these interface conditions, guided by the Urban Design Guidelines and in accordance with the Aerotropolis DCP. This ensures the built form consistently supports the safety, amenity, and vibrancy of the public realm.	
7	**j.**	Strategies and plans for fencing and public domain lighting have not been provided.	▪ Fencing detail and locations have been included in each building's detailed drawing package. An overarching fencing strategy has also been included in the Urban Design Guidelines document.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**.
7	**k.**	Street tree spacings should be relevant to the canopy spread of each street tree species, so canopies are touching, to maximise shade and microclimate.	▪ Street trees are shown at mature sizes and have been placed to ensure continuous clumped canopies within the Bushfire and Wildlife Mitigation (DCP 2.10.3) controls.	Updated Landscape Plans and Report at **Appendix E**
7	**l.**	Underground and above-ground road infrastructure and drainage is to be coordinated with planting design.	▪ Underground and above-ground road infrastructure and drainage can be co-ordinated in accordance with Council's requirements as part of the detailed design process. As such, it is recommended that this requirement be conditioned in any development consent.	N/A

No	Issue Raised		Applicant Response	Reference
7	**m.**	Sections (i.e. SSD-043 and SSD-044) indicate oversized trees for the width of planting area in the verge. Medium trees can be sustained in the verge and large trees are required in the front setback, contributing to the scale of the street (especially width) and built forms behind the setback.	▪ Medium-sized trees are proposed for street planting along Local Industrial Roads. In contrast, larger tree species are planned for the Collector Road, where wider verge areas allow for greater canopy coverage. ▪ These larger trees will provide increased shade over road surfaces and contribute to mitigating the Urban Heat Island Effect. Refer to SSD-043 and SSD-044. ▪ Where feasible—and in consideration of bushfire and wildlife mitigation requirements—larger trees may also be positioned within the front setbacks of developments.	Updated Landscape Plans and Report at **Appendix E**
7	**n.**	Sections also indicate shared user paths on both sides of streets, which conflicts with other documentation.	▪ The typical street sections shown in SSD-043 and SSD-044 have been revised to ensure shared user paths are located on only one side of the road. Refer to SSD-036 for details on the specific side of the street where the shared paths are situated.	Updated Landscape Plans and Report at **Appendix E**
7	**o.**	It is expected that a Street Tree Masterplan for the entire estate (including specifically nominated species and a plant schedule) be developed and provided for Council's endorsement.	A Street tree master plan has been prepared and is included in the Updated Landscape Plans (**Appendix E**) which demonstrates a hierarchy structure to facilitate with wayfinding. ▪ The Collector Road will feature wide canopied deciduous trees with autumnal colour, to allow for solar access. ▪ Nodes such as key corners and around round-abouts will feature native Illawarra Flame Trees which bloom when leaf-less with bright red flowers. The centre of the round abouts are planted with striking native bottle trees. ▪ North-South roads will be planted with deciduous trees to allow for Solar Access in winter	Refer to Updated Landscape Plans at **Appendix E**

No		Issue Raised	Applicant Response	Reference
			▪ East-West roads will be planted with broad evergreen trees to provide shade in summer ▪ Ends of green pedestrian links (between lots) will be signalled with Crepe Myrtle Trees and the area around the Town Centre will feature Crepe Myrtle Trees that are beautiful year-round. (Autumnal colour, striking bark, spring new growth and early summer flowers).	
7	**p.**	The extent of areas to be owned, managed and / or maintained, by Penrith City Council is unclear. As is, which open spaces are local, district and regional categories.	▪ The areas to be owned, managed, and maintained by Penrith City Council will be clearly delineated. Additionally, the categorisation of open spaces into local, district, and regional categories will be specified to ensure clarity and effective management. This information will be provided to Council following ongoing discussions and engagement with Council.	N/A
7	**q.**	Many tree species selected do not have large canopies. It is unclear why Eucalypts (and similar) species are excluded from plant schedules, as they can add to biodiversity, visual interest and context, providing better shade.	▪ The site is located within the 3km Wildlife Buffer around the Western Sydney International Airport. Eucalypts and other native trees such as Angophoras are only permitted within the 3km wildlife buffer 'where supported by (an) ecologist report, confirming landscape design minimises wildlife attraction'. ▪ The project Ecologist, Ecological, has developed a strategy to minimise wildlife attraction in line with DCP 2.10.3. This strategy bears in mind the large areas of Parkland Priority Precinct Areas along Oakey & Cosgroves Creeks and through the central core that enables the planting of native trees such as Eucalypts and Angophoras. ▪ Therefore, tree planting throughout the remainder of the site needs to work to minimise the attraction of bird-life	Refer to Updated Landscape Plans at **Appendix E**

No	Issue Raised		Applicant Response	Reference
			especially in consideration to the sites close proximity to the WSIA.	
7	r.	Pedestrian and cycle network is not fully supported, as there appears to be an oversupply of shared paths with potential for shared use of maintenance tracks. Key destinations are not understood, as such informs the circulation network design.	▪ Pathways have been minimised where possible. ▪ In the revised landscape plans, pathways through the open landscaped areas have been minimized. Sydney Water intends for the maintenance pathways around their basins to also serve public use. ▪ However, this proposal limits public access to maintenance pathways, restricting it to the exterior paths along the edges of the basin network. Internal maintenance paths will be secured with lockable gates or similar barriers. ▪ The following sections of the Landscape Strategy Report should be read together for a comprehensive understanding: • **SSD-035 – Spatial Typologies: Markers & Wayfinding: Identifies key destinations throughout the site.** • **SSD-036 – Active Infrastructure Networks: Illustrates the pathway hierarchy and network**. • **SSD-037 – Precinct Master Plan:** Provides detailed development of the destinations identified in SSD-035.	Updated Landscape Plans at **Appendix E**
7	s.	Maintenance access tracks are to be provided for the riparian corridors.	▪ Maintenance access roads and provided through the riparian corridors. Refer to Civil drawings and SSD-036 in Landscape Plans.	Updated Civil Package at **Appendix D**

No	Issue Raised		Applicant Response	Reference
				Updated Landscape Plans at **Appendix E**
7	**t.**	Shared user path connections to the M12 Motorway have not been identified.	▪ Through connections to the M12 and Elizabeth Drive are identified on the following pages: SSD-021 & SSD-036 in Landscape Plans.	Updated Landscape Plans at **Appendix E**
7	**u.**	Wayfinding should be addressed with signage at entry points to the estate.	▪ The SSD-035 – *Spatial Typologies: Markers & Wayfinding* plan highlights areas coordinated with the *Connecting to Country Framework Report* and the Public Art Strategy by Yerrabingin, incorporating wayfinding elements and entry signage.	Updated Public Art Strategy at **Appendix P** Updated Connecting with Country Report at **Appendix Q**
7	**v.**	Street and park furniture in the public domain is to be supplied by Council's contract with Astra (https://www.penrithcity.nsw.gov.au/images/News/pcc_standard_suit e.pdf).	▪ The Landscape Strategy Report, Design Guide & Stage 1 documentation have been updated to reflect Council standard suite throughout the public areas.	Updated Landscape Plans at **Appendix E**
7	**w.**	The proposed hardscape, play space and other materials are not accepted by Council. Council is investigating specifications for open space and the Applicant will be required to liaise with Council to determine final materials and treatments.	▪ Noted, the landscape set and design guide has been updated to remove specific hardscape, play space and materials, these details to be co-ordinated with Council as part of the detailed design process to ensure these details are acceptable. As such, it is recommended that this requirement be conditioned in any development consent.	Updated Landscape Plans at **Appendix E**

No	Issue Raised		Applicant Response	Reference
7	**x.**	The overall layout provides limited canopy diversity of species across all masterplan areas.	▪ The Street Tree Master Plan on SSD-042 introduces a selection of new species along the streetscapes to enhance the local character and support way finding. ▪ However, the range of species within this proposal has been restricted to only those that do not require monitoring (as per the WSA DCP Appendix B) in accordance with the Wildlife Mitigation measures outlined in DCP 2.10.3. ▪ This restriction is balanced by more flexible planting in the riparian zones; along the creeks and through the central core, which are designated Parkland Priority Areas. ▪ These areas are not subject to the DCP approved species list and may include native trees such as Eucalypts, which have the potential to attract wildlife and support biodiversity. ▪ As individual lots within the estate are developed, each associated development application will be required to use species from the approved plant schedule in Appendix B of the Western Sydney Aerotropolis DCP. This will allow for the introduction of additional species to help define the unique character of each development.	Updated Landscape Plans at **Appendix E**
7	**y.**	It is noted that not all species provided within the 'Preferred Species List' of the Western Sydney Aerotropolis Development Control Plan 2024, are suited to the Burrah Park site conditions (soils, etc).	▪ Noted.	N/A
7	**z.**	It is considered that the cultural precedent imagery does not align with the design.	▪ Refer to Public Art Strategy at Appendix P for further details.	Public Art Strategy at **Appendix P**.

No	Issue Raised	Applicant Response	Reference
7	**aa.** The public art offering is reduced to sculptures in 2 roundabouts, badged as wayfinding elements. This is not considered respectful or appropriate. Locations accessible by people are considered more appropriate.	▪ Public art has been removed from roundabouts and is as per the Public Art Strategy at Appendix P.	Public Art Strategy at **Appendix P**.
7	**bb.** A public art strategy has not been provided for the masterplan area.	▪ A Public Art Strategy as been prepared by Yerrabingin.	Public Art Strategy at **Appendix P**.
7	**cc.** It is unclear where associated estate entry signage is to be located.	▪ The Public Art Strategy identifies locations for entry signage.	Public Art Strategy at **Appendix P**.
7	**dd.** The supporting Visual Impact Assessment indicates (in Part 6.2) that 1525m high planting is to be provided within the Elizabeth Drive setback area to mitigate views to built forms, however the accompanying Landscape Plans do not deliver such.	▪ Canopy Cover across the site has been maximised including within the 10m landscape setback along Elizabeth Drive. SSD-049, illustrates how the buffer planting to Elizabeth Drive can buffer the built forms.	Updated Landscape Plans at **Appendix E**.
7	**ee.** Due to the limited planting palette, the planting design does little to differentiate between warehouses resulting in homogenous character. There is opportunity for feature trees and planting areas to assist with wayfinding.	A Street tree master plan has been prepared and is included in the Updated Landscape Plans (**Appendix E**) which demonstrates a hierarchy structure to facilitate with wayfinding. ▪ The Collector Road will feature wide canopied deciduous trees with autumnal colour, to allow for solar access. ▪ Nodes such as key corners and around round-abouts will feature native Illawarra Flame Trees which bloom when leaf-less with bright red flowers. The centre of the round abouts are planted with striking native bottle trees. ▪ North-South roads will be planted with deciduous trees to allow for Solar Access in winter ▪ East-West roads will be planted with broad evergreen trees to provide shade in summer	Updated Landscape Plans at **Appendix E**

No	Issue Raised		Applicant Response	Reference
			Ends of green pedestrian links (between lots) will be signalled with Crepe Myrtle Trees and the area around the Town Centre will feature Crepe Myrtle Trees that are beautiful year-round. (Autumnal colour, striking bark, spring new growth and early summer flowers).	
7	**ff.**	Given that the street trees will be medium in size, due to the limited planting widths, large trees should be sustained in setbacks to all frontages, including the local road, to assist in reducing the bulk and scale of built forms.	▪ Medium-sized trees are proposed for street planting along Local Industrial Roads. In contrast, larger tree species are planned for the Collector Road, where wider verge areas allow for greater canopy coverage. ▪ These larger trees will provide increased shade over road surfaces and contribute to mitigating the Urban Heat Island Effect. Refer to SSD-043 and SSD-044. ▪ Where feasible—and in consideration of bushfire and wildlife mitigation requirements—larger trees may also be positioned within the front setbacks of developments.	Updated Landscape Plans and Report at **Appendix E**
7	**gg.**	Warehouses 1 and 2 have secondary amenity areas adjacent to truck loading areas, which is considered to be unsatisfactory. Additional features separating visual access to this activity may improve amenity (i.e. screens, walls and screen planting). Canopy plantings for shade to the north-west and west should be included.	▪ Each of the secondary amenity areas for Warehouses 1 and 2 includes integrated pergola structures to provide shaded spaces for users. ▪ To enhance privacy and separation from the adjacent truck loading zones, a screening hedge has been incorporated into the landscape design. This hedge complements the acoustic fence proposed in the Architectural drawings.	Updated Landscape Plans and Report at **Appendix E**
7	**hh.**	Additional shade trees could be added to the main amenity spaces of Warehouses 1 and 2.	▪ Additional shade trees have been incorporated into the main amenity spaces of Warehouses 1 and 2 to enhance comfort and usability for occupants.	Updated Landscape Plans at **Appendix E**

No	Issue Raised	Applicant Response	Reference
7	**ii.** A shade structure or similar is suggested for the rooftop amenity area of Warehouse 3, to encourage more use of areas not undercover.	▪ The proposal includes a substantial shade structure to rooftop amenity area of Warehouse 3.	Updated Landscape Plans and Report at Appendix E
7	**jj.** Any areas with non-permeable pavements will require engineered tree pits (such as Stratavault systems or similar).	▪ Noted, these details can be addressed as part of the future detailed design process. As such, it is recommended that this requirement be conditioned in any development consent.	N/A

1.5. LIVERPOOL CITY COUNCIL

▪ **Table** 5 below identifies the matters raised by Liverpool City Council and sets out the Applicant's response to these submissions.

Table 5 Applicant Response to LCC

No.	Issue Raised	Applicant Response	Reference
1	Traffic and transportation The proposal is likely to impact on Elizabeth Drive from a traffic and active transport perspective. Liverpool Council would request that the proponent arranges for the upgrade of Elizabeth drive or alternatively that the development is not permitted to be occupied until Elizabeth Drive is upgraded to a standard that demonstrates full compliance with the Western Sydney Aerotropolis Precinct Plan (September 2024) (WSSAPP). In this regard, the proposal should have road, active transport and pedestrian access on Elizabeth Drive to the intersection of The Northern Road. Additional commentary from Council's Traffic and Transportation team will provide more detail in this regard.	▪ The design of the Elizabeth Drive intersection has been designed in consultation with TfNSW to ensure coordination of the corridor upgrade. This includes the active transport connectivity to the broader network. ▪ TfNSW supports the proposed road design and traffic modelling, with formal concurrence to be provided. Updated traffic modelling confirms a single access point onto Elizabeth Drive can accommodate full development traffic, negating the need for a second access point onto Luddenham Road. ▪ The indicative location for a future connection to Luddenham Road is appropriate, avoiding impacts on archaeological sites, Sydney Water infrastructure, and cultural spaces. The proposed layout can facilitate future connections if required.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C**.

No.	Issue Raised	Applicant Response	Reference
		▪ The proposed minor variations to the Precinct Plan road network are driven by agency requirements and have minimal impacts on surrounding landholdings. The changes reduce impacts on areas of high Aboriginal cultural value, biodiversity, and Sydney Water basins.	
2	Stormwater Management The proposal must demonstrate that the stormwater management provided will not result in any upstream impacts on Elizabeth Road or neighbouring properties. Additional commentary from Council's Flood Plain Engineering team will provide more detail in this regard.	▪ Following agency advice from Sydney Water, the proposed stormwater management infrastructure has been designed to accommodate stormwater from Elizabeth Drive and M12. The stormwater management system for the subject site has been coordinated with the discharge location for the upstream stormwater connections. ▪ Stormwater designs for the proposed intersection with Elizabeth Drive and the Elizabeth Drive upgrade prepared by ARCADIS have been coordinated with the site stormwater system. It should be noted both designs are at a 'functional design level'. The level of the as-built M12 drainage channel and culverts has been coordinated with Basin C inlets and outlet levels. ▪ Notwithstanding future detailed design development and further coordination it is understood the design of the subject site stormwater system is appropriately sized to accommodate upstream catchments with no adverse impacts.	Civil Package **Appendix D**
3	Strategic Planning Comments As the proposal is within the Penrith Local Government area, Liverpool Council is limiting comment in relation to this proposal to high level items. As an early application within the Western Sydney Aerotropolis, Liverpool Council stresses the importance demonstrating full compliance with the strategic planning framework.	▪ Noted	N/A

No.	Issue Raised	Applicant Response	Reference
4	Infrastructure Provision The EIS has not provided suitable clarity in relation to the timing of infrastructure provision in accordance with Clause 4.19 of the SEPP. Section 6.17.2 of the EIS indicates that the timing of the following infrastructure is still to be confirmed: ▪ Gravity Trunk Sewer Mains ▪ Sewer Pump Stations ▪ Trunk Potable & Recycled Water Mains ▪ Electrical Zone Substation ▪ 22kV Feeders (Underground) ▪ ▪ In order to demonstrate compliance with 4.19 of the SEPP, clarity in relation to the timing of essential infrastructure provision must be provided in support of the proposal. It is recommended that the proposal does not proceed to determination until Clause 4.19 of the SEPP is satisfied. ▪ In addition to the above, the WSAPP also specifies that road provision to a standard required under the WSAPP must be delivered to the site and that access must be continuous, with appropriate connections to WSAPP complying roads (including any required regional active transport links). At present, Elizabeth Drive is not constructed to a standard that achieves WSAPP compliance. The Northern Road has been upgraded and meets WSAPP requirements. On this basis, the proposal must demonstrate connection to a WSAPP compliant upgraded Elizabeth Drive. The EIS has indicated under 6.17.3 that the proponent will: Continue discussions with INSW, TfNSW and DPHI in relation to the delivery of the Elizabeth Drive upgrade and implications for a State Planning Agreement	▪ The project team has actively engaged in ongoing discussions with Infrastructure NSW (INSW), Transport for NSW (TfNSW), and the Department of Planning, Industry and Environment (DPHI) and Sydney Water regarding the delivery of the Elizabeth Drive upgrade and stormwater system. ▪ These discussions have focused on understanding the implications for a State Planning Agreement and ensuring that all parties are aligned on the requirements and expectations. Our collaborative approach aims to facilitate a smooth and efficient upgrade process that meets the necessary standards and supports the overall development objectives.	Consultation with Agencies and adjoining landowners **Appendix CC.**

No.	Issue Raised	Applicant Response	Reference
	This is a positive goal and should be encouraged as the proposal will be reliant on Elizabeth Drive being upgraded to achieve compliance with both the WSAPP and the relevant Clause 4.39 of the SEPP.		
5	Western Sydney Aerotropolis Precinct Plan (September 2024) Council requests that DPHI ensure that the proposal demonstrates full compliance with the relevant requirements of the WSAPP prior to determination. In instances where variations are permitted under the wording of the WSAPP, it is requested that the justification provided will not result in the creation of any precedent for development in the Western Sydney Aerotropolis. The EIS (Table 34, page 121) has identified the following variations to the WSAPP: ▪ Variation to the road layout and hierarchy based on discussions with TfNSW ▪ Variation to the location of the neighbourhood centre ▪ Variation to the location of one (1) regional stormwater basin based on discussions with Sydney Water. ▪ Variation to application of the FSR control by virtue of the variation to the location of the neighbourhood centre. ▪ In relation to the above, the following comments are noted: ▪ Any proposed change to the Figure 10: Street Hierarchy of the WSAPP must demonstrate that the change is compliant with the objectives and requirements under 4.6.2 of the WSAPP. ▪ Any proposed change to the Figure 11: Centres Hierarchy of the WSAPP must demonstrate that the change is compliant with the objectives and requirements under 5.1 of the WSAPP. ▪ Regional stormwater basins must satisfy the 15 hectare catchment requirements under the DCP and it must be	▪ The road hierarchy has been based on the WSAPP and any variations to this arrangement discussed, documented and agreed with TfNSW.	TfNSW email dated 17 June 2025 at **Appendix DD.** Updated Traffic Addendum Report at **Appendix C**.

No.	Issue Raised	Applicant Response	Reference
	demonstrated that regional catchments are being managed by the regional stormwater authority. ▪ The design of the proposal must not redirect regional flows into Council's local (road reserve) assets and ideally pre and post development catchments should be generally identical. ▪ Should the location of the neighbourhood centre be assessed to be appropriate, any proposed change to FSR should only correspond to the proposed boundary of the neighbourhood centre.		
6	Land Reservation Acquisition Area Mapping Significant development is proposed on SEPP (Clause 4.50) LRA mapped land for both Stormwater Infrastructure (Sydney Water) and Local Open Space and Drainage (Penrith City Council). The intrusion into this land for development purposed is not supported by Liverpool Council as it would set an unwelcome precedent within the Western Sydney Aerotropolis. The EIS has indicated (Table 33, page 117) that: Stormwater Infrastructure. The proposed Concept and Stage 1 Estate works impact upon these areas. It is expected that the extent of land required for this Infrastructure will be determined through ongoing discussions with Sydney Water and DPHI through the assessment process. From a Local Open Space perspective, this area should be maintained for the benefit of the community. In relation to land required to be acquired for regional stormwater, this land must be retained in order to provide a naturalised system in accordance with the Strategic Planning framework. Council does not support the use of retaining walls in basin designs as this is contrary to the landscape led vision of the planning controls. Additionally Council	▪ Regional stormwater infrastructure (basin and naturalised trunk drainage channel) are proposed to be delivered under a developer works agreement with Sydney Water with considerable coordination, co-design and cooperation throughout the design development and delivery process. Regional stormwater infrastructure has been designed in accordance Stormwater Scheme Infrastructure Design Guideline by Sydney Water including provisions to minimise retaining walls adjacent to the riparian corridors. Retaining wall edge treatments have been applied to regional stormwater basins as part of the wildlife risk assessments and standard details within the Stormwater Scheme Infrastructure Design Guideline by Sydney Water.	

No.	Issue Raised	Applicant Response	Reference
	does not support the use of retaining walls in instances where retaining walls support Council local and collector roads. Council strongly recommends that the LRA mapping required under the SEPP is retained and if further consideration of basin designs is forwarded by Sydney Water, that these be referred to Liverpool Council for additional comment. Additional Liverpool Council requests that any future discussion between the proponent, Sydney Water and DPHI in relation to this matter also includes both Penrith City Council and Liverpool City Council.		
7	2- Traffic & Transport a- The subject site is located within Penrith Council Local Government Area. The cumulative impacts of the subject development and other planned developments in the aerotropolis precincts should be considered and assessed. b- The proposed access off Elizbeth Drive should be referred to TfNSW for approval. Any new traffic signals will require TfNSW "in principle" support prior to the master plan for the subject developments being approved. c- It is recommended that a master plan is prepared for the subject site and the surrounding lands to ensure adequate access(s) to be provided in order to facilitate staging developments within the area	▪ The TIA and traffic modelling includes the cumulative impacts of the surrounding area. As the individual development applications are prepared, these cumulative impacts will be updated as more information on surrounding developments becomes known. The concept TCS design is currently in development for TfNSW approval.	
8	3- Flooding a- The proposed development site is located within the Western Sydney Aerotropolis (WSA) Precinct. Therefore, it must meet the stormwater, water-sensitive urban design, integrated water, and flood management objectives and targets outlined in Sections 2.3 and 2.5.1 of the WSA Phase 2 Development Control Plan (DCP) 2022. b- Sydney Water, acting as the Regional Stormwater Authority for	A) Noted. B) further refinement of the regional stormwater basins has occurred in response to Sydney Water agency advice. Regional stormwater basin allocations have been extensively coordinated with Sydney Water. Refer response to Sydney Water agency advice. Reger to except of draft scheme plans included in Chapter xx of the engineering report showing the update basin locations coordinating with basin locations in the scheme plans.	Updated Civil Package at **Appendix D**

No.	Issue Raised	Applicant Response	Reference
	the Western Sydney Aerotropolis Precinct, plans to establish a network of regional water quality basins within the precinct. However, the proposed development has encroached significantly on land designated for future stormwater infrastructure. According to the masterplan, this development will substantially reduce the size of the regional basins, potentially hindering the achievement of water quality targets for both current and future developments within the Liverpool LGA. All developments in the Western Sydney Aerotropolis Precinct must align with the regional basin delivery plan, and the proposal must be amended accordingly. It is recommended that the applicant liaise with Sydney Water to address these concerns. c- The proposed development involves filling within the floodplain, resulting in a loss of flood storage volumes. However, the flood impact assessment report by Arcadis Pty Ltd does not indicate how this loss will be compensated. To meet Performance Outcome PO8, 2.5.1 (Flood Management) of the DCP, compensatory excavation must be provided to ensure no loss of flood storage volume for all flood events, including the Probable Maximum Flood (PMF) event. The flood impact assessment report should include cut and fill volume calculations, as well as plans and sections of earthworks required for flood compensatory excavation. d- The PMF flood impact map indicates that the proposed development will raise flood levels along Cosgroves Creek. Therefore, the development must incorporate suitable flood mitigation measures to ensure there is no increase in the creek's peak water level during all flood events, including the PMF event. e- A revised assessment for climate change scenarios and their impacts should be conducted, following the recommendations of Australian Rainfall and Runoff 2019, Version 4.2.	We acknowledge the requirement in PO8 of the DCP for no net loss of flood storage across all events, including the PMF. Our flood impact assessment demonstrates that the proposed filling does not result in adverse impacts up to the 1% AEP, which aligns with established flood assessment practices. Based on past assessments within this precinct, minor impacts on events above the 1% AEP have been deemed acceptable where there is no material change in flood extent, hazard, or risk. That was our basis to avoid balancing flood storage to the PMF. However, to further support our assessment and ensure alignment with the intent of the DCP, we can investigate options for compensatory earthworks outside the development footprint, particularly in areas adjacent to Cosgroves Creek. This would help maintain flood storage capacity while minimising any potential impacts on flood behaviour. We can provide further details on potential mitigation measures following additional investigation. The PMF is primarily used to define the upper flood limit for emergency management, and the NSW Flood Risk Management Manual does not specify acceptable afflux limits for PMF events. However, in the context of PO2 of the Aerotropolis DCP, which requires that development has minimal impact on flood behaviour, we have assessed the flood level changes and demonstrated that: ▪ The increase in peak water levels along Cosgroves Creek is small and localised. ▪ There is no significant change in flood hazard categories or flow velocities. ▪ The flood extent remains largely unchanged. Given that similar minor PMF impacts have been accepted in other developments within this precinct, we consider the impact to be	

No.	Issue Raised	Applicant Response	Reference
		negligible and within the intent of the DCP. However, if necessary, we can explore additional mitigation measures to further minimise impacts. The initial assessment was conducted based on the applicable ARR guidelines at the time. We acknowledge that ARR 2019, Version 4.2 includes updated recommendations for climate change scenarios. We are able to update our calculations to assess the development's performance under these revised climate change parameters and ensure alignment with best-practice flood risk assessment. c) The flood assessment has been updated to include a detailed flood storage volume analysis, demonstrating that the proposed development does not result in any net loss of flood storage for all relevant flood events, including the PMF. d) The updated assessment confirms minor increases in PMF peak flood levels (generally less than 100 mm), which are confined to localised areas within the existing flood extent. These changes do not alter hazard classifications or flood behaviour and are considered acceptable given the extreme rarity of the PMF. No adverse effects on evacuation or safety are expected. e) A revised climate change assessment consistent with ARR 2019 Version 4.2 has been completed. Results indicate a slight reduction in peak flood levels due to earlier peak flows under the developed case. No adverse effects on surrounding properties are anticipated.	

1.6. WESTERN SYDNEY AIRPORT

- **Table 6** below identifies the matters raised by Western Sydney Airport and sets out the Applicant's response to these submissions.

Table 6 Applicant Response to Western Sydney Airport

No.	Issue Raised	Applicant Response	Reference
Concept Plan			
1	General Aviation Safeguarding ▪ The Building Envelopes and GFA for Superlot 2b, specifically lots 2.7c, 2.8 and 2.8b should not be approved in the current form as the compliance with the airport safeguarding provisions of the Western Parkland City SEPP cannot be adequately addressed at a concept plan level of detail. ▪ A future, detailed SSD application, should set out the building envelopes, uses and GFA and heights in the southeastern corner (Superlot 2b).	▪ Agreed.	N/A
2	Aircraft Noise For any industrial development within the 30-40 ANEC appropriate conditions should be applied to ensure compliance with AS2021:2015 Acoustics Noise Intrusion - Building siting and construction development.	▪ Agreed and consistent with the assessment in Section 5.1 of Avlaw's report	Appendix Y – Aviation Safeguarding Assessment (original EIS)
3	Windshear and Turbulence ▪ Buildings that intrude in the 1:35 building height surface plane require further assessment in accordance with National Airport Safeguarding Framework (NASF), Guideline B and consultation with WSI. ▪ Future individual development lots and individual buildings may be required to undertake detailed assessment in accordance with NASF Guideline B, which may also require CFD Modelling,	▪ Agreed and consistent with the assessment in Section 5.2 of Avlaw's report. Request re 3D presentation noted and will be incorporated into future documentation prepared by Avlaw.	Appendix Y – Aviation Safeguarding Assessment (original EIS)

No.	Issue Raised	Applicant Response	Reference
	particularly for future stages in the southeastern corner identified as Lot 2.7B, 2.7C and 2.8B. ▪ Future stages are to show building envelopes/heights in 3D against the 1:35 plane to enable assessment.		
4	Wildlife Risk ▪ As provided in the Wildlife Hazard Management Plan (WHMP), the management actions, monitoring, reporting and review are to be used to inform future developments on the site and be updated accordingly and in accordance with the legislation at the time. ▪ In accordance with the WHMP any reports as a result of monitoring on site shall be provided to WSI within 28 days of completion.	▪ Noted and agreed.	N/A
5	Lighting ▪ Noting the general aviation safeguarding comment above, the future lots 2.7A, 2.7B, 2.7C, 2.8A, 2.8B are located within a Lighting Intensity Zone A. Lighting is to comply with Lighting Intensity Zone Future developments must comply with the requirements under the NASF Guideline D requiring, in particular that lighting must not exceed the intensity of light 0 candela (cd) above a 3-degree horizontal. ▪ WSI acknowledges that the application was referred to CASA by DPHI and that they provided comments in relation to lighting including: – street/security lights are not to shine upwards and are not to have green, red or white arrays of lights.	▪ Agreed and consistent with the assessment in Section 5.4 of Avlaw's report	Appendix Y – Aviation Safeguarding Assessment (original EIS)
6	Prescribed Airspace ▪ The southeastern corner of site is within critical airspace surfaces, including the Obstacle Limitation Surface (OLS). Whilst the maximum building heights are below OLS, the future construction	▪ Agreed and consistent with the assessment in Section 5.5 of Avlaw's report. Non-conventional construction methods may need to be considered if construction will take place after WSI opens, which is currently the plan.	Appendix Y – Aviation Safeguarding Assessment (original EIS)

No.	Issue Raised	Applicant Response	Reference
	of buildings may require the use of cranes or other equipment that may impact on protected airspace. ▪ Development that impacts protected airspace requires a controlled activity approved under the Airports (Protection of Airspace) Regulation 1996. A Controlled Activity application must be submitted to WSI for assessment and consultation with relevant Commonwealth Agencies. WSI as the Airport Lessee Company (ALC) will assess the application and refer it the Department of Infrastructure, Transport, Regional Development, Communications and the Arts for determination. ▪ Protected airspace includes the OLS and PANS-OPS as well as other surfaces. It should be noted that the PANS-OPS surface is currently being prepared). It should be noted that long term intrusion into the PANS-OPS (i.e. greater than 3 months) are prohibited. this will need to be taken into consideration for the future development outcomes for the southeastern corner of the site, in particular the constructability of future development. ▪ It should be noted that under SEPP (Precincts-Western Parkland City) 2021 Clause 4.22, development consent must not be granted to development unless the relevant Commonwealth body (e.g. WSI) supports it.		
7	Communication and Navigation Facilities ▪ Given the Localiser and Glidepath Building Restricted Area covers the southern portion of the site, the application was referred to the Airservices Australia. A determination of the application should not be undertaken by the consent authority until feedback is received from Airservices Australia. WSI have been advised that this can take up to six weeks (sent 21 November 2024). WSI will forward the response when received.	▪ Avlaw confirms that the runway elevations used to inform its assessment/modelling are correct. The reference to runway 05L elevation at 75.12m AHD is a typo. Therefore, the conclusions in our report can still be relied upon, noting Airservices still need to validate these findings as the exact location of the navigation aids are not in the public domain.	Appendix Y – Aviation Safeguarding Assessment (original EIS)

No.	Issue Raised	Applicant Response	Reference
	▪ The Aviation Safeguarding Assessment refers to RLs of the end of the runways which do not align with the actual runway elevations. The report indicates that the end of Runway 05L is at 73.2m. The O5L runway elevation is 92.82m and the 23R elevation adjacent to the site is 75.12m. Any analysis within the ASA should be revised in reference to the correct runway elevations.		
8	Public Safety Area ▪ Noting the general aviation safeguarding comment above, future development of Lot 2.7C should be subject to a detailed development proposal that includes building envelopes, end uses and GFA and heights to enable a detailed assessment. Specifically, lots 2.7c, 2.8 and 2.8b should not be approved in the current form as the compliance with the Clause 4.23 of the Western Parkland City SEPP cannot be adequately addressed at a concept plan level of detail.	▪ Agreed and consistent with the assessment in Section 5.8 of Avlaw's report.	Appendix Y – Aviation Safeguarding Assessment (original EIS)
9	Concept Layout ▪ WSI notes that concept layout and the location of the development access road off Elizabeth, has been positioned to allow for a future 4th leg at the intersection to provide access to WSI land. ▪ Traffic Modelling ▪ The assessment has conservatively utilised a high vehicle mode share, recognising that public connectivity to the site, particularly early post opening years will be limited. However, the mode share split for 2036 is considered to be over estimated for public transport (a combined 36% by 2036). ▪ The development generated trips were assumed to be:	Between August 2024 and April 2025, a series of consultations were carried out with TfNSW to confirm the appropriate trip generation assumption for the proposed development. Arcadis has undertaken updated traffic modelling using the trip generation rate which was agreed upon with TfNSW. ▪ The following updates have been incorporated in this addendum report including: ▪ Trip generation rates have been revised based on the Guide to Transport Impact Assessment (TfNSW,	Refer to Traffic Modelling Addendum Report at **Appendix C**

RUNWAY DATA		EASTING	NORTHING	ELEVATION	RUNWAY LENGTH
RUNWAY END POINT	05L	286914.06	6247443.79	93.82	3,700
	23R	290067.11	6249379.83	75.12	
	05R	287916.77	6245829.84	84.58	3,700
	23L	291069.83	6247765.88	71.65	

No.	Issue Raised	Applicant Response	Reference
	– o In the AM peak, 75% inbound and 25% outbound o In the PM peak, 30% inbound and 70% outbound ▪ It is unclear as to how the inbound and outbound proportions were derived. Further explanation of the assumed trip distribution is required, including the following: – only 20% of trips utilise the M12, which appears to be low, compared to 30% heading east on Elizabeth Drive. – 10% of trips are assumed to be to/from the airport main access road. This proportion of trips to/from the airport appears high and should be clarified, particularly as the airport's freight/cargo precinct is accessed via The Northern Road. – 15% of trips are assumed to be to/from Badgerys Creek Road. It is likely this does not consider the future closure of Badgerys Creek Road and the introduction of Eastern Ring Road.	November 2024) and TfNSW endorsement (email dated 24 February 2025 ▪ new 3-way signalised intersection at Elizabeth Drive / development access road. Pedestrian crossings are provided on all three approaches as per TfNSW requirements ▪ Traffic modelling has now assumed 100% car mode share for the proposed development ▪ Traffic modelling has assumed that the Burrah Park full development would include the University of Sydney land Traffic distribution assumption for the site has been sourced from TfNSW SDTA traffic model and has been accepted by TfNSW.	
10	▪ Background traffic growth used in the assessment has been derived from TfNSW's SDTA model. WSI is of the view this model does not fully capture proposed developments in the surrounding WSI and therefore underestimates future traffic volumes, particularly along Elizabeth Drive. ▪ Whilst the intersection performance assessment for the Elizabeth Drive/ Development Access Road shows acceptable intersection performance for the Stage 1 development, the intersection performance for the Concept Masterplan, shows this intersection fails and reaches LoS F. ▪ Similarly, intersection performance for the full development (including northern residual lands and University of Sydney land) is LoS F in the AM peak for all assessed scenarios. ▪ In the AM peak, the longest queue lengths occur for the Elizabeth Drive East approach as vehicles try to access the site, flowing back to the M12 intersection. This will have an unacceptable impact on	A traffic addendum report has been prepared. The updated modelling in traffic addendum report shows that new signalised intersection with Elizabeth Drive would provide overall level of service C in the AM peak and level of service B in the PM peak hour. The proposed intersection layout would also provide level of service D or better at the individual movement level. The updated traffic modelling has assumed 100% car mode share for the proposed development and achieved an overall level of service B to C for the new signalised intersection with Elizabeth Drive / development access road. These levels of service have been achieved with a single access point, being Elizabeth Drive, which negates the requirement for a second access point onto Luddenham Road.	Refer to Traffic Modelling Addendum Report at **Appendix C.**

No.	Issue Raised	Applicant Response	Reference
	the M12/Elizabeth Drive interchange and significantly impact access to the airport. ▪ The traffic volume forecasts (refer 6.4.1 of the Traffic Impact Assessment) show the increase in traffic volumes as a percentage of the 2034 post development traffic volume and therefore the percentage calculations in this section are misleading as they do not show the percentage increase in traffic compared to pre-development. For example, the M12/Elizabeth Drive intersection has a traffic volume increase of 1,570, which is a 75% increase in post development traffic at the intersection (not a 43% increase). ▪ Total traffic generation for Concept Proposal is estimated to be over 3,000 trips during the AM peak hour and over 2,100 trips during the PM peak hour. This in comparison is higher than the vehicle traffic generation from WSI by 2030 (passengers, staff, and business precinct etc). ▪ The traffic modelling results indicate that the proposed single access point off Elizabeth Drive for the development is insufficient for the Concept Master Plan. ▪ Site access arrangement should be reviewed and additional access points should be considered, particularly to and from the east. The future alternative access via Luddenham road will have some, but limited benefit as it is assumed only 25% of trips are from the west, with 5% using Luddenham Road.	▪ From a traffic perspective, a single access point onto Elizabeth Drive as proposed in the Stage 1 SSDA would accommodate the full development traffic from the Burrah Park site including Sydney University land. was agreed upon with TfNSW.	
11	▪ The modelled scenarios with high public transport mode shares appear to have been applied to all development trips. This should be clarified as the public transport mode share should not be applied to warehouse trips and therefore network and intersection performances may be further impacted. ▪ WSI has previously raised the potential for constructing a 4th leg (i.e. southern approach) to the intersection to provide access to the	▪ The updated traffic modelling has assumed 100% car mode share for the proposed development. Trip generation rates have been revised based on the Guide to Transport Impact Assessment (TfNSW, November 2024) and TfNSW endorsement (email dated 24 February 2025.	Refer to Traffic Modelling Addendum Report at **Appendix C**

No.	Issue Raised	Applicant Response	Reference
	WSI site. No commentary has been provided in traffic assessment regarding this and its potential impact on intersection performance.		
Stage 1			
12	Aircraft Noise ▪ A condition should be applied to ensure compliance with AS2021:2015 Acoustics Noise Intrusion - Building siting and construction development.	▪ Agreed and consistent with the assessment in Section 5.8 of Avlaw's report.	Appendix Y – Aviation Safeguarding Assessment (original EIS)
13	Windshear and Turbulence ▪ It is noted that the Stage 1 development area is within the assessment trigger area, however the proposed buildings are below the 1:35 building height plane. If the heights change then a further assessment under the NASF Guideline B and consultation with WSI is required.	▪ Agreed and consistent with the assessment in Section 5.2 of Avlaw's report	Appendix Y – Aviation Safeguarding Assessment (original EIS)
14	Wildlife Risk ▪ As provided in the Wildlife Hazard Management Plan (WHMP), the management actions, monitoring, reporting and review is to be used to inform future developments on the site and be updated accordingly and in accordance with the legislation at the time. ▪ In accordance with the WHMP any reports as a result of monitoring on site shall be provided to WSI within 28 days of completion.	▪ Noted and agreed.	N/A
15	Lighting ▪ A Glint and Glare Study is to be prepared and submitted to the Department of Planning, Housing and Infrastructure and WSI to understand the cumulative impact from materials used in the building together with the solar panels across the site. This will be required to be referred to CASA.	▪ In response to the RFI issued by WSIA, a Glint and Glare Study has been prepared by EMM (Appendix O) to demonstrate the cumulative impact from materials used in the buildings together with solar panels across the site. A summary of the assessment is provided at	Refer to Glint and Glare Assessment at **Appendix O.**

No.	Issue Raised	Applicant Response	Reference
	▪ WSI acknowledges that the application was referred to CASA by DPHI and that they provided comments in relation to lighting. A condition of consent should be imposed that street street/security lights and construction lighting does not shine upwards and is not to have green, red or white arrays of lights ▪ Future applications will be required to consider plume rise in accordance with CASA Advisory Circular AC139.E-02v1.0 Plume Rise Assessments. ▪ Whilst the maximum building heights are below OLS, the future construction of buildings may require the use of cranes or other equipment that may impact on protected airspace. ▪ Development that impacts protected airspace requires a controlled activity approved under the Airports (Protection of Airspace) Regulation 1996. A Controlled Activity application must be submitted to WSI for assessment and consultation with relevant Commonwealth Agencies. WSI as the Airport Lessee Company (ALC) will assess the application and refer it the Department of Infrastructure, Transport, Regional Development, Communications and the Arts for determination.	Section 5.8 of the RtS Report, and further details are provided at Appendix G.	
16	The following condition of consent should be imposed: If the proposed development results in impacts to protected airspace, then approval will need to be obtained in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996. Intrusions into prescribed airspace, could include: ▪ constructing permanent structures, such as buildings, into the protected airspace; ▪ temporary structures such as cranes protruding into the protected airspace; or	▪ Agreed and consistent with the assessment in Section 5.5 of Avlaw's report.	Appendix Y – Aviation Safeguarding Assessment (original EIS)

No.	Issue Raised	Applicant Response	Reference
	▪ activities causing non-structural intrusions into the protected airspace such as air turbulence from stacks or vents, smoke, dust, steam or other gases or particular matter. A Controlled Activity application must be submitted to WSI.		
17	Communication and Navigation Facilities ▪ Given the Localiser and Glidepath Building Restricted Area covers the southern portion of the site, the application was referred to the Airservices Australia. A determination of the application should not be undertaken by the consent authority until feedback is received from Airservices Australia. WSI have been advised that this can take up to six weeks (sent 21 November 2024). WSI will forward the response when received. ▪ The Aviation Safeguarding Assessment refers to RLs of the end of the runways which do not align with the actual runway elevations. The report indicates that the end of Runway 05L is at 73.2m. The O5L runway elevation is 92.82m and the 23R elevation adjacent to the site is 75.12m. Any analysis within the ASA should be revised in reference to the correct runway elevations.	▪ Avlaw confirms that the runway elevations used to inform its assessment/modelling are correct. The reference to runway 05L elevation at 75.12m AHD is a typographical error. Therefore, the conclusions in our report can still be relied upon, noting Airservices still need to validate these findings as the exact location of the navigation aids are not in the public domain.	Appendix Y – Aviation Safeguarding Assessment (original EIS)
18	Public Safety Area It is noted that the Stage 1 development is not within the PSA.	▪ Noted, Stage 1 is not within the PSA.	N/A
19	Traffic and Transport Refer to comments in Concept Plan, which capture Stage 1 development	▪ Noted, refer to the responses to the WSI Concept Plan comments above, which captures Stage 1 development.	Traffic Modelling Addendum Report at **Appendix C**

1.7. BIODIVERSITY, CONSERVATION AND SCIENCE GROUP

Table 7 below identifies the matters raised by Biodiversity, Conservation and Science (BCS) Group within the NSW Department of Climate Change, Energy, the Environment and Water and sets out the Applicant's response to these submissions.

Table 7 Applicant Response to BCS

No.	Issue Raised	Applicant Response	Reference
1	Western Sydney Aerotropolis Precinct Plan The proposed road layout of the development is inconsistent with the Western Sydney Aerotropolis Precinct Plan (Department of Planning, Housing and Infrastructure, 4 September 2024) (Precinct Plan). Specifically, the northern portion of Estate Road 1 and the north-west roundabout for Estate Road 1 (which would provide access into Estate Road 5) and associated earthworks batters, extend into the adjoining Environment and Recreation (ENZ) zone. BCS notes the proponent has sought a variation to the road network within the EIS, however it does not adequately address the impacts of these proposed changes to the road layout within the ENZ zoned land including the riparian corridor which traverses the subject land from north to south and to the east of Cosgroves Creek. The Precinct Plan specifies this ENZ zoned area is to remain as riparian corridor with stormwater infrastructure. The Precinct Plan states: 'BG1 Waterways and riparian corridors of Strahler Order 2 (refer to Figure 5) and higher are to be retained and rehabilitated to a natural state (unless minor realignment can be justified), in accordance with the requirements of the Guidelines for Riparian Corridors on Waterfront Land published by the Department of Primary Industries (Office of Water), or other relevant guidelines adopted and in operation at the time' (Section 4.5.2 Riparian corridors, Requirement BG1, page 37). Recommended action: The road layout is designed to ensure the northern portion of Estate Road 1 and the north-west roundabout for	▪ The northern road portion has been reduced to avoid impacts to the riparian corridor. Specifically, the updated design avoids impacts within the inner 50% VRZ, with minor encroachment to the outer 50% VRZ only. ▪ Sufficient area for compensation of encroachments through offsetting has been demonstrated in the riparian report. ▪ ENZ zoned land is developed for the purposes of naturalised trunk drainage (restored riparian corridor, Sydney Water infrastructure and other open space uses which each offer amenity and public recreation value. ▪ The roundabout remains within the ENZ zone due to engineering constraints and requirements to ensure future alignment with the M12 motorway north of the site. Additionally, equivalent land use provided on immediately adjacent land is for public recreation and environmental purposes.	Updated Architectural Plans at **Appendix B.** Urban Design Report at **Appendix HH**. Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**.

No.	Issue Raised	Applicant Response	Reference
	Estate Road 1 are located outside of the ENZ zone in accordance with the Precinct Plan. Pre-determination - This issue must be addressed during Response to Submissions stage.		
2	Proposed development in the Cumberland Plain Conservation Plan (CPCP) certified major transport corridor within the subject land The executive summary of the Biodiversity Assessment Report (BAR) states that impacts to biodiversity values do not require further assessment under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Australian Government endorsement of certified - major transport corridors in the CPCP only covers activities consistent with the description of class actions for the design, construction and operation of major transport infrastructure assessed and approved as State Significant Infrastructure (SSI) under Division 5.2 of the Environment Planning and Assessment Act 1979 (EP&A Act) (or equivalent) and State Significant Development (SSD) under Division 4.7 of the EP&A Act (or equivalent). The proposed development is not consistent with these activities. Recommended action: A separate referral to the Australian Government be submitted to determine whether this SSD application would be considered a controlled action under the EPBC Act. Pre-determination	▪ An additional supporting biodiversity assessment has been prepared to address development on major-transport corridor land. This land is certified, and impacts have been considered and approved at the strategic level however is not specified under the Commonwealth approval for the proposed urban development land uses. ▪ The presence of and potential impacts to Matters of National Environmental Significance (MNES) have been assessed within a separate MNES report, which includes Assessments of Significance in accordance with the Significant Impact Criteria v1.1 (Commonwealth of Australia 2013) for threatened species which may use the study area opportunistically, or have the potential to occur. The development avoids impacts to EPBC Act listed threatened ecological communities (TECs) on certified-major transport corridor within the subject land. Assessment concluded that the development is not likely to have a significant impacts on MNES and referral to the Commonwealth is not recommended.	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP** Refer to MNES Assessment for Certified-Major Transport Land at **Appendix RR**
3	The subject land and development footprint are not clearly defined in the Biodiversity Development Assessment Report (BDAR)	▪ Subject land and development footprint have been amended in the updated BDAR.	Refer to Excluded Land BDAR –

No.	Issue Raised	Applicant Response	Reference
	The Site Map (Figure 2) in the BDAR shows the proposed development footprint, including impacted native vegetation extends south past the boundary of Lot 1 DP848215. This area has not been defined in the BDAR. Recommended action: The definition of the subject land and proposed development footprint is amended to include all land that is proposed to be impacted in the BDAR. Pre-determination - This issue must be addressed during Response to Submissions stage.		Elizabeth Drive Intersection at **Appendix PP**
4	Access to spatial data in the Biodiversity Assessment Method Calculator (BAM-C) BCS was provided access to the case in the BAM-C, however the spatial data was not provided. Recommended action: The spatial data for the proposed development is provided. Pre-determination - This issue must be addressed during Response to Submissions stage.	▪ Agreed. Spatial data associated with the BDAR will be provided.	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**
5	Inadequate justification has been provided in the BDAR for the exclusion of species credit species that have historic records within the development footprint. Table 13 of the Biodiversity Assessment Method (BAM) outlines the requirements for the Streamlined assessment module – Small area.	▪ BDAR is updated and all relevant species with records within the development footprint have been included, and addressed. This includes Cumberland Plain Land Snail, White-bellied Sea-eagle and Southern Myotis (all now included in the BDAR).	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**

No.	Issue Raised	Applicant Response	Reference
	During the assessment of the subject land for habitat suitability for threatened species, the assessor must consider threatened species that are identified incidentally on the subject land that are not at risk of Serious and Irreversible Impact (SAII). Where historic records of threatened species occur on the subject land and the accredited assessor excludes this species from consideration in the current assessment, evidence-based justification must be provided to explain why this species is no longer likely to occur onsite or demonstrate why this record is invalid. Recommended action: -Provide further evidence-based justification (using habitat constraints within the NSW Bionet Threatened Biodiversity Profile Data Collection (TBDC), survey, expert advice or peerreviewed literature) for the exclusion of species credit calculations for the following species credit species which have records within the subject land: 1. Cumberland Plain Land Snail (Meridolum corneovirens) 2. White-bellied sea-eagle (Haliaeetus leucogaster) (via stick nest search for breeding habitat) 3. Southern myotis (Myotis macropus) - Produce a species polygon for each species that cannot be excluded by evidence-based justification. Pre-determination - This issue must be addressed during Response to Submissions stage.		
6	Species credit species determined present onsite (by records, survey or assumed presence) have been excluded from vegetation zones without adequate justification. The following species credit species require further justification in the BDAR:	▪ New information has since been obtained regarding Deyeuxia appressa since the initial draft BDAR was prepared meaning this candidate species has now been excluded from the BDAR assessment. This information identified an error in the locality of one of the specimens	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**

No.	Issue Raised	Applicant Response	Reference
	a. Deyeuxia appressa Deyeuxia appressa has been assumed present in the Derived Native Grassland (DNG) zone but was excluded from the moderate vegetation zone (VZ) due to the lack of moist conditions as this VZ occurs on upper slopes or crests of the development footprint. This species has not been extensively studied in the assessment and the TBDC notes that almost nothing is known about this species' habitat and ecology. Moist conditions are not a habitat constraint for this species and should not be used to restrict the species polygon. Deyeuxia appressa is measured by count, the BDAR has estimated that the assumed presence of one individual is sufficient, however no justification has been provided to support this estimation. Recommended actions: -The species polygon be updated for Deyeuxia appressa to include the moderate VZ unless it can be excluded via evidencebased justification such as survey or peer-reviewed literature - provide evidence to support the estimation of the number of Deyeuxia appressa within each VZ - conduct a SAII assessment for Deyeuxia appressa. b. Marsdenia viridiflora subsp. viridiflora and Pultenaea parviflora Marsdenia viridiflora subsp. viridiflora and Pultenaea parviflora both have records within the development footprint and a species polygon has been created for both species. The species polygon for these species excludes the DNG vegetation zone as Table 19 of the BDAR suggests that it is "too degraded". There is insufficient evidence provided to support this. Both species are assessed by area under the BAM and the polygon must include all suitable habitat on the subject land (5.2.5(2) of the BAM). Neither species have habitat quality constraints on minimum native vegetation cover or patch size restrictions listed in the TBDC and the BAM plot completed for the VZ includes native shrub and climbers such as Native Blackthorn (Bursaria spinosa subsp. spinosa), Twining Glycine (Glycine clandestina) and	collected of this species, resulting in a significant decrease in the previously reported distribution. Further information is provided in the BDAR. ▪ Response to Pulternaea parviflora and Marsdenia viridiflora subsp. viridiflora are provided in the cell below (Item No. 7)	

No.	Issue Raised	Applicant Response	Reference
	Variable Glycine (Glycine tabacina). This supports the potential for these species to persist either as seedlings or in the seedbank of the DNG VZ. Pre-determination - This issue must be addressed during Response to Submissions stage.		
7	Recommended action: -The species polygons for Marsdenia viridiflora subsp. viridiflora and Pultenaea parviflora be expanded to include the DNG VZ unless evidence-based justification can be provided to support the absence of suitable habitat. c. Camden white gum (Eucalyptus benthamii) and Micromyrtus minutifolia Insufficient evidence-based justification has been provided for the exclusion of Camden white gum (Eucalyptus benthamii) and Micromyrtus minutifolia. Pre-determination - This issue must be addressed during Response to Submissions stage.	▪ The BDAR has excluded the DNG zone for these flora species due to this veg zone having a VI score of less than 15 as per section 9.2.2 of the BAM. Additional information (below) has been provided for exclusion of CWG and M. minutifolia.	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**
8	Recommended action: - Provide evidence-based justification for the exclusion of Camden white gum (Eucalyptus benthamii) and Micromyrtus minutifolia. These species may be excluded via habitat constraints listed in the TBDC survey. Alternatively, provide a species expert report, complete surveys or assume presence for these species. Pre-determination - This issue must be addressed during Response to Submissions stage.	Additional evidence and justification has been included in the BDAR. The TBDC has been referenced in relation to habitat constraints. For Camden white gum; ▪ Excluded: The TBDC states that this species: Requires a combination of deep alluvial sands and a flooding regime that permits seedling establishment. ▪ This soil association was not present within the development footprint. A small patch of PCT 4025 occurs within the development footprint on the South	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**

No.	Issue Raised	Applicant Response	Reference
		Creek soil landscape, which occurs on alluvial soils. However, these alluvials are restricted to clay types, with no sands occurring in South Creek soil landscapes (eSpade v2.2). For Micromyrtus minutifolia: ▪ Excluded: The TBDC lists associated PCTs of this species and the only PCT within the development footprint included in this list is PCT 3320. ▪ The TBDC also states soil associations for this species as “tertiary alluvium and consolidated river sediments”. PCT 3320 within the development footprint occurs on the Blacktown Soil landscape which typically doesn’t contain alluvials, and is characterised by podzolic clay soils. (eSpade v2.2).	
9	Minimum information requirements for a BDAR: Streamlined assessment module – small areas assessment have not been met. Table 27 of the BAM outlines minimum information requirements for a small areas assessment for a BDAR. A complete review cannot be completed without these components being submitted to BCS. Recommended actions: - Amend Figure 11 to show species credit species records that occur within the subject land - include a table showing biodiversity risk weightings of species credit species that will be impacted by the proposed development - provide with the BDAR: a. all shapefiles identified in Table 27 of the BAM b. all maps in jpeg format identified in Table 27 of the BAM c. plot field data in Excel format.	▪ Table 20 of the BDAR now includes biodiversity risk weightings of species credit species. Species credit species with records in subject land have been included in the assessment and associated reporting. ▪ Required shapefiles, maps, JPEG and Excel data are supplied with the BDAR at **Appendix PP**.	Refer to Excluded Land BDAR – Elizabeth Drive Intersection at **Appendix PP**.

No.	Issue Raised	Applicant Response	Reference
	Pre-determination - This issue must be addressed during Response to Submissions stage.		
10	Emergency management constraints Section 6 (Evacuation) of the flood assessment, pages 66-67 states: 'The development design includes an access road to Elizabeth Drive. While the site itself remains flood-free up to and including PMF events, allowing occupants to stay on-site during flood events without the need for evacuation,……. For flood events exceeding the 1% AEP event, such as the 0.2% AEP flood, Elizabeth Drive will experience increased flood depths, making it unsafe for small vehicles. During a PMF event, Elizabeth Drive will be fully flooded, leaving no viable evacuation routes to the east or west. Consequently, it is essential to either remain on-site until the flood event subsides or evacuate the site before the access route becomes impassable.' BCS highlights that, shelter in place is not supported for the subject land, as discussed in the NSW Government Flood Risk Management Manual guideline – Support for Emergency Management Planning (EM01), (State of NSW and Department of Planning and Environment, 2023). The subject land would be isolated by mainstream flooding from Cosgroves Creek, Badgerys Creek and South Creek. Shelter-in- place guideline for flash flooding (DPHI 2025) is not applicable to this proposal as the development does not satisfy the considerations required by the guideline. Evacuation from the subject land via Elizabeth Drive to the west towards The Northern Road would only be available for events up to and including the 1% AEP of Cosgroves Creek. During events greater than the 1% AEP this western route would be cut off from access. Similarly, the route via Elizabeth Drive to	▪ The flood assessment has been updated to clarify that evacuation is the primary emergency response strategy for the site, consistent with the NSW Flood Risk Management Guideline EM01. Shelter-in-place is not relied upon. The site benefits from topographic elevation above the PMF and remains accessible via Elizabeth Drive for the 1% AEP event. ▪ However, during larger events, this route would become non-trafficable. As such, evacuation must occur in advance of access being cut off, based on warnings issued by the SES and integrated with regional emergency management procedures. ▪ Flood hazard mapping has been provided to support evacuation timing, and site-specific Flood Emergency Management Plans should be prepared at the detailed design stage, addressing site operations, occupant risk, and SES coordination.	Refer to Flooding Report at **Appendix Z**

No.	Issue Raised	Applicant Response	Reference
	the east would also be cut off by Badgerys Creek and South Creek during 1% AEP and larger flood events. Therefore, safe evacuation from the subject land must be undertaken before access is cut off by unsafe flood depths that are greater than 0.15 m on Elizabeth Drive. Recommended action: · Update the Flood Impact Assessment to demonstrate that evacuation can be conducted from the subject land and is consistent with the Local Flood Plan or State Emergency Service flood emergency strategy for the area. Pre-determination - This issue must be addressed during Response to Submissions stage.		
11	**Stormwater Strategy** The design details provided in relation to the proposed regional water management infrastructure are sparse and inadequate for a proper assessment of compliance with the DCP stormwater targets to be made. Recommended actions: The proponent either provides correspondence from Sydney Water accepting full responsibility for ensuring the system achieves the DCP stormwater water quality and flow targets, or submits the full details as required by the Technical guidance for achieving Wianamatta–South Creek stormwater management targets, including: ▪ MUSIC Model ▪ flow duration Excel spreadsheet ▪ functional design drawings for each of the basin systems (clear plans and sections for each) ▪ wildlife hazard assessment for each waterbody.	Further details are provided in relation to the proposed stormwater management infrastructure including: MUSIC model, flow duration Excel spreadsheet, functional design drawings for each of the basin systems (refer civil engineering drawings C220-C228) .Further information demonstrates compliance with the DCP stormwater water quality and flow target A Wildlife Hazard Assessment Report has been prepared by Ecological which includes an assessment of the revised basin layout. A references chapter is included in the Civil Engineering Report. Furthermore, Refer agency response to Sydney Water for correspondence regarding the proposed regional water management infrastructure.	Updated Civil Package at **Appendix D** Refer to MUSIC model at **Appendix N**

No.	Issue Raised	Applicant Response	Reference
	The proponent also includes a 'references' section to the Civil Engineering Report, providing full details of the references cited in the report. Pre-determination - This issue must be addressed during Response to Submissions stage.		
12	**Stormwater Harvesting and Reuse** BCS requests the proponent provide a plan detailing the irrigation areas assumed for reuse of harvested stormwater, including any 'residual areas' factored into the reuse demand calculations. Recommended action: - The proponent reviews the model and reporting to ensure consistency with the above. Pre-determination - This issue must be addressed during Response to Submissions stage.	▪ An irrigation plans has been included in the civil engineering documentation, refer Drawing C295. Irrigation areas and rates have been applied in accordance with Stormwater Scheme Infrastructure Design Guideline by Sydney Water.	Updated Civil Package at **Appendix D**
13	Erosion and Sediment Control The Erosion and Sediment Control Plan (ESCP) is only applicable once final lot levels are reached and the road stormwater drainage network is in place. Otherwise, drains need to flow several metres uphill and treated water discharged from basins will be recontaminated. BCS requests the proponent provide: ▪ an additional ESCP based on existing levels at the start of bulk earthworks ▪ a methodology for constructing the several waterway crossings, which manages both baseflows and storm event flows ▪ consideration of Type-B basins as an alternative to Type-A basins, which although are a recognised control measure, present a number of compliance risks. The climate of Western Sydney results in Type-A basins being significantly smaller than Type-B basins, which is different to other locations in Australia where both types of basins have been successfully implemented and are of	▪ Further Erosion and Sediment Control Plan (ESCP) are provided in accordance with agency advice. Additional ESCPs have been provided detailing early earthworks prior to the formation of building pads (refer civil engineering drawings SE11-SE14).Methodology and details regarding temporary waterway crossing has been provided, refer drawing SE08. ▪ Agency advice regarding the use of Type B basins has been adopted. Sediment basins have been specified as Type B basins. ESCPs and details have been updated accordingly, refer drawing SE07. Additional notes and details regarding the highly dispersive nature of soils has been added to the ESCP, refer drawings in Appendix D.	Updated Civil Package at **Appendix D**

No.	Issue Raised	Applicant Response	Reference
	similar size. Type-A basins are also more complex and have additional potential points of failure compared to Type-B basins. ▪ diversion/catch drain sections and notes that recognise the highly dispersive nature of soils and include details to manage this. Recommended action: Provide an updated ESCP set that addresses the above. Pre-determination or the Department includes as conditions of approval.		

1.8. BRADFIELD DEVELOPMENT AUTHORITY (BDA)

Table 8 below identifies the matters raised by the BDA and sets out the Applicant's response to these submissions.

Table 8 Applicant Response to the BDA

No.	Issue Raised	Applicant Response	Reference
1	The Authority generally supports the proposed development as it delivers the vision of the Western Sydney Aerotropolis, including the objectives for the Northern Gateway Precinct.	▪ Noted.	N/A
2	The proposal has considered the impacts of the development on the existing Western Sydney International Airport, including the interface with the WSI passenger terminal on the southern side of Elizabeth Drive, directly opposite the proposed development.	▪ Noted, the EIS includes an assessment of impacts to the WSIA, this assessment has been updated as part of the RtS package. ▪	N/A
3	The development provides key road connections, particularly those outlined in the Street Hierarchy Map of the Aerotropolis Precinct Plan. This includes a future connection to the northern residual land. These road corridors are critical to the broader connectivity framework within the Western Sydney Aerotropolis, facilitating efficient movement within the precinct and ensuring integration with the wider transport network.	▪ Noted, updated assessments and design of the road connections have prepared as part of this RtS in response to other, detailed agency comments. ▪	N/A
4	The proposal protects the riparian corridor identified for Cosgrove Creek and Oaky Creek, and provides for the delivery of stormwater infrastructure, but also connects to open space, including active open space, as identified in the Aerotropolis Precinct Plan. However, further design refinement should be considered to increase passive surveillance to improve the useability and the amenity of the open space and centre core riparian area. The	▪ The design and siting of built form within Burrah Park has been developed with careful consideration of their relationship to roads, open space, and riparian corridors. The concept masterplan looks to adopt a place-based approach that prioritises interface quality, visual connectivity, and passive surveillance throughout the precinct wherever possible.	N/A

No.	Issue Raised	Applicant Response	Reference
	current design has several warehouses (Superlot 2a, 2b, 3a and 3b) directly adjoining this area which does not enhance amenity and safety for future users of the open space. This could include reorientation of buildings to ensure no blank walls are addressing the open space area.	▪ Building frontages have been oriented to engage with key public domain elements, including primary roads, open spaces, and key active transport corridors, enhancing street presence and contributing to a more legible, active, and safe environment. Specific adjustments have been made to Buildings 1.5, 3.1, 3.2, and within Superlot 2, where office and car park locations have been repositioned to better interface with the surrounding public realm. ▪ The layouts aim to maximise the location and visibility of entry points, glazing, personnel activity, and ground level interface to increase activation along key frontages where appropriate. Along riparian corridors and green links, site planning prioritises visual permeability and passive surveillance, while maintaining sensitivity to ecological values and integrating appropriate landscape buffers. ▪ This approach ensures that buildings positively contribute to the safety, connectivity, and quality of the public realm. ▪ Ongoing design refinement through future development applications will continue to give focused attention to these interface conditions, guided by the Urban Design Guidelines and in accordance with the Aerotropolis DCP. This ensures the built form consistently supports the safety, amenity, and vibrancy of the public realm.	

1.9. DEPARTMENT OF CLIMATE CHANGE, ENERGY, THE ENVIRONMENT AND WATER – WATER GROUP

Table 9 below identifies the matters raised by the Water group within the Department of Climate Change, Energy, the Environment and Water (DCCEEW) and sets out the Applicant's response to these submissions.

Table 9 Applicant Response to DCCEEW – Water Group

No.	Issue Raised	Applicant Response	Reference
1	1.1 Recommendation - Prior to determination Department of Planning, Housing and Infrastructure requests the proponent to quantify the maximum annual volume of water take due to aquifer interference activities during construction and operation in accordance with the NSW Aquifer Interference Policy. Explanation Insufficient information is provided to quantify the groundwater take due to aquifer interference activities required for the project. Table 4-4 of the Surface Water and Groundwater Impact Assessment (Appendix JJ) indicates the proposed excavations are likely to intercept the water table in at least 5 of the boreholes drilled on the project site, however the water take has not been quantified. Further assessment is required to quantify the groundwater take during the construction and operational phases of the project.	Refer to the response provided by Ecological at Appendix Y – Groundwater Addendum	Refer to the Groundwater Addendum at **Appendix Y**.
2	1.2 Recommendation – Prior to determination Department of Planning, Housing and Infrastructure requests the proponent to demonstrate the ability to acquire sufficient water entitlement for groundwater take unless exemption applies. Explanation Under the Water Management Act 2000, if groundwater is intercepted a Water Access Licence (WAL) must be obtained prior to any water take occurring unless an exemption under Clause 7 of Schedule 4 of the Water Management (General) Regulation 2018 applies. An exemption may be available if water take is less than or equal to 3ML per water	Minor riparian encroachments are unavoidable in order to meet the required developable land targets, Sydney Water stormwater scheme requirements and open space under the Precinct Plan. The riparian assessment demonstrates that encroachments are more than adequately compensated for, with more than 10 x the required area provided for management under a Vegetation Management Plan (VMP). Retaining walls are not proposed in the VRZ.	Refer to updated Biodiversity Report at **Appendix J**.

No.	Issue Raised	Applicant Response	Reference
	year, subject to the development meeting other exemption requirements, such as ▪ The water is not taken for consumption or supply; ▪ The person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and ▪ The records are kept for 5 years	The northern road has been refined to avoid encroachment within the inner 50% VRZ. Minor encroachment to the outer 50% VRZ is unavoidable, due to design constraints with the M12 underpass north of the site. This is more than compensated elsewhere in the site through riparian rehabilitation. Offset locations are clearly set out in the riparian assessment, with more than 9 ha of potential offsets for 0.67 ha of encroachment. The offsets will be managed under a VMP and provide riparian value, particularly through the centre of the site with the objective to reinstate a naturalised drainage channel and associated VRZ.	
3	2.1 Recommendation - Prior to determination Department of Planning, Housing and Infrastructure request the proponent to: • Review the proposed infrastructure layout to meet the watercourse buffer requirements defined in the Guidelines for Controlled Activities on Waterfront Land (DPE 2022) (CAA Guidelines). • Provide a plan which clearly identifies the top of bank for on-site watercourses and the associated inner and outer riparian zones and any proposed encroachments or offsets. Explanation Riparian zones are to be measured from the top of the watercourse bank when applying the CAA Guidelines. Some of the provided documentation notes that the riparian zones are measured from top of bank, but the plans indicate it is measured from the centreline of the watercourse. The plans should be reviewed to ensure the riparian zone is measured from top of bank. Proposed future retaining walls indicated in the provided plans must be located outside of the riparian zones. It is also requested that proposed basins are located outside of the riparian area. The concept plan design	▪ Minor riparian encroachments are unavoidable in order to meet the required developable land targets, Sydney Water stormwater scheme requirements and open space under the Precinct Plan. The riparian assessment demonstrates that encroachments are more than adequately compensated for, with more than 10 x the required area provided for management under a Vegetation Management Plan (VMP). ▪ Retaining walls are not proposed in the VRZ. The northern road has been refined to avoid encroachment within the inner 50% VRZ. Minor encroachment to the outer 50% VRZ is unavoidable, due to design constraints with the M12 underpass north of the site. ▪ This is more than compensated elsewhere in the site through riparian rehabilitation. Offset locations are clearly set out in the riparian	Refer to BDAR Report at Appendix EEE of the EIS. Refer to updated Biodiversity Report at **Appendix J**.

No.	Issue Raised	Applicant Response	Reference
	needs to consider these requirements to allow sufficient area for this to occur. The proposed road in the north of the site, which is to go under the M12, appears to be within waterfront land. If this road is part of the project it is requested it is re-located outside of the required riparian corridor. DCCEEW Water's preference is that riparian corridors be established to the full widths outlined in the Guidelines for Controlled Activity Approvals on Waterfront Land for greenfield sites. There should be minimal use of the averaging rule in the planning and development. Should riparian zone encroachments be required, justification must be provided around why these are necessary. Where encroachments are unavoidable, they need to be identified, and offsets provided in locations which provide riparian value.	assessment, with more than 9 ha of potential offsets for 0.67 ha of encroachment. The offsets will be managed under a VMP and provide riparian value, particularly through the centre of the site with the objective to reinstate a naturalised drainage channel and associated VRZ.	
4	2.2 Recommendation - Prior to determination Department of Planning, Housing and Infrastructure requests the proponent to provide a natural stream design for the realigned watercourse. Explanation The project includes the realignment of a second order stream within the site. The proposed design is requested to be based on a natural design which may include meanders, riffles and bed controls. It is noted the proposed watercourse alignment terminates before the end of the mapped watercourse on the southern boundary. To ensure connectivity, an extension is requested to run through the entire site.	▪ The stream design for the realigned watercourse is consistent with Sydney Water's guidelines for a naturalised trunk drainage channel. Additionally, revegetation to native vegetation communities and in-stream habitat enhancement will enhance the rehabilitation. ▪ Furthermore, the majority of this second order stream was found not to meet the definition of a river under the WM Act. Connectivity south of the site is not thought to be necessary, considering the presence of the Western Sydney International Airport and validation finding the stream south of the boundary did not meet the definition of a 'river' under the WM Act. The extent of stream rehabilitation extends much further beyond the extent of impacts to validated watercourses within the subject land.	Refer to BDAR Report at Appendix EEE of the EIS.

No.	Issue Raised	Applicant Response	Reference
5	2.3 Recommendation - Post determination Department of Planning, Housing and Infrastructure requests the proponent to ensure works within waterfront land are designed and constructed in accordance with the Guidelines for Controlled Activities on Waterfront Land (DPE 2022). Explanation All works must be in accordance with the Guidelines for Controlled Activities. This includes vegetation management plans which provide fully vegetated and structured riparian areas, outlets and watercourse crossings.	▪ Noted, recommendation applies to further works post-determination.	N/A

1.10. DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT – AGRICULTURE

Table 10 below identifies the matters raised by the Agriculture and Biosecurity group within the Department of Primary Industries and Regional Development (DPIRD) and sets out the Applicant's response to these submissions.

Table 10 Applicant Response to DPIRD - Agriculture

No.	Issue Raised	Applicant Response	Reference
1	1. A Land Use Conflict Risk Assessment (LUCRA) should be undertaken following the Department's guidelines. However, considering the stage of this proposal, at a minimum, direct consultation with both poultry farm operations is required to identify potential concerns and land use conflict issues regarding their existing farm operations and possible impacts from new industries. Mitigation and monitoring measures should be put in place.	▪ A Land Use Conflict Risk Assessment (LUCRA) Guide relates to the interaction between agricultural and non-agricultural land uses and is a system to identify and assess the potential for land use conflict between neighbouring uses. It is designed to provide clarity for both landowners and consent authorities to assess the possibility for and potential level of future land use risk.	N/A

No.	Issue Raised	Applicant Response	Reference
2	2. Consider the identified and potential risks, including mitigation measures and required buffers within the master plan. The proposal should consider the 'agent of change' principle as the new entrants, where any buffers required are within the proposal's boundary.	▪ Forming part of this, biosecurity interests are an important consideration from an economic perspective, and can relates to animals and plans, diseases, and fertilizers and agricultural practices. The general methodology for undertaking a LUCRA is understood to be as follows: ▪ Describe the nature of the land use change and development proposed on the subject land. ▪ Describe the land use of the surrounding landscape to the subject land. ▪ Appraise the topography, climate and natural features of the subject land and broader locality. ▪ Describe and record the main activities of the proposed agricultural land use and their regularity, including periodic and seasonal activities that have the potential to be a source of complaint or conflict. ▪ Compare and contrast the proposed and adjoining / surrounding land uses and activities for incompatibility and conflict issues. ▪ Prepare a risk assessment matric. ▪ If required, identify management strategies. Rural Land use conflict results from the presence of agriculture and non-rural land uses adjoining, generating conflict due to their potential incompatibility. This is particularly evident with intensive agriculture (fruit, vegetable and poultry). The main cause of land use conflict is the impact from the use of one site to the next, but it is also caused by lack of understanding and lack of communication between both the resident and the polluting use. The site forms part of the Northern Gateway Precinct within the Western Sydney Aerotropolis and zoned predominantly ENT Enterprise use under the WPC SEPP. Under the Western Sydney	
3	3. Develop a Biosecurity Management Plan considering all potential biosecurity risks during construction and operation and identifying appropriate strategies to prevent, eliminate or minimise those risks. The Managing Biosecurity Risks in Land Use Planning and Development Guide2 outlines steps to ensure biosecurity is appropriately addressed during the planning and assessment of development proposals.		

No.	Issue Raised	Applicant Response	Reference
		Aerotropolis Plan 2020, the Northern Gateway will "*harness existing and emerging economic opportunities catalysed by the Airport and build on the approved Sydney Science Park development to provide a variety of employment generating uses".* Land use conflict did not form part of the Governments own Precinct Planning process that informed the WPC SEPP presumably reflective of the objectives of the Western Sydney Aerotropolis Plan 2020. Community engagement undertaken as part of this SSDA did not illicit any agriculture land use conflict issues. Arguably, the use proposed is already anticipated under the current development controls applying to the site. The changing nature of the land uses of the surrounding land and it's zoning suggests that the land use will change dramatically over the next couple of years, and the existing agricultural land uses surrounding the subject land will cease to exist and be replaced by industrial and business uses. It is therefore unclear as to the purpose a LUCRA would provide, beyond the impact assessment which has already been prepared as part of this EIS.	

1.11. DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONAL DEVELOPMENT – FISHERIES

Table 11 below identifies the matters raised by the Fisheries group within the Department of Primary Industries and Regional Development (DPIRD) and sets out the Applicant's response to these submissions.

Table 11 Applicant Response to DPIRD Fisheries

No.	Issue Raised	Applicant Response	Reference
1	1. The EIS does not include any mitigation measures for dewatering of the 10 dams located on site. DPIRD Fisheries recommends that this activity is specifically addressed in Section 6 of the EIS. At a minimum dewatering mitigation measures should include the following measures to protect fish - a. Dewatering of temporary in-stream structures requires notification to DPIRD Fisheries seven days prior to any dewatering activities commencing in order to organise any fish rescue activities. b. Dewatering intake pumps are to be screened with mesh of no greater than 6mm in diameter to prevent fish being inadvertently sucked into pump intakes. c. A permit under s.37 of the Fisheries Management Act is required to relocate native fish in farm dams during dam dewatering activities. Note that there is no exemption to this permit requirement, and this permit requirement needs to be included in any Conditions of Approval issued for this proposal.	The EIS has been updated to include mitigation measures under the Dam Dewatering Plan (DDP), provided as part of the BMP and consistent with DPIRD Fisheries advice, which include: ▪ The Aquatic Ecologist is to notify DPI Fisheries of the activity 48 hours prior to fish relocation (unless an agreement is in place), including locations of dewatered and relocation sites ▪ This dam removal is part of a State Significant Development Approval. This plan should be included in the approval documents and/or referenced in the conditions of consent that a trained ecologist or licensed wildlife handler is present to relocate fauna. This will only be performed by a person with a s.37 license under the Fisheries Management Act 1994 (for fish), which approves handling methods and gear used. Care for animals during relocation, or dispatching sick, injured or feral fish species is to follow procedures expected by the NSW Secretary's Animal Care & Ethic Committee. If there is no development approval or condition of consent specifying an ecologist or licensed wildlife handler be present, then a Biodiversity Conservation Licence (Part 2 - Permit to Harm) under the Biodiversity Conservation Act 2016 is required to relocate turtles, frogs and wetland birds. If the dam is licensed with	

No.	Issue Raised	Applicant Response	Reference
		Water NSW, the landowner can remove it from the register. ▪ Appropriately sized pumps are to be used subject to contractor calculation for dewatering. ▪ In-stream dewatering does not form part of the DDP. All dams are located on mapped streams which were found to have no defined bed or bank, not meeting the definition of a 'river' under the WM Act, therefore not require instream dewatering. The nearest dam to a validated watercourse is Dam 1 which will be dewatered by a qualified aquatic ecologist with regard for aquatic life and s.37 permit requirements.	
2	2. The Vegetation Management Plan (Eco Logical Australia, 2 October 2024) should include enhancement of in stream habitat features, including native in-stream vegetation and snags. This is specifically recommended where the eastern watercourse connects to Cosgroves Creek.	The VMP previously included restoration measures in the watercourse and low-flow channel portions of the site, which accounted for aquatic in-stream habitat enhancement. For clarity, the VMP has been updated to include: *Section 3.3 outlines the procedure for habitat enhancement within the VMP area. Suitable logs should be installed within this management zone to provide in stream debris which will act as aquatic habitat. Logs at a minimum, should be installed every 50 m along the creek line.*	

1.12. HERITAGE NSW – ABORIGINAL CULTURAL HERITAGE

Table 12 below identifies the matters raised by the Department of Climate Change, Energy, the Environmental and Water and sets out the Applicant's response to these submissions.

Table 12 – Applicant Response to Heritage NSW – Aboriginal Cultural Heritage

No.	Issue Raised	Applicant Response	Reference
1	Presentation 1. It is noted that many of the figures provided in the ACHAR and the Archaeological Assessment Report (AAR) are not legible. Please ensure all figures, maps and images are clearly presented. Following revision of the mapping, Heritage NSW may have additional comments on the test excavation results and proposed management and mitigation measures on these sites identified during testing.	▪ A detailed response to this comment is provided at Section 2 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. It is noted that the public exhibition version of the ACHAR which had many sections redacted and the original uncompressed, unredacted ACHAR pdf files were forwarded to Heritage NSW on March 25 2025 by Dropbox link.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
2	AHIMS 2. Please update the ACHAR and AAR to include the Aboriginal Heritage Information Management System (AHIMS) Site ID for each registered Aboriginal site.	▪ A detailed response to this comment is provided at Section 3 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. The original uncompressed, unredacted ACHAR pdf files were forwarded to Heritage NSW on March 25 2025 by Dropbox link which more clearly show the above references to both Aboriginal site names and AHIMS site IDs displayed together.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
3 / 4	Consultation 3. Please provide all consultation documentation from Stage 1 to Stage 4 as per the Aboriginal cultural heritage consultation requirements for proponents 2010, including both outgoing and incoming emails and/or postal notifications for each stage. Please ensure that earlier phases of the consultation (i.e., 2020 consultation) is included. 4. Under Heritage NSW's policy and guidelines, breaks in consultation of over six months may not constitute continuous consultation. In future, please ensure consultation is maintained at 6 monthly intervals with all Registered Aboriginal Parties.	▪ A detailed response to this comment is provided at Section 4 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. The policy of breaks in consultation of over six months may not constitute continuous consultation is noted. The discontinuities in Aboriginal consultation were beyond the power of Baker Archaeology. ▪ The renewed consultation processes documented here were a response to discontinuities and an acknowledgement of the Heritage NSW policy. The consultation logs for the various projects and relevant correspondence (157 documents) as required by the	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**

No.	Issue Raised	Applicant Response	Reference
		consultation guidelines are included at Appendix B of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V.	
5	Archaeological Assessment 5. The ACHAR includes the sampling strategy and methodology utilised for the 2021 test excavation program. Please include the sampling strategy and methodology implemented for the 2023 test excavation program.	A detailed response to this comment is provided at Section 5 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. More detail on the methodology of test excavation is provided.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
6	6. Please include a detailed discussion on the Aboriginal waterhole, including additional photos and its significance in relation to artefact densities associated with AHIMS 45-5-5642 (CCE SW).	A detailed response to this comment is provided at Section 6 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at **Appendix V**. The relict channel feature termed the “Central Aboriginal Waterhole” was described in section 14.5 “Site CCE SW (CSW) and Central Aboriginal Waterhole” in the ACHAR. The presence of the waterhole is included on many other maps in the report. Further discussion is provided on the Aboriginal waterhole in the response report at **Appendix V**.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
7	7. Section 2.2.3 of the ACHAR notes that test excavation along Oaky and Cosgroves creeks did not identify alluvial stratigraphy typically associated with the South Creek soil landscape. Please include a detailed discussion on the soil profiles encountered during the test excavation program, including comment on their integrity and implication for the archaeological resource. This should be supplemented by reference to scaled images.	A detailed response to this comment is provided at Section 7 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at **Appendix V**. This includes mapped test pits photos and annotated section drawings with detailed discussion from each. Note, section 2.2.3 of the ACHAR states According to soil mapping the small creek flat areas include Quaternary Alluvium (South Creek Soil landscape), but the soil landscape boundary is not apparent in the field due to the gradual slope to flat topology. Test	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**

No.	Issue Raised	Applicant Response	Reference
		excavation for the M12 in 2018 identified a duplex Blacktown soil within 15 metres of Cosgroves Creek on a flat area. Test excavation along Oaky and Cosgroves creeks for the present project detected shallow residual duplex soils with some alluvial influence rather than the discreet alluvial silt topsoil.	
8	Impact Assessment 8. Please include an impact assessment table summarising the proposed impact for each AHIMS site as per the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales (DECCW 2010).	▪ A detailed response to this comment is provided at Section 8 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. A code compliant table has been prepared which tabulate the impacts to Aboriginal Sites.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
9	9. Please provide a map showing the AHIMS site extents in relation to the proposed works footprint.	▪ A detailed response to this comment is provided at Section 8 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at **Appendix V**. The original uncompressed, unredacted ACHAR pdf files were forwarded to Heritage NSW on March 25 2025 by Dropbox link which includes an unblurred view of the ACHAR map.	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**
10 / 11	Management and Mitigation Measures 10. Noting that a full salvage excavation methodology will be developed for the Aboriginal Heritage Management Plan, please provide some information on the proposed salvage excavations including mapping showing indicative salvage locations, estimated excavation area, and details of the methods that will be implemented. Further, please include provisions for avoidance and/or conservation of these sites proposed for salvage excavation if greater than expected density and/or rare archaeological materials are identified that may increase the significance of the site.	▪ A detailed response to this comment is provided at Section 8 of the Aboriginal Heritage Response to Heritage NSW Submission prepared by Baker Archaeology at Appendix V. Further detail on the location of salvage excavations is provided. The three sites identified for subsurface salvage excavations are extensive. As described in the ACHAR, they are many hectares in size. To conserve all of these sites would economically compromise the proposed development. Efforts to avoid the Central Aboriginal Waterhole curtilage as a	Refer to Aboriginal Heritage Response to Heritage NSW Submission at **Appendix V**

No.	Issue Raised	Applicant Response	Reference
	11. Please provide further explication on the attempts to minimise and/or avoid impacts to the three sites identified for the subsurface salvage excavations.	representative focus of public attention within the riparian corridor have been provided.	

1.13. RURAL FIRE SERVICE

Table 13 below identifies the matters raised by the Rural Fire Service (RFS) and sets out the Applicant's response to these submissions.

Table 13 Applicant Response to RFS

No.	Issue Raised	Applicant Response	Reference
1	The New South Wales Rural Fire Service (NSW RFS) has considered the information submitted and provides the following recommended conditions: <u>Asset Protection Zones</u> The intent of measure is to provide sufficient space and maintain reduced fuel loads to ensure radiant heat levels at the buildings are below critical limits and prevent direct flame contact. 1. At the commencement of building works or the issue of a subdivision certificate, whichever comes first, the area identified in Figure 5 of the document titled Bushfire Assessment - Burrah Park Concept & Stage 1, prepared by Peterson Bushfire, Ref: 24050, dated 03 October 2024 must be maintained as an inner protection area in accordance with the requirements of Appendix 4 of Planning for Bush Fire Protection 2019. When establishing and maintaining an inner protection area, the following requirements apply: ▪ tree canopy cover should be less than 15% at maturity; ▪ trees at maturity should not touch or overhang the building; ▪ lower limbs should be removed up to a height of 2 m above the ground; ▪ tree canopies should be separated by 2 to 5 m; ▪ preference should be given to smooth-barked and evergreen trees; ▪ large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings; ▪ shrubs should not be located under trees; ▪ shrubs should not form more than 10% ground cover;	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	▪ clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation; ▪ grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and ▪ leaves and vegetation debris should be removed regularly.		
2	Construction Standards The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. 2. New construction to warehouse WH3.1 must comply with section 3 and section 7 (BAL 29) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New construction must also comply with the construction requirements in Section 7.5 of 'Planning for Bush Fire Protection 2019.	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**
3	Access - Public Roads The intent of measure is to provide safe operational access to structures and water supply for emergency services, while residents are seeking to evacuate from an area. 3. Access roads must comply with the following general requirements of Table 5.3b of Planning for Bush Fire Protection 2019 and the following: ▪ traffic management devices are constructed to not prohibit access by emergency services vehicles; ▪ maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	▪ dead end roads are not recommended, but if unavoidable, are not more than 200 metres in length, incorporate a minimum 12 metres outer radius turning circle, and are clearly sign posted as a dead end; ▪ where kerb and guttering is provided on perimeter roads, roll top kerbing should be used to the hazard side of the road; ▪ where access/egress can only be achieved through forest, woodland and heath vegetation, secondary access must be provided to an alternate point on the existing public road system; ▪ one way only public access roads are no less than 3.5 metres wide and have designated parking bays with hydrants located outside of these areas to ensure accessibility to reticulated water for fire suppression; ▪ the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); ▪ bridges/causeways are to clearly indicate load rating; ▪ hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; ▪ hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations System design, installation and commissioning; and ▪ there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available.		
4	4. Perimeter roads must comply with the general requirements of Table 5.3b of Planning for Bush Fire Protection 2019 and the following: ▪ are two-way sealed roads; ▪ minimum 8m carriageway width kerb to kerb; ▪ parking is provided outside of the carriageway width;	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	▪ hydrants are located clear of parking areas; ▪ are through roads, and these are linked to the internal road system at an interval of no greater than 500m; ▪ curves of roads have a minimum inner radius of 6m; ▪ the maximum grade road is 15 degrees and average grade of not more than 10 degrees; ▪ the road crossfall does not exceed 3 degrees; and ▪ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.		
5	5. Non-perimeter roads must comply with the general requirements of Table 5.3b of Planning for Bush Fire Protection 2019 and the following: ▪ minimum 5.5m carriageway width kerb to kerb; ▪ parking is provided outside of the carriageway width; ▪ hydrants are located clear of parking areas; ▪ roads are through roads, and these are linked to the internal road system at an interval of no greater than 500m; ▪ curves of roads have a minimum inner radius of 6m; ▪ the road crossfall does not exceed 3 degrees; and ▪ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided.	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**
6	Access - Property Access The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. 6. Property access roads must comply with the following requirements of Table 7.4a of Planning for Bush Fire Protection 2019: ▪ property access roads are two-wheel drive, all-weather roads;	▪ The matter of internal property access roads was not discussed in the bushfire report as the PBP specifications relate to driveways for residential properties. RFS have included the specifications for property access as Condition 6, which is acceptable. All internal property roads will exceed the specifications due to the industrial use.	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	▪ the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating. ▪ there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available; ▪ at least one alternative property access road is provided for individual dwellings or groups of dwellings that are located more than 200 metres from the public through road; ▪ minimum 4m carriageway width; ▪ in a forest, woodland and heath situations, rural property roads have passing bays every 200m that are 20m long by 2m wide, making a minimum trafficable width of 6m, at the passing bay; ▪ a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches; ▪ property access must provide a suitable turning area in accordance with Appendix 3; ▪ curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress; ▪ the minimum distance between inner and outer curves is 6m; ▪ the cross fall is not more than 10 degrees; ▪ maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads; and ▪ a development comprising more than three dwellings has formalised access by the dedication of a road and not by right of way.		
7	Water and Utility Services The intent of measure is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building.	▪ The condition is consistent with the bushfire report and is acceptable	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	7. The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of Planning for Bush Fire Protection 2019: ▪ reticulated water is to be provided to the development where available; ▪ fire hydrant, spacing, design and sizing complies with the relevant clauses of Australian Standard AS 2419.1:2005; ▪ hydrants are not located within any road carriageway; ▪ reticulated water supply to urban subdivisions uses a ring main system for areas with perimeter roads; ▪ fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005; ▪ all above-ground water service pipes are metal, including and up to any taps; ▪ where practicable, electrical transmission lines are underground; ▪ where overhead, electrical transmission lines are proposed as follows: – lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas; and – no part of a tree is closer to a power line than the distance set out in accordance with the specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines. ▪ reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used; ▪ reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 - The storage and handling of LP Gas, the requirements of relevant authorities, and metal piping is used; ▪ all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side; ▪ connections to and from gas cylinders are metal; polymer-sheathed flexible gas supply lines are not used; and		

No.	Issue Raised	Applicant Response	Reference
	▪ above-ground gas service pipes are metal, including and up to any outlets.		
8	Landscaping The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. 8. Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated: ▪ a minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; ▪ planting is limited in the immediate vicinity of the building; ▪ planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters); ▪ landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do no touch or overhang buildings; ▪ avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies; ▪ use smooth bark species of trees species which generally do not carry a fire up the bark into the crown; ▪ avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter); avoid climbing species to walls and pergolas: ▪ locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;	▪ The condition is consistent with the bushfire report and is acceptable. Condition 8 and Condition 1 both refer to vegetation management and landscaping in the APZ, and the specifications listed are consistent with the bushfire report. It's worth noting that the conditions are silent on landscaping requirements beyond the APZ. Section 4.3 of the bushfire report recommends up to 40% canopy cover beyond the APZ and no restriction beyond 100 m. The RFS conditions do not refer to any landscaping requirements beyond the APZ. This is acceptable and it is recommended that the recommendations of the bushfire report still to be followed.	Refer to Bushfire Cover Letter at **Appendix F**

No.	Issue Raised	Applicant Response	Reference
	▪ locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and ▪ low flammability vegetation species are used.		

1.14. CIVIL AVIATION SAFETY AUTHORITY

The Civil Aviation Safety Authority (CASA) has no objections to the proposal.

Table 14 Applicant Response to Crown Lands

No.	Issue Raised	Applicant Response	Reference
1	CASA has no major issues with the Avlaw Aviation Safeguarding Assessment or the Wildlife Hazard Assessment by Eco Logical, and no issues with the recommendations provided in the Assessments. CASA does not object to the concept plan for Burrah Park and the development of stage 1 provided the mitigations described, are implemented.	▪ Noted, CASA has no comments or recommendations and does not object to the concept plan or stage 1 development, subject to the implementations of the mitigation measures identified in the EIS.	N/A

1.15. CROWN LANDS

Table 15 below identifies the matters raised by Crown Lands NSW and sets out the Applicant's response to these submissions.

Table 15 Applicant Response to Crown Lands

No.	Issue Raised	Applicant Response	Reference
1	It is noted that no Crown land is included within the proposal boundary, being Lot 1 DP1306448. Should any Crown road/s adjoin the site, or be required for use/access as part of the proposal then that road must be transferred to the appropriate road authority. The proposal must ensure it does not impact on (including discharge of stormwater) or encroach upon Oaky Creek and Cosgroves Creek which directly adjoin the subject site.	▪ Noted, no Crown Land is included within the proposal. The assessment of potential impacts upon Oaky Creek and Cosgroves Creek are addressed as part of the EIS and in detail across the other responses to other agencies.	N/A

1.16. FIRE AND RESCUSE NSW

Fire and Rescue NSW (FRNSW) has no objections to the proposal, nor any additional requirements beyond that specified by applicable legislation at this stage.

Table 16 Applicant Response to FRNSW

No.	Issue Raised	Applicant Response	Reference
1	FRNSW have reviewed the EIS with particular focus to the State Environmental Planning Policy (Resilience and Hazards). FRNSW submit no comments or recommendations for consideration, nor any requirements beyond that specified by applicable legislation at this stage.	▪ Noted, FRNSW has no comments or recommendations.	N/A

1.17. HERITAGE COUNCIL NSW

The Heritage Council of NSW within the Department of Climate Change, Energy, the Environment and Water has no further comments on the proposal and no further consultation is required.

Table 17 Applicant Response to Heritage Council NSW

No.	Issue Raised	Applicant Response	Reference
1	The subject site is not listed on the State Heritage Register (SHR), nor is it in the immediate vicinity of any SHR items. Further, the site does not contain any known historical archaeological relics. Therefore, no heritage comments are required. The Department does not need to refer subsequent stages of this proposal to the Heritage Council of NSW.	▪ Noted, Heritage Council has no comments or recommendations.	N/A

1.18. JEMENA

Jemena has no objections to the proposed development.

Table 18 Applicant Response to Jemena

No.	Issue Raised	Applicant Response	Reference
1	Jemena has reviewed the location of the Development Application and undertaken a review of the documentation provided. Jemena notes that this is secondary pressure in this area and as such has no objection to this development application. Ensure appropriate Before You Dig Australia (BYDA) processes are followed as part of the construction process.	▪ Noted, Jemena has no comments or recommendations.	N/A

1.19. SYDNEY METRO

Sydney Metro has no objections to the proposed development.

Table 19 Applicant Response to Sydney Metro

No.	Issue Raised	Applicant Response	Reference
1	As this is a SSD development application, the provisions of section 2.99 of the State Environmental Planning Policy (Transport and Infrastructure) 2021 do not apply. Section 4.13(2A) of the Environmental Planning and Assessment Act 1979 excludes concurrence or consultation requirements from applying to development applications for SSD, unless an environmental planning instrument requires concurrence or consultation to SSD. As section 2.99 of the T&ISEPP does not require concurrence to be provided in the context of a development application for SSD, concurrence is not required for the DA. Based on this review, Sydney Metro is of the view that the proposed development would have negligible impacts on the Sydney Metro – Western Sydney Airport rail corridor because the proposed development does not involve excavation work occurring: (i) within, below or above, the Sydney Metro – Western Sydney Airport rail corridor; (ii) within 25m (measured horizontally) of the Sydney Metro – Western Sydney Airport rail corridor; (iii) within 25m (measured horizontally) of the ground directly below Sydney Metro – Western Sydney Airport rail corridor; or (iv) within 25m (measured horizontally) of the ground directly above an underground rail corridor.	▪ Noted, Sydney Metro has no comments or recommendations.	N/A

1.20. TRANSGRID

Transgrid has no objections to the proposed development.

Table 20 Applicant Response to Transgrid

No.	Issue Raised	Applicant Response	Reference
1	We can advise the subject proposal area does not appear to be affected by either a Transgrid Easement or Transmission Line. Therefore, we have no formal comments to provide in response to this notice.	▪ Noted, Transgrid has no comments or recommendations.	N/A