Appendix A Submissions Register

Please note that some responses have been superseded by updated responses to further Requests for Information from the Department. In the event of any inconsistency between the responses provided below and those within the Response to Submissions Report, the Report shall prevail.

Table 1 The Department Preliminary Assessment Comments

Comment	Response
Affordable housing provision and contributions	
Details outlining that a portion of affordable housing will be provided as part of this SSD, or confirmation of when it will be provided in the Stage 2 SSD are required.	The provision of affordable housing is not proposed in SSDA 1. The provision of affordable housing is being determined under SSDA 2.
Clarification of the proposed timeline for payment of the affordable housing contribution, including whether a proportional payment would be made prior to the issue of an Occupation Certificate for the last dwelling in each stage.	The payment of affordable housing contributions will be paid in accordance with the executed VPA. A total $5,300,180 ($12,326 per lot for the 430 lots established under the Planning Proposal) affordable housing contribution is required to be paid. The VPA specifies that $12,326 is to be paid prior to the registration of the subdivision certificate for a residential lot. As the SSDA is expected to generate less than 430 dwellings, the remaining balance of the affordable housing contribution is to be paid within 15 days of the registration of the last lot (throughout stages 1 – 7 and under SSDA lodgement 1 and 2).
Biodiversity and conservation land	
An updated BDAR addressing the comments raised by Council and the Conservation Programs, Heritage and Regulation Group, including but not limited to showing avoidance measures outside of the retention of the conservation zoned land.	Please see the responses to the comments raised by Council and CPHR in **Tables 2, 3** and **4** respectively.
A revised Vegetation Management Plan satisfying Council and Conservation Programs, Heritage and Regulation Group's comments.	A revised Vegetation Management Plan in response to Council and CPHR's comments has been provided at **Appendix E**.
Flooding	
An updated Flood Impact and Risk Assessment considering Council, SES and the Conservation Programs, Heritage and Regulation Group's comments.	Please see the responses to the comments raised by Council, the SES and CPHR in **Tables 2**, **3**, **7** and **4** respectively.
Works outside of the site	
The proposal identifies vegetation removal, road works and has potential impacts on adjoining property outside of the subject site. Updated documentation showing any works outside of the site removed from the proposal or considered in all documents with owner's consent provided.	A condition of consent has been proposed by TfNSW in response to the works proposed outside of the site. The Proponent has reached out to them to understand any landowners consent requirements and is awaiting a response. This information will be provided to DPHI upon receipt.
Interaction with other applications and consents	
It is noted that the second SSD for the site will propose changes to the existing child care centre, including the number of places.	The proposed car parking arrangement has been revised to provide an appropriate number of spaces for the childcare centre's current operation under the existing consent. Future SSDA 2 will involve internal alterations

Comment	Response
Confirmation that the proposed car park has capacity to cater for the child care centre and proposed changes.	and additions to increase the centre's capacity. Accordingly, SSDA 1 has been slightly amended so that any additional parking required for the expansion is addressed under SSDA 2, ensuring the final parking provision aligns with the detailed design.
Interface with adjoining development	
Details of the proposed interface between the proposal and the adjoining school to the east, noting the slope of the site and the proposed retaining walls are required to ensure appropriate amenity is provided.	Refer to responses in **Table 2** and **3**.
Transfer of roads	
Crown Lands have noted that Ashford Avenue and Bullecourt Avenue will require transfer to the local road authority. Evidence of discussion with Council in relation to the future transfer of these roads and potential requirements. This should include the proposed mechanism to be used to transfer to the road to the local road authority.	As confirmed by **Appendix R**, Ashford Avenue and Bullecourt Avenue are not Crown Roads. No conditions are therefore required for the Applicant to facilitate the transfer of any Crown Land.
Subdivision design and engineering concerns	
Updated plans satisfying Council's requirements in relation to road design, pedestrian crossings, stormwater and resource recovery.	Please see the responses to the comments raised by Council in **Table 2** and **3**.
Amended designs removing the access to Horsely Drive within the C2 zoned land.	Please see the discussion under **Section 4.3.2**.
Amendments to provide through site links and increase connectivity between the open space and adjoining sites.	Please see the responses to the comments raised by Council in **Table 2** and **3**..
Dwellings	
Confirmation that design measures and setbacks enable all dwellings to meet the acoustic requirements have been incorporated into the design of dwellings.	The dwelling layouts and setbacks for Stages 1 and 2 have been designed in accordance with the DA Acoustic Assessment – TN579-07 F02, which confirms compliance with the acoustic privacy objectives of Canterbury-Bankstown DCP 2023 – Chapter 5.2 (Acoustic Privacy, Objectives O1–O4) and the WSU Milperra Site-Specific DCP. Sections 4 and 7 of the Acoustic Report (Renzo Tonin & Associates, 28 October 2025) establish the applicable SEPP (Transport & Infrastructure) internal noise criteria, the assessment method/time-bases and the mitigation package required to achieve compliance for façades exposed to road traffic noise. Section 4 adopts internal targets of LAeq 35 dB(A) (bedrooms, night) and LAeq 40 dB(A) (other habitable rooms, any time) with windows/doors closed and requires alternative ventilation where windows-open levels would exceed the criteria by >10 dB(A).

Comment	Response
	Acoustic modelling demonstrates that perimeter facades will require category-based façade treatments, which are fully detailed in Section 7 and Appendix E (glazing/doors, RW 45 wall systems, roof/ceiling upgrades, and boundary fencing). The submitted Architectural Plans demonstrate that these measures have been incorporated or are capable of incorporation without altering the approved envelopes: • The Thermal Performance & Sustainability Specifications document detailing external wall build-ups (incl. brick veneer/lightweight/Hebel with insulation), roof/ceiling insulation, door weather-seals and ventilation notes, and glazing system options compatible with the RW performance ranges indicate that the proposed development is capable of integrating such requirements at the Detail Design phase. • The Ground Floor Plans / First Floor Plans include window/door schedules, opening sizes/locations, and minimum setbacks, enabling direct application of the category-based glazing/door Rw selections to each affected room/facade. • The Elevations and Sections show the façade composition to which the acoustic categories (glazing/walls/doors) will be applied at detailed design stage. • The Roof Plans present roof build-ups/forms where Category 4 ceiling/roof treatments would be used if required by the acoustic mapping. • The Erosion, Benching & Sediment Control / Siting Plans and the floor plans together confirm dwelling siting and setbacks, evidencing that acoustic treatments fit within the endorsed envelopes. • For fencing, the Stage 2.4 architectural pack contains Fence Types suitable for the 1.8 m high acoustically rated boundary fences specified in Section 7.4 of the Acoustic Report. On this basis, and in accordance with Sections 4 and 7 of the Acoustic Report, the combination of setbacks and the nominated façade/ventilation treatments has been incorporated into the design or is readily able to be incorporated at construction detailing without any material change to the development envelopes. The dwellings are therefore capable of compliance with the relevant internal noise criteria.
Amendments to dwelling design and landscaping to address Council requirements.	Please see the responses to the comments raised by Council in **Table 2** and **3**.

Comment	Response
Council and agency comments	
A detailed response to all agency comments and Council's comments are required. Council's submission includes comments from the development assessment team refer to plans and documents from September 2025. It is noted that some of these comments have been addressed, but please provide a response to all comments identifying where they have been addressed as part of this SSD application.	Please see the responses to the comments raised by Council in **Table 2** and **3**.

Table 2 Council Submission Comments

Comment	Response
Environmental / Biodiversity	
Biodiversity Development Assessment Report • All land zoned C2 – Environmental Conservation must be retained, protected and managed under a Vegetation Management Plan as required by Chapter 11.13 of the Canterbury-Bankstown Development Control Plan 2023.	The VMP (refer **Appendix E**) prepared for the project addresses the entire C2 zoned land, some E1 zoned land and remnant CPW scattered throughout the study area.
• The C2 - Environmental Conservation zoned land can not be used as justification for avoidance of impacts as this was a requirement of the rezoning and the development proposed is not permissible on this land. The accredited assessor from Cumberland Ecology (now SLR) has confirmed that retention of the C2 land cannot be used as avoidance as this would be considered 'double dipping' and that avoidance must be demonstrated elsewhere on the subject land in accordance with section 6.4 of the Biodiversity Conservation Act 2016 (BC Act).	Chapter 7 of the BDAR provides a discussion of the avoidance of impacts for the project, including the retention of 22 CPW trees within the E1 zoned land, CPW along the western boundary of Milperra Reserve and retention of planted native and exotic trees within the proposed parklands, which offer connected canopy and pre-existing hollows (demonstrated in the updated Landscape Plan at **Appendix M**). References to C2 zoning has been included within the BDAR as it speaks to the history of the project, as preservation of biodiversity has been a key aspect of this project from day 1, however it has not been relied on for the avoidance test under the Biodiversity Conservation Act 2016.
• Cumberland Plain Woodland must be retained within the proposed subdivision. This includes retaining Cumberland Plain Woodland within proposed lots, road corridors and recreational land. This currently has not been demonstrated and as such, reasonable avoidance in accordance with section 6.4 of the BC Act of impacts has not been demonstrated.	Please refer Section 7.2.2 and Figure 13 of the BDAR. CPW has been retained throughout the study area, particularly within the E1 zoned land and along the western boundary of the Milperra Reserve. SLR, Mirvac and the civil team conducted monthly workshops to determine whether additional CPW could be retained within the proposed subdivision, and solutions including the addition of kerb blisters and installation of a pedestrian link were proposed to Council. As these civil works variate from the LEP and DCP, they were not accepted (see Section 7.2.3.1 of BDAR).
Biodiversity Development Assessment Report Figure 5 (Layout of the project) in the Biodiversity Development Assessment Report (BDAR) proposes the removal of vegetation outside of the subject land that has not been mapped or considered in the BDAR.	Section 8.42 and Figures 13, 20 and 21 of the BDAR. The trees along the southern boundary are comprised of a small patch of Riverflat Eucalypt Forest (PCT 4025) and planted native vegetation (*Casuarina glauca*). This

Comment	Response
This vegetation is located outside of the southern boundary of the subject land adjacent to the M5. Given the location of this vegetation outside of the subject land, impacts to this vegetation could be avoided through design refinements.	strip has been included in all the figures and in the offsetting for the project. Due to the requirement for a retaining wall, these impacts are unavoidable. The removal of this vegetation will not break or fragment the connectivity along the M5, as there are additional trees to be retained within the verge.
Biodiversity Assessment and Mitigation Hierarchy The BDAR does not adequately demonstrate that the mitigation hierarchy has been applied, specifically in relation to avoidance and minimisation of impacts. • The BDAR attempts to justify avoidance on the basis that the north-eastern portion of the site zoned C2 – Environmental Conservation was excluded from development at the rezoning stage. Council notes that the Accredited Assessor has previously been advised and agreed that the C2 zone cannot be considered avoidance for this proposal, as the protection of this land was a requirement of the rezoning and its use for residential development is prohibited.	As mentioned previously, the zoning has been included within the BDAR as it speaks to the history of the project, as preservation of biodiversity has been a key aspect of this project from day 1, however it has not been relied on for avoidance. Avoidance is discussed in depth in Chapter 7 of the BDAR.
• Despite the above, the BDAR continues to present the C2 Environmental Conservation zone as an area of avoidance. This approach is inconsistent with the Biodiversity Assessment Method (BAM) and the Biodiversity Conservation Act 2016 (BC Act). The BDAR must be revised to: • clearly identify the C2 zoned land, • exclude this land from being treated as avoidance, and • ensure no additional impacts are proposed within this zone.	Refer Figure 4 of BDAR which shows land zoning. C2 land has been referenced throughout the BDAR as it speaks to the history of the project, and how biodiversity has been a key consideration throughout the entire process. It has not been relied upon for avoidance. Avoidance has been discussed in depth within Chapter 7 of the BDAR. Section 8.6 of the BDAR discusses the impacts to the C2 zoned land in depth. There will be no removal of trees within this area, and the vegetation to be removed consists of a weedy groundlayer along the road's edge, including Priority weed species such as *Asparagus aethiopicus* and *Araujia sericifera*, that would be removed under the VMP regardless. The removal of this vegetation is to facilitate the fauna-safe fencing required for the VMP Area under the DCP.
• Council also notes that the current proposal includes impacts to land zoned C2 – Environmental Conservation, which are not permissible. These impacts must be removed from the proposal.	Section 8.6 of the BDAR discusses the impacts to the C2 zoned land. The C2 zoning was done via a desktop study, and did not take into account the on-ground condition when applying the zoning. Within the study area, the C2 zoned land contains a pre-existing road and the curved Horsely Road intersection. Under the BAM, vegetation mapping uses tree canopy when applying the mapping to figures. The interaction between the zoning and the vegetation mapping means that the impact area has been overestimated for the 'understorey removal' management zone (Figure 13 of the BDAR), as this management zone largely consists of the tree canopy over the existing road. Figure 4 of the BDAR has been updated to try and represent this more clearly.

Comment	Response
	In accordance with the BAM, Mirvac are not proposing to reduce the credit liability as a result of the above, but feel it is important to include to explain that the impact to the C2 zoning is minimal.
• With the C2 zoned land excluded, the BDAR must then identify the areas of Cumberland Plain Woodland proposed for retention and removal.	Refer Figure 13 of the BDAR at **Appendix D.**
• No genuine attempt has been made to retain vegetation within the proposed subdivision. Vegetation shown for retention within the RE1 – Public Recreation zone is limited to planted native vegetation and does not comprise Cumberland Plain Woodland. Accordingly, reasonable avoidance has not been demonstrated.	Chapter 7 of the BDAR discusses the avoidance in depth. Section 7.2.3.1 of the BDAR explains how Mirvac and SLR conducted monthly workshops over a period of six months with the engineering team to review the civil plan and project layout in order to retain as much native vegetation as possible within the subject land. A number of case studies were discussed in detail, with the objective of retaining additional vegetation, however in a workshop with Council (dated 18 June 2025), Council were not supportive of any of the proposed case studies. Although vegetation within the RE1-zoned land does not conform to CPW, effort has been made to retain as many trees as possible within these areas. The northern and central park areas contain a high density of planted native trees, which have a connected canopy and so is of higher biodiversity value than the scattered trees throughout the study area. Additionally, both of these areas contain multiple hollow-bearing trees (refer Figure 14 of the BDAR at **Appendix D**), which are an extremely important resource for threatened fauna. All vegetation within the E1 zoned land conforms to CPW and will be retained as part of the project.
• Council rejects the argument put forward in the BDAR that the R1 – General Residential zoning justifies the removal of vegetation, including Cumberland Plain Woodland. The provisions of the BC Act prevail over Part 4 of the Environmental Planning and Assessment Act 1979 to the extent of any inconsistency. As such, the zoning of the site cannot override the requirement to demonstrate reasonable avoidance under the BAM and BC Act. This has been tested in the Land and Environment Court (Planners North v Ballina Shire Council [2021] NSWLEC 120 (Planners North)).	This argument has been removed from the updated BDAR (refer **Appendix D**).
• It is clear from the plans provided that much of the vegetation proposed for removal could be retained under the current design and further design amendments could allow for the retention of further vegetation. These are considered avoidable impacts.	Section 7.2.3.1 of the BDAR (refer **Appendix D**) explains how Mirvac and SLR conducted monthly workshops over a period of six months with the engineering team to review the civil plan and project layout in order to retain as much native vegetation as possible within the subject land. A number of case studies were discussed in detail, with the objective of retaining additional vegetation, however in a workshop with Council (dated 18 June 2025), Council were not supportive of any of the proposed case studies.

Comment	Response
	The current design has been based off the structure plan under the DCP which was established under the Planning Proposal. The Planning Proposal took into account the future vegetation removal required to deliver the overarching project. In carrying out the detailed design, several areas of vegetation were able to be retained as a result of more bespoke approach to engineering matters such as road and stormwater drainage designs. As outlined in the BDAR at **Appendix D**, the vegetation removal proposed is necessary for the delivery of the proposed development, as envisioned by the site-specific DCP.
Landscape Plan The provenance of plant species and canopy cover as a percentage of site area have not been articulated in the Landscape Plan. Opportunities to retain significant trees have not been explored to inform the plan as per the requirements of the SEARs.	The provenance of plant species and canopy cover has been articulated in updated Landscape Plans at **Appendix M**.
Vegetation Management Plan The Vegetation Management Plan must include any retained Cumberland Plain Woodland, not just the C2 zoned area. However, it is noted that there would be different management zones for areas where midstory and groundcover species cannot be reestablished. A positive covenant must be created for the perpetual management of all management zones identified in the Vegetation Management Plan.	Refer Sections 1.1 and 4.1 of the VMP at **Appendix E**. Remnant canopy CPW is now part of MZ1 (weed control), and this management zone will be applied to all remnant CPW scattered throughout the site.
Bushfire Risk A positive covenant must be created for the perpetual management of any asset protection zones in accordance with Planning for Bush Fire Protection 2019.	This comment can be satisfied via the application of a condition of consent.
Urban Design	
Form and external appearance in context and impacts to public domain Local community impact Despite the UD Report identifying “limited retail choices”, the proposal does not address the need for commercial tenants or services to meet the day-to-day needs of an estimated future population of 3,000+ residents, as outlined in the objectives of Zone R1 General Residential. The proponent should include some commercial and retail options, such as corner stores and cafes, within the design to service the local community within a reasonable walking distance. Council strongly recommends complementing the existing neighbourhood centre in the northwest corner and the proposed childcare upgrade (potentially retrofitted to include a café or restaurant) to enhance community life. To activate and enhance public open spaces, Council suggests locating these commercial tenants along Central Park (e.g., lots 2301–2303) and Southern Park (e.g., lots 4505–4512). The southern location would	The uses proposed under SSDA 1 and 2 are entirely permissible in the zones across the site, including the E1 zone which is proposed to be developed as a childcare centre and permanent sales office. The land use zones were determined under a previous Planning Proposal which resulted in the provision of the E1 zoned land and no other areas of commercial zoning within the site. This provision was considered sufficient, thus the gazettal of the Planning Proposal. Notwithstanding, the project is for residential and community infrastructure and is not required to provide retail premises. There is no restriction in place which limit future potential opportunities for commercial development to be delivered under a separate consent.

Comment	Response
also reinforce activation of the proposed pedestrian through-site link from Ashford Ave (refer to comments 4.1 for further recommendations).	
Relationship with neighbouring sites Internal through-site links The proposal includes two public parks that lack connection to the eastern boundary and the Mt St Joseph High School, limiting their accessibility and public use of the open spaces. Council recommends: • Extending the proposed through-site link (lots PT40) to the eastern boundary to connect Southern Park with the High School (e.g., lot 4610), similar to the proposed through-site link south of lot 5514. • Providing pedestrian pathways with wombat crossing at key crosswalks (e.g., between lots 4101 and 4201, between lot 4218 and Southern Park, and between Southern Park and lot 4610).	The establishment of the southern through-site link is not proposed due to the fragmented ownership of land at this portion of the site. Mt St Joseph High School (MSJ School) own this portion of the land, and there is currently no onus on the school to extend this path. The adjacent land is owned by TfNSW/Transurban who are unlikely to allow a pedestrian link in the M5 corridor. Further, there are significant level differences between the MSJ land and Horsley Road which restricts feasibility of the pedestrian connectivity.
M5 noise impact The UD Report notes that buildings will be set back from the M5 to reduce noise impact; however, the current proposal lacks adequate buffers in the southeast corner. The proponent should provide setbacks along lots 4601 and 4602 similar to those proposed south of lots 4111, 4110, 4209, and 4210.	As stated in the Updated Acoustic Report at **Appendix K**, for Lots 4111, 4110, 4209, 4210, 4601 and 4602, where the southern façades face the M5 Motorway, an increased average side setback of 2m (generally 0.9m to 1.5m) to the future dwellings within these lots will be adopted. The Acoustic Consultant carried out an assessment of the future dwellings located where Council requested a further setback of the superlot from the M5. The findings of this preliminary assessment indicate that the dwellings would be capable of compliance with the relevant acoustic requirements and require no further mitigation measures to do so. A further setback of the superlot is therefore not required.
5 Architectural expression and materiality Streetscape building façade design Stages 1 and 2 buildings' elevations excessively rely on repetitive patterns, such as: • Dark colours brick on ground floors. • Limited grey/dark colours cladding or render. • Few architectural elements repeated across façades. • Predominantly flat roofs. Council recommends introducing greater variation in façade elements visible from the street and public domain, including: • Increasing pitched roofs (consistent with prevailing built form across Ashford Ave). • Using lighter coloured bricks similar to the prevailing character of Ashford Avenue. • Avoiding excessive repetition of frontage shapes (e.g., garage entries, square frames). • Incorporating curved lines and distinctive details. • Expanding the palette of materials and colours.	The established residential character along Ashford Avenue includes older dwelling stock with consistent low-scale built form, including simple hip roof forms, brick veneer base and weatherboard façades with repeated element. The bricks are predominantly red with lighter painted weatherboard. More recent, infill developments along Ashford Avenue and in the general locality include two-storey dwellings with modern flat roofs and strong rectilinear forms, in either solid white or grey tones, creating an increasingly mixed character. The proposed development along Ashford Avenue has been intentionally designed to be calm and non-domineering face to the public domain using repetition in facades, roof profiles and material choices. Reviewing Councils RFI and older built stock, the overall brick and colour palette has been reviewed, introducing more reddish coloured bricks, and a lighter colour palette. The overall materiality has introduced more face brick to better tie into the existing streetscape. This materiality and colour palette

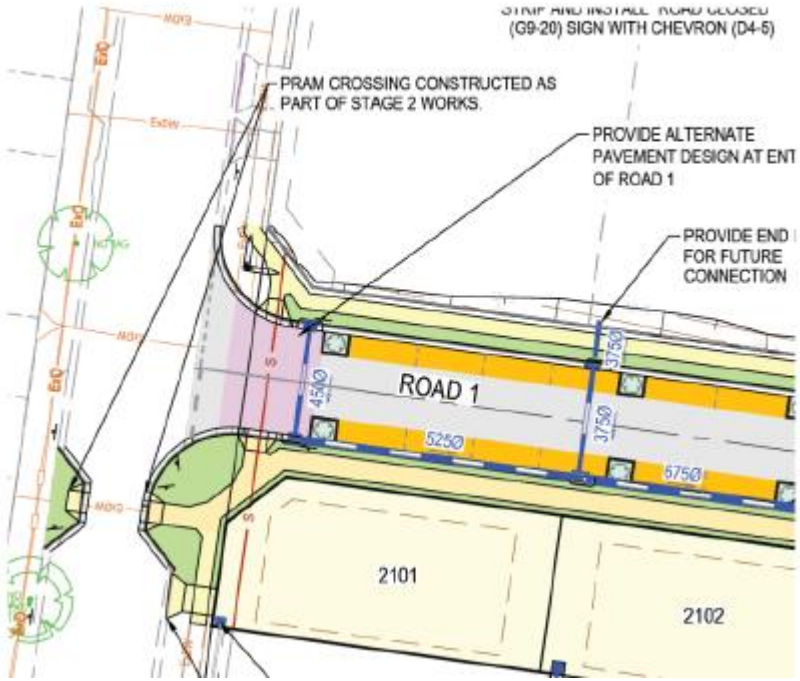
Comment	Response
These measures will improve visual interest, reduce monotony, and create a more engaging streetscape that reflects local character and enhances the public domain experience.	is carried into Stage 2 and introduces a greater diversity of architectural treatment through hipped roof forms, lightweight cladding, modulation, screens and accent colours, providing additional variation and articulation across the development. These measures collectively respond to Council's recommendations by reducing uniformity, increasing visual interest, and reinforcing compatibility with the desired future character, while remaining consistent with the architectural controls of the WSU Milperra Site-Specific DCP.
Housing diversity Stages 1 and 2 offer mainly 3- and 4-bedroom detached dwellings, limiting housing provision diversity. Council recommends that future stages include a broader mix permitted in R1 zone (e.g., attached dwellings, multi dwelling housing, shop-top housing) to meet community needs and reinforce park edges with continuous frontages (e.g., Central Park lots 6101–6114, 4406–4413, 5201–5210). Mixed-use typologies near parks will also support activation and improve street character (refer previous comment 5.1).	Housing diversity is being explored under SSDA 2. As stated in the SEARs Request for SSDA 2, the balance of the housing will be delivered on the site under this future application. The Applicant is exploring the provision of multi-dwelling housing and dual occupancies in the future subdivision of the superlots proposed under SSDA 1.
Limited floors heights Stages 1 and 2 currently provide floor-to-floor heights (<3.05m) and ceiling heights (<2.60m) fall short of best practice. Council recommends: • Minimum floor-to-floor height: 3.2m. • Minimum ceiling height: 2.7m (as per ADG, referenced as best practice even though not strictly applicable to this type of development). Benefits include: • Enhanced amenity (natural light, airflow, overall living quality). • Improved acoustic, thermal, and waterproof insulation between floors. • Alignment with current industry standards and long-term durability expectations. • Increased flexibility for residents to renovate and adapt interiors as their needs and preferences evolve over time.	The proposed floor-to-ceiling heights for Stages 1 and 2 are consistent with contemporary detached housing practice and align with typical Class 1 residential construction. At ground floor level, the dwellings provide a 2600 mm ceiling height with 2400 mm door and window head heights, which delivers generous natural light penetration and an enhanced sense of openness while maintaining an efficient structural frame. This arrangement is widely adopted across the detached housing market, where 2400–2600 mm ground-floor ceilings represent the prevailing standard, and heights above 2600 mm are generally associated with a premium or higher-specification product category. First-floor ceilings at 2400 mm, with 2100 mm door and window head heights, are similarly standard for bedroom levels in two-storey dwellings and reflect typical market construction norms. The building fabric and insulation specification provided in the Architectural and Thermal Performance documentation (Appendix G S1.1 & S2.1) confirms that the proposed construction achieves compliant acoustic, thermal and energy outcomes within these height parameters. As pointed out by Council in their submission, the reference to the ADG best-practice apartment building heights do not apply to Class 1 dwellings. Detached housing across the local area, including newer stock along Ashford Avenue,

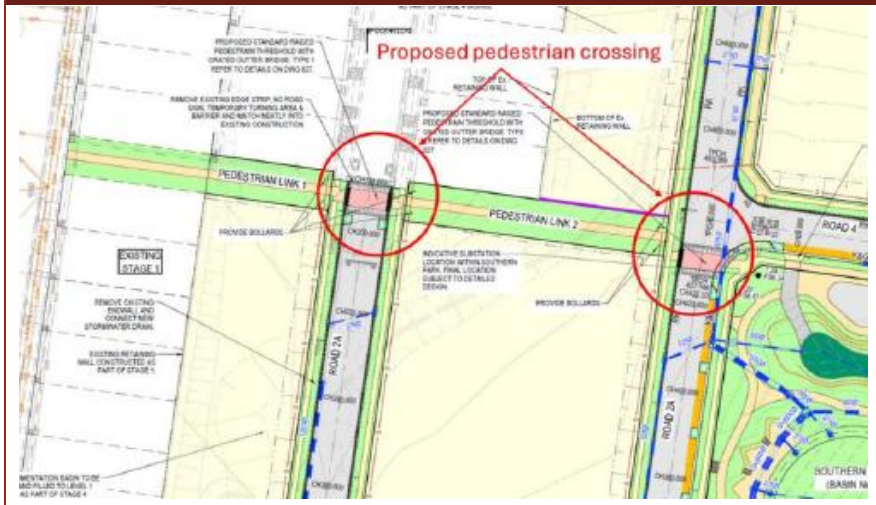
Comment	Response
	commonly exhibits ceiling heights around 2600 mm at ground level rather than the 2700 mm benchmark referenced from the ADG. As such, the proposal is aligned with both local character and market-typical building standards for this housing type, and importantly, are already capable of achieving the benefits raised by Council in this comment.
Front yard pedestrian path The current design for stages 1 and 2 shows two main front yard configurations: • Option A: clear separation between impermeable surfaces (driveway and pedestrian path) and permeable landscaped areas (e.g., lot 2102). • Option B: fragmented distribution of impermeable and permeable surfaces (e.g., lot 2105), resulting in smaller planting areas and reduced tree canopy potential. Council does not support fragmented layouts that compromise landscape quality. To improve sustainability and visual amenity, Council recommends: • Adopting layouts similar to Option A, where the driveway and pedestrian path are consolidated on one side, leaving a continuous deep soil area for planting. • Limiting hard surfaces to essential access only, avoiding unnecessary paved fragments. • Using permeable paving materials where possible to reduce stormwater runoff. A consolidated layout maximizes soil volume for tree growth, improves stormwater infiltration, and enhances the streetscape character by allowing substantial planting rather than scattered small patches.	Each of the proposed landscape designs reflect the specific dwelling type and width of the specific residential lot. This provides a diversity of landscape treatments across the subdivision. Where widths are narrower, only essential direct access paths have been provided with hard surfaces with inclusion of permeable steppers to reduce overall hardscape areas where possible. Where widths allow such as corner lots, more generous and dedicated softscape areas have been provided to increase privacy and amenity.
Asset Systems	
Roads: "Standard Flexible Pavement" detail specifies sandstone subbase. Subbase needs to be DGS20 road base. Sandstone is not acceptable. Proposed pavement thicknesses by "Geotech Testing Pty Ltd" are acceptable	The pavement details have been updated in the proposed civil plans (refer **Appendix B**).
Stormwater General – All proposed works and stormwater design shall be in accordance with Canterbury-Bankstown Development Control Plan 2023, ARR 2019 version 4.2 and relevant Australian standards. Refer to relevant sections of the DCP including: • Chapter 3.1 Development Engineering Standards, • Chapter 2.2 Flood Risk Management • Development Engineering Standards Guide	All stormwater infrastructure proposed in SSDA1 complies with the referenced standards. This is confirmed in the Civil Engineering Design Report (refer **Appendix G**).
Stormwater • Provide DRAINS and MUSIC model for pre and post-development scenarios • The concept stormwater layout shown in Civil Engineering Plans are noted to be indicative only. Detailed design shall incorporate the following comments from the pre-DA stage:	A Drains and MUSIC model is provided at **Appendix P** and **Q** respectively. This is noted. Detailed design plans at the construction certificate stage will incorporate comments identified from the pre-DA stage.

Comment	Response
- Minimum pipe size requirement, downstream pipes must not be smaller than upstream pipes, provide drainage for localised low point - Council advises against sharp angles, particularly changes in direction more than 90-degrees to minimise hydraulic losses. - Existing kerb inlet pits with lintel impacted by proposed driveways shall not be converted to grated only pits as these are prone to blockage. Recommend relocating it upstream of the driveways.	
Basins • Confirm design capacity of all basins (at which AEP design event it will overtop). Clarify if basin can accommodate both overland flows and Georges River backflow. • Confirm how the Georges River backflow will enter Basins No.1 and 2 with the proposed retaining wall in place. • Adequate flood signage shall be installed at/proximity of all basins and floodways • All overflow weir locations shall be indicated on the basin plans. Scour protection shall be incorporated downstream of the overflow weirs. • The narrow width of overflow weir for Basin No. 1 is prone to blockage. There are also concerns the complex basin outlet design is prone to sedimentation. Update design to provide sedimentation and blockage prevention measures • Usage of Basin No.1 for sports court and fitness zone is not supported. The Sports Court shall be relocated to higher ground to minimise the significant flood risk to users in view of the limited warning time available to evacuate users. • Temporary and Permanent Basins – There are concerns on the reliance on temporary basins and delivery of permanent basins at a later stage (Stages 4 and 6). Temporary basins do not provide certainty that the permanent flood mitigation infrastructure will be delivered.	**Basin Capacity -** Basins 1 and 2 are designed with capacity for the 1% AEP event and additional outlet controls for the 10% AEP event. Modelling of the 1% AEP considered two scenarios, with and without tailwater of RL5.55 from George's River, i.e. the design accommodates both overland flow and Georges River backflow. (*see Appendix DD, WCMP Report, Section 6.1.3, Table 5 & Table 6*) **Backflows from George's river** will enter the basin through the Basin 1 0.25m wide weir at RL 4.00 m AHD. **Flood signage –** This is noted. **Overflow weirs on plans and scour protect –** This is noted. **Narrow weir** - a response was provided in the latest report update for SSDA1 submission (refer previously submitted Water Cycle Management Plan (WCMP) Report, Section 6.1.3.). The outlet controls for each basin include three low flow orifices and an overflow weir. The narrow weir in basin 1 was necessary to accommodate the 1% AEP storm event under both tailwater and non-tailwater conditions, ensuring backflows into the basin from George's River are controlled under tailwater conditions while also minimising the overall water levels in the basin for both scenarios as a risk management measure given the basin is designed for use as a public open space. As a blockage prevention measure, the basin 1 weir includes a trash screen. Further, the retaining wall is designed to act as an emergency spillway weir with the top of the wall low point (at RL 6.00) below surrounding road levels (minimum kerb RL6.150). Outlet controls have been designed to eliminate ponding points as a sediment mitigation measure. **Basin 1 sports court** – This area has been designed as a sports court given the zoning designation for public recreation. Basin 1 has been designed with an unconventional outlet to accommodate backflows form

Comment	Response
	George's River and in order to meet the flow targets both with and without these tailwater conditions, while minimising water levels in the basin. The peak water level (4.3 m AHD) occurs in less than 20 minutes of the storm onset for the 1% AEP event without tailwater conditions. noting the s 4.30m AHD. With tailwater the peak water level in the basin is 5.85m AHD noting the court RL is ~ 3.5m AHD.
GPT - Confirm location of GPTs. GPTs (as a primary treatment device) shall be installed upstream of bioretention basin.	GPT locations have been provided on the Civil Plans (refer **Appendix B**) and detailed further in the previously submitted Water Cycle Management Plan.
Flooding • A detailed assessment shall be undertaken by comparing the pre- and post-development 1% AEP peak flood levels at the Ashford Avenue and Flanders Avenue intersection against the surveyed property levels of HNo. 1 and 2 Flanders Avenue. This is to confirm that any increase in post-development flood levels does not encroach onto these residential properties, as currently shown in Figure C4. If adverse flood impacts are found within these properties, appropriate mitigation measures shall be implemented as part of the proposed development to ensure there is no worsening of existing flood conditions for these residential properties. • Clarify why rainfall was excluded from the residential lots in the modelling of the post-development scenario	A detailed assessment has been completed as part of the updated Flood Impact Assessment Report (refer **Appendix F**). Additional details of the afflux assessment is provided in Section 7.2.1 of the FIRA which notes water level increases of 4-6 cm encroaching within the 1 Flanders Ave building footprint are demonstrated; this is a consequence of limitations of the modelling which does not include modelling of the building walls. A cross-check with Google Street View demonstrated no water level increase occurs at the garage door or at other entrances to the house therefore no additional damage above the floor levels is anticipated from these water level increases. With respect to 2 Flanders Ave, afflux is maintained within the adjacent unopened road and reserve and not within the property boundary. See Section 5.1 of the FIRA - Hydrology was based on a catchment area for the entire site (including lots and roads) and for the post-developed scenario, applied as rainfall concentrated within the roads only, not lots; this approach produces maximum flows (worst-case) for areas of interest, i.e. roads and public spaces as well as downstream locations of concern noted by Council.
Note to Development Engineer: • There is an increase of flows discharged through the M5 Motorway culverts during the 1% AEP event. Recommend applicant to liaise / seek approval from TfNSW • Confirm OSD requirements for the proposed subdivision based on DCP. There are commentary that no OSD is required for certain stages of the development based on pre and post development impervious areas.	Basins reduce flows to less than pre-developed flows in all storm events, this is noted in the WCMP (BW, 2025). Conservative flood modelling results (which assumed all basin outlets are blocked) demonstrates a flow increase of 0.05 m3/s (50L/s) for the 1% AEP event through the M5 culverts, this equates to less than 0.5% increase compared to existing flows (approx. 12 m3/s) (12,000L/s) through these culverts. This is

Comment	Response
• Operation and Maintenance Manual shall be prepared relating to the maintenance of the proposed drainage infrastructure and water quality treatment devices. Detention and bio-retention basins (currently not in the list in the WSU Milperra – DA Engineering Design Report) need to be included. Please review and liaise with Road Operations team regarding this requirement. Pre and post-construction CCTV of existing and proposed pipes shall be submitted to Council to ensure there are no damages and no protruding pipe inside Council's pipes.	considered acceptable because it is only a result of emergency flow in the case of a catastrophic blockage. OSD requirements are as per the DCP as detailed in the previously Water Cycle Management Plan. OMM will be prepared and submitted as part of the detailed design submission. Pre-construction CCTV will be provided prior to commencement of works.
Open Space • Ensure water is connected to parks with playground • Do not use timber for furniture products or playground equipment. Tree selections need to be reviewed by tree management team. It is unlikely lemon scented gums will be accepted.	Water connections are to be developed with services engineers in following design stages. The intended locations are outlined in the updated Landscape Plan at **Appendix M**. No timber to be utilised, only timber look features specified as per materials strategy. Refer to Stage 2 (Sheet D.10) and Stage 4 (Sheet F.15) of the Landscape Report. The species selection has been reviewed against the relevant DCP requirements. Corymbia citriodora now been removed from palette.
Traffic	
Section 3.3.2 of the report and figure 3.3 states that a pedestrian crossing is not warranted due to low pedestrian volumes and the absence of a footpath on the western side of the road. However, the report also notes that a Green Travel Plan has been prepared as part of the development. If the development is intended to actively promote green travel, the provision of a pedestrian crossing outside the driveway on Ashford Avenue is considered essential, irrespective of the current absence of a footpath on the western side opposite the site. Furthermore, as Council has included the installation of a footpath on the opposite side in our Future works Program, the lack of existing infrastructure should not prevent the provision of a safe pedestrian crossing at this location.	DCP Clause 3.1 - C14 identifies "a pedestrian crossing point with a pedestrian island is to be located near the existing vehicle entry point along Ashford Avenue. Note: Due to the high level of traffic generation and peak nature of traffic volumes accessing these forms of land uses, assessment of traffic impacts and pedestrian requirements is required by Council and Council may reasonably enforce the provision of mitigation measures that need to be incorporated into the design. Such measures may include, but are not limited to: (a) raised pedestrian thresholds (wombat crossings); (b) speed control devices; (c) pedestrian refuges on streets, especially along streets which the development fronts; and (d) provision of bus and drop off bays."

Comment	Response
Figure 3.3: Proposed Site Access - Ashford Avenue  Furthermore, the Applicant proposes to install raised pedestrian crossings within the site boundary, as shown in Figure 3.6 of the report. If pedestrian activity is anticipated to be sufficient within the site to justify these internal crossings, it follows that pedestrians will also be interacting with Ashford Avenue. In this context, the provision of a pedestrian crossing on Ashford Avenue is considered more appropriate and justified than crossings solely within the new roads within the development.	Due to other DCP controls a pedestrian crossing including a refuge island was not recommended as it impacted existing on-street parking opportunities for the existing residents and on-street parking opportunities for future residential dwellings within Stages 1 and 7 along Ashford Avenue. Ultimately, a pedestrian crossing could not be provided because the proposed driveway locations on Ashford Avenue create fixed constraints. These driveway positions are determined by the housing designs, which must meet Building Code requirements such as solar access. As a result, there is no suitable location for a pedestrian crossing that avoids conflicts or satisfies minimum offset distances. To still achieve the objective of this clause and this specific DCP control. Kerb blisters along the southern side of the new intersection on Ashford Avenue are proposed which reduces the lane width and shortens the crossing length for pedestrians. This has been located on the southern side of the intersection as it is expected this area will have less traffic than the northern side of the intersection and therefore less potential for a conflict between pedestrians and vehicles. This proposed pedestrian crossing design received positive feedback from Council in previous meetings between the project design team. A raised threshold is proposed just north of the new intersection on Ashford Avenue to further support the goal of introducing traffic calming measures. This treatment aligns with existing calming devices already in place further north at the Ashford Avenue and Bullecourt Avenue intersection. Landscaping will be installed at both ends of the raised threshold to discourage pedestrians and ensures they do not cross at this location. Being at the new intersection, this location will be the main crossing point for existing residents wanting to cross Ashford Ave to access the Central Park and the Mt St Joseph's School. The signage and line marking has been amended to remove any suggestion that this is a crossing where pedestrians have right of way. Vehicles will still have the right of way along Ashford Avenue. Ultimately, achieving the objective to provide traffic calming measures and a formalised crossing point whilst considering other hard constraints such as DCP controls to optimise on-street parking and consideration of proposed driveway locations.

Comment	Response
 To comply with the condition C7 - Pedestrian crossings must be installed at least 5m away from stop/give way lines to allow one car space., the proposed pedestrian crossing on Road 2A must be proposed 5m to the south of the holding line on Road 2A. It is currently at the holding line and does not allow one car space to queue. Proposed changes to the roundabout access on Horsley Road	

Comment	Response
 To reinforce the restriction on right-turn movements from Horsley Road into the access road, it is recommended that the gap between the existing roundabout splitter island and the proposed median island (located between the left-in access and the southern kerb extension) be filled. This treatment will physically deter and prevent illegal right-turn movements into the access road. It is also recommended that the Applicant reconstruct the northern splitter island to bring the roundabout up to current standards with respect to pedestrian refuge width. The existing pedestrian gap measures approximately 1.68 metres, whereas current standards require a minimum width of 3.0 metres. It is acknowledged that upgrading the southern splitter island to incorporate a pedestrian gap may inadvertently encourage motorists to utilise this gap to perform a prohibited right-turn movement from Horsley Road into the access road. Accordingly, it is acceptable for the Applicant to instead provide a raised pedestrian crossing, kerb extension, or slow point further south of the access driveway on Horsley Road, as shown in Figure 3.4, to improve pedestrian safety without compromising the proposed traffic restrictions.	
Environmental Health	
LAND CONTAMINATION	

Comment	Response
Environmental Health have reviewed the Site Audit Statement and Site Audit Report prepared by Dr Ian Swane in support of the application. Environmental Health recommends	
1. A Site Audit Statement (SAS) and supporting Site Audit Report (SAR), must be prepared prior to the issue of an Occupation Certificate, with copies provided to Council. Any conditions specified in the SAS are to be adopted as conditions of consent. 2. Provide validation report of all remediation work conducted in accordance with the RAP. ACOUSTIC – CHILDCARE OUTDOOR PLAY NOISE Environmental Health recommends 1. The acoustic report should consider amended Section 5.2(c) of Chapter 10.1 of the Canterbury-Bankstown Development Control Plan 2023, the development must implement measures to ensure that noise from children playing in outdoor areas does not exceed 5 dB(A) above the background noise level. 2. Revised plan of management consistent with the acoustic report.	This comment can be satisfied via the application of a condition of consent. This comment has already been addressed in the updated Acoustic Report at **Appendix K**.
Resource Recovery	
Swept paths are required showing Councils HRV per AS2890.2 entering and exiting the site in a forward direction. Temporary turning head may be required and must be shown on the plans per As2890.2.	Swept paths for all temporary turning heads have been provided on the updated Civil Engineering Plans (refer **Appendix B**).
Payment of Section 7.11 or 7.12 Development Contributions	
Development Contributions must be paid for this development before the issue of any construction certificate. The contributions are levied and applied under the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 and Section 7.11 or 7.12 of the Environmental Planning and Assessment Act 1979. The contributions will be used to provide, extend or augment public amenities or public services. In the event of a development consent being issued by the Department of Planning, Housing and Infrastructure, Council requests a condition of consent is imposed that requires the applicant to pay the required contributions to Council prior to the issue of a Construction Certificate. No construction certificate is to be issued and no construction is to commence until payment of development contributions. The contribution must be paid to Council before the issue of any Construction Certificate. Construction of the development may NOT commence until the development contributions are paid. Note, where a development includes residential accommodation that will result in a net increase in residents on the land a section 7.11 contribution will apply. If the proposal includes residential accommodation which does not increase the number of residents but has a cost greater than $150,000 a Section 7.12 levy will be imposed. If both forms of residential development are proposed on the site, the contribution type that produces the higher amount of contributions will be applied. Refer to Section 01 (pages 13-17) of the Canterbury- Bankstown Local Infrastructure Contributions Plan 2022 for details on calculating contributions.	Contributions will be applied in accordance with Council's Plan and in consideration of the provisions in the VPA.

Comment	Response
Indexing of the contribution amount to be paid: The development contribution payable will be adjusted, at the time of payment, to reflect Consumer Price Index increases which have occurred since the "Consent to operate from date" which appears on the front page of this Determination Notice. Applicants should contact Council's Customer Service team on (02) 9707 9000 or council@cbcity.nsw.gov.au to be advised of the current contribution payable and how to pay.	
Payment of Fee	
If this SSD is approved, there may be conditions of the consent that may require Council's review and/or approval of documents before the construction and/or occupation of the development can occur. In accordance with Council's adopted Fees and Charges, a fee of $1,375.00 is required to be paid by the applicant to Canterbury Bankstown Council **permitting** any information to Council as required by the SSD development conditions.	Noted.

The comments outlined in **Table 6** were made with reference to the preliminary Development Application Package provided to them prior to lodgement of the SSDA. They have subsequently been addressed in the package submitted for this SSDA. Notwithstanding, a response to each item has been provided in response to the request from DPHI in their Request for Information Letter (item 10) issued 6 February 2026.

Table 3 Council Submission Comments

Comment	Response
Planning	
1. The applicant must ensure that all reports and documentation prepared and submitted for assessment have been prepared and reviewed collectively. For example, the Biodiversity Assessment Report (BDAR), Contamination Report and Bushfire Report must be consistent in consideration of vegetation to be removed from the site i.e. where a contamination report notes that contamination works are proposed around the base of a tree which will result in its failure and therefore removal, the BDAR must have accounted for this removal in its considerations. Likewise, should the Bushfire Report require asset protection zones to be maintained on lots with vegetation, the report must outline if the asset protection requirement is limited to tree canopy cover, under storage growth etc and ensure that the BDAR has accounted for this.	APZ work is a post approval activity that can only be done onsite. APZ compliance work involves seeing what existing hazards there are, checking the connectivity in ground, mid-storey and canopy fuels and contrasting that against any planned removal and before any additional planting occurs. This cannot be translated into the Bushfire Report as it is a post-approval consideration.
2. An updated survey plan prepared by a registered surveyor must be provided for assessment of the DA. In accordance with Council's guide to lodging development applications, the survey must be prepared within 6 months of the date of lodgement. Given the age of the survey submitted and the changes on site, the current survey is not sufficient for assessment.	This comment was satisfied prior to lodgement of the SSDA. An updated Survey Plan was provided at the lodgement of SSDA 1.

Comment	Response
3. A Stormwater System Report (SSR) must be submitted as part of any lodgement package.	This comment was satisfied prior to lodgement of the SSDA. Refer civil plans at **Appendix B**.
4. A flood report is to be prepared and submitted as part of the DA. The flood report must address the relevant provisions in Council's standards, controls, the advice previously provided and as outlined further below.	This comment was satisfied prior to lodgement of the SSDA. A FIRA was provided at lodgement and has been updated for this Response to Submissions (refer **Appendix F**).
5. The application shows work/tree removal occurring outside of the site on adjoining land. Owner's consent and property details for any lots proposing work to facilitate the DA must be provided. All reports and documentation must correctly reflect the extent of works and ensure that the considerations have included these areas in the assessment (i.e. tree removal shown outside of the site along the M5 must be included in the expert reports prepared including but not limited to, Bushfire Report, BDAR, Contamination Report, Civils etc).	The APZ offsite is the M5 Motorway road reserve, which is already managed and requires no obligation or works required by the Applicant.
6. The general arrangement and staging plan prepared by Beverage Williams sheet 02 of 02, Rev A, dated 23.06.2025 should include the notations for all residue lots providing the indicative lot dimensions and areas.	This comment was satisfied prior to lodgement of the SSDA. Subdivision plans included indicative lot layouts to be proposed under the future SSDA 2.
7. The master staging plan would not form part of a stamped approved set of drawings (should a DA be approved) as it indicates future residential lots not sought within this DA. This should be updated and the residue lots only shown where the current application does not seek consent for the final 'residential' lots (outside of lots within stage 11, 12, 21, 22 and 23).	This comment was satisfied prior to lodgement of the SSDA. A subdivision plan of only the proposed lots was provided for approval.
8. The civil plan set should not show the internal 'lot' layout that will be sought in future DA's in other stages i.e. stage 4 indicative lot boundaries should not be shown. The remaining area should only depict the residue lots and roads (infrastructure) as sought within the DA. The civil plans should note the existing and proposed earthwork levels, retaining walls etc however the smaller indicative lots, not sought within this DA, should be removed from all plans.	As above.
9. An overall site plan showing the street parking as required by the DCP should be provided for review and assessment. The submission does not appear to provide all the on-street parking identified within the concept plan (figure 2) of the Canterbury Bankstown Development Control Plan 2023 (CBDCP 2023), Chapter 11.13. An overall plan that demonstrates compliance should be provided for review and assessment.	This comment was satisfied prior to lodgement of the SSDA. The civil plans (refer **Appendix B**) show where street parking is proposed.
10. Further details and an address of the driveway placement for lot 2101 must be provided. The current design and kerb extension on the allotment appears to result in a driveway that would not be suitable in the current location. This should be reviewed and where necessary the lot width increased to enable a suitable driveway location to be provided for accessing the lot (should the pedestrian crossing design be accepted).	This comment was satisfied prior to lodgement of the SSDA. Refer to civil plans at **Appendix B**.
11. The creation of lot 30 (E1 and C2 zoned land) and the inclusion of a further community title subdivision of proposed lot 30 has not provided sufficient detail for consideration. It is unclear on what the intention of this will achieve and currently it is considered it should not be pursued as part of the initial DA. Sufficient	This comment was satisfied prior to lodgement of the SSDA. Please refer to the Community Management Plan submitted with SSDA 1.

Comment	Response
details have not been provided to demonstrate why this should be considered and form part of a DA lodgement.	
12. Council will not accept a community title scheme that removes the car parking required for the childcare centre operations to be located on a separate allotment.	The childcare consent parking is satisfied under SSDA 1.
13. Details are required to be provided to demonstrate how the childcare centre will continue operations during the development or where it is not sought to continue operating details outlining and surrendering the current consent that applies to the land is required. Where the centre is proposed to remain operational, the statement of environmental effects must comprehensively outline how the proposal and use will remain compliant with the relevant approval in place or seek to obtain further approval within the DA submission.	This comment was satisfied prior to lodgement of the SSDA. Details of the childcare centre's operation has been established in the staging plan submitted alongside the EIS for SSDA 1.
14. The plans note that a new car parking area is proposed on site for the childcare centre. The parking shown is not supported as it appears to propose several spaces in excess of what would be required. Further the parking arrangement and location utilising stacked/tandem car parking fails the CBDCP 2023 Chapter 3 as previously advised in the withdrawn DA and will not be accepted. Where the childcare centre's car parking is required to remain operational, the parking spaces required for the operations only in accordance with the current approval will be considered. The new parking arrangement must be compliant with the CBDCP 2023, and the stacked spaces removed. The advice previously provided for the childcare centre and the car parking arrangements in the withdrawn DA remain unchanged.	The car parking arrangement has been amended to provide car parking only in accordance with the existing childcare consent (17 spaces only are proposed). The future expansion of the childcare centre will be supplemented with additional car parking under SSDA 2. Further detail is provided in **Section 4.3.1**.
15. No detailed plans have been provided for the embellishment of the open space areas; therefore no detailed comments can be provided at this stage.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the Landscape Plans at **Appendix M**.
16. EV charging infrastructure and substations are not shown. The plans need to note the proposed locations for this infrastructure. These facilities need to be shown, where they are located within areas to be dedicated to Council in the future, do not form part of the minimum area required.	This comment was satisfied prior to lodgement of the SSDA. Please refer to civil plans at **Appendix B**.
17. All pedestrian crossing details, and any calming devices required, are to be shown on plan and included in any Traffic Impact Assessment (TIA) prepared for the development to evaluate the suitability of the location and treatments proposed.	This comment was satisfied prior to lodgement of the SSDA. Please refer to civil plans at **Appendix B** and the TIA submitted with SSDA 1.
18. Currently sheet 18 shows distances between vehicle footway crossings (VFC) for some lots within stage 11, but not all. The civil drawings need to be updated, and distances demonstrated between all driveways proposed for residential lots. The plans must cover all lots proposed within residential stage 11, 12, 21, 22 and 23. The driveway plan must show the indicative driveway locations, street trees, on street car parking to be retained, and any other infrastructure provisions (light poles, stormwater pits etc) for review and assessment.	This comment was satisfied prior to lodgement of the SSDA. Please refer to civil plans at **Appendix B**.
19. The submission needs to ensure that the proposal complies with the requirements of the CBDCP 2023, Chapter 11.13, Section 3.1 C8 and C9 for the Laneways proposed. Detailed plans noting how vehicles will enter and exit in a forward direction must be provided. For laneway 2 and 3, demonstration of the ability for Council's service vehicles to access the lane and leave in a forward direction must be provided. Where	This comment was satisfied prior to lodgement of the SSDA. Please refer to the civil plans at **Appendix B** and the Waste Management Plan submitted with SSDA 1.

Comment	Response
this cannot be demonstrated to Council's satisfaction, in accordance with C10, these roads will be retained in private ownership.	
20. The cross section provided within the civil engineering plans for the pedestrian access pathway must be updated and demonstrate compliance with the CBDCP 2023, Chapter 11.13, 3.1, C23. The plans submitted do provide for the 5m shared path required by the control. A variation to the width is not supported.	This comment was satisfied prior to lodgement of the SSDA.
21. The submission needs to ensure that the pedestrian site link and required easements by the DCP are shown on the relevant subdivision plans in accordance with the CBDCP 2023, Chapter 11.13, Chapter 3.1, C24.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the subdivision plans provided at SSDA 1 lodgement and the updated civil plans at **Appendix B**.
22. The application submitted does not make provisions for a future pedestrian link to the south as outlined by the CBDCP 2023, Chapter 11.13, Section 3.1, C 25. The plans must be updated, and more details provided to demonstrate the pedestrian link along the southern boundary of the site (north of the M5) to Horsley Road. It is considered that suitable provisions could be accommodated within the development to achieve this link.	As addressed above, the inclusion of this through-site link is not feasible due to the fragmented ownership of land in this area of the site. MSJ have no intention of delivering the portion of the through-site link which provides the connection to Horsley Road.
23. In accordance with the CBDCP 2023, Chapter 11.13, Section 3.2, C9 the applicant must ensure that all lots proposed within residential Stage 11, 12, 21, 22 and 23 that are 9m wide have the relevant dwellings proposed within the DA for assessment.	This comment was satisfied prior to lodgement of the SSDA. Please refer to updated Architectural Drawings at **Appendix J**.
24. The canopy cover and landscape plan submitted are not satisfactory to demonstrate compliance. The plans appear to assume and consider the canopy cover over the street along Ashford Avenue outside of the 'site' which is not to be included.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the updated Landscape Plan at **Appendix M**.
25. Any submission provided must detail compliance with the CBDCP 2023, Chapter 11.13, section 3.4 Canopy cover. The canopy cover and landscape plans have not provided sufficient details on how the indictive area of the 85% mature canopy cover spread shown was considered. Plans need to outline the species selected, the size to be planted, the canopy cover at full maturity to establish that the 85% indicative shown is accurate.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the DCP Compliance Table submitted with SSDA 1.
26. A site plan that shows the entire site and road network is to be provided with the zoning map overlayed for assessment. A preliminary review appears that the location of Road 2B accessing of Horsley Road is located partially within the C2 Environmental Conservation zone and E1 Local Centre zone. The objectives and controls within the CBDCP 2023, Chapter 11.13, Section 3.4 require that the development of the site enhance and conserve existing canopy cover and retain trees. A concern is raised over the placement of this road within the conservation zone. The road alignment should be reviewed and shifted south to ensure that the conservation zone is not impacted by the access into the development site. The access shown to Horsley Road is unorderly and at this stage the access design would not be supported. It is unclear how the design is operationally the best solution for accessing the site along Horsley Road. The design should be revised, and the road alignment shifted to ensure the C2 zone is not impacted unnecessarily. Any access for the development needs to be detailed in a Traffic Impact Assessment submitted within any DA lodgement. The Traffic Impact Assessment must evaluate alternative treatments	This comment was satisfied prior to lodgement of the SSDA. Please refer to the zoning overlay map submitted with SSDA 1.

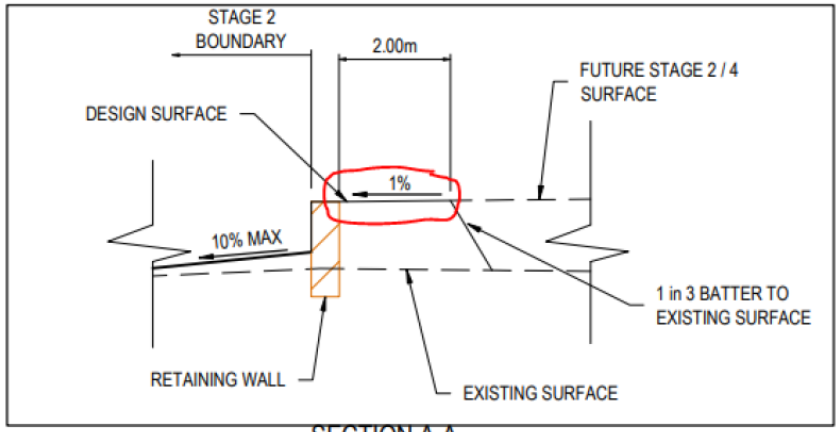
Comment	Response
and locations for the Horsley Road access, and detail how the proposed access sought is suitable in the context of the site, and ensures the best outcome and safety of any user (pedestrian and vehicle) and limits any implications on traffic flows/restrictions as a result of the design selected.	
27. The development must ensure that the comprehensive tree survey for the site required by the CBDCP 2023, Chapter 11.13, Section 3.4 C11 is submitted and that any relevant report including an updated Arborist report, BDAR, Bushfire report etc have adopted the same numbering convention to ensure consistency across the reports in reference to the trees on site.	Bushfire planning reports do not go down to the level of tree surveys and RFS do not assess tree surveys. APZ work is a post approval activity.
28. The application was not accompanied by detailed drawings and design for the open space areas and public domain, as such no assessment can be provided. Any proposal lodged will need to provide the necessary plans and documentation to demonstrate compliance with the CBDCP 2023, Chapter 11.13, Section 3.5.	This comment was satisfied prior to lodgement of the SSDA. Please refer to updated civil and Landscape Plans at **Appendix B** and **M** respectively.
29. Driveway locations for lots 2301-2303 adjoining the park need to demonstrate suitable manoeuvring in accordance with CBDCP 2023, Chapter 11.13, Section, Section 3.5 C15. Driveways in proximity to the open space areas need to ensure they are located to minimise conflicts with pedestrians and cyclists, in particular the place of driveways for lots 2301-2303 should be reviewed.	This comment was satisfied prior to lodgement of the SSDA.
30. An acoustic report has not been provided for review. An acoustic report is required to be provided that evaluates the development and potential impacts to future residents in accordance with CBDCP 2023, Chapter 11.13, Section 3.8. Detailed plans and reports must be provided to outline compliance.	This comment was satisfied prior to lodgement. An Acoustic Report was provided at SSDA 1 lodgement.
31. Details within any application need to be provided addressing CBDCP 2023, Chapter 11.13, Section 4.7 Sustainability. It is noted that the submission has said substations will be provided to support EV charging. It is unclear why the infrastructure hasn't been provided within the DA as outlined by the DCP. More details will be required.	This comment was satisfied prior to lodgement. Please refer to the DCP Compliance Table submitted with SSDA 1.
32. Details within the DA must be provided to demonstrate the achievement of the controls within CBDCP 2023, Chapter 11.13, Section 5 in relation to the creation of lot 30 containing the E1 Local Centre and the C2 Environmental Conservation. Details and plans need to be provided to address the controls and objectives set out for assessment. Retained structures are required to demonstrate compliance with the controls set out in the both the CBLEP 2023 and CBDCP 2023 in relation to floor space ratio, setbacks etc for the on the new lot proposed. Plans demonstrating compliance with these requirements must be provided.	This comment was satisfied prior to lodgement of the SSDA.
33. Details within the DA must be provided to demonstrate the achievement of the controls within the CBDCP 2023, Chapter 11.13, Section 6 Bushfire Hazard Management. A Bushfire Report must also be prepared and accompany the DA lodgement.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the Bushfire Report submitted with SSDA 1.
34. The architectural plans for dwellings on site must ensure that they demonstrate the existing natural ground level in accordance with the updated survey required, the proposed natural ground level based on the civil works proposed within the DA to ensure complete and accurate assessment of building height, visual privacy and solar access and impacts on adjoining properties.	This comment was satisfied prior to lodgement of the SSDA.

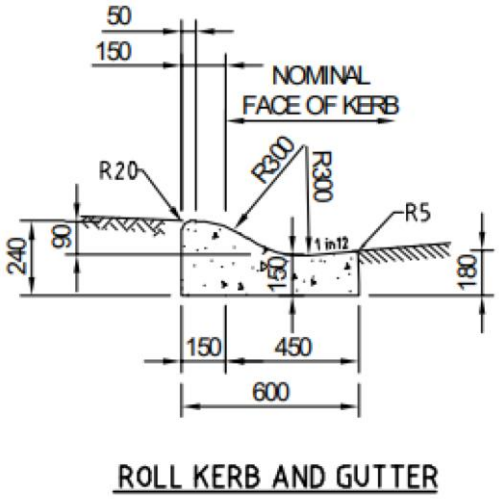
Comment	Response
35. Further details and documentation are required to enable the complete assessment of the built form proposed within the DA (dwellings). Details ensuring the plans demonstrate compliance with the CBDCP 2023, Chapter 5.1 and Chapter 11.13 are required. Following a preliminary review of the plans the following comments are provided to be addressed in any DA lodged: - Plans should note on elevations orientation, not just side 1, 2 etc. - Existing natural ground levels and proposed natural grounds levels should be shown on site plans and elevations. - Further details are required to be provided to address the flooding controls within the DCP and ensure compliance with the minimum floor levels required by any applicable SSR and flood study submitted. - Landscape plans need to be provided for each dwelling demonstrating compliance with the DCP including calculations, plant species and sizes proposed. - Where a first floor is proposed, the building outline must be shown on the plans, including the ground floor plan (some have, some haven't). - Further review and design to the dwellings within lots 1114 and 1201 adjoining the pedestrian lane require review and revision as the current plans have not provided a sufficient address of the laneway as required by the DCP. - The dwellings fail to demonstrate compliant solar access to the primary living area in accordance with the DCP. This was raised in the previous DA's lodged, and remains within the plans provided for review. - The first-floor side bathroom windows should have sill heights increased to 1.5m to achieve optimum visual privacy for future residents. - The proposal needs to be supported by additional coloured 3D to show articulation as required by the DCP for the elevations. The plans must clearly show where proposed changes in colours and materials occur on plan for assessment. - A number of VFC's appear to fail the DCP requirement limiting them to a maximum width of 3.5m.	With respect to the Architectural Plans at **Appendix J**, responses are as follows: 1. Elevation orientations are already noted on the plans. 2. Existing natural ground and proposed ground levels are now incorporated on the elevations. 3. Flooding has been addressed in the Updated FIRA at **Appendix F**. 4. Landscaping DCP compliance was addressed in the EIS. 5. FFL overlay is dashed over on the relevant plans. 6. MDEV - Lot 1114 and 1201 laneway/ pedestrian facing – The houses have large ground floor window at the Dining room and along the corridor encouraging views to the pedestrian link. On the first floor the bedroom overlooks the pedestrian link. An additional window is proposed to be added to provide further surveillance of public spaces and allow the entry to address both the main street and the side laneway. The window further assists with breaking up the building massing. Side Fencing is consistent with the DCP, starting at 1200mm high to allow for a clear view to the entry of the house and raising to 1500 to obscure services and then 1800 at the rear to provide privacy to the private open space. The fencing is batten type and allowing for visual permeability. 7. Solar to living areas demonstrated in Sun Eye Views. The yellow shading on diagrams has been strengthened to show this. 8. Wet Area windows are either 1500 sill or obscure glazing, thereby providing privacy for areas such as bathrooms. As demonstrated throughout the residential sections of the Canterbury Bankstown DCP 2023, this is an acceptable practice in preserving visual privacy. 9. 3D streetscapes have been included. Elevation sheets are now in colour. 10. All proposed driveways comply with Section 4 – Residential of the DCP. Section 4.2 Dwelling Design, C8 specifies Driveways should have a maximum width of 4m at the street boundary. No proposed driveways are greater than 4m at the street boundary.
Biodiversity	
36. Figure 5 (Layout of the project) in the Biodiversity Development Assessment Report (BDAR) proposes the removal of vegetation outside of the subject land that has not been mapped or considered in the BDAR. This vegetation is located outside of the southern boundary of the subject land adjacent to the M5. Given	This comment was satisfied prior to lodgement of the SSDA. Please refer to the updated BDAR at **Appendix D**.

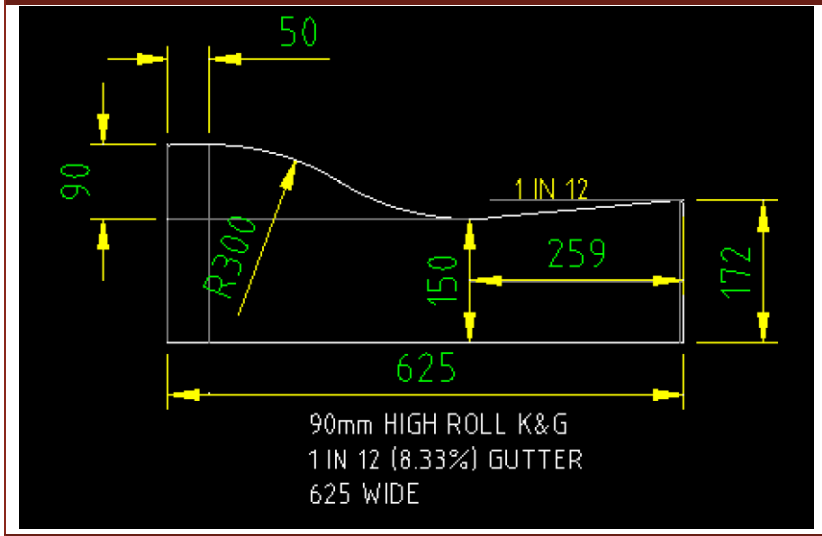
Comment	Response
the location of this vegetation outside of the subject land, impacts to this vegetation could be avoided through design refinements.	
37. Biodiversity Assessment and Mitigation Hierarchy a) The BDAR does not adequately demonstrate that the mitigation hierarchy has been applied, specifically in relation to avoidance and minimisation of impacts. b) The BDAR attempts to justify avoidance on the basis that the north-eastern portion of the site zoned C2 – Environmental Conservation was excluded from development at the rezoning stage. Council notes that the Accredited Assessor has previously been advised and agreed that the C2 zone cannot be considered avoidance in subsequent assessments, as the protection of this land was a requirement of the rezoning and its use for residential development is prohibited. c) Despite the above, the BDAR continues to present the C2 Environmental Conservation zone as an area of avoidance. This approach is inconsistent with the Biodiversity Assessment Method (BAM) and the Biodiversity Conservation Act 2016 (BC Act). The BDAR must be revised to: a. clearly identify the C2 zoned land, b. exclude this land from being treated as avoidance, and c. ensure no additional impacts are proposed within this zone. d) Council also notes that the current proposal includes impacts to land zoned C2 – Environmental Conservation, which is not accepted. These impacts must be removed from the proposal. e) With the C2 zoned land excluded, the BDAR must then identify the areas of Cumberland Plain Woodland proposed for retention and removal. f) Council further notes that the Accredited Assessor has submitted multiple environmental assessments that are inconsistent with the BAM and the BC Act. g) No genuine attempt has been made to retain vegetation within the proposed subdivision. Vegetation shown for retention within the RE1 – Public Recreation zone is limited to planted native vegetation and does not comprise Cumberland Plain Woodland. Accordingly, reasonable avoidance has not been demonstrated. h) Council rejects the argument put forward in the BDAR that the R1 – General Residential zoning justifies the removal of vegetation, including Cumberland Plain Woodland. The provisions of the BC Act prevail over Part 4 of the Environmental Planning and Assessment Act 1979 to the extent of any inconsistency. As such, the zoning of the site cannot override the requirement to demonstrate reasonable avoidance under the BAM and BC Act. i) It is clear from the plans provided that much of the vegetation proposed for removal could be retained under the current design and further design amendments could allow for the retention of further vegetation. These are considered avoidable impacts.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the updated BDAR at **Appendix D**.

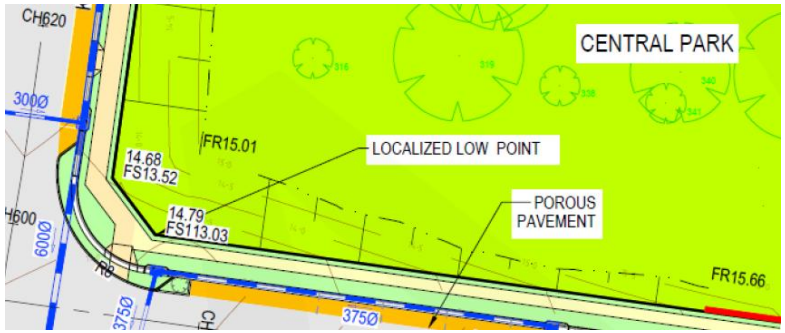
Comment	Response
38. Tree Replacement Plan and Landscape Plan - The Draft Landscape Plan is inconsistent with the Tree Replacement Plan. While it is understood that both plans are in draft form, these plans would need to be consistent when the development application is submitted. The species, number of individuals, provenance and canopy cover area at 80% maturity must also be listed or otherwise identified for each tree species in the Landscape Plan.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the updated Landscape Plan and BDAR at **Appendix M** and **D** respectively.
Engineering	
Stages 1 to 7 (all stages)	
39. All proposed street lighting poles and green voltage kiosks shall be centrally located within the 0.6m offset between property boundary and edge of footpath. There shall be no obstruction or abutment of these infrastructure to the footpath. Cross sections of all road reserves (proposed and existing) shall clearly indicate this.	An additional note has been provided on the civil engineering plans (refer **Appendix B**) drawing 003-006. All electrical assets will be subject to Ausgrid approval.
40. Easement widths for the inter-allotment drainage shall be in accordance with the minimum width requirements as outlined in Council's Development Engineering Standards.	This comment was satisfied prior to lodgement of the SSDA. All easement widths match councils Development Engineering Standards Guide - Table 9.1. Drainage line adjacent to basin 2, is offset to avoid clashes with sewer service.
Stage 1	
41. On-street parking spaces of a minimum 5.5m length (measured from VFC wing to wing) shall be provided along each lot frontage on Ashford Avenue.	This comment was satisfied prior to lodgement of the SSDA. As shown in Stage 1, Layout Plan (sheet 19) drawing 051 of the civil plans at **Appendix B**.
42. Existing lintel pits along Ashford Avenue impacted by proposed VFCs shall be modified in accordance with Council standard drawing S-118 with butterfly grated pits and new lintel pits.	This comment was satisfied prior to lodgement of the SSDA. Note is shown in Stage 1 Layout Plan (sheet 19) drawing 051 of the civil plans at **Appendix B**.
43. The front property boundary levels for the proposed lots 1101 – 1114 and 1201 – 1208 shall remain as existing levels at the interface with the finished levels of the internal driveway for the dwellings. The proposed internal driveway levels shall match into existing front boundary levels.	This comment was satisfied prior to lodgement of the SSDA. A minimum 2.5% grade has been added from existing Back of kerb to ensure no flooding occurs, as some areas are flat and prone to ponding.
Stage 2	
44. VFC layout plan shall be provided for the proposed VFCs along rolled kerb on Road 2A which indicates the following: o VFC widths at the property boundary o Clearances from proposed infrastructure within the future Road Reserve in accordance with Council Standard Drawing S-004 o Minimum 1.0m offset from side property boundaries to edge of VFC o Minimum one (1) on-street parking space of 5.5m length per lot frontage	This comment was satisfied prior to lodgement of the SSDA. VFC's are shown in the Layout Plan for Stages 1 & 2 (sheets 19-21). Drawing 051-053 of the civil plans at **Appendix B**.

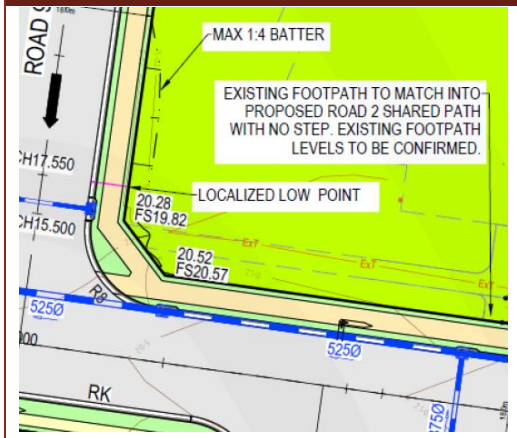
Comment	Response
45. The rolled kerb VFC profiles and specifications shall be in accordance with Asset Planning – Roads Team requirements.	This comment was satisfied prior to lodgement of the SSDA. The proposed roll kerb is already updated to match latest profile, as shown in sheet 8 of civil plans (refer **Appendix B**).
46. Swept path analysis for vehicles entering and exiting the rolled kerb VFCs from the road shall be provided for the following scenarios: o 2 vehicles parked adjacent to a 3.0m width rolled kerb VFC. o 3.0m width rolled kerb VFC adjacent to a kerb inlet pit with lintel cover.	Turn path analysis have been provided on the civil plans drawing 700-717. of civil plans at **Appendix B**.
Stages 1 & 2 (combined)	
47. Raingarden and sediment basin with associated swales and endwalls shall be made permanent until the bio-basins are established within Stage 4 works so that Stage 1 and 2 works can be connected into these bio-basins. Temporary endwalls discharging into the swales shall be permanent structures such as sandstone block headwalls or similar.	Noted. The civil plans at **Appendix B** have removed all references to temporary stormwater structures including headwalls, swales etc.
48. Ownership and maintenance of the raingarden and associated swales and endwalls shall be placed solely on the developer. Appropriate restriction on use of land and positive covenants on title to be registered that can be extinguished once Stage 4 works are completed.	Noted.
49. Further clarification is required on the total storage volume of the sediment basin with raingarden to be retained in the post-developed scenario of Stages 1 and 2. The storage volume needs to be sufficient to ensure that there will be no adverse impacts onto the M5 drainage system that lies outside the subject development site during major storm events (i.e 1% AEP Design Storm). Note: Concurrence from TfNSW for the sediment basin storage volume and discharge is required as it is their drainage infrastructure and assets that will ultimately be affected by this (i.e. it is not discharging onto any Council owned drainage infrastructure).	Noted. These details have been provided to TfNSW and they have provided acceptance of the design under the referral process under a previously withdrawn DA.
50. VFC clearance requirements shall be adhered to in accordance with Council Standard Drawing S-004. These clearances are related to, but not limited to, existing infrastructure such as street trees, Telstra pits, street lighting infrastructure, etc.	Noted. The proposed design complies as shown in civil plans at **Appendix B**.
51. Berm around stage 1 and 2 lots are to be graded away from the lots at minimum 1% grade.	The 2m-wide berm adjacent to lots indicates the crossfall in the ultimate scenario, noting that the lots to the rear fall towards the lots. As such the berm is not temporary and the berm will not be graded away.

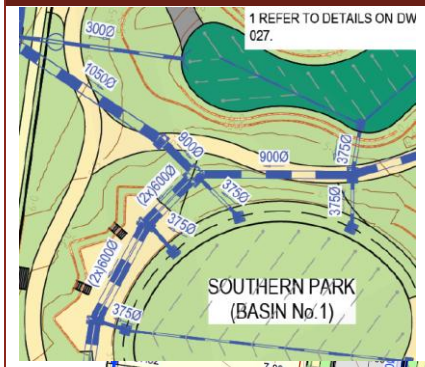
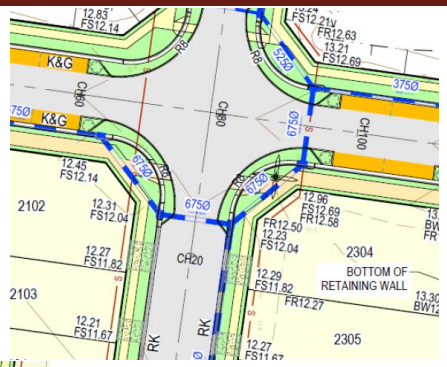
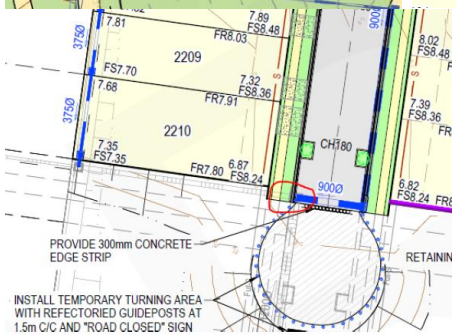
Comment	Response
 SECTION A-A TYPICAL REAR LOTS INTERFACE NOT TO SCALE	
52. Applicant is required to demonstrate that the proposed lots are capable of achieving an FFL for the future dwellings at minimum or above the Flood Planning Level (FPL) which is 0.5m freeboard above the 1% AEP flood level.	This comment was satisfied prior to lodgement of the SSDA. Refer to the WCMP previously submitted and Flood Report at **Appendix F.**
53. Refer to Section 5.1 of Civil Engineering Design Report, Version A issued on 30/7/2025 by BW – clarification is required on the determination of the 1% AEP flood level of the site being RL 5.55m AHD and whether it is consistent with Council's Stormwater System Report.	This comment was satisfied prior to lodgement of the SSDA. Refer to the WCMP previously submitted and Flood Report at **Appendix F.**
Stage 3	
54. Proposed VFC along Road 9 and Road 2B shall be constructed in accordance with Council Standard Drawing S-008 for Heavy Duty Type.	Refer to civil plans at **Appendix B** which display the updated in layout plan (sheet 22).
55. Proposed VFC along Road 9, which provides access to future lane 5, is obstructed by the proposed median strip when considering two-way traffic flow into lane 5.	This comment was satisfied prior to lodgement of the SSDA. Two way traffic flow for passenger cars is achieved. As shown in the turning movements on sheet 130 of the civil plans (refer **Appendix B**), Canterbury Bankstown Garbage Truck can turn out towards the median.
56. Details of stormwater management system and off-street parking design for proposed Child Care Centre shall be provided which demonstrates compliance with relevant Australian Standards and Council's Development Engineering Standards.	This comment was satisfied prior to lodgement of the SSDA. Provision for stormwater drainage has been provided for the childcare lot and will be coordinated with the childcare alterations and additions proposed under SSDA 2.
Stage 7	

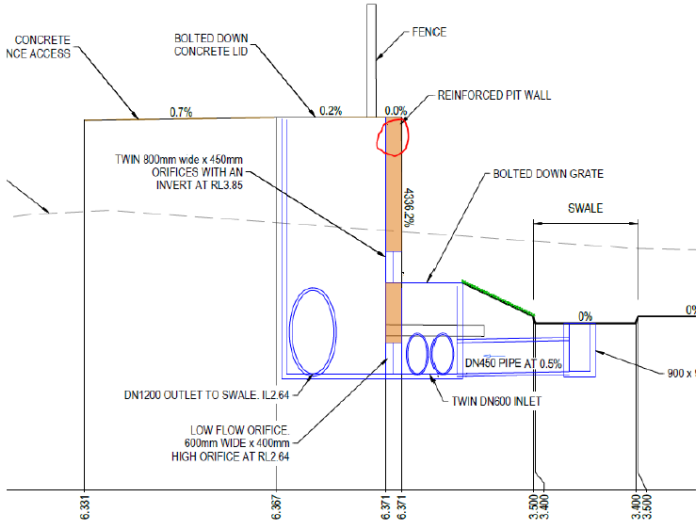
Comment	Response
57. On-street parking space of minimum 5.5m length (measured from VFC wing to wing) shall be provided along each lot frontage on Ashford Avenue. This is to ensure sufficient off-street parking facilities are being retained.	This comment was satisfied prior to lodgement of the SSDA. This has been achieved as shown in the Layout plan (sheet 19) of civil plans at **Appendix B**.
Assets	
58. The large portion of the comments provided for roads for the previous DA's on site have not been responded to. Any comments previously provided in the withdrawn DA's should be responded to in any submission.	Withdrawn DA comments have been addressed in submitted material.
Roads	
59. Use Council standard drawing for rolled kerb 001 as pervaded below;  ROLL KERB AND GUTTER	The roll kerb shown is superseded and we have adopted the figure shown in comment 63 drawing 008 of the civil plans at **Appendix B**.
60. All retaining walls within council property must be properly design and structural certification obtained.	Noted. The structural consultant's plans to be forwarded onto Council during SWC submission process.
61. All retaining walls bordering on Council's property should be constructed within private property and noted on property title.	Noted. The structural consultant's plans to be forwarded onto Council during SWC submission process.
62. Footpath should be a minimum of width 1.5m (Currently 1.2m). Shared path should be a minimum of 2.5m (currently 2.0m).	The footpath width of 1.5m and shared path width of 2.0m have been adopted, complying with the DCP 2023-Chapter 11.13, Section 3.1.
63. Roll kerb Fig 7 is superseded. New revised profile to be used as per the below;	This comment was satisfied prior to lodgement of the SSDA. The proposed roll kerb has been adopted and shown in drawing 008 of the civil plans at **Appendix B**.

Comment	Response
	
64. Porous pavement details are as follows; 75mm Gap Grade asphalt is specified. Gap graded asphalt has “gaps” filled with bitumen. It is not permeable. Use 75mm OPEN Graded asphalt for permeable surface. Provide geocomposite layer (Combigrid 30-30 or equivalent) under 50mm aggregate layer instead of geofabric Use F10 aggregate to TfNSW QA spec 3580 instead of 5mm gravel. 20-40mm gravel to be aggragate complying with RMS 3580 Aggregate Filter Materials Geofabric to be A24 to TfNSW R63 Subgrade to have CBR>4%.	Civil plans have been updated, specifically drawing 008 in **Appendix B** in line with Council’s comments on the pavement design. Porous pavement matches as shown in sheet 8 of civil plans.
65. Provide Shared Path bollard vehicle barriers to CBC Dwg S-033 across all Walkways and Pathways at connections to roads.	This amendment has been adopted as demonstrated in civil plans at **Appendix B**, drawing 056.
66. Provide splays on all footpath changes of direction: 600x600 for 900 change of direction; 1000x1000 for >900 changes of direction.	This comment was satisfied prior to lodgement of the SSDA. Splays are shown near pedestrian ramp crossings.
67. Kerb ramps to have same length (1500) along each edge. Currently drawn with different lengths along the edges.	This comment was satisfied prior to lodgement of the SSDA. Kerb ramps have been amended to match.

Comment	Response
68. Road 2B VFC construction to comply with CBC Dwg S-008, not S-004.	This amendment has been adopted as demonstrated in civil plans at **Appendix B**.
69. Pavement design report and specification to be provided for review and assessment.	This comment was satisfied prior to lodgement of the SSDA. The Geotechnical Report submitted with SSDA 1 includes pavement design.
70. The following documentation and model shall be submitted as part of the DA: a. Flood impact assessment report – assess proposed development impacts on local overland flow path originating from Ashford Ave and Flanders Ave to ensure there are no adverse impacts. b. Drainage design report – outline design approach and parameters adopted for drainage and OSD design and sizing c. DRAINS model – model and HGL results for the simulated design events	This comment was satisfied prior to lodgement of the SSDA. The FIRA Report has been provided (refer **Appendix F**) and the WCMP Report has been provided as part of SSDA 1. Drains model is provided at **Appendix P**.
71. The following are comments related to the Civil Engineering Plans, Rev A issued on 1/8/2025 by BW: a. Overall Stormwater Layout Plan shall be provided to show the entire stormwater drainage network, OSDs and water quality devices in the ultimate development scenario (inclusive of Stages 1 to 7) b. All drainage pipes crossing roads shall be angled at less than 90-deg, ideally 45-deg, if possible, to minimise hydraulic losses within the junction c. Drainage shall be provided to drain localised low point at Central Park (refer Drawing 052) and ChildCare (refer Drawing 054) below; 	With respect to the updated civil drawings at **Appendix B**, the following responses are provided: a. Civil plans have been updated refer to drawing 590-596 b. Overall stormwater layout has been updated to provide 45 degree angles where possible refer to 590-596 c. Sag pits have been provided at all areas that require localised low points. BW to update d. Overall stormwater layout has been updated to provide 45 degree angles where possible refer to 590-596 e. Overall stormwater layout has been provided on the civil plans which show pit labels. Refer to drawing 590-596 f. Stage 6 drainage layout has been included in the civil plans refer to drawing 059-060 g. Overall stormwater layout has been updated to provide 45 degree angles where possible refer to 590-59 h. Minimum 375 pipe diameter has been adopted i. The 1050 pipe is required to ensure the splitter pit within the road functions correctly. The 1050 outlet pipe ensures the road pit does not surcharge in major storm events and rather allows water to drain further downstream into the Southern Park Basin so that any surcharging occurs within the Southern Park. j. Scour protection measures have been provided for all swales within the civil plans k. Basins 1 and 2 are designed with capacity for the 1% AEP event and additional outlet controls for the 10% AEP event. Modelling of the 1%

Comment	Response
 d. Council advises against sharp angles, particularly changes in direction more than 90-degrees. All converging drainage pipes from opposite directions shall be avoided and realigned (refer Drawings 052, 053, 056) 	AEP considered two scenarios, with and without tailwater of RL5.55 from George's River, i.e design accommodates both overland flow and Georges River backflow. (see WCMP Report, Section 6.1.3, Table 5 & Table 6) Climate Change Sensitivity Modelling (WCMP, Section 6.3) with a tailwater of 5.55m AHD, results demonstrate that basin 1 overtops the retaining wall and in basin 2, the peak water level reaches 10mm below the top of the retaining wall. l. Basin 1 weir length is 0.25m and DWG 401 & 505 match m. A response was provided in the latest report update for SSDA1 submission. The outlet controls for each basin include three low flow orifices and an overflow weir. The narrow weir in basin 1 was necessary to accommodate the 1% AEP storm event under both tailwater and non-tailwater conditions, ensuring backflows into the basin from George's River are controlled under tailwater conditions while also minimising the overall water levels in the basin for both scenarios as a risk management measure given the basin is designed for use as a public open space. As a blockage prevention measure, the basin 1 weir includes a trash screen. Further, the retaining wall is designed to act as an emergency spillway weir with the top of the wall low point (@ RL 6.00) below surrounding road levels (minimum kerb RL6.150). Outlet controls have been designed to eliminate ponding points as a sediment mitigation measure n. Noted. A management plan will be provided as part of the detailed design set / SWC application. o. This has been updated on the civil plans. Refer to drawing 251-255. p. See response for (m) q. See response for (m) r. See response for (m) s. Existing stormwater pit on Ashford has been proposed to be relocated. Refer to civil plans 051

Comment	Response
   e. All pits and pipelines shall be numbered in the DA submission f. All Stage 6 drainage pipe sizes shall be indicated (refer Drawings 059 and 060) g. Council advises against sharp angles for drainage pipe alignment, particularly changes in direction more than 90-degrees. h. Minimum pipe size of 375mm diameter required for raingarden connections at Basin No.1 (refer Drawing 056) i. Please provide clarification regarding the decreasing pipe capacity going from 1050mm to 900mm to 2x600mm at Basin No. 1 (refer Drawing 056) j. Scour protection shall be required downstream of the overflow weirs to prevent scouring of the existing swale k. Please confirm design capacity of all basins (i.e. designed to accommodate flow volume for which design event and to accommodate both local catchment and Georges River backwater flows?) and at which AEP design event the basins are meant to overtop	t. Overflow weir locations have been provided on the civil plans refer to 500-511. u. The tiered configuration for Basin 3 is necessary to accommodate the level difference at the proposed basin location. This configuration will provide sufficient treatment while reducing the depth of the asset. (see WCMP Report, Section 7) v. GPTS will be installed at basin inlets (see WCMP Report, Section 7) w. Scour protection to be provided

Comment	Response
l. Please confirm width of overflow weir for Basin No. 1, i.e. 0.5m (refer Drawing 505) or 0.25m (refer Drawing 401) m. The narrow width of overflow weir for Basin No. 1 is prone to blockage. Please redesign or provide blockage prevention measures n. Management Plan shall be required to prevent usage of sports court and fitness zone at Basin No. 1 during rain or flood event o. Flood signs shall be installed at/proximity of all basins and floodways p. AP Stormwater has concerns the complex basin outlet design is prone to sedimentation q. Suggest providing a higher orifice outlet for Basin No. 1 outlet (circled in red as follows)  r. AP Stormwater preference is for the Basin No. 1 overflow to discharge via the 1200mm diameter outlet for frequent flood events, rather than through the narrow overflow weir. This is to maximise the usage of the 1200mm diameter pipe capacity s. Existing Council lintel pits on Ashford Ave affected by the Stage 1 proposed driveways shall be relocated upstream with the lintel size retained, rather than converting to grated inlets t. All overflow weir locations shall be indicated on the basin plans u. Please provide clarification as to why the Basins 3A and 3B OSD system needs to be separated v. GPT (as a primary treatment device) shall be installed upstream of Basins 3A and 3B instead of downstream	

Comment	Response
72. The following comments relate to the Civil Engineering Design Report, Version A issued on 30/7/2025 by BW; a. Stormwater drainage and OSD basins shall be designed in accordance with ARR 2019 version 4.2, utilising uplifting factors to increase design rainfall IFDs to account for climate change up to year 2030 as recommended in ARR 2019 version 4.2 b. Refer to Section 8.2 Water Quantity Management – please clarify if the storage volume of both Basins No.1 and 2 for managing local overland flow is added on top of the flood storage that would be occupied by the Georges River backflow c. Refer to Section 8.2 Flood Compensatory Storage – please clarify how the Georges River backflow will enter Basins No.1 and 2 with the proposed retaining wall in place? Would the flows enter through the basin outlet and weir system? Has this been modelled using the regional Georges River flood model to confirm the compensatory storage in Basins No.1 and 2 indeed could be utilised? d. Refer to Figure 10, GPTs for Basin 3 are located at a different location than shown on the Engineering Plans	a. OSD DRAINS modelling was carried out using unmodified IFDs, a climate change sensitivity assessment was carried out for the SSP3 for the horizon year 2090, with Georges River tailwater of 5.55m AHD applied. Under climate change conditions, basin 1 overtops the retaining wall with a peak water level of 6.01 m AHD (basin rest RL = 6.00m AHD), for basin 2 the peak water level reaches 10mm below the top of the retaining wall (*see WCMP Report, Section 6.3 and Table 10*). b. Confirmed, modelling was carried out with and without tailwater (i.e. backflow) from George's river (*see WCMP Report, Section 6.1.3*). Backflows from George's river will enter basin 1 through the 0.25m wide weir at RL 4.00m AHD. This has not been modelled in DRAINS assuming a fixed tailwater level of 5.55m.
Open Space	
73. All plant selections are to be approved by Councils' maintenance team.	Noted.
74. All pathways are to be formal and of a hard surface. Deco granite or similar will not be supported.	See amended landscape Plan and civil plans at **Appendix M** and **B** respectively.
75. Gardens abutting the playground soft fall areas will not be supported.	This comment was satisfied prior to lodgement of the SSDA.
76. Play equipment is to be Australian made with demonstrated availability of replacement parts.	Noted.
77. Play equipment is to be constructed of metal and plastic only. Timber features and equipment will not be supported.	Noted.
78. Upon completion of the playground construction, the equipment is to be assessed for compliance by Council's playground inspection contractor prior to handover. Council's asset planning team will supply detailed list of requirements for the playgrounds upon approval of the DA.	Noted.
Traffic	
79. The pre-DA submission did not include any traffic report for review. Therefore, the DA must provide a full Traffic Impact Assessment (TIA) addressing, at a minimum, and not limited to the following: i. Turning path diagrams for all movements of the largest vehicle anticipated to access each access road on Bullecourt Avenue, Ashford Avenue, and Horsley Road and any other intersections that this may apply to. ii. The Traffic Unit does not understand the justification for the traffic treatments shown in the submitted Civil Drawings. The TIA must clearly explain the reasoning for each proposed treatment and provide justification for not adopting the treatments previously requested by Council. For example:	A Traffic Impact Assessment has been provided as part of the SSDA1 submission. This has been updated further to address concerns raised in RFI's. i. Turning path diagrams have been provided in the TIA & the Engineering Plans (refer **Appendix H** and **B**). ii. Refer to TIA Report at **Appendix H**.

Comment	Response
• The DCP stipulates a raised pedestrian crossing on Ashford Avenue; however, the civil drawing shows a slow point with kerb extensions, which creates uncertainty about whether pedestrians or vehicles have right of way. • A slow point is also proposed on Horsley Road, which again does not clearly indicate right of way. Traffic previously requested an upgrade of the existing roundabout with splitter islands incorporating pedestrian gaps, so that pedestrian safety is improved without unnecessary loss of on-street parking. iii. Driveway mapping – The drawings must clearly show existing and/or approved driveways opposite the development site, such as the proposed driveways for No. 270 Horsley Road (currently being redeveloped). This will allow assessment of the alignment of the proposed treatments in relation to both existing and future driveway locations. iv. Raised pedestrian crossings should be located a minimum of 5 metres clear of an intersection to allow for the storage of at least one car length before the crossing, ensuring safe vehicle approach and improved pedestrian visibility. Detailed drawings showing the design aspect of the Pedestrian Crossing must be submitted in accordance to Council Standards. v. Plans showing all proposed regulatory signage related to traffic regulation must be submitted to Council for review to ensure their location and details are accurate.	DCP Clause 3.1 - C14 identifies "a pedestrian crossing point with a pedestrian island is to be located near the existing vehicle entry point along Ashford Avenue. Note: Due to the high level of traffic generation and peak nature of traffic volumes accessing these forms of land uses, assessment of traffic impacts and pedestrian requirements is required by Council and Council may reasonably enforce the provision of mitigation measures that need to be incorporated into the design. Such measures may include, but are not limited to: (a) raised pedestrian thresholds (wombat crossings); (b) speed control devices; (c) pedestrian refuges on streets, especially along streets which the development fronts; and (d) provision of bus and drop off bays." Due to other DCP controls a pedestrian crossing including a refuge island was not recommended as it impacted existing on street parking opportunities for the existing residents and on street parking opportunities for future residential dwellings within Stages 1 and 7 along Ashford Avenue. To still achieve the objective of this clause and this specific DCP control. Kerb blisters along the southern side of the new intersection on Ashford Avenue are proposed which reduces the lane width and shortens the crossing length for pedestrians (refer **Appendix B**). This has been located on the southern side of the intersection as this leg will have less traffic than the northern side of the intersection and therefore less potential for a conflict between pedestrians and vehicles. Being at the new intersection this location will be the main crossing point for existing residents wanting to cross Ashford Ave to access the central park and the MSJ School. The signage and linemarking has been amended to remove any suggestion that this is a crossing where pedestrians have right of way. Vehicles will still have the right of way along Ashford Avenue. Furthermore, a raised threshold is proposed at a location near the existing vehicle entry point along Ashford Avenue achieving the objective to provide traffic calming measures and a formalised crossing point. Widening of the splitter islands of the Horsley Road Roundabout has been adopted to provide a standard minimum refuge width of 3m. It is proposed to relocate the northern island to ensure the existing roundabout is consistent with the current standard requirements.

Comment	Response
	Further to this, a safe crossing point for pedestrians and cyclists is also provided directly south of the intersection. Kerb blisters in this location are proposed which are consistent with Ashford Avenue. It is true that they slow traffic but by shortening the lane width the crossing length becomes shorter for pedestrians crossing the road which is a safer outcome. Signage has been amended to clearly show that Vehicles have right of way. iii. Existing and proposed driveways are shown on Ashford Avenue, Bullecourt Avenue and Horsley Road. The existing industrial driveway opposite the intersection on Horsley Road is currently being decommissioned and will not be used anymore. iv. Noted. Raised pedestrian crossing have been removed from the civil plans. Raised thresholds used as speed humps are used away from the intersection. Fencing is proposed at these locations to ensure pedestrians do not cross in these locations. v. Signage is already referenced on drawing 2301879-321-250 to 255, and drawing 2301879-321-300 to 302(sheet 85-93). These have been further updated to address authorities RFI's.
80. Any Traffic Impact Assessment prepared for the development must include swept paths and the ability for a Heavy Ridged Vehicle manoeuvre throughout the subdivision/road network must be provided.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the TIA submitted with SSDA 1 and updated civil plans at **Appendix B**.
Waste	
81. Suitable Waste collection allowing for a Heavy Ridged Vehicle (HRV) for the collection of waste to Lanes 2 and 3 residential properties has not been provided.	Council collection vehicles are not required to enter Lanes 2 and 3. The precise final location of the proposed bin pads for these collection points will be provided as part of the SSDA 2 submission which will consider the bins as well as all final house, driveway and street tree locations. A preliminary assessment has been completed and anticipates four lots for Laneway 2 and 4 lots for Laneway 3 will be impacted. These residents will need to wheel their bins up to 30 metres from their property boundary.
82. Further details need to be provided demonstrating that a HRV can access the site and the entire road network. Concern is raised over the ability for a HRV to access Lanes 2 and 3 as well as the access road onto Bullecourt Avenue. Further details are required.	Civil Engineering Plans have been provided demonstrating swept path analysis for Council collection vehicles.

Comment	Response
Community Safety	
83. A full CPTED report should be included with any lodgement to include a range of important site management recommendations that assist in the operational response to crime risk within your development. CPTED assessment of any commercial, residential, mixed use, landscape and government developments in accordance with the NSW Safer by Design evaluation process must be undertaken and provided in the assessment of the DA.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the CPTED Report submitted as part of SSDA 1.
Environment and Health	
84. An acid sulfate soil assessment is required as the site is within 500 metres of a Class 3 Acid Sulfate Soil Classification and the proposed development has the potential of removing greater than one (1) tonne of soil from the site or lowering the water table below one (1) metre. This is to be carried out by a suitably qualified environmental consultant in accordance with the 'Acid Sulfate Soils Assessment Guidelines' (NSW Acid Sulfate Soils Management Advisory Committee, 1998).	This comment was satisfied prior to lodgement of the SSDA.
85. A detailed site investigation with adequate subsoil sampling must be undertaken and submitted to Council. The detailed site investigation report must comply with the NSW EPA guidelines for "Consultants Reporting on Contaminated Land 2020". The report is to be undertaken by a suitably qualified environmental consultant. Should the detailed site investigation identify that the land requires remedial works to be made suitable for the proposed development:- A remedial action plan (RAP) will be required to be submitted to and approved by Council prior to commencing remediation works. A review of the site and previous documentation submitted the works are considered as Category 1 requiring consent. The remedial action plan must be prepared by a suitability qualified environmental consultant and submitted to Council. This RAP must comply with the NSW EPA Guidelines for 'Consultants Reporting on Contaminated Land 2020'. The remedial action plan must set the remediation objectives and determine the most appropriate remedial strategy to ensure that the site will be suitable for the proposed land use.	This comment was satisfied prior to lodgement of the SSDA. Refer to the DSI and RAP submitted as part of SSDA 1.
86. A site audit statement and Site Audit Report must be provided to Council from the site auditor that clearly states that the site is, or can be, made suitable for the intended use. The site audit statement and site audit Report must include any restrictions or management requirements for the site. A NSW Environment Protection Authority accredited site auditor must be appointed to audit reports compiled as part of the contaminated land assessment, remediation, and validation process.	This comment can be satisfied via the application of a condition of consent.
87. An acoustic report prepared by a suitably qualified Acoustic Consultant, must be submitted to Council certifying that the development complies with all relevant requirements.	This comment was satisfied prior to lodgement of the SSDA. Please refer to the Acoustic Report submitted with SSDA 1.
Heritage	
88. Any future development application requires the submission of a Statement of Heritage Impact (SOHI) which details the impacts the proposal has on the significance of the streets and what measures have been	This comment was satisfied prior to lodgement of the SSDA. Please refer to the SOHI and HIP submitted with SSDA 1.

Comment	Response
considered and implemented to mitigate such impacts. Furthermore, a precinct wide Heritage Interpretation Strategy and Plan is to be submitted. The Heritage Interpretation Strategy and Plan should be prepared by a suitably qualified consultant in accordance with NSW Heritage Council guidelines Interpreting Heritage places and Items (2005) and Heritage Interpretation Policy (2005). The document is to provide policies, strategies, and detailed advice for interpretation. It is to be based on research, analysis and plans to communicate the history and significance of the item to the intended audience. The Interpretation Plan is to identify key themes, storylines and audiences and provide recommendations about interpretation media. The Plan must also detail how it will be delivered across the precinct and at what stages.	

Table 4 Conservation Programs, Heritage and Regulation Group Submission Comments

Comment	Response
Biodiversity	
Integration of the Vegetation Management Plan (VMP) with the Hollow Offset Replacement Strategy and Nestbox Management Plan	
The VMP does not mention the Hollow Offset Replacement Strategy and Nestbox Management Plan that were both prepared in 2024. Recommended action: To ensure vegetation restoration and fauna replenishment within the VMP are appropriately integrated, update the VMP to reference the Hollow Offset Replacement Strategy and Nestbox Management Plan, including any recommendations.	Refer Section 5.9 of the VMP (refer **Appendix E**). Hollows removed will be replaced at a 1:1 ratio through the VMP Area and parklands in accordance with the Hollow Offset Replacement Strategy and Nestbox Management Plan.
Compliance of VMP with the Canterbury-Bankstown Development Control Plan 2023	
The Canterbury-Bankstown Development Control Plan 2023 (CB DCP 2023) sets out a number of requirements for the VMP. However, the VMP does not include or address the following two requirements from Appendix A – Matters to be addressed in Cumberland Plain Woodland Management (C2 Environmental Conservation zoned land) (C2): • A permanent fence must be placed around the C2 area and must be designed to allow for the safe movement of arboreal fauna outside of the southern boundary of the C2 zoned land. There is no mention in the VMP of this requirement or how it would be met. • Removal of vegetation - G4: The proponent must identify where practicable to reuse any of the native trees that are approved for removal from the site, including tree hollows and tree trunks (greater than 25–30cm in diameter and 3m in length), and rootballs to enhance habitat. There is no mention that this requirement would be undertaken. Recommended action: Revise the VMP to be compliant with the requirements of the CB DCP 2023.	Refer Section 5.3 of the VMP (refer **Appendix E**) which includes details on VMP Area fencing and type of fencing (1.2m high star pickets with plain wire to prevent wildlife injury). Refer Section 5.8 of the VMP which references habitat salvage of logs, hollows and rootballs (where practical) to be added to the VMP Area and open spaces.

Comment	Response
Consistency between BDAR and Landscape Masterplan	
The BDAR states that the Landscape Masterplan proposes a connected canopy between the C2 zoned lands and the M5 Motorway. This proposed habitat corridor is shown in Figure 18 of the BDAR. However in comparison, Section B.2 of the Landscape Masterplan only provides a general mention of Continuous Green Corridors. Recommended action: Revise the Landscape Masterplan to specifically refer to a north-south connected canopy in the Sitewide Landscape Vision and Principles section.	Refer updated BDAR and Landscape Plans at **Appendix D** and **M** respectively.
Flooding	
Emergency Management	
The FIRA proposes off-site self-evacuation as the primary emergency management strategy which is facilitated by an internal road network that provides rising access to flood-free land. However, CPHR's review of the flood hazard mapping indicates that one internal street is subject to high flood hazard (H5) during the probable maximum flood (PMF). Under H5 conditions, vehicle access would be unsafe and residents who have not evacuated prior to flood hazard reaching H2 would become isolated. CPHR notes that the flood hazard mapping was derived using general flood hazard vulnerability curves which provide a practical and widely adopted tool for assessing hazard levels for people, vehicles, and buildings by using a single consolidated set of curves. CPHR advises that a more detailed assessment of an individual hazard category is required. The Flood Risk Management Guideline FB03 Flood Hazard (FB03 guideline) provides separate vulnerability curves for people, vehicles and buildings. For example, the current application of the general hazard curves may overstate the risk to vehicles, as the mapped H5 hazard along the affected internal road is associated with shallow flood depths of less than 0.25m. Under these conditions, the use of vehicle stability thresholds in the FB03 guideline would provide a more appropriate assessment of vehicle trafficability and feasibility of emergency evacuation. Recommended action: Revise the FIRA to address the emergency management requirements by referring to stability thresholds in the FB03 guideline. The following options are to be considered in the revised FIRA: • Option 1 - Demonstrate that all evacuation routes are safe for vehicles in all flood events up to and including the PMF. • Option 2 - Demonstrate that sufficient warning time is available to allow all residents to self-evacuate off-site before internal roads become non-trafficable. • Option 3 - Demonstrate that any residents who are unable to evacuate prior becoming isolated can safely shelter in place for the full duration of the PMF event.	Flood model results have been assessed with consideration for vehicle evacuation; all internal roads are demonstrated to be hydraulically safe for vehicles up to the PMF for local storms (see Section 8 of the FIRA). Additional assessment of overland flow within the road carriageways was carried out for critical locations which confirmed conditions to be hydraulically safe for vehicles (see Section 5.3). In the regional storm event, the lower roads are inundated as a result of the backwater effects from the Georges River but evacuation will occur prior to these becoming inundated – the overland flow for evacuation routes will be no different than in the local PMF storm.

Table 5 Crown Lands Comments

Comment	Response
Crown Reserve 62624 for the purpose of Public Recreation comprises Lots 1, 2 & 3 DP 91953. Canterbury-Bankstown Council is the appointed Crown Land Manager (CLM) for this reserve and is responsible for the day to day reserve management. It is important that Council are referenced as part of this proposal for any comments or requirements they may have in relation to the proposal.	Noted.
Both Ashford Avenue and the Western portion of Bullecourt Avenue (between Ashford Avenue intersection and Lot 1 DP101147) are Crown Roads. A review of the EIS indicates that both of these roads are required for access to the proposed development. In addition, substantial works are proposed for Ashford Avenue including a new access road at the location of the existing driveway on Ashford Avenue and kerb extensions on Ashford Avenue north of Zonnebeke Crescent. Crown Lands is not a road construction or maintenance authority. Where road works are proposed by someone other than the department, and those works require development consent under the Environmental Planning & Assessment Act 1979 the road is considered suitable for transfer to the appropriate road authority in accordance with the Departments Administration of Crown Roads Policy. As any approved development at this locality would rely on these Crown Roads for access, Crown Lands requires the transfer of these roads to the appropriate Roads Authority.	As confirmed by **Appendix R**, Ashford Avenue and Bullecourt Avenue are not Crown Roads. No conditions are therefore required for the Applicant to facilitate the transfer of any Crown Land.

Table 6 Heritage NSW Comments

Comment	Response
Further information is required on the potential for intact A-horizon across sections of the project area. While the ACHAR outlines that much of the project area has been subject to large scale ground disturbance, the geotechnical report (Appendix AA of the EIS) indicates that areas in the southeast retain varying depths of topsoil. Please provide further discussion on if these areas may contain archaeological deposit and, if so, additional archaeological assessment may be required (i.e., test excavations).	As shown in Figure 10 and Plate 8 of the ACHAR, the south-east part of the Project Area (as identified in **Figure 2** of the BDAR) has been subject to large-scale ground disturbance for the development of a sports oval. This seems to have involved some excavation of topsoil in the central area, and deposition of this excavated material to create the mounded outer ring around the oval. Subsequently, topsoil may have built up in the central area from modern run-off/erosion of the outer mounds. Further, the Project Area is located at a distance from fresh water (250m north of a non-perennial 1st order stream and 1.7km east of the estuarine Georges River), As such, it is considered unlikely that any substantial or intact archaeological deposits will be present within the Project Area, and thus no areas of PAD were identified.
In support of the EIS, a due diligence assessment (Appendix LL) was supplied for additional assessment of the childcare carpark works. Heritage NSW does not review due diligence assessments as they are a legal defence against harm under section 87 of the National Parks and Wildlife Act 1974 (NPW Act). As the regulator under the NPW Act, Heritage NSW can be called upon on to participate in non -compliance investigations under the Act, including strict liability offences for which due diligence is used as a de fence.	As shown at **Appendix I**, the ACHAR has been updated to include the Aboriginal DD Assessment as an Appendix. The ACHAR has been distributed to the RAPs for comment, and any comments received will be provided to DPHI upon receipt.

Comment	Response
Heritage NSW recommends that Appendix LL is made an Addendum to the ACHAR and it provided to the Registered Aboriginal Parties (RAPs) for review and comment.	

Table 7 SES Comments

Comment	Response
Advise the consent authority to request that a fit for purpose FIRA, consistent with the NSW Government Guidelines,2 is resubmitted to consider: • flood risks from all flooding mechanisms impacting the site, including mainstream flooding of the Georges River; • the full range of flood events (from the more frequent ones and up to and including the PMF); • time to onset and duration of inundation of any flooding; • flooding impacts on access/egress roads, including any proposed internal roads and any risk of isolation. The analysis of the impact of flooding on the roadways should go beyond immediately adjacent to the site to fully understand any isolation risks and evacuation constraints.	The FIRA at **Appendix F** uses a combined impacts assessment approach. The assessment considered JWP reporting of backwater flows from George's River, overland flows were considered separately using results from TUFLOW modelling and manning's 'n' overland flow calculations (See Section 5 of the updated FIRA) which included modelling up to the PMF and climate change sensitivity assessment. The evacuation strategy is documented in Section 8.1.1of the updated FIRA which discusses: • time to onset and duration of inundation of any flooding • flooding impacts on access/egress roads • risk of isolation • demonstrates self-evacuation is achievable up to a PMF event, connecting into the designated SES evacuation route via Beaconsfield Street
Note the Council adopted studies are 16 years old (Kelso Stormwater FS) and 21 years old (Georges River FSMP) and recommend referring to the Georges River Flood Study (BMT, 2020) to ensure the best available information is used to determine the flood risk on the site and inform appropriate mitigation measures. This study indicates that the southern part of the proposed development site is impacted by flooding that can exceed 5 metres depth3 and H6 flood hazard level in a Georges River Extreme Flood Event scenario,4 while the current FIRA notes that in the modelled overland flow PMF event the site experiences a maximum depth of 2.2 metres in the south-western part5 and H5 flood hazard level.	The originally submitted FIRA addressed Local Flooding as requested by Council in all pre-development discussions. The JWP FIRA prepared for the Planning Proposal addressed the regional flooding but was not originally provided as part of this SSDA submission. The updated FIRA (at **Appendix F**) uses a combined impacts assessment approach with consideration for both local and regional flooding (see Section 4 and 5 of the updated FIRA, respectively). Modelling reported in the JWP FIRA is based on the Georges River Flood Study (BMT, 2020).
Recommend consulting with the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) in relation to the modelling approach and regarding the impacts of the proposed development on flood behaviour at the site and adjacent areas, noting that the proposed site filling disturbs the overland flow resulting in localised water level increases at the intersection of Flanders Avenue and Ashford Avenue.	See Section 7.2.1 of the FIRA at **Appendix F** - Flood behaviour for the developed condition is demonstrated to be largely consistent with that in the existing condition. While some water level increases were noted in the developed condition for the 1% AEP event, there is no loss of trafficability along Ashford Avenue. Hazard levels were reduced from H5 to H4 for a large area in Ashford Avenue for the developed condition.

Comment	Response
Note the FIRA proposes a shelter in place strategy for lots affected by inundation,8 and advise that the strategy of isolation or sheltering in buildings surrounded by flood water are not equivalent, in risk management terms, to evacuation and it should not be used to justify future development.	See Section 8 of the FIRA at **Appendix F** – the emergency management strategy does not propose shelter in place. The assessment demonstrated self-evacuation is necessary and achievable for all residents up to a regional PMF event, this is consistent with existing emergency management strategies for the area. For the Local PMF Event, the PMF level is RL6.16 which is below the Finished Floor Level of the lowest residential lots. Where a flash flooding local storm event occurs within 90 minutes, residents can stay within their homes during this local PMF event.
We reiterate that a robust FIRA considering flood risks from all mechanisms impacting the site must be provided to inform the appropriate emergency management approach for the site; however, we advise that noting the different flood mechanisms and durations affecting the site this development is not suitable for sheltering in place. Should shelter in place be proposed, the consent authority should request the proponent to demonstrate consistency with the Shelter in Place Guideline, prior to granting consent, including (but not limited to): • does shelter in place align with existing emergency management strategies for the area, as determined through the flood risk management process and by the NSW SES; • detailed assessment of evacuation off-site (the primary emergency management strategy) to determine that evacuation off-site is not achievable; • the flood behaviour at the site, with consideration of climate change and assessment of the potential maximum duration of isolation up to and including the PMF to identify that: a. flash flooding is the only flood risk present at the site, whether it be from overland flooding, local creek or riverine flooding, b. the flooding occurs within less than 6 hours from the commencement of causative rain and the duration of shelter in place due to isolation by floodwaters is less than 12 hours from the commencement of rainfall, c. the development is not subject to high hazard flooding (e.g. floodways, high hazard H5 or H6 areas) or surrounding roadways are not subject to high hazard flooding.	

Table 8 TfNSW Submission Comments

Comment	Response
Proposed M5 South Western Motorway boundary interface works	
a) Comment The subject property shares a common boundary with the M5 South Western Motorway which is a Declared Tollway by notification in Government Gazette No. 99 of 14 August 1992. Section 9.2 Coordination works with adjoining properties of the WSU Milperra – DA Civil Engineering Design Report (dated 14/11/2025) mentions the proposed M5 Motorway boundary interface works: Removal of the existing chain link wire fence along the boundary Removal of a number of trees along the boundary as the root zones of the trees will be impacted by the internal works within the WSU site Removal of the existing stormwater outlets	This comment can be satisfied via the application of a condition of consent.

Comment	Response
Removal of a number of portions of the existing sewer which impacts the retaining walls Installation of new headwalls and small lengths of pipe which discharge stormwater from the basins to the existing swale and regrade tail-out as required (note that stormwater quality has been improved, and the quantity has been reduced to pre-development levels) Construction of new retaining walls along the boundary. It is proposed that all new retaining walls are located entirely within the WSU boundary. It is noted that the types of walls for different sections of the wall may vary and may include reinforced earth walls as well as cantilevered walls and pile walls. b) Suggested condition: TfNSW approval shall be obtained for any modification to boundary assets before modifications are implemented. If approved by TfNSW, an interface or access agreement with Transurban is required to cover the modification of the boundary assets.	
Stormwater	
a) Comment: Section 10 Stormwater Management and Assessment of the WSU Milperra – DA Civil Engineering Design Report (dated 14/11/2025) details that the development will discharge stormwater to the existing infrastructure in the M5 motorway. b) Suggested condition: Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system that impact the M5 South Western Motorway are to be submitted to TfNSW for approval and approval obtained, prior to the commencement of any works. Please send all documentation to development.sydney@transport.nsw.gov.au. A plan checking fee will be payable, and a performance bond may be required before TfNSW approval is issued.	This comment can be satisfied via the application of a condition of consent.
Earthworks	
a) Comment: The Remedial Action Plan prepared by Environmental Group Australia, (Report No: 2300_RAP-300924, dated 4/11/2025) indicates that earthworks are proposed along the M5 South Western Motorway. b) Suggested condition: The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2020/001. No works are to occur outside the development site boundary or impact upon the M5 South Western Motorway road reserve. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by TfNSW. Please send all documentation to development.sydney@transport.nsw.gov.au.	This comment can be satisfied via the application of a condition of consent.

Comment	Response
If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) day notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.	
Noise	
a) Comment: The provisions of Section 2.120 (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Transport and Infrastructure) 2021 apply to the submitted application as the annual average daily traffic volume along this section of the M5 Motorway is more than 20,000 vehicles. b) Suggested condition: The developer will need to demonstrate to the satisfaction of the DPHI that the development is able to comply with provisions contained in Section 2.120 of State Environmental Planning Policy (Transport and Infrastructure) 2021 specifically in relation to measures to ensure the required noise levels as detailed in Subclause 3 are not exceeded when future dwellings on the lots being created are ready to be occupied noting that future dwellings may not require a development application.	This comment can be satisfied via the application of a condition of consent.

Table 9 Sydney Water Submission Comments

Comment	Response
Water Servicing	
Our preliminary assessment indicates that water servicing should be available for the proposed development.	Noted
Amplifications, adjustments, deviations and/or minor extensions may be required.	Noted
Detailed requirements will be provided at the Section 73 application stage.	Noted
Waste Water Servicing	
Our preliminary assessment indicates that wastewater servicing should be available for the proposed early works associated with the development. However, it should be noted that there are existing downstream wet weather capacity issues.	Noted
Additional details including a detailed staging plan, sewer flow estimation, reticulation scheme plan and any network augmentations required will need to be provided as part of the Section 73 application.	Noted
The proponent is encouraged to continue liaising with Sydney Water to ensure any impacts to wet weather capacity issues can be appropriately managed.	Noted
Comment	

Comment	Response
Sydney Water supports government-backed growth initiatives within our area of operations, striving to provide timely and cost-effective water and wastewater infrastructure without undue impacts. To offer robust servicing advice and investigate staged servicing possibilities, we require the proponent to provide anticipated ultimate and annual growth data for this development as outlined in the enclosed Growth Data Form.	Noted
Next Steps	
Should the Department of Planning, Housing and Infrastructure (the Department) decide to progress with the subject SSD application, Sydney Water would require the following conditions be included in the development consent. • Section 73 Compliance Certificate • Building Plan Approval Further details of the conditions can be found in Attachment 1.	This comment can be satisfied via the application of a condition of consent.
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 provides more information on Infrastructure Contributions.	Noted
The development should provide an up to date growth forecast staging plan to their Sydney Water Account manager as soon as possible.	Noted

Table 10 Ausgrid Submission Comments

Comment	Response
Ausgrid Underground Cables are in the vicinity of the development	
Special care should be taken to ensure that driveways and any other construction activities do not interfere with existing underground cables located in the footpath or adjacent roadways. It is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Information regarding the position of cables along footpaths and roadways can be obtained by contacting Before You Dig Australia (BYDA). In addition to BYDA the proponent should refer to the following documents to support safety in design and construction: SafeWork Australia – Excavation Code of Practice. Ausgrid's Network Standard NS156 which outlines the minimum requirements for working around Ausgrid's underground cables. The following points should also be taken into consideration.	Noted

Comment	Response
Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Should ground levels change above Ausgrid's underground cables in areas such as footpaths and driveways, Ausgrid must be notified, and written approval provided prior to the works commencing. Should ground anchors be required in the vicinity of Ausgrid underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.	
Ausgrid Overhead Powerlines are in the vicinity of the development.	
The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase. Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at www.ausgrid.com.au. It is the responsibility of the developer to verify and maintain minimum clearances on site. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid relocation works will be at the developers' cost.	Noted
Ausgrid Kiosk Substation in the vicinity of the development	
The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and airconditioning in buildings - Mechanical ventilation in buildings. In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Any portion of a building other than a BCA class 10a structure constructed from non- combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.	Noted

Comment	Response
The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHZ) (ICNIRP 2010). For further details on fire segregation requirements refer to Ausgrid's Network Standard 141. Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24-hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.	
New Driveways - Proximity to Existing Poles	
Proposed driveways shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.	The proposed development is capable of compliance with this comment. Ausgrid will be consulted with in the provision of power poles.
New or modified connection	
To apply to connect or modify a connection for a residential or commercial premises. Ausgrid recommends the proponent to engage an Accredited Service Provider and submit a connection application to Ausgrid as soon as practicable. Visit the Ausgrid website for further details; **https://www.ausgrid.com.au/Connections/Get-connected** Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances "Working Near Ausgrid Assets - Clearances". This document can be found by visiting the following Ausgrid website: www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries	Noted

Table 11 Jemena Submission Comments

Comment	Action
Please note that Jemena has secondary gas mains surrounding this proposed development, in road reserve along Bullecourt Avenue & Horsely Road. Jemena's High pressure Primary Main is also located in road reserve along Bransgrove Rod, Panania which is approximately 155m from the proposed development boundary.	Noted