


SUBMITTOR	MATTERS RAISED	REQUESTS / COMMENTS	APPLICANT RESPONSE
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NSW DPIE	Construction phase	Please provide a timeline for the construction of the development, including the breakdown of early works, construction and fit out.	Indicative target program: <ul style="list-style-type: none"> Demolition / site preparation works: July 2021 – September 2021 Construction (until tenant access date): October 2021 – October 2022 Fitout installation / Commissioning works: November 2022 – June / September 2023
	Customer pick up facility	Please detail the proposed operational hours for the customer pick up component of the development.	It is expected that the customer pick-up component of the development would operate mostly between 6am - 10pm. Notwithstanding, there may be occasional collection outside these hours.
		Please provide detail on the expected number of daily visitors to the customer pick up facility.	The drive through pick-up will have a service capacity of some 60 vehicles per hour, although the peak number of pick-ups will be limited to some 20 customers per hour. An operational management plan will be prepared for the customer pick-up facility. Pick-ups will be scheduled through a customer booking system, with 20 pick-ups scheduled per hour. The booking system will give customers a time period that their online order will be available for collection. With regards to potential traffic queues, the 95th percentile queue for the pick-up operation would be two vehicles, which will readily be accommodated within the drive through (six pick-up bays).
		Please demonstrate that safe ingress / egress can be achieved by customers utilising the customer pick up facility without conflicting with truck movements.	The access driveway to the customer pick-up facility has been modified, as demonstrated in the transport planning response, prepared by Colston Budd Rogers & Kafes, which form part of Attachment H of this RTS. Separate entry and exit lanes have been provided, with clear and convenient access to the pick-up bays. The proposed facility provides good sight lines for motorists and convenient circulation for vehicles to manoeuvre through the facility and to enter and exit the site in a forward direction. The southern driveway will provide access to the customer pick-up facility and emergency vehicle access to the inbound dock area, via the southern perimeter internal circulation road. The security gate to the east of the customer pick-up facility (separating the customer pick-up facility and the van parking area adjacent to the southern boundary of the site) will be closed to ensure that delivery vans do not access the site from this driveway. Delivery vans will be required to utilise the two northern driveways when entering and exiting the site.
	Operation traffic movements	The development will increase heavy vehicular movements in the local area, potentially impacting the residential area to the north-west of the site. Please consider restricting truck movements to Percy Street, avoiding residential areas along St Hilliers Road. Such restrictions could be proposed through the implementation of a Driver Code of Conduct.	The site is located within the Auburn industrial area and is currently occupied by two warehouse buildings. Adjacent land uses along Percy Street are predominately industrial and warehouse developments. Roads within the area, including St. Hilliers Road, Hall Street, Percy Street, Silverwater Road, Parramatta Road, M4 Motorway, Rawson Street, Boorea Street and Olympic Drive are designated heavy vehicle routes for use by articulated vehicles and B-Double. Notwithstanding this, the proposed development will only generate some 10 to 15 articulated vehicles per day. These vehicles will be semi-trailers up to 19 metres in length. The balance of the service vehicles will be delivery vans and small rigid trucks up to 6.4 metres in length. The proposed development will not generate B-Doubles. Large service vehicles accessing the site, including articulated vehicles, will be restricted to the designated heavy vehicle truck routes. The truck routes will restrict articulated vehicles to the main road network and ensure that large service vehicles do not access residential streets in the vicinity of the site. Truck drivers will be advised of the designated truck route to and from the site and in particular they will not be permitted to access residential streets to the west of St. Hilliers Road.

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	Hazard assessment	The EIS only indicated storage and handling of 45,000 kg of Class 3 (PGII and PGIII) and the report, State Environmental Planning Policy No. 33 by Riskcon Section 3.1 states the site has “minimal quantities of DGs”. Based on a typical supermarket setting, there could be other DGs storage, for example from aerosol products or Class 8 materials. As such, please verify the amount of DGs to be stored on the site, including but not limited to, Class 2.1 (Aerosols) and Class 8, if any. If SEPP 33 is triggered, please prepare a Preliminary Hazard Analysis (PHA) which is to be submitted in accordance with Hazardous Industry Planning Advisory Paper No. 6, ‘Hazard Analysis’ and ‘Multi-Level Risk Assessment’.	<p>The <i>State Environmental Planning Policy No.33 – Hazardous and Offensive Development</i> (SEPP 33) assessment report has been updated by Riskcon Engineering, and forms part of Attachment L of this RTS.</p> <p>A review of the quantities of dangerous goods (DGs) stored at the proposed warehouse and the associated vehicle movements was conducted and compared to the threshold quantities outlined in <i>Applying SEPP 33</i>. The results of this analysis indicates the threshold quantities for the DGs to be stored and transported are not exceeded; hence, SEPP 33 does not apply to the project.</p> <p>As the facility is not classified as potentially hazardous, it is not necessary to prepare a Preliminary Hazard Analysis for the facility as SEPP 33 does not apply.</p>
	Noise/Acoustics	Noise criteria for non-residential receiver types are presented in Table 6-4 of the acoustic report. Noise criteria apply during business hours (i.e. when in use) for commercial and industrial premises. The acoustic report did not provide information on the time of use of nearby non-residential receivers. Please provide clarity around whether operational noise should be assessed at non-residential receivers across all time periods corresponding to day, evening and night.	The noise criteria for non-residential receives, depending on the receiver type (i.e. commercial or industrial) is applicable to when the receiver is “in use”, and is independent of the time period during which this occurs. The Acoustic Report prepared by Acoustic Logic, contained within Attachment I , demonstrates compliance with the noise emission requirements of the <i>Noise Policy for Industry</i> (NPfI) for all non-residential receivers.
		It is identified in the Environmental Impact Statement (EIS) that the development comprises 36 loading bays, including eight inbound loading bays (of which six are suitable for 20 metre articulated vehicles and two suitable for rigid trucks) and 28 small rigid truck loading bays. However, this level of detail is not reflected in the acoustic report as all truck types were assumed to be acoustically similar under Section 7.3 of the acoustic report. Assumptions made for carpark noise in Section 7.2 of the acoustic report appear to have only considered passenger vehicles. Furthermore, although the EIS states the proposal seeks to operate 24 hours a day, 7 days a week, Section 7.3 of the acoustic report is unclear about the hours of operation which creates uncertainty in the noise management and mitigation measures needed to address night-time noise impacts. Please provide clarity around how vehicle related noise has been modelled and how night-time noise criteria would be achieved (details and effectiveness of noise management and mitigation measures need to be clearly identified).	<p>Acoustic Logic has considered the NSW DPIE query and has undertaken a reassessment of Section 7.3 of the Acoustic Report.</p> <p>Section 7.3 of the revised Acoustic Report (Attachment J of this RTS) has reassessed and demonstrated compliance with the noise emissions requirements of the NPfI.</p> <p>The reassessment has adopted conservative numbers of up to 4 inbound or outbound heavy vehicle movements, during a typical 15-minute period during peak time usage, which corresponds to a maximum of 15 heavy vehicle movements on site in each peak hour period. This represents the most conservative assumption for the use of the loading dock, which are far higher than the proposed operations.</p> <p>The reassessment also details the criterion that has been adopted in greater detail.</p>
		Section 7.3 of the acoustic report on “Loading dock and waste collection” assumed a single sound power level value of 100 dB(A) to represent noise emissions from a variety of scenarios corresponding to heavy vehicle movements, loading activities and waste collection. The oversimplification of modelling parameters is unlikely to result in accurate operational noise predictions. Further, there is insufficient information in the acoustic report to verify if heavy vehicle movements have been modelled appropriately. For example, the duration of noise exposure at a receiver location is sensitive to vehicle passage speed. However, there is no mention of heavy vehicle speed in the acoustic report. Please clarify the reference source for this assumed sound power level and provide supporting evidence if derived from measurements. The acoustic report must objectively account for acceleration, reversing, materials delivery, handling and processing as separate noise sources in the operational noise model. The Acoustic report must specify the assumed passage speeds for all heavy vehicle manoeuvres.	<p>Acoustic Logic has considered the NSW DPIE query and has undertaken a reassessment of Section 7.3 of the Acoustic Report.</p> <p>Section 7.3 of the revised Acoustic Report (Attachment J of this RTS) has reassessed and demonstrated compliance with the noise emissions requirements of the NPfI.</p> <p>A sound power level of 100 dB(A) + 5 dB(A) penalty for the reverse beacon (typical of large articulated vehicles) has been adopted to represent heavy vehicle movements, typically travelling 10km/h. This noise emission level has been obtained from noise measurements carried out at a similar loading dock facility. Noise measurements were obtained using a Norsonics Nor118 sound level analyser, set to fast response. The sound level analyser was calibrated before and after the measurements, using a Rion Nc-73 calibrator, with no significant drift detected during the measurement.</p> <p>Additional information regarding speed and truck type has been provided within the updated report.</p>
		There appears to be no evidence of an objective assessment that demonstrates the modifying factors outlined in the Factsheet C of the Noise Policy for Industry have been considered in the acoustic report. The acoustic report needs to include tests for low frequency content, tonality and impulsivity for all assessment time periods as well as the intermittency test for activities undertaken during the night-time period and apply any relevant modifying	Acoustic Logic has considered the NSW DPIE query and has undertaken a reassessment of loading dock/waste collection noise emissions, refer to Attachment J of this RTS. A + 5 dB(a) penalty has been adopted for tonality of the reverse beacon of heavy vehicles. The intermittency test has also been considered, as the noise emission level adopted for truck manoeuvring, with the reverse beacon penalty (based on previous measurements conducted by Acoustic Logic), is representative of an intermittent noise source.

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		factors to assess operational noise impacts in accordance with the Noise Policy for Industry.	
NSW EES	Biodiversity	No further comment in relation to biodiversity	Noted – no action required.
	Flooding	Climate change implications from sea level rise and/or increased rainfall intensity must be considered in the flood assessment, 0.5% and 0.2% AEP events can be adopted as a proxy. The proposed development should be designed to include any climate change increase. The 0.5m freeboard must not be eroded to account for climate change impacts as incorrectly stated in the Flood Assessment.	The main flooding for this site is from Haslams Creek, which is much lower than Percy Street. The flooding along Percy Street in 1:100 is caused by the existing stormwater infrastructure and the existing pipe that connects with Haslams Creek. Sea level rise can affect only the levels at Haslams Creek for approximately 200mm, based on 4mm rise per year over the next 50 years. As the flood levels at Haslams Creek are 2.2m lower than the proposed floor level, an increase of 200mm from sea level rise will not affect the proposed development.
		It is recommended that a blockage assessment using the Australian Rainfall and Runoff (ARR2016) blockage guidance is undertaken, because under developed conditions the flood risk may be sensitive to different structure blockage assumptions.	There are no columns within the first 10m setback from the Haslams Creek, as this area is proposed to be landscaped. Columns are located at 12.5m distance, normal to the flow and 8m parallel to the flow. Henry & Hymas has assessed the blockage potential and consider the maximum debris size during a flood event to be a car or tree. Approximately 250m upstream from the subject site is an existing culvert below Boorea Street. This culvert will limit the size of the larger non-floating debris reaching that may reach the subject site during peak flows. As the proposed development has openings between the columns of 12.5m and relatively shallow water depth in comparison with the 3m high, the opening is bigger than potential debris that can reach the area. As an additional measure to protect the columns it is proposed that a full height rail guard be placed between the columns at approximately 4m distance. As the rail and the columns will be located in the direction of the flow, any bigger object will be directed in the channel and not in the under suspended area.
		Further to Section 7.2.7 of the environmental impact statement (EIS) EES advises that in addition to Cumberland Council the NSW SES Zone Commander is also consulted on the preparation of a Flood Emergency Plan and the recommended measure of 'Shelter in Place'. The Plan should consider the impacts on managing risk to life, emergency management arrangements, evacuation, access and contingency measures for the development considering the full range of flood risk. This Plan should include education and awareness of owners and occupiers of the proposed site. As the lead flood combat agency SES endorsement is considered imperative. Reference should be made to the Local Flood Plan, prepared by SES.	Henry & Hymas have contacted the NSW SES and discussed the evacuation strategy. A letter from NSW SES is now included within the addendum Flood Report, included in Attachment G of this RTS. A detailed 'Shelter in Place' evacuation plan is attached in the addendum Flood Report.
		It is unclear if the flood assessment and EIS have considered the impacts of the development on flood behaviour for the full range of flooding i.e. from floods more severe than the 1% AEP event up to the PMF, resulting in detrimental changes in potential flood affection of other developments or land. This may include redirection of flow, flow velocities, flood levels, hazard categories and hydraulic categories.	Henry & Hymas have considered the impacts of the proposed development on flood behaviour for the full range of flooding (i.e. from floods more severe than the 1% AEP event up to the PMF). Evacuation and risk to life is covered in the Flood Report (Attachment G) for 100 years flood and PMF.
Cumberland Council	Rear building elevation	The development application includes the suspension of a rear slab above a flood affected part of the site. The architectural plans do not delineate clearly how the rear slab area will be suspended and or the size of pylons required to achieve this and finished levels. In this regard, it is not clear how high the slab will be suspended above the natural ground level. Details of the suspended slab and levels should be shown on the architectural plans. As such, this would require a modification to Plan Number 11250-DA031 (Issue A) prepared by Nettletontribe and dated 18 September 2020. It is considered necessary to obtain a plan showing a north to south cross section of the rear elevation / portion of the building situated closest to Haslam's Creek that provides details of the suspended slab, levels and how the structure is supported above the natural ground level.	Plan Number 11250-DA031 has been updated by Nettletontribe and included within Attachment C of this RTS. It is also noted that engineering cross section drawings, included in Attachment F of this RTS should also be referred to for suspended slab details.

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	Solar panel zone on roof of warehouse building	The roof plan Drawing Number 11250-DA013 (Issue A) prepared by Nettletontribe and dated 18 September 2020 is providing an “Indicative Solar Panel Zone” across much of the roof space. Details of the solar panels to be installed across the roof space should be included into the plans. As such, this will require an additional plan showing in detail, the solar panels to be installed for assessment purposes.	<p>Details of the proposed solar panels are to be confirmed at detailed design and are only indicative at this stage.</p> <p>It is anticipated that a 1MW (approximate) system will be installed to service the proposed development, with panel details including:</p> <ul style="list-style-type: none"> ▪ Dimensions: Approximately 2m x 1m panels ▪ Appearance: Black, with silver framing on each panel ▪ Height: Panels are to be flush mounted (not tilt mounted) – so will be approximately 100mm above the roof surface <p>The proposed location of the solar panels, being the northern extent of the warehouse roof, is indicative only at this stage, however due to the design of the roof and its setback into the site, the proposed solar panels would not be visible from the street level of Percy Street.</p>
	Landscaping (Industrial Areas DCP Chapter comments)	The ADCP2010 “Industrial Areas” chapter at Part 4.0 (Development Control D6) requires a minimum of 15% of an industrial site to be landscaped. The landscaping calculations submitted with the development application varies from 7.7% to 12.93% of the site between documents. Council’s own assessment identifies landscaping occupying 7.8% of the site which is equivalent to 2,527.2 square metres. A request is made to increase the amount of landscaping on site to achieve closer compliance with Part 4.0 (Development Control D6) of the ADCP2010 “Industrial Areas chapter”.	<p>The proposed development offers a total area of 2,430m² of complementary landscaping, which equates to 7.5% of the subject site. It is noted that this calculation does not account for any turfed areas below the proposed suspended slab. The land allocated to landscaping is generally in accordance with the extent of landscaping currently provide on site (pre redevelopment). The pre development landscaped area equates to approximately 7.65% of the site area (2,483m²).</p> <p>Whilst it is acknowledged that the ADCP2010 suggests that a minimum of 15% of an industrial site is to be landscaped, we note that the intent of development control plans is to ‘provide guidance’ to proponents and consent authorities in achieving land use zone objectives and facilitating permissible development under an environmental planning instrument.</p> <p>As is noted in Part 2, Clause 11 of the <i>State Environmental Planning Policy (State and Regional Development) 2011</i>, which governs this SSD Application:</p> <p><i>Development control plans (whether made before or after the commencement of this Policy) do not apply to:</i></p> <p>(a) <i>State Significant Development</i></p> <p>As such, it is respectfully submitted that it is pertinent to acknowledge the status and application of the ADCP2010 in the consideration of this SSD Application, however, should not be relied upon for strict compliance.</p> <p>To complement the proposed development, native species will be planted in a 4.5m wide landscape area immediately adjacent to the site boundary. This will be most effective to street level views and assist in softening the development. To the rear along Haslams Creek a 10m landscape strip runs adjacent to the eastern site boundary. This landscape buffer allows for large endemic canopy tree planting, smaller sub-canopy evergreen trees, shrubs and groundcovers, allowing a layered screening approach with trees ranging in heights from 7-20m+ and shrubs 1-5m, which will partially screen the development from potential visual receivers.</p> <p>This landscaping provision is considered to accord with the surrounding area and:</p> <ul style="list-style-type: none"> ▪ forms an integral part of the overall design concept, ▪ softens the impact of buildings and car parking areas, ▪ provides for passive/recreational use of workers of industrial areas, ▪ reinforces the architectural character of the street and positively contributes to maintaining a consistent and memorable character. <p>An analysis of the surrounding locality and areas attributed to landscaping has been undertaken to demonstrate that the proposed development is generally consistent with the surrounding amenity.</p>

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	Landscape comments (Tree replacement)	<p>It is recommended that the <i>Glochidion ferdinandii</i> and <i>Waterhousia floribunda</i> be replaced with <i>Melaleuca Styphellioides</i> and <i>Melaleuca linarifolia</i> or <i>Cupaniopsis anacardioidies</i>. The species are more suitable for the soil and proposed location given that heavy clay soils will be encountered. Where there is insufficient suitable soil for plants, shrubs, hedges, groundcovers and grasses onsite, consideration should be given to soil strata cells to allow for sufficient root growth and to reduce the likelihood of the clashing with infrastructure and assets.</p>	<p>Species selections have been revised in accordance with this item, as demonstrated in the revised Landscape Plans, prepared by Geoscapes Landscape Architects, which form part of Attachment D of this RTS.</p>
	Noise and acoustics	<p>An acoustic report has been prepared by 'Acoustic Logic dated 16 October 2020, reference 20200597.1/1610A/R1/LL which assesses the internal noise levels and the overall cumulative noise impact from the 24/7 operation of the facility. It is understood that unattended noise monitoring data from the 26 June to 10 July 2020 and attended noise monitoring from the 10 June 2020 between 4:00pm-5:00pm was used. Six surrounding receivers were identified including residential, industrial and commercial. The nearest residential receivers have been identified as being approximately 150 metres from the site.</p> <p>To achieve the internal noise criteria, noise mitigation measures have been proposed for the final construction design. It is recommended that a condition be placed onto any consent issued that verifies that the design measures are integrated into the development that achieves the attenuation required to comply with the set noise criteria.</p> <p>The report also assessed the impact of the cumulative noise from the facility on the nearby sensitive receivers. The assessment considers the noise emissions from mechanical plant, car park noise, loading dock and waste collection. It appears however that whilst the sound power level of some operational noise is considered, there is no predicted noise levels provided and the report does not consider forklift movement within the loading dock.</p> <p>Table 7-1 below shows sound power levels associated with potential car movements</p>	<p>Acoustic Logic has considered the NSW DPIE query and has undertaken a reassessment of Section 7.3 of the Acoustic Report.</p> <p>Section 7.3 of the revised Acoustic Report (Attachment J of this RTS) has reassessed and demonstrated compliance with the noise emissions requirements of the NPfI.</p>

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		<p>and it appears that the predicted noise levels have been missed (see highlighted). It is recommended that this be followed up with the applicant.</p> <p>Some mechanical plant has been identified, however a detailed review at CC should be undertaken and further recommendations are to be provided to ensure noise emissions from the plant are within the set noise criteria.</p> <p>Noise from the loading dock and waste collection (part 7.3) is discussed as seen in the below extract from the report. A separate 'plan of management' is proposed should loading/unloading activities take place between 10pm-7am. Given that the applicant is seeking 27/4 approval, it is likely that such activities will take place during these times. Therefore, it is recommended that use of the loading dock and compliance within these hours is assessed in further detail as an engineered solution is required to ensure that the set noise criteria is achieved.</p> <p>"Average noise emissions from loading dock operation readily comply with the requirements of the NSW EPA Noise Policy for industry when assessed to the surround sensitive noise receivers during the day and evening period. If it is proposed to operate the loading dock during the night period (10 pm 7 am) such as for large deliveries or waste collection, it must be accompanied by a separate plan of management demonstrating how acoustic controls for the site will be achieved.</p> <p>This may include the absorptive treatments to the soffits of loading dock areas, scheduling of deliveries and times of operation".</p> <p>In the past, Council has received several noise complaints from premises with 24/7 operating hours. The complaints usually relate to the use of loading docks and noise emission from mechanical plant. Therefore, it is important that consideration is given to the proposed operating hours, particularly the use of the site between 10pm-7am and any chosen mechanical plant.</p> <p>Recommendations to ensure compliance with the set noise criteria should be included in the acoustic report and verification at both the CC and OC stage should be undertaken. It is also expected that any plan of management be prepared that provides a number of acoustic control measures to assist with noise management.</p> <p>A construction noise and vibration management plan prepared by 'Acoustic Logic dated 24 August 2020 ref 29200597.2/2408A/R0/LL' also accompanies this application. A condition is required to ensure that noise controls remain in place during demolition and construction.</p>	
	SEPP 55 "Contaminated Land Assessment"	<p>The site has historically been used for commercial/industrial use, more specifically for the manufacturing of white goods and plastic packaging. Geo-Logix has been engaged to investigate the extent of contamination at the site which has resulted in the following reports being prepared:</p> <ol style="list-style-type: none"> 1. Preliminary Geotechnical Investigation dated 10 July 2019 reference 1901031GTRpt01FinalV01_10Jul19. 2. Detailed Site Investigation Report dated 22 November 2019 reference 1901048Rpt01FinalV02_22Nov19. 3. Ground Water Monitoring Report dated 29 July 2020. 4. Soil Vapour Investigation Report dated 21 September 2020 reference 2001029Rpt02FinalV02_21Sept20. 5. Acid Sulfate Soil Assessment and Management Plan dated 21 September 2020. <p>In addition to the above, two interim letters of advice have been prepared by an EPA Accredited Site Auditor. The contamination investigations found soil, soil vapour and ground water contamination present at the site. Several recommendations have been provided by the site auditor. It is expected that these recommendations are implemented.</p> <p>All recommendations proposed by the EPA Accredited Site Auditor in the interim letters of advice are to be implemented. These include:</p>	<p>Noted – the Applicant is willing to address these matters as conditions of consent. It is also noted that a Remedial Action Plan is currently under preparation, with input from the EPA Accredited Site Auditor.</p>

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Agency		<p>1. The preparation of a Remedial Action Plan (RAP) outlining the removal and validation of ACM.</p> <p>2. Final site remediation and validation report is to be prepared by a qualified environmental consultant which verifies that all actions outlined in the approved RMP have been undertaken. The report is to outline the site suitability for the proposed development.</p> <p>3. Preparation of an Environmental Management Plan (EMP) for any remaining contamination on site which may pose a risk to human health or the environment (the EMP must be reviewed and approved by the site auditor).</p> <p>4. Prior to the issue of a Construction Certificate, a Site Audit Statement must be obtained from a NSW Environment Protection Authority accredited Site Auditor.</p> <p>- The Site Audit Statement must confirm that the site has been remediated in accordance with the approved Remedial Action Plan and clearly state that site is suitable for the proposed use.</p> <p>- Where the Site Audit statement is subject to conditions that require ongoing review by the Auditor or Council, the conditions must be reviewed and be approved in writing before the Site Audit Statement is issued.</p> <p>5. The waste materials must be classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA's Waste Classification Guidelines, Part 1: Classifying Waste (2014). The materials must also be transported and disposed of in accordance with the Protection of the Environment Operations Act 1997 and the requirements of their relevant classification.</p> <p>6. All fill imported onto the site shall be validated to ensure the fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.</p> <p>7. All recommendations contained in the approved Acid Sulphate Soils Management Plan prepared by Geo-Loxics, dated 21 September 2020 must be implemented and complied with during all development works.</p> <p>It is expected that as per s.59 of the CLM Act 1997, Council be notified of any SAS prepared and once/if the land is deemed as 'significantly' contaminated by the EPA as this information must be included on the sites planning certificate.</p> <p>It is also recommended that a condition is placed on the consent requiring compliance with the future EMP and that the plan is registered as a covenant on the land title.</p>	
	Potential Water Pollution	It is noted that the proposed development is close to Haslams Creek, a concrete-lined channel which is a first order watercourse in the Parramatta River catchment. A Watercourse and Riparian Assessment has been prepared by 'Eco Logical Australia dated 18 September 2020'. The assessment found that with the incorporation of WSUD, the water quality post development for Haslam's creek is likely to improve from the current condition. Concerns from the demolition/construction activities will need to be addressed in an overarching Construction Environmental Management Plan.	Noted – the Applicant is willing to address these matters as part of a Construction Environmental Management Plan, to be completed as a condition of consent.
	Dust Management	The EIS identifies the need for a Dust Management Plan to be prepared and complied with throughout the course of the development.	Noted – the Applicant is willing to address these matters as part of a Construction Environmental Management Plan, to be completed as a condition of consent.
	Air Quality	An air quality assessment has been undertaken by 'Northstar Air Quality Pty Ltd dated 21 September 2020 reference 20.1134.FR1V1. The assessment found that there will be no requirement at either construction or operational phases for air quality monitoring.	Noted – no action required.
	Waste Management (Construction/demolition/operation)	All waste management during construction and operation of the proposed development must be undertaken in accordance with the waste management plan prepared by 'LG Consult date 24 September 2020 reference LG2030.01'.	Noted – no action required.

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	Tree Protection	As per the Arboricultural Impact Assessment, the remaining trees should be protected under AS4970 - Protection of Trees on Development for the entirety of the proposed development. As per AS4970, a project arborist should be appointed prior to the beginning of construction to ensure the conditions of tree protection are adhered too and should be present during pivotal stages of the development. As per the AIA, root investigation should be carried out prior to excavation and in conjunction with project arborist.	Noted – no action required.
	Flooding	An updated flood advice letter shall be obtained from Council as the flood advice letter is valid for only months.	An updated flood advice letter has been obtained from Council.
		The subject development shall comply with Chapter 6 of 'Auburn Development Control Plans 2010 – Stormwater Drainage'. In this regard, the flood report shall address all the controls nominated in Table 5 Auburn Development Control Plan 2010 - Stormwater Drainage.	Additional information has been provided in the addendum Flood Report, included in Attachment G of this RTS.
		The Number of columns shall be minimised within the rear setback area. Columns shall not be located within the high hazard flood risk area and/or floodway. This should be incorporated into the flood report recommendation.	There are no columns along Haslams Creek, as these have offset 10m from the channel. Columns are located at 12.5m distance, normal to the flow and 8m parallel to the flow. Structural design of the columns will withstand the floodway. Maximum debris size is restricted by the upstream culvert, below Boorea Street, that will limit the size of larger non-floating and floating debris that may reach the subject site. The proposed design has openings between the columns of 12.5m and relatively shallow water depth in comparison with the 3m height. However, as an additional measure, to protect the columns, a full height rail guard is proposed between the columns at approximately 4m distance. As the rail and the columns will be located in the direction of the flow, any bigger object will be directed in the channel and not in the under suspended area.
		Any batter or retaining wall shall be clear of the 20m setback from the stormwater channel. The cantilevered portion can only be considered over the 10.0m area in accordance with correspondence given to the applicant and dated the 25/6/2020.	Only the existing batter within the 20m setback area and reduced number of columns have been proposed to the cantilevered portion.
		Appropriate arrangement shall be incorporated into the design for the maintenance access to the 20m setback area and the area shall be maintained by the applicant.	Access is provided in the south east corner, close to the sprinkler tank.
	Stormwater drainage	The proposed stormwater design is not satisfactory. Onsite stormwater detention system shall be provided for the entire site area. The submitted stormwater plans shows that the OSD has been proposed for only part of the development site. The details shall be prepared by a qualified practising Civil/Hydraulic Engineer in accordance with Council's Stormwater DCP and Australian Rainfall & Runoff 1987.	The proposed stormwater design has been revised to have the entire site draining to the OSD, with less than 15% bypass. Revised civil engineering drawings form part of Attachment F of this RTS.
		The proposed OSD tank is located below the 1% AEP flood and will not perform as per the submitted OSD calculation. The design shall be reviewed.	The proposed OSD has been moved toward the rear of the site, to drain to Haslams Creek.
		Stormwater shall be discharged to Haslam Creek subject to Sydney Water approval. Stormwater disposal to Percy Street is not acceptable. Percy Street frontage is affected by 1% AEP flood as per the survey and the ground level car parking spaces are located below the flood level.	The car park should be located above 1:20 year ARI plus freeboard. Henry & Hymas do not expect any flooding from Percy Street in 1:20 year ARI. The flooding along Percy Street in 1:100 year ARI is caused by the existing stormwater infrastructure and the existing pipe that connects with Haslams Creek. The proposed redevelopment and existing levels also have levels along the front boundary that ensure no spilling will occur from the road into the subject site. Since the spilling of flood water is prevented in the largest storm (1:100), it is assumed that there will be no risk of flooding even for smaller events such as 1:20 year ARI. The existing development at 11 Percy Street, currently discharges the stormwater to Percy Street, through 1 x 400mm pipe and few 225 pipes. That is approximately 1.1 ha that will be discharged from the OSD to Haslams Creek, which will significantly improve the flood situation along Percy Street.
		A Positive Covenant and Restriction on Use shall be created for the OSD system and flow path under the suspended slab. Cumberland Council shall be nominated as the	Understood and noted.

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	Traffic/Parking	<p>authority to vary or modify the above.</p> <p>The following shall be addressed:-</p> <ul style="list-style-type: none"> - The proposed driveway next to the northern boundary shall be a minimum 1metre from the northern boundary to minimise the impact on the adjoining sites. - The driveway next to the southern boundary shall be relocated a minimum 2.0m from the southern boundary to provide the pedestrian sight distance as per Australian standard AS2890.1. - The Left turn manoeuvring of trucks shall not encroach into the centre of the road. - The parcel pick-up exit manoeuvring conflicts with the delivery truck movements. In this regard, the exit arrangement shall be reviewed and conflicts shall be minimised to improve vehicle safety. - Appropriate survey or other relevant data shall be used to determine the numbers of parcel pick-up areas required for the development site to prevent any queuing outside the subject site. MR to provide numbers - Adequate queuing areas shall be provided within the site at the control points at the driveway entrances. - Driveway access for trucks shall be designed in such a way that trucks can pass each other within the site without queuing within the street. - Parking layout shall comply with Australian standard AS2890.1 and AS2890.6. - Loading area design shall comply with AS2890.2. - Accessible parking numbers shall comply with BCA requirements. 	<p>Matters raised in this item have been addressed through design amendments and form part of the transport planning response, prepared by Colston Budd Rogers & Kafes, which form path of Attachment H of this RTS.</p> <ul style="list-style-type: none"> ▪ The northern and southern driveways have been redesigned to provide a 1 metre separation from the northern boundary of the site, and 2 metre separation from the southern boundary of the site. ▪ The northern driveway providing access to the inbound docks has been modified to ensure that trucks do not cross the centreline of Percy Street when exiting the site. ▪ The driveway, located adjacent to the southern boundary of the site, will provide access to the customer pick-up facility and emergency vehicle access to the to the inbound dock area, via the southern perimeter internal circulation road. The security gate to the east of the customer pick-up facility (separating the customer pick-up facility and the van parking area adjacent to the southern boundary of the site) will be closed to ensure that delivery vans utilise the two northern driveways when entering and exiting the site. ▪ The drive through pick-up will have a service capacity of some 60 vehicles per hour, although the peak number of pick-ups will be limited to some 20 customers per hour. An operational management plan will be prepared for the customer pick-up facility. Pick-ups will be scheduled through a customer booking system, with 20 pick-ups scheduled per hour. The booking system will give customers a time period that their online order will be available for collection. <p>With regards to potential traffic queues, the 95th percentile queue for the pick-up operation would be two vehicles, which will readily be accommodated within the drive through (six pick-up bays).</p> <ul style="list-style-type: none"> ▪ No access controls in the form of boom gates will be provided at the driveway entrances to the site, allowing free flow enter and exit arrangements. The security gates at the access driveways to the inbound dock area, outbound delivery docks, staff parking area and customer pick-up facility will be opened during the operating hours of the facility. ▪ The access driveways have been modified to provide appropriate area within the site for cars and service vehicles to pass. ▪ The internal layout and carparking area have been designed in accordance with the relevant Australian Standards. ▪ Accessible parking will be provided in accordance with the Building Code of Australia.
Heritage Council of NSW	Archaeology	<p>The supporting assessment identifies the archaeological potential of the area of the proposed development as limited. It notes that it is unlikely that the area would contribute further information to our understanding of the history of the area due to both the nature of the archaeological resource and ground disturbance associated with both land reclamation for the canalisation of Haslams Creek of the 1930s and the construction of the existing infrastructure within the subject area. Heritage NSW concurs with this assessment of archaeological potential and significance.</p> <p>The recommendations in relation to the management of archaeological relics not assessed or anticipated by the assessment are appropriate and should be reflected in the Construction Environmental Management Plan if the proposed development is approved by the Department of Planning, Industry and Environment.</p>	Noted – the Applicant is willing to address these matters as part of a Construction Environmental Management Plan, to be completed as a condition of consent.

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Heritage NSW	Aboriginal cultural heritage	<p>The <i>Aboriginal Cultural Heritage Assessment</i> (ACHA) and <i>Aboriginal Archaeological Report</i> identifies the entire development to be of low archaeological potential to contain Aboriginal cultural heritage. No Aboriginal objects or sites were identified during the assessment. This is argued to be due to the entirety of the site already being developed, consisting of existing warehouse and factory buildings for industrial purposes.</p> <p>One registered Aboriginal party provided information on the strong cultural and spiritual significance of the land surrounding the study area. The advice also identified that they believe there is potential for Aboriginal artefacts to occur due to the vicinity of the study area to the creekline and that there should be further investigations. We note no test excavations have been considered or undertaken to confirm the disturbance levels or any low subsurface potential.</p> <p>The Environmental Impact Statement (EIS) summarises the assessment outcomes and mitigation measures from the ACHA. One specific environmental commitment has been listed in the EIS under section 7.2.4:</p> <p>15. All contractors undertaking earthworks on site would be briefed on the protection of Aboriginal heritage objects under the National Parks and Wildlife Act 1974 and the penalties for damage to these items.</p> <p>While the proposed development appears to have low potential to impact on Aboriginal cultural heritage, we support raising the cultural awareness of contractors working on site. We also provide the following recommendations:</p> <ul style="list-style-type: none"> Any Aboriginal cultural heritage awareness inductions would benefit from the involvement of Aboriginal community representatives. An Unexpected Finds Protocol for Aboriginal objects needs to be included as part of any Construction Environmental Management Plan (CMP) prepared for the development works. 	Noted – the Applicant is willing to address these matters as part of a Construction Environmental Management Plan, to be completed as a condition of consent.
NSW EPA	EPL	<p>Based on the information provided, the proposal does not appear to require an environment protection licence under the Protection of the Environment Operations Act 1997 (POEO Act).</p> <p>Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities other activities for which the EPA is the appropriate regulatory authority under the POEO Act.</p> <p>In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required in regard to POEO Act matters. Cumberland Council should therefore be consulted as the appropriate regulatory authority for the POEO Act in relation to the proposal.</p>	Noted – no action required.
	Contaminated land	<p>Matters to be addressed with conditions:</p> <p>a. Submission of Reports</p> <p>The EPA recommends that the proposed conditions include the following:</p> <ul style="list-style-type: none"> Submission of an Additional Investigation Report to determine the full nature and extent of the contamination and provide multiple lines of evidence to support conclusions made. <p>Investigations undertaken to date have not adequately addressed the existing contamination. Data gaps and uncertainties remain in relation to elevated concentrations of TCE and its degradant products in shallow groundwater and soil vapour. The investigations also identified asbestos containing materials (ACM) fragments in surface soils onsite which will require removal and/or management. Mitigating and monitoring measures for identified contamination at the site will need to be revisited, once additional investigation works have been completed. A remedial action plan</p>	Noted – the Applicant is willing to address these matters as conditions of consent.

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		<p>(RAP) will be required to manage site contamination, as noted in the following dot-point.</p> <p>The EPA recommends that additional investigation works are undertaken at the site to obtain multiple lines of evidence to support conclusions made regarding the identified contamination, specifically TCE and its degradant products.</p> <ul style="list-style-type: none"> Preparation and implementation of a Remedial Action Plan (RAP) to remove and/or manage the contamination at the site, prior to commencement of redevelopment works. The RAP must consider the findings of any additional works requested by the EPA and must include an 'unexpected findings' procedure. Submission of a Validation Report for the site on completion of remediation works to confirm that the objectives stated in the RAP have been achieved, including whether the site is suitable for the proposed use. This should be submitted prior to the commencement of redevelopment works. Preparation and implementation of an Environmental Management Plan (EMP) for the site that documents mitigation measures and/or monitoring requirements, where full clean-up is not feasible, or on-site containment of the contamination is proposed. <p>b. Reporting Requirements</p> <p>The EPA recommends that the proposed conditions include the following:</p> <ul style="list-style-type: none"> All reports must be prepared in accordance with relevant guidelines made or approved by the EPA under section 105 of the CLM Act. The reports must be prepared, or reviewed and approved, by consultants certified under either the Environment Institute of Australia and New Zealand's Certified Environmental Practitioner (Site Contamination) scheme (CEnvP(SC)) or the Soil Science Australia Certified Professional Soil Scientist Contaminated Site Assessment and Management (CPSS CSAM) scheme. <p>c. NSW EPA Accredited Site Auditor</p> <p>The EPA recommends that the proposed conditions include the following:</p> <ul style="list-style-type: none"> The applicant must engage an NSW EPA Accredited Site Auditor to provide a statutory audit to the Certifying Authority on the suitability of the site for the proposed land use. The applicant must obtain: <ul style="list-style-type: none"> (i) Interim Audit Advice on the appropriateness of the RAP; (ii) Interim Audit Advice on all subsequent reports submitted; and (iii) Section A2 Site Audit Statement accompanied by an Environmental Management Plan. The Site Audit Report and Site Audit Statement must be submitted to the Certifying Authority (Planning Secretary and relevant Council) for information no later than one month before the commencement of operation. The development must not be used for the purpose approved under the terms of this consent until a Site Audit Statement determines the land is suitable for that purpose and any conditions on the Site Audit Statement have been complied with. 	
TfNSW	Detail of heavy vehicle route	As per the SEARs, the EIS should include "details of access to, from and within the site to/from the local road and strategic (motorway) network; and a Traffic Impact Assessment (TIA) including a description of vehicle access routes and the impacts on nearby intersections." However, the detail of heavy vehicle route description has not been included in the EIS or TIA. Furthermore, traffic count as well as intersection assessment of A44/A6 and M4/A6 have not been provided.	<p>Large service vehicles accessing the site, including semi-trailers, will be restricted to the designated heavy vehicle truck routes, as shown in the transport planning response, prepared by Colston Budd Rogers & Kafes, included in Attachment H of this RTS.</p> <p>These routes include the following:</p> <ul style="list-style-type: none"> M4 Motorway, Silverwater Road, St. Hilliers Road, Hall Street and Percy Street; and Olympic Drive, Boorea Street, St. Hilliers Road, Hall Street and Percy Street.

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			<p>As required by Cumberland City Council, a traffic assessment of the following intersections in the vicinity of the site was undertaken:</p> <ul style="list-style-type: none"> St. Hilliers Road/Hall Street; Rawson Street/Boorea Street/ St. Hilliers Road; Boorea Street/Percy Street; and Percy Street/Hall Street. <p>The results of the traffic assessment, and the operation of these intersections during the morning and afternoon peak periods, are set out in the traffic report that was submitted with the SSDA.</p> <p>Subsequent to this assessment, and as required by TfNSW, additional traffic counts have been undertaken at the intersection of Parramatta Road/Silverwater Road/St. Hilliers Road (A44/A6) and M4 Motorway/Silverwater Road (M4/A6) during the weekday morning and afternoon peak periods, on Tuesday 8 December 2020. The results of these traffic counts are shown in the transport planning response, prepared by Colston Budd Rogers & Kafes, included in Attachment H of this RTS.</p> <p>The operation and analysis of these intersections is discussed in the SIDRA Modelling.</p>
	Types of heavy vehicles to be used for operation	<p>Section 3.28 of the TIA indicates that "Inbound deliveries to the online fulfilment centre will be made by semi-trailers up to 20 metres long". 20m semi-trailer is not a general access vehicle and will require a permit (PBS) to operate. Left turn from Parramatta Road to Percy Street is not permitted for heavy vehicles exceeding 19 metres in length. Also, Percy Road is not on a PBS level 1 network.</p> <p>The applicant should note the above and respond as part of the Response to Submissions, with particular detail and analysis to be provided in how heavy vehicle movements are to be accommodated. This should include route paths but also amendments to the traffic modelling.</p>	<p>Inbound deliveries to the online fulfilment centre will be made by articulated vehicles up to 19 metres long. Some 10 to 15 inbound deliveries are expected per day. Outbound deliveries from the online fulfilment facility will be made by delivery vans/small rigid trucks (6.4 metres long), generally outside peak times.</p> <p>Articulated vehicles, will be restricted to the designated heavy vehicle truck routes only.</p>
	Queuing / Overflow area	<p>The assessment has not specified queuing/overflow area is required for inbound trucks and delivery vans.</p> <p>Clarification should be provided in regards to the need of queuing/overflow area in support of the proposed operation.</p>	<p>No access or security controls will be required at the driveway entrances to the site, allowing free flow entry for all inbound trucks and delivery vans. The security gates at the access driveways to the inbound dock area, outbound delivery docks, staff parking area and customer pick-up facility will be opened during the operating hours of the facility.</p>
	SIDRA modelling	<p>TfNSW advises that network capacity on the surrounding classified and local roads is limited and during peak periods is subject to queueing. It has been estimated in the TIA that the proposed daily traffic generation of the site would be 1100 vehicles per day (two way movement).</p> <p>To ensure that the traffic generated by the development can be accommodated, without further impacting the Level of Service (LoS) of the surrounding network, TfNSW recommends that the proponent provide the electronic copy of the SIDRA modelling for further review and comment as part of the Response to Submissions.</p>	<p>Electronic copies of the SIDRA modelling files will be provided under separate cover.</p>
Central (GPOP)	Operation	<p>The EIS identifies that the intended use of the warehouse facility is to operate as a distribution centre for Woolworths, to fulfill online orders. A drive through customer pick-up facility (for online orders) is also proposed.</p> <p>Auburn LEP 2010 defines a warehouse or distribution centre as: <i>"a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises."</i></p> <p>Given the nature of the proposal, it is suggested that a condition be placed to ensure the operation of the warehouse and distribution centre does not enable retail sales on-site.</p>	<p>Understood and noted.</p>
NSW Health Service	Public health	<p>The Western Sydney Local Health District Public Health Unit will not be reviewing or providing a submission on this proposal.</p>	<p>Noted – no action required.</p>

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Water NSW	Water assets	Please note that as the subject site is not located in close proximity to any WaterNSW land or assets, and as an SSD any flood works or licensing approvals will be assessed by others, the risk to water quality is considered to be low and WaterNSW has no comments or particular requirements.	Noted – no action required.
Sydney Water	Water servicing	Potable water servicing should be available via a 150mm oPVC watermain (laid in 2006) in Percy Street. Amplifications or adjustments to the potable water network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.	Understood and noted – these matters have been addressed within Section 2.2.2 of the Infrastructure Report that formed part of the initial Environmental Impact Statement (EIS).
	Wastewater servicing	Wastewater servicing should be available via a 300mm VC wastewater main (laid in 1934) in Percy Street. Amplifications or adjustments to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code – Sydney Water edition.	Understood and noted – these matters have been addressed within Section 2.2.1 of the Infrastructure Report that formed part of the initial EIS.
	Building over or adjacent to stormwater assets	No building or permanent structure is to be proposed over the stormwater channel or within 1m from the outside wall of the channel. Permanent structures include (but are not limited to) basement car park, hanging balcony, roof eaves, hanging stairs, stormwater pits, stormwater pipes, elevated driveway, basement access or similar structures. This clearance requirement would apply for unlimited depth and height. The applicant is required to submit the elevation drawings with the stormwater channel, to ensure that the proposed buildings and permanent structures are 1m away from the outside face of the stormwater channel.	The proposed development achieves a 10m setback from the outside wall of the Haslams Creek channel. Reference should be made to the Civil Engineering Drawings, prepared by Henry & Hymas, that form part of Attachment F of this RTS.
	Fence along the Sydney Water's stormwater channel	The proponent is required to provide the fencing arrangement along the Sydney Water's stormwater assets. Any fence other than 1.2m high pool fencing, 1.8m high colour bond fencing or equivalent should be located at least 1m away from the outside face of the stormwater channel/ asset and supported on piers and piers are to be extended at least 1m below the invert level of the stormwater channel or 1m below the zone of influence of the stormwater channel. Fencing along the stormwater channel/ asset is to be such a way that the flood water and stormwater overland flow are to be able to flow across the fence on both directions. No permission would be given for brick fence, masonry fence or similar along the Sydney Water's stormwater channel/ asset, which will prevent the flood water and stormwater overland flow being able to flow across the fence.	Noted – the extent of fencing will be determined at detailed design in accordance with Sydney Water requirements.

* end of agency submissions *