



Our reference: ECM: 8965012
Contact: Gavin Cherry
Telephone: 4732 8125

28 January 2020

Ms Olivia Hirst
NSW Department of Planning Industry & Environment
By Email: Olivia.Hirst@planning.nsw.gov.au

Dear Ms Hirst,

SSD 7348 - MOD 2 - Further Amendments to Concept Plan and Stage 1, Oakdale West Precinct

I refer to your emailed dated 13 December 2019 regarding the request to review exhibition documentation regarding the above proposed development.

Thank you for providing Council with an opportunity to comment on the modification application.

The application has been reviewed by a number of Council Departments and a consolidated list of matters are raised below for consideration and address in the assessment of the application: -

1. Access Arrangements and Driveway Locations

The proposed amended car park arrangement includes proposed driveway access off the Western North South Link Road which is not supported by Council's Development Engineers and Traffic Engineers.

It has been requested that driveway access arrangements be amended to provide access off Estate Road No 1 only.

If there are any concerns with respect to queueing, then the driveway could be widened to accommodate one entry lane and two exist lanes (a left turn lane and a right turn lane).

2. Street Setbacks and Landscape Zones

- 2.1 The proposal represents a significant variation to the maximum building height development control of 15m that applies to the site as outlined within Penrith Development Control Plan 2014. Chapter E6 – Erskine Business Park.

Consideration of a building height variation to this extent, should be predicated on the delivery of a substantial and generous landscape setback to the public domain (proposed road network) and planting within car parking areas to ameliorate the massing of the built form and the abundance of hard stand areas associated with parking and landscaping.

Acknowledging that the approved concept plan does not provide prescriptive setbacks for landscaping areas, the massing of the built form and the delivery of consistent streetscape presentations necessitates a generous and consistent setback to all road frontages. Site 1A generally provides an acceptable landscape setback however Site 1B does not. While the built form on Site 1B is not the same as that on 1A, the setback required is dictated by the massing sought on Site 1A and should be continued to ensure a consistent setback pattern and streetscape presentation to Estate Road 1 is delivered.

This amendment will necessitate redesign of the Site1B car parking area fronting Estate Road 1, will likely amend internal manoeuvring between Site 1B and 1C and will likely necessitate deletion or significant amendment of Site 1C.

It has been Council's consistent position that consideration of Site 1A and the substantial height variation sought should include deletion of Site 1B and 1C to relocate parking out of setback zones of Site 1A into these areas and enable a generous landscaped embellishment to the Western North South Link Road. This is consistent with what has been reflected within the approved Concept Plan for Stages 3. If this is not reflected, then at the least, Stage 1C is again recommended to be deleted, Stage 1 B reconfigured to maintain the setbacks to the Western North South Link Road as per Stages 3C & 3D to maintain a consistent setback pattern between the 2 x remaining sites.

- 2.2 The manoeuvring area between Site 1B and 1C which is protruding into the Western North South Link Road landscaping setback should be deleted and reconfigured (as per above.). To reflect orderly and consistent development within the precinct, the approved arrangement and resulting landscape setbacks for Stage 3C and Stage 3D should be replicated within this part of the precinct. The current proposal provides an inconsistent and poor streetscape outcome that is at odds with the principles and streetscape presentation established in the approved concept plan. Any amendments now proposed should improve on the streetscape principles and delivery outcomes approved, and not compromise them.
- 2.3 Opportunities to remove / relocate parking out of the Western North South Link Road should be further explored. Line marked parking spaces and aisle extensions should be removed / relocated where they extend in front of the identified 10m landscape setback line. While it is noted that they are often point encroachments, the 10m landscape setback should be unencumbered. Essentially no parking or aisles should protrude forward of the green setback line on the architectural plans.

If there is a suggestion that there is a need for the full extent of parking despite the minor reduction that would result from the above request, then the allotment dimensions of Site 1A are not adequate and (as suggested above), Site 1B and Site 1C should be deleted or redesigned to ensure that parking meeting the needs of the development can be achieved on each allotment without protrusion into defined road landscape setback zones.

2. Car Park Planting

The landscape plans and architectural drawings provide landscape beds within the car parking areas which are not considered to achieve the intention and objectives of the DCP. It is agreed that canopy tree planting is required to ameliorate the massing of the built form and hard stand car parking areas, however the landscape beds are too narrow and ineffective to achieve necessary canopy spread and height maturity.

The consolidation of beds to provide dimensions of no less than 2m wide and the length of a parking spaces is necessary with greater planting capability at the end of aisles and tree planting in dedicated beds (not diamonds between 4 x spaces).

The frequency of the planting could be 2 x trees per parking row (every 10 – 12 spaces) and offset between aisles to achieve a layering of canopy cover rather than single rows of trees as currently indicated. This will also require an amendment to car parking design and a further loss of parking to achieve the necessary landscape outcome to compensate for the height variation sought.

As raised above, if there is a suggestion that there is a need for this parking, then the allotment dimensions of Site 1A are not adequate and Site 1B and Site 1C should be deleted or redesigned to ensure that parking meeting the needs of the development can be achieved on each allotment without protrusion into necessary landscape setback zones.

In addition, Council's Landscape Architecture Supervisor has also raised the following items for consideration:-

- Islands are proposed as resin bonded aggregate – there is opportunity for water sensitive urban design measures (being a Council requirement) and additional cooling with trees in these areas.
- Tree planting in carparks must be supported by engineered planting pits eg. structural soil or stratavault to ensure optimal healthy root volume and other growing conditions for trees. Note: garden beds to be dimensioned as requested above.

3. Landscape Design Matters

Council's Landscape Architecture Supervisor has reviewed the submitted Landscape Plans and raised the following matters for consideration and address:-

- There is inadequate quantity of trees to produce necessary cooling in relation to the expanse of building and pavement footprints. The quantity of perimeter (setback) trees is not adequate as spacings are shown at between 18 and 30m. For street trees, Council typically requires 8-10m spacings, with supplementary tree planting in landscape setbacks to maximise canopy area. There are large areas of turf which are opportunities for canopy planting.

- Council has consistently raised issue with the streetscape language of street tree plantings (being small groups with ballast mulch at very large centres planted at 3 trees per 100 linear metres). This does not deliver adequate streetscape outcomes nor best practice canopied cooling to streets.
- There is opportunity for greater variety in tree species adding to climate and biodiversity resilience. Some species suggested are not considered sufficiently resilient to climate change and their longevity and health potentially compromised. Small tree species are inappropriate for the scale of the built form ie. Crepe Myrtle, Tuckeroo.
- Council through other project and road approvals has established a Southern Link Road streetscape character (road verge and front setback) of informal yet massed planting with native trees providing full canopy cover. A consistent landscape design for the Southern Link Road is required.
- Surrounding public road intersections are considered to require additional landscaping to reinforce the spatial definition of the intersection and reduce the large scale of grey infrastructure
- Ballast as a ground cover is not supported due to its heat attracting properties thus compromising healthy growing conditions for trees. An alternative product must be provided and established for the precinct in consultation with Council's Engineering and Landscape Departments.
- Tensile wire rope for green wall effect – this feature should be designed to be visually effective and attractive without climbers as the climate conditions often results in the failure of green walls to achieve their intended form.
- Irrigation details are required as security of ongoing maintenance and viability is critical.

4. Advertising Signage – Pylon Signage Dimensions

Chapter C9 – Advertising and Signage of Penrith Development Control Plan 2014 specifically limits advertising pylon signage structures to no greater than 7.0m in height. The proposal provides pylon signs of 4.05m in width and 12m in height. This is an excessive scale of signage and is contrary to the objectives of the DCP. Smaller signage can still achieve sufficient site identification and way finding with typical pylons dimensions being maximum 2.0m width and 7m height. The majority of the signage indicated on the pylon signage plan is estate branding which can be contained within the 2.0m width underneath the Goodman Logo.

The dimensions and size of the proposed pylon structures represent a dominant element in the streetscape and it is recommended that this be revised or addressed as a condition of consent.

In addition, sign wall type S8 may not be located within the boundaries of the site, and there are no details provided regarding dimensions, lighting and the like. Signage must be contained within the boundaries of the site (not within the road reserve) and dimensions, lighting, colours and finishes should be confirmed where not already detailed on the signage plans.

5. Acoustic Impacts and Assumptions

In order to adequately assess acoustic implications resulting from the scope of works within Mod 2, the implications of works resulting from Modification 1 and Modification 3 (Stage 2 Construction) must be factored into the assessment to appreciate the cumulative acoustic implications of development (given they are proposed and substantially known at this point in time). This is also required as the acoustic report submitted in support of Mod 1 is predicated on modelling assumptions for noise generation, which are further refined and clarified as a consequence of the subject Mod 2 and separate Mod 3 which both include building works and tenant occupation as part of the development.

Having regard to the above, the predicted noise levels within Mod 2 (as well as Mod 3) are based on the assumption that the finished ground levels within Mod 1 are both suitable and supportable. As outlined within the separate submission to Mod 1, the finished ground levels and visual impacts of the additional imported fill in Mod 1 are not deemed suitable or supportable and the address of this matter will necessitate revised modelling predicated on suitable and supportable finished ground levels and associated finished floor levels.

It is also noted that Mod 2 and Mod 3 result in noise levels in exceedance of the approved limits. This is not supportable when the exceedance is resulting from elevated finished ground and floor levels resulting from the additional fill activities proposed as part of Mod 1. While the filling concerns relate to future development subject of Mod 3, as oppose to Mod 2, a decision on finished ground levels is still required through Mod 1 to inform if the current modelling assumptions are reliable to assess Mod 2.

In the first instance it is requested that the concerns raised in the Mod 1 submission with respect to fill and finished ground levels be resolved. Following this resolution, it is then recommended that revised modelling be undertaken as part of Mod 1, Mod 2 and Mod 3 that addresses the following:-

- In considering the maximum noise level criteria in accordance with NPfl, it is requested that the Department pursue further analysis with reference to the health impact data sourced from the World Health Organisation and enHealth as detailed in the Road Noise Policy. It is recommended that maximum noise levels be cumulatively assessed against the information provided in the Road Noise Policy, giving detailed consideration to the frequency and duration of elevated noise levels and demonstrating that long-term adverse health impacts will not likely result. Long-term health concerns may not necessary be linked only to the maximum noise level per event but may also be correlated

with elevated noise over a long period. For example, the Road Noise Policy indicates that levels between 40 and 55dBA may be related to adverse health effects with many people needing to adapt to cope.

- Whilst the noise impact assessments refer to noise-enhancing weather conditions, the frequency of these conditions is not discussed. Given that temperature inversions are a feature of the Penrith Local Government Area, it is suggested that it is necessary for this aspect of the noise assessments to be considered further. If DPIE is not able to ascertain this, it is recommended that the EPA be engaged to consider the modelling assumptions and implications and the predicted noise levels.
- The noise assessment accompanying Mod 3 effectively seeks to 'supersede' or 'over-ride' the separate acoustic assessment in support of Mod 2, specifically relating to revised sound power levels. The Wilkinson Murray assessment (supporting Mod 3) states that the sound power levels used in SLR's Report (for Mod 2) are overly conservative. It is not acceptable that one report is disregarding or changing the parameters of another report as a consistent approach to modelling that results in the predicted noised levels must be established to ensure that a consistent and cumulative impact analysis can be undertaken. The applicant should be requested to provide a single acoustic report, or separate acoustic reports that provide consistent adoption of modelling parameters and assumptions, to the inform the predicted noise level emissions. The assessments progressively should also consider the cumulative impacts of preceding development approved in combination with the current proposal. Alternatively, DPIE (or EPA) is requested to determine the appropriateness of the sound power level and other input data used in the noise modelling processes for address in the submitted acoustic reports for these applications and moving forward.
- In recommending operational noise mitigation strategies, the surface construction of vehicular access ways and roads is not discussed in the noise impact assessments. It is requested that consideration be given to the type of road construction to ensure maximum acoustic benefit, should this not already have occurred.

6. Matters Raised in Submission to Mod 1

The matters raised within Council's correspondence relating to Mod 1 also substantially applies to this Mod 2 as Mod 1 alters finished ground levels to which Mod 2 responds.

Please consider the matters raised with Council's correspondence with respect to Mod 1 as part of this assessment, with specific regard to finished ground level concerns.



If you require any further information, please do not hesitate to contact me on (02) 4732 8125.

Yours sincerely,

Gavin Cherry
Development Assessment Coordinator