

## **Attachment 2**

**Response to Penrith City Council Letter Dated 13 December 2019**

Development Application No: SSD-7308 Description of Development: St Marys Freight Hub Property Description: Lot 2 Forrester Road, Lots 3 Lee Holm Road and Lot 196 Christie Street, St Marys				
Item:	Subject:	Issue:	PCC Comment:	Response:
1	Traffic Matters	Summary of Key related Matters	<ul style="list-style-type: none"> <li>The assessment significantly underestimates the truck movements and impacts on the road network including the intersections of Forrester Road / Glossop Street, Glossop Street / Great Western Highway and Great Western Highway / Mamre Road.</li> </ul>	<p>The traffic assessment is a robust evaluation of the maximum theoretical traffic generation possible for the facility that is defined by an annual throughput of 301,000 twenty-foot equivalent units (TEUs). Traffic generation for the St Marys Freight Hub has been comprehensively explained and qualified by the key limiting factors that underpin traffic generation in the traffic and transport assessments already submitted for the development proposal.</p> <p>Truck trips are determined by five train paths with each train having a maximum capacity of 87 twenty-foot equivalent units (TEUs). A train is limited to 87 TEUs due to the maximum trailing weight condition of carriage being set at 1992 tonnes from Port Botany to St Marys Freight Hub and a total train length of 600m in accordance with Sydney Trains and ARTC mandatory conditions of carriage.</p> <p>A maximum capacity of 87 TEUs per train equates to 435 TEUs inbound to St Marys Freight Hub by rail per 24 hours at 100 percent effective utilisation of wagon TEU slots.</p> <p>Truck trip generation is based on a conservative two (2) TEUs per truck. As there are 435 TEUs arriving at St Marys by train per day, this equates to 218 semi-trailer movements out of St Marys per day. Trucks return to St Marys with empty containers for return to Port Botany by train at the same rate (218 semi-trailers returning).</p> <p>As the throughput is capped due to the maximum of five (5) train paths per day, this naturally imposes a limit on the number of truck trips for the Freight Hub. For the purposes of the traffic assessment, transport of TEUs is assumed to be undertaken at two (2) per truck to ensure the worst-case scenario is considered. In reality the Freight Hub will be serviced by Semi-trailers, B-Doubles and A-Doubles High Productivity Vehicles (HPVs) which have a greater carrying capacity of up to 4 TEUs per truck and the actual trip generation will be less than has been assessed in the traffic generation – noting in good faith the assessment is a worst case scenario to address concerns of traffic impacts on the local road network.</p> <p>It is important to note that operation of the Freight Hub does not involve the unpacking or packing of containers or the distribution of the contents of the shipping containers, which is part of the operations of some other intermodal facilities within the Sydney Metropolitan area. As there is no unpacking or packing or the distribution of the shipping container contents, the assumptions to determine traffic generation are straightforward and form a robust basis for calculating traffic generation for the proposed development.</p> <p>In considering heavy vehicle traffic generation for St Marys, it is important to note:</p> <ul style="list-style-type: none"> <li>Peak hour traffic of 15 in / 15 out per hour is conservatively high as there is greater incentive to travel outside peak hours for better efficiency (reduced travel times and operating costs)</li> <li>Truck trip generation is based on a conservative 2 TEUs per truck as an absolute worst case scenario, in reality this is likely to be in excess of 2.8 TEUs per truck</li> <li>Projected import growth in operations are (imported containers are full containers): <ul style="list-style-type: none"> <li>Year 1 = 75k TEUs</li> <li>Year 2 = 100k TEUs</li> <li>Year 3 onwards up to 110K to 150.5K TEUs</li> </ul> </li> <li>Freight is import only and there is no export in the proposal</li> <li>There is no packing or unpacking of containers onsite</li> <li>All import freight remains within containers and containers are deployed by truck from onsite</li> <li>St Marys Freight Hub will be serviced by an onsite truck fleet using modern Euro standard compliant trucks (i.e. Euro 5 and 6 vehicles).</li> <li>Majority of customers are within 20km (Erskine Park, Eastern Creek) with single truck completing a delivery in approximately 1.25 hours on average assumed in the modelling</li> </ul> <p>Road transport from the St Marys Freight Hub to local customers in Western Sydney delivers the following key benefits:</p> <ul style="list-style-type: none"> <li>One truck from St Marys replaces 9-10 equivalent trucks traveling from Port Botany, and</li> <li>There is a reduction of 8.7 million Vehicle Kilometres Travelled per annum on Sydney's regional road network.</li> </ul>

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			<ul style="list-style-type: none"> <li>The St Marys Intermodal Terminal truck generation and proposed access route places undue pressure and burden on the local road network and intersections within built-up residential areas on Forrester Road and Glossop Street as well as on the RMS road network and intersections on the Great Western Highway and Mamre Road and is unacceptable with this access route arrangement.</li> </ul>	<p>Bitzios Consulting calculated the impact of additional heavy trucks generated by the Freight Hub on the local road system for function and capacity considerations. The Freight Hub traffic modelling adopted a theoretical maximum of 15 trucks in and 15 trucks out per hour, which does not significantly impact traffic capacity or road function across the road network for Route Option 4. The trucks from the Freight Hub will result in a 1-2% increase in traffic at key intersections which is not considered to be a detrimental impact to the road network capacity, functionality or safety as demonstrated in Bitzios assessment and reported findings.</p>
			<ul style="list-style-type: none"> <li>Council consider that all heavy truck movements should be directly connected to the arterial road network. The arterial road network and connections should be upgraded to accommodate the increased heavy vehicle traffic.</li> </ul>	<p>Transport routes for heavy truck movements utilise Classified Roads and are approved B-Double routes within the road network noting that Bitzios findings demonstrated that there is no detrimental impact to the surrounding road network capacity, functionality and safety performance, particularly for Route Option 4 which is the proposed transport route.</p>
			<ul style="list-style-type: none"> <li>Any connections to Christie Street should include upgrading of Christie Street and connections to Dunheved Road, provision of Werrington Arterial Stage 2 (to be constructed by RMS/ TfNSW), upgrading Forrester Road and provision for connections to the proposed Outer Sydney Orbital.</li> </ul>	<p>The proposed heavy vehicle transport route does not rely on Christie Street and/or Dunheved Road. It is not proposed to use the existing Werrington Road or any future arterial upgrade, as the transport destinations are located in the opposite direction with customers located in Eastern Creek, Erskine Park, Kings Park and Arndell Park. Using Christie Street and Werrington Road would add heavy traffic to roads already experiencing significant capacity and functional issues and constraints and add substantial increases in truck kilometres and greenhouse gas emissions.</p> <p>Traffic assessments submitted for the Freight Hub confirm the increase in traffic does not warrant road upgrades for Forrester Road apart of line-marking, signage and pedestrian refuge crossings.</p> <p>The provision of connections to the future Outer Sydney Orbital should be discussed with TfNSW.</p>
		Alternative Route Options	<ul style="list-style-type: none"> <li>The Traffic and Transport Assessment Post Exhibition (TTAPE) has assessed four alternate route options and recommend Option 4 as the preferred route.</li> <li>Option 4 is a two-way truck access at Forrester Road entrance driveway opposite Harris Street, then Forrester Road to Glossop Street/Forrester Road intersection, then Glossop Street to Glossop Street / Great Western Highway intersection, then Great Western Highway to Mamre Road / Great Western Highway intersection, then Mamre Road to Mamre Road / M4 intersection then M4.</li> </ul>	<p>Note.</p> <p>Note.</p>

		<p><b>Traffic Generation</b></p> <ul style="list-style-type: none"> <li>• The TTAPE has not revised the truck generation from the previously exhibited St Marys Intermodal Terminal Traffic Report.</li> <li>• Although the Council's reference to the truck generation at Moorebank Intermodal Terminal has components with some different truck and train movement and warehouse distribution arrangements to the St Marys Intermodal Terminal, Council consider the Moorebank Intermodal Terminal component of the IMEX freight to be an appropriate comparison due to its similar train/truck container transfer activity.</li> <li>• The TTAPE considers that the truck number are governed by limiting train delivery of containers to 5 trains per day, each train taking 54 containers, which would total 270 full containers delivered by train and 270 empty containers taken away each day.</li> <li>• 540 containers/day x 365 days totals only 197,100 container throughput per year. However, the EIS says that the facility has the capacity to cater for 300,000 container throughputs (total number of empty and full containers in and out) per year.</li> <li>• Council consider that the 300,000 containers throughput figure should be used to assess truck traffic generation.</li> <li>• The TTAPE considers that there is 100% load matching. Meaning every truck arrives with a full load of empty containers and leaves with a full load of full containers. However, the Moorebank Intermodal Terminal response to submissions Traffic and Transport Impact Assessment dated May 2015 (page 45, section 5) gives freight logistic specialist – Deloitte advice that only 30% load matching should be used. Meaning that there are an additional 70% of both trucks arriving empty to pick up containers or leaving empty after delivering containers.</li> <li>• The TTAPE figure of 30 trucks per peak hour should be increased by these two factors to result in an increase of 83 trucks trips per peak hour.</li> <li>• However, the Moorebank IT response to submissions Traffic and Transport Impact Assessment dated May 2015 advised that the IMEX component had 406,000 containers throughput (trips in plus trips out) that generated truck traffic at the rate of 2726 truck trips (1365 trucks in and 1365 trucks out) per day. Resulting in 254 truck trips (127 trucks in and 127 trucks out) in the PM peak hour.</li> <li>• Proportioning the Moorebank IT IMEX 406,000 container throughput per year volume to compare this to the St Marys IT of 300,000 container throughput per year would generate 2018 truck trips (1009 trucks in and 1009 truck trips out) per day. Resulting in 188 truck trips (94 trucks in and 94 trucks out) in the PM peak hour.</li> <li>• The TTAPE also noted that 124 light/service vehicle traffic movements per day would be generated by the staff service vehicles and visitor parking and access via Lee Holm Drive and the road network. The TTAPE considered this not significant to include in the traffic impact assessment, however Council consider this to further impact on the limited road network capacity.</li> <li>• Council considered that the TTAPE assumptions and assessment grossly underestimates the truck traffic volumes generated by the proposed St Marys IT.</li> </ul>	<p>Truck trip generation was reviewed and again validated as part of preparing the RTS and subsequent response to DPIE's RFI.</p> <p>Proper assessment methodology to model and assess project-specific traffic generation and traffic impacts has been undertaken to support the Freight Hub design and assessment. This is the required and appropriate technical assessment approach for a State Significant Development proposal.</p> <p>The Traffic and Transport Assessment Post Exhibition report states:</p> <p><i>“There will be a maximum capacity of 87 TEUs per train and this capacity is constrained by the overall train length of 600m as per Sydney Trains and Australian Rail Track Corporation requirements. The 87 TEU slots equate to 54.4 containers which are a combination of approximately 60% of 40 ft containers and 40% of 20 ft containers per train service.”</i> (p29)</p> <p>The EIS states the Freight Hub has an annual capacity of 301,000 twenty-foot equivalent units (TEUs), which is a unit measure for shipping containers. For example, 301,000 TEUs equates to 301,000 twenty-foot containers or 150,500 forty-foot containers. Refer to the 'St Marys Freight Hub   Heavy Vehicle &amp; Transport Analysis: Summary Report' for more detailed explanation of TEU measurements.</p> <p>The proposal states that the facility has the capacity to cater for 301,000 TEUs, which is a measurement of shipping containers.</p> <p>This is correct, however, as previously explained given the nature of St Marys Freight Hub, i.e, only dealing with imports with no unpacking or packing on site the utilisation is anticipated to be far greater and in excess of 90%. Notwithstanding, truck trip generation is based on a conservative two (2) TEUs per truck as a worst case scenario and in reality this is likely to be in excess of 2.8 TEUs.</p> <p>Refer traffic generation explanation in item 1 above and in the “St Marys Freight Hub   Heavy Vehicle &amp; Transport Analysis: Summary Report”.</p> <p>Refer traffic generation explanation in item 1 above and in the “St Marys Freight Hub   Heavy Vehicle &amp; Transport Analysis: Summary Report”.</p> <p>Refer traffic generation explanation in item 1 above and in the “St Marys Freight Hub   Heavy Vehicle &amp; Transport Analysis: Summary Report”.</p> <p>Bitzios assessment of traffic impacts for light vehicles confirms there is no capacity issues and no upgrade works are required.</p> <p>Refer traffic generation explanation in item 1 above and in the “St Marys Freight Hub   Heavy Vehicle &amp; Transport Analysis: Summary Report”.</p>
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		<b>Truck Distribution Assumptions</b>	<ul style="list-style-type: none"> <li>The TTAPE Figure 3.6 illustrates expected truck distribution assumption for Option 4 route. There is no change in truck distribution assumption to the previously public exhibited report. Therefore, Council's previous submission should be retained.</li> </ul>	Noted.
		<b>Impact of Traffic Generated by the Development</b>	<ul style="list-style-type: none"> <li>The TTAPE SIDRA traffic modelling of intersections at the year 2030 only includes an additional 30 trucks in the peak hours on the Option 4 truck route rather than the appropriately higher truck volumes as set out in Council's Traffic Generation comments.</li> <li>The TTAPE traffic modelling also relies on intersection improvements that were identified on a previous Lend Lease sub-division development area in the greater St Marys precinct. However only some of these inspections are proposed to be improved by Lend Lease under a Voluntary Planning Agreement (VPA) and the VPA works do not include any of the required improvements at the intersections along the proposed Option 4 route. These identified intersection improvements include extensive, high cost acquisition and widening for intersection reconstruction, addition lanes and slip lanes which Council and/or the Roads and Maritime Services are not able to fund delivery at Forrester Road / Glossop Street, Glossop Street / Great Western Highway and Great Western Highway / Mamre Road.</li> <li>These improvements are also not offered to be delivered by St Marys IT.</li> <li>In any case the local road network is not suitable for additional St Marys IT heavy vehicle traffic and all the existing intersections along the Option 4 route have unacceptable intersection average levels of service and any identified improvements to intersections would continue to have unacceptable movement levels of service, delays and unacceptable movement queue lengths.</li> </ul>	<p>Refer responses above pertaining to truck generation assumptions and figures relied upon.</p> <p>Bitzios assessment of traffic impacts confirms no major upgrade works are required.</p> <p>Bitzios assessment of traffic impacts confirms no major upgrade works are required.</p> <p>Bitzios transport and traffic assessments demonstrate that the trucks from the Freight Hub will result in 1-2% increase in traffic at key intersections which is not considered to be a detrimental impact to the road network capacity, functionality nor from a safety perspective as demonstrated in assessment report.</p>
		<b>Access Arrangement</b>	<ul style="list-style-type: none"> <li>The Option 4 route is not supported for the reasons above, Council considers that heavy vehicle traffic generated by this development should be directly connected to the arterial road network and the arterial road network should be upgraded to accommodate the increased heavy vehicle traffic. Any connections to Christie Street should include upgrading of Christie Street and connections to Dunheved Road, future Werrington Arterial Stage 2 (to be reconstructed by RMS), Forrester Road with additional connections to the proposed Outer Sydney Orbital. Access via the local residential streets network is not acceptable.</li> </ul>	Given Christie Street is not relied upon for heavy vehicle access to the site it is considered that Route Option 4 addresses Council's concern as outlined in previous responses.

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		Other Design Requirements	<p><u>These additional design related matters could form recommended conditions of consent:</u></p> <ul style="list-style-type: none"><li>• Separate accessible pedestrian access is to be provided from the footway in Lee Holm Drive and the car park to the building entrance. Separate accessible pedestrian access shall also to be provided from the footway in Forrester Road to the building entrance in accordance with AS 2890 car park access and AS 1428 Mobility accessible paths of travel.</li><li>• The access driveway widths must accommodate swept movements of the largest vehicle servicing the site and be designed to conform with AS 2890.2.</li><li>• Sight distance requirements and driveway widths are to be met in accordance with AS/NZS 2890.1: 2004 and Council requirements. This is to include the requirements set out in AS 2890.1 Figure 3.2 Sight Distance Requirements at Driveways and Figure 3.3 Minimum Sight Lines for Pedestrian Safety. Also AS 2890.2 Figure 3.3 Sight Distance Requirements at Access Driveway Exits and Figure 3.4 Minimum Dimensions for Access Driveway Sight Splays for Pedestrians.</li><li>• The required sight lines around the driveway entrance and exit are not to be compromised by street trees, landscaping, fencing or signposting.</li><li>• All car parking and manoeuvring must be in accordance with AS 2890.1, AS 2890.2, AS 2890.3, AS 2890.5, AS 2890.6 and Council requirements.</li><li>• All car spaces are to be sealed/line marked and dedicated for the parking of vehicles only and not be used for storage of materials/products/waste materials etc.</li></ul>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>



2	Engineering Matters	Recommended Conditions	<p><u>Recommended Conditions:</u></p> <ul style="list-style-type: none"> <li>• All roadworks, stormwater drainage works, signage, line marking, associated civil works and dedications, required to effect the consented development shall be undertaken by the applicant at no cost to Penrith City Council.</li> <li>• An Infrastructure Restoration Bond is to be lodged with Penrith City Council for development involving works around Penrith City Council's Public Infrastructure Assets. The bond is to be lodged with Penrith City Council prior to commencement of any works on site or prior to the issue of any Construction Certificate and Subdivision Works Certificate, whichever occurs first. The bond and applicable fees are in accordance with Council's adopted Fees and Charges. An application form together with an information sheet and conditions are available on Council's website. Contact Penrith City Council's City Works Department on 4732 7777 or visit Penrith City Council's website for more information.</li> <li>• Prior to the issue of any Construction Certificate or Subdivision Works Certificate, a Section 138 Roads Act application, including payment of application and inspection fees together with any applicable bonds, shall be lodged and approved by Penrith City Council (being the Roads Authority for any works required in a public road). These works may include but are not limited to the following: <ul style="list-style-type: none"> <li>a) Vehicular crossings (including kerb reinstatement of redundant vehicular crossings)</li> <li>b) Concrete footpaths and or cycleways</li> <li>c) Road opening for utilities and stormwater (including stormwater connection to Penrith City Council roads and other Penrith City Council owned drainage)</li> <li>d) Road occupancy or road closures</li> <li>e) The placement of hoardings, structures, containers, waster skips, signs etc. in the road reserve</li> <li>f) Temporary construction access</li> </ul> <p>All works shall be carried out in accordance with the Roads Act approval, the development consent, including the stamped approved plans, and Penrith City Council's specifications, guidelines and best engineering practice. Contact Penrith City Council's City Assets Department on 4732 7777 or visit Penrith City Council's website for more information.</p> </li> <li>• A Stage 3 (detailed design) Road Safety Audit (RSA) shall be undertaken in accordance with Austroads Guide to Road Safety Part 6: Road Safety Audit on the proposed roadworks by an accredited auditor who is independent of the design consultant. A copy of the RSA shall accompany the design plans submitted with the Construction Certificate, Subdivision Works Certificate or Roads Act application. Prior to the issue of the Construction Certificate, Subdivision Works Certificate or Section 138 Roads Act approval, the Certifying Authority shall ensure that the recommendations of the RSA have been considered in the final design, through review of the Road Safety Audit Checklist, including Findings, Recommendations and Corrective Actions. A copy of the Road Safety Audit shall be submitted to Penrith City Council by the applicant or Certifying Authority for information purposes.</li> <li>• The stormwater management system shall be consistent with</li> </ul>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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			<p>report lodged for development approval, 'St Mary Freight Hub – Stormwater Management Report' by BG&amp;E, reference B18028-RPT-003, Revision E, dated 30/09/2019.</p> <p>Engineering plans and supporting calculations for the stormwater management systems are to be prepared by a suitably qualified person and shall accompany the application for a Construction Certificate or Subdivision Works Certificate. Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifying Authority shall ensure that the stormwater management system has been designed in accordance with Penrith City Council's Stormwater Drainage for Building Developments and Water Sensitive Urban Design (WSUD) policies.</p> <ul style="list-style-type: none"> <li>• Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifying Authority shall ensure that the proposed development is compatible with the recommendations of the Flood Report 'St Mary Freight Hub – Stormwater Management Report' by BG&amp;E, reference B18028-RPT-003, Revision E, dated 30/09/2019.</li> <li>• Prior to the issue of any Construction Certificate or Subdivision Works Certificate, the Certifying Authority shall ensure that vehicular access, circulation, manoeuvring, pedestrian and parking areas associated with the subject development are in accordance with AS 2890.1, AS2890.2, AS2890.6 and Penrith City Council's Development Control Plan.</li> <li>• Prior to the commencement of any works on-site (including demolition works) or prior to the issue of any Construction Certificate or Subdivision Works Certificate, whichever occurs first, a Construction Traffic Management Plan (CTMP) shall be submitted to Council's City Assets Department for endorsement. The CTMP shall be prepared by a suitably qualified consultant with appropriate training and certification from the Roads &amp; Maritime Services (RMS). The CTMP shall include details of any required road closures, work zones, loading zones and the like. Approval of the CTMP may require approval of the Local Traffic Committee. Please contact Council's City Assets Department on 4732 7777 and refer to Council's website for a copy of the Temporary Road Reserve Occupancy Application Form.</li> <li>• Prior to the issue of any Occupation Certificate or Subdivision Certificate, the Principal Certifying Authority shall ensure that all works associated with a S138 Roads Act approval or S68 Local Government Act approval have been inspected and signed off by Penrith City Council.</li> <li>• Prior to the issue of an Occupation Certificate, Works As Executed drawings, final operation and maintenance management plans and any other compliance documentation shall be submitted to the Principal Certifying Authority in accordance with Penrith City Council's Engineering Construction Specification for Civil Works, WSUD Technical Guidelines and Stormwater Drainage for Building Developments.</li> </ul> <p>An original set of Works As Executed drawings and copies of the final operation and maintenance management plans and compliance documentation shall also be submitted to Penrith City Council with notification of the issue of the Occupation and / or Subdivision (Strata) Certificate where Penrith City Council is not the Principal Certifying Authority.</p>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>
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			<ul style="list-style-type: none"> <li>Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall ensure that the: <ul style="list-style-type: none"> <li>a) Stormwater management systems (including on-site detention and water sensitive urban design)</li> <li>b) Overland flowpath works</li> <li>c) Flood control works</li> </ul> </li> <li>Have been satisfactorily completed in accordance with the approved Construction Certificate or Subdivision Works Certificate and the requirements of this consent.</li> <li>Have met the design intent with regard to any construction variations to the approved design.</li> <li>Any remedial works required to be undertaken have been satisfactorily completed.</li> </ul> <p>Details of the approved and constructed system/s shall be provided as part of the Works As Executed drawings.</p> <ul style="list-style-type: none"> <li>Prior to the issue of any Occupation Certificate a restriction as to user and positive covenant relating to the: <ul style="list-style-type: none"> <li>a) Stormwater management systems (including on-site detention and water sensitive urban design)</li> <li>b) Overland flow path works</li> <li>c) Flood control works</li> </ul> <p>Shall be registered on the title of the property. The restriction as to user and positive covenant shall be in Penrith City Council's standard wording as detailed in Penrith City Council's Stormwater and Drainage for Building Developments policy.</p> </li> <li>The stormwater management systems shall continue to be operated and maintained in perpetuity for the life of the development in accordance with the final operation and maintenance management plan.</li> </ul> <p>Regular inspection records are required to be maintained and made available to Penrith City Council on request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the stormwater management systems.</p> <ul style="list-style-type: none"> <li>Prior to the commencement of works, CCTV footage and an accompanying report shall be undertaken upon the existing 675mm pipeline that drains through the site benefiting Sydney Trains. The CCTV and accompanying report are to be submitted to the Certifying Authority.</li> <li>At the completion of Stage 2 works, CCTV footage and an accompanying report shall be undertaken upon the existing 675mm pipeline that drains through the site benefiting Sydney Trains. The CCTV and accompanying report are to be submitted to the Certifying Authority. Any damage to the pipeline is to be rectified to the satisfaction of Sydney Trains.</li> <li>Prior to the issue of a Construction Certificate, a Flood Evacuation Management Plan is to be prepared and submitted to and approved by the Certifying Authority.</li> </ul>	<p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p> <p>Noted.</p>

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3	Waterways	Waterways	<p>It is noted that the proposed stormwater strategy has been updated to include a sediment basin and a bio retention system. MUSIC modelling was not made available for review.</p> <ul style="list-style-type: none"><li>The report indicates the proposed stormwater treatment measures would satisfy Council's Water Sensitive Urban Design (WSUD) Policy in terms of stormwater treatment. However, in terms of water conservation, while rainwater tanks are proposed, no detail on the amount of water for non-potable demand has been provided. The applicant should therefore demonstrate compliance with Section 3.1 of Council's WSUD Policy. To minimise the impacts of the development on receiving waterways, the use of harvested rainwater for non-potable demands should be maximised.</li><li>Additional details will need to be provided including vegetation, filter media specification and the like. This information could be provided through recommended conditions of consent during the detailed design process (e.g. Construction Certificate).</li><li>An Operation and Maintenance Manual will need to be prepared and be implemented in perpetuity. Recommended conditions of consent should ensure that the stormwater treatment measures are owned and maintained by the developer for the life of the development and can be accessed, maintained and functions as designed, in perpetuity.</li><li>Additional details on the design of treatment measures is required (e.g. access details, vegetation species, filter media specifications, underdrainage etc).</li><li>Conditions of consent should be imposed requiring maintenance records of all stormwater treatment measures be kept and made available to the ARA upon request.</li></ul>	All 'Waterways' requirements will be documented in the final Stormwater Management Plan for Council review and approval prior to site occupation.
4	Environmental Team	General Comment	<ul style="list-style-type: none"><li>The RtS Report demonstrates the identification by the applicant of issues raised during the exhibition process, and the amended (and additional) technical reports that have been prepared in support of the application provide a response to those issues. Notably, an amended transport route is now proposed to and from the site, referred to as Option 4. The amended reports are based upon this amended transport route.</li><li>It is requested that should the Department approve the proposal, that conditions be imposed that clearly establish mechanisms to ensure the proposal operates in accordance with applicable standards, guidelines and criteria and in accordance with NSW EPA recommendations.</li></ul>	<div>Noted.</div> <div>Noted.</div>

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		<b>Review of Specialist Reports and Modelling Data</b>	<ul style="list-style-type: none"><li>Several reports are based upon specialised technical assessment which utilises modelling programs. These reports require independent review by the NSW Environment Protection Authority (EPA) to ensure that the modelling assumptions and predictions are representative of the 'worst case' scenario.</li><li>Review by the EPA will also ensure that the issues initially identified by the EPA (and other submissions) are satisfactorily addressed and resolved.</li><li>The EPA's expertise in technically reviewing these highly specialised and modelling dependent assessments is needed to ensure that applicable criteria is established, achievable, and complied with during both the construction and operational phases of development.</li></ul>	EPA have reviewed development proposal and we have received their comments separately.
		<b>Operational Noise</b>	<ul style="list-style-type: none"><li>It is noted that noise exceedances are predicted at seventeen residences within Kalang Avenue and that noise attenuation treatment is proposed for these residences. The EPA in its initial response to the exhibited proposal, identified several concerns regarding the Noise and Vibration Impact Assessment, including concern over the identification of affected properties and the management of these. In reviewing the amended and additional information, the EPA will further review this aspect of the proposal.</li><li>It is requested that the Department ensure that early consultation occur with all affected property owners. Whilst it is agreed that post operational monitoring should be completed to monitor the ongoing performance of the proposal, concern is raised regarding the RtS proposal that, after 12 months of post operational noise monitoring, 'comprehensive assessment of noise attenuation requirements can be properly assessed'. It is requested that the Department ensure that a mechanism is in place to ensure that required mitigation measures are completed prior to operation commencing, as well as ensuring that any exceedance of criteria, or community concerns, are promptly addressed and do not persist for 12 months before rectification</li></ul>	Noise mitigation and management measures are proposed in accordance with relevant policy requirements.

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Property Description:	Lot 2 Forrester Road, Lots 3 Lee Holm Road and Lot 196 Christie Street, St Marys

Item:	Subject:	Issue:	PCC Comment:	Response:
		Contamination	<p><u>Contamination</u></p> <ul style="list-style-type: none"><li>• The RtS includes further contamination investigation and an amended Remedial Action Plan (RAP). It is noted that the further investigations undertaken remain within the developable area of the site only. It is requested that the Department also consider the larger aspect of site management to ensure that site activities do not encroach beyond the developed area on to land that has not been investigated. It is noted that waste/anthropogenic material has been found in the majority of test pits across the investigated portion of the site, and the contamination status of the undeveloped area of the larger site is unknown.</li><li>• It is considered appropriate that this aspect of long-term site management be addressed, with consideration given to determining whether the remainder of the site is also potentially impacted by surficial asbestos or other contamination, and whether physical demarcation of the developed area is required to prevent the future overflow of activities to the larger portion of the site. The provision of long-term site management controls to ensure that activities will not overflow to other areas of the overall site will have implications for other environmental aspects of the development as well as land contamination.</li><li>• The RAP proposes the on-site containment of contaminated material. Should this remedial option be undertaken, it is requested that the Department require a NSW EPA Accredited Site Auditor to be appointed to issue a Site Audit Report and Statement for the site. The engagement of a Site Auditor will ensure that the proposed on-site containment and capping is in accordance with NSW EPA contaminated land guidelines and other applicable standards and policies. It is also requested that the Department, in requiring a notification mechanism in accordance with section 4.3.3 of the Contaminated Land Management: Guidelines for the NSW Site Auditor Scheme, require a covenant on the property title as well as a notation on the Section 10.7 Certificate.</li><li>• It is noted that the RAP refers to the remediation process as being the contractor's responsibility. Should the Department support the application, it is requested that it require all remedial works to be supervised by an appropriately qualified person/environmental consultant.</li></ul>	<p>Construction and operational activities are confined due to environmental restrictions and lease requirements for operation of the facility.</p> <p>Physical and legal demarcation of the site will be implemented through the lease arrangements with the Tenant (ACFS Port Logistics the operator).</p> <p>Note.</p> <p>Note.</p>