



## **Response to Submissions State Significant Development 6407**

### **Fifteenth Avenue Commercial Precinct**

### **185 & 195 Fifteenth Avenue, West Hoxton**

Lot 345 DP 2475

Lot 346 DP 2475

Lot 2 DP 307334

Lot 304 DP 2485

Lot 305 DP 2485

Lot 306 DP 2485

Prepared by Willowtree Planning Pty Ltd on behalf of  
Western Sydney Parklands Trust

**July 2016**

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## Response to Submissions

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## PART A PRELIMINARY

### 1.1 INTRODUCTION

This Response to Submissions (RTS) has been prepared by Willowtree Planning on behalf of Western Sydney Parklands Trust (WSPT), and is submitted to the New South Wales Department of Planning and Environment (DP&E) in support of a staged commercial precinct to be located at 185 & 195 Fifteenth Avenue, West Hoxton (the Site) at the corner of Fifteenth Avenue and Twenty-Seventh Avenue.

This RTS Report responds to, and addresses, the submissions received following the public exhibition of the proposal.

Clause 85A of the Environmental Planning and Assessment Regulation 2000 permits the Director-General of the DP&E to require the Applicant to provide a written response to issues raised in submissions. This RTS report aims to fulfil the request from the Director General.

This RTS report is structured as follows:

<b>Part A</b>	Introduction, overview of the proposed development and the site
<b>Part B</b>	Overview of the exhibition period and summary of the submissions received
<b>Part C</b>	Response to the submissions
<b>Part D</b>	Conclusion

### 1.2 SITE LOCATION

The land which is the subject of this development comprises of six (6) lots (Lots 345, 346, 2, 304, 305, and 306) with a total combined area of approximately 8.9 hectares and forming part of the Western Sydney Employment Area. The Trust owns all lots except for Lot 345 within the proposed application area. Lot 345 is owned by the NSW Office of Strategic Lands (Department of Planning & Environment).

The site is regulated by *State Environmental Planning Policy (Western Sydney Parkland)* 2009, an important regional hub for recreational and employment purposes, the Parklands comprise a 27km corridor stretching from Quakers Hills to Leppington. Consisting of 5,280 hectares, the Parklands will be the largest urban parkland system in Australia and one of the largest in the world.

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## PART B EXHIBITION AND SUBMISSIONS

An Environmental Impact Statement was prepared to support the SSD 6407 and assesses the relevant impacts. The Report and accompanying documentation was placed on public exhibition until 27 November 2015 also made available on the NSW Department of Planning and Environment (DP&E) website. During this period, submissions were invited from anyone with an interest in the Project.

A summary of all the submissions received by the public and the various agencies is detailed in Tables 1 to 10 in Part C.

In total, five (5) public submissions were received from surrounding land owners.

Submissions were received by the following agencies and Council's:

- NSW Department of Planning & Environment
- Liverpool City Council
- NSW Environmental Protection Authority
- Transport for NSW
- Water NSW
- NSW Office of Environment and Heritage
- NSW Department of Primary Industries
- NSW Roads & Maritime Services
- Sydney Water

Updated submissions have been received by the following agencies:

- Liverpool City Council (5 February 2016)
- NSW Roads & Maritime Services (18 February 2016)

In response to the above submissions the following has been provided in support of this RTS:

- Revised Acoustic Report – Acoustic Logic
- Response to Acoustic Matters – Acoustic Logic
- Revised Flora & Fauna Assessment – Lesryk
- Response to Heritage Matters – Dominic Steele Consulting Archaeology
- Revised Roundabout Design – Costin Roe
- Response to Traffic Matters – Traffic and Transport Planning Associates
- Revised Illustrative Site & Lot Layout Plans – LFA
- Revised Urban Design Report – LFA
- Revised Draft Plan of Subdivision – Landpartners
- Response to Economic/Retail Demand Matters – MacroPlan Dimasi
- Detailed Site Investigation – Zoic Environmental
- Remediation Action Plan- Zoic Environmental
- Site Audit Statement (185 Fifteenth Avenue) – NSW EPA
- Site Audit Statement (195 Fifteenth Avenue) – NSW EPA
- Site Audit Statement – JBS&G
- Sustainable Design Report – Wood & Grieve Engineers

Part C of this RTS provides responses to each of the submissions received.

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## PART C RESPONSE TO SUBMISSIONS

Table 1 – NSW Department of Planning & Environment		
#	Summary of Submissions	Response
<i>Built form and design guidelines</i>	<i>Plans and elevations should be provided showing the proposed building envelopes.</i>	Stage 1 of the proposal does not seek approval for the construction of any buildings within the proposed lots. Detailed design for each building is subject to separate development applications for each lot proposed however, indicative building elevations ( <b>Appendix 1</b> ) (illustrating maximum heights) for each lot. The Illustrative Site Plan ( <b>Appendix 1</b> ) demonstrates how the various commercial, retail and child care elements, including building footprints, are to be distributed within the site.
	<i>Further information should be provided to clarify how the proposed development integrates with the future development sites to the north and west, including indicative / conceptual layout, potential land uses, building frontage relationships and access arrangements.</i>	As outlined in the response by LFA ( <b>Appendix 2</b> ) the sites to the north and west of the subject site (Proposed Lot 8) have been considered throughout the project for future development. Whilst at this point in time no indicative layouts or land uses have been agreed upon, the proposal is not considered to impact the development potential or orderly development within Proposed Lot 8. WSPT does not envisage these sites being developed for at least another 10 years which would require further economic and demand studies to be carried out due to the probable shift in retail commercial/retail demand. As such it would be inappropriate and premature to comment on any potential development within portion of the subject site.
	<i>The design guidelines should be updated to include:</i> <ul style="list-style-type: none"> <li><i>photographs showing the form, materials and colours used in other recent Trust projects;</i></li> <li><i>photographs of other materials to be used, including the profiled steel roof and weatherboard;</i></li> <li><i>opportunities for water sensitive urban design and renewable energy.</i></li> </ul>	The updated Design Guidelines within LFA's Urban Design Report ( <b>Appendix 2</b> ) details the potential finishes to be used including roofing materials. Given this development has no comparison with other recent projects from the WSPT (which to date have largely comprised of Large Format Retail; Industrial; and Recreation developments), it is considered inappropriate to provide photographs of these for the purpose of demonstrating the intended design of these future buildings. Furthermore as detailed in LFA's response ( <b>Appendix 2</b> ) the design and finishes used for these future buildings will be subject to separate development applications. A Sustainable Design Report ( <b>Appendix 20</b> ) has been prepared by Wood & Grieve addressing water efficiency renewable energy opportunities.
<i>Transport, road works and pedestrian access</i>	<i>Further information is required to demonstrate that the proposal will not adversely impact on the future upgrade of Fifteenth Avenue as a transit boulevard, including adequate road widening; intersection and access requirements; and building, landscaping and car parking setbacks.</i>	At this stage the RMS has not formally developed a design for the upgrade of Fifteenth Avenue. Notwithstanding this the proposal does not demonstrate any potential of adversely impacting the future road widening, intersection and access arrangements and required setbacks. As detailed in the Site Plan and Urban Design Report, setbacks from Fifteenth Avenue (10m) and the estate road (5m) have been established.

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	<i>The proposal should be reviewed to explore opportunities for pedestrian access across Fifteenth Avenue between the proposal and the neighbourhood centre to the south of the site.</i>	As outlined in TTPA's response ( <b>Appendix 3</b> ) the RMS warrant for a marked foot crossing cannot be satisfied and the splitter islands at the roundabout can be used as pedestrian refuge islands until RMS widen the road and provide traffic signals. Notwithstanding this, traffic islands have been included in roundabout design ( <b>Appendix 4</b> ) to facilitate pedestrian refuge for crossing.
	<i>The roundabout design should be reviewed if necessary to accommodate the swept path for a 14.5m non rear steer bus, as requested by Transport for NSW.</i>	Costin Roe have prepared a roundabout design ( <b>Appendix 4</b> ) which, as confirmed by TTPA ( <b>Appendix 3</b> ) will be capable of accommodating semi-trailer and bus movements.
	<i>The proposal should provide an assessment of the current design and suitability of the existing bus stop on the southern side of Fifteenth Avenue and any necessary upgrades as a result of this proposal.</i>	As outlined in TTPA's response it is understood that the westbound bus stops on the very wide driveway for the property on the SW corner of the Twenty Second Avenue intersection. Furthermore it is not within the ability/authority of the developer to modify this access driveway for a formal bus stop. As such it is considered unreasonable to request the upgrade of the existing informal bus stop with no formal signage.
	<i>Further justification should be provided on the proposed deceleration lanes providing access to the service station and fastfood outlet, noting the concerns raised by the Roads and Maritime Services.</i>	As outlined in TTPA's response there are no proposed egress connections or acceleration lanes. Fifteenth Avenue will not become a Transit Boulevard until RMS undertakes substantial road widening and RMS advise that there is no envisaged timeframe or program for this work to occur. The proposed deceleration lanes will act to facilitate traffic movements along Fifteenth Avenue until such time that RMS widens the road. As outlined in the revised submission by the RMS ( <b>Appendix 13</b> ) the deceleration lanes are supported initially for the service station.
<i>Economic impact assessment</i>	<i>Further justification should be provided on how the proposal is consistent with aim (b) of the Western Sydney Parklands SEPP, with particular consideration given to proposed land uses and the potential beneficial social and economic outcomes of the proposal for Western Sydney.</i>	<p>Aim (b) of the Western Sydney Parklands SEPP is as follows:</p> <p><i>(b) allowing for a range of commercial, retail, infrastructure and other uses consistent with the Metropolitan Strategy, which will deliver beneficial social and economic outcomes to western Sydney.</i></p> <p>MacroPlan Dimasi's Economic &amp; Community Impact Report states that the proposed development could support a net additional 130 ongoing jobs as well as a further 52 jobs across the broader economy. Further to this on estimated construction costs of approximately \$10.8 million it was estimated that 120 construction jobs per year could be supported during the construction of the development.</p> <p>Furthermore the nominated NLA of 5,350m<sup>2</sup> of commercial floor space will contribute to employment on the site and is forecasted to have the potential to accommodate up to 182 jobs.</p> <p>In light of the above the proposed Stage 1 works and nominated land uses are considered to facilitate construction jobs as well as future employment generating land uses. It is therefore considered reasonable</p>

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		to conclude that the proposal is consistent with aim (b) of the WSP SEPP.
	<i>The economic and community impact report and retail demand assessment (where relevant) should be reviewed to consider, respond and/or address the comments raised in the submission on behalf of the Noiosi Family.</i>	Refer to response (Cover letter) prepared by Willowtree Planning.
<i>Utilities and phasing</i>	<i>Further information should be provided on options to ensure that the development is phased in accordance with the capacity of existing and proposed utility services infrastructure, or includes suitable interim measures in place prior to occupation.</i>	<p>WSPT does not propose on-site Sewerage Systems. WSPT has consulted with Sydney Water and will ensure the development is sufficiently serviced prior to Development.</p> <p>On 10/02/2015 it is confirmed by David Demer from Sydney Water that a drinking main augmentation on Fifteenth Avenue is due for completion this year will allow water servicing for the development.</p> <p>Since providing their original submission, Sydney Water have confirmed that later this year they will be building a 150mm main just west of the subject site near the proposed Austral Town Centre which will be capable of servicing the subject site.</p> <p>Upgrading of the drinking water main will be carried out at the appropriate time when these warrants are met.</p>
	<i>A plan should be provided showing the indicative phasing of the development, and in particular showing subsequent phases to those proposed in figure 28 of the urban design report.</i>	LFA's revised Urban Design Report ( <b>Appendix 2</b> ) includes an amended Indicative Staging Plan (Figure 14) to demonstrate the phasing of the development within Stage 1 of the staged proposal. It is noted that the site could be developed in a single stage or a series of stages dependent on market response and demand.
<i>Operational noise impacts</i>	<i>The Operational Noise Impact Assessment (Appendix 22) should be updated to address the Environmental Protection Authority's concerns regarding the identification of background noise and consider the potential noise impacts of any 24 hour operations / uses, such as the service station.</i>	Section 3 of Acoustic Logics response ( <b>Appendix 5</b> ) addresses the EPA's concerns in regards to operational noise. Furthermore the Operational Noise Impact Assessment ( <b>Appendix 6</b> ) has been revised to address some of these matters.
<i>Other</i>	<i>The preliminary construction management plan should be updated to include justification for any hours of work outside of Council's standard hours.</i>	The proposed constructions hours are consistent with those permitted and requested by the EPA. These are similar to those required by Council with the only different being commencing works 1 hour earlier on Saturdays (7am as opposed to 8am). These hours are considered reasonable and unlikely to result in disturbance to nearby residents.
	<i>Further information should be provided on measures to ensure that the proposed service station will not result in any land contamination, in particular water contamination in the adjoining Upper Canal.</i>	This would be subject to the service station design and compliance of all tanks with the relevant Australian Standards, and compliance with the Underground Petroleum Storage System (UPSS) Regulations. This would be the responsibility of the service station owners/designers/planners which will be subject to a future Development Application.
	<i>Details should be provided on how the two dams will be emptied and filled in, as per the comments by Department of Primary Industries – Water.</i>	A detailed note on dewatering and filling can be found within Costin Roe's originally lodged Civil Works Plans on Drawing No. CO11995.00-DA30 Rev D.



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	<i>Further details should be provided on the potential for and measures to mitigate overland flooding, as per the comments raised by Office of Environment and Heritage.</i>	Section 6.4 of the Civil Engineering Report previously lodged and prepared by Costin Roe addresses flooding and external catchments. The site is not considered to be within a flood zone and management of flows from upstream catchments, in accordance with Liverpool City Council policy and engineering practice has been made in the design. Drawing No. CO11995.00-DA40 Rev D from Costin Roe's original Civil Works Plans illustrates the overland flow channel location. Costin Roe notes that channel design is to be finalised to cater for 1:100 ARI peak flow during detailed design stage.
	<i>The Aboriginal Archaeological Assessment (Appendix 14) should be updated to provide further information on the potential heritage impacts on the WW1 memorials in the Boyland-Kirkpatrick Park, including its setting</i>	A response has been prepared by Dominic Steele Consulting Archaeology ( <b>Appendix 7</b> ) which provides further information on the potential impacts to the surrounding heritage items.
	<i>The Flora and Fauna Assessment should be reviewed to consider any potential impacts associated with the proposed stormwater detention basin to the north west of the site.</i>	Lesryk have prepared a revised Flora & Fauna Assessment ( <b>Appendix 8</b> ) which considered the potential impacts associated with the proposed stormwater detention basin the north west of the site.
	<i>Details should be provided on the environmental performance of different components of the proposal, such as specific principles for water efficiency, energy efficiency and renewable energy, including likely levels of performance.</i>	<p>A Sustainable Design Report (<b>Appendix 20</b>) has been prepared by Wood &amp; Grieve which addresses the relevant ESD principles for future development of the site.</p> <p>Section 8 of the previously lodged Civil Engineering Report prepared by Costin Coe addresses stormwater quality/quantity measures. Section 6.5 of the report addresses ecologically sustainable development measures.</p> <p>Specific Energy efficiency/renewable energy requirements for individual facilities are subject to future Development Applications for approval of individual facilities once the design of the building is known.</p>
	<p><i>The traffic impact assessment should be updated to:</i></p> <ul style="list-style-type: none"> <li><i>consider any traffic safety issues of the proposed access arrangements;</i></li> <li><i>include traffic generation rates, as requested by Transport for NSW;</i></li> <li><i>show the proposed parking provision against the rates required by the Roads and Maritime Services and Council's Development Control Plan, and provide justification for any additional parking to be provided above these requirements; and</i></li> <li><i>detail pedestrian and cycling provision on site, such as connection with any existing and proposed movement and cycle parking provision and end of trip facilities</i></li> </ul>	<p>Refer to TTPA's response in <b>Appendix 3</b>.</p> <p>Section 6.7 of the SEE (<b>Appendix 9</b>) provides the RMS and Council parking rates. Given these rates do not solely rely of GFA and also consider land use operations/provisions (i.e. staff/seat/work bay numbers), a definitive parking demand cannot be determined at this stage. The envisaged development outcome for the site totals <b>346 spaces</b> which is considered to achieve the anticipated demands of the site and land uses.</p> <p>Based off the abovementioned rates, the proposal is likely to generate a parking demand of approximately <b>287 parking spaces</b> (plus additional rate requirements for drive-in food outlet seats; and service station arrangements).</p>

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		Given the context of the site and its surrounds, there is currently limited pedestrian and cycling provisions along Fifteenth avenue with a pedestrian pathway being provided on the southern side of Fifteenth Avenue only. Notations of pedestrian and shared paths have been included on the Site Plan ( <b>Appendix 1</b> ) however consideration of connections to surrounding paths cannot be achieved at this point in time due to limited development of surrounding sites and the impending upgrade of Fifteenth Avenue. Furthermore, it is considered premature to commit to End of Trip Facilities for the individual development of each lot. These will be provided on a case of case basis subject to separate development applications.
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**Table 2 – Liverpool City Council**

#	Summary of Submissions	Response
<i>Subdivision and proposed land uses</i>	<i>Proposed Lot 8, formed by the amalgamation of Lots 304, 305 and 306 in DP 2485 is intended as a residue lot. The application does not seek to attribute any future use to this part of the site, as made clear in Part C of the EIS. Nevertheless, Council notes that the EIS states that future uses on the site may include private schools or other uses which have neither been tested for impacts nor discussed with Council. Council recommends that reference to such "potential future land use opportunities" be removed from the EIS, as it may infer that permission for such additional use is subject to this application.</i>	Reference to potential future land uses within proposed Lot 8 has been removed from the EIS in the addendum provided ( <b>Appendix 9</b> ).
	<i>In addition, Council notes that Section 5 of Part C of the EIS Nominated land uses, gross floor areas and building envelopes recommends that only two uses be made permissible on the southern part of the site, being "Commercial Premises" and "Service Stations". While such uses would cover most of the development proposed for the site, it would not cover all. Childcare Centres", "Recreation Facility (Indoor)" and "Medical Centres" are specific uses which are not included under the rubric of "Commercial Premises". It is recommended that the list of nominated land uses be increased to include these uses, should the applicant wish to consider these options which are explored in the Economic Impact Assessment supplied (Appendix 7).</i>	Further clarification has been provided in relation to the nominated land uses in Section 5 Part C if the EIS addendum ( <b>Appendix 9</b> ).
<i>Economic Considerations</i>	<i>The West Hoxton Precinct Retail Demand Assessment (Appendix 8) states that:  In the context of population growth and the potential sources of expenditure, a neighbourhood centre of up to 5,000sqm to 6,000sqm GLA would be justifiable and sustainable.  As part of the mix of uses for the proposed neighbourhood centre, the Assessment recommended that a supermarket of no more than 1500sqm be permitted, along with large format retail and other uses as detailed above.</i>	Noted by WSPT – no response required

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	<p><i>Table 5.8 of the Economic Impact Assessment (Appendix 7) provides estimates of the impacts of the proposal on existing and planned centres in the vicinity of the subject site. It finds that the greatest impact would be on the existing West Hoxton Shopping Centre, located 1.5km to the west of the subject site. The EIA finds that the impact on the existing West Hoxton Shopping Centre would be in the vicinity of a 10% loss of sales in the 2019/20 financial year.</i></p> <p><i>Nevertheless, the locality of Austral is expected to grow significantly, providing a large increase to the scale of demand for retail in the vicinity. The existing West Hoxton Shopping Centre is expected to be subsumed by the larger Austral Town Centre, which will develop as retail demand resulting from increased population increases. The impact on the Austral Town Centre is expected to be less than \$1 million (2.5% of expected sales).</i></p>	Noted by WSPT – no response required
	<p><i>On the basis of the evidence presented, Council supports the proposed development. However, it is recommended that any consent limit the development to no more than 6000sqm Gross Leasable Area, and that the size of any retail premises be limited to no more than 1600sqm.</i></p>	Noted by WSPT – no response required
Flora and Fauna	<p><i>The Environmental Impact Statement and associated site plans indicate a proposed stormwater detention basin within the western portion of the site (proposed Lot 7 of the subdivision). It appears that these works are beyond the extent of the assumed development area assessed by the Flora and Fauna Assessment (FFA) (i.e. subject site, as indicated in Figure 1 of the FFA).</i></p> <p><i>It is recommended that the FFA is reviewed to ensure that it considers all impacts associated with the current plans, including the proposed detention basin. It is further recommended that any conditions of consent issued include the requirement for any works or activities to adhere to the recommendations of the FFA.</i></p>	Lesryk have prepared a revised Flora & Fauna Assessment ( <b>Appendix 8</b> ) which considered the potential impacts associated with the proposed stormwater detention basin the north west of the site.
Flooding and Stormwater	<p><i>The proposed development is not affected by mainstream flooding. However, stormwater runoff from the upper catchment areas flows across the property and discharges in to the Sydney Water Canal. In order to mitigate adverse impacts of the proposed development, appropriate stormwater management is required to ensure no adjoining properties are adversely affected by flooding and that stormwater runoff is appropriately treated prior to exiting the site.</i></p>	Water sensitive urban design and on-site detention requirements have been provided in Sections 7 and 8 of the previously lodged Civil Engineering Report by Costin Roe and are illustrated in Drawing No. CO11995.00-DA 40 Rev D and are consistent with council's comments. Consent for discharge into Sydney Water Canal is to be obtained (if required) during Construction Certificate stage.
	<p><i>The Amended Secretary's Environmental Assessment Requirements (SEARs) for Stormwater, Flooding and Water Management are considered satisfactory and acceptable to Council.</i></p>	As above
	<p><i>The EIS Section 6.12 Stormwater, Flooding and Management referred to a detailed stormwater analysis undertaken by consultant Costin Roe. The report indicated that stormwater runoff from the site will be attenuated to pre-development levels by the provision of onsite detention. The report also indicated that MUSIC modelling has been undertaken for water quality treatment design. The report has proposed to construct a Gross Pollutant Trap (GPT) and bio-retention basin for water quality</i></p>	As above

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	<p><i>treatment to satisfy Council requirements for water quality.</i></p> <p><i>Council is satisfied with the SEARs requirements and design principles as proposed by Costin Roe Consulting Engineers for flooding and water quality management. It is recommended that the provision of water quantity and quality controls ensure that:</i></p> <ol style="list-style-type: none"> <li><i>1. Post-development stormwater flows from the site are maintained/controlled to pre- development levels;</i></li> <li><i>2. Stormwater runoff from adjoining catchment areas are conveyed appropriately to ensure no private properties are adversely affected;</i></li> <li><i>3. Stormwater runoff from the site is appropriately treated prior to discharge, in accordance with best management practice and WSUD to ensure Council's pollution reduction targets are achieved; and</i></li> <li><i>4. Consent must be obtained from Sydney Water for discharging in to the Sydney Water Canal.</i></li> </ol>	As above
European and Aboriginal Heritage	<p><i>Amended SEARs for the subject application requires in part that the EIS:</i></p> <ul style="list-style-type: none"> <li><i>Assess the potential impact on the heritage significance of any listed heritage items in the vicinity of the site including the adjoining Kirkpatrick-Boyland Park and nearby Sydney water Channel.</i></li> </ul> <p><i>While it is noted that an archaeological assessment has been provided for the site, no comprehensive assessment of the proposed development in the vicinity of the heritage items has been provided. The proposal would be contained within the boundaries of the subject site and would not encroach into the physical curtilage of either heritage item in the vicinity thus conserving significant fabric. However, the setting of both heritage items would be impacted by the proposal.</i></p>	Dominic Steele's Heritage Response ( <b>Appendix 7</b> ) provides a more comprehensive assessment of the proposed development in the vicinity of the heritage items. Furthermore the location and siting of the proposed indicative child care centre has been revised in consultation with Liverpool City Council to ensure there is no resulting impact on Kirkpatrick-Boyland Park.
	<p><i>The planned widening of Fifteenth Avenue will dramatically reduce the size of the heritage listed park. The location of the proposed child care facility in conjunction with the future road widening will impact the amenity of the park and the public's ability to appreciate and engage with the war memorial situated in the park.</i></p>	The proposed indicative location of the child care centre has been revised as detailed below which considers the future widening of Fifteenth Avenue.
	<p><i>In order to manage the cumulative impacts of both the subject proposal and the road widening, it is recommended that the proposed child care facility should be relocated to the north. This element should extend no further south than the northern boundary of Kirkpatrick and Boyland Park and a vegetated buffer incorporated along the eastern boundary of the park. The car park could be extended towards the Kirkpatrick and Boyland Park boundary without adversely impacting significance.</i></p>	Following consultation with Liverpool City Council's Senior Strategic Planner (Graham Matthews) and Heritage Planner (Anna London) ( <b>Appendix 12</b> ), a revised location and siting of the indicative child care centre was agreed upon. This is demonstrated in the revised Site Plan ( <b>Appendix 1</b> ) prepared by LFA. Further to this, additional landscaping has been illustrated. These were considered to be more appropriate in addressing the heritage potential heritage impacts to Kirkpatrick-Boyland Park and Sydney Water Channel. This change has required the amendment of the Draft Plan of Subdivision ( <b>Appendix 11</b> )
Traffic and Access	<p><i>The provision of a signalised intersection has been assessed as infeasible at this intersection by the applicant. It is recommended that more information on this assessment, including SIDRA analysis for signals, is to be sought from the applicant for further assessment by Council and the RMS prior to any approval being issued.</i></p>	As outlined in TTPA's response ( <b>Appendix 3</b> ) the provision of traffic signals was discussed with RMS however the current level of traffic on Fifteenth Avenue would not meet the RMS warrants for traffic signals in the short to medium term. RMS has advised that traffic signals will replace the proposed roundabout when the road is widened and other intersections in the vicinity rationalised.

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	<i>The installation of a roundabout was discussed with Council and the applicants were advised that the roundabout should only be considered as an interim treatment. The future cost for upgrading the roundabout to traffic signals is to be borne by the applicant. This recommendation was discussed with the applicant before RMS started design investigations along Fifteenth Avenue.</i>	As above
	<i>It is further recommended that the intersection treatment is discussed and agreed to with Council and the RMS prior to determination of the application.</i>	As above
	<i>Parking provision is to be in accordance with the requirements of Liverpool Development Control Plan (LDCP) 2008 and AS2890 parts 1, 2 and 6.</i>	The overall number of parking spaces to be provided across the site has not yet been determined for Stage 1 approval. The implementation of car parking will be subject to separate development applications for each individual land use. TTPA's previously lodged Traffic Impact Statement outlines the car parking rates of the LCC DCP and RMS Guidelines and how these may be applied in the future.
	<p><i>Prior to a final determination of this rezoning application it is recommended that:</i></p> <ol style="list-style-type: none"> <li><i>1. A preferred intersection treatment including a signalised intersection at Fifteenth Avenue/Twenty Second Avenue/ Access Road to the site (including SIDRA analysis for signals) is to be agreed with Council and the RMS.</i></li> <li><i>2. A referral for the proposal is to be made to the RMS and their comment taken into consideration.</i></li> </ol>	A referral was made to the RMS and it was agreed that the intersection does not meet the warrants for a signalized intersection. Signals will be adopted in the event that the appropriate warrants are met. Furthermore, the proponent has consulted with RMS during the planning phase & most recently on 17/02/16 where the proposed access arrangement was discussed and agreed. RMS have also acknowledged this within their revised submission to DP&E.
<i>Environmental Health (Contamination)</i>	<i>The EIS has indicated that childcare facilities are likely to be developed at the subject premises. Under NEPM 1999 the criteria for childcare centres is considered to be Residential A and contain more stringent values for health based criteria. As a result, should the applicant seek to make childcare a permissible use on the site, it is recommended that the applicable analytical data be reassessed against more Stringent HILs and HSL prior to the issuing of any consent.</i>	The Preliminary Environmental Site Assessment previously lodged for 195 Fifteenth Avenue, West Hoxton (for where the child care centre is to be located) did not find any evidence of contamination on the site. Three sediment samples were collected from a dam on the site. Levels of potential contaminants of concern in the sediment samples were below the investigation levels for residential land use. In addition, samples of soil were analysed from two locations where fragments of fibre cement sheet (confirmed by laboratory analysis to contain chrysotile and amosite). No asbestos was detected at the limit of reporting of 0.1g/kg.
<i>Environmental Health (Onsite sewerage management system)</i>	<i>The subject premises are not connected to sewer. It is not feasible to provide an onsite sewerage management system onsite for the whole precinct. It is recommended that the applicant be required to consult with Sydney Water to determine servicing needs for the subject premises.</i>	WSPT does not propose on-site Sewerage Systems. WSPT has consulted with Sydney Water and will ensure the development is sufficiently serviced prior to Development.
<i>Environmental Health (Service Station)</i>	<i>It is recommended that the applicant be required to prepare a Forecourt Management Plan to the satisfaction of Council to be lodged with a development application for any service station on site. The plan shall include details of daily operations and management of the forecourt area (including any policies, procedures and staff training). This plan is to be prepared in accordance with the Environment Protection Authority (formerly known as Department of Environment &amp; Climate Change) guideline 'Environmental Action for Service Stations'.</i>	This is acknowledged by the proponent and will be prepared with a development application for any future service station. It is considered reasonable that this recommendation is imposed as a condition of consent.

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Land and Development Engineering	<i>On-Site Detention and Water Quality treatment devices will be required for the proposed development site as detailed on the submitted plans;</i>	Water sensitive urban design and on-site detention requirements are provided as per Sections 7 and 8 of the previously lodged Civil Engineering Report and shown on Drawing CO11995.00-DA 40 Rev D prepared by Costin Roe and are consistent with council comments. Future development would require additional detention measures to ensure no effect from additional development occurs. This would be subject to future design and development applications and is not part of the subject Development Application.
	<i>The intersection treatment on Fifteenth Avenue will need to consider future upgrade road widening works proposed by RMS;</i>	Intersection configuration is to be adopted as per the TTPA's design and recommendations. Final design can be considered and included in design during Construction Certificate stage.
	<i>The ownership of the proposed internal access road (Pt Lot 8) should be clarified (i.e. whether it is to be private or dedicated as a public road);</i>	As identified in <b>Appendix 1</b> the internal access road (proposed Lot 8) is proposed as a private road to remain in the ownership of the WSPT. Furthermore it is should noted that the WSPT does not sell land and all lots created will remain in the ownership of the WSPT.

**Table 3 – NSW Environmental Protection Authority**

#	Summary of Submissions	Response
General	<i>The EPA understands that adequate sewerage will not be available to serve the site until at least June 2016. The EPA would not support development of the site until adequate sewerage services are available or guaranteed to be available prior to commencement of proposed subdivision or stage 1 development.</i>	WSPT does not propose on-site Sewerage Systems. WSPT has consulted with Sydney Water and will ensure the development is sufficiently serviced prior to Development.
	<i>The EPA further notes the likely presence of asbestos, most likely asbestos sheeting, and potentially site contaminating previous uses of parts of the site for a bus depot and a market garden.</i>	The Preliminary Environmental Site Assessment for 195 Fifteenth Avenue West Hoxton reported the results of limited soil/sediment sampling and analysis. Three sediment samples were collected from a dam on the site. Levels of potential contaminants of concern in the sediment samples were below the investigation levels for residential land use. In addition, samples of soil were analysed from two locations where fragments of fibre cement sheet (confirmed by laboratory analysis to contain chrysotile and amosite). No asbestos was detected at the limit of reporting of 0.1g/kg.
Site investigation and remediation	<i>The EPA understands that the previous uses of the development site (comprising 185 and 195 Fifteenth Avenue, West Hoxton) include, a bus depot, poultry farming and market garden.</i>  <i>EIS Appendix 17 comprises a May 2015 preliminary site investigation of 195 Fifteenth Avenue being that part of the development site not occupied by the former bus depot. Section 7.1 to Appendix 17 states that "The potential for broad acre impact of the study area from application of pesticides and herbicides from market gardening is considered to be low, however there is greater potential for localised impact at agricultural chemical storage or mixing areas". The EPA is "unclear on what basis it was determined that the risk of broad</i>	The statement was based on the results of numerous market garden investigations performed throughout the 1990s and early 2000s by the authors and colleagues.  Although it is noted the proposed child care centre is located on 195 Fifteenth Avenue, it is considered the recommendation for a Detailed Environmental Site Assessment made in the Preliminary ESA for 185 Fifteenth Avenue West Hoxton is valid.

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	<p>acre herbicide, fungicide or pesticide contamination would be low. And, understands that the location of agricultural chemical storage and mixing areas is not known.</p> <p>EIS Appendix 18 'Detailed Site Investigation' appears to be limited to 185 Fifteenth Avenue being the former bus depot site. However, section 12 to EIS Appendix 18 confusingly identifies the need to undertake further detailed site investigation should the proposed child care facility proceed despite that facility being proposed on that part of the development site being 195 Fifteenth Avenue.</p> <p>EIS Appendix 18 appears to indicate that the site investigation included analyses of samples taken to assess the nature and extent of any contamination arising from organochlorine and organophosphate pesticide application but not herbicide or fungicide application likely to be associated with market garden activities.</p> <p>The EPA is unclear whether an EPA accredited site auditor has been engaged for the project at this point in time. The EPA considers that as the site is to be redeveloped for a more sensitive land use (i.e. child care facility), the involvement of a site auditor who has experience in similar projects (i.e. determining site suitability for a child care facility) is warranted.</p>	<p>Refer to <b>Appendix 15</b>. Zoic concludes in their Detailed Site Investigation for 195 Fifteenth Avenue that <i>no gross contamination was identified and the site is generally suitable for the proposed development in its current state</i>.</p> <p>Noted. The obligations for management of asbestos in accordance with regulatory requirements was previously discussed and addressed in the report.</p> <p>The following documentation has now been provided:</p> <ul style="list-style-type: none"> <li>- Remediation Action Plan (<b>Appendix 16</b>);</li> <li>- Site Audit Statement – 185 Fifteenth Avenue (<b>Appendix 17</b>);</li> <li>- Site Audit Statement – 195 Fifteenth Avenue (<b>Appendix 18</b>);</li> <li>and</li> <li>- Site Audit Report (<b>Appendix 19</b>).</li> </ul>
Noise and vibration	<p>The EPA understands that the 2 residences to the immediate east of the former bus depot are owned by Western Sydney Parklands Trust. And, notes a callout on the aerial photograph on page 5 of EIS Appendix 22 indicates that both dwellings are to be demolished. However, should neither or only one of the aforesaid residences be demolished, the noise impact assessment will need to be revised as those residences would clearly be the most affected by noise and vibration impacts arising from the development.</p> <p><u>General Construction</u></p> <p>The EPA notes that EIS (p.86) proposes that construction be undertaken between the hours of 7.00 am to 6.00 pm Monday to Friday, and 7.00 am to 6.00 pm on Saturdays. However, the EPA emphasises that the recommended standard construction hours on Saturdays are between 7.00 am and 1.00 pm. The EPA anticipates that demolition, site preparation, site clearing, bulk earthworks, road construction, stormwater infrastructure and services installation will be undertaken during standard hours.</p>	<p>Both dwellings identified in Appendix 22 of the EIS are to be demolished as previously stated.</p> <p>The EIS has been updated (<b>Appendix 9</b>) in accordance with the suggested EPA hours of operation.</p>
Erosion and sediment control	<p>The proponent be required to identify how it will implement erosion and sediment control measures consistent with the practices and principles in:</p> <ul style="list-style-type: none"> <li>• Managing Urban Stormwater Soils and Construction, Volume 1, 4<sup>th</sup> Edition, 2004, and</li> <li>• Managing Urban Stormwater Soils and Construction Volume 2A Installation of Services.</li> </ul>	<p>An Erosion and Sediment Control Plan (ESCP) has been produced in accordance with the Landcom documents nominated. The ESPC is documented on Drawings CO11995.00-DA20, DA25 and Section 9 of the Civil Engineering Report previously prepared by Costin Roe.</p>

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<p><i>Sewerage</i></p>	<p><i>The EPA would not support any commercial or business development on the site until it is adequately serviced by reticulated sewerage connected to a licensed sewerage system. The EPA understands that adequate sewerage is not currently available. However, Section 3.2 to EIS Appendix 10 states "Sydney Water noted that the construction of the Austral Precinct Gravity Wastewater main is due for completion in June 2016 and should the proposed development proceed prior to the completion of these works a lead-in main could be constructed prior to or concurrently to these works."</i></p> <p><i>Recommendation</i></p> <p><i>The proponent be prohibited from developing the site until the Department satisfies itself that either:</i></p> <ul style="list-style-type: none"> <li><i>adequate sewerage is available to service the proposed uses; or</i></li> <li><i>adequate guarantees are available for the timely provision of adequate sewerage reticulation to serve proposed uses on the site prior to occupation of those uses.</i></li> </ul>	<p>WSPT has consulted with Sydney Water and will ensure the development is sufficiently serviced prior to Development.</p>
<p><i>Stormwater</i></p>	<p><i>The proponent be required to integrate Water Sensitive Urban Design (WSUD) principles and objectives into:</i></p> <p><i>(a) design and construction of the subdivision, including stormwater management; and</i> <i>(b) development encompassed by the concept plan.</i></p>	<p>These principles are to form part of the future Development Application of a Service Station.</p>
<p><i>Noise</i></p>	<p><i>The EPA considers that some of the noise monitoring data obtained between 18 and 24 May 2015 should be excluded for the purposes of establishing background noise levels, which would result in there being less than the 7 days of valid monitoring recommended in the NSW Industrial Noise Policy (INP). Thus, the proponent should undertake further noise monitoring to obtain not less than 7 days of valid noise monitoring data as the basis for establishing background noise levels (especially night-time levels) in the locality. Alternatively, the proponent may adopt a night-time background noise level of 30 dBA.</i></p> <p><i>The EIS does not appear to provide any explicit statement that the 2 dwellings located on lot 344 and immediately east of the development site will be demolished. Instead, page 5 to EIS Appendix 10 (aerial photograph) includes a call out suggesting both of those dwellings are to be demolished. Should either or both the aforementioned dwellings not be demolished, the noise impact predictions in Appendix 10 may not be reliable.</i></p> <p><i>The EPA further understands that some of the uses (example: service station) proposed in the concept plan are likely to operate 24 hours per day. And, anticipates potential sleep disturbance associated with such uses. However, the EIS operational noise impact assessment does not appear to adequately take account of noise impacts associated with:</i></p> <p><i>(a) 24 hour per day operation of the service station, supermarket and other businesses,</i> <i>(b) mechanical handling of goods (including reversing alarms) at the proposed loading</i></p>	<p>In Acoustic Logic's response (<b>Appendix 5</b>) they state that this is in fact irrelevant as <i>Section 3.4 of the Industrial Noise Policy refers to average wind speeds for entire 15 minute periods as being the criteria for determining whether that period of data is to be excluded.</i> Furthermore they explain that <i>a short duration wind gust is not relevant, only the average wind speed is. It is the average wind speed which was used by ALC in determining Rating Background Noise Levels, which is consistent with EPA practice.</i></p> <p>Prior to the commencement of Development on the site (including Bulk Earthworks / Site Clearing - the dwellings owned by WSPT on the eastern boundary will be demolished.</p> <p>Acoustic Logic's response (<b>Appendix 5</b>) explains that although late night semi-trailer deliveries to the site are not proposed, <i>in the event that a petrol station is approved on the site, and if the petrol station is approved for 24 hour operation, we have conducted an assessment of the potential sleep disturbance created by a semi-trailer exiting the site (via the main driveway).</i> This assessment found that <i>a semi-trailer leaving the site via</i></p>



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	<p><i>docks, and waste collection services, especially those undertaken during evening or 'night-time'</i></p> <p><i>The proponent should be required to design, select and maintain noise generating mechanical services (especially air handling plant and equipment) installed in conjunction with the proposed uses of Stage 1 lots 1 to 8, so that the LAeq (15 minute) noise level generated by those mechanical services does not exceed the night-time background noise level in the locality by more than 5 dBA measured at the most affected residence.</i></p>	<p><i>the main driveway in the 10pm-7am period would create a momentary noise level inside the bedroom of the nearest resident (corner of Fifteenth Ave and Twenty Second Ave) of 50dB(A)L<sub>Max</sub>, assuming that the bedroom window is left open. This is consistent with EPA sleep disturbance guidelines (which state that internal noise levels of 50-55dB(A)L<sub>Max</sub> are unlikely to awaken people from sleep. This assessment is included in the amended Operation Noise Impact Assessment (Appendix 6).</i></p> <p>Acoustic Logic's amended report <b>(Appendix 6)</b> states that at construction certificate stage, detailed acoustic review of mechanical plant should be undertaken once design is further progressed (plant selections finalised etc).</p>
Table 4 – Transport for NSW		
#	Summary of Submissions	Response
Traffic Generation Rates	<p><i>Section 5 of the Assessment of Potential Access, Traffic and Transport Implications (Traffic Report) provides traffic generation for each component of the development during the peak periods. However no information is provided in relation to traffic generation rates that have been applied to derive the traffic generation from the proposed development. TfNSW requests that the applicant provides the details of traffic generation rates that have been used for the estimation of the traffic generation and the basis of these traffic generation rates.</i></p>	<p>TTPA's response <b>(Appendix 3)</b> explains that <i>the RMS Development Guidelines do not provide traffic generation criteria which can be applied to the somewhat unique combination of envisaged uses (e.g. the RMS retail criteria is for a large retail centre). In addition there is no known comparable existing development which could be surveyed to establish a generation rate/s and the actual nature of elements (i.e. end user) are not known. The projected traffic generation adopted for the assessment represents a "best estimate" based on the experience of the author and is considered to be robust particularly when a normal dual use factor for what will largely be "passing trade" custom is 20%. As such this is considered to be adequate for a Stage 1 DA.</i></p>
Reservation for Fifteenth Avenue	<p><i>The Traffic Report states that a 40m wide reservation will be provided for Fifteenth Avenue road upgrade. However, a 40m wide reservation is not adequate for a potential BRT Route as identified in the Sydney' Bus Future. TfNSW requests that the proponent be conditioned to consult with TfNSW and Roads and Maritime Services to obtain the details of reservation area for Fifteenth Avenue to accommodate a BRT route.</i></p>	<p>RMS advised that a general width of 40m was required. There would be no difficulty in accommodating any additional width which may be required as RMS resolve the design detail.</p> <p>RMS have confirmed in their submission that a 43.2m road reservation width would be adopted. As the current road reserve is 20m, WSPT accepts the condition that they plan for the future acquisition of an additional 23.2m</p>

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<i>Pedestrian Facilities on Fifteenth Avenue</i>	<i>TfNSW requests that the proponent provides safe pedestrian crossing facilities be provided across Fifteenth Ave connecting bus passengers on the southern kerb bus stop to the site and vice versa. The bus stop on the southern kerb of the Fifteenth Ave should be enhanced to ensure a bus could safely pull into and out of the stop. The design for the new bus stop should consider an environment of increased traffic and a new roundabout, including the provision of adequate seating necessitated from the proposed development.</i>	As outlined in TTPA's response ( <b>Appendix 3</b> ) assessment indicated that the potential pedestrian crossing movements would not meet the RMS warrants for a marked foot crossing. The roundabout splitter islands would serve as pedestrian refuges and RMS has advised that traffic signals will replace the roundabout when the road widening is undertaken.
<i>Pedestrian and Cyclist Facilities for the Proposed Development</i>	<p><i>The Traffic Report states that there will be suitable and appropriate provisions for cyclists, pedestrians and public transport services. However, no detail information has been provided in the Traffic Report in relation to the following:</i></p> <ul style="list-style-type: none"> <li><i>bicycle parking and end of trip facilities for pedestrian and bicycle riders in accordance with relevant standards and guidelines; and</i></li> <li><i>the connectivity, safety and accessibility for pedestrians and bicycle riders to existing pedestrian and bicycle networks/road networks and bus stops.</i></li> </ul>	Given the context of the site and its surrounds, there is currently limited pedestrian and cycling provisions along Fifteenth avenue with a pedestrian pathway being provided on the southern side of Fifteenth Avenue only. Notations of pedestrian and shared paths have been included on the Site Plan ( <b>Appendix 1</b> ) however consideration of connections to surrounding paths cannot be achieved at this point in time due to limited development of surrounding sites and the impending upgrade of Fifteenth Avenue. Furthermore, it is considered premature to commit to End of Trip Facilities for the individual development of each lot. These will be provided on a case of case basis subject to separate development applications.
<i>Proposed Access Arrangement</i>	<i>TfNSW requests that the proposed roundabout at the Fifteenth Avenue/the proposed access be designed to accommodate the swept path of a 14.5m non-rear steer bus.</i>	TTPA confirms that <i>the roundabout is designed to accommodate semi-trailers and can certainly accommodate 14.5m buses.</i>
<i>Construction Traffic Management Plan</i>	<p><i>Prior to the commencement of any works on the site, a Construction Traffic Management Plan (CTMP) prepared by a suitably qualified person shall be submitted to the Principal Certifying Authority (PCA). The Plan must be prepared in consultation with Liverpool City Council, Roads and Maritime Services and TfNSW. The CTMP should specify any potential impacts to traffic, pedestrian, cyclists and bus services within the vicinity of the proposed site from construction vehicles during construction. Any potential impacts to pedestrian access or public transport infrastructure including bus stops should also be specified in the CTMP.</i></p> <p><i>The CTMP shall include the cumulative construction impacts of all the projects adjacent to the site. The Applicant shall submit a copy of the CTMP to Liverpool City Council, prior to the commencement of work.</i></p>	The requirement for a CTMP can be dealt with by way of a condition of consent.

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Table 5 – Water NSW		
#	Summary of Submissions	Response
<i>Conditions imposed</i>	Water NSW have recommended a number of conditions for the proposal.	The proposed design complies with the recommended conditions. These items are to be designed and reinforced during the detail design stage.

Table 6 – NSW Office of Environmental and Heritage		
#	Summary of Submissions	Response
<i>Flooding</i>	<p><i>While accepting mainstream flooding is not an issue for this proposal, OEH strongly recommends overland flooding for the full range of floods for existing and post development conditions be considered.</i></p> <p><i>OEH notes the civil engineering report prepared by Costin Roe Consulting (CE Report) does not acknowledge and/or adequately consider the:</i></p> <ul style="list-style-type: none"> <li><i>Government's Flood Prone Land Policy, the NSW Floodplain Development Manual (2005) or the Ministerial Direction s.117 Direction 4.3 (Flood Prone Land);</i></li> <li><i>flooding provisions in Liverpool City Council's LEP 2008 (Rev 2015) and DCP 2008 part 1;</i></li> <li><i>predicted changes in rainfall patterns due to climate change and the implications for the management of flood risk;</i></li> <li><i>cumulative impacts of future development;</i></li> <li><i>impacts of any potential land filling or cutting operations on the site and adjacent areas; and</i></li> <li><i>need for a flood emergency response plan to ensure safe refuge or evacuation of occupiers in times of minor or extreme flooding.</i></li> </ul>	<p>Costin Roe confirms that the subject site is not considered within a flood zone. Consideration has been made to the management of overland flow by the catchments to the north and south as highlighted in Section 6.4 of the previously lodged Civil Engineering Report by Costin Roe.</p> <p>As noted in subject sections, the proposed site is not considered flood prone land and comments around designing to Flood Plain Management Manual are not relevant to the application.</p> <p>The subject site is not considered flood prone land. The site has been designed to safely convey overland flow from the local external catchments.</p> <p>The site has been designed with on-site detention to limit the maximum flow discharge from the post development site to the current maximum flow discharge from the pre-development site. Future development would require additional detention measures to ensure no effect from additional development occurs. This would be subject to future design and development applications and is not part of the subject development application.</p> <p>The site has been designed to safely convey overland flow from local and external catchments. This is illustrated in Drawing No. CO11995.00-DA40 Rev D as well as in the Civil Engineering Report prepared by Costin Roe.</p> <p>Given the site is not subject to flooding, Flood emergency response plans would not be necessary. In any event, this level of detail would need to be considered for individual development projects once these are determined at a future time.</p>

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Childcare Centre	OEH also notes the precinct may include a childcare centre. In considering any approval for this proposal, it is recommended childcare centres (or other similar 'flood vulnerable' activities) be located in a flood free area zone or where evacuation is readily available for the full range of floods. Any discussion on freeboards and flood planning levels should be done in consultation with Liverpool City Council (contact Maruf Hossain).	The subject site is not considered flood prone land. The site has been designed to safely convey overland flow from local and external catchments.
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**Table 7 – NSW Department of Primary Industries**

#	Summary of Submissions	Response
Dam dewatering	<p><i>It is proposed that water from the existing two dams will be drained or pumped out and the dams will be filled by earth work. However, no detail assessments were provided about the volume of water in the existing dams and the impact of dewatering on aquatic flora and fauna. DPI Water would like to seek further information from Western Sydney Parkland Trust on the issues listed below:</i></p> <ul style="list-style-type: none"> <li><i>Estimated volume of water to be dewatered/pumped from existing two dams,</i></li> <li><i>Approval requirements to dispose of pumped water,</i></li> <li><i>Impacts on aquatic flora and fauna those living/settled in the dams,</i></li> <li><i>Rehabilitation plan of impacted flora and fauna,</i></li> <li><i>Impacts of potential excess storm water and catchment water (in the absence of two existing dams) on the newly constructed detention basin, 750mm RCP culvert beneath Twenty Seventh Avenue, and Sydney Water's Upper Canal,</i></li> </ul>	<p>The depth of water in the existing dam is estimated to be approximately 2,600m<sup>3</sup>, based on an nominal assumed depth of 1m (2,600,000L). De-watering conditions are shown on Drawing No. CO11995.00-DA30 Rev D.</p> <p>Approval for de-watering (if required) is to be obtained during the Construction Certificate stage.</p> <p>Lesryk have explained in their amended Flora &amp; Fauna Assessment (<b>Appendix 8</b>) that the banks of the dams have been trampled and disturbed by cattle. As a result <i>each dam is of limited habitat value for all bar the most tolerant of native aquatic associated species (i.e. Australian Wood Duck [Chenonetta jubata]). It is noted that an ephemeral drainage line occurs immediately to the north of Dam 1, this traversing the site in a westerly direction. The vegetation associated with this drainage line consists of exotic grasses and some native emergent reeds.</i></p> <p>A dam dewatering strategy has been recommended by Lesryk in their amended Flora &amp; Fauna Assessment (<b>Appendix 8</b>).</p> <p>The proposed detention basin has been designed to limit post development discharge to less or equal to pre development discharge. Catchments have been modelled assuming no dams are present on site for conservativeness. Refer to Section 7 of the Civil Engineering Report previously prepared by Costin Roe.</p>

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	<ul style="list-style-type: none"> <li>Monitoring plan for surface and groundwater.</li> </ul>	Changes to existing ground conditions are relatively minor and Groundwater monitoring is considered excessive for this small scale type of development. Confirmation of the effect on groundwater should be confirmed by the Geotechnical Engineer. Any specific recommendations or requirements suggested by the Geotechnical Engineer would be integrated into the detail design of the project. Drawing DA31 demonstrates the range of cut/fill confirming the above.
Groundwater	DPI Water have identified potential impacts that should be considered however acknowledge that given current investigations are preliminary and for conceptual layout only. As such they have recommended that the application consult with DPI Water once details of proposed excavations for the individual developments are known so that the need for licences and /or further detailed assessment and development of mitigating measures for each of the works can be determined at the appropriate time.	WSPT are committed to carrying out further assessment / investigations at Development Application stage of the individual buildings.

**Table 8 – NSW Roads & Maritime Services**

#	Summary of Submissions	Response
Roundabout	<p>Access to the site from Fifteenth Avenue should be limited to that at the proposed roundabout, and the deceleration and acceleration lanes removed.</p> <p>The planned bus stop provision will be required and designed to the appropriate standard. However, this will be removed at a later date once the road is upgraded. It is recommended that the bus stop be located prior to the commencement of the service station deceleration lane and should be separated by chevron line marking.</p>	A meeting with the RMS was held on 17/02/2016 following which a revised submission was issued by the RMS ( <b>Appendix 13</b> ). This matter was resolved at the meeting whereby a deceleration lane was agreed to be provided only. There are no proposed egress connections or acceleration lanes. Fifteenth Avenue will not become a Transit Boulevard until RMS undertakes substantial road widening and RMS advise that there is no envisaged timeframe or program for this work to occur. The proposed deceleration lanes will act to facilitate traffic movements along Fifteenth Avenue.
Roundabout Removal / Traffic signals	The proponent should be advised that the planned roundabout is likely to be replaced by traffic signals when the road is upgraded	WSPT has been involved with ongoing consultation with RMS on this matter (most recently on 24/09/2015 with Sandra Robinson) where WSPT's Business Hub and planned Recreational Masterplanning were discussed. Sandra acknowledged that the Roundabout and Bus Stop would be altered during the course of the planned upgrade works to Fifteenth Avenue. RMS noted that further consultation will be planned on the upgrade with WSPT as they own a considerable tract of land adjacent Fifteenth Avenue and coordination will be required.
Transit Boulevard upgrade and setbacks	A corridor of up to 43.2m would be required for the Transit Boulevard upgrade. This allows for the planned road corridor plus dedicated turning lanes into and out of the development when the intersection is signalised. The proposed development should be setback sufficiently to ensure any future buildings and substantial structures are erected clear of any land required for future road widening. Roads and Maritime would recommend a meeting with the Department of Planning & Environment and the developer to discuss.	Drawings can be updated as required during detail design stage. Condition of 43.2m road reservation for future acquisition is accepted.

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Table 9 – Sydney Water		
#	Summary of Submissions	Response
Water	<i>While water facilities are available in the area via the existing rural supply network and the drinking water main in Fifteenth Avenue, this system is only able to support a limited amount of growth, after which upgrades of the system will be required.</i>	Upgrading of the drinking water main will be carried out at the appropriate time when these warrants are met.
	<i>Currently there is no capacity to support the proposed ultimate development. Should the development proceed prior to 2018, further assessment of the water supply system will be required to determine the preferred servicing option.</i>	On 10/02/2016 it was confirmed by David Demer of Sydney Water that a drinking main augmentation on Fifteenth Avenue is due for completion this year will allow water servicing for the development.  Since providing their original submission, Sydney Water have confirmed that later this year they will be building a 150mm main just west of the subject site near the proposed Austral Town Centre which will be capable of servicing the subject site.
	<i>The proponent is advised to liaise with Sydney Water about servicing options for the site prior to 2018.</i>	WSPT met with Sydney Water in relation to the above on 10/02/2016. Correspondence relating to this meeting is provided in <b>Appendix 14</b> .

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Table 10 – Public Submissions		
#	Summary of Submissions	Response
<b>As made by Michael Brown Planning Strategies</b>		
<i>South West Growth Area – Leppington &amp; Austral Release Area</i>	Achieving the objectives and requirements of the South West Growth Centres, Metropolitan Strategy, and impacts of surrounding centres.	Refer to cover letter prepared by Willowtree Planning.
<i>Site Constraints</i>		These matters have been adequately addressed by Costin Roe above and in their previously lodged Civil Engineering Plans and Report.
<i>Overland Flows</i>		Section 6.4 of the previously prepared Civil Engineering Report prepared by Costin Roe addresses flooding and from external catchments. The site is not considered to be within a flood zone and management of flows from upstream catchments, in accordance with Liverpool Council policy and engineering practice has been made in the design. Refer to Drawing No. CO11995.00-DA40 Rev D from Costin Roe's Civil Engineering Plans for overland flow channel location. Channel design to be finalised to cater for 1:100 ARI peak flow during detail design stage. The site has been designed to safely convey overland flow from the local external catchments.
<i>Traffic Issues</i>		These matters have been discussed with the RMS and an appropriate access and intersection arrangement has been agreed upon.
<i>Economic Issues</i>		Refer to MacroPlan Dimasi's response <b>(Appendix 10)</b>
<i>Permissibility and Land Use</i>	Permissibility of the nominated land uses under the Western Sydney Parklands SEPP.	Refer to cover letter prepared by Willowtree Planning.

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Additional matters raised by public		
<i>Roundabout</i>	Concerns raised in relation to the proposed roundabout in the area potentially causing traffic queues.	The proposed roundabout will be subject to RMS approval and standard. The report prepared by TTPA does not find the roundabout to result in additional traffic issues.
<i>Closing of Twenty Seventh Avenue</i>	Concerns raised in relation to the closing of Twenty Seventh Avenue.	It is not confirmed at this stage whether Twenty Seventh Avenue will be closed however this road is owned by Liverpool City Council and the operation of this will be carried out at their discretion.
<i>Pedestrian Map</i>	Concerns raised in relation to pedestrian accessibility in a "school walking route".	The Civil Drawings previously prepared by Costin Roe clearly identify the pedestrian refuge areas. The proposal/site does not meet the RMS warrants for a pedestrian crossing.



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### **PART D CONCLUSION**

This RTS provides a response to each item raised by the public and agencies during exhibition. As demonstrated, the proposal can be undertaken without resulting in unacceptable environmental impacts.

Based on the findings of the Environmental Assessment, this RTS and the supporting documentation, it is recommended that the proposal be supported by the Department of Planning and Environment, subject to appropriate conditions