

21 June 2024

2200446

Lindsey Blecher
 Team Leader, Industry Assessments
 Department of Planning, Housing and Infrastructure
 4 Parramatta Square, 12 Darcy Street,
 Parramatta NSW 2150

Attention: David Schwebel, Senior Environmental Assessment Officer, Industry Assessments

Dear David,

Response to Request for Additional Information – MOD 2 Westlink Stage 1 (SSD-9138102)

This response letter has been prepared by Ethos Urban on behalf of ESR Developments (Australia) Pty Ltd ('ESR or 'the Applicant') in response to the Department of Planning, Housing and Infrastructure's (DPHI's) Request for Additional Information in relation to SSD-9138102 MOD-2 dated 18 June 2024.

The additional information requested by the DPHI and the Applicant's response is provided in **Table 1**. This response letter should be read in conjunction with the following:

- Updated Amended Architectural Drawings prepared by Nettletontribe Architects (**Attachment A**);
- Updated Noise Memorandum prepared by SLR Consulting (**Attachment B**);
- Stormwater Response prepared by J. Wyndham Prince (**Attachment C**); and
- Traffic Response prepared by Ason Group (**Attachment D**).

Table 1 Response to Department of Planning, Housing and Infrastructure Comments

Comment	Applicant Response												
<p><i>The loading/standing zone for Warehouse 4, as shown on the architectural drawings, should only include the area within the building that is expressly used for loading or unloading of goods and access to that area via the loading docks. The areas shown for forklift charging or directly adjacent to the office area should not be included in the loading zone area and should instead be included in the warehouse gross floor area.</i></p>	<p>The amended Architectural Drawings have been updated to remove the loading area directly adjacent to the ancillary office space (refer to Attachment A). This has resulted in an additional 405m² of warehouse gross floor area (GFA). A breakdown of the amended total GFA and parking requirement under the Mamre Road Precinct Development Control Plan (MRP DCP) is provided below:</p> <table border="1"> <thead> <tr> <th>Land Use</th> <th>GFA</th> <th>Parking Requirement</th> </tr> </thead> <tbody> <tr> <td>Warehouse</td> <td>16,945m²</td> <td>58</td> </tr> <tr> <td>Office</td> <td>480m²</td> <td>12</td> </tr> <tr> <td>Total</td> <td>17,425m²</td> <td>70</td> </tr> </tbody> </table> <p>The development includes 85 parking spaces and therefore complies with the MRP DCP with a 15 space surplus.</p>	Land Use	GFA	Parking Requirement	Warehouse	16,945m ²	58	Office	480m ²	12	Total	17,425m²	70
Land Use	GFA	Parking Requirement											
Warehouse	16,945m ²	58											
Office	480m ²	12											
Total	17,425m²	70											
<p><i>It is noted that the pad level for Lot 4 has not changed in the revised civil drawings from the previously approved level. However, Retaining Wall RW-Lot 4-01 (as shown in drawing no. 20-748-C11213) appears to have increased in height from the previously approved plans. Please clarify if this is the case and provide justification for this change.</i></p>	<p>There changes in the height of the subject retaining wall which range from -3.7m in the northern portion near the trunk drainage channel and Abbotts Road, to +4.4m in the middle of the retaining wall where changes direction. This is a result of detail design coordination in relation to the fire trail and Warehouse 4 pad.</p> <p>The Modification Application does not seek to modify the levels of the Warehouse 4 and the overall bulk earthworks across the site remain unchanged. The retaining wall does not face the public domain and therefore satisfies the MRP</p>												

DCP. In order to mitigate against the increase height, landscaping will screen the retaining wall as per Condition B38 of the Development Consent.

Provide a response to the matters raised in the advice received from Penrith City Council, dated 13 June 2024, which has already been provided separately.

The Applicant's response to the matters raised by Penrith City Council (Council) are provided in **Table 2** below.

Table 2 Response to Penrith City Council Comments

Comment	Applicant Response
1. Planning Considerations	
<p>a) <i>The proposed shifts to Warehouse 4 (to the south and east), and changes to the hardstand areas, should not adversely impact the quantum, width, and design of the landscaped setbacks and the width of the fire trail on the southern side of Warehouse 4.</i></p>	<p>The landscape area and setbacks remain generally consistent with approved development on Lot 4 excluding the trunk drainage channel this Modification Application seeks to amend. The proposed modification seeks to increase the warehouse footprint in size to align with the endorsed trunk drainage channel width.</p> <p>The hardstand is proposed to increase to the south slightly to replace car parking that was previously positioned along the south of the hardstand resulting in a minor decrease in landscape area. However, the previously approved southern car driveway is proposed to be removed resulting in a gain in landscape area along the frontage to the local industrial road to the east.</p>
<p>b) <i>DPHI should ensure that the proposed reduction to the awnings over the roller shutter doors does not affect the acoustic compliance / mitigation measures required for the approved use. The submitted Technical Memorandum from SLR does not specifically reference the proposed reduction to the awnings and this may need to be clarified by the proponent from an acoustic perspective.</i></p>	<p>The proposed modification seeks to reduce the width of the awning from 20m to 15m equating to a 25% reduction. As identified by the updated Noise Memorandum prepared by SLR Consulting (Attachment B), the dominant noise sources related to the development on Lot 4 are the heavy vehicle movements. There are no changes proposed to the number of heavy vehicle movements, loading dock activities or mechanical plant associated with Lot 4. The proposed modification therefore does not alter noise emission from the project and is appropriate from an acoustic standpoint.</p>
<p>c) <i>The warehouse finishes include profiled metal sheeting in a colour to match 'Colorbond Monument.' This is shown as number 3 on drawing 12587_DA124/P12. The number 3 metal sheeting will be used on extensive parts of the warehouse facades. The applicant is requested to consider a lighter tone (light-medium grey) to assist with urban heat as the Monument colour is quite dark. The Monument colour for the painted precast panels, noted as number 1 in the referenced drawing, is acceptable as this element forms the base of the warehouse and is not as extensively used as the profiled metal sheeting on the walls.</i></p>	<p>The warehouse facade remains consistent with the approved development in regard to both colour and layout. Further, the warehouse façade design is also consistent with the Applicant's corporate scheme and are therefore not proposing to alter the approved design.</p>
<p>d) <i>The proposed amended landscape design should be reconciled with the proposed / approved signage, to ensure that the signage does not conflict with the proposed landscaping. If a potential conflict is found, it is preferable that the signage is amended to accommodate the landscaping.</i></p>	<p>The landscape and signage design remain consistent to that previously approved under the Development Consent for SSD-9138102. Further, the Development Consent comprises Conditions of Consent which have required the Applicant to verify this coordination at the delivery stage. This includes Condition B38 and B45 which required the Applicant to prepare a Landscape Management Plan and Signage Strategy to the satisfaction of the Planning Secretary.</p>
<p>e) <i>The tree canopy cover shown for Lot 4 (including the detention basin) is 9%, which does not comply with clause 4.2.3 of the Mamre Road Precinct DCP, which requires 10% canopy cover per industrial lot. Noting that the canopy cover for Lot 1 is shown as 12%, and if the applicant is using the entire estate to measure</i></p>	<p>Westlink Stage 1 (SSD-9138102), as proposed to be modified per the amended Tree Canopy Plan (Appendix G of the Modification Report), comprises an average on-lot canopy coverage of 11.15%.</p> <p>The subject SSDA is therefore compliant with the MRP DCP, with future SSDA's subject to individual assessments.</p>

percentage of canopy cover, then DPHI should require an audit (running sheet) with each SSD application. This will ensure that the final canopy cover across the entire estate can comply.

2. Development Engineering Considerations

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| a) The application includes the reduction of the trunk drainage channel width from 25m to 20m. This is noted as inconsistent with the Sydney Water's Scheme Plan dated May 2024 which require a 25m channel. As such, DPHI should obtain comments from Sydney Water on this aspect. | <p>As noted by the J. Wyndham Prince (JWP) in the Stormwater Response (Attachment C), the Trunk Drainage Checklist that was developed by Sydney Water in support of the <i>Draft Stormwater Scheme Infrastructure Design Guideline</i> (2022) indicates that the Applicant can reduce the width of trunk drainage channels if supported by detailed modelling.</p> <p>JWP consulted directly with Sydney Water throughout the concept design process. This included weekly design review meetings which were accompanied by minutes. The minutes demonstrate (refer to Attachment A of the Stormwater Response, in particular at Item 5.1) that the alternative for a 20 m wide drainage channel was presented to Sydney Water as a viable technical solution that was supported by hydraulic assessment which demonstrated it was compliant with all of the design requirements. Sydney Water accepted the 20m channel width at this location at the design meeting of 14/6/23. JWP is currently progressing with the detailed design documentation for the trunk drainage channel based on the adopted 20 m wide option.</p> |
| b) The application includes changes to the private access road cul-de-sac design. Following review of the civil drawings and traffic swept paths, Council has no objection to the proposed changes. | Noted. |
| c) The interface between the ultimate Abbotts Road design and the naturalised drainage channel requires the verge of the road (i.e. the area behind the kerb) to be graded towards the drainage channel rather than grading towards the road (as typically designed). Council has no objections to this modification as the verge will drain to a drainage channel structure without any adverse impacts on occupied properties. | Noted. |
| d) Council has no objections to the proposed changes made to the OSD system. | Noted. |

3. Traffic Considerations

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| a) The proposed modification is unlikely to have any additional impact on the surrounding road network above and beyond that previously assessed under SSD-9138102. | Noted. |
| b) The revised swept path assessment for the ground floor shows that due to the proposed decrease in hardstand length, access to one recessed dock is to be restricted to heavy rigid vehicles when the B-Double uncoupling area is in use. DPHI should ensure there are suitable conditions to address this. | <p>As outlined by Ason Group in the Traffic Response (Attachment D), the restriction for one (1) recessed dock to be limited to a Heavy Rigid Vehicle will occur only in circumstances where a B-Double Vehicle is on-site.</p> <p>An Operational Traffic Management Plan (OTMP) can make special provisions for management measures and signage/controls so that drivers are aware of the potential restriction.</p> |

4. Environmental Management Considerations

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| Council's Environmental Management Department have reviewed the modification report and raise no concerns with the proposed modifications from an environmental management perspective. | Noted. |
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5. Waterways Officer Considerations

a) Council notes that the approved development comprised of a 25m wide trunk drainage. The report states that as part of the detailed design of the trunk drainage channel, it has been determined that the design criteria can be satisfied by a 20m wide trunk drainage channel.

As noted by the J. Wyndham Prince (JWP) in the Stormwater Response (**Attachment C**), the Trunk Drainage Checklist that was developed by Sydney Water in support of the *Draft Stormwater Scheme Infrastructure Design Guideline* (2022) indicates that the Applicant can reduce the width of trunk drainage channels if supported by detailed modelling.

JWP consulted directly with Sydney Water throughout the concept design process. This included weekly design review meetings which were accompanied by minutes. The minutes demonstrate (refer to Attachment A of the Stormwater Response, in particular at Item 5.1) that the alternative for a 20 m wide drainage channel was presented to Sydney Water as a viable technical solution that was supported by hydraulic assessment which demonstrated it was compliant with all of the design requirements. Sydney Water accepted the 20m channel width at this location at the design meeting of 14/6/23. JWP is currently progressing with the detailed design documentation for the trunk drainage channel based on the adopted 20 m wide option.

b) The proposed reduction in width to 20m is not consistent with Sydney Water's Scheme Plan dated May 2024 which required a 25m channel (and was the approved with in the consent). The letter submitted in support from Sydney Water dated 17 July 2023 (Appendix H) does not seem to indicate that they support the change to a reduced width but rather indicates they would work with the developer on the design of the trunk drainage. This needs to be clarified.

Refer to the Stormwater Response (**Attachment C**) and above response. Sydney Water's guideline documents permit the variance of Stormwater Scheme Plan designated channel widths provided they are supported by appropriate hydraulic modelling that demonstrates the system meets all required criteria. This alternative approach was assessed and justified during the concept design stage for the channel and the proposed 20 m width for the Westlink Stage 1 channel was accepted by Sydney Water.

c) The Department needs to ensure that the design of the trunk drainage is prepared in accordance with Sydney Water's latest scheme plan and that the changes drainage infrastructure have not compromised the ability to meet the water quality / flow requirements until they can connect to the regional scheme.

Refer to the Stormwater Response (**Attachment C**) and above response. The Westlink Stage 1 Water and Stormwater Management Plan prepared by AT&L demonstrates that the proposed stormwater management system designed for Stage 1 meets the specific requirements of Condition B25 (k) of the Instrument of Consent for Westlink Stage 1. This system design and modelling was reviewed by me and certified as compliant on 24 April 2024 (refer to Attachment B of the Stormwater Response). As the Stage 1 stormwater scheme services the Lot 4 development this compliance should extend to the approvals relevant for Lot 4.

We note that the DPHI's Request for Additional Information dated 18 June 2024 identified responses from Sydney Water and the NSW DCCEEW Biodiversity, Conservation and Science Group were outstanding. To date, these responses haven't been received by the Applicant and as such proposed to respond to any matters when received.

We trust this appropriately addresses the matters raised in the Request for Additional Information dated 18 June 2024. If you wish to discuss the above further, please feel free to contact the undersigned or Grace Macdonald (NSW Planning Manager, ESR).

Yours sincerely,



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