

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

RE: SSD-9138102 Mod 3 – Request for Additional Information

Dear Lindsey,

ESR Developments (Australia) Pty Ltd (**the Applicant**) received a request for additional information (**RFI**) on 20 December 2023 associated with SSD-9138102 Westlink Modification 3 (**Mod 3**). To assist with Department of Planning, Housing and Infrastructure’s (**DPHI**) assessment, ESR has prepared to address matters raised by DPHI and Penrith City Council (**Council**) to enable close out of assessment.

The response to the items raised is provided at **Table 1** below.

Table 1 Responses to RFI Items

Summary of Issues Raised	Response	Supporting Document
Department of Planning, Housing and Infrastructure		
Please provide a response to comments provided by Penrith City Council (PCC).	Refer to below response to PCC items.	N/A
Justify the inclusion of louvres on some elevations of building and clarify whether this change will impact on noise emissions from the development or any assumptions in the previous noise impact assessment for the development	<p>The louvres were required to be relocated due to the BAL mapping in relation to bushfire protection.</p> <p>Given the louvres are on the western and northern elevations facing land zoned IN1 General Industrial, it is not anticipated to impact noise to the sensitive receivers identified in Condition B52 of the consent.</p> <p>Further, the noise assessment and noise verification reports provided to the DPHI confirm the noise emissions from the site are controlled by external noise sources, such as trucks. The operation of the building and</p>	N/A

	location of the louvres does not impact the noise model as external factors are greater.	
Provide screening for the water tanks provided within the hardstand area to improve presentation to the road	The rainwater tanks are 5.9m high and lower than the entry driveway, which ramps down into the site from the road. This results in the retaining wall screening the rainwater tank. Only 600mm will be visible from the street, which is imperceptible from the street view.	Refer to Appendix A
Clarify how pervious surface were calculated in Drawing Number 12587_DA153 with regard to areas along the northern boundary of Lot 1 that comprise shotcrete surface as part of the retaining wall design and section 4.2.3 of the MRP DCP.	<p>The shotcrete wall totals 938.4m² in area. It is required to be slanted to ensure all structural elements are within the site boundary.</p> <p>The total pervious area of the site excluding the shotcrete wall is 11,581.60m². This is 10.4% of the site area, which is compliant with the DCP control.</p> <p>However, the retaining wall is not proposed to be modified under this consent. Therefore, this should not form the determination of this modification.</p>	Refer to Appendix B
Penrith City Council		
Planning Considerations		
<p>The battery charging station is now proposed to be treated with a painted pre-cast panel for its entire extent whereas the approved plans include a breakup in materials.</p> <p>The battery charging station fronts a local road therefore, consideration should be given to provide differing materials as shown on the approved plans for articulation purposes.</p>	<p>The battery charging area requires special fire provision due to the batteries stored within the area. This requires a certain fire rated material, which is pre-cast panels along the extent of the battery charge area versus the originally proposed longline cladding.</p> <p>The colour of the battery charging area has not been amended. Therefore, the amendments proposed are deemed satisfactorily and have minor impact to the façade presentation toward the road.</p> <p>Further, the battery charging area is setback from the road by approximately 15m due to hardstand</p>	N/A

	<p>and landscape areas. The proposed planting in the landscape area will screen the battery charging area from the street view. Therefore, the type of material of the battery charging stations will likely be imperceptible from the street view.</p>	
<p>The modification plans package includes a location plan for retaining wall and fencing. The plan shows a colourbond fencing 2.5m in height along the northern boundary adjacent to Warehouse 1 for the purposes of screening trucks until the retaining wall is of a height for the purpose.</p> <p>The 2.5m high colourbond fence is located at the boundary beyond the landscape screening, forward of the Aldington Road building setback, and directly abuts local heritage item 14 "brick farmhouse" at 282 Aldington Road.</p> <p>Clause 2.42 of State Environmental Planning Policy (Industry and Employment) 2021 requires the consent authority to consider impacts on heritage significance and Section 2.7 of the Mamre Road Precinct DCP includes provisions for fencing nearby heritage items. As such, these provisions shall be considered noting the fencing treatment in this location has changed from chainwire fencing to a solid colourbond fence and could result in adverse visual impacts considering its elevated nature and location next to a heritage item.</p> <p>It is noted that the proponent's modification report does not list the proposed amendment within the list of proposed modifications.</p>	<p>The MOD 4 relates to amending the retaining wall design of the cut wall, which is further east. This is a result of our neighbour's levels to the north changing due to earthworks on their boundary. The modification relates to ESR redesigning our wall to reflect the new site conditions to the north of our site.</p> <p>The colourbond fence was introduced during the assessment of the main development application. The purpose was to screen truck headlights from the neighbouring properties to the north. Assessment of heritage impacts were considered and it was concluded the screening was a preferred outcome for the Precinct.</p> <p>There are no other changes associated with the retaining walls on the site. The fill wall along Aldington Road and the northern boundary, which includes the colourbond fence, are not proposed to be amended from the existing consent under this modification application or MOD 4.</p> <p>Therefore, the comments raised by Council are not relevant to the assessment of this modification application.</p>	<p>N/A</p>
<p>A review of the Departments Major Projects Website identified a further modification (MOD 4) to the project is being pursued with modification defined as MOD 4 – Northern Boundary Retaining</p>	<p>As stated above, the fencing is not proposed to be amended under this modification. The modification relates to updating our plans to reflect our</p>	<p>N/A</p>

<p>Wall. Plans for MOD 4 are not available for viewing on the Major Projects website therefore, details of the proposed changes cannot be observed. In this regard, it is considered necessary that the above item relating to fencing be considered with any proposed changes to the northern boundary retaining wall as this may exacerbate the fencing impact.</p> <p>It is noted that the location of the retaining wall to the west of Warehouse 1 has been amended on the modification plans with no description of the change reported in the modification report.</p>	<p>northern neighbours changed levels due to earthworks on our site.</p> <p>Therefore, the comments raised by PCC are not relevant to this modification or MOD 4.</p>	
<p>Considering this retaining wall is visually prominent noting its substantial height and frontage to Aldington Road any proposed changes should be carefully considered.</p>	<p>The retaining wall along the west and the fill wall to the north, which relates to the colour bond fencing, is not proposed to be amended under this Modification or MOD 4. The design is remaining the same as per the approved plans under the main development application.</p>	N/A
<p>Waterway Considerations</p>		
<p>It is noted that the proposal includes the addition of 2 water tanks and the relocation of one rainwater tank. It is recommended that once the Sydney Water regional scheme is available, the development must connect to the scheme.</p>	<p>Condition B25 requires interim solution to be maintained until MRP Stormwater Scheme is delivered. ESR is delivering a system, including rainwater tanks, to adhere to this condition. The condition requires ESR to tie into the regional system.</p>	N/A
<p>The interim measures of the development (i.e. rainwater tanks etc) will need to be decommissioned and connected to the recycled water network once available.</p>	<p>Condition B25 requires interim solution to be maintained until MRP Stormwater Scheme is delivered. ESR is delivering a system, including rainwater tanks, to adhere to this condition. The condition requires ESR to tie into the regional system.</p>	N/A
<p>Council raises no concerns with respect to the management of stormwater, provided all conditions of consent relating to stormwater management are complied with.</p>	<p>Noted. ESR intends to adhere to the condition of consent which includes conditions associated with stormwater management.</p>	N/A



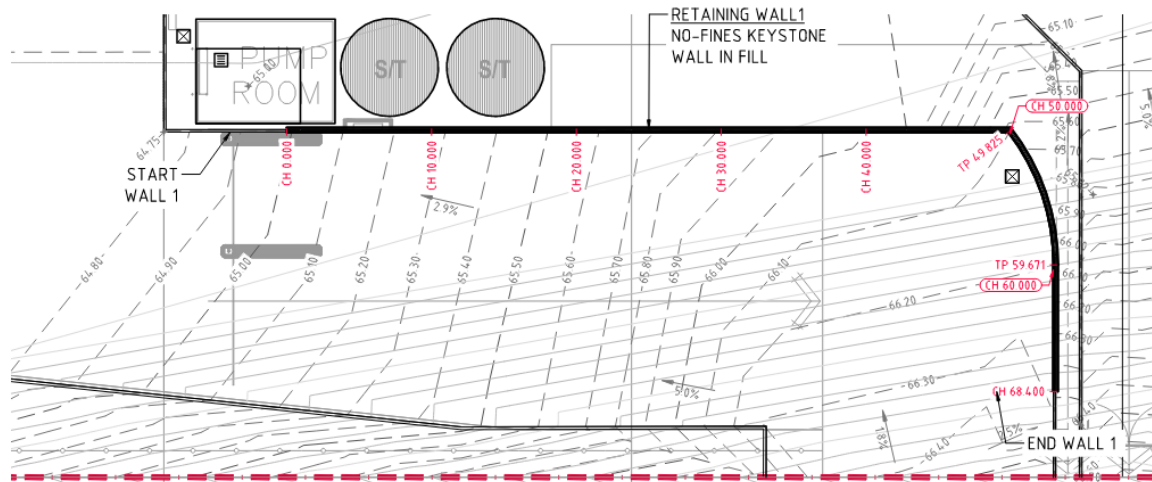
We trust this appropriately addresses the matters raised in the RFI by DPHI and PCC. If you wish to discuss the above further, please feel free to contact me as per the details below.

Kind regards

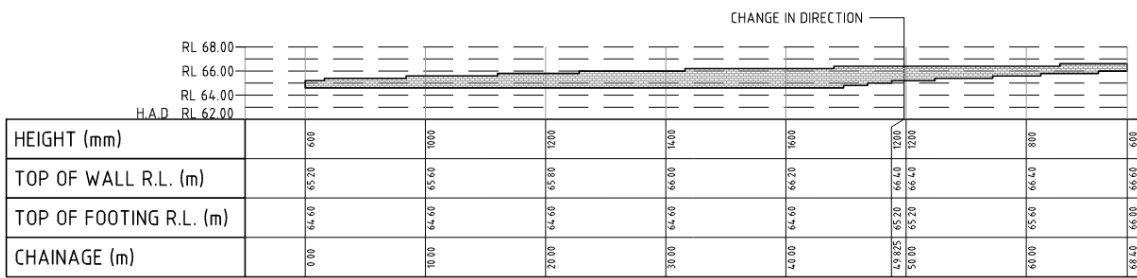
A handwritten signature in black ink that reads "G. Macdonald". The signature is written in a cursive style with a large, looping initial "G".

Grace Macdonald
Planning Manager NSW
0411 599 155
Grace.macdonald@esr.com

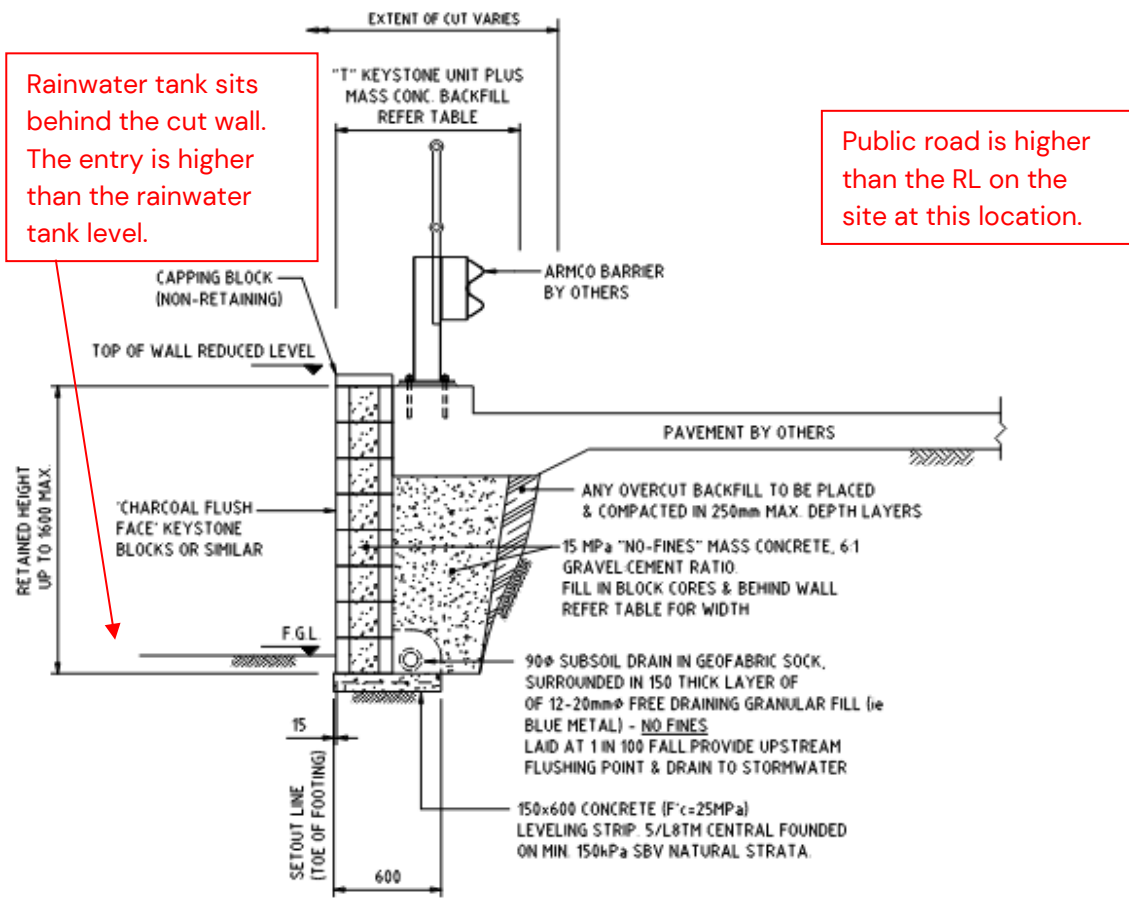
Appendix A Extracts from Civil Design



 **RETAINING WALL 1 PLAN**
SCALE 1:250



RETAINING WALL 1 ELEVATION
SCALE 1:250
WALL SURFACE AREA = 80m²
WALL TYPE: NO FINES KEYSTONE WALL
SURCHARGE: 20 kPa MIN.



'NO-FINES' MASS CONCRETE KEYSTONE RETAINING WALL
 (1000 TO 1600 MAXIMUM RETAINED HEIGHT)
 SCALE 120

'NO FINES' KEYSTONE WALL DETAILS



Appendix B Pervious Surface Markup w/ Shotcrete Wall