

## Appendix C – Consultation Summary

Agency Comment	Response
<b>Endeavour Energy</b>	
<p>The advice provided in the Civil Infrastructure Report is accurate. Asset Planning and Performance Branch has received an application for connection of urban industrial land UIL6041 for the first warehouse in Stage 1 with a load of 850kVA which will be allowed to be connected to the existing network in Aldington and Abbotts Roads which is supplied from Kemps Creek Zone Substation. The customer is advised to reticulate the estate with 22kV cable and start making preparations for their new 22kV feeder from South Erskine Park Zone Substation which will be required to supply the remainder of the development.</p>	<p>ESR has ongoing consultation with Endeavour Energy in relation to future power connections to the estate. ESR is currently preparing a concept design for the 22kV cable, which will extend down Aldington Road to our site from South Erskine Park Zone Substation. ESR is committed to continue this dialogue with Endeavour Energy to ensure appropriate power is provide at the commencement of occupation within the estate.</p>
<p>The method of supply requires the establishment of a new 1000 kVA pad mount substation located on the site. Neither the Architectural Plans nor the Plan of Subdivision show any provision for a pad mount substation. Endeavour Energy’s general requirements is for a pad mount substation to be at ground level and have direct access from a public street (unless provided with appropriate easements for the associated underground cables and right of access).</p>	<p>Substation location to be decided during the design and delivery of each warehouse within the estate. Consultation with Endeavour Energy can form part of Conditions with Consent.</p>
<p>As shown in extract of Endeavour Energy’s Mains Design Instruction MDI 0044 ‘Easements and Property Tenure Rights’, Figure A4.3 ‘Pad mount easements and clearances’, pad mount substations require:</p> <ul style="list-style-type: none"> <li>- Easement with a minimum size of 2.75 x 5.5 metres (single transformer).</li> <li>- Restriction for fire rating which usually extends 3 metres horizontally from the base of the substation footing / plinth and 6 metres vertically from the same point.</li> <li>- Restriction for swimming pools which extends 5 metres from the easement (which may not be required for non-residential use).</li> </ul>	<p>Noted. The design specifications for the substation will be designed and delivered as per Endeavour Energy's requirements.</p>
<p>The easement should not cross boundaries but the restriction/s may affect any adjoining property provided they are able to be registered on the title to that property.</p>	<p>Noted. Once the substation is identified an easement will be created as per Endeavour Energy's requirements.</p>

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<p>In addition the following matters also need to be considered in regard to the fire restriction:</p> <ul style="list-style-type: none"> <li>- Personnel access doors and fire exit doors to a building are not permitted within the fire restriction area.</li> <li>- Gas mains/pipes shall not pass through the fire restriction area.</li> <li>- A 10 metre clearance distance shall be maintained between substation and fire hydrants, booster valves, and the like in accordance with AS2419.1 'Fire hydrant installations System design, installation and commissioning' as updated from time to time.</li> <li>- The appropriateness of the landscaping relative to the fire restriction for the substation. Any landscaping that potentially could transfer / provide connectivity for flame or radiant heat from a fire in the substation to a dwelling or building should be avoided.</li> <li>- The storage of and / or use of flammable, combustible, corrosive or explosive material within the fire restriction should be avoided.</li> </ul>	<p>Noted. The provision of electrical supply to Westlink will ensure the requirements for fire restriction are met as per Endeavour Energy's requirements.</p>
<p><b>Western Sydney Airport</b></p>	
<p>WSA has no record of receiving an invitation to attend the agency workshop. No other consultation occurred with Western Sydney Airport.</p>	<p>An invitation to a government stakeholder workshop was issued to Western Sydney Airport via the contact us portal. No response was received.</p>
<p>No assessment has been undertaken against the aviation safeguarding provisions contained in the WSAP (Section 5) or the Phase 1 DCP.</p>	<p>An assessment against the aviation safeguarding provisions of the Parkland City SEPP has been undertaken within the main RTS report which are consistent with those contained within the WSAP Section 5.</p>
<p>Recommendation: Any approval is to contain the following condition: Buildings are to be constructed to comply with AS 2021:2015 Acoustic - Aircraft noise intrusion - Building siting and construction</p>	<p>Noted. ESR is satisfied with this proposed condition of consent.</p>
<p>The site is located within the 8km wildlife buffer for the Western Sydney Airport. The proposed development does have the potential to attract wildlife to the site through the proposed landscaping, onsite detention basin, waste management (during construction and operations). A review of the landscape plans should be undertaken by an appropriately qualified ecologist to ensure the landscape species selected minimise wildlife attraction.</p>	<p>A Wildlife Management Plan has been prepared to assess the Wildlife Impact (refer to Appendix AA) and confirm the proposed development will not increase attraction of wildlife.</p> <p>There were several mitigation measures identified to be adopted throughout the estate during construction and operation including:</p> <ul style="list-style-type: none"> <li>- Approve planting schedules which include trees and plants that do not significantly attract wildlife. This has been adopted throughout the estate and is reflected in the landscape plans.</li> <li>- Include a section in the CEMP to address wildlife hazard management activities.</li> <li>- Waste receptacles have secure lids that do not allow waste to fall, blow, wash or otherwise escape the site. This is a consistent recommendation with the Waste Management Plan.</li> <li>- Large farm dams have been proposed for removal. Water in the basin to be managed through stormwater system that utilise water sensitive urban design principles including the use of rain gardens and retention basins. Retention basins have been designed to drain within 48 hours of storm activity.</li> </ul> <p>With the adoption of these mitigation measures during construction and operation, the plan confirms the estate will not significant attract wildlife and impact on airport operations.</p>

Agency Comment	Response
<p>Insufficient detail has been provided within the EIS to identify how the onsite detention basin and temporary bio-retention basin/sedimentation basin will be designed, managed and monitored to minimise wildlife attraction. It is noted that there is conflicting information through the EIS documentation in relation to the size of the on-site detention basin, but assuming it is 10,974 sqm, it does have the potential to attract wildlife.</p>	<p>As stated in the Wildlife Management Plan and Civil Plans, basins are to be designed to drain within 48 hours of storm activity. The Wildlife Management Plan confirm this procedure will not adversely affect airport operations and increase a risk of attracting wildlife to the estate.</p>
<p>The waste management plan submitted with the application does not adequately identify how waste (during construction and operation) will be designed, managed and monitored to manage wildlife attraction. This will need to address green waste stored on the site during construction, the compost area for food waste, any external storage of organic waste and the design of all external waste receptacles on site.</p>	<p>As stated in the Wildlife Management Plan and Waste Management Plans, waste receptacles must have secure lids that do not allow waste to fall, blow, wash or otherwise escape the site. This waste management protocol will be adopted across the estate.</p>
<p>Recommendation: Any approval is to contain the following condition:                      A wildlife management and monitoring plan is to be prepared by a suitably qualified aviation ecologist. The plan must address:</p> <ul style="list-style-type: none"> <li>- Design, management and monitoring of the onsite detention basin and temporary bio-retention and sediment basins</li> <li>- Landscaping species selection and maintenance</li> <li>- The design and management of waste storage areas/ receptacles during construction and operational phases</li> <li>- External handling and storage of organic materials</li> <li>- Any compost areas for food waste</li> <li>- Monitoring and management of any wildlife</li> </ul> <p>All recommendations from the wildlife management and monitoring plan must be implemented. The detention basins, landscape plan and waste management plan are to be amended to include any recommendations from that plan.</p>	<p>A Wildlife Management Plan has been prepared as part of the development application. Should any variation occur within the estate, the wildlife management plan will be updated and reissued to Department of Planning and Environment as a management plan post-determination.</p>
<p>Recommendation: Any approval is to contain the following condition:                      Pursuant to Section 183 of the Airports Act 1996 and Clause 7 of the Airports (Protection of Airspace) Regulations 1996, development resulting in temporary, physical or transient obstruction of protected operational airspace of the Airport must obtain approval for a controlled activity.</p>	<p>Noted. Condition can be included as part of the consent.</p>
<p>Recommendation: The list of mitigation measures associated with the proposed works must be updated to address wildlife management following the preparation of the wildlife management monitoring plan.</p>	<p>Mitigation measures have been identified as part of the Wildlife Management Plan and are outlined above.</p>

Agency Comment	Response
<b>DPIE - Water and NRAR</b>	
<p>The proponent should provide:</p> <ul style="list-style-type: none"> <li>- A site water balance has not been included for the construction phase. Provide a water balance for the construction including but no limited to de-watering and ponds.</li> <li>- Scheduling of construction and use of ponds on the proposed lot 5 and 6.</li> <li>- Details of farm dam de-watering including volume and if water will be re-used, stored, or released.</li> </ul>	<p>All water captured on site, whether it be rainfall on the catchment or runoff onto the site from the external catchments north and east of the site, or groundwater intercepted by bulk earthworks activities, will be managed in accordance with the site Soil and Water Management Plan (described in Section 8 of the Civil Report). Any water draining through the site will be discharged in accordance with the requirements of the Soil and Water Management Plan with no water to be retained on site permanently during construction.</p> <p>The proposed ponds on lots 3 and 6 would only be required under the Interim Arrangement, in the absence of measures that Sydney Water will deliver under the regional stormwater management scheme.</p> <p>The scheduling of construction of the ponds on lots 3 and 6 would depend on two main factors:</p> <ul style="list-style-type: none"> <li>- timing of the delivery of the regional stormwater management scheme by Sydney Water</li> <li>- staging of the development works.</li> </ul> <p>A revised or supplementary Stormwater Management Strategy will be provided with the construction certificate for each stage of the development, which will clarify the scheduling of construction and use of the ponds under the Interim Arrangement. It is anticipated further advice will be provided by Sydney Water with regard to the delivery of the regional stormwater management scheme between the time of preparation of this Strategy and the application for the first stage Construction Certificate, and that any advice from Sydney Water will inform the need or otherwise for construction of the ponds on lots 3 and 6.</p> <p>The existing farm dams that are to be removed as part of the site grading and earthworks will be dewatered and decommissioned. All water stored within the farm dams will be released in a controlled manner that is consistent with the requirements of the Dam Dewatering Plan.</p>

Agency Comment	Response
<p>The proponent should:</p> <ul style="list-style-type: none"> <li>- provide a statement of impact against the 'minimal impact considerations' as defined in the NSW Aquifer Interference Policy (2012).</li> <li>- Identify the predicted groundwater inflow volume generated by the cut and fill activities.</li> <li>- Report on whether the groundwater take is predicted to be less than 3ML licensing exemption offered under the Water Management (General) Regulation 2018, or if it is above this, and a licence is required.</li> </ul>	<p>The proposed development of Westlink will not result in impacts relating to water table, water pressure, or water quality. There are no known groundwater dependent ecosystems, culturally significant sites or water supply works located in the vicinity of the site.</p> <p>The inflow volume to the site as a result of bulk earthworks activities cannot be quantified at this stage, as it would be highly variable and dependent on rainfall in the catchment.</p> <p>Any groundwater intercepted by bulk earthworks activities cannot be quantified at this stage, as it would be highly variable and dependent on rainfall in the catchment.</p> <p>Any groundwater intercepted by bulk earthworks activities would be directed through the site in accordance with the site Soil and Water Management Plan.</p> <p>Any groundwater intercepted by bulk earthwork activities would be directed through the site towards the legal point of discharge and would not be permanently retained on site. Temporary retention of intercepted groundwater would only be required to satisfy construction phase water quality controls. Therefore, a licence will not be required under the Water Management (General) Regulation 2018.</p>
<p><b>Environment Protection Authority</b></p> <p>The proposed development does not appear to require an environment protection license under the <i>Protection of the Environment Operations Act 1997</i>. Furthermore, the EPA understands that the proposal is not being undertaken by or on behalf of a NSW Public Authority nor are the proposed activities and other activities for which the EPA is appropriate regulatory authority. In view of these factors, the EPA has no comments to provide on this project and no follow-up consultation is required.</p>	<p>Noted. The proposed development does not require an EPL. Should a tenant be confirmed on the site, whose operations require an EPL, the use of that future tenant will undergo a separate approval.</p>

Agency Comment	Response
<p><b>NSW Rural Fire Service</b></p>	
<p>At the issue of a subdivision certificate, and in perpetuity to ensure ongoing protection from the impact of bushfires, the entirety of the proposed residential lots 1-7 must be managed as an inner protection area (IPA) in accordance with the requirements of Appendix 4 of <i>Planning for Bushfire Protection 2019</i>. When establishing and maintaining an IPA the following requirements apply:</p> <ul style="list-style-type: none"> <li>- tree canopy cover should be less than 15% at maturity;</li> <li>- tree at maturity should not touch or overhand the building;</li> <li>- lower limbs should be removed up to a height of 2m above the ground;</li> <li>- tree canopies should be separated by 2-5m;</li> <li>- preference should be given to smooth barked and evergreen trees;</li> <li>- large discontinuities or gaps in vegetation should be provided to slow down or break the progress of fire towards buildings;</li> <li>- shrubs should not be located under trees;</li> <li>- shrubs should not form more than 10% ground cover; and</li> <li>- clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of vegetation;</li> <li>- grass should be kept mown (as a guide grass should be kept to no more than 100mm in height); and</li> <li>- leaves and vegetation debris should be removed.</li> </ul>	<p>Noted. These requirements can form part of the OEMP.</p>
<p>The warehouses on proposed lots 1-7 must be constructed using non-combustible materials, and provide ember protection. This must be achieved by enclosing all openings (excluding roof tile spaces) or covering openings with a non-corrosive metal screen mesh with a maximum aperture of 2mm. Where applicable, this includes any subfloor areas, openable windows, vents, weepholes and eaves. External doors are to be lifted with draft excluders.</p>	<p>A memo by BlackAsh has been preparing outlining the require condition to ensure Industrial development meets the <i>Planning for Bushfire Protection Requirements 2019</i>. The current recommended wording within the RFS submission does not address the needs of the industrial market, nor recognise the construction interventions that minimise bushfire risk across the construction of a warehouse.</p>

Agency Comment	Response
<p>Access roads must comply with the general requirements of Table 5.3b of <i>Planning for Bushfire Protection 2019</i> and the following:</p> <ul style="list-style-type: none"> <li>- are two-way sealed roads with minimum 8m carriageway width kerb to kerb;</li> <li>- a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches, is provided;</li> <li>- parking is provided outside of the carriageway width;</li> <li>- are through roads, and these are linked to the internal road system at an interval of no greater than 500m;</li> <li>- curves of roads have a minimum inner radius of 6m;</li> <li>- the maximum grade road is 15 degrees and average grade of not more than 10 degrees;</li> <li>- the road crossfall does not exceed 3 degrees;</li> <li>- traffic management devices are constructed to no prohibit access by emergency services vehicles;</li> <li>- maximum grades for sealed roads do not exceed 15 degrees and an average grade of not more than 10 degrees or other gradient specified by road design standards, whichever is the lesser gradient;</li> <li>- the capacity of perimeter and non-perimeter road surfaces and any bridges/causeways is sufficient to carry fully loaded firefighting vehicles; bridges/causeways are to clearly indicate load rating.</li> <li>- hydrants are located outside of parking reserves and road carriageways to ensure accessibility to reticulated water for fire suppression; and</li> <li>- hydrants are provided in accordance with the relevant clauses of AS 2419.1:2005 - Fire hydrant installations system design, installation and commissioning.</li> </ul>	<p>Noted. Roads and fire protection measures will be adopted throughout the estate as per the requirements in the <i>Planning for Bushfire Protection 2019</i>.</p>
<p>The provision of water, electricity and gas must comply with the following in accordance with Table 5.3c of <i>Planning for Bushfire Protection 2019</i>:</p> <ul style="list-style-type: none"> <li>- reticulated water is to be provided to the development where available;</li> <li>- fire hydrant, spacing, design and sizing complies with the relevant clauses of AS 2419.1:2005</li> <li>- fire hydrant flows and pressures comply with the relevant clauses of AS 2419.1:2005</li> <li>- all above-ground water service pipes are metal, including and up to any taps;</li> <li>- where practicable, electrical transmission lines are underground; and</li> <li>- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used.</li> </ul>	<p>Noted. Water, electricity and gas will be designed to meet the requirements within the <i>Planning for Bushfire Protection 2019</i>.</p>

Agency Comment	Response
<p>Landscaping within the required asset protection zone must comply with Appendix 4 of Planning for Bushfire Protection 2019. In this regard, the following principles are to be incorporated:</p> <ul style="list-style-type: none"> <li>- a minimum 1m wide area, suitable for pedestrian traffic, must be provided around the immediate curtilage of the building;</li> <li>- planting is limited in the immediate vicinity of the building;</li> <li>- low flammability vegetation species are used.</li> <li>- planting does not provide a continuous canopy of the building (i.e. trees or shrubs are isolated or located in small clusters);</li> <li>- landscape species are chosen to ensure tree canopy cover is less than 15% (IPA) and less than 30% (OPA) at maturity and trees do not touch or overhang buildings;</li> <li>- avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;</li> <li>- use smooth bark species of tree species which generally do not carry a fire up the bark into the crown;</li> <li>- avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);</li> <li>- avoid climbing species to walls and pergolas;</li> <li>- locate combustible materials such as woodchips/ mulch, flammable fuel stores away from the building;</li> <li>- locate combustible structures such as garden sheds, pergolas, and materials such as timber garden furniture away from the building; and</li> <li>- low flammability vegetation species are used.</li> </ul>	<p>Noted. Landscaping within asset protection zones have been designed to comply with Appendix 4 of the <i>Planning for Bushfire Protection 2019</i>.</p>
<p><b>Transport for NSW/ RMS</b></p> <p>Prior to the first OC, the proponent provides a Green Travel Plan for TfNSW's consideration that:</p> <ul style="list-style-type: none"> <li>- considers the potential for staff shuttle to be implemented from site to the nearest train stations to support public transport use;</li> <li>- considers potential improvements to Abbots Road which would be a key active transport link once the shared path on Mamre Road is completed;</li> <li>- considers the sites amenity for people walking and cycling, including shade, shelter, lighting and seating;</li> <li>- provides details and maps of end of trip facilities, including number and location of all secure bike parking, casual bike parking, e-bike charging points, showers, and lockers;</li> <li>- considers parking management approaches to influence demand;</li> <li>- encourages the use of carpooling through the implementation of a carpooling scheme for staff;</li> <li>- provides an enhanced travel access guide (TAG) which includes maps of the internal shared paths, footpaths, bike parking and end of trip facilities;</li> <li>- provides a comprehensive communication strategy;</li> <li>- considers more detailed initiatives for staff</li> </ul>	<p>Noted. A Framework Travel Plan was provided as part of the submission package. This framework will be developed further as part of OC works.</p>



Agency Comment	Response
Travel Plan, Section 4.2, page 17 - proposed target for 2026 mode share targets has 0% for Bus, which is a reduced number from 2%. In addition the target of train is 3%. Clarification is requested to understand how these percentages were determined.	Targets are based on the AECOM Transport Report for the Badgerys Creek Precinct prepared for the Aerotropolis.
The proponent is to confirm the development will be using 30m PBS Level 2B as the design vehicle rather than a standard 26m B-double. This is in line with the NSW Heavy Vehicle Access Policy Framework which identifies 30m PBS Level 2B vehicles as the next PBS vehicle to be permitted wider access on NSW roads.	Refer to Section 7 in AT&L's Civil Report (Appendix I) for clarification of the design vehicle adopted, which is 30m PBS Level 2B. Details of the proposed external road upgrades are presented in Civil drawing 21-842-C500 series contained at Appendix I.
TAMP - Appendix E - The swept path plans are provided for 30m PBS type 2B. According to the draft DCP road design item (16), it should be tested for 36.5m PBS Level 3 type A. Swept path plans with 36.5m PBS Level 3 type A vehicles are required for review.	36m vehicles are required for roads only and do not need to be accommodated by sites themselves. The design vehicle in the DCP is 26m B-double. This is reflected in the assessment of swept path movements within each site.
TAMP - Appendix D - SIDRA output has shown that during the AM peak Mamre Road South approach right turn queue length is 120m. This is more than the propose 100m right turn bay and might overflow to the through lane which heightens safety issues. It is request for this to be further assessed.	Modelling has been reassessed. Queue length has reduced to 67.4m during AM peak. This is below the 100m right turn bay and should not create an issue during peak hour. For revised numbers, refer to Appendix D in the TMAP.
CTMP - TfNSW raises concerns on the construction traffic that will access Mamre Road and Abbots Road intersection. This is currently unsignalised intersection controlled by Give Way sign only. It is unclear what impacts of construction vehicles at this intersection will be. It is request for this to be further assessed.	Ason is currently coordinating cumulative construction impacts for all live DAs. Results of this analysis are to be available in the coming weeks and will advise on intersection impacts including Mamre/Abbots Roads intersection.
Although the overall intersection performance of the key intersections are modelled as LOS D or better, individual turning movements show failing levels of service. Mitigation measure to improve the intersection performance to LOS C or better should be provided.	Mitigation measures have been updated within the TMAP. Refer to Appendix K for further information.
<b>DPIE - EES</b>	
EES considers the Biodiversity Development Assessment Report to be adequate	Noted.
EES advises the site is outside the PMF extents for South Creek and Kemps Creek, accordingly there are no comments.	Noted.
EES will separately provide further additional comments regarding waterway health.	Noted.
<b>Western Sydney Planning Partnership</b>	
The Western Sydney Planning Partnership does not object to the proposed development.	Noted.
The applicant must ensure that the proposal is consistent with aviation safeguarding requirements contained in the Western Sydney Aerotropolis Planning Package. The applicant must address Section 5 (Safeguarding the 24-hour airport) of the Western Sydney Aerotropolis Plan and Part 3 (Development Controls - Airport safeguard) of the Aerotropolis SEPP.	The Response to Submissions report has been updated to assess the proposed development against the relevant provisions of the Parkland City SEPP, which replaces the Aerotropolis SEPP. This section considers the relevant aviation safeguarding requirements of the Aerotropolis Plan which are consistent with the Parkland City SEPP provisions. The assessment concludes the proposed development is consistent with the aviation safeguarding requirements for the future Airport.

Agency Comment	Response
<p>In accordance with Clause 21(2) of the Aerotropolis SEPP, development consent must not be granted to relevant development on land in the 13km wildlife buffer zone unless the consent authority -</p> <ul style="list-style-type: none"> <li>a. has consulted with relevant Commonwealth body, and</li> <li>b. has considered a written assessment of the wildlife that is likely to be present on the land and the risk of the wildlife to the operation of the Airport provided by the applicant, which includes -                             <ul style="list-style-type: none"> <li>i. species, size, quantity, flock behaviour, and the particular times of day or year when the wildlife is likely to be present, and</li> <li>ii. whether any of the wildlife is a threatened species, and</li> <li>iii. a description of how the assessment was carried out, and</li> </ul> </li> <li>c. is satisfied that the development will mitigate the risk of wildlife to the operation of the Airport, including, for example, measures relating to -                             <ul style="list-style-type: none"> <li>i. waste management, landscaping, grass, fencing, stormwater, or water areas, or</li> <li>ii. the dispersal of wildlife from the land by the removal of flood or the use of spikes, wire, or nets.</li> </ul> </li> </ul>	<p>A Wildlife Management Plan has been prepared for the proposed development (refer to Appendix AA).</p>
<p>Clause 21(2) of the Aerotropolis SEPP has not been sufficiently addressed.</p>	<p>Clause 4.19 of Chapter 4 of the Western Parkland City SEPP, formerly Clause 21(2) of the Aerotropolis SEPP, has been addressed as part of the Wildlife Management Plan.</p>
<p>The proposed development generally meets these provisions of the Mamre Road Precinct. However, it is recommended an analysis of the proposal should be given against the Aerotropolis planning principles contained in the Appendix (pages 92 - 94) of the Western Sydney Aerotropolis Plan.</p>	<p>An assessment against the Western Sydney Aerotropolis Plan has been provided within the Response to Submissions report as part of the assessment against the Western Parkland City SEPP given the controls are largely consistent and the Aerotropolis Plan and SEPP are intricately linked. The assessment identified the proposed development is consistent with the Aerotropolis Plan.</p>
<p><b>Heritage NSW</b></p>	
<p>The Archaeological Chance Find Protocol should include direction to secure the location of the find to prevent harm or to prevent further harm from occurring. This policy should remove references to DPC as HNSW does not have a regulatory role for DPIE-approved Major Projects. Rather the policy should emphasise consultation with the Register Aboriginal Parties and include controls to empower the Registered Aboriginal Parties to determine the appropriate management of chance finds within the EIS project area.</p>	<p>Recommendation 4 Archaeological Chance Find Procedure has been updated to reflect consultation procedures with Registered Aboriginal Parties (RAPs).</p>
<p>The Human Remains Procedure should indicate at which point the Registered Aboriginal Parties would be notified of the discovery. This policy should also provide direction to secure the find and restrict access to the area. Discovery of human remains suspected to be of Aboriginal origin should be reported to the Enviroline.</p>	<p>The Humans Remain Procedure has been updated at Recommendation 5 in the ACHAR. It identifies RAPs to be informed following assessment by NSW Police.</p>
<p>The above recommendations should be incorporated into any CEMP.</p>	<p>Noted.</p>

Agency Comment	Response
<p>The requirement to register sites under s89A of the <i>National Parks and Wildlife Act 1974</i> is not removed by the granting of approval as State Significant Development under the EP&amp;A Act. All four Aboriginal sites within the EIS project area must be registered with AHIMS. Site Impact Recording Forms for each site must be submitted to AHIMS on the completion of any community collection activities and impacts associated with construction. The ACHAR should be lodged with AHIMS.</p>	<p>Noted. Refer to updated report at Appendix P. AHIMS sites are currently being or have been registered.</p>
<p>Consideration should be given to involve appropriate Aboriginal knowledge holders in the development of the Aboriginal Cultural Heritage Induction. High Aboriginal cultural significance associated with connection to Country has been identified by the ACHAR and this should be communicated through the Aboriginal Cultural Heritage Induction. The induction should be made to any staff, contractors and visitors to the EIS project area prior to and during construction.</p>	<p>Noted. To form part of the CMP.</p>
<p>Consideration should be made to undertake further consultation with Registered Aboriginal Parties to identify culturally appropriate native plantings to be incorporated with the landscape design. This would be reflective of the high cultural values identified within the EIS project area and align with the Designing with Country discussion paper prepared by Government Architect NSW.</p>	<p>Noted. To form part of the CMP and OMP of the development as part of the ongoing engagement of the estate.</p>
<b>Penrith City Council</b>	
<p>Development consent for the proposal should not be granted until a development contributions framework is in place, including local and state infrastructure.</p>	<p>The Mamre Road Precinct Section 7.11 Contribution Plan and the Western Sydney Special Infrastructure Contributions Plan has been adopted. Therefore, there should be no barriers in approving this development from a contribution plan perspective.</p>
<p>It is considered the draft Mamre Road Precinct DCP should be relied upon for the purposes of complying with the SEPP provisions. It is not considered appropriate that a separate site specific DCP is considered where it is different to or contrary to these draft provisions as this will result in inconsistent development outcomes across the precinct.</p>	<p>The Mamre Road Precinct Development Contribution Plan is finalised. The site specific DCP was prepared in lieu of a precinct-wide DCP and modelled after the draft Mamre Road Precinct DCP. Given the precinct-wide DCP is finalised, the proposed development has used this document to inform the updates in the Response to Submissions.</p>
<p>The draft landscape and setback provision of the draft DCP should be complied with.</p>	<p>The Landscape and Architectural Plans have been updated to reflect the controls within the DCP.</p>
<p>Objective b of Clause 4.4 - Earthworks and Retaining Walls requires that proposals "minimise the extent of earthworks when creating a building site". The finished ground level throughout a large portion of the site are well in excess of existing ground levels with extremely high retaining walls (in vicinity of 10m) which are visually prominent from the proposed public domain/ public roads and not suitably setback and stepped to meet the objective identified in this clause, nor the controls within the draft DCP.</p>	<p>The revised Estate Plan and site grading strategy has been amended to address the objectives and controls outlined in Section 4.4 of the Mamre Road Precinct DCP. Particular attention has been made in the revised Estate Plan on controls relating to the level transitions at the interface of the public road network. The maximum cumulative height of retaining walls adjacent to the public domain are limited to 6m and will generally be in accordance with the indicative tiered retaining wall cross-section presented as Figure 23 in the DCP. Refer to civil drawings 20-748-C1021 to C1023 inclusive for sections at boundary interfaces, which demonstrate that where there is a level transition greater than 1 m, it is managed via tiered retaining walls and an increased landscape setback.</p>

Agency Comment	Response
<p>Control 2 of Clause 4.4 - Earthworks and Retaining Walls requires that level transitions must be managed between lots and not at the interface of public road network. The proposal provides numerous examples where level transitions are managed at the interface of the proposed public road with non-compliant landscaping and wall design treatments to address that transition.</p>	<p>Refer to response above.</p>
<p>Control 4 of Clause 4.4 - Earthworks and Retaining Walls requires that finished ground levels are no greater than 1.0m above finished road levels. Where there is a necessity for greater level transition, this transition must be managed via increased landscape setbacks which accommodate tiered retaining walls.</p>	<p>Refer to response above.</p>
<p>Control 6 of Clause 4.4 - Earthworks and Retaining Walls requires walls are up to 3m in height must be setback into the property boundary by at least 2m and the 2m setback must be suitably landscaped.</p>	<p>Refer to response above.</p>
<p>The proposal does not comply with the above Earthworks and Retaining Wall objective and controls as follows:</p> <ul style="list-style-type: none"> <li>- The stepped retaining wall associated with Lot 1 fronting Aldington Road appears to only be setback 500m and not the required 2m as per the DCP. Further the 500mm accommodates a catchment drain which will compromise any potential for screen landscaping in front of the first retaining wall tier. While the retaining wall (effectively 7.4m in height as per section indicates) is of a tiered design and landscape at each tier which is appreciated, the setback at ground level is still important, esp. when considering the pedestrian experience and streetscape presentation of the development to the roadway.</li> <li>- Cross section "N" within the civil pack provides for unsupportable finished ground levels above natural ground level with retaining wall heights which are exposed to the proposed public road. Further there is no stepping and nil landscaping to ameliorate their scale and visual prominence. The retaining wall transition between the bio-basin and Lot 6 (although the cross section "N" identifies this as lot 4 which should be verified) is a poor outcome and does not suitably consider visual impacts to the adjacent site(s).</li> <li>- Various lots within the development provide for 9m retaining walls fronting the proposed public road network between the car park and lot boundary which is a poor outcome. The retaining walls are not stepped as required by the DCP. Refer to Section B1 and B2 on Drawing No. 20748.C1021 in the civil pack. It is also noted that any level transition over 1m requires greater landscaping setbacks than the minimum. The proposed 3.75m is inadequate, noncompliant and a larger setback is required to ameliorate the presentation impacts of the proposed level difference and retaining wall presentation.</li> <li>- Lot 5 provides for a 10m retaining wall fronting the proposed public road. As per above, the same concerns apply and while a 5m landscape setback is proposed, this is inadequate to address the scale and resulting streetscape outcome of the wall and the elevated buildings on top of the finished pad level. Refer to Section "L" on Drawing 20748.c1021 in the civil pack</li> </ul>	<p>Refer to response above.</p>

Agency Comment	Response
<p>There are also lots proposed with a 3.75m landscape setback between loading dock and manoeuvring areas and property boundaries to the proposed road. This is not permitted by Clause 4.4.4 - Building Setback specifically Clause 3 which only permits off street parking in the setback zone and even then, the location of the protrusion of car parking must enhance the overall design via screen landscaping without detracting from the streetscape. This allowance does not extend to loading docks and truck manoeuvring areas (such as Lot 3 and 4) and as such, all lots with this arrangement must be amended to comply with the required 7.5m landscape setback. This further reinforces the need for loading docks and associated manoeuvring to the internalised and not front the public road.</p>	<p>Landscape plans have been revised to reflect final DCP controls. Refer to Appendix F for further information.</p>
<p>Where retaining walls fronting the public domain are proposed with a height in excess of 3m, it is considered necessary that the building setback in the DCP are applied as the vertically of the resulting retaining wall is no different to that of a warehouse or building form on the proposed lot. This would mean that all allotment with level difference and finished ground levels which are greater than 3m above the proposed finished road level should have setback between the wall and property boundary of no less than 7.5m which are landscaped with a tiered wall design with planting at each tier. This would comply with the DCP control and objectives referenced above and would require redesign of the subdivision and masterplan proposal. If the 7.5m setback suggestion is not shared by the DPIE, it is imperative that a detailed landscape design (not concept plans) and prepared for each and every lot that depicts how the species selected, pot sizes, quantity and spacing can ameliorate the wall presentations and positively contribute to the overall public domain treatment.</p>	<p>All public facing retaining walls have been updated to reflect controls with the draft DCP. Retaining walls and landscape have been coordinated and a considered treatment is proposed to ensure retaining walls contribute to the overall public domain. Refer to Appendix F for further information.</p>
<p>The application must demonstrate that the development proposal is consistent with the Mamre Road Precinct Draft DCP Section 2.7 Flood Prone Land.</p>	<p>Refer to Section 9 of AT&amp;L's Civil Report for a summary of the design criteria adopted for stormwater drainage.</p>
<p>The application must be accompanied by an Overland Flow Flood Report prepared by a suitably qualified person to assess the developments impacts upon overland flows.</p>	<p>Flooding was not raised in the SEARs. PCC's overland flow report identifies the site as not flood prone or impacted by overland flow.</p>
<p>Stormwater drainage for the site must be in accordance with the Mamre Road Precinct DCP.</p>	<p>Refer to Section 9 of AT&amp;L's Civil Report (Appendix I) for a summary of the design criteria adopted for stormwater drainage.</p>
<p>No objections are raised to the proposed methodology to separate internal treated stormwater flows from external catchment flows.</p>	<p>Noted.</p>
<p>The emergency overflow weir from the water quality/ water quantity basin discharges onto the adjoining lot to the south. A drainage easement will be required to discharge water over the adjoining lot and evidence of owners consent for the creation of easements over adjoining land should be secured to comply with legal point of discharge considerations.</p>	<p>The proposed detention basin has been designed to detain inflow from the estate for all design storm events up to and including the 1% AEP design event.</p>

Agency Comment	Response
A stormwater pipe is proposed along Abbots Road to Mamre Road to cater for external catchment flows and flows in excess of the basins 1%AEP capacity. Any pipeline within Aldington Road shall be designed to cater for the future upgrade of Aldington Road.	Refer to Civil drawing series 21-842-C500 for the proposed alignment of the trunk drainage line downstream of the Westlink Industrial Estate. This line will be designed to cater for outflow from the proposed detention basin, flow from the external catchments to the east of the site, and for flow from the external catchments to the east of the site, and for flow from Aldington Road that will drain towards Abbots Road.
The application is to demonstrate how stormwater discharge from the proposed development complies with the trunk drainage infrastructure as per the Mamre Road Precinct DCP. Subdivision and development is consider the coordinated staging and delivery of trunk drainage by trunk drainage infrastructure where suitable arrangements are in place for the delivery of trunk infrastructure.	Refer to Section 9.3 of AT&L's Civil Report (Appendix I) for a summary of the design criteria adopted for stormwater drainage.
The stormwater concept plan shall demonstrate how the development complies with the Mamre Road Precinct draft DCP water quality and quantity controls for any interim and ultimate developments.	Refer to Section 10 of AT&L's Civil Report (Appendix I) for details of the Water Management Strategy and demonstration of compliance with the stormwater quality, quantity and flow controls for the Mamre Road Precinct. Based on the revised Estate Plan and to address the stormwater flow controls for the site under the Interim Arrangement (without regional stormwater management measures in place), evaporation ponds would be required on proposed lots 3 and 6. These ponds would provide capacity to store surface water runoff from the site and would allow for evaporation and exfiltration (albeit negligible based on the clay soils present within the site) to contribute to the requirement to reduce mean annual runoff volume (MARV) to less than 2ML per hectare per year. The Interim Arrangement proposed in the Water Management Strategy is presented on drawing 20-749-C1220 and is intended to demonstrate a theoretical solution to satisfy the stormwater quality and flow controls can be achieved through on-lot and estate-wide measures. The Interim Arrangement would be superseded by the Ultimate Arrangement once Sydney Water confirms the regional stormwater management scheme is in place and has sufficient capacity to cater for development within the estate. Refer to Section 10.2 for an overview of the proposed Interim Arrangement and Ultimate Arrangement that form the Water Management Strategy.
It is unclear of the function of the temporary basins proposed on Lots 5 and 6. Full details are to be submitted.	Refer to the above response.
The proposal may not fit with the ultimate Aldington Road, Abbots Road industrial roads and other roads and intersections in the draft Mamre Road Precinct DCP.	The proposed internal road network has been designed to comply with the road cross sections adopted in the Mamre Road Precinct DCP.
The road corridor setbacks for Aldington Road, Aldington Road extension south of Abbots Road to left out at Mamre Road, Abbots Road and Mamre Road reconstruction have not been resolved and designed, which could have significant implications on the design and arrangement of the proposed subdivision and masterplan.	Refer to Civil drawing series 21-843-C500 for details of the proposed Interim and Ultimate designs for the upgrade of Abbots and Aldington Roads.
The draft MRP DCP has not yet been supported by details including traffic modelling, cut/fill strategy, road designs, cost estimates, road and infrastructure delivery strategy and contributions plan and staged development strategy.	The Mamre Road Precinct Development Control Plan has been finalised by the Department of Planning and Environment. This Response to Submissions has been updated to reflect the finalised DCP.

Agency Comment	Response
<p>PCC does not support the draft MRP DCP road cross section for Distributor/Collector Roads. Council requires that the cross section be 5m centre median, 2 x 3.5m through lanes both sides, 4.2 kerbside shoulder both sides, 5.6m verge with 2.5 shared path both sides. All multi lane approach intersections to be traffic control signals with pedestrian crossing facilities with 3.5m left turn and right turn lanes. 2m bike lanes between left turn lanes and through lanes and additional widening to accommodate 36m B-triple heavy vehicle turn paths.</p>	<p>The roads within the estate have been updated to reflect the cross sections identified in the Mamre Road Precinct Development Control Plan.</p>
<p>Any connection of the development to the existing Aldington Road/ Abbotts Road/ Bakers Lane/ Mamre Road system is not supported.</p>	<p>The proposed development seeks to update Abbotts and Aldington Roads to enable ingress and egress from Mamre Road. These proposed road works do not seek to upgrade Bakers Lane given the future Southern Link Road will replace this corridor. The proposed development will only utilise the Abbotts Road corridor and is considered appropriate given the proposed upgrade works which are currently under discussion with Penrith City Council as part of a voluntary planning agreement.</p>
<p>The proposed connection of a staged part of the development to an 'interim' LOG 2026 traffic modelling is not accepted.</p>	<p>The proposed road upgrade seeks to deliver as much of the ultimate road alignment within the existing corridor. This creates a fit for purpose road network for first movers in the precinct, including ESR. If further land becomes available along this corridor via other developers, ESR will endeavour to work with them to ensure the ultimate corridor is built in one stage. Details of this road upgrade are currently being resolved with Penrith City Council and will form a voluntary planning agreement.</p>
<p>Any consideration of this development must include either: - the delivery of the ultimate Aldington Road/ Aldington Road link to SLR/ Aldington Road extension south of Abbotts Road south to left out of Mamre Road/ Abbotts Road/ Mamre Road ultimate road and intersection upgrades; or - possibly at least the ultimate Abbotts Road/ Abbotts Road and Aldington Road signalised intersection/ Abbotts Road and Mamre Road signalised intersection to TfNSW/Council requirements and with all industrial development traffic directed via that route only. Plus with agreements regarding any contribution plans/ VPA to cover the ultimate Aldington Road/ Abbotts Road link. This option would also require suitable controls to restrict all development, heavy vehicle and light vehicle access via Aldington Road extension.</p>	<p>ESR has submitted a joint letter of offers with NSW Government and Penrith City Council respectively to deliver an intersection upgrade at Mamre/Abbotts Roads intersection and upgrade of Abbotts and Aldington Roads.  Both letter of offer and voluntary planning agreements are being negotiated between the respective parties. It is the intent of ESR to have these infrastructure works complete by the first OC within the estate.  These proposed works-in-kind (WIK) are satisfactory to enable warehouse and logistics operations within the estate.</p>
<p>Any consideration of this development must be contingent on the State Government/ TfNSW/DPIE delivery of SLR including arrangements for connection across Aldington Road to the Southern Link Road and the ultimate Mamre Road and intersection upgrade works being completed to the satisfaction of TfNSW and Council.</p>	<p>TfNSW has no funding for the SLR, as such it is not expected to be delivered by 2026. The site has been zoned for the warehouse and distribution uses and appropriate road upgrades are proposed to support the delivery of the estate. . As such the development should not be contingent on upgrades of Southern Link Road, and should not be required to deliver as part of the estate given its proximity away from this future infrastructure corridor.</p>

Agency Comment	Response
<p>Review of the PSI (59-63 Abbotts Road) has highlighted a number of potential areas of environmental concern which exist on the site including hazardous building materials, chemical/fuel storage, filling agricultural use and presence of power poles. In addition sampling confirm the presence of asbestos at the site.</p> <p>The conclusion/recommendations of the report recommends a DSI, RAP and validation reporting to further address areas clear the areas of environmental concern.</p> <p>Further a hazardous building materials survey of site structures is required prior to demolition. Whilst a contamination investigation for 290-308 Aldington Road is referenced in the EIS as being submitted, this report could not be located. A contamination investigation of this property is required to be undertaken and submitted to relevant authorities or made available for assessment. The DSI is also required to assess the water quality of the dams proposed to be filled.</p>	<p>A Detailed Site Investigation, Dam Water and Sediment Assessment has been prepared across all three lots. The DSI made the following recommendations:</p> <ul style="list-style-type: none"> <li>- An interim management plan should be implemented to mitigate potential human health exposure risks to asbestos in AEC14, TP70, TP09 and DW23. As some of those activities may result in disturbance of soils impacted with asbestos, a class A licensed asbestos contractor should undertake the recommended works where necessary. Prior to entry, site workers and other personnel on site should be made aware of the areas impacted with friable and bonded asbestos, and the controls in place to mitigate risk of exposure to human health.</li> <li>- A supplementary contamination assessment should be undertaken to address the data gaps associated with AEC13, AEC15, AEC16, AEC22, AEC23, AEC32, AEC33 and AEC34, as well as assessing the extent of identified unacceptable risks onsite, to inform future remedial works. The supplementary contamination assessment should be undertaken following controlled demolition and removal of the structures and pavements.</li> <li>- The recommended data gap assessment should also address the extent of asbestos contamination at AEC14, TP09, TP61, DS13, TP71 and TP141, as well as the aesthetics risk observed within AEC14, TP141, and TP142 (AEC21) and DS13 (AEC09)</li> <li>- A remedial action plan (RAP) should be prepared to address the identified unacceptable human health exposure risks upon completion and consideration of the aforementioned data gap assessment, and</li> <li>- Further assessment, management and remedial planning works for the site, be undertaken by a suitably experienced environmental consultant.</li> </ul> <p>Following receipt of the DSI, ESR engaged Alliance to prepare a remedial action plan (RAP) covering the items raised in their recommendations. This is provided at Appendix BB.</p> <p>A verification report should form a condition of consent, as it requires an experienced environmental consultant to sign off completed works identified in the DSI and RAP.</p>
<p>A CNVMP to be prepared prior to any works occurring at the site must be addressed via a conditions of consent if the proposal is supported by the Department.</p>	<p>CNVMP is to form part of the CEMP, which will form a Condition of Consent.</p>
<p>The ponds of Lot 5 and 7 are assumed to be temporary as the masterplan indicates warehouses on the lots. Details as to what is proposed with respect to the plans for ongoing stormwater management in the absence of the ponds being removed, is required.</p>	<p>Temporary ponds are provided at Lots 3 and 6 to meet the MARV requirements within the DCP. Once Sydney Water establishes a regional stormwater system, the ponds will be decommissioned and the estate will connect into the broader network.</p>
<p>The collocated OSD/ bioretention system has not been prepared in accordance with Council's requirements. In this regard, the design should be modified to be consistent with Council's design requirements.</p>	<p>A bio-retention system would be required under the Interim Arrangement but would not be required under the Ultimate Arrangement. This is based on Sydney Water advice that water quality controls would be addressed in regional stormwater management measures to be designed, delivered, and operated by Sydney Water (as the nominated Waterway Manager for the Mamre Road Precinct).</p>



Agency Comment	Response
<p>The proponent should reconsider the design and configuration of the stormwater management basins. This should include but not be limited to the inlet design and flow configuration, depth of maximum ponding, sizing of basin, provision for access for maintenance and vegetation densities and species. It is also suggested that additional detail on the ponds is required with respect to maintenance as well as with regards to their long term replacement as per the estate masterplan.</p>	<p>See above response.</p>
<p>The proposal is inconsistent with the trunk drainage infrastructure in the draft DCP. This needs to be clarified, and all works would need to be in accordance with NRAR requirements. The protection of drainage line is an opportunity to include vital habitat and amenity in the area. It is recommended that a riparian corridor, particularly along the Strahler Order 2 section be incorporated into the development, which should be in the vicinity of 40m however advice from NRAR is critical component to this consideration, which should be discussed with the officers responsible for the preparation of the draft DCP.</p>	<p>Refer to Section 5.2 in AT&amp;L's Civil Report (Appendix I) for an overview of the existing drainage lines within and downstream of the estate. Refer to Section 9.3 in AT&amp;L's Civil Report for an overview of the proposed trunk drainage infrastructure within and downstream of the estate.</p>
<p>Council has maintained a position that private stormwater treatment measures including all proposed stormwater treatment infrastructure (e.g. GPTs and bioretention basin) must remain in the ownership of the development in perpetuity.</p>	<p>No stormwater treatment measures will be dedicated to Council. All measures will remain in the ownership of either the Proponent or Sydney Water (as Waterway Manager).</p>
<p>There are opportunities to improve the stormwater strategy, so it has more of a focus on providing for a range of ecological services including integrated water management which maximises the opportunities passive irrigation of street trees etc. as to better contribute to urban cooling and to the Parkland City.</p>	<p>In their role as Waterway Manager, Sydney Water is developing a scheme plan for regional stormwater management measures, which is anticipated to include precinct-wide stormwater harvesting and reticulation of recycled water throughout the Mamre Road Precinct. This will provide capacity for catchment-wide integrated water management opportunities such as irrigation street trees and other areas of public open space.</p>
<p>Section 2.2.1 has an overriding objective concerning the retention of existing trees. It states, <i>'The siting and layout of a development at the initial concept stage must consider the location of existing view to their preservation and new trees with a view to their survival'</i> The proposal makes little attempt to comply with this objective with all existing tree likely to be removed given the cut-and-fill required to facilitate the development.</p>	<p>An assessment of all existing trees were undertaken as part of this DA. Given the site requirements and topography, retention of trees was not feasible. In order to mitigate against this loss, Site Image has prepared a landscape scheme that seeks to improve the overall tree coverage within the site with trees listed under the DCP.</p>
<p>A Biodiversity Management Plan should be prepared and should incorporate the following: - A Vegetation Management Plan including for restoration of the riparian corridor as recommended above; - A Fauna Management Plan to address fauna likely to be found at the site, including macropods; - A Weeds Management Plan to ensure the extent and spread of weeds including weeds of national significance (WONS) are minimised during the construction and operation of the development and managed towards the eradication; and - A Dam Dewatering Plan to ensure that water is dealt with in an environmentally satisfactory manner, and any wildlife using the dam can be rescued and relocated.</p>	<p>A Biodiversity Management Plan should form a condition of consent.</p>

Agency Comment	Response
The vision for the landscape masterplan is referenced but not provided in the documentation reviewed. The landscape documents as submitted lack sufficient detail and sufficient design consideration to enable an adequate assessment. This is primarily due to the fact that the plans are conceptual in nature and do not detail the specific planting intentions for each allotment with respect to plant species, quantities, pot sizes and irrigation measures. This is of critical importance when the proposal includes cut and fill and retaining wall construction that is dependent on a landscape design treatment to address the scale and visual impact of the proposed works.	On lot landscape plans have been provided detailing the proposed landscape treatments for each lot. Refer to Appendix F for further information.
Streetscapes and front setbacks require continuous tree canopy of a mix of species and heights to provide cooling, reduce bulk and scale of built forms, address level changes, provide amenity, etc.	Landscaping has been designed to reflect final DCP controls. It seeks to provide a mix of species and maximise tree canopy. Refer to Appendix F for further information.
Street trees in clusters with extensive gaps do not contribute to streetscape amenity or cooling. It is recommended that regard be given to the NSW Western Sydney Street Design Guide. This guide recommends min. 75L trees to be planted individually in organic mulch evenly spaced (8-10m centres) allowing for mature canopies to touch and not significantly compromising street lighting.	Estate tree planting has been revised to reflect the final DCP controls. Refer to Appendix F for further information.
Warehouse 3: With respect to the west boundary additional tree planting should be included within the landscape design.	Landscape planting has been revised across the entire estate. Refer to Appendix F for further information.
Opportunities exist for canopy plantings in several areas around the estate, both large and small which are currently proposed as turf. This should be reconsidered.	Detailed on lot plans show how landscape and retaining walls are integrated across the estate. Refer to Appendix F for further information.
There is lack of clarity on how retaining walls are treated with planting. The landscape plans and architectural drawings include the cross sectional detail only evident in the civil drawing package. The plans should include landscape cross sections in addition to the engineering drawings that address how the scale relationship of walls to the public domain and interface boundaries is intended to be addressed.	On lot landscape plans have been provided detailing the proposed landscape treatments for each lot. Refer to Appendix F for further information.
Carparks - tree planting detail and tree species information is required to enable adequate assessment.	On lot landscape plans have been provided detailing the proposed landscape treatments for each lot. Refer to Appendix F for further information.
Insufficient detail is provided for the Aldington Road frontage, such as wall heights, species, materials. While 1 section drawing was evident within the civil drawing package for the Aldington Road treatment, the landscape design plans have no corresponding sections and require spot levels and top of wall heights to assess the impact of the proposed levels with respect to landscaping. The applicant is requested to provide detail to scale and with dimensions. All wall surfaces should be screened with planting, including the lowest wall. Tall trees and canopy are required to the streetscape and verge.	On lot landscape plans have been provided detailing the proposed landscape treatments for each lot. Refer to Appendix F for further information.
Medium and tall shrubs should be added to the species mix on mounds and boundary treatments, for species diversity, biodiversity, screening	Noted. Has been adopted within the revised landscape plans. Refer to Appendix F for further information.
There is inadequate canopy plantings around the basin. Significantly greater canopy cover required to these areas.	Canopy has been maximised as much as possible without increasing risk to bushfire. This is reflected in the revised landscape plans at Appendix F.

Agency Comment	Response
Fencing must be setback min. 2m from street boundaries with landscaping provided between fence and boundary to reduce the visual impact of fences.	Fencing has been incorporated into the design. Refer to Appendix A and F for further information.
Where large scale retaining walls are unavoidable, it is suggested that the proposal includes creepers (not climber) up the wall e.g. ficus pumila.	Retaining walls along public domain are landscaped in accordance with the DCP.
An independent and impartial heritage assessment of a site/ development should include different recommendations and/or options in making considerations of the heritage impact (in following the Burra Charter Process). When a HIS primarily states that the proposal in its current form is suitable, there is some concern that the analysis has not followed the Burra Charter Process and that the significance of the site and area may not be sufficiently understood to then inform the recommendations and conclusions formed.	The Heritage Impact Statement (HIS) provided was undertaken as an independent and impartial impact assessment of the proposed development, in accordance with the Heritage NSW guidelines 'Statements of Heritage Impact'. As outlined in the HIS, the heritage item to the north of the subject site sits within a highly altered context. While a site visit to the heritage item was not available, given that the heritage item is a private dwelling, we have based our assessment on historical research and thorough review of historical aerials to determine what the likely visual impact of the subject proposal would be. It is noted that the heritage item is an altered farmstead (construction date unknown). The subject site appears to have formerly been part of the broader agricultural land associated with this farmstead, however the subject site was subdivided from the farmstead and developed in the 1970s. The subject site does not contain any known elements of heritage significance associated with the former Farmstead to the north, and with consideration for the substantial residential and commercial development which has occurred across the subject site, it is our professional opinion that the subject site is unable to reflect any of the heritage values associated with the heritage item to the north. It is our professional opinion that the subject site does not meet the requisite threshold for heritage listing under any of the seven (7) criterion set out by the Heritage Council of NSW.
It is questionable that sufficient consideration has been given to the impact of view from the heritage site.	The heritage site has been assessed as part of the Heritage Impact Statement. Refer to above statement for further breakdown on this item.
Site inspection of the heritage item is critical to inform the establishment of significant view and the resulting built form's response to those views and the significance of the item. Concern is raised with the HIS statement regarding the significance of the heritage dwelling and the site, when a physical site inspection has not been conducted.	Significant consideration has been given to the potential visual impact of the subject proposal on the heritage item to the north. The HIS contains a thorough analysis of historical aerials which confirm that views from the heritage item to the south were not of any importance, as this was the location of the rear service wing. Principal outward views from the heritage item would have been towards the north, west and east only. The proposed development will have no adverse visual impact on these existing outward views from the heritage item. In relation to views from the rear of the heritage item towards the subject site, the HIS acknowledges that the subject development will have a visual impact, however it is our opinion that this impact is considered acceptable with consideration for the orientation of significant outward views from the heritage item and the recommended vegetation screening.

Agency Comment	Response
<b>Sydney Water</b>	
Cecil Park WSZs are currently supplied with rural drinking water infrastructure and do not have capacity to service developments within Mamre Road Precinct prior to delivery of major system amplifications.	Sydney Water are in the process of amplifying the Cecil Park reservoirs to facilitate servicing of the Mamre Road Precinct. Sydney Water have developed a masterplan which provides for potable water being supplied from the Oakdale precincts via a lead in water main through the Oakdale West precinct. Sydney Water have outlined this proposal to the Land Owners Group and other developers in recent on-line presentation with Sydney Water. Further the water connection has been incorporated into the Aldington and Abbots Road upgrade which is currently being considered as part of the Voluntary Planning Agreement.
Sydney Water are currently delivering the following trunk drinking water infrastructure to increase supply to the area - - Rising Main (DN900) and pump WP0433 and 60ML reservoir at Liverpool - DN1200/DN1050 from Cecil Park reservoir up to Western Road, with offtakes at Range Road and Western Road connecting existing mains in Elizabeth Drive This work is in delivery and proposed to be operational in c.2022.	Sydney Water advised in regular updates to landowners in the precinct that the amplified drinking water systems are on track for delivery in 2022. This is in line with the forecasted program for the estate.
Additional amplification works are also required to service Mamre Road Precinct - - DN300 lean-in main from Erskine Park Elevated WSZ - Developer delivered by c.2021 - DN300 lead-in extension from Cecil Park Remainder zone - Developer delivered by c.2021	Sydney Water advised in regular updates to landowners in the precinct that delivery of the DN300 main from Erskine Park is due for delivery by late 2021 and lead in DN300 from Cecil Park by 2022.
Additional amplification works required to service this development under Case 191229 - - ~400m of DN300 amplification main along Aldington Road and DN250 Tee Installation of Dividing Valves (DV) to be installed to separate supply between water supply zones (WSZ)	Sydney Water has confirmed this remain their plan to supply separate supply zones.
Recycled water for non-drinking water uses will be provided in the Mamre Road Precinct. The Integrated Water Servicing Options analysis is currently underway. It will determine the extent to which recycled stormwater is integrated with recycled wastewater. Sydney Water is currently preparing a Development Servicing Plan for the Mamre Road Precinct. This will include developer charges for the provision of recycled water services to the Precinct.	Sydney Water have recently issued a concept plan outlining the provision of a network of trunk recycled water mains and the location of a reservoir off Aldington Road. Developers will be required to lay internal recycled water mains concurrently with laying the potable water main distribution system within their estates.
This development is located within the proposed wastewater pumping station SP1222 catchment via proposed trunk wastewater carriers. The pumping station will be required to transfer flows to St Marys wastewater network for interim servicing c2026 and after this time it is intended for the pumping station to transfer flows south to the proposed Upper South Creek	ESR is currently working to deliver a private IOP to cater for wastewater in lieu of the broader waster water system. This IOP will be in operation until Sydney Water deliver the southern pumping station by 2024.
It is critical that Sydney Water receive adequate growth demand data for the proposed development to be able to consider the demand on the interim and ultimate servicing. The delivery date for servicing the western catchment is planned for c2023/24 and is subject to funding approval	Expected demand generated by the development has been advised to Sydney Water within the feasibility application lodged with Sydney Water

Agency Comment	Response
If Sydney Water is nominated as the trunk drainage manager in the Mamre Road Precinct, then Sydney Water will confirm the requirements for trunk drainage services needed to be delivered before a Section 73. certificate can be issued.	Noted. This will be outlined in Sydney Water Notice of Requirements advice letter.
<b>DPIE - EES (Waterway Health)</b>	
EIS must describe background conditions for any water resource likely to be affected by the development, including: - Risk-based Framework for Considering Waterway Health Outcomes in Strategic Land-Use Planning Decisions	A summary of the applications of the Risk based Framework to Westlink is presented in Appendix I, Section 10.2. The MUSIC Modelling Toolkit Wianamatta has been adopted as the basis for stormwater quality and flow modelling, details are presented in Appendix I, Section 10.4.
AT&L to review the tables outlined in the EES submission which outline flow objectives and water quality objectives: <a href="https://www.planningportal.nsw.gov.au/major-projects/submission/794571">https://www.planningportal.nsw.gov.au/major-projects/submission/794571</a>	Summary of performance of the proposed stormwater management measures under the Interim Arrangement against the flow targets is presented in Appendix I, Section 10.9.
AT&L to review the MUSIC toolkit provided by EES-Water.	
It is recommended that the applicant use the MUSIC modelling toolkit to demonstrate compliance with the objectives and targets.	
EES recommends that the flow targets can be met at a range of scale including lot, estate, and catchment/regional.	
Department of Planning, Industry and Environment	
Clarify the timing and responsibilities for delivering the proposed external road and intersection upgrades and provide an update on the status of consultation identified in Section 5.22 of the EIS with regard to Clause 29 of WSEA SEPP and Clause 270 of the EP&A Reg.	ESR with two landowner/developers is currently undergoing negotiations for State and local VPAs between NSW Government and Penrith City Council respectively. The works seek to deliver full signalised intersections and road works to enable development applications to be determined and provide assurance to future tenants the roads can satisfactorily cater to truck requirements and forecasted demand. Drawings of the proposed road works are contained in this response to submissions, and provided at Appendix I.
Provide a detailed assessment against the relevant provisions of the WSEA SEPP. It is considered that table 5 of the EIS includes insufficient assessment of the matters for consideration, in particular Clauses 21, 23, 31, 33F, and 33L.	Refer to Section 6.1.4 (Table 6) for the detailed assessment of the WSEA SEPP, now referred to as the I&E SEPP.
With regard to Clause 23 of the WSEA SEPP, provide further justification for the encroachment of Warehouse 4 in the 30m setback from the rural residential zone required by Section 3.3 of the draft DCP. This should include additional details on the design and length of the landscaped bund along this part of the eastern site boundary with reference to Figure 11 of the DCP.	In the revised architectural plans, no building encroaches within the 30m setback. Refer to Appendix A.
The Department notes that the interim 2026 modelling is based on 75% of the traffic associated with the LOG sites. Provide detailed justification for this approach and why traffic generated by other development within the Precinct was not considered.	Ason is working with TfNSW and DPE on identifying a path forward on staging of infrastructure and development capacity. This work is ongoing and will confirm the traffic generation from this estate and its cumulative relationship with other estates.

Agency Comment	Response
As the development application is for the entire development of the site, the traffic assessment should be based on the entire developed site rather than 75% of the proposed floor area.	Ason is working with TfNSW and DPE on identifying a path forward on staging of infrastructure and development capacity. This work is ongoing and will confirm the traffic generation from this estate and its cumulative relationship with other estates.
Ensure the floor areas and parking spaces are consistent with the EIS and architectural plans, and update any assessment in the TMAP as required.	The TMAP has been updated to reflect the Architectural Plans, including car parking.
Clarify why the total daily trips in Table 5 is different to the total identified in Appendix A.	The TMAP has been updated to reflect the forecasted daily trip demand of the estate.
Clarify why the interim intersection at Abbots Road and Aldington Road is identified as a roundabout rather than a signalised intersection.	The revised road design includes a signalised intersection, which is consistent with the precinct-wide DCP.
Clarify whether the interim and ultimate upgrades to the Aldington Road and Abbots Road intersection will impact on the safe use of the existing driveways at 1016-1028 Mamre Road (Lot 2, DP 250002)	The upgrade of Aldington and Abbots Road has considered existing driveways and ensure existing landowners can access their driveways until such time they redevelop. Refer to Appendix I for further information.
The Department notes that no bicycle parking or facilities are provided and that the TMAP states that these will be provided "at the appropriate stage". Clarify whether sufficient space is available in each building and lot to accommodate the required facilities; that compliance with Section 4.7.2 of the draft DCP can be achieved; and what the intended trigger would be for providing these facilities.	Parking facilities have been identified in the TMAP and Architectural Plans at Appendix A and K respectively.
The Urban Design Report (Appendix B of the EIS) identifies that only one design option was considered and that this design was prepared in advance of the rezoning, which therefore suggests that the planning framework of the Mamre Road Precinct may have not been adequately considered in the design of the development. Given the extensive earthworks and high retaining walls proposed to facilitate the development, an options analysis should be undertaken to analyse alternative designs for the site that may reduce the levels of cut and fill within the site and reduce the height of retaining walls, particularly those located along external site boundaries and fronting public roads, while also facilitating orderly and efficient development of adjoining residential land.	Several development scenarios were considered as part of this DA. The DA has been completely redesigned to ensure a balanced cut and fill strategy. Further, trunk drainage was considered and deemed not viable.
Please clarify why the property at 38 Mount Vernon Drive was not included in the VIA given it is the closest dwelling within the adjoining rural residential zone and overlooks the site. Consideration should be given to the visual impact from this existing dwelling as it will likely be greater than that assessed from Viewpoint 7.	The VIA consultant tried to get access to 38 Mount Vernon Drive. At the time of the site visit, the consultant did not get permission to access the land. Therefore, the adjoining rural residential property was used to inform the VIA assessment.
Provide further details on the construction and function of the ponds shown at Lots 5 and 6, including whether they will be provided in the Stage 1 earthworks, and when it is anticipated that buildings will be subsequently constructed on these lots. Clarify whether the full development could comply with the requirements of Section 2.6 of the draft DCP if the ponds are removed and warehouses constructed on these lots.	The proposed evaporation ponds at Lot 3 and Lot 6 will hold water back in the landscape until the Waterway Authority, Sydney Water, has delivered the regional stormwater solution. Once the regional stormwater solution is available, this land will be able to be unlocked for development. Refer to AT&L's report at Appendix x for further information. Given that Sydney Water has been announced as the Waterway Authority, the Lot 3 building has been designed to enable future construction with a DCP compliant scheme once this infrastructure is up and running.

Agency Comment	Response
Clarify that the end of the extension of Abbotts Road to the southern boundary of the site is at a level suitable for future extension into the adjoining property to the south and that proposed levels will not prevent orderly future development of that land and provide evidence of consultation with the adjoining landowner.	AT&L has prepared a cut and fill plan which encompasses two additional ESR lots. This strategy achieves a balanced cut and fill plan, which provides assurance road levels are able to be delivered to the neighbouring lots and future development can integrate within the future road network. Refer to the cut and fill plan at Appendix x for future information.
Clarify whether an ultimate signalised intersection at Abbotts Road and Aldington Road would be able to be accommodated in the road reserve provided and whether the proposed retaining walls on Lot 1 fronting the roads will impede provision of a larger intersection in the future.	AT&L have designed an interim and ultimate intersection arrangement to facilitate progression of a local VPA with Council. In these plans, it shows that the ultimate intersection arrangement has been considered and can be delivered once all land is able to be unlocked. Refer to Appendix x for further information.
Provide further justification for the proposed earthworks and retaining walls with regard to the controls of Section 4.4 of the draft MRP DCP and the matters for consideration in Clause 33H of the WSEA SEPP.	Retaining walls and earthworks has been updated to reflect the precinct-wide DCP and Clause 33H of Chapter 2 of the I&E SEPP.
Include an assessment against all relevant controls of Section 2.6 of the draft DCP including trunk drainage and figure 6.	Due to the site topography and proposed built landowner, pit and pipes will be implemented within the estate for trunk drainage infrastructure. There will be two major drainage lines within Road 01: - Minor system drainage (min. 5% AEP) to capture and convey stormwater runoff from proposed lots and Road 01. - Major system drainage (min. 1% AEP) to capture and convey stormwater runoff from the proposed allotments and Road 01.
As the development application is for construction and operation of all seven warehouse building and café (rather than a Concept proposal), this is to be reflected in the assessment of both the construction and operational noise and vibration impacts. For example, the construction noise and vibration assessment only relates to the Stage 1 works as outlined in Section 7.2.1.	The acoustic impact has been assessed based off the entire estate. Refer to Appendix L.
While it is noted that some of the dwellings in close proximity to the site are on land that has been rezoned for industrial purposes and could be redeveloped in the future, an assessment of impacts during construction and operation should be provided for these existing residential receivers.	An assessment of residential homes in zoned IN1 General Industrial land has been updated and reflected in the Acoustic Report at Appendix L.
Ensure the traffic generation identified in the NVIA is consistent with the EIS and TMAP. For example, Table 6-1 does not correlate with Appendix A.	Traffic generation has been updated based on the updated masterplan. This is consistent between all reports.

Agency Comment	Response
<p>Update the NVIA to include a noise emission inventory that accurately describes how noise would be generated by the operation development. The NVIA must clearly state how the variation in noise emissions for the different truck types (rigid trucks, semi-trailers, and B-doubles) under steady driving, reversing, accelerating and decelerating conditions have been taken into account in the operational noise modelling. Furthermore, non-steady noise sources should include loading/unloading activities, including but not limited to, intermittent reversing noise from forklifts. Steady noise sources should include mechanical plant/equipment and refrigeration trailers (if there is the potential for any warehouse to be temperature controlled). All assumptions must be substantiated with reference to verifiable data. Ensure source emissions levels be reported as follows:</p> <ul style="list-style-type: none"> <li>- Sound power level for point sources</li> <li>- Sound power level per metre for line sources</li> <li>- Sound power level per square metres for area sources.</li> </ul>	<p>The acoustic impact has updated the noise emission inventory to identify sound power levels for point, line and area sources. Refer to Appendix L.</p>
<p>Provide justification for the assumption that 103 dB(A) is a representative value of sound power level for large truck prime movers, substantiated with reference to verifiable data. The Department notes that the US FHWA TNM model referenced in the NSW Road Noise Policy uses the following sound power levels to compute motor vehicles noise levels:</p> <ul style="list-style-type: none"> <li>- 100 dB(A) for medium trucks (two axles) travelling at speeds of lower than 20km/h during normal pass-by</li> <li>- 106 dB(A) for medium truck travelling at speeds lower than 20km/h during acceleration</li> <li>- 106 dB(A) for heavy trucks (three or more axles) travelling at speeds of lower than 20 km/h during normal pass-by</li> <li>- 111 dB(A) for heavy trucks travelling at speeds of lower than 20km/h during acceleration</li> </ul> <p>The representative speed profiles for each heavy vehicle type and for each distinct operation also need to be specified, noting that heavy vehicles are unlikely to travel at 25km/h consistently across the site during all manoeuvres corresponding to passing-by, turning, reversing and accelerating.</p>	<p>The dB(A) value for large truck prime movers had been updated to reflect the NSW Road Noise Policy. Refer to Appendix L.</p>
<p>Provide further detail regarding how the prevailing meteorological conditions in the locality were incorporated in the assessment, in accordance with NPfl.</p>	<p>Meteorological conditions have been provided in the updated acoustic report. Refer to Appendix L.</p>
<p>Provide further consideration of sleep disturbance impacts. Referencing 2004 enHealth report, the NSW Road Noise Policy stated that 'as a rule for planning for the short-term or transient noise events, for good sleep over 8 hours the indoor sound pressure level measured as a maximum instantaneous value should not exceed approximately 45 dB(A) LAmax more than 10 or 15 minutes per night.</p>	<p>An assessment of sleep disturbance has been provided at Appendix L.</p>
<p>Provide noise contours with sufficient granularity to establish compliance locations at the boundary of the site.</p>	<p>Noise contours have been provided and are included at Appendix L.</p>



Agency Comment	Response
<p>As required in the SEARs issued for this application, provide a cumulative impact assessment having regard to Section 2.4.2 of the Noise Policy for Industry, inclusive of impacts from existing and future developments within the Mamre Road Precinct and Western Sydney Employment Area. Application of Section 2.4.2 of the NPfl would ensure the number of individual allotments in the Mamre Road Precinct is considered when deriving project amenity noise levels. The number of individual allotments should be derived from cadastral boundary of lots within the Mamre Road Precinct and nearby employment areas, assuming the precinct area will be fully developed for industrial purposes. Long-term cumulative impacts need to be assessed at the most-affected receivers in Mount Vernon, Horsley Park, Kemps Creek, Luddenham (near Twin Creeks Golf &amp; Country Club), including nearby schools, retirement villages, places of worship and residential receivers.</p>	<p>The cumulative impact assessment for acoustic matters has been updated. Refer to Appendix L..</p>
<p>It is noted that for most locations background noise levels are lower at night than during the day. Please clarify why the measured background level measured at Noise Logger L01 is higher at night than during the day or evening periods.</p>	<p>The change in noise levels is due to meteorological conditions. This is detailed in the Acoustic Report at Appendix L.</p>
<p>Ensure the air quality assessment reflects correct traffic generation from the development and within the Mamre Road Precinct identified in the TMAP.</p>	<p>The TMAP and acoustic report have been coordinated to ensure consistency on traffic generation during construction and operation phases.</p>
<p>While it is noted that some of the dwellings in close proximity to the site are on land that has been rezoned for industrial purposes and could be redeveloped in the future, an assessment of impacts should be provided for these existing residential receivers, particularly for potential construction impacts, which will likely occur prior to any development on these properties.</p>	<p>An updated acoustic assessment for the estate has been prepared, refer to Appendix L. While there are acoustic exceedances at residential receivers within zoned IN1 General Industrial land, there are development applications currently under preparation or lodged which show there is an intent to redevelop these lands to warehouse and logistics uses. Therefore, the acoustic assessment has determined mitigation measures above the standard are not required.</p>
<p>The Department notes that there are inconsistencies between the assessments and recommendations between the Preliminary Site Investigation (PSI) reports prepared for 290-308 Aldington Road and 59-63 Abbots Road including:</p> <ul style="list-style-type: none"> <li>- The PSI for 290-308 Aldington Road recommended that no further investigation, management and/or remediation is deemed warranted. This is in contrast to the PSI for 59-63 Abbots Road, which identified similar potential contaminant sources and recommended a Detailed Site Investigation be undertaken</li> <li>- The report for 290-308 Aldington Road did not consider power poles as a potential contamination source, unlike the report for 59-63 Abbots Road.</li> <li>- It is noted that a hazardous materials survey was not undertaken or recommended in the PSI prepared for 290-308 Aldington Road. This conflicts with the recommendations in the PSI for 290-308 Aldington Road.</li> </ul>	<p>A DSI report has been prepared across all lots contained within this development application. The DSI addresses any inconsistencies identified in the PSI and provides recommendations to address contamination across the site, refer to Appendix CC.</p>
<p>Clarify why only one soil sample was undertaken within the poultry sheds in the PSI for 290-308 Aldington Road and whether this is an adequate level of assessment in order to recommend no further investigation is required.</p>	<p>A DSI report has been prepared which builds on the PSI investigations. It should be relied upon in relation to contamination across the site, refer to Appendix CC.</p>

Agency Comment	Response
The Department notes that the two PSI undertaken on the site were based on previous development proposals. Undertake additional geotechnical investigations as recommended by the reports submitted in Appendices S and T of the EIS with regard to the proposed development that is subject to this application.	Additional investigations associated contamination have occurred. Refer to the DSI at Appendix CC and the RAP at Appendix BB.
Undertake an assessment of salinity impacts in accordance with Section 2.9 of the draft MP DCP.	A Salinity Assessment Report has been prepared to support the DA. Refer to Appendix DD.
Based on the floor areas identified on the architectural plans, Lots 4 and have not been provided with the required number of car parking spaces for each warehouse and office building.	Car parking areas has been updated to reflect the DCP. Refer to Appendix A.
Ensure the staging plan (Drawing No. 11920_DA005) clearly identifies the works to be undertaken in Stage 1. The plan currently suggests that the café will be constructed as part of Stage 1, which contradicts Section 3.4 of the EIS.	The staging plan has been updated to reflect the progression of works across the estate. Refer to Appendix A.
Provide more detail on the staged construction of the extension of Abbots Road within the site and consideration of how this may impact future development of adjoining land to the south.	The proposed earthworks and roads have been staged to enable construction of Lot 1. The remainder of the road will be constructed as ESR progresses to lodging development application for the southern lots to enable completion of the civil earthworks and cut and fill strategy across the remained for the Westlink estate. ESR will follow the application of these two lots following the submission of this RtS. Refer to Appendix A for the Staging Plan.
The 12m high pylon sign identified as Signage Type 1 on the signage plan (Drawing No. 11920_DA062) exceeds the max. 10m height in Control 2 of Section 4.2.7 of the draft DCP.	The signage plan has been update to reduce pylon signs to the DCP compliant height of 10m.
Provide details of any proposed fencing for the development, including location, style and height.	Fencing has been incorporated into the design. Refer to Appendix A and F for further information.
Provide details for the access tunnels between the offices and car parks on Lot 1 and 5.	Given the review of earthworks across the site, tunnels are no longer being proposed as part of this DA.
Provide landscape plans for the basin area of Lot 6 and 7.	The need for water retention basins to be confirmed via the Waterway Authority, Sydney Water prior to CC. If this infrastructure is required, ESR can submit the necessary landscape plans as required. Given Sydney Water is pushing for a regional stormwater solution, these ponds may never be constructed or used temporarily until such time infrastructure becomes available.
Section 4.2.3 of the draft DCP requires 15% of the site to be pervious (Control 5). The architectural plans show that 14% of the site is landscaped area. Clarify whether this control is achieved.	The site has been reviewed on the 15% pervious target. The site meets this objective through landscaping and pervious pavements. A calculation of the 15% is provided in the Architectural masterplan at Appendix A.

Agency Comment	Response
Clarify whether the location of retaining walls throughout the site will impact on the delivery of landscaping as shown on the landscape plans. In addition, clarify how the location of the headwalls and stormwater infrastructure on the eastern boundary will impact on the delivery of landscaping along the adjoining rural residential land and achieving the objectives and controls of Section 3.3 of the draft DCP.	Retaining walls and landscaping have been designed together to meet the requirements of the DCP. This integration assists in minimising visual impact and contributes to the public domain of the estate.
The Department is supporting the Premiers Priority to increase tree canopy and green cover across Greater Sydney. The draft DCP seeks to contribute to the 40% canopy cover target and provide functional areas of planting that enhance the presentation of a building, provide amenity, cooling and shade, and contribute to overall streetscape character. Provide a more detailed response to Control 3 of Section 4.2.3 of the draft DCP and how improved canopy cover can be achieved within the site.	The precinct-wide DCP has been updated to confirm the 40% tree canopy target is a Western Parkland City objective. The estate achieves the minimum tree canopy target of 10%. There are some lots just below this target. However given the overall estate exceeds this requirement, it is considered a minor discrepancy.
Clarify why landowners and residents of properties to the north of the site along Aldington Road were not included in the consultation outlined in the Consultation Outcomes Report. These properties, whether potentially redeveloped in the future for industrial purposes or retained as rural residential, will similarly be potentially impacted by the development and proposed works.	The Elton Report prepared for exhibition consulted with all landowners surrounding ESR's site, including land along Aldington Road. The dot maps showing the location of consultation were incorrectly exported. The Elton Report has been updated to reflect the actual extent of community consultation undertaken. ESR and Elton can provide list of properties contacted during the consultation process, if required.
Ensure the figures in the plans (including floor areas and parking spaces) are consistent across the EIS, supporting reports and plans and update assessments as required	Noted. The EIS has been reviewed and updated with the appropriate figures based on the Response to Submission update.
Ensure the staging of construction is clear between the staging plan, Section 3.4 of the EIS and Section 12.1 of the Civil Infrastructure report.	A staging plan has been prepared and forms part of the Architectural Pack at Appendix A.
Clarify the hours of operation for the development, including the café.	Hours of operation will be 24/7 for the entire estate.
Provide a scale on all architectural plans.	A scale has been provided on all architectural plans.
Further details on how cumulative construction impacts will be managed is required to assist with the Department's assessment, including how construction traffic will be co-ordinated and mitigated to ensure impacts are managed to acceptable levels.	ESR has provided its forecasted construction traffic for the estate to Ason. It is understood a meeting is scheduled on the 29 April 2022 between Ason and DPE to understand key information required to satisfy this RFI. ESR will provide additional information pertaining to this item once direction is received from DPE and Ason has concluded their assessment.