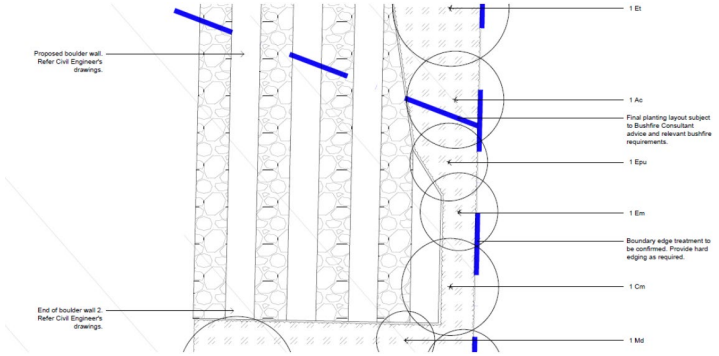
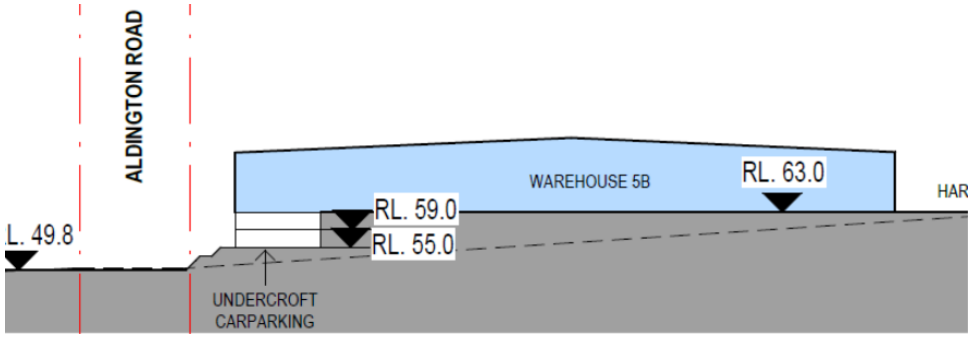
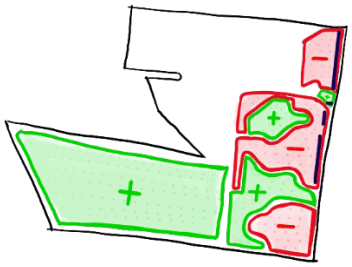
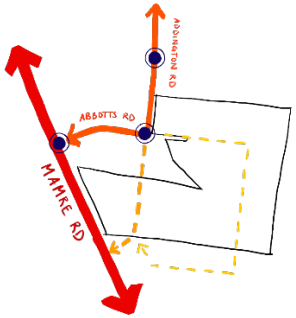
Attachment A Response to Request for Additional Information #1

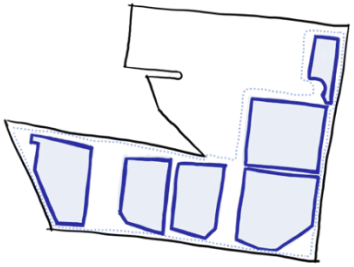
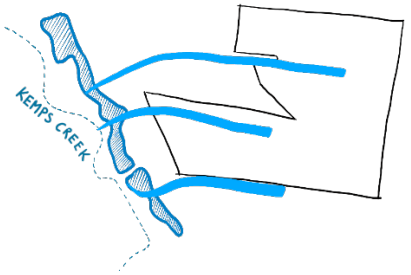
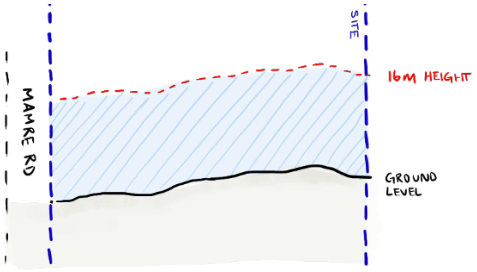
The Applicant submitted the following responses to DPHI on 5 February 2025, with the responses subsequently referred to agencies for review and additional comment. Therefore, these matters are considered closed with the Applicant's response to following comments included at **Attachment B**.

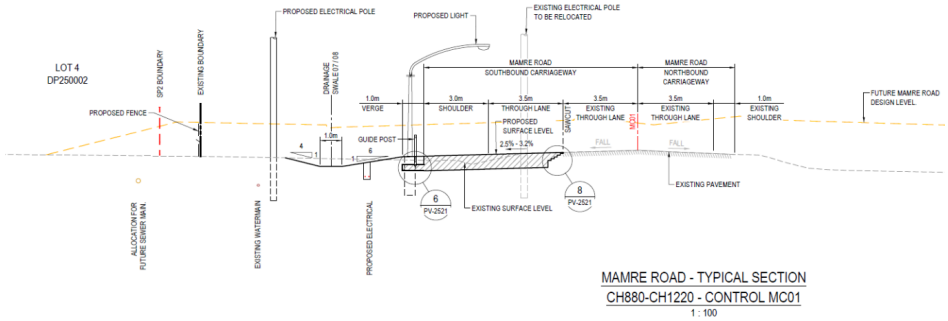
Comment	Response
Department of Planning, Housing and Infrastructure	
• *In our comments on the EIS, the Department requested an assessment of the development against the adopted TfNSW trip rates, in addition to the assessment undertaken against the predicted operational traffic generation from the proposed tenant (Silk). However, the RTS still relies on known tenant operation. Please confirm that Silk is still going to occupy both the Stage 2 warehouse and the Stage 1 warehouse on Lot 4. Otherwise, please update the traffic generation for the development in accordance with the TfNSW trip rates and provide a worst-case assessment of the traffic impacts of the development.*	A specific tenant is no longer expected to occupy the proposed warehouse or distribution centre on Lot 6. An addendum to the Transport Management & Accessibility Plan (TMAP) has been prepared by Ason Group and included at **Attachment M**. It provides an updated traffic impact assessment assuming the proposed warehouse or distribution centre is a 'speculative development', also taking into consideration minor amendments to the Proposal and feedback from Transport for NSW (TfNSW). It determines that the cumulative traffic generation for the Westlink Industry Park (inclusive of Stage 2) remains within the endorsed trips of the approved Land Owners Group East (LOG-E) modelling and is therefore supportable on traffic generation grounds.
• *It is noted that the updated Noise and Vibration Impact Assessment is based on the tenant operations outlined in the traffic assessment in the EIS, which notably includes no heavy vehicle movements in the evening or night-time period. If the tenant operations have changed (or no tenant is committed to the Stage 2 warehouse), the operational noise assessment must be updated to consider the worst-case scenario, including the updated traffic generation requested in the point above.*	A specific tenant is no longer expected to occupy the proposed warehouse or distribution centre on Lot 6. An updated Noise and Vibration Impact Assessment (NVIA) has been prepared by SLR Consulting and is included at **Attachment M**. It provides an updated operational noise impact assessment assuming the proposed warehouse or distribution centre is a 'speculative development' with no specific future tenant. It determines compliance with the relevant noise criteria is predicted at all sensitive receivers outside the Mamre Road Precinct (MRP) during all assessment periods. The two (2) closest residential receivers within the MRP (zoned IN1 General Industrial) located to the north and south are identified as experiencing noise criteria exceedances during multiple points throughout the day. Further, exceedances of the sleep disturbance screening level are predicted at the subject receivers within the MRP. The exceedance at the nearest receiver to the north is due to truck reversing and airbrakes in the hardstand area and truck and car acceleration on the temporary private access road. The exceedance at the nearest receiver to the south is due to cars on the adjacent driveway. The affected residences within the MRP have been rezoned to IN1 Industrial and it is understood they will be redeveloped into future industrial land uses. As such, there is no requirement to consider any operational mitigation or management measures with regard

Comment	Response
	to sleep disturbance for these receivers. The NVIA has accurately considered the worst-case scenario and the Applicant will implement feasible and reasonable mitigation measures with the aim of reducing noise levels.
• *The Department and Council still have concerns with the presentation of the Stage 2 development to Mamre Road. Design revisions should be made to improve the interface with Mamre Road in order to achieve the design principles of section 2.30 of the Industry and Employment SEPP and the objectives of section 4 of the MRP DCP. Noting the justification provided for the proposed Lot 2 pad level, it is considered that given the scale of the development and height difference to Mamre Road, further effort should be made to reduce the dominance of retaining wall tiers and bult form when viewed from Mamre Road – for example by increasing landscape screening, increasing the setbacks between tiers and between the development and Mamre Road, and adopting high-quality materials for retaining wall construction.*	The Applicant has updated the lot design to provide a 20m landscape setback to Mamre Road, as illustrated on the updated Architectural Drawings (**Attachment C**). The landscape setback in the interim is proposed to be battering at a 1:4 grade. The battering assists in reduction of retaining walls, as well as setting up the site to integrate in with the future Mamre Road Stage 2 upgrade. The delivery of the upgrade is anticipated to be completed by 2029 by TfNSW. The road will significantly increase in height by approximately 2m from existing levels. The battering allows the site to be set up to integrate in with this future road upgrade. It minimises retaining structure to only a single tier retaining wall utilising sandstone log wall. When TfNSW upgrades the road corridor, the increase in road RL will require TfNSW to batter into the site. The battering is assumed to be at the level of the future road, which will provide a flat pad up to a slight batter closer to the warehouse. The Applicant intends to stage the delivery of the proposed landscaping, as depicted on the updated Landscape Drawings (**Attachment D**). The first stage of landscaping (Stage 1) includes all landscaping outside the future TfNSW works area to be delivered in-line with the remainder of the development. The second stage of landscaping (Stage 2) includes the landscaping within the TfNSW works that are to be delivered once TfNSW completes the Mamre Road upgrade. The Applicant believes this can be suitably dealt with as a condition of consent.
• *Further to the above, the parts of the development within the 20m building setback to Mamre Road, including driveways/fire access roads and carparking, should be relocated outside of this area in accordance with Control 2 of section 4.2.2 of the MRP DCP and this area.*	The warehouse building footprint and fire trails have been updated to be excluded out of the 20m building setback to Mamre Road. It is noted there is a slight intrusion of carparking to the north as a result of road acquisition by TfNSW. Given the majority of the landscaping encompasses the full 20m setback, it is deemed acceptable as the car parking will be screened by landscape and the future IOP area will be converted back to landscaping once the ultimate sewer is delivered. The Applicant also notes that this requirement has been varied by Warehouse 9 of the Aspect Industrial Estate (SSD-46516461) and the Yiribana Logistics Estate West (DA23/0067).
• *The RTS refers to 'similar retaining wall presentation and landscape have been approved for adjacent estate, including Aspect Industrial Estate,' however this is not the case and developments fronting Mamre Road have been required to provide improved presentations to the road. For example, Warehouse 8 of the Aspect Industrial Estate (SSD-60513208) was required to provide an improvement to standard tiered retaining walls and shifted all parts of the development behind the building setback in accordance with Control 2 of section 4.2.2 of the MRP, which does not permit development within the building setback to Mamre Road, including fire access roads.*	As discussed above, the Applicant has made changes to the warehouse building footprint and fire trails to be located outside the 20m building setback to Mamre Road. This has created an improved presentation with the updated Architectural Drawings (**Attachment C**), Landscape Drawings (**Attachment D**), and On-Lot Civil Drawings (**Attachment G**) addressing matters regarding presentation to Mamre Road. In addition, the Applicant has revised the façade design of the proposed warehouse or distribution centre façade to improve the presentation to Mamre Road, as depicted on the updated Architectural Drawings (**Attachment C**).

Comment	Response
• *As raised previously, the Department has concerns with the presentation of the retaining wall along the northern side of Warehouse 2 (RW-LOT-2-01), which will be visible from Mamre Road across the trunk drainage channel. Improvements should be made to the design of this wall (which is over 5m high in parts) to break up the physical dominance of this wall or improve screening to Mamre Road.*	The proposed design changes have enabled a significant reduction in the height of retaining walls and presentation to Mamre Road. The updated On-Lot Civil Drawings (**Attachment G**) depict a maximum retaining wall height of approximately 2m with a landscaped batter (max 1V:4H) to the boundary proposed. The updated On-Lot Civil Drawings include an indicative interim and ultimate batter, with the ultimate batter representative of the Mamre Road Stage 2 levels.
• *Relocate the sprinkler tank outside of the building setback. This tank and the others proposed on the western side of Warehouse 2 should be relocated if possible so they are not visible form Mamre Road, or otherwise screened rather than painted, as proposed in the Response to Submissions Adequacy Comments.*	The location of sprinkler tanks and associated firefighting infrastructure has been relocated to the north-east of the Site, away from Mamre Road. Refer to the updated Architectural Drawings (**Attachment C**).
• *As requested previously, the retaining wall on the southern boundary of Lot 2 should be setback at least 2.0m into the property boundary in accordance with section 4.4.1 of MRP DCP. Further details of this wall should be provided along with demonstration that solar access is achieved for the for the mapped trunk drainage channel located directly on the other side of the property boundary with regard to Section 6.2.5.6 of the draft Stormwater Scheme Infrastructure Design Guideline: Western Sydney (Sydney Water 2024).*	The retaining wall has been updated to be offset 2m from the property boundary, as illustrated on the updated Architectural Drawings (**Attachment C**) and On-Lot Civil Drawings (**Attachment G**). Further, the proposed trunk drainage channel achieves solar access year-round given it is located to the north of the proposed warehouse or distribution centre. This is confirmed on the shadow diagrams provided in the updated Architectural Drawings (**Attachment C**).
• *Regarding the Interim Operating Procedure (IOP), while its delivery may be via the section 73 process under the Sydney Water Act, it is understood that the decommissioning and ongoing responsibility for that land will be with ESR. Accordingly, the Department will require that this area be appropriately landscaped once the IOP is decommissioned and requests landscape plans for this area be provided that include a consistent landscape outcomes with the surrounding parts of the site.*	The sewer IOP area has been approved by Sydney Water, which the Applicant is currently constructing to support the delivery of the broader Westlink Industry Park. The inground infrastructure must remain in the ground, the Applicant can consider future landscaping of the IOP area, subject to Sydney Water approval. An indicative landscape drawing for the area has been submitted for reference as part of the updated Landscape Drawings (**Attachment D**).
• *The 30m Eastern Buffer landscape plans (ref. SS22-4971) at Appendix L of the RTS show boulder walls that significantly reduce the amount of landscaping within parts of this setback area. The design of the setback area must provide a full-width landscaped buffer is achieved in this area to meet the requirements of section 3.3 of the MRP DCP and ensure that future buildings on Lot 5 can comply with Section 2.22 of the Industry and Employment SEPP.*	The extent of retaining walls within the 30m landscape setback has been significantly reduced to maximise planting of the landscape buffer. Refer to the updated Landscape Drawings (**Attachment D**) and updated Estate Civil Drawings (**Attachment F**).

Comment	Response
	
• *Provide further consideration of the proposed pad levels for Lot 6, in particular Lot 6B (now separately referred to as Lot 5), and options to reduce the level differences between Aldington Road and the future built form on that lot, including further stepping or other alternatives to managing level transitions within the lot(s).Concern is raised with the current proposal for the development on this lot and resultant built form height to Aldington Road as shown in the below section:* 	The civil design for the Westlink Industry Park has been designed to create a balanced cut and fill balance in accordance with the MRP DCP to reduce heavy vehicle movements off-site and the need for import or export of fill from offsite. As detailed in the Submissions Report, an evidence-based and spatial decision-making framework has been used to determine the civil design (refer to **Figure 2**). A reduction in the Lot 5 pad level will result in significant amounts of export, reducing compliance with the MRP DCP and subsequently significantly increasing heavy vehicle generation. The Applicant outlines that a reduction is not feasible from a delivery perspective. A suitable built form can be achieved on Lot 5 through the positioning of parking and office space underneath the warehouse form. This enables the replacement of retaining walls for a more active frontage support by landscaping along the street frontage. The provision of office space would be located on the corner of the built form to reduce the bulk and scale of development and maximise views.  ***Balanced Cut and Fill requirements of the MRP DCP***  ***Road Hierarchy established by the MRP DCP and need to tie levels in with surroundings***

Comment	Response
	 *Market Demand for Large Format Warehouse and Distribution Centres*  *Trunk Drainage in accordance with the MRP Integrated Stormwater Scheme Plan*  *Building Height Limits from Existing Ground Levels established by the MRP DCP* ***Figure 1 Multi-Criteria Earthworks Analysis Framework*** Source: Ethos Urban
• *Clarify the implications for the development from the identified 'Future Mamre Road Design Level' shown on the Mamre/Abbotts intersection design sections (Drawings GE-2013, GE2014) at Appendix M of the RTS, shown in the yellow line below, and how this higher ultimate road level may impact on the proposed levels and landscaping proposed along the Mamre Road frontage and long-term interface with the road.*	The architectural, landscape and civil drawing sets have been updated to include interim (pre-Mamre Road Stage 2) and ultimate (post-Mamre Road Stage 2) arrangements within the Mamre Road interface to manage the level changes to occur as part of the external road upgrade.

Comment	Response
	
• *Confirmation that Sydney Water has accepted the design of the trunk drainage channel and infrastructure must be provided prior to determination of the subject application.*	The Applicant has had ongoing detailed design consultation with Sydney Water following the Request for Additional Information by DPHI. The Applicant's formal responses to Sydney Water's comments are provided in the relevant section of this response table.
• *Ensure that the landscape report (Appendix L) and civil plans are consistent - for example, the sections for the private access road.*	The updated Landscape Drawings (**Attachment D**) and Civil Drawings (**Attachment F** and **G**) have been updated to ensure consistency.
• *Clarify whether the area identified on the Pervious Aea Plan (Drawing no. 12963_DA053) as 'permeable area in sewer easement' includes the IOP area to be covered with asphaltic pavement in the civil plans (20-748-C6121).*	The Pervious Area Plan (DA053) has been updated to correctly reflect the perviousness of the IOP Area. The IOP area is not required to meet the minimum pervious area requirements of the MRP DCP. Refer to the updated Architectural Drawings (**Attachment C**).
• *Provide details of the 'safety fence' shown on top of retaining walls and tiers in the civil plans or provide an alternative landscaping solution that minimises the need for safety fences and the associated visual impacts.*	The updated Architectural Drawings (DA051) (**Attachment C**) identify palisade fencing along the top of proposed retaining walls.
• *The Department notes Council's recent comments in relation to the design and delivery of the roundabout on Aldington Road. It is recommended that further consultation is held with Council in this regard.*	The Applicant is not proposing to deliver the roundabout as part of this SSDA. The design of the proposed internal road network enables future connection to the roundabout in accordance with the MRP DCP if land to the immediate south is developed. The Applicant will deliver a temporary turning head to enable trucks to turn around in the short term until such time the southern landowner develops their lands.
• *Provide details of the erosion and sediment control measures to be implemented in the period prior to completion of the earthworks/ pads on each proposed lot.*	The updated Estate Civil Drawings (**Attachment F**) includes an Erosion and Sediment Control Plan (20-748-C5201) for Lots 2, 4 and 5. The SSDA does not seek consent for bulk earthworks on Lot 6 which have already been completed with erosion and sediment control measures implemented. Further details on erosion and sediment control will be provided as part of the Construction Environmental Management Plan (CEMP).
• *Please also confirm that the proposed driveway for the Stage 2 warehouse and proposed driveway from Lot 5 in the recently submitted scoping report for that lot can*	The proposed Lot 6 driveway along the southern boundary will be used by light vehicles and is capable of achieving the required sight distances and geometric design under the

Comment	Response
achieve the required sight distances and geometric design under the relevant Australian standards and Austroads Guide to Road Design. It is our preference that no driveways are located with direct access onto a public roundabout.	relevant Australian standards and Austroads Guide to Road Design. The Applicant will coordinate future access arrangements with surrounding landowners and Council in the future. Further, Ason Group noted that the volumes associated with light vehicles is low and will not have a material impact to the operation of the future roundabout as part of the Submissions Report.
• *In order to manage air quality impacts from concurrent construction across the MRP, an updated air quality assessment is required in line with previous requests. Please provide a quantitative air quality assessment of construction impacts that includes an emissions inventory for the proposed works and a model that includes both annual average and maximum 24-hour average predicted concentrations (PM10 and PM2.5) and comparison against air quality criteria. The assessment must include site-specific mitigation measures tailored to the outcomes of the assessment that will be implemented during the works, and the implementation of real-time monitoring. The AQIA must consider cumulative impacts from other concurrent construction projects in the precinct.*	The Applicant is still resolving this matter with an updated Air Quality Impact Assessment (AQIA) currently being prepared by SLR Consulting. The updated AQIA and responses to DPHI's comments will be provided following completion of the AQIA in the coming weeks.
• *It is noted that further contamination and remediation information has been submitted as part of Appendix P of the RTS. As this mostly relates to the Stage 1 works under SSD-9138102, ensure that the necessary information is submitted under that application to address the relevant conditions of the Stage 1 consent.*	The relevant contamination documentation will be submitted to the satisfaction of the applicable conditions of consent relating to Westlink Stage 1 (SSD-9138102).
• *Confirm Sydney Water has accepted the location of the containment cell within the trunk drainage channel identified in the Site Remediation and Validation Report and Long-Term Environmental Management Plan.*	The containment cell associated with Westlink Stage 1 (SSD-9138102) (Lot 111-113 DP 1296469) does not form part of the SSDA. The reports were provided to document that remediation works have been undertaken as part of consent requirements for Westlink Stage 1 (SSD-9138102). Therefore, additional earthworks in this area do not require additional remediation and can be dealt with unexpected finds.
• *The Site Remediation and Validation Report (including Figure 12) identifies stockpiled contaminated material within the Stage 2 area from the Stage 1 works. Clarify:* - *how the placement of stockpiles outside of the works area under SSD-9138102 is consistent with current development approvals on the site;* - *how these stockpiles are being managed with regard to erosion and sediment control;* - *how these stockpiled materials will be managed in future, and whether this will form part of the works proposed under the current Stage 2 application.*	The subject 225m^3 O2 and B3 materials depicted in Figure 12 will remain in place and ultimately be managed as part of the Westlink Stage 2 remediation works.

Comment	Response
Penrith City Council	
Planning Compliance	
• *DPHI should continue to consider Council's previous comments in correspondence dated 19 March 2024, as it does not appear that the proposal has addressed some of the previous matters raised. This includes the following:*	The Applicant has responded to all matters raised by Council previously and by DPHI above. A response to the listed items is provided below.
- *The sewer easement is still located within the Mamre Road frontage. If this is required and endorsed by Sydney Water, DPHI should consider if additional landscaping is needed to screen this infrastructure from the Mamre Road frontage;*	The sewer easement was originally proposed to run along Mamre Road. This was to facilitate access to the IOP for land to the south. The IOP is now sized for the Westlink Industry Park only as land to the south will wait for delivery of the ultimate sewer service by Sydney Water. Therefore, the ultimate sewer infrastructure to support future development of lots south of the Westlink Industry Park runs along the Aldington Road extension, not Mamre Road. Refer to the updated On-Lot Civil Drawings (**Attachment G**).
- *Car parking spaces are still located along the western frontage of the warehouse, adjoining the fire trail and access driveway. DPHI should ensure that these comply with the relevant Australian Standard and are realistic in terms of reasonable driver behaviour when accessing the spaces;*	The proposed car parking along the western elevation of the warehouse or distribution centre has been removed and located behind the 20m building setback to Mamre Road with the exception of minor non-compliance close to the IOP area that can't be avoided. This is a result of additional acquisition of the future road corridor. Refer to the updated Architectural Drawings (**Attachment C**). All car parking spaces adhere to the relevant Australia Standards, including: • Australian Standard 2890.1:2004: Parking Facilities – Off Street Car Parking; and • Australian Standard 2890.6:2022 Parking Facilities – Off Street Parking for People with Disabilities (AS 2890.6).
- *Under croft parking is still proposed, limiting the ability to provide trees in car parking hardstand areas;*	The tree canopy coverage of the Westlink Industry Park, including Stage 1 (SSD-9138102) and Stage 2 (SSD-46983729), meets the 10% tree canopy coverage target under the MRP DCP. The planning framework supports the use of undercroft parking, including Lot 3 of the Westlink Industry Park approved under Stage 1 (SSD-9138102). The proposed changes incorporated into the updated Architectural Drawings (**Attachment C**) includes additional landscape setback area to Mamre Road. Further, there are benefits associated with undercroft parking including reduction in exposed asphalt reducing the urban heat island effect, and protecting staff and visitor vehicles from the natural elements. The Applicant is committed to achieving the 10% tree canopy coverage target across the Westlink Industry Park.
- *The front setback to Mamre Road still contains a series of long retaining walls. DPHI should ensure that the height of walls is compliant with the MRP DCP (the applicant states that it is) and that suitable landscaping is included to mitigate the visual impact of these walls.*	The Applicant and consultant team are proposing a 1:4 batter along the 20m building setback to Mamre Road. This enables the significant reduction of retaining walls to a single tier sandstone log wall with a maximum height of approximately 2m. Refer to updated On-Lot Civil Drawings (**Attachment G**).

Comment	Response
	The 1:4 batter is proposed to future proof the delivery of the Mamre Road Stage 2 upgrade. It is understood the RL of the road will rise by approximately 2m along the Site's frontage. The 1:4 batter will enable TfNSW to deliver their battering to support the road upgrade at a later date. The battering areas have been marked on the updated Landscape Drawings (**Attachment D**) and On-Lot Civil Drawings (**Attachment G**). The delivery of the road is anticipated to be completed by 2029. Therefore, the Applicant proposes a two (2) stage delivery of landscape design. The first stage of landscaping (Stage 1) includes all landscaping outside the future TfNSW works area to be delivered in-line with the remainder of the development. The second stage of landscaping (Stage 2) includes the landscaping within the TfNSW works to be delivered once TfNSW completes the Mamre Road upgrade.
• *It is acknowledged that other amendments have responded to previous comments. This includes the changes to site levels so that future warehouse pads will sit lower than the neighbouring RL's in Mount Vernon. DPHI should ensure that the proposed landscaping within the 30m setback is provided and maintained by the Estate and/or the relevant industrial lot/s.*	The Applicant is proposing the 30m setback to sit within the proposed Lot 4 of the Westlink Industry Park under the Plan of Subdivision and will maintain this setback in perpetuity. Refer to the updated Plan of Subdivision (**Attachment E**).
City Planning Considerations	
• *ESR have indicated to Council that a future Planning Agreement or WIKA may be lodged for part of collector road CR7. Council staff encourage the proponent to continue liaising with Council on this. Aspect.*	The Applicant is actively discussing a proposed planning agreement for the delivery of part CR7 collector road with Council. The outcomes of this discussion should not hold up assessment of this SSDA, and can be made a condition requirement associated with contributions on if these works will be offset from the Applicant's Section 7.11 Mamre Road Precinct Contribution obligation.
• *It is requested that a condition of consent is applied to ensure the collector road is dedicated to Council, but only when formal connection is realised to Aldington Road (through the adjoining lot to the north, currently under separate private ownership). Council does not want to own the part-road while there is no formal connection to the main road network as per the DCP/Contribution Plan.*	The updated Plan of Subdivision (**Attachment E**) now includes two (2) stages. The first is a right of carriageway in the interim until such time connection is provided to the north. The second is a subdivision plan, which shows the land area to be dedicated to Council under a planning agreement or works-in-kind (WIK) agreement. Relevant conditions can be set to reflect the trigger thresholds for dedication of the road corridor.
• *Delivery of the roundabout requires careful consideration and management. Council staff would only support the roundabout to be delivered by one contractor (we will not support half-delivery). Council staff suggest that ESR and the neighbouring landowner confer and decide on an arrangement to inform this SSD and secure appropriate delivery of the roundabout by one contractor/party. Council welcomes and encourages the opportunity to be part of these discussions.*	The Applicant is not proposing to deliver the roundabout as part of this SSDA. The design of the proposed internal road network enables future connection to the roundabout in accordance with the MRP DCP if land to the immediate south is developed. The Applicant will deliver a temporary turning head to enable trucks to turn around in the short term until such time the southern landowner develops their lands.

Comment	Response
Development Engineering Considerations	
• *There are no objections in principle to the proposal. However, the following matters should be carefully considered by DPHI*	Noted. Please refer to the following responses.
• *The proposed extension of Aldington Road will be land locked by the undeveloped properties to the north and south of the subject site. The proposal includes a temporary arrangement to access warehouse 2 (lot 2) via the proposed private road from the extension of Abbotts Road. This temporary arrangement may be acceptable subject to ensuring that appropriate right of way is created over the private road benefiting Penrith City Council / Public. Also, a condition should be provided to restrict the dedication of the proposed extension of Aldington Road until such time Aldington Road is connected directly to the signalised intersection with Abbotts Road (through the property to the north).*	As aforementioned, the Plan of Subdivision (**Attachment E**) has been updated to reflect the staging of road dedication. The Applicant raises no objection to maintaining a right of carriageway easement until such time Council acquires the land.
• *A condition of consent should be provided if the application is approved to restrict the construction of retaining walls at the end of the temporary turning heads. The removal of any retaining walls in the future to extend the road further south will result in significant impacts on a built road such as, but not limited to, traffic impacts, underground utilities / infrastructure disruption, and possibly impact access to lots. Further, it will result in a significant cost to the future developer of the southern property.*	There is a small retaining wall to prevent stormwater encroaching on the southern property, in lieu of the trunk drainage channel which sits south of the Site. The Applicant raises no objection to removing the retaining wall prior to dedication of land to Council.
• *The application includes the filling in of the existing dam located within the neighbouring southern property. DPHI must consider this aspect of the proposal.*	The Applicant proposes to fill the portion of the farm dam located on the Site. No works are proposed on the neighbouring land to the south under this SSDA.
• *The developer is proposing that Council's contribution plan levies fund the delivery of the roundabout once the land to the south is either acquired by Council or is being developed by a developer. Please refer to Council's City Planning comment welcoming and encouraging DPHI to include Council in the discussion about the delivery of the roundabout.*	The Applicant is actively discussing a proposed planning agreement for the delivery of part CR7 collector road with Council. The outcomes of this discussion should not hold up assessment of this SSDA, and can be made a condition requirement associated with contributions on if these works will be offset from the Applicant's Section 7.11 Mamre Road Precinct Contribution obligation.
Traffic Considerations	
The below conditions should be included if consent is granted: • *All vehicles shall enter and exit the site in a forward direction.*	The Applicant raises no objections in relation to the suggested conditions.
• *Safe pedestrian routes shall be provided throughout the site.*	
• *153 parking spaces should be provided for Stage 2 (warehouse 2) development.*	

Comment	Response
• *Two accessible parking spaces should be provided in accordance with the Access to Premises Standards, Building Code of Australia and AS 2890.6 for the Stage 2 (warehouse 2) development*	
• *Heavy Vehicle loading and manoeuvring areas/routes shall be completely separated from customers /visitors to the site.*	
• *A car shall be able to turn around within the site when all car parking spaces are occupied using no more than a three-point turn.*	
• *A minimum of 36 bicycle parking spaces shall be provided for the Stage 2 (warehouse 2) development.*	
• *Five percent of the parking provision must be designated as electric vehicle charging bays.*	
• *One shower cubicle to comply with end of trip facilities must be provided to comply with the requirement.*	
• *All service areas must be designed with reference to AS 2890.2, and to provide for the movement of vehicles up to 26m B-double.*	
• *Truck access driveways shall be designed to provide for vehicles up to and including 26m B-Double with maximum gradients, maximum rates of change of grades, and maximum crossfalls in accordance with relevant standards such as AS 2890.2 and any other relevant published road design /road engineering guidelines.*	
• *All parking areas, including access aisles and parking modules must be designed with reference to AS 2890.1 and AS 2890.6.*	
• *The roundabout is to be designed for 30m PBS Level 2 Type B Vehicles and tested for 36.5m PBS Level 3 Type A vehicles.*	The Applicant raises no objection, but notes that the proposed design for all external roads, including the future roundabout, have been designed for 30m PBS Level 2 Type B Vehicles and tested for 36.5 PBS Level 3 Type A vehicles. Refer to the updated Estate Civil Drawings (**Attachment F**).
Environmental Health Considerations	
Environmental Management Considerations	
• *The Addendum Remedial Action Plan (RAP) dated 12/09/2023 amends the method of asbestos remediation proposing on-site encapsulation of most of the contaminated soil and some building products. Original RAP dated 2/5/2023 proposed offsite disposal.*	Noted.

Comment	Response
• *The Asbestos Management Plan dated 28/8/2024 Identifies that two bonded Asbestos Placement Areas have been created for asbestos below the Health Screening Level. The areas have a minimum cover of 2.2m and have a capping of clay and shale.*	Noted.
• *The Remediation and Validation Report dated 28/8/2024 confirms that an onsite Containment Cell, separate from the Asbestos Placement Areas, has been established on-site below part of the Trunk Drainage Swale. The Cell is the home for asbestos in soil (ASBINS) contaminated material. Contaminated material has a minimum cover of 800mm and is completely encapsulated in a high-visibility geotextile layer and then covered with shale/clay material. A Long-Term Environmental Management Plan (LTEMP) has been prepared. Approximately 225 cubic metres of contaminated materials have been consolidated and stockpiled on the Westlink Stage 2 site to be addressed later. An addendum to this Remediation and Validation Report is required.*	The containment cell associated with Westlink Stage 1 (SSD-9138102) (Lot 111-113 DP 1296469) does not form part of the SSDA. The reports were provided to document that remediation works have been undertaken as part of consent requirements for Westlink Stage 1 (SSD-9138102). Therefore, additional earthworks in this area do not require additional remediation and can be dealt with as unexpected finds.
• *The Long-Term Environmental Management Plan (LTEMP) dated 28/8/2024 has been created to manage the contamination Containment Cell onsite. Contaminants within the cell include ASBINS and some building materials contaminated with asbestos. Contamination documentation submitted will be uploaded to the relevant 10.7 Certificates. Appropriate conditioning is required by DPHI to ensure the LTEMP is included on the Title for the property/properties.*	The LTEMP forms part of the Westlink Stage 1 (SSD-9138102) remediation works and should not be considered as part of this assessment. The reason for providing additional remediation material in relation to the three lots (Lot 111-113 DP 1296469) is to demonstrate all remediation works have been undertaken as part of the Westlink Stage 1 consent. The LTEMP is a result of these remediation investigations.
• *Regarding noise management within the Mamre Road Precinct, the precinct-wide approach to noise is a matter for DPHI to address and suitably condition.*	The Applicant will address any comments from DPHI in relation to noise management within the MRP.
Waterways Considerations	
Council's Waterways officer has reviewed the proposal and raises no objection. The following comments are for the Department's consideration: • *The Department must ensure that the controls are met in terms of compliance with the stormwater and waterway health targets (for both the construction and operational stages) as well as any of Sydney Water's requirements with respect to trunk drainage.*	Noted. The Applicant has addressed comments provided by BCS and Sydney Water in relation to stormwater management and the Applicant's response.
• *The trunk drainage design must be approved by Sydney Water.*	Noted. Refer to the Applicant's response and Sydney Water correspondence to trunk drainage below.
• *With respect to the GPT's, it is noted that the GPT's will be the responsibility of the developer / property owners to maintain. Conditions should be included requiring this and detailed operation and maintenance manuals are required.*	The Applicant agrees to maintain GPTs associated with each lot in perpetuity. A proposed condition is provided below and is consistent with Westlink Stage 1 (SSD-9138102) consent: *All stormwater infrastructure, including GPTs, shall remain under the ownership, control and care of the registered proprietor of the lots. Upstream drainage catchment pipes are to be located outside of the public road reserve and remain in private ownership, in accordance with Council requirements.*

Comment	Response
	Note: This does not include any passively irrigated street trees that may be transferred to the relevant road authority. This also does not include trunk drainage infrastructure for which maintenance and operation may be transferred to the Regional Stormwater Authority.
• *Restrictions of use and positive covenants should be applied for all on-lot stormwater management / treatment systems.*	The Applicant proposes on-lot OSD tanks to manage stormwater on Lot 6. Refer to the On-Lot Civil Drawings (**Attachment G**). DPHI must consider the refinement of a condition that ensures restriction of use does not limit the land the OSD tank is on, as additional uses above ground exist above the tank. Other than this matter, the Applicant is not against a condition for restriction of use and positive covenants. A proposed condition is as follows: *Prior to issue of any Occupation Certificate, a restriction of use associated with the OSD tank and positive covenant relating to the permanent stormwater management systems shall be registered on the title of the property. The restriction of use shall not preclude the delivery of the proposed warehouse, which may have additional uses sitting above the tank, such as car parking or hardstand.* The restriction on the use of the OSD tank and positive covenant shall be in Penrith City Council's standard wording as detailed in Council's Stormwater Drainage Specification for Building Developments - Appendix F.
• *Rainwater tanks are proposed as interim measures until the delivery of the regional stormwater management scheme. Conditions are also required to ensure they are decommissioned and connection to the regional scheme occurs, once available.*	Noted. A proposed condition consistent with the Westlink Stage 1 (SSD-9138102) consent is provided below: *The development will ultimately connect to the MRP Stormwater Scheme and interim measures to meet the waterway health objectives and targets shall be decommissioned by the landowner once connection is established.*
• *Conditions should be imposed to ensure that prior to completing the detailed design, plans for passively irrigated street trees must be submitted to Council for review and approval (in the case the roads will be dedicated).*	Noted. A proposed condition consistent with the Westlink Stage 1 (SSD-9138102) consent is provided below: *Prior to the commencement of any stage of road construction, detailed design plans showing the provision of passively irrigated street trees within the relevant stage of works must be submitted to the satisfaction of the relevant road authority. The plans must be prepared in consultation with Council.*
• *High efficiency sediment basins are required to be provided to meet the construction phase IWCM controls in the MRP DCP. It is acknowledged in the Stormwater report and CPESC Statement, but conditions should also be applied.*	Noted. Proposed conditions consistent with the Westlink Stage 1 (SSD-9138102) consent is provided below: *1. Prior to the commencement of earthworks for the development, the Applicant must design and detail the erosion and sediment control measures for the site to ensure the construction phase IWCM controls in the MRP DCP are achieved to the satisfaction of the Planning Secretary. Detailed Erosion and Sediment Control Plans (ESCP) and drawings must:*

Comment	Response
	a. be prepared by a Chartered Professional Erosion and Sediment Control (CPESC) specialist; *b. be prepared in accordance with Managing Urban Stormwater: Soils and Construction - Volume 1: Blue Book (Landcom, 2004) and with the WSUD design principle set out in the Technical Guidance for Achieving Wianamatta South Creek Stormwater Management Targets (Technical Guidance) (NSW Government, 2022);* *c. include:* *i. each major phase of construction work including catchment plans and calculations and sizing for all major drainage and sediment controls for each phase;* *ii. the type of sediment basin, details of all functional components and calculations demonstrating compliance with the DCP;* *d. demonstrate the construction approach and timing to ensure the construction phase stormwater quality targets can be met;* *e. detail measures to manage external catchment flows and dispersive soils;* *f. detail measures to protect passively irrigated street trees during construction works, if these are installed before construction is completed;* *g. be included in the CEMP required by Condition x.* *2. The Applicant must:* *a. not commence earthworks until the ESCP is approved by the Planning Secretary; and* *b. implement the most recent version of the ESCP approved by the Planning Secretary.* *3. The Applicant must ensure delivery and operation of all construction phase erosion and sediment controls on the site is supervised and certified by a CPESC. Monthly audits are to be completed by CPESC and kept on record for the duration of the construction and an additional 12 months following completion of construction works.*
• *Should the application be approved, adequate conditions are needed to ensure that all temporary infrastructure is maintained until the regional infrastructure is available.*	Noted. A proposed condition consistent with the Westlink Stage 1 (SSD-9138102) consent is provided below: *1. Prior to occupation certificate of the warehouse building, the Applicant must prepare a Water and Stormwater Management Plan to the satisfaction of the Planning Secretary. The WSMP must:* *a. be prepared by a suitably qualified chartered professional engineer with experience in modelling, design and supervision of WSUD;* *b. comply with the requirements of the Technical Guidance;* *c. be consistent with the stormwater design submitted as part of this application;* *d. describe the baseline soil, surface water and groundwater conditions at the site;* *e. define how each stage of the development will comply with the Stormwater Targets including ultimate development (i.e. connection to the regional scheme);*

Comment	Response
	f. include MUSIC modelling for each stage of the development in accordance with the Technical Guidance; *g. ensure:* *i. proprietary devices are located on private land and only include sediment and nutrient removal if certified under SQIDEP;* *ii. ensure external catchments are drained to trunk drainage;* *iii. ensure all catchment areas are accounted for in the MUSIC modelling and post processing toll and there are no inconsistencies;* *iv. the strategy and stormwater elements are consistent with the design drawings as part of the consent;* *h. include a protocol for investigation of any non-compliances of stormwater management system with the IWCM controls in the MRP DCP the waterway health objectives and targets in the Technical Guidance;* *i. detail the contingency measures that would be implemented should issues arise;* *j. include a Maintenance Plan for the WSUD measures; and* *k. detail triggers for review of the plan within 6 months of the Stormwater Scheme is connected to the site.*
• *Conditions should be imposed to ensure that adequate land is reserved for initial stages of the development' treatment and management of stormwater (i.e., irrigation of undeveloped land).*	Noted. A proposed condition consistent with the Westlink Stage 1 (SSD-9138102) consent is provided below: *The Applicant must not carry out earthworks or construction, other than those works approved under this consent, unless the site is connected to the Stormwater Scheme or an alternative Stormwater Management System has been approved by the Planning Secretary.*
• *Conditions should also be imposed to ensure that all stormwater infrastructure, including GPTs, rainwater tanks, irrigation systems temporary ponds and the like, remain under the ownership, control, and care of the registered proprietor of the lots. It is suggested that positive covenants and restrictions of use should be placed to ensure that all privately owned systems will be maintained in perpetuity. It is acknowledged some infrastructure will not be required once the regional scheme is available. Conditions should be used to manage the transition and decommissioning of the infrastructure once connection to the regional infrastructure is available.*	Please see the above response in relation to these items and proposed conditions.
NSW Department of Climate Change, Energy, the Environment and Water – Conservation Programs, Heritage and Regulation	
Biodiversity	
• *In response to BCS's advice that the Mamre Road corridor and a very small portion of land in the SSDA site is 'excluded land' from the CPCP is the statement that 'the*	No works are proposed within the SP2 zoned land on the site under this SSDA. This is clearly demarcated on the Architectural Drawings (**Attachment C**) and On-Lot Civil Drawings (**Attachment G**).

Comment	Response
Applicant has specifically excluded any works proposed in the SP2 Infrastructure zoned land under the Westlink Stage 2 SSDA'. • *DPHI must be satisfied that works are not proposed in excluded land as section 7.9 of the Biodiversity Conversation Act 2016 applies to any works on excluded land. As such, BCS recommends that a plan be provided to clearly identify the location of works in relation to the CPCP excluded land in order to clearly demonstrate that there are no works proposed in the excluded land.*	The works to be proposed as part of the Mamre Road Stage 2 upgrade will not touch this boundary. However, all biodiversity matters within this road corridor have been assessed under Stage 1 SSDA (SSD-9138102 Mod 5) (separate application).
Flood Risk Management	
• *The Proponent has responded to the recommendation that 'As the development is a 24/7 warehouse and distribution centre the development is to have a site-specific action plan in place for flooding. This will ensure the businesses is able to respond to flooding in extreme storm events consistent with responsibilities identified in NSW State Emergency Service's Local Flood Plan for the area' with: 'A site specific action plan can be prepared as part of the Operational Environmental Management Plan (OEMP) in accordance with a condition of consent'.* • *<u>Recommendation</u>: As per previous BCS advice, it is recommended an emergency management plan be prepared prior to determination.*	A Flood Impact and Risk Assessment (FIRA) has been prepared by JWP and included at **Attachment L**. It has been prepared in response to feedback received and confirms the Site is not subject to regional flood events. For the probable maximum flood for local flooding, hazards reach a H5 (unsafe for vehicles and people) on roadways. Therefore, a Shelter-in-Place is proposed during these extreme events. The preliminary flood emergency response plan recommends the following items: • PMF flooding will not enter the warehouses in which people are likely to be sheltering; • Local PMF flooding occurs for a limited duration with a peak of the flood occurring within 30 minutes of the beginning of storm surge and overland flooding receding within 1 hour of the beginning of the storm surge; • The hydraulic hazard mapping demonstrate that in the PMF event, flood hazards of H2 or greater are localised to road reserve and overland flow paths; • The proposed warehouses will have habitable spaces for people to shelter above the PMF flood levels; and • It is expected that utility services will be able to be reinstated shortly after the recession of the flood. For further discussion, refer to Section 6 of the FIRA with an indicative FERP that would apply to the warehouse buildings proposed within the Westlink Industrial Estate included at Appendix B of the FIRA.
Waterway Health and Stormwater Management	
• *Stage 1 and Stage 2 are no longer 'stand-alone' due to Stage 1 now relying on lots within Stage 2 for irrigation plus inclusion of basins in Lot 3 and 5. The report should include results for each of the 2 release points/trunk channels from the site in order to assess the proposal holistically. If Stage 2 is to be assessed on a stand-alone basis then there should be no interaction/reliance between Stages 1 and 2.* • *External catchments are still not included in the MUSIC model. Where the external catchments are designed to be managed around the treatment systems, then the exclusion of these catchments is appropriate (i.e. EX.B1 and EX.B2). However, where the*	The MUSIC model approved for Westlink Stage 1 was a combined model that included developed areas of Stage 1 and undeveloped areas for Stage 2. This model has been updated to suit the Stage 2 proposed works. The model is prepared in accordance with the MRP DCP requirements. The external catchments have not been included in the MUSIC model to ensure the Site area is accurate to meet the stormwater targets. The inclusion of external catchments would increase the requirement for the estate.

Comment	Response
external catchments drain into treatment devices then they need to be included in the model as they will impact performance of the devices and treatment system (i.e. EX.D1). • *The treatment flowrate and TSS and TP removal rates adopted for the Stormfilter are slightly higher than those endorsed for use in the SQIDEP verification certificate and should be amended. Clarify exactly how many cartridges and of what size are proposed as there seems to be conflicting details between plans, report and model.* • *The high flow bypass for the oceanguard treatment node has been set at 100m3/s, which would correspond to 5000 devices based on a treatment flowrate in the SQIDEP verification certificate of 20L/s per device. This needs to be revised to a high flow bypass rate reflective of the actual number of devices specified.* • *Recommendation: Provide an updated MUSIC model and flow spreadsheet which accounts for the influence of any external catchments which will flow through the treatment devices.* • *Pre-determination: This issue needs to be addressed prior to determination in order to ensure adequate space is provided for WSUD elements in the proposed layout.*	The external catchment will drain through a GPT prior to discharging into the open trunk drainage channel. This GPT will be privately owned and maintained at regular intervals to ensure it operates as per the design intent. A sensitivity test has occurred if the external catchments would be included under the MUSIC model, which confirms stormwater nutrient targets would still be met as required under the MRP DCP. The updated Water and Stormwater Management Plan (**Attachment I**) has included a maintenance and operation manual to support the proposed design. In addition, the treatment rates and removal rates have been updated to support the endorsed rate and high flow bypass rate has been updated to suit. Please refer to updated Water and Stormwater Management Plan (**Attachment I**), On-Lot and Estate Civil Drawings (**Attachment F** and **G**), and MUSIC Modelling provided under a separate cover.

• *Drawing 20-748-C5220 (Stormwater Management Plan Interim Arrangement) has the following issues:*
  - *ponds/basins proposed for Lot 5 and Lot 3 also need to appear on this plan not just the ESCP*
  - *irrigation main from Lot to Lot 6 needs to be amended to connect to irrigation areas not Lot 6 pond/basin*
  - *check numbers nominated for stormfilter cartridges match model.*
• *The updated LandPartners plan of subdivision uses different Lot numbering to the civil engineering plans. These should be consistent. Ensure consistent flood levels between the AT&L and JWP plans and that conservative flood levels have been adopted, reflective of the uncertainty of the final Mamre Road culvert design.*
• *Recommendation: Address the above issues and provide a written response which explains how they have been addressed.*
• *Pre-determination This issue needs to be addressed prior to determination to ensure adequate space is provided for WSUD elements in the proposed layout and that the stormwater infrastructure on which the masterplan relies can be delivered. This will also enable conditions to correctly reference the proposed details and lots.*
	Refer to the updated Stormwater Management Plan Interim Arrangement (20-748-C5220) included within the Estate Civil Drawings (**Attachment F**). It has been updated to include basins proposed for across the estate, in addition to being shown on the Erosion and Sediment Control Plan (ESCP) (20-748-C5201) and irrigation main which connects to irrigation areas.
	The nominated number for the stormfilter cartridges match model are confirmed as being correct. We also note that the lot numbers have been updated on the Civil Drawings (**Attachment F** and **G**) to reflect the proposed Plan of Subdivision (**Attachment E**).

• *The external catchments to the east are not provided with any detail on how they will be conveyed down the batters of Lot 5. Swales at the top of batter directing flows to batter chutes are needed to avoid severe erosion of the batter. Swales are nominated on the earthworks sections at top of batter, however appear to be small for the catchment size and don't connect to any batter chutes.*	The Civil Drawings (**Attachment F** and **G**) have been updated to provide more detail on how external catchments are conveyed into the swales within Lot 5. Further, all pad drainage has been updated on the ESCP (20-748-C5201).

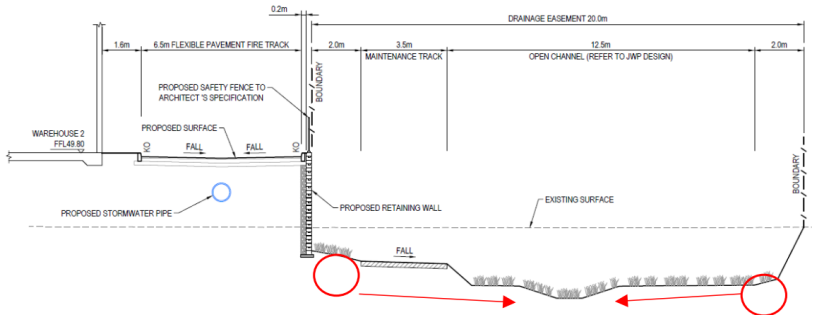
Comment	Response
• *Some drainage is shown on the ESC plans for once runoff is on the lot pads, however these ESC plans are very preliminary and the interim drainage should be shown on other plans which could be approved as part of this package (as the ESC plans will not be).* • *Recommendation: Provide updated drawings (bulk earthworks, and/or stormwater drainage) which include interim drainage measures which will manage runoff for external catchments, such that flows are directed to the underground drainage system in a controlled manner and without causing erosion.* • *Pre-determination: This issue ideally needs to be addressed prior to determination. However, the plans could be amended prior to construction.*	
• *As the site is close to the airport, provide the required Wildlife Hazard Assessment and Management Plan and make any required changes to the design of the sediment basins and retention ponds to mitigate the hazard.* • *Extend the landscape drawing set to also encompass the on-lot Pond and incorporate recommendations from the Wildlife Hazard Assessment and Management Plan.* • *Recommendation: Address the above issues and provide a written response which explain how they have been addressed.* • *Pre-determination: This issue ideally needs to be addressed prior to determination. However, the plans could be amended prior to construction.*	A Wildlife Management Plan has been prepared by Aspect Environmental and is included at **Attachment T**. It confirms there is no conflict between the proposed landscaping and basins with wildlife strike risk associated with Western Sydney International (Nancy-Bird Walton) Airport. The Wildlife Management Plan will form part of CEMP for the project.
NSW Department of Climate Change, Energy, the Environment and Water – Heritage NSW	
• *As per our previous advice Heritage NSW recommends the Department of Planning, Housing and Infrastructure requests documents demonstrating consultation with Registered Aboriginal Parties in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW, 2010), as specified in the Secretary's Environmental Assessment Requirements (SEARs). The records provided should include documents demonstrating the provision of the Draft Aboriginal Cultural Heritage Assessment report to all Registered Aboriginal Parties for review and comment (such as an email with all relevant email addresses shown).*	A Draft Aboriginal Cultural Heritage Addendum Letter has been prepared by Biosis and included at **Attachment P**. It identifies restarted consultation with Aboriginal groups restarted on 31 October 2024. On 5 December 2024, Biosis provided each of the Registered Aboriginal Parties (RAPs) with a copy of the project methodology pack outlining the proposed Aboriginal Cultural Heritage Assessment process and methodology for the project. RAPs were given 28 days to review and prepare feedback on the proposed methodology. A number of responses were received from RAPs with no issues raised. Biosis is currently undertaking Stage 4 consultation with RAPs. The final consultation with the RAPs will close on 3 March 2025. The final outcomes of this consultation will be provided to DPHI to support finalising the assessment of this SSDA.

Comment	Response
NSW Department of Climate Change, Energy, the Environment and Water – Water Group	
Water Supply, Take and Licensing	
Pre-Determination	
• *Recommendation: That the proponent quantifies the maximum annual volume of water take due to aquifer interference activities and demonstrates the ability to acquire sufficient water entitlement unless an exemption applies.* • *Explanation: Insufficient information has been provided to confirm the potential groundwater inflow volumes. The concept of a 20m excavation and no groundwater interception conflicts with the information provided in the EIS which stated GW seepage was found at 2.5-3m in test pits. Additionally, the EIS noted perched seepage may cause difficulty for excavations and would need to be managed by catch drain methods. The potential for shallow groundwater doesn't seem to be recognised in the RTS response. The proponent has not presented sufficient information and analysis on inflows during the construction and ongoing operation of the site. Quantification of maximum potential inflow volumes is required.*	The Applicant's geotechnical consultant has provided a response to the comments raised by Water Group. Douglas Partners has undertaken extensive geotechnical and groundwater investigation as part of Stage 1 and 2 areas of Westlink Industrial Estate (SSD-9138102 and SSD-46983729). The investigations conclude that no aquifer interference activities will occur as part of the proposed works. The areas where the water table is higher are in areas where the Applicant proposes to fill (as opposed to cut). Refer to the Groundwater Letter prepared by Douglas Partners included at **Attachment U**.
Post-Approval	
• *Recommendation: The proponent should ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2018.* • *Explanation: Under the Water Management Act 2000, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exemption under Clause 7 of Schedule 4 of the Water Management (General) Regulation 2018 applies. An exemption may be available if water take is less than or equal to 3 ML per water year, subject to the development meeting other exemption requirements, such as:* - *the water is not taken for consumption or supply;* - *the person claiming the exemption keeps a record of the water taken under the* - *exemption and provides this to the Minister within 28 days of the end of the water year; and* - *the records are kept for 5 years.*	As stated above, Douglas Partners confirms aquifer interference activities are to occur. Therefore, a water access license is not required. Refer to the Groundwater Letter prepared by Douglas Partners included at **Attachment U**.

Comment	Response
Groundwater Impacts and Dewatering Requirements	
Pre-Determination	
• *Recommendation: If the take of groundwater is found to be greater than 3 ML per year, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012).* • *Explanation: As per Recommendation 1.1 above, the proponent has not provided a volumetric quantification of groundwater take. Additionally, the proponent has not provided an assessment of impacts to groundwater due to construction or operation of the project. NSW DCCEEW Water Group notes that without groundwater take estimations it is difficult to assess the level of risk. Therefore, the proponent should determine the estimated take volume.*	No groundwater take is proposed as part of this application. Refer to the Groundwater Letter prepared by Douglas Partners included at **Attachment U**.
Transport for NSW	
Conditions	
Roadworks	
• *Prior to occupation of warehouse 2 the following road works must be completed and includes:* - *The intersection of Mamre Road & Abbots Road;* - *The intersection of Abbotts Road and Aldington Road; and* - *Abbotts Road widening between Mamre Road and Aldington Road*	No objection.
Mamre Road SP2 Road Widening	
• *Any new buildings or structures including any batters, together with any improvements integral to the future use of the site, are erected clear of the land reserved for road widening (unlimited in height or depth).*	No objection.
Construction Pedestrian and Traffic Management Plan	
• *Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant shall prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with TfNSW.*	No objection. The Applicant notes the suggested wording is similar to the Westlink Stage 1 (SSD-9138102) consent.
• *The CTMP will require the plan to provide a cumulative assessment based all current approved construction sites and current traffic data.*	No objection. The Applicant notes this is consistent with the Westlink Stage 1 (SSD-9138102) consent and requirements to coordinate construction impacts across the MRP under the MRP Working Group.

Comment	Response
Advisory Comments	
Vehicular Access and Manoeuvrability	
• *TfNSW notes that access is proposed with separate ingress and egress driveways from Aldington Road, however, has identified that in the interim until the connection to the Aldington Road / Abbotts Road traffic signals is constructed, access is proposed through the Westlink Industry Park private access road MC06. The swept paths provided indicate that a 30m PBS Level 2 Type B vehicle is required to drive on the wrong side of the private access road to turn left into the interim private road section of Aldington Road.* • *<u>Recommendation</u>: TfNSW recommends that the Department impose a condition that limits the largest vehicle that can access the site to a 26m B Double in the interim and remain in place until such time as the connection to the Aldington Road/Abbotts Road traffic signals is constructed.*	Noted. The Applicant accepts a condition restricting maximum trucks to 26m B-double, which based on current customer enquiries, is not required for operations.
Traffic Generation	
• *The submitted traffic report states that within the LOG-East modelling assessment, for the ESR landholdings, a peak hour trip generation of 188 veh/hr in the AM peak; and 196 veh/hr in the PM peak based on TfNSW agreed trip rates was used. The trip rates used to estimate the traffic of this proposal are based on the operational requirements of the proposed tenant which are significantly lower than the agreed TfNSW trip rates. Applying the TfNSW rates based on a GFA of 120,282m2 for Stages 1 and 2 of the Westlink Industry Park results in traffic generation of 277 trips in the AM peak and 289 trips in the PM peak which is considerably higher than traffic assumed in the LOG East modelling.* • *Whilst the traffic generation is higher than the LOG East modelling assumed, considering the local road upgrades that will delivered by LOG East via a VPA with Council and the timing of the Mamre Road Stage 2 Upgrade project that is scheduled for delivery by TfNSW by 2029. As such, TfNSW are of the view that the additional road network capacity that the committed upgrades will provide will be able to accommodate the proposed increase of traffic.*	Noted.
Sydney Water	
General	
• *There are several inconsistencies identified in the responses provided by the proponent to address Sydney Water comments across the following documents. It is recommended that the proponent provide a consolidated and consistent response to the EIS comments for Sydney Water's review.* - *Submissions Report Westlink Industry Park – Stage 2*	The Applicant and their civil engineering consultants, J. Wyndham Prince (JWP) and AT&L, have reviewed Sydney Water's comments in detail and responded accordingly as identified in the following responses. This response letter is supported by the following relevant documentation:

Comment	Response
- *2. Appendix I – Trunk Drainage Design Report* - *3. Appendix O – Flooding Response* • *Note: The responses provided as part of Trunk drainage design report and flooding response are only considered as latest and has been referred in preparing this advice.*	• Updated Estate Civil Drawings prepared by AT&L (**Attachment F**); • Updated On-Lot Civil Drawings prepared by AT&L (**Attachment G**); • Updated Civil Infrastructure Report prepared by AT&L (**Attachment H**); • Updated Water and Stormwater Management Plan prepared by AT&L (**Attachment I**); • Updated Trunk Drainage Drawings prepared by J. Wyndham Prince (**Attachment J**); • Updated Trunk Drainage Design Report prepared by J. Wyndham Prince (**Attachment K**); • Flood Impact & Risk Assessment prepared by J. Wyndham Prince (**Attachment L**); All plans, reports and modelling have been coordinated through a series of meetings. Further, both consultants have reviewed each other's work to ensure consistent documentation.
• *It has been observed that the on-lot and estate civil drawings and updated water management plan by AT&L, indicate a 20m wide drainage easement, whereas the updated Trunk Drainage Report and drawings by JWP show an 18.9m wide drainage easement. All documentation should be revised to reflect the correct width of drainage easement based on the 2D modelling.*	Updated TUFLOW modelling has been provided under a separate cover. While the trunk drainage channel is 20m in width, the response has excluded retaining walls as requested by Sydney Water. Therefore, the trunk drainage channel is 19.2m wide. The labelling of this trunk drainage channel has been documented across all relevant plans and reports to support this amendment. We confirm all documentation has been revised to reflect the correct width of drainage easement based on the 2D modelling. Refer to the updated Civil Drawings (**Attachment F** and **G**) and Trunk Drainage Drawings (**Attachment J**).
• *The on-lot civil drawings show a retaining wall on the northern side of the trunk drainage adjacent to Mamre Road. However, the updated trunk drainage drawings and the flood modelling do not reflect this retaining wall. Please ensure the civil drawings are updated accordingly.*	The retaining wall requirements adjacent to the trunk drainage channel have been updated within the On-Lot Civil Drawings (**Attachment G**) and Trunk Drainage Drawings (**Attachment J**). There is no retaining wall proposed on the northern boundary, except adjacent to the headwall of the trunk drainage channel.
• *The trunk drainage section detail in the on-lot civil drawings needs to be revised to align with the 2D modelling and be consistent with the trunk drainage drawings.*	The trunk drainage sections on the On-Lot Civil Drawings (**Attachment G**) have been removed to ensure there are no inconsistencies with the updated Trunk Drainage Drawings (**Attachment J**).
• *The cross-section detail of the OSD in Lot 2 and its connection to the trunk drainage are inconsistent between the trunk drainage drawing and the on-lot civil drawings. The OSD volume must be designed with the appropriate tailwater condition to the satisfaction of Council.*	The cross section detail has been updated to be consistent across the On-Lot Civil Drawings (**Attachment G**) and Trunk Drainage Drawings (**Attachment J**). The outlet from the OSD into the trunk drainage channel has been reviewed and modelling demonstrates there are no adverse operational impacts to the trunk drainage channel.
Consistency with the Scheme Plan	
• *The trunk drainage location has been shifted to the northern boundary of the lot, deviating from the published Stormwater Scheme Plan. As a result, a skewed culvert is now necessary under Mamre Road to connect to Sedimentation Basin 17 and to avoid*	Correspondence between the Applicant and TfNSW confirming the culvert location is supported by TfNSW is included at **Attachment W**.

Comment	Response
spatial conflict with the sewage pumping station. Written in principle agreement from Transport for NSW is required regarding the realignment of the culvert, which has not been provided. The Work Agreement Deed and the detailed design drawings provided are not considered adequate.	
• *The set of drawings referenced in the Approval Letter (Transgrid Reference Number 2023-058) must be provided for Sydney Water's review. The summary of findings under Section 2 (Technical Conditions) notes that "Proposed stormwater line and retaining wall are outside the easement", whereas part of the trunk drainage channel is within the Transgrid easement. Please ensure that these discrepancies are addressed and that the relevant drawings are made available for review.*	Correspondence between the Applicant's consultant (Edgewater) and Transgrid confirming no issues were raised in relation to the culvert locations is provided at **Attachment X**.
Trunk Drainage	
• *The design of trunk drainage by Hydra ulic Toolbox is deemed inadequate. The proponent has submitted a reduced width trunk drainage channel that triggers the need for 2D modelling to accurately determine the capacity of trunk drainage system.*	Updated TUFLOW modelling has been provided under a separate cover. It confirms the trunk drainage channel performs to the standard set by Sydney Water. Refer to the updated Trunk Drainage Design Report (**Attachment K**).
• *The determination of the PMF by extrapolation is not acceptable. The PMF is to be determined using the GSDM for trunk drainage design.*	A FIRA has been prepared by JWP in response to feedback received and is included at **Attachment L**. The flood modelling confirms the developed conditions flood depth and level mapping indicates that the proposed site and drainage works will capture and redistribute flows in the road networks and the trunk drainage channel.
• *The current design does not achieve the target for Sinuosity.* - *Sydney Water recommend increasing the average wavelength.* - *After retaining a minimum 1m buffer, the proponent could potentially transfer the remaining portion of the 2m buffer next to the maintenance track to the upper bank to allow for an appropriate channel wavelength* 	JWP have collaborated with Sydney Water on the sinuosity assessment and related channel design solution. Outcomes of these meetings were agreed via email on October 2024 and 27 November 2024. These emails are included at Appendix B of the updated Trunk Drainage Design Report (**Attachment K**). The instruction provided by Sydney Water has informed the documentation of the updated trunk drainage design to meet their requirements. Refer to updated Trunk Drainage Drawings (**Attachment J**).

Comment	Response
• *A rock lined low flow channel is proposed for a 27m section. Rock lined low flow channels are a poor outcome and should be designed out as much as possible. Sydney Water recommends increasing the slope to 0.7% or greater with a short rock chute rather than the rock lined low flow channel. Compliance with Shear stress and velocities are to be confirmed through 2D modelling.*	JWP has removed the previously proposed rock lined portion of the trunk drainage channel. Instead, it is proposed to steepen the overall channel gradient (Max. 0.85%). Refer to the updated Trunk Drainage Drawings (**Attachment J**). This approach was presented to Sydney Water in an email dated 26 November 2024. There were no objections to this approach and the trunk drainage design has adopted these amendments. Refer to Appendix B of the updated Trunk Drainage Design Report (**Attachment K**) for correspondence.
• *The proponent is to use 4EY flowrate for designing the low flow channel as outlined in the Draft Stormwater Scheme Infrastructure Design Guideline (Sydney Water, 2024) rather than 0.5X12EY.*	The 4EY flowrate has been updated in the trunk drainage design. This was confirmed via a meeting with Sydney Water following the issue of the RFI. Following the meeting, Sydney Water confirmed their preference in an email dated 28 October 2024. Refer to Appendix B of the updated Trunk Drainage Design Report (**Attachment K**) for correspondence. The adopted design solution is a 5.5m wide low flow channel (2.5m base, 0.5m depth and 1:3 side slopes at a Mannings of n=0.08). These arrangements have been updated on the Trunk Drainage Drawings (**Attachment J**).
• *The channel slope adopted between chainage 242.84 to 323.05 is documented as 2% in the calculation, while it is shown as 0.7% in the longitudinal section. This discrepancy must be addressed.*	The longitudinal section and chainage has been updated to be consistent. Refer to updated Trunk Drainage Drawings (**Attachment J**).
• *The headwall outlet section shown in CD042 is to be updated to accurately reflect the incoming 1350dia pipe.*	The trunk drainage design has been updated to reflect the correct pipe at the headwall. Refer to updated Trunk Drainage Drawings (**Attachment J**).
• *The channel long section should indicate the critical locations such as off-take to Sediment Basin 17 and discharge to Kemps Creek.*	JWP have reviewed the area downstream of the Site, west of Mamre Road. A sketch has been developed to demonstrate there will be adequate room for the future offtake to Sediment Basin 17. A meeting was held on 18 October 2024 with Sydney Water. The Applicant presented the sketch. It was confirmed it is a concept and not required for approval. Refer to Appendix B of the updated Trunk Drainage Design Report (**Attachment K**) for correspondence. The sketch is provided in the updated Trunk Drainage Design Report (**Attachment K**) to inform future designs as a "high level concept". The delivery of this connection is contingent on future approvals including DSP registration and authority coordination with TfNSW and Transgrid.
• *The drawings indicate that overflow from IOP is discharged into the trunk drainage. Sewer overflows should not be discharged to the trunk drainage upon establishment. Please clarify if this is an interim arrangement and provide details about the timing of construction of the channel and IOP overflow as well as ownership and maintenance responsibility during the interim period and for the decommissioning of the overflow pipe.*	It is noted that it is standard design practice to cater for the very rare instances that IOP may surcharge due to unforeseen operational or environmental reasons by providing a defined connection into the downstream waterways. This does not mean that this method of discharge is being facilitated. The overflow from the IOP is an interim solution. Sydney Water has approved the IOP which is currently under construction. This includes the mechanism for overflow which was determined to be satisfactory.

Comment	Response
Cross Section	
• *The cross section at chainage CH300 shows battering towards Stage 2 development area. Please plot 1% AEP water levels in the cross section to show that the flow is contained within the channel. Additional cross section at chainage CH315 is to be provided.*	The 1% water levels have been provided in the updated Trunk Drainage Drawings (**Attachment J**).
• *The retaining walls that support the maintenance track between chainage CH255 and CH300 are to be marked in the cross sections and sandstone retaining walls to be used consistent with the Stage 1 channel design*	The cross sections have been updated to show retaining walls with all retaining walls shown as sandstone. Refer to the updated Trunk Drainage Drawings (**Attachment J**).
Other	
• *As a minimum, the proponent is to provide mapping of water levels, velocity and shear stress for 1% AEP storm for the designed trunk drainage width. However, the design must not preclude the threshold for the minor storm events. Note Sydney Water may request additional drawings at the detailed design stage.*	Updated TUFLOW modelling has been provided under a separate cover. The modelling results have mapped 1% AEP storm within the trunk drainage channel.
• *The proposed trunk drainage affects the downstream trunk drainage connected to the regional basins. The submission documents do not provide sufficient detail to show the proposed alignment for the tail out drainage from Mamre Rd Culvert to Kemps Creek. As the proposal affects alignment downstream of the site, all drawings must demonstrate functional design resolution (as mentioned above) of the full length of proposed channel realignment. The channel levels must be consistent with Sydney Water levels and must be confirmed prior to the detailed design.*	JWP have reviewed the area downstream of the Site, west of Mamre Road. A sketch has been developed to demonstrate there will be adequate room for the future offtake to Sediment Basin 17. A meeting was held on 18 October 2024 with Sydney Water. The Applicant presented the sketch. It was confirmed it is a concept and not required for approval. Refer to Appendix B of the updated Trunk Drainage Design Report (**Attachment K**) for correspondence. The sketch is provided in the updated Trunk Drainage Design Report (**Attachment K**) to inform future designs as a "high level concept". The delivery of this connection is contingent on future approvals including DSP registration and authority coordination with TfNSW and Transgrid.